



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



**AGENDA**

April 12, 2016 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. **MOTION. APPROVAL OF MEETING MINUTES: MARCH 22, 2016**

**Attachments**

PlnBMinutes\_2016\_03\_22\_DRAFT

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).
8. **NEW BUSINESS:** (Agenda items new to this meeting).
  - a. **PRESENTATION/DISCUSSION. 2015-2019 TIP AMENDMENT III.**

**Attachments**

2015\_2019 TIP\_AMD\_DRAFT

- b. **PLAT REVIEW/DISCUSSION. HIGH SIERRA SUBDIVISION, 11TH FILING.** Dave Green, Planner II, presenting.

**Attachments**

Findings of Fact

Proposed Plat

Aerial View

- c. **PLAT REVIEW/DISCUSSION. COPPER RIDGE SUBDIVISION, 6TH FILING.** Dave Green, Planner II, presenting.

**Attachments**

Findings of Fact

Proposed Plat

Palladium Drive to be vacated

Aerial View

- d. **PLAT REVIEW/DISCUSSION. JOSEPHINE LANDING SUBDIVISION, 1ST FILING.** Dave Green, Planner II, presenting.

**Attachments**

Findings of Fact

Proposed Plat North

Proposed Plat South

Phases northern half

Phases southern half

Aerial View

- e. **DISCUSSION. LOCKWOOD GROWTH POLICY.** Candi Millar, Director, Planning & Community Services, Presenting.

9. **OTHER BUSINESS:**

- a. **Acknowledgement of Board member Donna Forbes' Resignation letter**
- b. (Standing Item) Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects.

10. **ADJOURNMENT**

**FUTURE AGENDA ITEMS FOR TUESDAY, APRIL 26, 2016**

- a. **MOTION/RECOMMENDATION TO PCC. 2015-2019 TIP AMENDMENT III**, Scott Walker, Transportation Coordinator, Presenting.
- b. **MOTION/RECOMMENDATION. LOCKWOOD GROWTH POLICY**. Candi Millar, Director, Planning & Community Services, presenting.
- c. **MOTION/RECOMMENDATION TO CITY COUNCIL**. Josephine Landing Subdivision, 1<sup>st</sup> Filing, a 136-lot City major subdivision, generally located at Elysian Road, east of East Lane, Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- d. **MOTION/RECOMENDATION TO CITY COUNCIL**. High Sierra Subdivision, 11<sup>th</sup> Filing, a 71-lot City major subdivision generally located north of Topanga Avenue and west of Owen Street, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- e. **MOTION/RECOMMENDATION TO CITY COUNCIL**. Copper Ridge Subdivision, 6<sup>th</sup> filing, a 60-lot City major subdivision generally located north of West Copper Ridge Loop and west of Lucky Penny Lane, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

### **Public Hearing Participation Guidelines**

The County Planning Board welcomes public input on matters brought before the Board. To ensure a fair and effective public comment process, we ask that you consider the following guidelines when presenting your comments: **Address the Planning Board directly. You must state your name and address before commenting.** This is an opportunity to explain how you will be affected by the decision and why that is an important consequence.

1. Be informed of the process and the requirements of the Board. If you are commenting about a subdivision, please limit your comments to the review criteria.

**By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). These criteria include:**

- Effect on agriculture and agricultural water user facilities
- Effect on local services
- Effect on the natural environment
- Effect on wildlife and wildlife habitat
- Effect on public health and safety

2. Provide specific information about why you are concerned about the pending application, how the decision will impact the review criteria listed above, and provide suggestions on how to minimize or eliminate the impact.
3. Respect the right of others to participate. Wait until the previous speaker has completed their comments before making your own comments. Do not talk over the person commenting or with other people in attendance.
4. The public hearing is not an opportunity to question or accuse the applicant or their agent. If you have questions of the Board, the applicant or the agent, ask the question directly to the Board during the public hearing portion of the meeting. The Board will respond or request the applicant or agent to respond after the public comment portion of the hearing is closed.
5. After the public comment portion of the hearing is closed, no further comments are allowed unless you are addressed directly by a Board member.
6. You should expect the Board to make a balanced recommendation in accordance with its statutory responsibilities. The Board's ability to make reasonable and thoughtful recommendations is dependent on a fair consideration of everyone's interests.

***Thank you for participating.***

**Planning Board Meeting I (2nd Tuesday)**

**3.**

**Meeting Date:** 04/12/2016

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**Information**

**Subject**

**MOTION. APPROVAL OF MEETING MINUTES: MARCH 22, 2016**

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**Attachments**

PlnBMinutes\_2016\_03\_22\_DRAFT

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# CITY/COUNTY PLANNING BOARD

*“Serving Billings, Broadview and Yellowstone County”*

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**March 22, 2016**

*Draft-To be approved by a motion on April 12, 2016*

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## **1. Call the Meeting to Order**

President Darell Tunnickliff called the meeting to order at 6:00 p.m. on Tuesday, March 8, 2016, in the Miller Building 1<sup>st</sup> Floor conference room, 2825 3<sup>rd</sup> Avenue North, Billings, Montana.

### **Introduction of Planning Board Members and Planning Department Staff**

President Tunnickliff called for introductions of the members of the Planning Board and staff. Attending Planning staff members were: Wyeth Friday, Planning Division Manager; Dave Green, Planner II; Jeffery Butts, Alternative Modes Coordinator; Darin Swenson, Yellowstone County Public Works.

**Attending:** Dianne Johnson, Carroll W. Johnson, Steve Haley, Heather Haley, Julie Kirkpatrick; Dan Kirkpatrick; Chuck Cashmore, Kathleen Cashmore, Karen Campbell, Paula Harada, Jennifer Brietbach; Jennifer Hoffman, Julia Aasen; Jeff Nitzcake; Ben Phipps, Ed Gulick, BPAC; Kristy Drake, BPAC; Tom Kelly, North Star Land Services; Lee Myers, Applicant

## **2. Approval of the Agenda**

### **Motion**

**Board member Saldivar made a motion and it was seconded by Board member McFarland to approve the March 22, 2016 agenda as submitted. The motion carried with a unanimous voice vote.**

## **3. March 8, 2016 meeting minutes.**

### **Motion**

**Board member Forbes made a motion and it was seconded by Board member Klugman to approve the March 8, 2016 meeting minutes as submitted. The motion carried with a unanimous voice vote.**

- 4. Public Comment:** President Tunnickliff asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated 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 agenda for discussion. There were no public comments.

## **5-6. Disclosure of Conflict of Interest – Board members and Planning Staff**

**Disclosure of Outside (Ex Parte) Communication– Board Members and Planning Staff.** The Ex Parte Communication Binder is available at the Sign-In and Agenda station. Dave Green provided a letter to the Board from Citizen Byron LaRue , 7045 Lakeshore Drive, Billings, Montana in opposition to Cowboy Country Acres Subdivision 2<sup>nd</sup> Filing, Amended Lot 15A .

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### **7. OLD BUSINESS:**

#### **7a. Presentation/Discussion. Bicycle Pedestrian Advisory Committee, BPAC Annual Report. Jeffery Butts, Bicycle Pedestrian Coordinator presenting.**

President Tunncliff asked Jeffery Butts to open this agenda item. He gave a brief introduction and introduced BPAC Planning Board representative Ed Gulick and BPAC Vice chair Kristy Drake. Ed Gulick stated their primary task is to identify barriers to safe walking or bicycling throughout Billings and Yellowstone County. He continued and stated bicycle and pedestrian facilities ensure safety, health, and quality of life; which builds a more attractive community. He comments on off street trail use and statistics for pedestrians and bicyclists. He pointed out a disproportionate number of pedestrians have been severely injured or involved in fatalities when compared to the number of trips and commented on a recent bicyclist fatality on 6<sup>th</sup> Avenue. He stressed the need for infrastructure and education.

Kristy Drake noted the 2015 BPAC activities including providing letters of support and meetings with the City Engineering Division to work on the Zimmerman/Poly intersection signalization. BPAC supported the “Take the Hi Road” etiquette campaign and are working on avenues to place bike parking in public areas.

#### **Discussion**

President Tunncliff noted the statistical increase in fatalities and injuries and asked if the type of intersection is a contributor. Ed Gulick said often times motorists are not complying with right-of-way rules, especially when making left turns. President Tunncliff asked if there is a common cause and commented on the need to identify the problem and find an equitable solution. Board member Forbes asked why the bike lane was located on Lewis Avenue as it seems to be too narrow and presents opportunities for accidents. Kristy Drake said Lewis Avenue was selected due to the need for an east-west route. Board member Klugman commented he had expected “Connectivity” to be more prominent in the BPAC word cloud. He asked about collaboration with developers and if BPAC works on extending the Marathon Loop. Kristy Drake clarified and said subdivision review is outside their scope and it is addressed through the Bicycle and Pedestrian Coordinator. BPAC provides information only and is not an advocacy group. Ed Gulick said they plan to give another update at a future meeting and Kristy Drake provided her e-mail address to the board: [kristi@bilingstrailnet.org](mailto:kristi@bilingstrailnet.org)

#### **7b. Public Hearing/Motion and Recommendation to BOCC. Cowboy Country Acres Subdivision 2<sup>nd</sup> Filing, Amended Lot 15A, Dave Green, Planner II, presenting**

President Tunncliff asked Dave Green to open this agenda item. Dave Green opened this agenda item with a PowerPoint presentation.

### **INTRODUCTION**

On February 1, 2016, Tom Kelly of North Star Land Services for property owner Lee Myers applied for preliminary major plat approval for Cowboy Country Acres

## **CITY/COUNTY PLANNING BOARD**

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Subdivision 2<sup>nd</sup> Filing, Amended Lot 15A. The proposed plat creates 16 lots from a 28-acre parcel of land. The subject property is generally located near the south east intersection of Neibauer Rd. and South 72<sup>nd</sup> St. West. The property is outside the zoning jurisdiction and commercial and light industrial uses are proposed. The Board of County Commissioners will act on the proposal on April 19, 2016.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend that the Yellowstone County Board of County Commissioners conditionally approve the preliminary plat of Cowboy Country Acres Subdivision, Amended Lot 15A, 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 public health and safety measures prior to final plat approval, the applicant will obtain MDEQ approval for the proposed water and sewer systems in the subdivision.
2. To ensure future maintenance of the roads prior to final plat approval the applicant will create an RSID-M to maintain the road system in the subdivision.
3. To ensure future maintenance of the existing fire suppression system the applicant will expand the existing RSID-M for the dry hydrant facilities in Cowboy Country Subdivision.
4. To ensure public health and safety measures prior to final plat approval, the applicant will obtain MDEQ approval for the storm drainage system in the subdivision.
5. To ensure access for public facilities in the subdivision prior to final plat approval the applicant will show utility easement on the face of the final plat.
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 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**

The applicant has requested a variance from Section 4.6 (C) (B) (13) of the Yellowstone County Subdivision Regulations, which outlines the requirement for a dedicated right-of-way be paved when it abuts a paved road.

The applicant has requested a second variance from Section 4.6 (A) (3) of the Yellowstone County Subdivision Regulations, which outlines the requirement that there shall be right-of-way and road connections made when existing roads or platted roads outside of the subdivision connect to the subject parcel.

**Staff is recommending denial of the variance requests.**

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### **Discussion**

President Tunncliff called for questions and discussion from the members of the Board. There was none. President Tunncliff reviewed the public hearing process and asked for respectful participation from citizens.

### **Public Hearing: (6:36 p.m.)**

#### **Applicant/Agent**

#### **Tom Kelly, North Star Land Services, 33 Centennial Rd, Columbus, MT**

Mr. Kelly is the surveyor and Mr. Meyers' representative on this project. Regarding the variance requests for connecting 70th Street West, Mr. Kelly stated it would be dangerous to the residential neighbors to the south to have 70th Street West connected because it would open a road into a commercial development. The commercial development and traffic would not be a safe environment for kids or pedestrians. Mr. Kelly explained that Mr. Meyers, will use the access road on 68th Street West to access property owned in that area, The variance is requested because 68th Street West is not going anywhere at this point in time. He said his argument is that the County could require the paving of 68th Street West if, in the future, the area were to go through the subdivision process. If the variance were granted the section of road in question would be brought up to road specifications, graveled etc. but not paved at this time.

### **Discussion**

President Tunncliff asked if this developer was aware of the residential subdivision to the south and Mr. Kelly explained a precedent was set as the first filing of the subdivision was approved while Linlee Lakes Subdivision was already there. Board member Boucher asked about paving 68<sup>th</sup> Street west and Mr. Kelly explained the road will be built to County standards but not paved at this time.

#### **Jennifer Hoffman, 2650 Sage Springs Road, Billings, Montana**

Ms. Hoffman said there are about 33 children residing in the homes adjacent to this subdivision. Ms. Hoffman voice concern with extending the road through to the Linlee Lakes subdivision and suggested installing a breakaway gate with emergency access only. Ms. Hoffman does not want any access from the commercial subdivision to the residential subdivision. Ms. Hoffman said the homes in the Linlee Lake Subdivision range in values from \$350,000-\$400,000 and this will affect the values of their homes. She asked for the developer to construct a separation berm with tress and landscaping to break the view.

#### **Dan Kirkpatrick, 7005 Lakeshore Drive, Billings, Montana**

Mr. Kirkpatrick concurred with Ms. Hoffman's comments. He said this proposed land

## **CITY/COUNTY PLANNING BOARD**

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use is commercial industrial and he stressed the need to manage the effects the commercial uses on their residential development.

### **Wade Johnson, 6930 Lakeshore Drive, Billings, Montana d**

Mr. Johnson said the children play in the streets. He stated it is only common sense the commercial industrial uses should be an island and not have access to the residential subdivision.

### **Paula Harad, 6885 Lakeshore Drive, Billings, Montana**

Ms. Harad stated she is a nine year resident of Linlee Lakes subdivision and has two children. She asked that the connections to the commercial areas be not allowed.

### **Kathleen Chasmore, 955 Delphinium, Billings, Montana**

Ms. Chasmore is a realtor. She said she agrees with the comments made this evening. She said Riverside Sand and Gravel have failed to meet their agreement for a barrier and have created an eyesore. She asked that landscape berms be constructed to protect this residential community. She said from a real estate standpoint, the property values will be lowered and affect the resale of homes with this commercial property. She asked the Board to preserve and enhance the existing community.

### **Jennifer Breitbach, 7135 Lakeshore Drive, Billings, Montana**

Ms. Breitbach said her property abuts this Riverside Sand and Gravel and she is planning to make a large expenditure to invest in tresses and landscaping as a buffer. She said a connection to the subdivision will increase truck traffic and create a safety hazard.

### **Julia Aasen, 6990 Lakeshore Drive, Billings, Montana**

Ms. Aasen said there is no place for children to play as there are no sidewalks or trails in the neighborhood.

### **Ben Phipps, 6825 Lakeshore Drive, Billings, Montana**

Mr. Phipps asked the developer construct a barrier between the residential and commercial uses. He voiced concern with directing traffic through the residential area and ensuring children’s safety. Mr. Phipps said he moved to this neighborhood to avoid commercial traffic.

### **Brent Wood, 7165 Lakeshore Drive, Billings, Montana**

Mr. Wood stated there are seventeen residences with children adjacent to this subdivision to 72<sup>nd</sup> Street West. Mr. Wood said it is pointless to build 70<sup>th</sup> Street West as there already two access points to 72<sup>nd</sup> Street West.

President Tunnicliff called for rebuttal.

### **Rebuttal**

### **Tom Kelly, North Star Land Services, 33 Centennial Rd, Columbus, MT**

Mr. Kelly said he has no further comments. Board member Klugman asked for

## **CITY/COUNTY PLANNING BOARD**

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clarification on Variance #1 and if there could be an access if the property to the east is developed. Mr. Kelly explained the variance request.

### **Jennifer Hoffman, 2650 Sage Springs Drive, Billings, Montana**

Ms. Hoffman noted the three cul-de-sacs will not go to 68<sup>th</sup> Street West, and said the residents pay for maintenance. Wyeth Friday commented the east end the extension of Lakeshore Drive could go further eastward to future development.

President Tunncliff closed the public hearing at 7:20 p.m. and called for a motion.

### **Motion**

**Board member Boucher made a motion and it was seconded by Board member Forbes to recommend that the Yellowstone County Board of County Commissioners conditional approval of the preliminary plat of Cowboy Country Acres Subdivision, Amended Lot 15A, and adopt the Findings of Fact as presented in the staff report.**

President Tunncliff called for a motion on the applicant’s request for request for Variance #1: *The applicant has requested a variance from Section 4.6 (C) (B) (13) of the Yellowstone County Subdivision Regulations, which outlines the requirement for a dedicated right-of-way be paved when it abuts a paved road.*

Staff recommends denial of the variance.

### **Motion**

**Board member Boucher made a motion to approve Variance #1 as submitted by the applicant.**

**The motion dies for lack of a second.**

President Tunncliff called for a motion on the applicant’s request for Variance #2: *The applicant has requested a second variance from Section 4.6 (A) (3) of the Yellowstone County Subdivision Regulations, which outlines the requirement that there shall be right-of-way and road connections made when existing roads or platted roads outside of the subdivision connect to the subject parcel.*

Staff recommends denial of the variance.

### **Motion**

**Board member Saldivar made a motion and Board member Saldivar moved to approve Variance #2 as submitted by the applicant.**

**The motion carries, 7-1, with Board member McFarland voting against the motion.**

President Tunncliff called for a vote on the original motion.

## **CITY/COUNTY PLANNING BOARD**

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### **Discussion**

Board member Saldivar suggested adding a condition of approval to construct a berm with landscaping as a buffer. Wyeth Friday explained a condition may be tied to the criterion for public health and safety. He stressed the need for the Board to be consistent in their review from one application to the next. President Tunncliff suggested the developer and this community meet to find consensus as the request for variance suggests the builder is aware of the need for a buffer or separation of the residential and commercial areas. Board member Cook said an additional condition of approval to build a barrier makes sense. Board member Sukut pointed out there is an existing storm water drainage easement at the suggested berm location. Board member Saldivar stated the public testimony this evening clearly points to a definition of public safety. Board member Boucher spoke to the need balancing the need to mitigate an unsightly situation with following the criterion. Wyeth Friday pointed out there are no land use controls as this property is outside of zoning and commented on the challenges of executing the condition.

**The original motion carried unanimously, 8-0.**

### **Discussion**

President Tunncliff opened discussion and commented on the need for staff to anticipate and address these types of issues prior to the Board presentation. Dave Green pointed out that in this case, staff has suggested the developer include language in the Covenants and Restrictions to planting evergreen trees along the southern property bordering the residential subdivision. He reminded the Board that Covenants and Restrictions are outside of the purview of the Planning Board and enforced by the developer.

Discussion followed by the Board and staff on the review process and the possibility of holding the public hearing at the first meeting to allow time to address issues that may arise by the second meeting. Wyeth Friday reiterated the need to focus and mitigate issues on the basis of criterion.

### **9c. Standing Item. Staff update. Long Range Strategic Issues and an overview of future City and County issues and projects. –**

1. Wyeth Friday announced the first meeting of the Urban Fringe Subdivision Design Standards Subcommittee will be held Wednesday, March 30, 2016. The Board of County Commissioners has asked that this committee include a representative from the Home Builders’ Association. Staff will distribute a meeting agenda this week.

### **FUTURE AGENDA ITEMS FOR TUESDAY, APRIL 12, 2016**

- a. PUBLIC HEARING. MOTION/RECOMMENDATION. Lockwood Growth Policy. Candi Millar, Director, Planning & Community Services
- b. PRESENTATION/DISCUSSION. 2015-2019 TIP AMENDMENT III, Scott Walker, Transportation Coordinator, Presenting.
- c. PLAT REVIEW/DISCUSSION. Josephine Landing Subdivision, 1<sup>st</sup> Filing, a 136-lot City major subdivision, generally located at Elysian Road, east of East

## **CITY/COUNTY PLANNING BOARD**

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Lane, Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

- d. PLAT REVIEW/DISCUSSION. High Sierra Subdivision, 11<sup>th</sup> Filing, a 71-lot City major subdivision generally located north of Topanga Avenue and west of Owen Street, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.
- e. PLAT REVIEW/DISCUSSION. Copper Ridge Subdivision, 6<sup>th</sup> filing, a 60-lot City major subdivision generally located north of West Copper Ridge Loop and west of Lucky Penny Lane, Gary Oakland, owner. Gary T. Owen, PE, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

ADJOURNMENT: 8:02p.m.

ATTEST: DRAFT. To be approved by a motion on April 12, 2016



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



**Planning Board Meeting I (2nd Tuesday)**

**8. a.**

**Meeting Date:** 04/12/2016

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**Information**

**INTRODUCTION**

**PRESENTATION/DISCUSSION. 2015-2019 TIP AMENDMENT III**, Scott Walker, Transportation Coordinator, Presenting.

**RECOMMENDATION**

Presentation/Discussion Only. A Public Hearing and Recommendation will be given at the April 26, 2016 meeting.

**VARIANCES REQUESTED**

None.

**PLAT INFORMATION**

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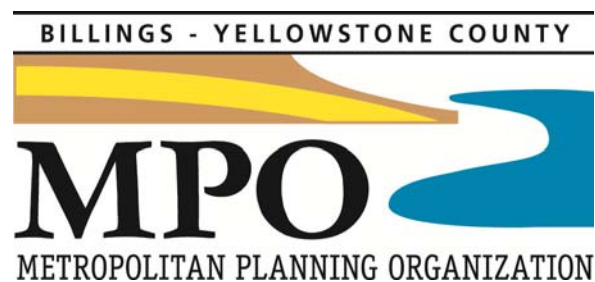
**Attachments**

2015\_2019 TIP\_AMD\_DRAFT

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# **BILLINGS URBAN AREA**

## **TRANSPORTATION IMPROVEMENT PROGRAM (TIP)**



**FY 2015-2019**

**Amendment I - June 23, 2015**

**Amendment II-December 15, 2015**

**Amendment III-May 17, 2016**

**\*\*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

<b>Reviewed By:</b>	<b>Approval</b>	<b>Amendment I</b>	<b>Amendment II</b>	<b>Amendment III</b>
Technical Advisory Committee	11/25/14	05/21/15	11/05/2015	4/07/16
Yellowstone County Board of Planning	12/09/14	06/09/15	11/24/2015	4/26/16
Billings City Council	11/20/14	06/22/15	11/23/2015	11/23/16
Yellowstone County Commissioners	12/09/14	06/16/15	12/01/2015	12/01/2016
<b>Approved By:</b>				
Billings Policy Coordinating Committee	12/16/14	06/23/15	12/15/2015	12/15/2016
Montana Department of Transportation	01/29/15	01/27/16		
Federal Highway Administration	01/28/15	01/27/16		
Federal Transit Administration	01/28/15	01/27/16		

**TABLE OF CONTENTS**

SIGNATURE PAGE.....1

INTRODUCTION.....2

FEDERAL REGULATIONS.....3

FINANCIAL RESOURCES .....3

AIR QUALITY CONSISTENCY .....4

CONFORMITY OF THE BILLINGS AREA TRANSPORTATION IMPROVEMENT PROGRAM  
WITH THE 1990 CLEAN AIR ACT .....4

TIP CONFORMITY .....5

ENERGY CONSERVATION CONSIDERATIONS .....6

PROGRAMMING OF NON-URBAN SYSTEM, FEDERAL AID AND STATE FUNDING .....6

PRIVATE ENTERPRISE PARTICIPATION .....12

**LIST OF TABLES**

TABLE 1: EXEMPT PROJECTS .....5

TABLE 2: REGIONALLY SIGNIFICANT PROJECTS ..... 6

TABLE 3: TRANSPORTATION REVENUE ESTIMATES (2015-2019) ..... 7

TABLES 4A-4C: TRANSPORTATION PRIORITY LIST ..... 8-9

TABLE 4D: BENCH BOULEVARD PROJECT.....11

TABLE 5: TRANSPORTATION PROJECT PRIORITY LIST FTA SECTIONS 5307, 5309, 5310, 5316, 5317 ..... 14

TABLE 6: MULTI-YEAR STAGING PROGRAM CALENDAR YEARS 2015-2019 ..... 15

TABLE 7: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2015..... 16

TABLE 8: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2016..... 17

TABLE 9: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2017..... 18

TABLE 10: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2018.....19

TABLE 11: HIGHWAY/TRANSIT MULTI-YEAR IMPROVEMENT PROGRAM FY 2019.....20

TABLE 12: BIENNIAL ELEMENT JULY 1, 2014-JUNE 30, 2016 (HIGHWAY).....21

TABLE 12: BIENNIAL ELEMENT OCTOBER 1, 2014-SEPTEMBER 30 2016 (TRANSIT).....22

**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**

  
\_\_\_\_\_  
**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 21<sup>st</sup> 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)
- 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.

- EPA has approved the second 10-year carbon monoxide (CO) maintenance plan for the Billings area. This second 10-year CO maintenance plan meets the requirements of CAA section 175A(b) and is also a Limited Maintenance Plan (as was the maintenance plan with the original 2002 EPA approval.) The second 10-year CO maintenance plan continues to correctly reflect the Limited Maintenance Plan transportation conformity requirements. The EPA-approved Billings second 10-year CO maintenance plan is available at the Planning office.

**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 <sup>st</sup> Ave N-concrete pavement rehab		
27 <sup>th</sup> St-1 <sup>st</sup> 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**

<b>Project</b>	<b>Scope</b>	<b>Comments</b>
6 <sup>th</sup> 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 UPP RRP MDT-MACI BR	GAS TAX		TRANSIT SEC 5307		TRANSIT SEC 5310	TRANSIT SEC TRANSADE	TRANSIT SEC 5339	OTHER FUNDS (LOCAL)	TOTAL	
<b>CARRYFORWARD</b>	\$ 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		\$ 70,000		OPER.	\$ 2,421,696	\$ 5,982,012
	\$ 2,489,770	\$ 1,516,062	\$ 6,289,900			\$ 700,000	\$ 4,478,369	\$ 4,594,176	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 21,085,068
2017									CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 70,000		OPER.	\$ 2,421,696	\$ 5,982,012
	\$ 2,489,770	\$ 1,516,062	\$ 5,253,600			\$ 700,000	\$ 30,235,737	\$ 3,885,397	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 45,097,357
2018									CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 70,000		OPER.	\$ 2,421,696	\$ 5,982,012
	\$ 2,489,770	\$ 1,516,062	\$ 750,000			\$ 700,000	\$ 11,017,916	\$ 43,890,459	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 61,380,998
2019									CITY	\$ 1,771,687	OPER.	\$ 1,718,629		\$ 70,000		OPER.	\$ 2,421,696	\$ 5,982,012
	\$ 2,489,770	\$ 1,516,062	\$ 750,000			\$ 700,000	\$ 10,955,807	\$ 2,293,788	COUNTY	\$ 291,791	CAP		\$ 160,000		\$ 420,000	CAP	\$ 145,000	\$ 19,722,218
<b>TOTAL</b>	<b>\$ 24,465,784</b>	<b>\$ 13,729,092</b>	<b>\$ 13,633,317</b>	<b>\$ 25,141,588</b>	<b>\$ 2,030,301</b>	<b>\$ 2,995,400</b>	<b>\$ 59,362,133</b>	<b>\$ 57,239,035</b>		<b>\$ 10,317,390</b>		<b>\$ 8,593,145</b>	<b>\$ 800,000</b>	<b>\$ 350,000</b>	<b>\$ 2,100,000</b>		<b>\$ 12,833,480</b>	<b>\$ 233,590,665</b>

Given current funding uncertainties and unknown 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
<b>SURFACE TRANSPORTATION PROGRAM-URBAN (STPU)</b>					
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	\$9,063,570	STPU
			TOTAL	\$9,063,570	
<b>CONGESTION MITIGATION AIR QUALITY (CMAQ) Local Match</b>					
BENCH BLVD HILLTOP/PEMBERTON	Reconstruction		CN	\$7,150,649	CMAQ
			TOTAL	\$7,150,649	
<b>MONTANA AIR CONGESTION INITIATIVE (MACI) State Match</b>					
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	
1ST AVE SOUTH - ADA(BLGS)	Signals		PE	\$331,111	MACI
			CN	\$1,499,589	MACI
			TOTAL	\$1,830,700	
MDT-MACI	Statewide CMAQ - Various		PE/OTHER	\$1,000,000	MACI
			TOTAL	\$1,000,000	
MDT-MACI	Statewide CMAQ - ADA Compliancy		PE/OTHER	\$1,750,000	MACI
			TOTAL	\$1,750,000	
<b>EARMARKS/DISCRETIONARY GRANTS</b>					
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	
<b>INTERSTATE MAINTENANCE (IM)</b>					
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	

TABLE 4(b)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA					
I-90 Yellowstone River-Billings	Replace Bridges		IC	\$386,894	IM
			RW	\$386,894	IM
			CN	\$6,190,400	IM
			TOTAL	\$6,964,188	
<b>NATIONAL HIGHWAY SYSTEM - (NH)</b>					
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		RW	\$126,712	NH
			IC	\$126,712	NH
			CN	\$7,661,595	NH
			TOTAL	\$7,915,019	
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 INTRSCCT 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	
<b>BRIDGE (BH, BR)</b>					
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	\$5,557,600	BR
			CN	\$38,599,300	BR
			TOTAL	\$44,156,900	
<b>SURFACE TRANSPORTATION PROGRAM-URBAN PAVEMENT PRESERVATION (UPP)</b>					
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
<b>HIGHWAY SAFETY (HSIP)</b>					
SF 129-RNDABOUT KING 56TH	Roundabout		PE	\$705,817	HSIP
			RW	\$165,000	HSIP
			IC	\$308,984	HSIP
			CN	\$3,044,800	HSIP
			TOTAL	\$4,224,601	
SF 139-RNDABOUT CENTRAL/56TH	Roundabout		PE	\$784,985	HSIP
			RW	\$253,976	HSIP
			IC	\$126,988	HSIP
			CN	\$2,159,737	HSIP
			TOTAL	\$3,325,686	
SF 139 13TH/PARKHILL SIGNAL	Signal		PE	\$65,780	HSIP
			CN	\$445,600	HSIP
			TOTAL	\$511,380	

TABLE 4(c)-TRANSPORTATION PRIORITY LIST BILLINGS, MONTANA				
<b>HIGHWAY SAFETY (HSIP)-CONTINUED</b>				
MT3-ZIMMERMAN TR INTRSTCT 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 MPO)	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 MPO)	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	
<b>OTHER FUNDING</b>				
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 Blvd

Project	Description	Phase	Program Schedule					Funding Source	State 13.42%	Federal 86.58%
			Pre 2013	2014	2015	2016	2017			
Sponsor	Current TIP Est. Cost									
Bench Blvd <i>UPN6041001</i>	Preliminary Engineering	PE	\$87,892		\$23,684			STPU	\$14,973	\$96,603
		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			\$502,554			STPU	\$67,443	\$435,111
		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
			<b>\$12,108,574</b>	<b>Total</b>	<b>\$11,041,555</b>	<b>\$0</b>	<b>\$1,067,019</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,624,971</b>
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
			<b>\$2,574,359</b>	<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$2,574,359</b>	<b>\$0</b>	<b>\$0</b>	<b>\$345,479</b>
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
			<b>\$10,811,400</b>	<b>Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,036,394</b>	<b>\$5,775,006</b>	<b>\$0</b>	<b>\$1,450,890</b>
<b>Totals</b>	<b>\$25,494,333</b>		<b>\$11,041,555</b>	<b>\$0</b>	<b>\$8,677,772</b>	<b>\$5,775,006</b>	<b>\$0</b>	<b>\$3,421,339</b>	<b>\$22,072,994</b>	

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.

\* Excess apportionment being spent from CMAQ authority.

\*\* Includes non par funds of \$29,830

## 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**

<b>SECTION/PROJECT</b>		<b>PROJECT ESTIMATE</b>
<b>FTA SECTION 5307 (INCLUDES LOCAL FUNDS)</b>		
	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
	<b>TOTAL</b>	<b>\$20,701,625</b>
<b>FTA SECTION 5310(INCLUDES LOCAL FUNDS)</b>		
	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		
	<b>*TOTAL</b>	<b>\$960,000</b>
<b>FTA SECTION 5311* #Funds transferred to 5307</b>		
	OPERATING PROJECT (2015)	0
	OPERATING PROJECT (2016)	0
	OPERATING PROJECT (2017)	0
<b>FTA SECTION 5339 (INCLUDES LOCAL FUNDS)</b>		
	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
	<b>TOTAL</b>	<b>\$2,625,000</b>
<b>TRANSADE (STATE FUNDED)</b>		
	OPERATING PROJECT (2015)	\$70,000
	OPERATING PROJECT (2016)	\$70,000
	OPERATING PROJECT (2017)	\$70,000
	OPERATING PROJECT (2018)	\$70,000
	OPERATING PROJECT (2019)	\$70,000
	<b>TOTAL</b>	<b>\$350,000</b>
	<b>TOTAL</b>	<b>\$24,636,625</b>

**(Table 6) - MULTI-YEAR STAGING PROGRAM  
CALENDAR YEARS 2015-2019  
BILLINGS, MONTANA**

<b>PROJECTS</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>&gt;2019</b>
BENCH BLVD-BILLINGS						
BENCH BLVD-US 87 INTERSECTION	Construction					
BENCH BLVD-HILLTOP/PEMBERTON	Construction	Construction				
BILLINGS BYPASS	Construction	Construction		Construction	Construction	Construction
BILLINGS BYPASS						
TRANSPORTATION ALTERNATIVES PROJECTS (VARIOUS)	Per Project-----					
ZIMMERMAN TRAIL	Construction			Construction		
MT3-ZIMMERMAN TR. INTERSECT. IMPROVE.	Construction			Construction		
1ST AVENUE NORTH - BILLINGS		Construction			Construction	
D5 IM FENCING CHAINLINK		Construction				
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					Construction	
I-90 YELLOWSTONE RIVER-BILLINGS				Construction		
SF 129-RNDABOUT KING 56TH		Construction				
SF 129 BILLINGS HORIZONTAL CURVE SIGNAGE			Construction			
SF 139-RNDABOUT CENTRAL/56TH				Construction		
SF 139-13TH/PARKHILL SIGNAL			Construction			
27TH ST. - 1ST AVE S TO AIRPORT						
4TH AVE N - 13TH ST TO MAIN BLG	Construction					
BILLINGS SIGNAL UPGRADES	Construction					
LOCKWOOD SIGNALS - BILLINGS						
PINEHILLS INTCH-PRYOR CR INTCH	Construction		Construction			
AIRPORT RD-ZIMMERMAN TRAIL	Construction		Construction			
6TH AVE N-27TH TO 32ND (BLGS)	Construction					
DIVISION STREET - BILLINGS	Construction					
SF-149 HILLCREST RIGHT TURN LN	Construction					
SF-149 CLRS BILLINGS NORTH	Construction	Construction				
SF 149 CLRS BILLINGS SOUTH	Construction					
SF-149 KING INTCH SFTY IMPRV	Construction		Construction			
CTEP - VARIOUS PROJECTS	Construction					
DOWNTOWN STATE SIGNALS BLGS		Construction				
BILLINGS-NW			Construction			
MAIN ST BILLINGS			Construction			
EXPOSITION DR & 1ST AVE			Construction			
1ST AVE S - MINN AVE 13TH ST BLGS	Construction					
1ST AVE S - ADA (BLGS)		Construction				

\*\*\*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	\$ 70,000	\$ 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 / IC / CN	\$ 851,516														\$ 851,516
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
<b>TOTAL</b>			\$ 1,311,561	\$ 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		\$ 40,186,096

\*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														TOTAL	
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			\$ 13,195,143	\$ 2,628,450		\$ 4,330,809	\$ -				\$ -				
Estimated allocation			\$ 2,489,770	\$ 1,516,062	\$ -	\$ -	\$ 697,900	\$ 4,478,369	\$ 4,594,176	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 15,684,913	\$ 4,144,512	\$ -	\$ 4,330,809	\$ 697,900				\$ 160,000				
BENCH BLVD-HILLTOP/PEMBERTON	6041	CN	\$ 3,660,751	\$ 2,114,255											\$ 5,775,006
ADA COMPLIANCE		ALL			\$ 250,000										\$ 250,000
1st AVE SOUTH - ADA (BLGS)	9082	ALL			\$ 1,830,700										\$ 1,830,700
TRAFFIC MITIGATION		ALL			\$ 250,000										\$ 250,000
DOWNTOWN STATE SIGNALS BLGS	8036	IC/RW/CN			\$ 3,959,200										\$ 3,959,200
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	8701	CN					\$ 497,900								\$ 497,900
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							\$ 253,976						\$ 253,976
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
Adjustments			\$ (881)												\$ (881)
<b>TOTAL</b>			\$ 3,659,870	\$ 2,114,255	\$ 6,289,900	\$ -	\$ 697,900	\$ 4,478,369	\$ 4,594,176	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 26,769,795

\*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**	TRANSADA	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,025,043	\$ 2,030,257		\$ 4,330,809	\$ -								
Estimated allocation			\$ 2,489,770	\$ 1,516,062	\$ -	\$ -	\$ 700,000	\$ 30,235,737	\$ 3,885,397	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 14,514,813	\$ 3,546,319	\$ -	\$ 4,330,809	\$ 700,000				\$ 160,000				
BILLINGS BYPASS	4199	IC						\$ 3,188,004							\$ 3,188,004
ZIMMERMAN TRAIL	6040	RW				\$ 119,484									\$ 119,484
MT3-ZIMMERMAN TR INTRSTC 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 in	7990	CN						\$ 1,126,700							\$ 1,126,700
SF 139 13TH/PARKHILL SIGNAL	8610	CN						\$ 445,600							\$ 445,600
SF 139-CENTRAL & 56TH RNDABOUT	8611	IC						\$ 126,988							\$ 126,988
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
Adjustments															\$ -
<b>TOTAL</b>			\$ -	\$ -	\$ 5,253,600	\$ 119,484	\$ 700,000	\$ 30,235,737	\$ 3,885,397	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 45,129,543

\*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**	TRANSAD E	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 14,514,813	\$ 3,546,319		\$ 4,211,325									
Estimated allocation			\$ 2,489,770	\$ 1,516,062	\$ -	\$ -	\$ 700,000	\$ 11,017,916	\$ 43,890,459	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 3,447,069	
Estimated beginning balance			\$ 17,004,583	\$ 5,062,381	\$ -	\$ 4,211,325	\$ 700,000				\$ 160,000				
BILLINGS BYPASS(Five Mile Road)	4199	CN	\$ 4,120,036												\$ 4,120,036
ZIMMERMAN TRAIL	6040	CN				\$ 3,237,300								\$ 880,373	\$ 4,117,673
MT3-ZIMMERMAN TR INTRSCCT 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
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							\$ 2,159,737						\$ 2,159,737
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
<b>TOTAL</b>			\$ 4,120,036	\$ -	\$ 750,000	\$ 3,237,300	\$ 700,000	\$ 11,017,916	\$ 43,890,459	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 3,447,069	\$ 69,531,409

\*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**	TRANSIDE	TRANSIT SEC 5339**	OTHER FUNDS*	TOTAL
Estimated carryover balance			\$ 12,884,547	\$ 5,062,381		\$ 974,025									
Estimated allocation			\$ 2,489,770	\$ 1,516,062	\$ -	\$ -	\$ 700,000	\$ 10,955,807	\$ 2,293,788	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	
Estimated beginning balance			\$ 15,374,317	\$ 6,578,443	\$ -	\$ 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
I-90 YELLOWSTONE R-BILLINGS	7972	RW/IC							\$ 773,788						\$ 773,788
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
<b>TOTAL</b>			\$ 4,943,534	\$ -	\$ 750,000	\$ -	\$ 700,000	\$ 10,955,807	\$ 2,293,788	\$ 1,718,629	\$ 160,000	\$ 70,000	\$ 420,000	\$ 2,566,696	\$ 24,578,454

\*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 INTRSCCT 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	MAINTENANCE 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	MAINTENANCE 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 149-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							

(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
<b>FTA SECTION 5307</b>					
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
<b>FTA SECTION 5310*</b>					
REPLACEMENT VEHICLES(2015)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
REPLACEMENT VEHICLES (2016)	160,000	128,000	32,000	STATE	VARIOUS LOCAL
<b>FTA SECTION 5311* #Funds transferred to 5307</b>					
OPERATING PROJECT (2015)	-	-	-	CITY	CITY
OPERATING PROJECT (2016)	-	-	-	CITY	CITY
<b>FTA SECTION 5339</b>					
CAPITAL/VEHICLES (2015)	525,000	420,000	105,000	CITY	CITY
CAPITAL/VEHICLES (2016)	525,000	420,000	105,000	CITY	CITY
<b>TransADE State Funded</b>					
OPERATING PROJECT (2015)			70,000	CITY	CITY
OPERATING PROJECT (2016)			70,000	CITY	CITY
*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)**

**8. b.**

**Meeting Date:** 04/12/2016

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## **Information**

### **INTRODUCTION**

On March 1, 2016, Sanderson Stewart, agent for High Sierra II, Inc., applicant, applied for preliminary major plat approval for High Sierra Subdivision, 11<sup>th</sup> Filing. The proposed subdivision creates 70 lots for single-family residences and one large lot for future development on a 16.8-acre parcel of land. This proposal is part of a larger approved master plan of High Sierra Subdivision which includes a total of approximately 1,375 lots platted from 400 acres in multiple filings. The subject property is generally located north of Benjamin Boulevard, west of High Sierra Boulevard in the northwest Billings Heights. The property is zoned Residential-7,000-Restricted (R-70-R). The Yellowstone County Board of Planning will hold a public hearing on this proposal on April 26, 2016.

### **RECOMMENDATION**

Staff recommends the Planning Board recommend that the City Council conditionally approve the preliminary plat of High Sierra Subdivision, 11<sup>th</sup> Filing, and adopt the Findings of Fact as presented in the staff report. 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, prior to final plat approval utility easements shall be shown on the final plat as requested by the affected public and private utility companies.
2. To provide for the installation of utilities and mitigate impacts on local services, prior to final plat approval recordable easement documents shall be provided for the temporary storm water detention basins and swales.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
4. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

### **VARIANCES REQUESTED**

No variances from the City Subdivision Regulations have been requested.

### **PROCEDURAL HISTORY**

- A pre-application meeting was held on January 28, 2016 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on March 1, 2016.
- A departmental review meeting was conducted on March 17, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on March 24, 2016.
- The Planning Board will review the plat on April 12, 2016.
- The Planning Board will conduct a public hearing on April 26, 2016, and forward a recommendation to the City Council.
- The City Council will consider the preliminary plat on May 23, 2016.
- The 60 working-day preliminary plat review period ends May 24, 2016.

## **PLAT INFORMATION**

General location:	North of Benjamin Boulevard, west of High Sierra Boulevard in the Billings Heights
Legal Description:	Tract B of Certificate of Survey 3573
Subdivider/Owner:	High Sierra II, Inc.
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	R-70-R
Existing land use:	Dry-land agricultural
Proposed land use:	Single-Family Residential
Gross/Net area:	34.59 acres / 30.86 acres
Proposed number of lots:	70 residential lots 1 large parcel for future filings
Lot size: Max:	16.8 acres
Min.:	7,002 square feet
Parkland requirements:	3.429 acres of parkland required; cash in lieu of land dedication is proposed.

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## **Attachments**

Findings of Fact  
Proposed Plat  
Aerial View

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## FINDINGS OF FACT – High Sierra Subdivision, 11<sup>th</sup> Filing

The Planning staff has prepared the Findings of Fact for the preliminary plat of High Sierra Subdivision, 11<sup>th</sup> Filing and has provided them for review by the Planning Board, as follows:

**A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608(3)(a) and BMCC 23-302.H.2.]**

### 1. Effect on agriculture and agricultural water user facilities

The subject property is currently used for dryland pasture by the Dover Ranch operation to the north. It, along with approximately 375 additional acres, was annexed by the City and rezoned for single-family residential uses in 2007. It is adjacent to similar residential uses to the south and east and will provide housing in an area that is not particularly productive for agriculture. It should not have a negative effect on the agricultural industry.

The BBWA irrigation canal is located approximately 3/4 mile northeast of the property. This subdivision does not contain any ditches or water shares, and therefore will not have an effect on agricultural water user facilities.

### 2. Effect on local services

- a. **Utilities** – There are existing 8-inch water mains in Topanga Avenue and Sierra Vista Circle that will be extended to serve the new lots. Pressurized fire hydrants will also be extended. The improvements are subject to the review and approval by City of Billings Engineering Division and the City Fire Department during the time of construction. As proposed, City Engineering finds that the water main extensions are acceptable.

Sanitary sewer service will be provided by the City of Billings by connecting to the existing 8-inch sewer main in Topanga Avenue and one 8-inch sanitary sewer located in Sierra Vista Circle. As proposed, the City of Billings Public Works Department finds the sewer main extension to be acceptable.

MDU will provide gas services, and Yellowstone Valley Electric Cooperative will provide electric services to the subdivision. Easements will need to be shown on the face of the plat that are acceptable to these utility providers (**Condition #1**).

- b. **Storm water** – A storm water master plan was reviewed in June 2008 for this proposal. In general, storm drains and piping will be installed to carry water to the north and east to a detention pond located within the overall master planned area (area covering High Sierra Subdivision 5<sup>th</sup>-12<sup>th</sup> filings). The drainage detention pond with this filing is at the end of Owen Street in Lot 17, Block 6, which is the large lot that is part of this filing. It is depicted as being in an easement. An easement document will accompany this easement with the final plat (**Condition #2**). This and all other drainage improvements shall satisfy the criteria set forth by the most-current *City of Billings Stormwater Management Manual* and will be subject to review and approval by the Engineering Division. Additionally, a Stormwater Pollution Prevention Plan (SWPPP) will be required of the developer and

construction contractors prior to site disturbance to ensure that storm drain facilities are not compromised during site and home construction.

- c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.
- d. **Streets** –The proposed subdivision will be accessed from Benjamin Boulevard and Sierra Vista Circle. A new section of Topanga Avenue will be constructed and the cul-de-sac end of Sierra Vista Circle will be completed. They will be built to City standards at 34 feet wide, with curb, gutter and boulevard-style sidewalks, all within 56-foot rights-of-way. Street A will end with a temporary turnaround and will be extended further in future filings of the subdivision. At the time of the staff report the applicant has not provided a street name other than 'Street A'. The applicant's agent has informed staff that they are working on a different street name and will have one before the final plat.

A Traffic Impact Study (TIS) was completed for the entire High Sierra Subdivision master plan area at the time of the 5<sup>th</sup> Filing in June of 2008. This study was updated to analyze the specific impacts of the 11<sup>th</sup> Filing in February of 2016. Three area intersections were identified as being affected by the High Sierra Subdivision; Wicks Lane/Gleneagles Boulevard, Wicks Lane/Fantan Street, and Wicks Lane/St. Andrews Drive. Based on the updated findings, it was determined that the developer shall contribute 1.55%, 1.73%, and 1.37%, respectively, toward the total cost of the improvements planned for these three intersections. As indicated in the Subdivision Improvement Agreement (SIA) those contributions shall be calculated and made prior to final plat approval.

- e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located at 1601 St. Andrews Drive (Station #6) about 2.5 road miles to the southeast. The subdivision is located within the ambulance service area of American Medical Response (AMR).
- f. **Schools** – School District #2 provides service to elementary, middle and high school students (Eagle Cliff elementary, Castle Rock Middle School, and Skyview High School). At the time this staff report was written, staff had only received a response from the principal of Skyview High School. The principal at Skyview indicated that there is still capacity for additional high school students. Castle Rock middle school is currently overcrowded. School District #2 is currently working on a redistricting project that will redistribute middle school students among Castle Rock and the new middle school under construction on Bench Blvd. and Barrett Rd. This process is completed and the new school is expected to open in the fall of 2016, and should alleviate overcrowding issues.
- g. **Parks and Recreation** – The parkland dedication requirement for this subdivision amounts to 3.429 acres (11% of the net area of 30.86 acres minus area of Lot 17, Block 6, the lot slated for future development). The subdivider proposes to provide cash in lieu of parkland for this filing of the subdivision. The nearest park to this property is north and

east of the property adjacent to the proposed detention pond. This City park is not yet developed.

- h. Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. With previous filings the developer provided centralized delivery facilities and the same is proposed for this filing. The developer will consult with the USPS prior to placement of the centralized mail boxes.

### **3. Effect on the natural environment**

The subject property is relatively level prairie land adjacent to urban development on its south and east sides. A geotechnical evaluation was done for the subject area in June of 2008, to investigate soil, rock, and groundwater conditions and provide recommendations to support design and construction of foundation and drainage elements. An update was completed in June of 2014. The updated study indicated that the area is characterized by soft lean clay and loose silty sand, underlain by weathered sandstone or weathered shale bedrock. Foundation construction is permissible on this type of bedrock or over-excavation and placement of compacted structural fill can be used alternatively.

### **4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of deer and antelope in the area, which may cause damage to their landscaping. This subdivision should have a minimal effect on wildlife and wildlife habitat, as it is in an area that is rapidly urbanizing.

### **5. Effect on the public health, safety and welfare**

The subdivision is located in an area with no known natural hazards. Fire hydrants will be constructed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

## **B. Was an Environmental Assessment required? [MCA 76-3-616 and BMCC 23-302.H.1.]**

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

## **C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan--2009 Update, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]**

### **1. Yellowstone County-City of Billings 2008 Growth Policy**

The proposed subdivision is consistent with the following goals of the Growth Policy:

- a. Goal: Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. (p. 6)
- b. Goal: Contiguous development focused in and around existing population centers separated by open space. (p.6)
- c. Goal: Affordable housing for all income levels dispersed throughout the City. (p. 6)

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

### **2. 2014 Billings Urban Area Long Range Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the Transportation Plan 2014 Update and preserves the street network and street hierarchy specified in the plan.

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

The proposed subdivision lies within the jurisdiction of the BABTMP. The Plan shows a future bike lane along High Sierra Boulevard, east of the proposed filing. This would be constructed at the time of further development of High Sierra Boulevard and not as part of this filing.

#### **D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608(3)(b) and BMCC 23-302.H.3.a.]**

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and conforms to the design standards specified in the local 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? [BMCC 23-302.H.3.e.]**

The subject property is located within the R-70-R zoning district. All development shall comply with the standards set forth in Section 27-308, BMCC. Final zoning compliance will be determined at the time of the building permit.

#### **F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608(3)(c) and BMCC 23-302.H.3.b.]**

The subdivider shall provide utility easements as requested by the City, MDU and YVEC on the face of the plat (**Condition #1**).

#### **G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608(3)(d) and BMCC 23-302.H.3.c.]**

Legal and physical access is provided to the proposed lots from the extension of Topanga Avenue and Sierra Vista Circle, both local streets to be dedicated to the public as shown on the plat. Both of the above named streets have access off of Benjamin Boulevard to the south. This street is already constructed for local traffic.

### **CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of High Sierra Subdivision, 11<sup>th</sup> Filing does not create any adverse impacts that warrant denial of the subdivision.

- The proposed subdivision conforms to several goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation or Bikeway and Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

# PRELIMINARY PLAT OF HIGH SIERRA SUBDIVISION, 11th FILING

BEING TRACT B OF CERTIFICATE OF SURVEY No. 3573  
SITUATED IN NW1/4 OF SECTION 17, T. 1 N., R. 26 E., P.M.M.,  
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : HIGH SIERRA II, INC.

JANUARY, 2016

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA

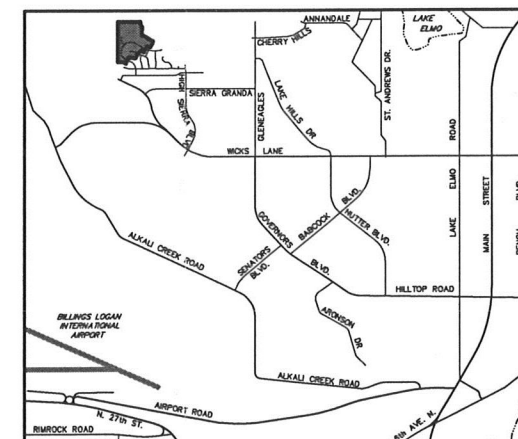
BASIS OF BEARING: THE BASIS OF BEARINGS FOR THIS SURVEY HAS BEEN DERIVED FROM GPS OBSERVATIONS AND IS BASED ON A NAD 83, LAMBERT CONFORMAL CONIC, SINGLE PARALLEL, LOW DISTORTION PROJECTION FOR THE CITY OF BILLINGS; HAVING A POINT OF ORIGIN AT 45°47'00"N LATITUDE AND 108°25'00"W LONGITUDE WITH A SCALE FACTOR OF 1.0001515. DISTANCES ARE GRID, INTERNATIONAL FEET, GRID TO GROUND COMBINED FACTOR IS 1.0000265. THE CONVERGENCE ANGLE AT THE NE CORNER OF SECTION 17 (P.O.C.) IS -0°35'54".

- FOUND SURVEY MONUMENT, REBAR WITH CAP MARKED "ENGINEERING INC 8377-S", OR AS NOTED
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"
- SET INTERSECTION MONUMENT, 5/8"x18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART BILLINGS MT". WILL BE REPLACED WITH BRASS CAP MONUMENT BOX UPON COMPLETION OF STREET IMPROVEMENTS.

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.



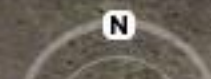
80 40 0 80 160  
SCALE: 1"=80'



VICINITY MAP  
NOT TO SCALE

## PLAT DATA

GROSS AREA	=	34.59 ACRES
NET AREA = LOTS	=	30.86 ACRES
NUMBER OF LOTS	=	71
MINIMUM LOT SIZE	=	7,002 S.F.
MAXIMUM LOT SIZE	=	732,541 S.F.
PARKLAND	=	CASH-IN-LIEU (1.54 AC.)
LINEAL FEET OF STREETS	=	±2,761.45 L.F.
AREA OF STREETS	=	3.73 ACRES
EXISTING ZONING	=	R7000 RESTRICTED
SURROUNDING ZONING:		
NORTH	=	AGRICULTURE OPEN
SOUTH	=	R7000R
EAST	=	R7000R
WEST	=	AGRICULTURE OPEN
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL DEVELOPMENT



© 2016 Google  
Benjamin Blvd

Google earth

1996

Imagery Date: 7/31/2015 45°50'17.68" N 108°31'29.31" W elev 3407 ft eye alt 4992 ft



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



**Planning Board Meeting I (2nd Tuesday)**

**8. c.**

**Meeting Date:** 04/12/2016

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## **Information**

### **INTRODUCTION**

On March 1, 2016, Sanderson Stewart, agent for owner Copper Ridge Development Corp., applied for preliminary major plat approval for Copper Ridge Subdivision, 6<sup>th</sup> Filing. The proposed subdivision creates 60 new lots for single-family residential development. The subject property is generally located on the north side of Rimrock Road, east of 70<sup>th</sup> Street West, west of the existing Copper Ridge Subdivision. The property is zoned Residential-7000-Restricted (R-70-R). The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on April 26, 2016.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 6<sup>th</sup> Filing to the City Council, 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 minimize effects on local services and bring the road network into alignment with current utility and infrastructure plans, prior to final plat approval the street vacation of the section of Palladium Drive previously platted off of West Copper Ridge Loop shall be approved by the City Council.
2. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal 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 City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

### **VARIANCES REQUESTED**

No variances from the City Subdivision Regulations have been requested.

### **PROCEDURAL HISTORY**

- A pre-application meeting was held on January 28, 2016 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on March 1, 2016.
- A departmental review meeting was conducted on March 17, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on March 24, 2016.
- The Planning Board will review the plat on April 12, 2016.
- The Planning Board will conduct a public hearing on April 26, 2016, and forward a recommendation to the City Council.
- The City Council will consider the preliminary plat on May 23, 2016.
- The 60 working-day preliminary plat review period ends May 24, 2016.

## **PLAT INFORMATION**

General location:	North of Rimrock Road east of 70 <sup>th</sup> Street West
Legal Description: Lots 16 & 17, Block 7 in	Lot 23, Block 7; Lot 25 Block 6; Lot 1, Block 5; Lot 65, Block 4; Copper Ridge Subdivision, 5 <sup>th</sup> Filing.
Owner/Subdivider:	Copper Ridge Development, Corp.
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	R-70-R
Existing land use:	Vacant
Proposed land use:	Single-family residential
Gross and Net area:	13.359 acres; 13.059 acres
Proposed number of lots:	60
Lot size:	Max: 16,544 square feet Min.: 7,011 square feet
Parkland requirements: Subdivision Master Plan	Parkland requirements were planned for the entire Copper Ridge area in 2005. Parkland dedication has been met with previous filings.

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## **Attachments**

Findings of Fact  
Proposed Plat  
Palladium Drive to be vacated  
Aerial View

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## FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Copper Ridge Subdivision, 6<sup>th</sup> Filing and has provided them for review by the Planning Board, as follows:

**A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]**

### **1. Effect on agriculture and agricultural water user facilities**

The subject property is vacant former cropland located in the City limits that has been slated for urban development since it was originally master planned in 2005. There are no irrigation facilities serving this property. As such, this development should not have a negative effect on the agricultural industry.

### **2. Effect on local services**

- a. **Utilities** – Water service will be provided by the City of Billings. The developer will install new water mains in all of the new local streets, new individual services to all of the lots, and new fire hydrants in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality (MDEQ). The new water lines in West Copper Ridge Loop will complete a water line loop.

Sanitary sewer service will be provided by connecting to the existing City of Billings' sewer mains in the subdivision. The subdivider will install new sewer mains in the local streets and individual services for each lot in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ.

A cash-in-lieu contribution for a 12 inch water line and two fire hydrants will be made by the subdivider to be extended in the future from the terminus of West Copper Ridge Loop to the western edge of the subdivision. The sewer lines will be extended in Rimrock Road 30 feet past the intersection of West Copper Ridge Loop.

MDU will provide gas services and Yellowstone Valley Electric Cooperative will provide electric services to the subdivision. Easements have been shown on the face of the plat that are acceptable to these utility providers.

- b. **Storm water** – Storm water drainage for the public streets is proposed to be provided by curb and gutters that discharge into storm water pipes and eventually to retention areas in the proposed parkland along Rimrock Road. These and all other drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and will be subject to review and approval by the City Engineering Department.

- c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City’s landfill has adequate capacity for this waste.
- d. **Streets** –With this 6<sup>th</sup> Filing, Rimrock will be improved to the 24-foot wide paved section, from the intersection of West Copper Ridge Loop to the western edge of the subdivision. It will include the paved surface and borrow ditch swales. The applicant will be making a cash-in-lieu contribution for the future curb and gutter.

The lots within the subdivision will be served by the construction of the final section of West Copper Ridge Loop and by the extension of Copper Ridge Loop. One proposed change to the original street layout is the vacation of a short street off of West Copper Ridge Loop, Palladium Drive, on the western edge of the subdivision. The applicant has proposed a new street, Copper Bluffs Circle, aligned in a location that allows access to the existing water lines already in place. This also provides future access to the west if this area were ever developed. City Engineering is agreeable to this proposal. The vacation will need to be completed prior to or concurrent with the final plat approval (**Condition #1**).

The streets are proposed to be built to City standards by providing a 34-foot width, curb/gutters, and boulevard sidewalks. Typically, the sidewalks are installed by the home builder on a lot-by-lot basis, as lots develop. However, sidewalks within park areas to be constructed by the subdivider include the continuation of the 6-foot-wide sidewalk in the park adjacent to Rimrock Road, where the park/stormwater retention facilities exist. In these cases, it is the City’s policy that the developer is responsible for installing these sidewalks at the time of the street private contract or provide a cash contribution for their installation. This information is included in Section 3.B. of the SIA.

A Traffic Impact Study (TIS) was completed with the original Master Plan in order to evaluate the subdivision’s impact on the street network in the surrounding area. Cash contributions have been made for previous filings for future intersection improvements at 62<sup>nd</sup> Street West and Rimrock Road. A proportionate contribution will similarly be made for this Sixth filing as described in the SIA.

- e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located at 54<sup>th</sup> St. West and Grand Ave. (Station #7). The subdivision is located within the ambulance service area of American Medical Response (AMR). With this filing, West Copper Ridge Loop will be completed and there will no longer be any temporary turnarounds in the subdivision.
- f. **Schools** –School District #2 provides educational services to elementary through high school students. Schools serving these students are Boulder Elementary, Lewis and Clark Middle School, and Senior High School. At the time of the

writing of this staff report, there was no response from the schools or district. At the time of the 5<sup>th</sup> filing, Boulder Elementary was over capacity, while the other schools were below, but near capacity. The construction of a new middle school in West Billings and the re-allocation of 6<sup>th</sup> graders from the elementary schools to the middle schools is expected to ease capacity issues at Boulder Elementary and other elementary schools in the area. The subdivision is also currently on a bus route.

- g. **Parks and Recreation** – Residential subdivisions creating lots with housing densities less than one dwelling unit per ½-acre are required by State and local laws to dedicate 11% of the net land area (or provide an equivalent cash contribution) for parkland. When the Copper Ridge Subdivision Master Plan was originally reviewed and accepted by the City in 2005, parkland provisions were established as an integral part of the neighborhood. Overall, more than 11% of the land area in the entire Copper Ridge Development is being provided for parkland, and the developers have improved the parkland with turf, irrigation, and numerous recreation trails. No additional parkland dedication is required with this filing.
- h. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision and has indicated that centralized mailbox units will be required as were installed for the previous filings of this subdivision. A note in the SIA acknowledges this, and indicates the developer’s intent to coordinate mailbox locations with the postal service.

### **3. Effect on the natural environment**

The subject property is dry grassland slightly sloping to the south toward Rimrock Road from the rimrocks near Phipps Park. The property is not located within any floodplain. During development, storm water pollution prevention best management practices are required to be used and monitored to prevent erosion on exposed ground. Overall, the effect on the natural environment should be minimal.

### **4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of deer in the area, which may cause damage to their landscaping. This subdivision should have a minimal effect on wildlife and wildlife habitat.

### **5. Effect on the public health, safety and welfare**

There are no known negative impacts to public health, safety and welfare as a result of this subdivision.

## **B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-302.H.1.)]**

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616, MCA.

**C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan, 2009 Update, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]**

**1. Yellowstone County-City of Billings 2008 Growth Policy**

The proposed subdivision is consistent with the following goals of the Growth Policy:

- a. Goal: More housing and business choices within each neighborhood (p. 6).
- b. Goal: New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites (p. 6).
- c. Goal: Safe, functional, and attractive streets for all users, including drivers, bicyclists and pedestrians (p. 13).
- d. Goal: Healthy, safe neighborhoods and communities with sense of pride (p. 15).

**2. 2014 Billings Urban Area Long Range Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the 2014 Transportation Plan Update and preserves the street network and street hierarchy specified in the plan.

**3. Billings Area Bikeway and Trail Master Plan**

The proposed subdivision lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan. A trail corridor exists within parkland dedicated to the City in the previous filings of this subdivision. This trail network will eventually connect the subdivision to a future trail identified in the plan along Cove Ditch to the south and east.

**D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]**

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local 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? [BMCC 23-302.H.3.e.]**

The subject property is located within R-70-R zoning. The lot sizes conform to the requirements of this zone. Other building setbacks and structure specific requirements will be reviewed for compliance at the time of building permit review.

**F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]**

The subdivider has provided utility easements as requested by MDU and YVEC on the face of the plat.

**G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]**

Legal and physical access is provided to the proposed lots from West Copper Ridge Loop, Copper Ridge Loop and Copper Bluffs.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of Copper Ridge Subdivision, 6<sup>th</sup> Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several of the goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation or Bikeway/Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Copper Ridge Subdivision, 6<sup>th</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

**ATTACHMENT**

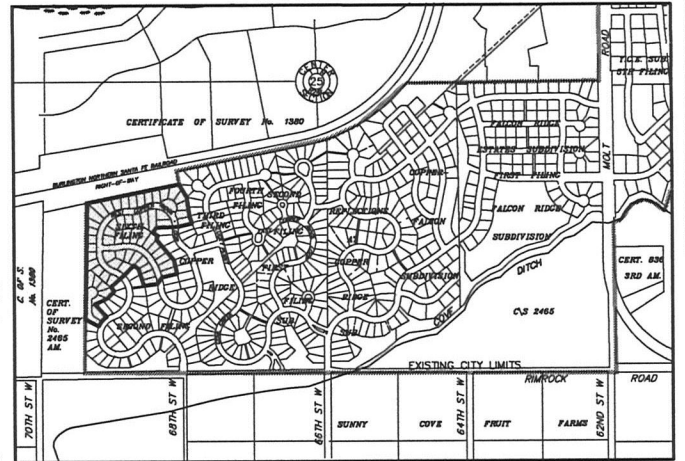
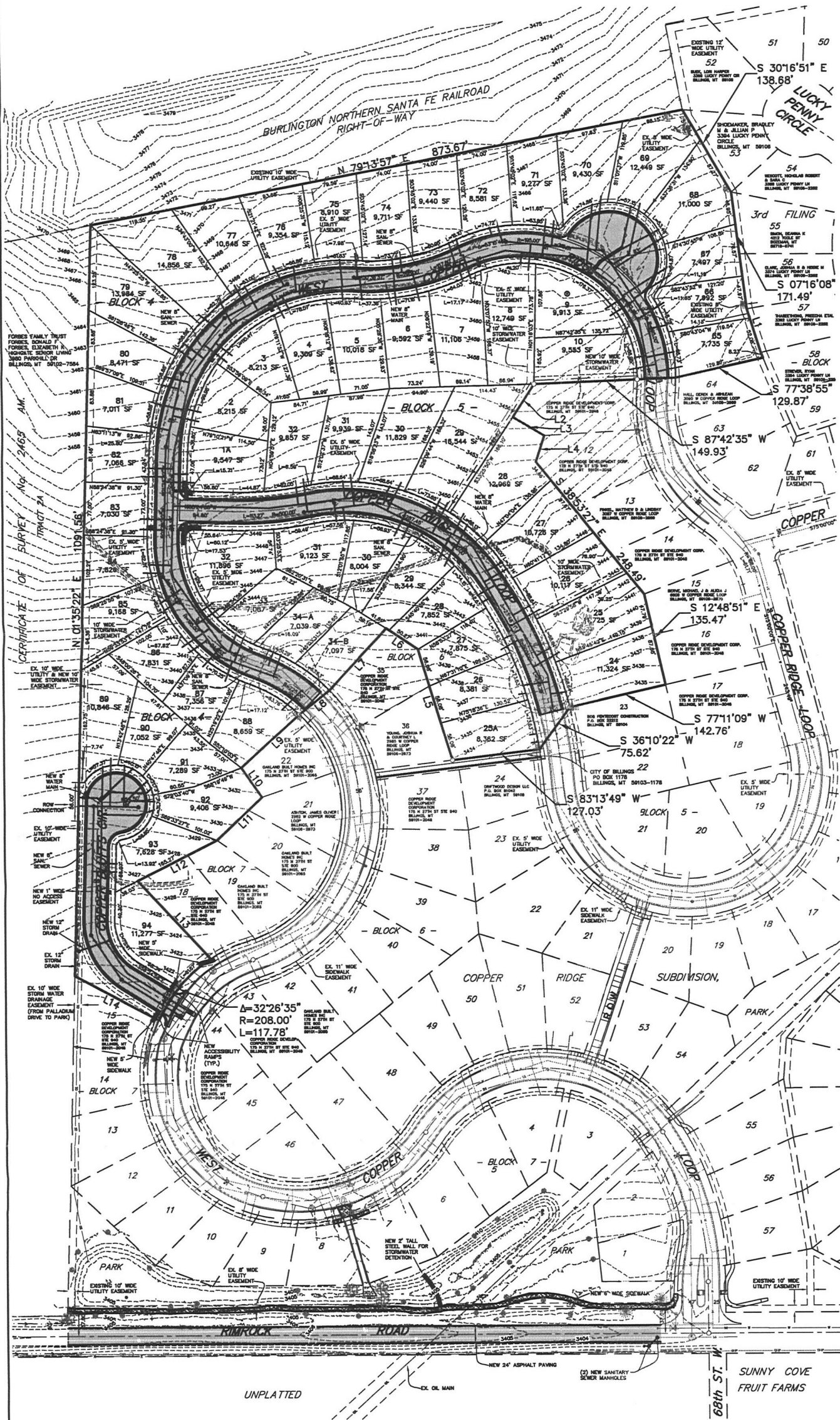
A: Preliminary Plat and Associated Documents

# PRELIMINARY PLAT OF COPPER RIDGE SUBDIVISION, 6TH FILING

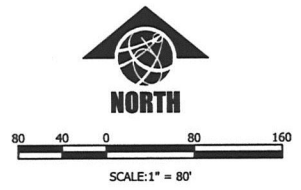
BEING LOT 65 OF BLOCK 4, LOT 1 OF BLOCK 5, LOT 25 OF BLOCK 6, LOT 16, 17 AND  
LOT 23 OF BLOCK 7, COPPER RIDGE SUBDIVISION, 5TH FILING  
SITUATED IN THE SW1/4 OF SECTION 25, T. 1 N., R. 24 E., P.M.M.,  
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : COPPER RIDGE DEVELOPMENT CORP.  
PREPARED BY : SANDERSON STEWART

JANUARY, 2016  
BILLINGS, MONTANA



**VICINITY MAP**  
NOT TO SCALE



Line #	Bearing	Distance
L1	S 17°32'38" E	66.19'
L2	S 33°21'30" W	222.82'
L3	S 58°02'23" E	52.79'
L4	S 17°58'11" W	36.88'
L5	N 17°01'07" W	56.08'
L6	N 56°53'01" W	50.27'
L7	S 42°38'07" W	121.58'
L8	S 51°28'58" W	56.35'
L9	S 47°53'34" W	114.45'
L10	S 38°10'02" E	52.45'
L11	S 48°37'52" W	90.35'
L12	S 83°02'58" W	126.32'
L13	S 42°27'50" E	105.19'
L14	N 82°00'58" W	137.45'

**PLAT DATA**

GROSS AREA	=	13.36 ACRES
NET AREA	=	13.06 ACRES
NUMBER OF LOTS	=	60
MINIMUM LOT SIZE	=	7,011 S.F.
MAXIMUM LOT SIZE	=	16,544 S.F.
PARKLAND REQ.	=	PREVIOUSLY DEDICATED
LINEAL FEET OF STREETS	=	±2,714 L.F.
AREA OF STREETS	=	0.30 ACRES
EXISTING ZONING	=	R7000 RESTRICTED
SURROUNDING ZONING:		
NORTH	=	OUTSIDE ZONING BOUNDARY
SOUTH	=	R7000R
EAST	=	R7000R
WEST	=	OUTSIDE ZONING BOUNDARY
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL DEVELOPMENT

# PRELIMINARY PLAT OF COPPER RIDGE SUBDIVISION, 6TH FILING

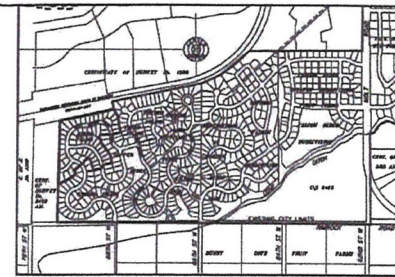
BEING LOT 65 OF BLOCK 4, LOT 1 OF BLOCK 5, LOT 25 OF BLOCK 6, AND LOT 23 OF  
BLOCK 7 WITHIN COPPER RIDGE SUBDIVISION, 5TH FILING  
SITUATED IN THE SW1/4 OF SECTION 25, T. 1 N., R. 24 E., P.M.M.,  
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : COPPER RIDGE DEVELOPMENT CORP.

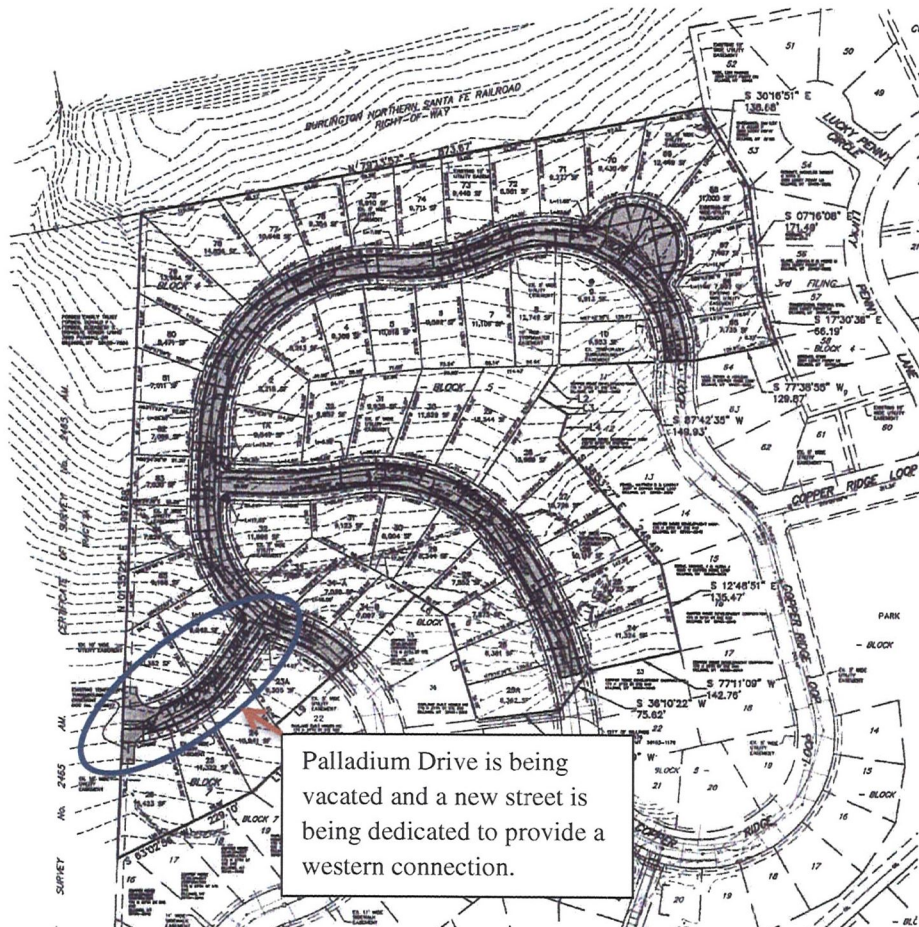
JANUARY, 2016

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



VICINITY MAP  
NOT TO SCALE

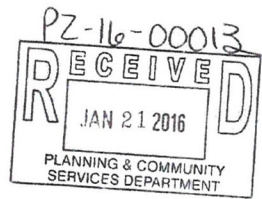


BASES OF BEARING: PLAT OF COPPER RIDGE SUBDIVISION, 2ND FILING

- FOUND SURVEY MONUMENT, REBAR WITH PLASTIC CAP MARKED "ENGINEERING INC 1877-9"
- FOUND SURVEY MONUMENT, REBAR WITH PLASTIC CAP MARKED "SANDERSON STEWART 18972LS"
- FOUND MONUMENT BOX
- SET 5/8" X 18" REBAR WITH CAP MARKED WITH THE LICENSE NUMBER OF THE UNDERSIGNED LAND SURVEYOR AND "SANDERSON STEWART"

NOTE: ALL CURVES ARE TANGENT AND ALL PROPERTY LINES INTERSECTING CURVES ARE RADIAL UNLESS OTHERWISE NOTED.

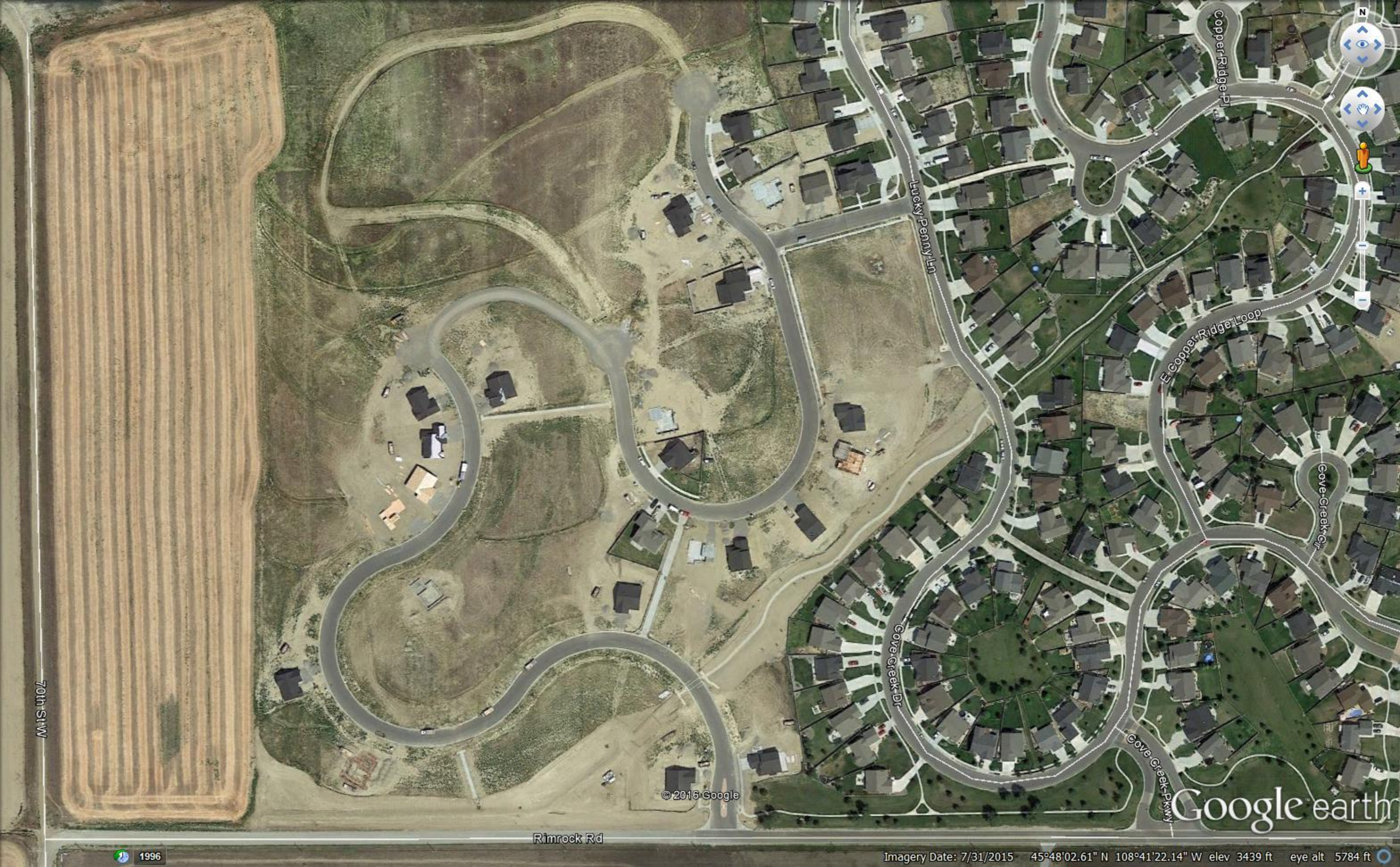
Line #	Bearing	Distance
L1	S 87°47'51" W	28.03'
L2	S 32°31'30" W	324.62'
L3	N 89°25'37" W	95.79'
L4	N 70°51'11" E	39.86'
L5	S 17°16'50" E	90.02'
L6	S 88°53'50" E	90.27'
L7	N 42°30'50" E	131.95'
L8	S 81°29'58" W	96.36'
L9	N 47°59'50" E	114.88'
L10	N 30°20'50" W	118.86'
L11	N 49°27'50" E	90.28'



### PLAT DATA

- |                        |   |                         |
|------------------------|---|-------------------------|
| GROSS AREA             | = | 16.15 ACRES             |
| NET AREA               | = | 12.81 ACRES             |
| NUMBER OF LOTS         | = | 57                      |
| MINIMUM LOT SIZE       | = | 7,011 S.F.              |
| MAXIMUM LOT SIZE       | = | 18,544 S.F.             |
| NUMBER OF PARKS        | = | CASH-IN-LIEU            |
| LINEAL FEET OF STREETS | = | ±2,551 L.F.             |
| AREA OF STREETS        | = | 3.34 ACRES              |
| EXISTING ZONING        | = | R7000 RESTRICTED        |
| SURROUNDING ZONING:    |   |                         |
| NORTH                  | = | AGRICULTURE OPEN        |
| SOUTH                  | = | R7000R                  |
| EAST                   | = | R7000R                  |
| WEST                   | = | AGRICULTURE OPEN        |
| EXISTING LAND USE      | = | VACANT                  |
| PROPOSED LAND USE      | = | RESIDENTIAL DEVELOPMENT |

Palladium Drive is being vacated and a new street is being dedicated to provide a western connection.



Copper Ridge Pl

Lucky Penny Ln

E Copper Ridge Loop

Gove Creek Pl

Gove Creek Dr

Gove Creek Pkwy

Rimrock Rd

70th St W

© 2016 Google

Google earth

1996

Imagery Date: 7/31/2015 45°48'02.61" N 108°41'22.14" W elev 3439 ft eye alt 5784 ft



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



Planning Board Meeting I (2nd Tuesday)

8. d.

Meeting Date: 04/12/2016

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## Information

### INTRODUCTION

On March 1, 2016, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Josephine Landing Subdivision, 1<sup>st</sup> Filing. The proposed subdivision creates 136 new lots for residential and commercial development. The subject property is generally located south of Elysian Road, east of East Lane, and along the western edge of the Hogan Slough. The property is going through the annexation process and will be completed by the time this application is acted upon by City Council. The property is zoned Planned Development (PD) and the proposed lots will be developed in substantial compliance with the approved Planned Development Master Plan. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on April 26, 2016.

### RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Josephine Landing Subdivision, 1<sup>st</sup> Filing to the City Council, 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 water lines are installed to meet City of Billings Engineering requirements, prior to final plat approval, the applicant will add a paragraph in the section **VI Utilities A. Water**, of the SIA addressing construction of the water main to the east property line in Story Road and that it must be completed with the construction of the Hogan Slough road crossing.
2. To minimize impacts on storm water detention facilities and ensure proper maintenance of the proposed system, prior to final plat approval, the applicant will provide an HOA Storm Water Facility Maintenance Agreement for review by City of Billings Engineering Division. This agreement shall outline the maintenance responsibilities of the storm water facilities.
3. To minimize potential flooding impacts to future property owners and to ensure future property owners are informed, prior to final plat approval language shall be added to section **V Storm Drainage** in the SIA that provides greater detail of how the 100-year storm will impact the subdivision and whether mitigation measures are required to address potential flooding in the subdivision from Hogan Slough. The applicant also will add a paragraph in the **Conditions That Run With The Land** section of the SIA informing property owners of any mitigation requirements for lots in the subdivision and identifying the possibility of the Hogan Slough overflowing during large storm events.
4. To minimize impacts on future property owners and to ensure future property owners are informed, before final plat approval a hydrogeological evaluation must be completed to determine if there will

be any impacts to adjacent properties. If mitigation measures are required, these will be identified in section **V Storm Drainage** in the SIA and within the **Conditions That Run With The Land** section of the SIA to inform future property owners.

5. To minimize impact of future road infrastructure and to ensure any impacts the subdivision may have on the existing Story Road east of the subdivision, prior to final plat approval the applicant will add language to **Section III Transportation A. 4.** of the SIA that says, 'At the time of the second filing of Josephine Landing, the applicant will provide a TIS update addressing the subdivision's connection to Story Road to the east and the impacts Josephine Landing Subdivision will have on that road. Any cash contributions that may be required due to those impacts also must be identified in the updated TIS.'
6. To ensure the requirements of parkland dedication are met in this Planned Development subdivision per Section 23-709 (E) of the City Subdivision Regulations, prior to final plat approval the applicant will receive a letter from the City Parks Department stating it is in agreement with the park land proposal for the subdivision.
7. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
8. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

## **VARIANCES REQUESTED**

No variances from the City Subdivision Regulations have been requested.

## **PROCEDURAL HISTORY**

- A pre-application meeting was held on February 4, 2016 to discuss the proposal.
- The preliminary plat application was submitted to the Planning Division on March 1, 2016.
- A departmental review meeting was conducted on March 17, 2016.
- The preliminary plat was resubmitted with revisions based on department reviews on March 24, 2016.
- The Planning Board will review the plat on April 12, 2016.
- The Planning Board will conduct a public hearing on April 26, 2016, and forward a recommendation to the City Council.
- The City Council will consider the preliminary plat on May 23, 2016.
- The 60 working-day preliminary plat review period ends May 24, 2016.

## **PLAT INFORMATION**

General location:	South of Elysian Road, east of East Lane, on the west edge of the Hogan Slough.
Legal Description:	Lot 1, Block 1, Adam and Millie Walter Subdivision, First Filing & Tract 1, COS 3594
Owner/Subdivider:	McCall Development, Inc.
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	PD

Existing land use:	Farm Land
Proposed land use:	Single-family residential and Commercial
Gross and Net area:	32.72 acres; 24.74 acres
Proposed number of lots:	136
Lot size:	Max: 15,363 square feet Min.: 1,538 square feet
Parkland requirements: the City Subdivision for land permanently set the persons who ultimately area dedication	In accordance with 76-3-621(6)(a), MCA and Section 23-709 (E) of Regulations, the overall Planned Development Master Plan provides aside for park and recreational uses sufficient to meet the needs of reside in the development and meets or exceeds the 11% net land requirement.
Variance requested:	No variances have been requested.

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## **Attachments**

Findings of Fact  
Proposed Plat North  
Proposed Plat South  
Phases northern half  
Phases southern half  
Aerial View

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## FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Josephine Landing Subdivision, 1<sup>st</sup> Filing and has provided them for review by the Planning Board, as follows:

**A. What are the effects on agriculture, local services, the natural environment, wildlife, wildlife habitat, and public health, safety and welfare? [MCA 76-3-608 (3) (a) and BMCC 23-302.H.2.]**

**1. Effect on agriculture and agricultural water user facilities**

The subject property is currently farmland that has been purchased, rezoned and will be annexed for this filing. Any irrigation facilities will continue to provide irrigation to the remaining farmed area to the west. Development of this first filing of the subdivision will take about 32 acres of prime irrigated farmland out of production, negatively effecting agriculture in the community. However, this area of the community has been identified by the City for future urban development and there is currently no mechanism to mitigate loss of farmland in the City of Billings or Yellowstone County.

**2. Effect on local services**

- a. **Utilities** – Water service will be provided by the City of Billings. The developer will install new water mains in all of the new local streets, new individual services to all of the lots, and new fire hydrants in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality (MDEQ).

This subdivision will be required to install water lines throughout the development. It is also required to install a water line to the east to connect with the proposed Harmony Meadows Subdivision across Hogan Slough. When the developer constructs Story Road in Josephine Landing, they will be required to extend the water line to the east property line. Construction of the water main to the east property line of Story Road must be done with the construction of the Hogan Slough Crossing. The timing of this water line extension must be identified in the SIA (**Condition #1**),

Sanitary sewer service will be provided by connecting to the existing 24 inch gravity sewer trunk main in the easterly edge of the subdivision and continuing west through the subdivision. Lateral sanitary sewer will be extended west from the new trunk main in the new internal streets. The subdivider will install new sewer mains in the local streets and individual services for each lot in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ.

MDU will provide gas services and Northwestern Energy will provide electric services to the subdivision. Easements have been shown on the face of the plat

that are acceptable to these utility providers. Many of the private utility lines will go in the alleys.

- b. **Storm water** – Storm water drainage is proposed to be handled by curb and gutters that discharge into storm drainage piping as well as surface conveyance in some areas. The storm drainage pipes will discharge into a system of retention areas. The stormwater outfalls will be directed to the Hogan Slough adjacent to the subdivision. These and all other drainage improvements shall satisfy the criteria set forth by the *City of Billings Stormwater Management Manual* and will be subject to review and approval by the City Engineering Division.

Storm water facilities within the subdivision will be maintained by the Home Owners Association (HOA) as outlined by the City of Billings Engineering Division regulations. Along with this requirement, the applicant will need to submit the HOA documents before final plat approval outlining how the HOA will maintain the system. Should the HOA fail to maintain the storm water system correctly, the City of Billings would need to be able to come in and maintain it for them with the ability to create an SID to maintain the storm water facilities. The applicant will have the HOA documents completed and reviewed by the Engineering Division before final plat approval (**Condition #2**).

This property has the Hogan Slough along the entire eastern boundary of this subdivision. During a major storm event, there is the possibility that Hogan Slough could overflow. Language shall be added to section V Storm Drainage in the SIA that provides greater detail of how the 100-year storm will impact the subdivision and whether mitigation measures are required to address potential flooding in the subdivision from Hogan Slough. The applicant also will add a paragraph in the Conditions That Run With The Land section of the SIA informing property owners of any mitigation requirements for lots in the subdivision and identifying the possibility of the Hogan Slough overflowing during large storm events (**Condition #3**).

In this subdivision, the applicant is proposing to have both above ground and below ground storm water facilities. The above ground facilities are proposed to be a dual-purpose water feature and a storm water facility. The ponds are proposed to have water flowing through them most of the time with the capacity to handle storm water runoff as well. With the proposed ponds having water flowing through them on a constant basis, the applicant needs to do a hydrogeological evaluation to ascertain any possible impacts to surrounding properties and provide information to future property owners regarding these impacts (**Condition #4**).

- c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this waste.

- d. **Streets** – All internal streets are proposed to be built to City standards by providing a 34-foot width, curb/gutters, and boulevard sidewalks. They will be built to meet the requirements of the City of Billings Engineering Division and receive their approval before any construction.

A Traffic Impact Study (TIS) was completed in order to evaluate the subdivision's impact on the street network in the surrounding area. In the TIS provided by the developer for the 1<sup>st</sup> Filing, it recommends the following improvements be addressed:

- The intersection of Muldowney Lane and Elysian Road should be converted to an all way stop in order to accommodate development driven traffic for the subdivision and other area developments.
- Improvements to the South Frontage Road and Muldowney Lane intersection should be planned for the near future. At a minimum, a northbound auxiliary left-turn bay should be implemented.
- When the Multi-use trail is constructed along the south side of Elysian Road, special consideration should be given to traffic control, signage, pavement markings and visibility at intersection and driveway crossings.
- The speed limit along Elysian Road should be lowered from 45 to 35 miles per hour. It is generally intended that Elysian Road will be constructed as a three-lane facility as development progresses in Josephine Landing and Harmony Meadows to the east.

The TIS also identified contributions to be made at 5 different intersections where the subdivision will be contributing to the cost of improvements. These intersections include: South Frontage Road (Midland Road) and Muldowney Lane, Muldowney Lane And Elysian Road, Elysian Road and East Lane, East Lane and South Frontage Road, and Elysian Road and South Frontage Road.

Future filings of Josephine Landing will require updates to the TIS to account for any roads or connections that currently do not exist in the area, such as the Story Road connection to the east. In the SIA under III Transportation A. 4., it discusses the building of the Story Road connection to the east and contributions to the design and construction of a bridge over Hogan Slough for Story Road. At the time of the second filing of Josephine Landing, the applicant will provide a TIS update addressing this Story Road connection and the impacts this subdivision will have on that road, as well as identify any cash contributions that may be required because of those impacts (**Condition #5**).

- e. **Emergency services** – The Billings Police and Fire Department will respond to emergencies within the proposed subdivision. The nearest fire stations are located 476 6<sup>th</sup> St. West (Station #4) and 604 S. 24<sup>th</sup> St. West (Station #5). The Fire

Department staff has reviewed the proposed subdivision and approves of what is being proposed. The applicant will be installing fire hydrants at the required locations to meet regulations outlined in Fire Code. The Billings Police noted in comments that “continued development will eventually require additional resources to maintain current levels of service”. The subdivision is located within the ambulance service area of American Medical Response (AMR).

- f. **Schools** –School District #23 (Elysian Elementary) provides educational services to elementary through middle school students. Previous responses from Elysian indicated that due to their recent increase in student body (primarily from Josephine Crossing Sub. and Riverfront Pointe Sub. to the north), the district voters approved a \$250,000 school bond in 2011 and a then another \$10 million bond in March 2013. The school board then carried out plans to build additional class rooms and common area at their current site, as well as improve the school’s water and sewer systems. The school is now able to handle the additional student population that this subdivision may bring. Senior High School (School District #2) would serve as the high school for this subdivision. A response from Senior High School principal states they are currently at capacity.
  
- g. **Parks and Recreation** – Residential subdivisions creating lots with housing densities less than one dwelling unit per ½-acre are required by State and local laws to dedicate 11% of the net land area (or provide an equivalent cash contribution) for parkland. Additional provisions in the laws allow this dedication of parkland to be waived if “the subdivision provides for a planned unit development or other development with land permanently set aside for park and recreational uses sufficient to meet the needs of the persons who will ultimately reside in the development; and the land and any improvements set aside for park purpose equals or exceeds the area [otherwise required].” The applicant is proposing to have parkland throughout this Planned Development subdivision that will be installed with the development of each filing. It will be privately owned and maintained by the Homeowners’ Association for the subdivision. The applicant will receive a final sign off letter from the City Parks Department for the proposed parkland dedication (**Condition #6**).
  
- h. **Mail Delivery** - The United States Postal Service will provide postal service to the subdivision and has indicated that centralized mailbox units will be required. A note in the SIA acknowledges this, and indicates the developer’s intent to coordinate mailbox locations with the postal service.
  
- i. **Phasing** - The subdivider is planning to develop this property in two phases. Phase one includes Lots 1-45, Block 1, Lots 2-5, Block 3, Lots 6-13, Lot 17, Lots 21-33, Lots 44-47, Block 4 and Lot 1-11, Block 5, a total of 86 lots.

Phase two includes Lots 1-4, Block 2, Lot 1, Lots 6-16, Lots 31-39, Block 3, Lots 1-5, Lots 14-16, Lots 18-20, Lots 34-43, Block 4, Lot 12, Block 5, Lot 1, Block 6 and Lots 1-2, Block 7, a total of 50 lots.

See the attached phasing maps for the proposed phases. The subdivider has provided draft copies of all the needed paperwork for phasing and will be providing all the needed paperwork for the phased development of this subdivision with final plat approval.

### **3. Effect on the natural environment**

The subject property is currently farmed and slopes to the south toward the Yellowstone River. In the SIA under Conditions That Run With The Land (I), the subdivider has notified future lot owners that the Yellowstone River Channel Migration Study sponsored by the Yellowstone River Conservation District Council and the U.S. Army Corp of Engineers, had identified areas which may be susceptible to erosion by the Yellowstone River. Prospective lot owners are encouraged to review the study and see what considerations they should take with structures and location of structures. This subdivision is not in the 100-year flood plain as identified on the Yellowstone County Current Floodplain Maps.

### **4. Effect on wildlife and wildlife habitat**

There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of wildlife habitat in the area, and wildlife indigenous to the area may cause damage to their landscaping or interface with domestic animals, residents, and visitors. This subdivision should have a minimal effect on wildlife and wildlife habitat.

### **5. Effect on the public health, safety and welfare**

There should be no impacts to public health, safety and welfare as a result of this subdivision.

### **B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-302.H.1.)]**

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-210, MCA.

### **C. Does the subdivision conform to the Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan, 2009 Update, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]**

#### **1. Yellowstone County-City of Billings 2008 Growth Policy**

The proposed subdivision is consistent with the following goals of the Growth Policy:

- a. Goal: More housing and business choices within each neighborhood (p. 6).
- b. Goal: New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites (p. 6).

- c. Goal: Protect and increase the availability of public access to natural areas and trails along the River (p. 10).
- d. Goal: Safe, functional, and attractive streets for all users, including drivers, bicyclists and pedestrians (p. 13).
- e. Goal: Healthy, safe neighborhoods and communities with sense of pride (p. 15).

**2. 2014 Billings Urban Area Long Range Transportation Plan**

The proposed subdivision adheres to the goals and objectives of the 2014 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

**3. Billings Area Bikeways and Trail Master Plan (BABTMP)**

The proposed subdivision lies within the jurisdiction of the BABTMP. There is a long-range bike lane identified on Elysian Road and on East Lane. The applicant will be building a multi-use trail along the entire frontage of the property along the south side of Elysian Road and contributing 50% to the construction of a pedestrian bridge over Hogan Slough with this 1<sup>st</sup> Filing. The developer to the east will be doing the same with the 1<sup>st</sup> Filing of Harmony Meadows so there will be a trail constructed from Muldowney Lane to East Lane for multi modal users and youth to get to Elysian School. The applicant is also providing park land along the southern boundary of the development. This will provide an opportunity for another trail, the Marathon Loop, along the southern end of the subdivision. The subdivider to the east is also providing parkland along the southern portion of its subdivision that will continue this trail to the east.

**D. Does the subdivision conform to the Montana Subdivision and Platting Act and to local subdivision regulations? [MCA 76-3-608 (3) (b) and BMCC 23-302.H.3.a.]**

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local 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? [BMCC 23-302.H.3.e.]**

The subject property will be located within the Josephine Landing Planned Development zoning district. A Master Plan and Planned Development Agreement (PDA) were established in 2016 specifying land use allowances and restrictions. This proposal will be added to the PDA and substantially complies with the Master Plan and PDA.

**F. Does the proposed plat provide easements for the location and installation of any utilities? [MCA 76-3-608 (3) (c) and BMCC 23-302.H.3.b.]**

The subdivider has provided utility easements as requested by MDU and NWE on the face of the plat.

**G. Does the proposed plat provide legal and physical access to each parcel within the subdivision and notation of that access on the plat? [MCA 76-3-608 (3) (d) and BMCC 23-302.H.3.c.]**

Legal and physical access is provided to the proposed lots from Elysian Road and connects to the other road within the proposed Josephine Landing Subdivision.

**CONCLUSIONS OF FINDINGS OF FACT**

- The preliminary plat of Josephine Landing Subdivision, 1<sup>st</sup> Filing does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several of the goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation Plan or Billings Area Bikeways and Trail Master Plan.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Josephine Landing Subdivision, 1<sup>st</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

**ATTACHMENT**

Preliminary Plat and Associated Documents

# JOSEPHINE LANDING SUBDIVISION, FIRST FILING

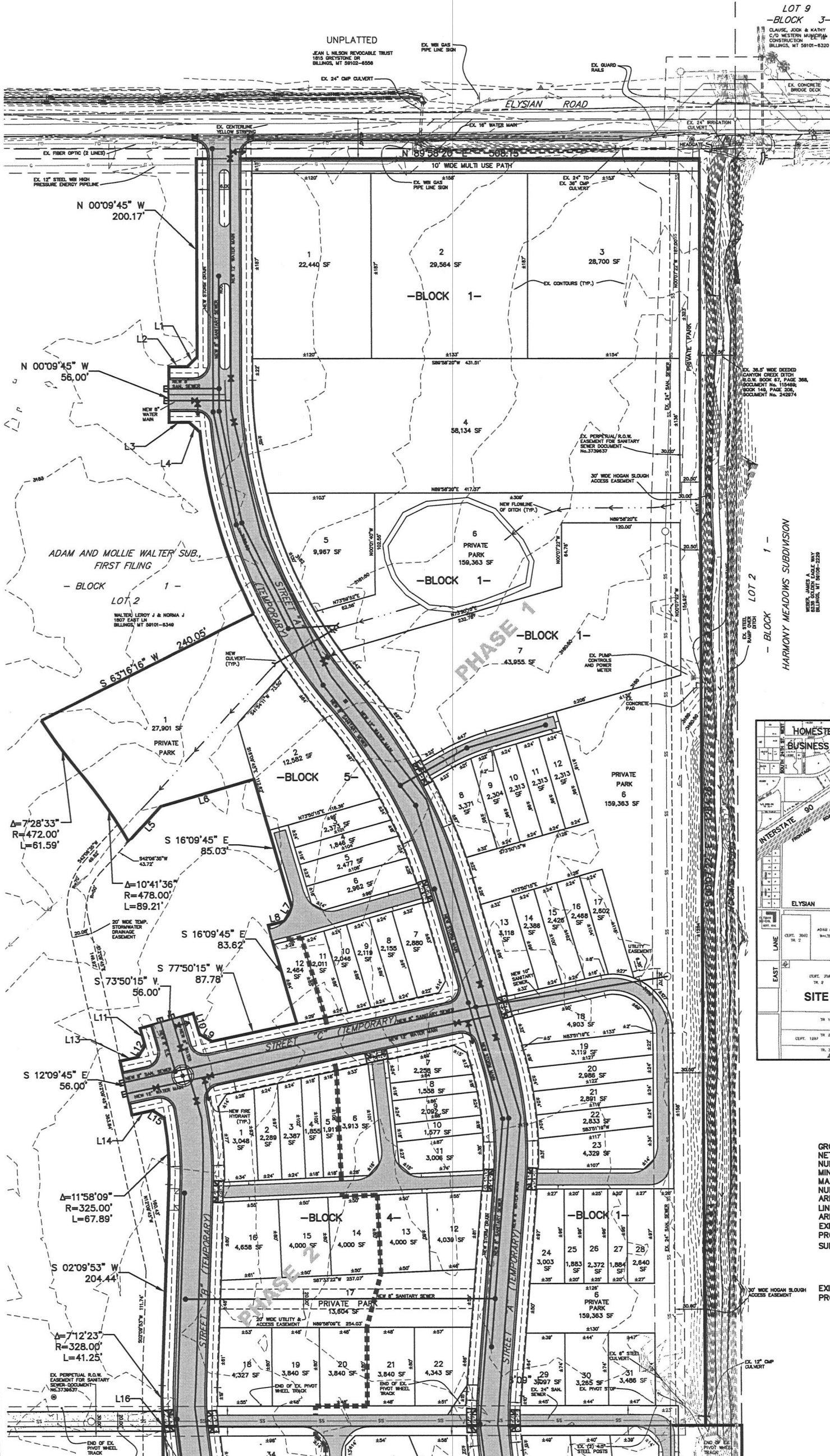
BEING LOT 1, BLOCK 1 OF ADAM AND MOLLIE WALTER SUBDIVISION, FIRST FILING  
 & TRACT 1 OF CERTIFICATE OF SURVEY No. 3594  
 SITUATED IN THE NW1/4 OF SECTION 19, T. 1 S., R. 26 E., P.M.M.  
 YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT, INC.

JANUARY, 2016

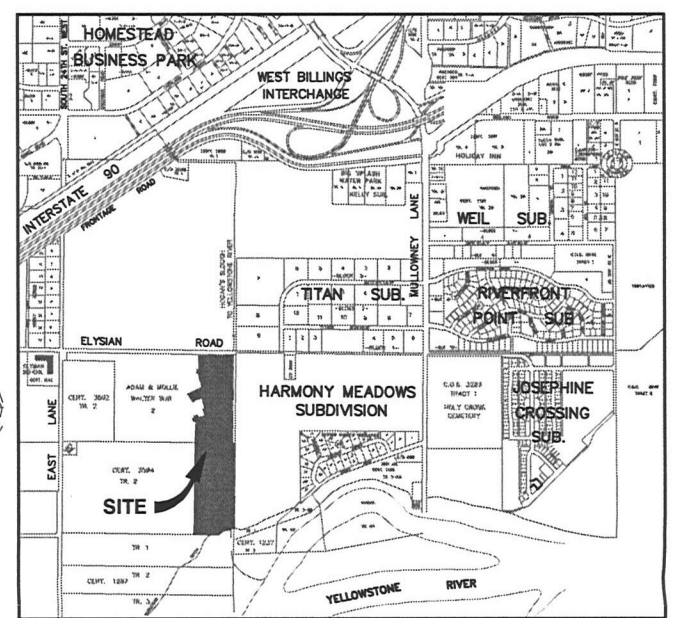
PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



Line #	Bearing	Distance
L1	N 44°50'15" E	14.14'
L2	N 89°50'15" E	18.50'
L3	S 89°50'15" W	20.20'
L4	N 47°43'52" W	14.78'
L5	S 42°06'35" W	48.48'
L6	S 73°50'15" W	97.94'
L7	N 29°55'24" E	15.28'
L8	N 78°00'34" E	18.68'
L9	S 59°09'45" E	14.63'
L10	S 16°09'45" E	22.44'
L11	N 16°09'45" W	18.52'
L12	N 30°50'15" E	13.64'
L13	N 77°50'15" E	18.52'
L14	S 77°50'15" W	21.39'
L15	N 56°25'27" W	13.96'
L16	N 89°58'09" E	0.75'

DRAFT



VICINITY MAP  
NOT TO SCALE

**PLAT DATA**

- GROSS AREA = 32.72 ACRES
- NET AREA = LOTS & PRIVATE PARKS = 24.74 ACRES
- NUMBER OF LOTS = 138
- MINIMUM LOT SIZE = 1,538 S.F.
- MAXIMUM LOT SIZE = 159,363 S.F.
- NUMBER OF PRIVATE PARK LOTS = 10
- AREA OF PRIVATE PARKS = 8.48 ACRES
- LINEAL FEET OF STREETS & ALLEYS = ±8,976 L.F.
- AREA OF STREETS & ALLEYS = 7.98 ACRES
- EXISTING ZONING = AGRICULTURE OPEN
- PROPOSED ZONING = P.D.
- SURROUNDING ZONING:
  - NORTH = NEIGHBORHOOD COMMERCIAL
  - SOUTH = AGRICULTURE OPEN
  - EAST = COMMUNITY COMMERCIAL
  - WEST = AGRICULTURE OPEN
- EXISTING LAND USE = AG/TURF FARM
- PROPOSED LAND USE = MIX USE

PRELIMINARY PLAT OF  
**JOSEPHINE LANDING SUBDIVISION, FIRST FILING**

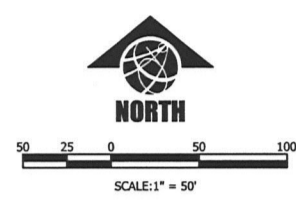
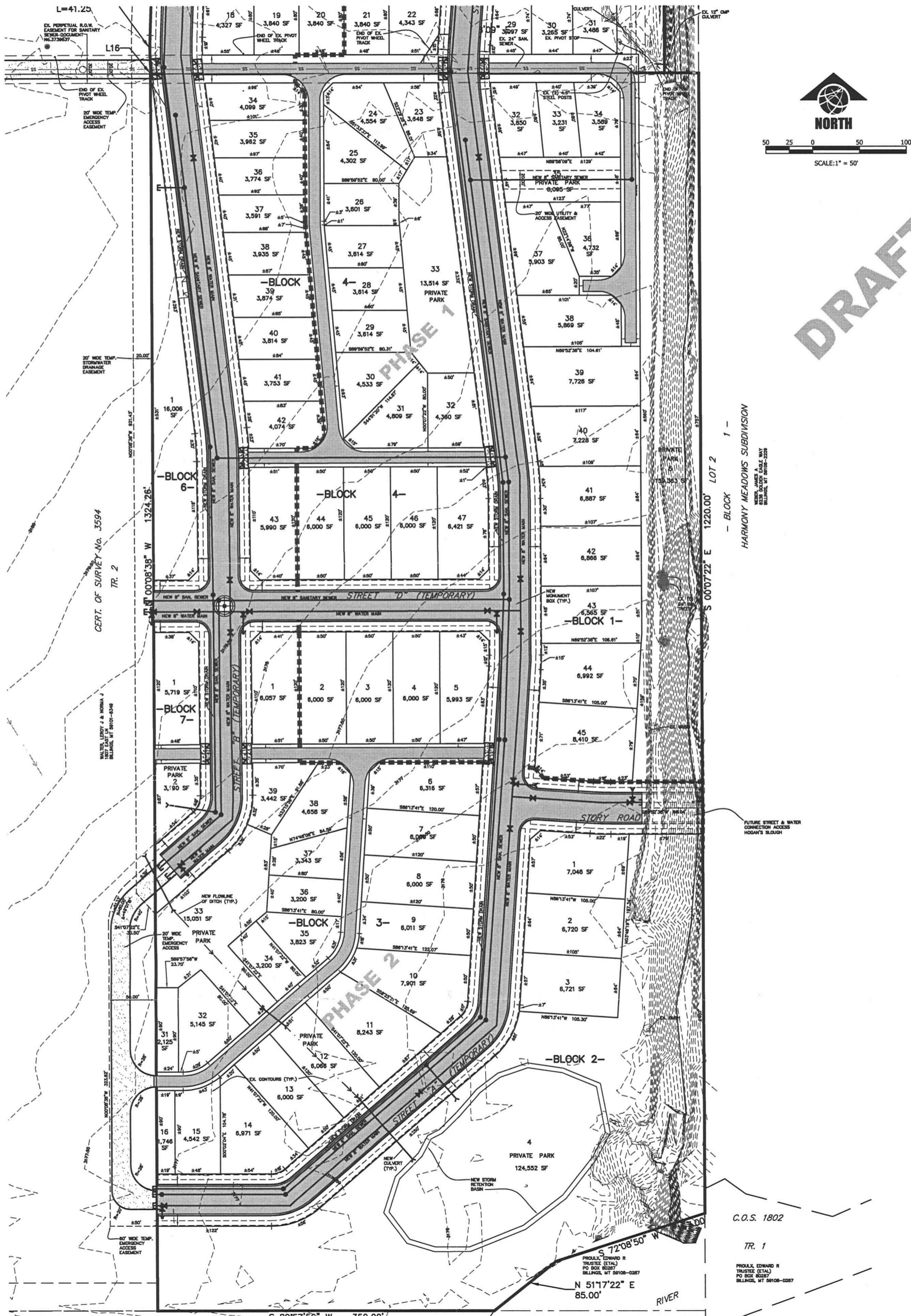
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 YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : McCALL DEVELOPMENT, INC.

JANUARY, 2016

PREPARED BY : SANDERSON STEWART

BILLINGS, MONTANA



**DRAFT**

CERT. of SURVEY No. 1287  
 TR. 1

CERT. of SURVEY 1237  
 TR. 2

JEAN L. NELSON REVOCABLE TRUST  
 1813 GREYSTONE DR  
 BILLINGS, MT 59102-8506

PROULX, EDWARD R  
 TRUSTEE (ETAL)  
 PO BOX 80287  
 BILLINGS, MT 59108-0287

SHEET 2 OF 2

# PRELIMINARY PLAT OF JOSEPHINE LANDING SUBDIVISION, FIRST FILING

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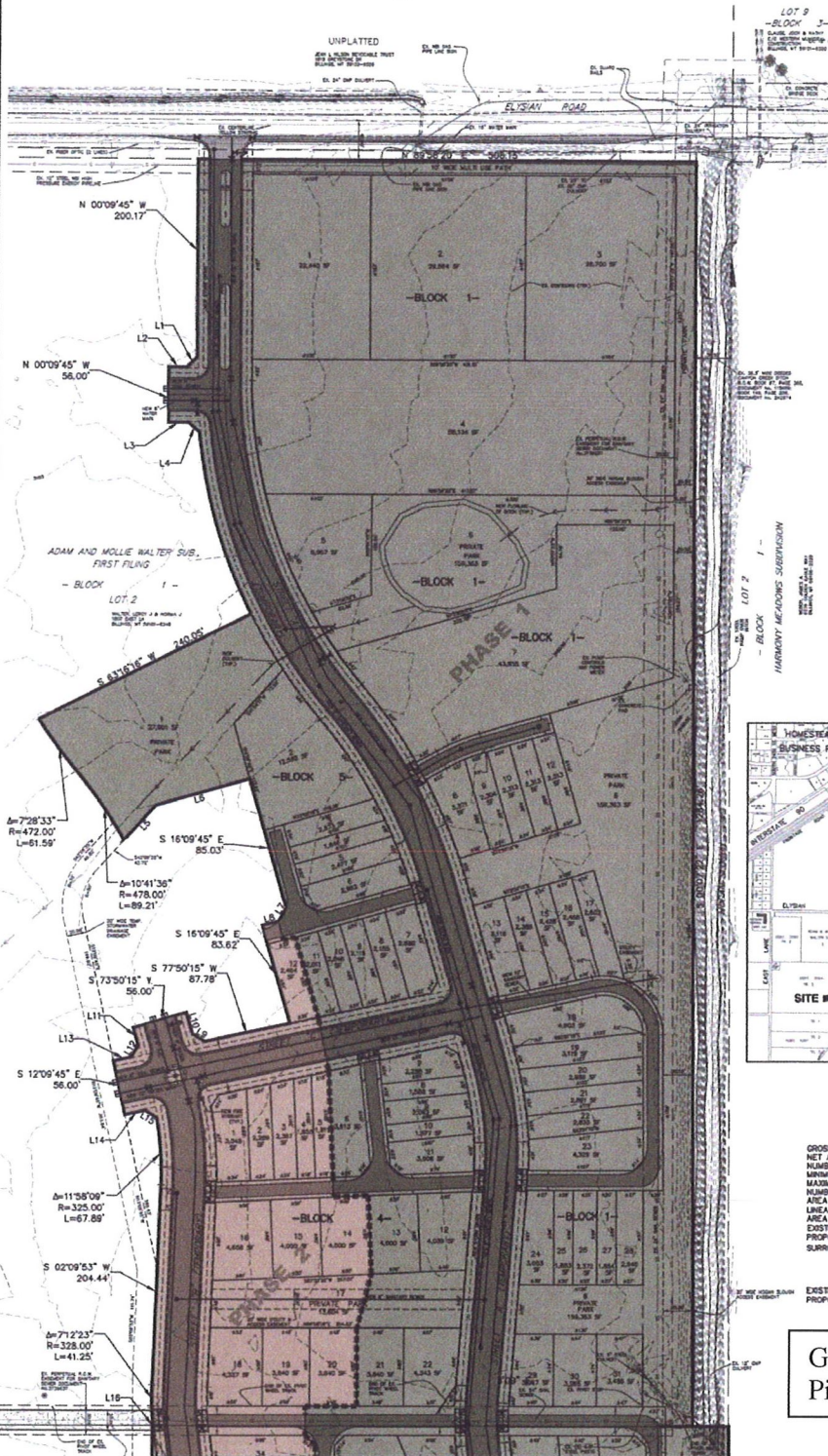
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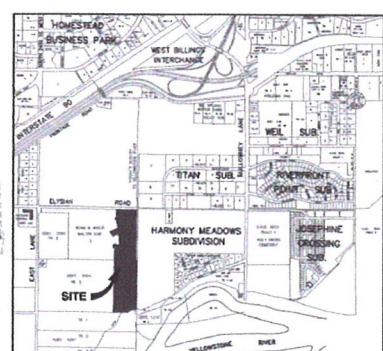
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BILLINGS, MONTANA



Line #	Bearing	Distance
L1	N 44°50'15" E	141.4
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L3	S 89°50'15" W	20.87
L4	N 44°50'15" E	14.78
L5	S 42°09'30" W	48.42
L6	S 77°50'15" W	87.84
L7	N 20°50'15" E	18.87
L8	N 70°50'15" E	18.87
L9	S 89°50'15" W	18.87
L10	S 16°09'45" E	22.44
L11	N 16°09'45" W	18.87
L12	N 30°50'15" E	13.64
L13	N 77°50'15" E	18.87
L14	S 77°50'15" W	18.87
L15	N 89°50'15" W	13.64
L16	N 89°50'15" E	0.71

DRAFT



PLAT DATA	
GROSS AREA	= 33.72 ACRES
NET AREA - LOTS & PRIVATE PARKS	= 24.74 ACRES
NUMBER OF LOTS	= 136
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MAXIMUM LOT SIZE	= 159,363 S.F.
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AREA OF PRIVATE PARKS	= 6.48 ACRES
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AREA OF STREETS & ALLEYS	= 7.89 ACRES
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PROPOSED ZONING	= P.D.
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SOUTH	= AGRICULTURE OPEN
EAST	= COMMUNITY COMMERCIAL
WEST	= AGRICULTURE OPEN
EXISTING LAND USE	= AG/TURF FARM
PROPOSED LAND USE	= MIX USE

Gray area Phase 1  
Pink area Phase 2

# PRELIMINARY PLAT OF JOSEPHINE LANDING SUBDIVISION, FIRST FILING

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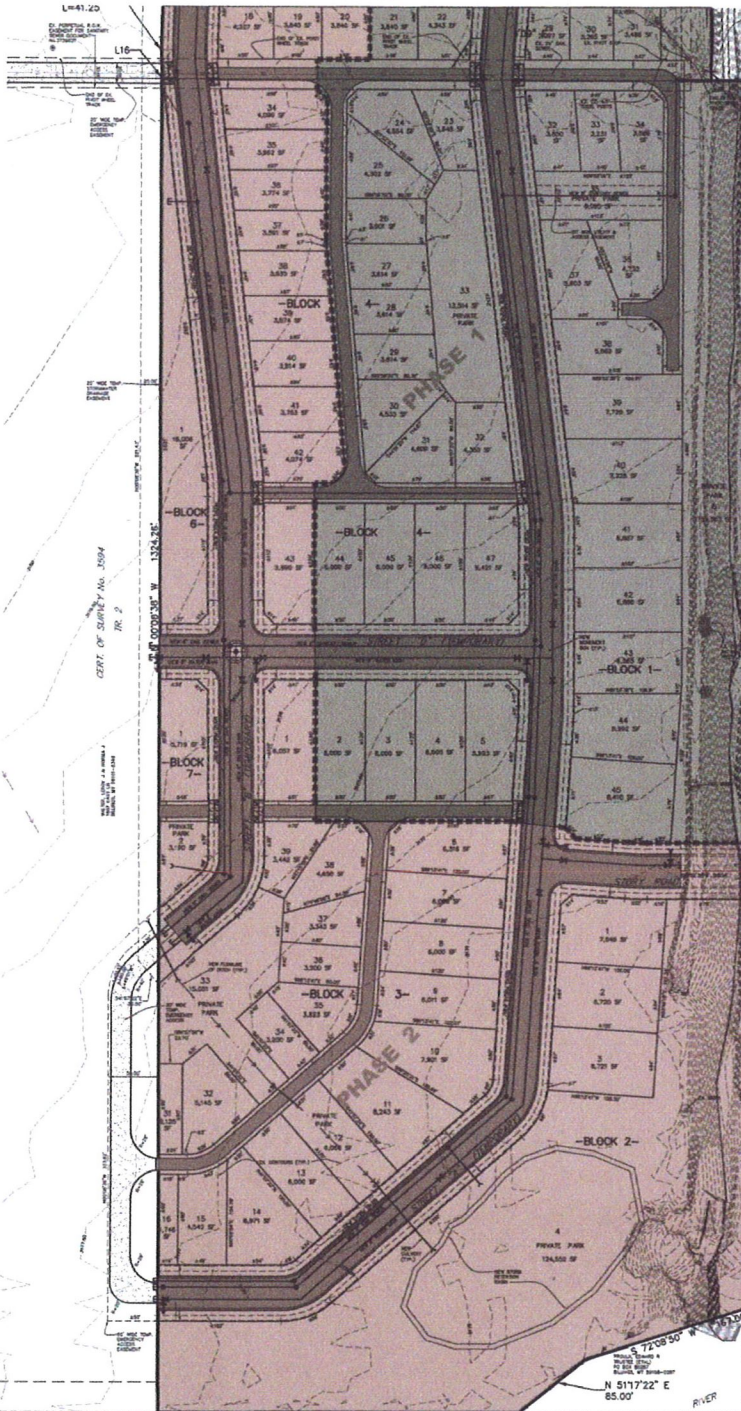
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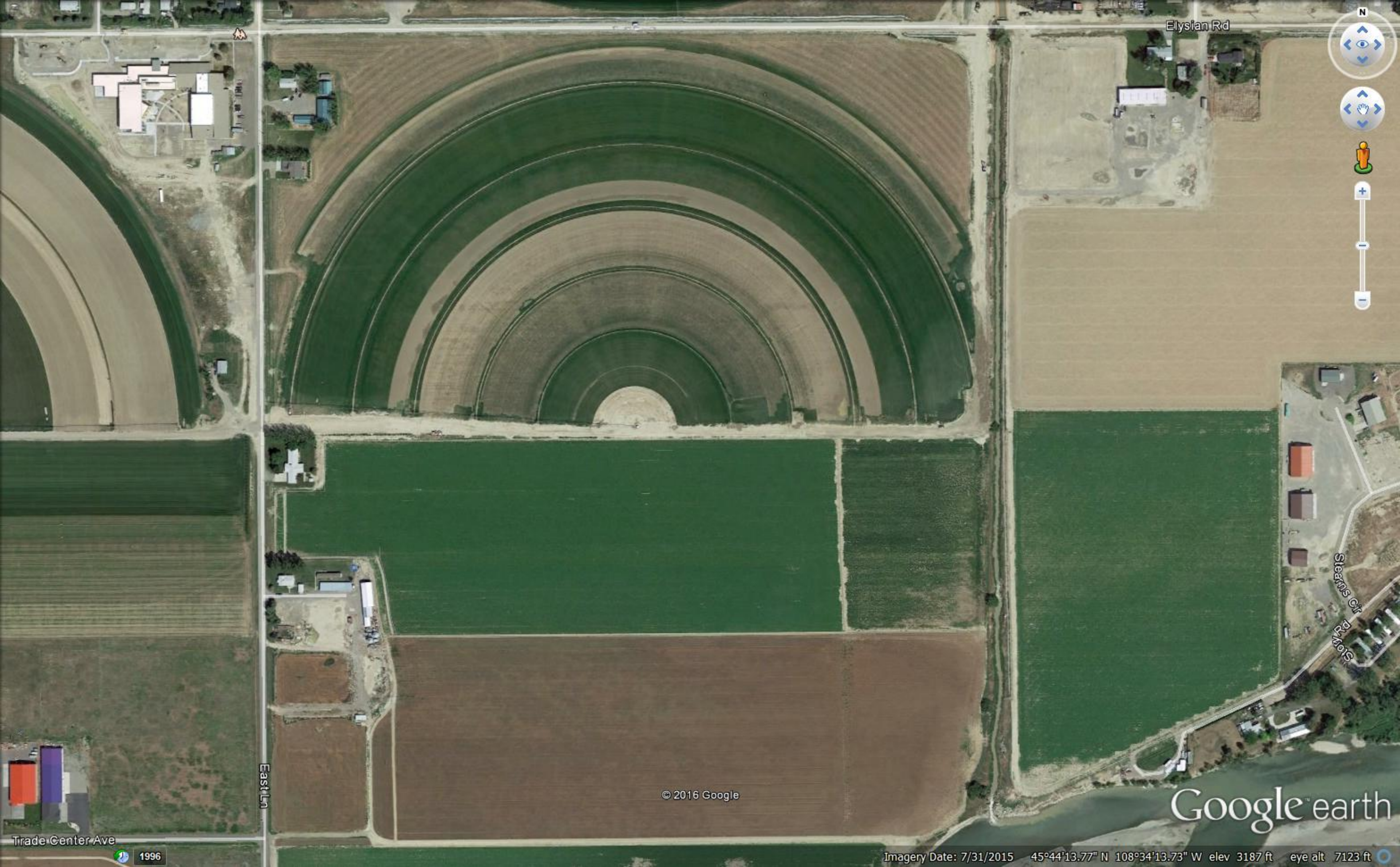


**DRAFT**

Gray area Phase 1  
Pink area Phase 2

S 89°57'56" W 359.02'  
CERT. of SURVEY No. 1287  
TR. 1

C.O.S. 1802  
TR. 1  
CERT. of SURVEY No. 1237  
TR. 2



Elystan Rd



East Ln

Stearns Cir

© 2016 Google

Google earth

Trade Center Ave

1996

Imagery Date: 7/31/2015 45°44'13.77" N 108°34'13.73" W elev 3187 ft eye alt 7123 ft