

# CITY/COUNTY PLANNING BOARD

*“Serving Billings, Broadview and Yellowstone County”*

**Board Attendance Roster:** Please note: “E” stands for excused absence, “A” stands for un-excused absence, “1” stands for present.  
**BYLAWS, YELLOWSTONE COUNTY BOARD OF PLANNING, (Amended. May 25, 2004)**  
**Section 4. Absences and Removal A.** Each member shall inform the Planning Director at least one day before the meeting of his/her inability to attend a Board or Committee meeting. Such an absence shall be considered an excused absence. If any Board member accrues three (3) or more consecutive unexcused absences from regular meetings, notice of which has been given at his/her usual place of work or residence, or by announcement at a meeting attended by him/her, the President may call such absences to the attention of the Board which may then recommend to the appointing authority that such member be asked to resign and that another person be appointed to serve out the unexpired term. Schedule: (\*\* denotes a Wednesday meeting)

	Position	01/14/2020	01/28/2020	02/11/2020	02/25/2020	03/10/2020	03/24/2020	04/14/2020	04/28/2020	05/12/2020	** 05/27/2020	06/09/2020	06/23/2020	07/14/2020	07/28/2020	08/11/2020	08/25/2020	09/09/2020	09/22/2020	**10/14/2020	10/27/2020	11/10/2020	11/24/2020	12/08/2020
<b>Dave Goodridge</b>	Mayor/Billings Ward I	1	1	E	1	-	-	-	-	1	1	E	E	1										
<b>Heidi Jensen-Christison</b>	Mayor/Billings Ward II	-	-	-	1	-	-	-	-	1	1	1	1	1										
<b>Eric Wallace</b>	Mayor/Billings Ward III	1	1	1	1	-	-	-	-	E	1	1	1	1										
<b>Darell Tunnick</b>	Mayor/Billings Ward IV	1	1	1	E	-	-	-	-	1	1	1	1	1										
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E	1	1	-	-	-	-	1	E	1	1	1										
<b>Troy Boucher</b>	YC District 1	1	E	1	1	-	-	-	-	1	-	1	E	1										
<b>Dennis Cook</b>	YC District 2	1	1	1	1	-	-	-	-	1	1	1	1	1										
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-										
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-										
<b>Woody Woods</b>	YC District 5	1	1	1	1	-	-	-	-	1	1	1	1	1										
<b>Vacant</b>	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-	-										
<b>Jarett Hillius</b>	YC District 7	1	1	1	1	-	-	-	-	1	1	1	1	1										
<b>Vacant</b>	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-										
<b>Scott Reiter</b>	<b>Ex-Officio SD2</b>		1	E	1	-	-	-	-	1	-	1	-	E										

**July 14, 2020**

**Virtual Video Conference Format**

*To be approved by a motion on July 28, 2020*

**PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.** Due to the COVID-19 health concerns, the format of the Yellowstone County Board of Planning meeting will

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be held in a virtual videoconferencing environment. The normal hearing room on the 1st Floor at 2825 3rd Ave North (Miller Building) will be closed during the meeting and no one will be attending this hearing in person. Public comment will be taken only during the Public Comment periods as indicated on the agenda, and during the Public Hearings under the Regular agenda. Comments may be sent to Board via email before 1:00 PM on Tuesday, July 14, 2020. All emails received prior to this time will be read into the record for the public.

The Public may call in during specific Public Comment periods at (406) 237-6165. All callers will be in a queued system and are asked to remain on hold and be patient. Calls will be taken in the order in which they are received. Callers will be restricted to 3 minutes of testimony as is customary. Live coverage can be viewed: <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260/?ref=bookmarks>

### **Call the Meeting to Order**

President Woods called the meeting to order at 6:00 p.m. on Tuesday, July 28 2020.

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

President Woods called for introductions of the members of the Planning Board and staff.

**Participating Planning staff members:** Wyeth Friday, Director, Planning & Community Services; Monica Plecker, Planning Division Manager; Dave Green, Planner II; Scott Walker Transportation Coordinator; Tammy Deines, Planning Clerk

**Other Participants:** Taylor Kasperick, WWC Engineering

**Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff.** There were no declarations of ex parte communications or conflicts of interest.

### **Approval of the July 14, 2020 Agenda**

**A motion was made by Board member Cook and seconded by Board member Hillius to approve the July 14, 2020 meeting agenda. The motion carried with a unanimous voice vote.**

**Approval of Minutes:** June 23, 2020. The approval of the June 23, 2020 meeting minutes is delayed until the July 28, 2020 meeting.

**Public Comment:** President Woods asked if there was anyone wishing to speak during the public comment portion of the meeting. He stated any member of the public might 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. President Woods announced the public all in phone number: 406-237-6165

Planning Clerk Tammy Deines reported no calls with requests for public comment.

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### 7. NEW BUSINESS:

(7-a1). **Presentation/Discussion. Bicycle and Pedestrian Advisory Committee Annual Report. Kristi Drake, Ed Gulick, Anna O'Donnell, BPAC members, presenting.**

Active Transportation Planner Elyse Monat introduced BPAC member Kristi Drake who opened with a PowerPoint presentation, "Billings Area Bicycle Pedestrian Annual Report"

- **Who we are:** Chair: Ed Gulick (Planning Board); Vice Chair: Anna O'Donnell (City) Rose Cook (County); Liana Susott (County); Scott Barber (City); Kristi Drake (City)  
There is one seat open for a County representative.

- **Our focus:** Ensuring that our community's infrastructure enables people to walk, bike or use a wheelchair safely.
- **What we do-**Meet monthly to address problems and opportunities in maintaining adequate pedestrian and bicycling infrastructure; Take comments from public about barriers to walking and biking safely; Act as liaison for public input and governing bodies (you!); Recommend solutions to City and County Planning and Public Works staff and governing bodies based on:
  1. public input
  2. existing plans adopted by governing bodies
  3. transportation industry standards
- **Public input**
- 

Ed Gulick, Chairman, BPAC, continued the presentation and noted the existing plans in the table below tied to bicycle and pedestrian safety and planning. He said BPAC intends to bring this information forward to City Council members to show the work behind the existing plans.

- **These 14 different plans seek to:**
  - Guide the functionality of our transportation system as it develops
  - Predict transportation needs as our community expands and land is developed
  - Reduce dangerous or conflict areas where bicyclists, pedestrians and drivers intersect
  - Keep children safe as they walk or bike to school
  - Provide directional signage
  - Improve mobility and recreation opportunities

## EXISTING PLANS

Plan Name	Year adopted	Was it adopted by PCC, City, County and Planning Board?
Downtown Traffic Flow Study	Engineering part August 2019 and Planning part currently underway	City
2018 Long Range Transportation Plan	2019	👍
Bikeway and Trail Master Plan	2017	👍
HWY 3 Corridor and Trail Study	2016	👍
West End Traffic Study	2016	👍
Rimrocks to Valley Bike/Ped Study	2016	👍
Riverfront to Shiloh Rd. Connection Study	2014	👍
2014 Transportation Plan	2014	👍
Hospitality Corridor Planning Study	2013	👍
Billings Area Bikeway and Trail Master Plan Update	2011	👍
Safe Routes to School Study Parts 1 and 2	2011	City
Complete Streets Benchmark Report	2011	City
Yellowstone Riverfront Trail Feasibility Study	2012	Informational only, not adopted
Inner Belt Loop Corridor Study	2020	Scheduled for final adoption 7/21/20

### TRANSPORTATION industry standards FOR REFERENCE

- AASHTO- (The American Association of State Highway Transportation Officials) sets guidelines used in highway design and construction throughout the US
- NACTO– (National Association of City Transportation Officials) provides transportation ideas, insights, and practices.
- APBP– (Association of Pedestrian and Bicycle Professionals) promotes excellence in pedestrian and bicycle transportation.
- FHWA– (Federal Highways Administration) provides assistance for improving safety, mobility, and encouraging innovation.
- ADA– (Americans with Disabilities Act) guarantees that people with disabilities have the same opportunities as everyone else
- 

→According to Federal highways administration, over the last few decades, research suggests that **BICYCLIST RISK DECREASES** as the **NUMBER OF BICYCLISTS INCREASES**.

This phenomenon is known as “safety in numbers.” **GREATER SAFETY** attracts **MORE BICYCLISTS**, resulting in **SAFER CYCLING CONDITIONS** overall. Multiple studies show that

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the presence of bikeways, particularly LOW-STRESS, CONNECTED BIKEWAYS, positively correlates with INCREASED BICYCLING. This in turn results in improvements in bicyclists’ overall safety.

- **Bike Boulevards: a NACTO & FHWA design recommendation**
  - Create and maintain “quiet” streets that benefit residents and improve safety for all road users.
  - Allow safe routes to work or school.
  - Also, function as low-cost linear parks while allowing car access, allowing community members to run/jog or walk in these areas as well.
  - **Bike Boulevards enhance the community in these ways as well:**
    - Low or reduced motor vehicle volumes
    - Direct access to destinations
    - Easy to find and to follow
    - Slower motor vehicle speeds
    - Minimal bicyclist delay
    - Safe and convenient crossings

→**The result- A Billings that is: Safer, Happier, Healthier, More economically vibrant**

BPAC Vice President Anna O’Donnell continued the presentation with an overview on trails. She pointed out that trail counts have risen sharply in 2020. Trail counts are noticeably higher during the pandemic. She provided annual comparisons for Trail and Bike Lane usage.

### **Uses of trails during pandemic (trail counts):**

- **What has led to the increase?**
  - Dramatic jumps in trail use in some areas is due to trail connections in those specific areas And a new focus on health, family and being at home
  - An escape from social isolation and feeling connected to community

### **Summary of Biking & Walking Issues that BPAC Sees:**

1. There is broad support for trails and bikeways for recreation and active transportation from the general public, health community, and business community.
2. There are significant opportunities for world-class trails as well as better biking connections within the city and county.
3. Federal transportation funding dedicated to pedestrian and bicycle infrastructure has decreased significantly in the past 5 years.
4. If our community wants to continue progress in trails and bikeways, it will need to either reprioritize some existing transportation funding and/or create new sources of funding.

### **Discussion**

President Woods called for questions and discussion Board member Thompson asked if the downward trend in trail usage in Coulson Park was due to flooding. Active Transportation Planner Elyse Monat said she does not feel this is a “forever trend” and it could have been an inclement week when the counts were taken. Anna O’Donnell commented she biked Coulson Park this weekend at 9:00 a.m. and noted about 25 persons on the trail at that time. President Woods asked about permanent trail counters. Elyse Monat explained there are two permanent eco-counters one

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located at Descro Park and the other at Kiwanis Park. The traffic tech places counters at the other locations on a week-by-week basis. Kristi Drake pointed out the counts on the Big Ditch Trail went up when a small stretch of trail was built on Colton Boulevard and 38<sup>th</sup> Street West. She said this is evidence connectivity promotes and increases trail traffic. Board member Thompson said he has noticed COVID brought people outside and said he notices his elderly neighbors enjoying a their bicycles for the first time in several years. President Woods thanked Elyse Monat and the BPAC members for their time and presentation.

**(7a-2) Plat Review/Discussion. Lake Hills Subdivision, 37<sup>th</sup> Filing. A 16-lot City major subdivision. Ron Hill, applicant. WWC Engineering, agent. Dave Green, Planner II, presenting.**

Planner Dave Green opened this agenda item. He commented that this subdivision was initially developed with large lots and it is the developer's advantage to make the existing lots smaller and provide more density.

### **INTRODUCTION**

On June 1, 2020, WWC Engineering, agent for Ron Hill, applied for preliminary major plat approval for Lake Hills Subdivision, 37<sup>th</sup> Filing. The proposed subdivision creates 16 lots from the existing 11 lots for residential development. The subject property is generally located along Greenbriar Road, south of Annandale Road, east of Clubhouse Way. The property is zoned Residential 9600 (R96). The proposed lots will be developed in compliance with the zoning as the property is developed. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on July 28, 2020.

### **RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Lake Hills Subdivision, 37<sup>th</sup> Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

### **VARIANCES REQUESTED**

The applicant is not requesting a variance from the subdivision regulations.

### **PROPOSED CONDITIONS OF APPROVAL**

Planning staff recommends the following conditions of approval:

1. To minimize the effects on local service, prior to final plat approval, the applicant will coordinate with the USPS for locating and providing the correct amount of space for safely delivering the mail to the residents.
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.

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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.

### Discussion

President Woods called for questions and discussion. Taylor Kasperick, WWC, stated the setbacks would be calculated from the back of the easement to ensure there will be plenty of space to park a vehicle. There will be a net gain of five lots by relocating the property lines. Boulevard sidewalks with a 5-ft curb width from the back of the sidewalk will be built at the time of home construction.

**\*\*A public hearing for Lake Hills Subdivision, 37<sup>th</sup> Filing will be held during the July 28, 2020 Planning Board meeting. A motion and recommendation to City Council will be made at this time.**

## 8. OLD BUSINESS

### **8a. Motion/Recommendation to the Policy Coordinating Committee. 2019 Innerbelt Loop Corridor Study. Scott Walker, Transportation Coordinator**

Scott Walker opened this agenda item and noted a full presentation and public hearing was held during the June 23, 2020 Planning Board meeting. This study was fully vetted and Staff received positive recommendations from City Council and City Council as well.

### **RECOMMENDATION**

Staff recommends that at the June 23 meeting, the Yellowstone County Planning Board receive a presentation on the Inner Belt Loop Corridor Study and conduct a public hearing to receive public comment on the plan. The Planning Board is scheduled to take formal action on the Study and provide a recommendation to the Policy Coordinating Committee (PCC) at its July 14 meeting. The PCC is scheduled to take final action on the study at its meeting on July 21, 2020.

### Discussion

President Woods called for questions and discussion.

### Motion

**Board member Thompson made a motion and Board member Hillius seconded the motion to recommend approval of the 2019 Inner Belt Loop Corridor Study as presented by staff. The motion carried with a unanimous voice vote.**

## 9. Other Business

### **9a. Presentation. Discussion. Yellowstone County Growth Policy Land Use Chapter. Expansion of the Zoning Jurisdictional Boundary Line. Monica Plecker, Planning Division Manager**

Ms. Plecker recapped the Board's discussion from last month's conversations on this agenda item. She noted the Board expressed interest in forwarding a letter to the BOCC regarding the need to expand the current Zoning Boundary. At the last meeting, the Board identified "Five Benefits of Zoning", "Challenges of Zoning, and "Five Issues with the Current Zoning Boundary".

She continued and provided slides to take an in-depth look at development occurring on the west end of Billings and asked the Board to consider if there are areas of major development conflict or areas without development pressures.

1. **West of Intersection of Grand Ave and 64<sup>th</sup> Street West.** Single-family homes immediately outside of the zoning boundary, continuing west along Grand Trucking Business, Metal business, Dry Storage units, Homewood Park Subdivision beginning west of 74<sup>th</sup> St West. Continuing westward, larger, more agricultural tracts.
2. **South of Grand Avenue, North of Central Avenue, West of 64<sup>th</sup> Street West**-Area of very little subdivision activity
3. **South of Central, North of King Avenue, West of South 64<sup>th</sup> Street West to South 80<sup>th</sup> Street West**-large lot residential
4. **South of King Avenue west of zoning boundary (Slightly east of South 64<sup>th</sup> Street West**-developed single family residential, mostly 1-acre lots. Sections with single-family homes with large shops but are not part of subdivisions. These tracts are certificates of surveys.
5. **East of South 56<sup>th</sup> Street West-South of Hesper**- Single family homes and undeveloped agricultural tracts. Some subdivision activity but many certificates of survey still in the area.

**Discussion and Observations: What are the top five benefits of zoning? What problems would extending the zoning boundary solve?**

**Board member Jensen-Christison:** sees perceived density issues in these areas.

**Board member Woods:** infrastructure needs to be considered as a way of avoiding future development issues. He would like to spend some time reviewing the areas presented as it is a lot of information and he is hesitant to come up with boundary recommendations. He pointed out the need for uniformity when boundaries are considered. Monica Plecker said the Board could speak in generalities in relation to the County Growth Policy.

**Board member Hillius:** There is already a lot of non-uniformity in these areas. Using a buffer of uniformity may make an impact. He cited examples of Homewood Park with the mixed uses and Linley Lakes Subdivision that is located adjacent to a gravel mine. He asked what the reasoning is for *not* expanding the zoning boundary. He stated current development on the west end is cobbled. He voiced concern with the un-zoned area around the Elder Grove School District, and stated development there should take place in a uniform manner. Monica Plecker commented on the need to try to avoid the same development mistakes that have already occurred.

**Board member Thompson:** spoke to the need for connectivity between developments and a sense for traffic flows and movements. Board member Woods concurred and pointed out recent subdivisions where connectivity was not done due to issues with topography or costs of development. Board member Thompson commented on long-range costs for fixing random and haphazard development.

**Board member Goodridge:** commented predictability of development is important from a real estate perspective as it provides protection of property values for developers.

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**Board member Hillius:** noted challenges in the area with shallow wells and developments not having the ability to bring in water mains. He feels this cannot continue for the next twenty to thirty years without improvements, and the west end is in a similar situation as Billings Heights when it was annexed.

**Board member Goodridge:** asked regarding the ties to subdivision regulations and the zoning regulations. He said right-of-way should be developed in a way to make it more cost effective in the future. Monica said she would send the portion of the Development Standards to the Planning Board.

**President Woods:** said the idea is to keep utilities out of the roadway in the future. Monica Plecker pointed out the classification changes Project ReCode will bring forward and said the Subdivision Regulations will need to be amended after ReCode is adopted. Board member Woods said the Commissioners would need advance notice of the Planning Board's intent to bring this information forward. Board members noted the status quo for individual request for zoning boundary expansion is application for creation of a special zoning district.

**Board member Tunnickliff:** complemented Ms. Plecker for the examples and information she provided to the Board.

**Board member Thompson:** The current zoning boundary is from the early 1970's. As the City has grown the zoning boundary has unchanged. The zoned area in the County is getting smaller and it is time for reconsideration of the boundary.

**Director Friday:** There is some synergy and openings for these types of discussions and cooperation between governing bodies. He cited ongoing conversations related to zoning, transportation, and the Lockwood TEDD.

President Woods thanked Ms. Plecker and the Board for their input and good questions. He said he appreciates the broad spectrum of perspectives and thought. Ms. Plecker said she feels the Board provided good reasoning and support. She will draft the narrative in the Land Use portion of the County Growth Policy and mention amendment of the zoning boundary. President Woods agreed and said Project Recode is moving forward and there are some real changes in some of the nomenclature.

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### 9b. Standing Item. Long Range Strategic Issues and an overview of future City and County issues and projects

a. **Project ReCode:** Director Wyeth Friday. Staff is scheduling hybrid meetings to schedule sections of the zoning code this week. **The first set of hearings will cover City sections of the new Zoning Code as follows:**

- **Tuesday July 21** - Proposed Draft Sections 27-300 & 27-1000 - New Neighborhood and Residential Zone Districts- Site Standards and General Uses
- **Wednesday, July 22** - Proposed Draft Sections 27-300, 27-800 & 27-1000 - New Neighborhood and Residential Zone Districts--Special Uses--Accessory Dwelling Units, Short Term Rentals and Planned Neighborhood Developments
- **Thursday, July 23** - Proposed Draft Sections 27-400, 27-500, 27-600 & 27-1000- New Commercial, Mixed Use, Industrial and Public Zone Districts Site Standards and General Uses
- **Meetings will be conducted each day at 4:30 PM at the Billings Community Center 360 N 23<sup>rd</sup> St, Billings, MT.** The public hearing will be broadcast on the Planning Community Services Department Facebook page <https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260/?ref=bookmarks> The Public may call in during specific Public Comment periods at **(406) 237-6120**.

**ADJOURNMENT: 7:37 PM**

**DRAFT—TO BE APPROVED BY A MOTION ON July 28, 2020**

*--Tamara L. Deines, Planning Clerk*