

# 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	01/12/2021	01/26/2021	02/09/2021	02/23/2021	03/10/2021	03/24/2021	04/14/2021	04/28/2021	05/12/2021	** 05/27/2021	06/09/2021	06/23/2021	07/14/2021	07/28/2021	08/11/2021	08/25/2021	09/09/2021	09/22/2021	**10/14/2021	10/27/2021	11/10/2021	11/24/2021	12/08/2021
<b>Teresa Larsen</b>	Mayor/Billings Ward I	1	1																					
<b>Heidi Jensen-Christison</b>	Mayor/Billings Ward II	1	1																					
<b>Dennie Stephenson</b>	Mayor/Billings Ward III	1	1																					
<b>Darell Tunnickliff</b>	Mayor/Billings Ward IV	1	1																					
<b>Jon Thompson</b>	Mayor/Billings Ward V	1	E																					
<b>Troy Boucher</b>	YC District 1	1	1																					
<b>Dennis Cook</b>	YC District 2	1	1																					
<b>Vacant</b>	YC District 3	-	-																					
<b>Vacant</b>	YC District 4	-	-																					
<b>Woody Woods</b>	YC District 5	1	1																					
<b>Vacant</b>	YC District 6	-	-																					
<b>Jarett Hillius</b>	YC District 7	1	1																					
<b>Vacant</b>	Y County Cons. District	-	-																					
<b>Scott Reiter</b>	Ex-Officio SD2	-	-																					

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**January 26, 2021**

### **Virtural Video Conference Format**

*DRAFT- To be approved by a motion on February 9, 2021*

**PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.** Due to the COVID-19 health concerns, the format of the Yellowstone County Board of Planning meeting will 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, January 26, 2021. 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, January 26, 2021

### **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:** Monica Plecker, Planning Division Manager; Dave Green, Planner II, Lora Mattox, Transportation Planner; Scott Walker, Transportation Coordinator; Tammy Deines, Planning Clerk; Darin Swenson, Yellowstone County Public Works

**Other Participants:** Tim Erickson, PE, HDR Inc.; Lisa Gray, Public Involvement, Alta Planning & Design; Mack Drzayich, Alta Planning and Design; Mike Sellinger, Alta Planning & Design; Craig Dalton, Performance 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 January 26, 2021 Agenda**

**Board member Hillius made a motion and Board member Cook seconded the motion to approve the January 26, 2021 meeting agenda as amended. The motion carried with a unanimous voice vote.**

**Approval of Minutes:** January 12, 2021

**Board member Tunncliff moved and Board member Cook seconded the motion to approve the January 12, 2021 meeting minutes as with a correction to Page 5, are(a). The motion carried with a unanimous voice vote.**

**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 call in phone number: 406-237-6165.

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

**7. NEW BUSINESS:**

**7a. Presentation. Discussion. MDT Railroad Study. Tim Erickson, PE, HDR Inc.**

Tim Erickson, HDR Engineering, welcomed the participants. He stated HDR has worked with MDT to determine practical options for the 27<sup>th</sup> Street Crossing in Billings. Numerous studies have been conducted over the past 50+ years. This is one of the busiest railroad crossings in the state of Montana. The 2017 Montana Rail Grade Separation Study identified the 27<sup>th</sup> Street crossing as one of the top crossings in the state for benefits from possible grade separation improvement options. Previously identified solutions have been considered un-practicable. He commented that feedback received has a perception rail traffic has declined but in fact, according to the Federal Rail Administration during 2016-2018 there are an average of 36 trains per day and 6 switching trains per day. Montana Rail Link provided data that 90% of the crossing events last less than 6 minutes. The study's goal is to determine what should, and can be implemented in the future.

Tim Erickson stressed that stakeholder input is important to this process.

**Study Objectives**

- Ground level study of the 27<sup>th</sup> Street at-grade rail crossing
- Identify short-term and long-term improvement solutions.
- Vet each solution through a transparent decision process
- Incorporate feedback from local stakeholders and the public
- Determine what should, and can be implemented in the future

**Short Term Alternatives**

- Closing 28<sup>th</sup> or 29<sup>th</sup> Street Crossings-The minimal benefits do not offset the need for accessibility. This option severed multi-modal connectivity. It negatively affected vehicular mobility and connectivity. There are negligible improvements for bicyclists and pedestrians.

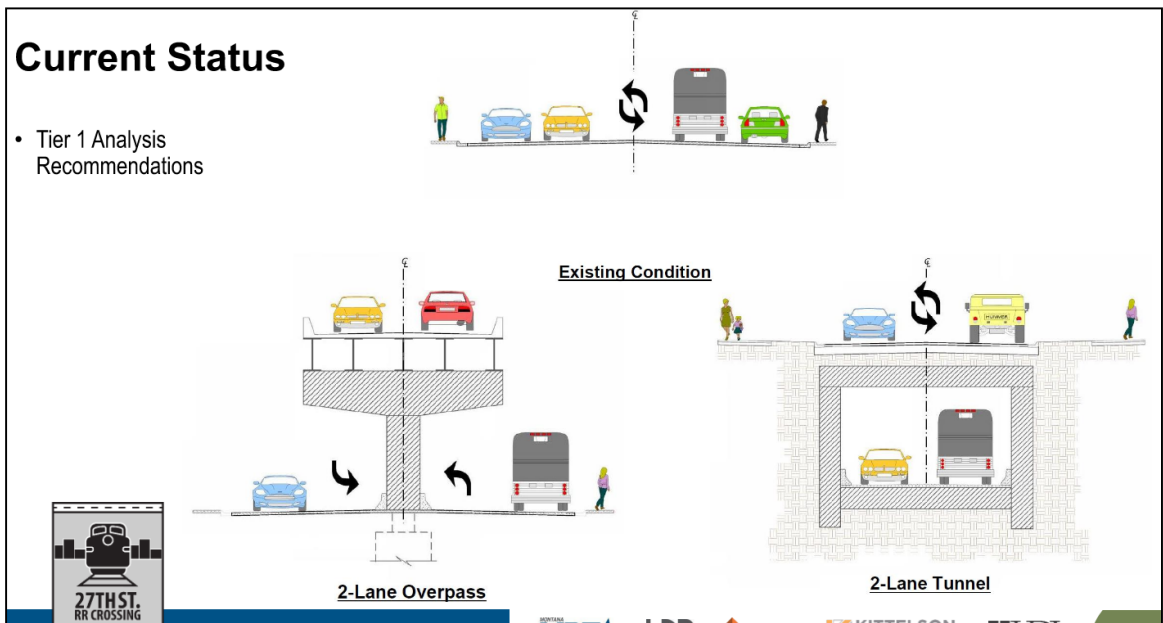
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- Signal Modifications,. Add a dedicated left turn arrow at 27<sup>th</sup> Street and Montana. This allows southbound left turning traffic on Montana Avenue to access the 21<sup>st</sup> Street Underpass. It was installed as part of the completed 27<sup>th</sup> Street construction project.
- Intelligent Transportation Systems (ITS)- moderate implements for vehicular mobility. Negligible improvements for bicyclists and pedestrians. There are variable messaging boards. Advance warning signage in addition to existing signage to encourage alternate routes to 21<sup>st</sup> Street, 13<sup>th</sup> Street or 6<sup>th</sup> Street underpasses. There is other technology available to improve safety and mobility.

## Long Term Alternatives

- 4-Lane Overpass/Underpass. This alternative severs connectivity to downtown. Impacts to multi-modal network. Most direct and indirect property impacts. Most safety improvements for the crossing. Most expensive option.
- 2-Lane grade
- Two lane option with one lane going over or under the tracts, i.e. a Two-lane overpass or Two-lane tunnel.



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**Overpass Option Rendering**-An Aesthetics Committee will be developed to find ways to create place making. There is a proposed touch down point on 3<sup>rd</sup> Avenue North and 27<sup>th</sup> Street moving southward.



## Tunnel Option Rendering



## Next Steps and Study Schedule

- Virtual Pubic Meeting: December 1, 2020
- Business and Stakeholder Outreach
- Aesthetics Committee
- Determine Preferred Alternative for the Community-Early 2021
- 30% Design Plans-Summer 2021

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### **Discussion**

President Woods called for questions and comments. Board member Jensen-Christison asked if the tunnel option was not considered due to the cost. Tim Erickson explained that the four-lane alternative didn't move forward as it didn't allow traffic to access the downtown system. The cost for a four-lane overpass is extensively more. The two-lane overpass is estimated at \$35-40 million and the two-lane tunnel alternative is estimated at \$80 million due to utility relocations. Board member Jensen-Christison asked if there is a preferred alternative. Tim Erickson said there is no preferred alternative at this time but the railroad's perspective is to eliminate at-grade crossings. Board member Larsen asked if there is a no-build solution. Tim Erickson said a no build solution with ITS may be a solution used long into the future. In response to question by President Woods, Tim Erickson said this project is no in the current five-year Montana Statewide Transportation Improvement Program, (STIP). Once an alternative is determined, funds will be programmed and then it will move towards a build solution. President Woods thanked Tim Erickson for his presentation this evening.

### **8. OLD BUSINESS:**

#### **8a. Motion/Recommendation. Long Range Transportation Plan Amendment #2.**

**Scott Walker, Transportation Coordinator, presenting.**

Scott Walker gave an overview of the Transportation Plan Amendment #2 review schedule. A complete presentation and public hearing was held during the January 12, 2021 Planning Board meeting. Planning Board will forward a recommendation to PCC during this meeting.

### **Discussion**

President Woods called for discussion and questions. There were none.

### **Motion**

**Board member Cook made a motion and Board member Jensen-Christison seconded the motion to forward a recommendation to PCC of approval of the Long Range Transportation Plan Amendment #2 as presented by staff.**

**The motion carried with a unanimous voice vote.**

#### **8b. Motion/Recommendation. Downtown Billings Traffic Study. Alternative Prioritization and Public Preference Plan. Lora Mattox, Planning & Community Services**

### **PROBLEM/ISSUE STATEMENT**

The Billings Metropolitan Planning Organization (MPO) requested proposals from qualified firms to develop a Downtown Billings Traffic Study: Alternative Prioritization and Public Preference Plan (Preference Plan). The goal of this project was to take the identified transportation network alternatives completed in the Downtown Traffic Study, completed by the City of Billings Engineering Division, and execute a robust and creative public outreach process to develop an implementation and project prioritization strategy. The Planning Board reviewed the Preference Plan

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and conducted a public hearing on the plan at its January 12, 2021 meeting. The Board is expected to complete a final review of the Plan at this meeting and make arecommendation to the Policy Coordinating Committee (PCC).

### **BACKGROUND**

The MPO through a competitive process hired Dowl to develop a Downtown Billings Traffic Study: Alternative Prioritization and Public Preference Plan (Preference Plan). The Preference Plan project was prompted by the Downtown Billings Traffic Study (DBTS) completed for the City of Billings Engineering Division by Kittelson and Associates and Dowl in 2019.

### **RECOMMENDATION**

Staff recommends that the Planning Board forward a recommendation of approval of the Preference Plan to the PCC. The PCC is scheduled to take final action on the plan at its meeting on February 16, 2021.

### **Discussion**

President Woods called for discussion and questions.

### **Motion**

**Board member Cook made a motion and Board member Hillius seconded the motion to forward a recommenttation to PCC of approval of the Downtown Billings Traffic Study. Alternative Prioritization and Public Preference Plan as presented by staff.**

**The motion carried with a unanimous voice vote.**

**8c. Public Hearing. Presentation. Billings Area Bike and Scooter Share Feasibility Study. Mack Drzayich, Alta Planning and Design, presenting. Elyse Monat, Active Transportation Planner, Elyse Monat, Planning & Community Services**

Active Transportation Planner Elyse Monat opened this agenda item and introduced Alta Consultants Mack Drzayich and Mike Sellinger. This study considered the possibility of a Bike and Scooter Share program in the Billings area.

Mack Drzayich, Alta Consultant, opened a presentation to share the results of the study.

**Definition:** A network of shared bicycles/scooters available for short-term use, usually 15-45 minutes.

**Benefits:** Reduction of Emissions; Supplements transit system; contributes to equitable transportation systems; invites improved community health; contributes to “safety in numbers” effect for a bicyclists.

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**Planning Process:** considered existing conditions and areas of demand in the Billings area. Obtained public input and collaborated with the Steering Committee.

**Desired Outcomes:** Enhance transit system; Contributed to more equitable transportation system; promote participation in active transportation; increase visibility and awareness of alternate modes; provide a new way for visitors to explore Billings;

**Public Engagement:** Virtual engagement through Billings Bike & Scooter Share Survey; directed interested citizens to an interactive map to indicated where they would like to have access to bike and scooter share. 259 survey responses and 62 pins on the interactive map. There was mixed support as far as interest through the survey. 53% interested in seeing bike/scooter share in Billings. Safety and lack of infrastructure are the two largest concerns.

**Demand Analysis-**determine areas with the greatest need and where stations may be the most appropriate.

**Equity Analysis Map-**Household income, housing tenure, access to vehicles. Areas where the population will benefit the most.

Mike Sellinger, Alta Planning Associate, continued with the presentation.

### ***Study Recommendations***

**System Type:** Hybrid Bike Share System- "smart bike" system. Stations called hubs consist of branded racks for parking bike share bikes.

**Electric Assist Bikes:** provide a wider geographic coverage; meets strong community preference for e-bikers; more comfortable for riders with mobility challenges

**System Governance:** Turnkey or Publicly Owned/Private Operated

**Turnkey System Benefits:** little staff capacity and capital investment; Faster timeline for implementation; mixed fleet options are typical

**City Ownership:** Offers high degree of control over system design, station siting, and pricing/payment policy; more opportunity for seamless integration with MET transit services.

### ***Service Area & Station Locations:***

**Initial Service Area:** Downtown and MSU-Billings to include 140-200 electric assist smart bikes spread between 17 stations of 5-15 bikes each.

**Proposed expansion areas:** residential areas south and west of downtown; South Park; Terry Park; Highland Park; Moss Mansion museum

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**Equity Program for Bike Share:** Income based discounts; cash payment; alternative payment structures; eliminate hidden fees; targeted marketing

### ***Costs & Revenue:***

**Costs:** Launch; Capital: Operations

**Revenue Sources:** User fees; Advertising/Sponsorship; Public funding sources; Federal and State grant programs

### **Discussion**

President Woods called for questions and discussion. President Wooks asked if there is a way of controlling where the bicycles will congregate. Mike Sellinger explained that these bicycles have the technology to identify if they are within the designated area. Riders can be notified if the bicycle should be returned to a certain area. Board member Jensen-Christison asked for clarification of the operating expenses and asked if they include annual bike replacement costs. Mike Sellinger said the operation costs listed are mostly labor for maintaining the bicycles as estimated on a cost per bicycle basis. These bikes typically last five years depending on the module purchase. Board member Jensen-Christison said the calculations would be higher if they included the bike replacement costs. Mike Sellinger commented typically participating cities absorb losses and there is usually a regional partner funding the service. Board member Stephenson said he found in other cities with similar programs have scooters left everywhere. Mike Sellinger said that model is not recommended and these hybrid smart system bicycles have to be locked physically to a bike rack.

### **Public Hearing**

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against Billings Area Bike and Scooter Share Feasibility Study. There was none. President Woods closed the public hearing.

\*\*Planning Board will forward a recommendation on this agenda item during the February 9, 2021 Planning Board meeting.

**8d. Public Hearing. Motion/Recommendation to BOCC. Eagle Cliff Estates. County Major Subdivision. Dave Green, Planner II, presenting. David Green, Planning & Community Services**

### **INTRODUCTION**

On December 1, 2020, the Planning Division received an application for major plat approval for the proposed Eagle Cliff Estates Subdivision. The property is generally located north of Ford Road. It will connect to the current dead-end of Eagle Cliff Meadows Road and will connect to Navarro Drive to the west. This subdivision would create 24 lots from a 45.75-acre parcel of land. The applicant is

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proposing to develop residential subdivision, the land is zoned Neighborhood 4 (N4). The land is currently dryland grass and shrub grazing land.

### **RECOMMENDATION**

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of Eagle Cliff Estates Subdivision and adopt the Findings of Fact as presented in the staff report.

### **VARIANCES REQUESTED**

No variances are requested for this subdivision.

### **PROPOSED CONDITIONS OF APPROVAL**

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

1. To protect public health and safety, prior to final plat approval, the applicant will receive approval from the MDEQ for the proposed water systems, septic systems and the proposed storm water management.
2. To protect public health and safety and provide for future road maintenance, prior to final plat approval, the applicant will expand existing RSID 698M for the new public roads within the subdivision.
3. To protect public health and safety and to provide proper turn around areas for the fire department, prior to final plat approval, the applicant will provide a temporary turn around on Tanner James Drive and provide easement documents for that turnaround. It will also be depicted on the proposed plat and an explanation of the need for the turnaround will be included in the SIA under the heading Transportation.
4. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will coordinate required fire hydrant installation locations with the Lockwood Fire Department. Lockwood Fire Department will review and approve all fire hydrant locations within the subdivision.
5. To protect public safety and to ensure future maintenance of the parkland, prior to final plat approval, the applicant will create and RSID for parkland maintenance for this subdivision.
6. To protect public health and safety and to provide more information, prior to final plat approval, the applicant will include language in the SIA under the heading III Transportation E. that outlines their intent to provide a trail with future filings that align with future proposed roads.
7. 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.
8. To minimize effects on the natural environment, prior to final plat approval a weed management plan and property inspection shall be completed by the County Weed Department.
9. To protect public health and safety and ensure zoning compliance, prior to final plat approval, the applicant will include a paragraph in the SIA under the heading Conditions That Run With

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The Land informing the future property owners they are required to obtain a zoning compliance permit prior to any construction on lots within the subdivision.

10. 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.
11. The final plat shall comply with all requirements of the County Subdivision Regulations, rules, regulations, policies, and resolutions of the Yellowstone County, including laws regarding moving houses onto or off the property, and the laws and Administrative Rules of the State of Montana.

### Discussion

President Woods called for question and discussion from the members of the Board. President Woods asked regarding a condition that individual lot owners will be responsible for sidewalk construction and if a statement should be included in the SIA. Dave Green said currently the County’s interpretation is the developer will bond the sidewalk system. Division Manager Plecker added there has been some question about sidewalk installations functions in the County. These are considered public improvements that must be constructed or bonded by the developer. President Woods noted the drainage area that is dedicatd as parkland. He said most areas in Lockwood do cash-in-lieu of parkland and there are not a lot of usable parks. Darin Swenson, YC Public Works, stated the County views sidewalk construction as the developer’s responsibility, and an RSID will need to be created for maintainance. He said the County does not want language included that the future landowner will develop the sidewalk in the SIA. The condition language should be stricken from the SIA that the homeowner is responsible for the sidewalk. Board member Hillius asked if culverts or temporary crossings will be used on Tanner James Drive so the drainage is not blocked. Craig Dalton, Performance Engineering, said this will be determind through modeling. It is likely going to be a culvert but this will be park of the permitting requiremens through DEQ.

### Public Hearing

At 7:30 pm, President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against Eagle Cliff Estates Subdivision. There were none. President Woods called for a motion.

### Motion

**Board member Stephenson made a motion and Board member Cook seconded the motion to forward a recommendation to the Board of County Commissioners of conditional approval of Eagle Cliff Estates Subdivision with the Findings of Fact.**

**The motion carried with a unanimous voice vote.**

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### **OTHER BUSINESS:**

**9A. Standing Item. Staff Updates. Long Range Strategic Issues and an overview of future City and County issues and projects.**

**9A1. Project ReCode.** Division Manager Plecker announced City Council motioned to approve Project ReCode on Monday, January 25, 2021. This has been a three-year process. Zoning Coordinator Nicole Cromwell has championed this project. The Planning Department will be getting ready during the next 30 days for implementation of the new zoning code.

### **ADJOURNMENT: 7:35 PM**

#### **Future Agenda Items for February 9, 2021**

- Plat Review. Discussion. Annafeld North Subdivision 1st Filing. City Major Subdivision. Dave Green, Planner II, presenting. Plat Review. Discussion.
- Plat Review. Discussion. Annafeld North Subdivision 2nd Filing. City Major Subdivision. Dave Green, Planner II, presenting.
- Plat Review. Discussion. West Meadows 2nd Filing, County Major Subdivision. Dave Green, Planner II, presenting
- Plat Review. Parkland West Subdivision, 7th Filing. A 16-lot City residential major subdivision. Greg Reid, WWC Engineering. Dave Green, Planner II.

**DRAFT—TO BE APPROVED BY A MOTION- February 9, 2021**

*--Tamara L. Deines, Planning Clerk*