YELLOWSTONE COUNTY BOARD OF PLANNING

CITY OF BILLINGS AND YELLOWSTONE COUNTY, MONTANA

AGENDA

FEBRUARY 9, 2021 MEETING TIME: 6:00 p.m.
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

NOTICE TO THE PUBLIC

****ATTENTION****
Due to the COVID-19 health concerns, this meeting will be held in a virtual videoconferencing environment. The Yellowstone County Board of Planning members will attend the meeting via a remote location, using a virtual meeting method. The regular meeting rooms will be closed during the meeting. In order to honor the Right of Participation and the Right to Know in Article II, sections 8 and 9, of the Montana Constitution, the City/County Planning Division is making every effort to meet the requirements of the open meeting laws.

Citizens are invited to:

- Review the Agenda Packet on the City's website at: https://ci.billings.mt.us/117/Agendas-Minutes
- View the meeting live online at Facebook: https://www.facebook.com/Billings-Planning-Community-Services-Department-1738982159659260

Public comment will be taken only during the Public Comment periods as indicated on the agenda and during the Public Hearings, if any are scheduled, under the Regular agenda. Comments may be sent to Board via email before 10:00 AM on the meeting date. All emails received prior to this time will be read into the record for the public hearing. Comments may be submitted by:

- Mail: City/County Planning Division, 2825 3rd Ave N 4th Floor, Billings, MT 59101
- Email: deinest@billlingsmt.gov
- Call in during the Public Comment periods as indicated on the agenda:
  - Citizens may call in during specific Public Comment periods at **406.237.6165**.
    All callers will be placed 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 limited to 3 minutes of testimony as is customary. Future delivery methods may be explored as best practice is learned.

    Please direct questions to Tammy Deines, Planning Clerk at deinest@billingsmt.gov or 406-247-8610. Thank you!

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. MEETING MINUTES**: **January 26, 2021**

   Attachments
   PlnBMinutes_2020_01_26_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).

a. Motion/Recommendation to PCC. Billings Area Bike and Scooter Share Feasibility Study. Elyse Monat, Active Transportation Planner

Attachments

Draft Bike and Scooter Share Feasibility Study

Review Schedule

b. **PUBLIC HEARINGS/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. By state law, the Planning Board must consider only certain criteria when reviewing subdivisions (76-3-608(a), MCA). Please see the attached guidelines for the criterion. Thank you for participating!

8. **NEW BUSINESS:** (Agenda items new to this meeting).

a. Plat Review. Discussion. Parkland West Subdivision, 7th Filing. A 16-lot City residential major subdivision. Greg Reid, WWC Engineering. Dave Green, Planner II.

Attachments

Findings of Fact

Preliminary Plat

SIA

b. Plat Review. Discussion. West Meadows Subdivision, 2nd Filing. County Major Subdivision. WWC Engineering. Dave Green, Planner II, presenting.

Attachments

Findings of Fact

Preliminary Plat

SIA

c. Plat Review. Discussion. Annafeld North Subdivision, 1st Filing. City Major Subdivision. McCall Development. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

Attachments
Findings of Fact
Preliminary Plat
SIA

d. Plat Review. Discussion. Annafeld North Subdivision, 2nd Filing. City Major Subdivision. McCall Development. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

Attachments
Findings of Fact
Proposed Plat
SIA

9. **OTHER BUSINESS:**

a. (Standing Item) Long Range Strategic Issues and an overview of future City and County issues and projects.

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, FEBRUARY 23, 2021

a. Public Hearing. Motion/Recommendation to City Council. Parkland West Subdivision, 7th Filing. A 16-lot City residential major subdivision. Greg Reid, WWC Engineering. Dave Green, Planner II.

b. Public Hearing. Motion/Recommendation to BOCC. West Meadows Subdivision, 2nd Filing. County Major Subdivision. WWC Engineering. Dave Green, Planner II, presenting.

c. Public Hearing. Motion/Recommendation to City Council. Annafeld North Subdivision, 1st Filing. City Major Subdivision. McCall Development. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

d. Public Hearing. Motion/Recommendation to City Council. Annafeld North Subdivision, 2nd Filing. City Major Subdivision. McCall Development. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

CITY/COUNTY PLANNING BOARD
1st Floor Large Conference Room, Miller Building
2825 3rd Avenue North, Billings, Montana 59101

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

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: 02/09/2021

Information

Subject

MOTION. MEETING MINUTES: **January 26, 2021**

Attachments

PlnBMinutes_2020_01_26_DRAFT

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
Teresa Larsen	Mayor/Billings Ward I	1	1																					
Heidi Jensen-Christison	Mayor/Billings Ward II	1	1																					
Dennie Stephenson	Mayor/Billings Ward III	1	1																					
Darell Tunnicliff	Mayor/Billings Ward IV	1	1																					
Jon Thompson	Mayor/Billings Ward V	1	E																					
Troy Boucher	YC District 1	1	1																					
Dennis Cook	YC District 2	1	1																					
Vacant	YC District 3	-	-																					
Vacant	YC District 4	-	-																					
Woody Woods	YC District 5	1	1																					
Vacant	YC District 6	-	-																					
Jarett Hillius	YC District 7	1	1																					
Vacant	Y County Cons. District	-	-																					
Scott Reiter	**Ex-Officio SD2**	-	-																					

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 Tunnicliff 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 27th 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 27th 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 goad 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 27th 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

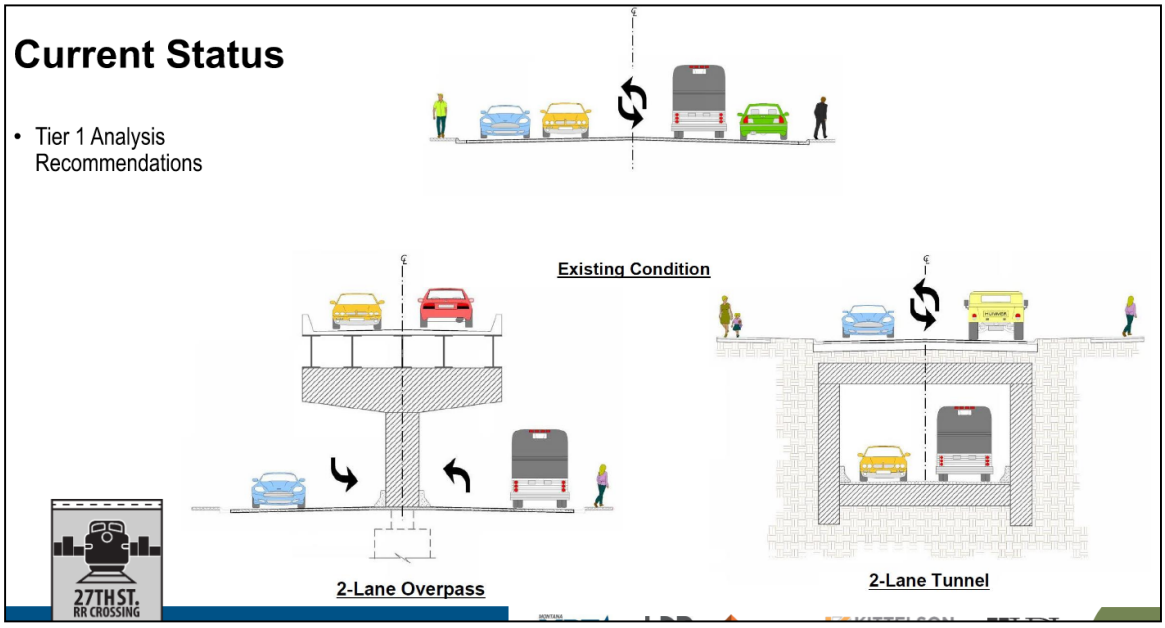
- Closing 28th or 29th Street Crossings-The minimal benefits do not offset the need for accessibility. This option severed multi-modal connectivity. It negatively affected vehicular mobility and connectivity. There are negligible improvements for bicyclists and pedestrians.

- Signal Modifications,. Add a dedicated left turn arrow at 27th Street and Montana. This allows southbound left turning traffic on Montana Avenue to access the 21st Street Underpass. It was installed as part of the completed 27th 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 21st Street, 13th Street or 6th 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.



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

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 Transporation 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 DowntownBillings 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 Cityof 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

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: AlternativePrioritization 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 recommmendation 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.

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/Privately Operated

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

City Ownership: Offers highs 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

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 calculationss 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 fudning 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

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

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 usuable 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.

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

Planning Board

Date:	02/09/2021
Title:	Bike and Scooter Share Feasibility Study Recommendation
Presented by:	Elyse Monat
Department:	Planning & Community Services
Presentation:	Yes

Information

RECOMMENDATION

Staff recommends the Yellowstone County Planning Board forward a recommendation of approval of the Billings Area Bike and Scooter Share Feasibility Study to the Billings City Council and the Yellowstone Board of County Commissioners with the intent to forward a positive recommendation to the PCC.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

The MPO hired Alta Planning + Design through a competitive process to conduct the Billings Area Bike and Scooter Share Feasibility Study. The goal of the Billings Area Bike and Scooter Share Feasibility Study is to define what a successful bike and scooter share program would look like for the Billings area. A bike and/or scooter share system is a network of shared bicycles or scooters available for short-term use, usually 15 to 45-minute trips. A user can check out a bicycle or scooter from locations around the city, ride to their destination, and then leave the bicycle or scooter for someone else to use.

Bike share and scooter share programs are designed to be a cost-effective, environmentally-friendly, convenient travel option for shorter trips. In a survey of 245 respondents completed as parts of this study, 53% of people said they are interested in seeing bike and scooter share in Billings, 24% are not interested, and 14% need more information. Of the remaining percentage that selected "other," many respondents reported liking the idea of bike share, but not scooter share. Top concerns related to bike and scooter share include safety, lack of bicycle infrastructure, and vandalism. Most Billings community members want to access downtown, parks, and restaurant/coffee shops by bike or scooter share.

The study recommends Billings implement a hybrid bike share system where the bike/scooter houses the transaction rather than at a station. Stations, also called hubs, consist of branded racks for parking bike share bikes. Though stations are available, the program does not require that a bike be left at a station and it is permitted to be parked anywhere within the service area. The study also recommends using electric-assist or e-bikes to make trips easier for people of all abilities. For a system governance model, the study recommends implementing a turnkey bike share system or a publicly owned and privately operated system. In a turnkey system, the City would hire an experienced company that owns and operates the system. The City would rent equipment and contract with the company for the full range of operations support, including installation, operations, sponsorship, customer service, and maintenance. Alternatively, Billings could purchase the bike share fleet and hub infrastructure and contract with a third party to operate the system. During the system launch, the study suggests launching in an initial service area including downtown and MSU Billings, creating an equity program, and establishing strategic partnerships to ensure the success of the system.

STAKEHOLDERS

The Yellowstone County Board of Planning held a public hearing on January 26, 2021 after receiving a presentation from consultants Mack Drzayich and Mike Sellinger of Alta Planning + Design, Inc. There was no public testimony. Planning Board members asked several questions including whether there was a way to restrict the devices geographically so that bikes do not end up on the West End. The consultant responded that geofencing can be used to restrict the geographic area where the bikes can operate. A member also asked if the bikes were being replaced every year, and the consultant responded that the bikes last 5-10 years. Operation costs go to repairing the bikes and rebalancing the system. In many places the size of Billings, the city or a regional partner participates as a funding partner in the system. Board members had concerns about scooters been left on the sidewalk in inappropriate places. The consultant responded that concern was a key factor in choosing a hybrid system where bikes have to be locked to something at the end of a trip to prevent sidewalk clutter. In addition, one of the roles of the operations staff is to clean up bikes that have been improperly parked in a timely manner.

ALTERNATIVES

Planning Board may:

- Forward a recommendation of approval; or,
- Not forward a recommendation of approval

of the Billings Area Bike and Scooter Share Feasibility Study to City Council, the Yellowstone Board of County Commissioners, and the Policy Coordinating Committee.

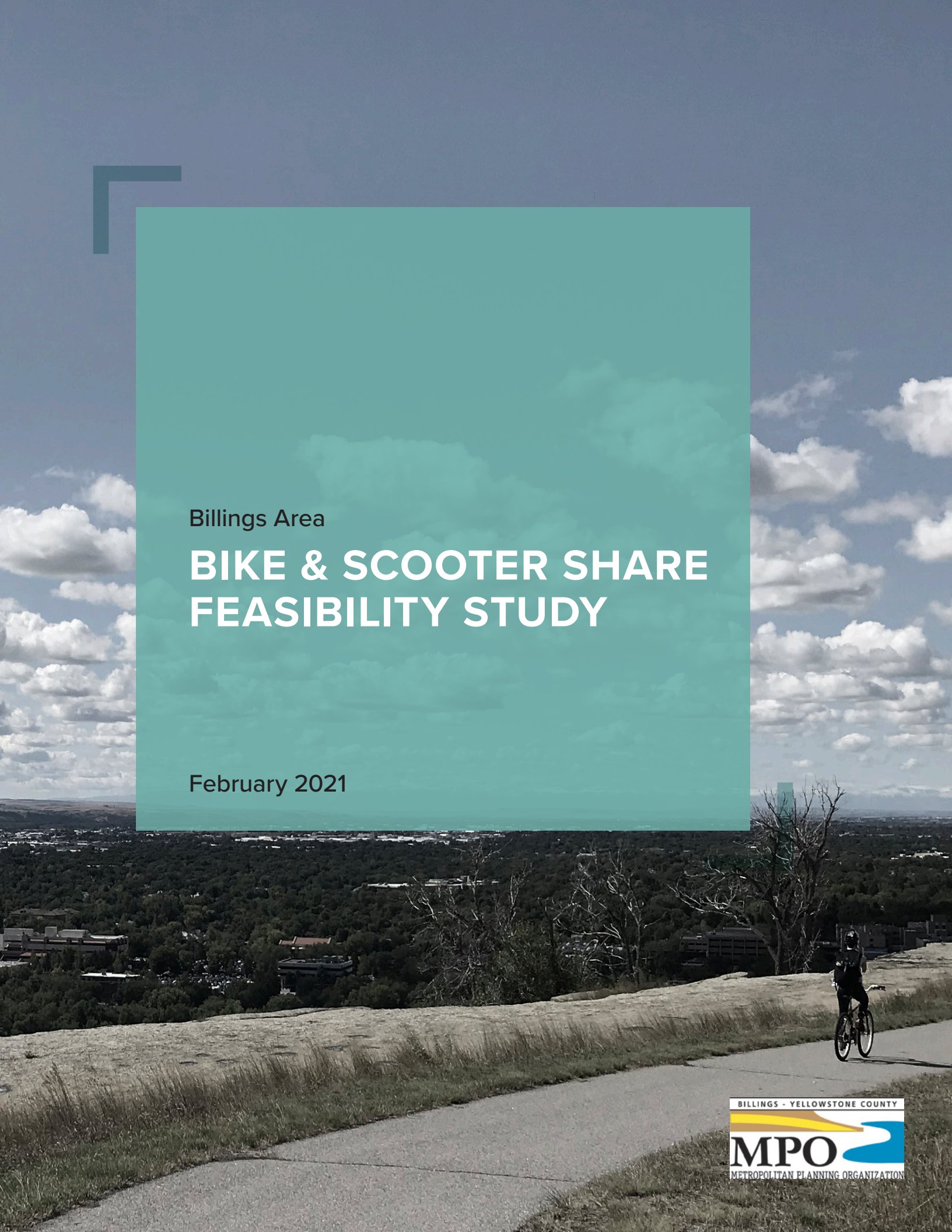
FISCAL EFFECTS

The contract for the Billings Area Bike and Scooter Share Feasibility Study was budgeted at $44,964. The majority of the funding is through the MPO's Federal PL (planning) funds. PL funds for this project required 13.42% local match, which was provided through the Planning Division's approved FY21 Budget. Implementing bike and/or scooter share in Billings is not included in this budget.

Attachments

Draft Bike and Scooter Share Feasibility Study

Review Schedule



Billings Area

BIKE & SCOOTER SHARE FEASIBILITY STUDY

February 2021

BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION

ACKNOWLEDGMENTS

BILLINGS-YELLOWSTONE MPO

Elyse Monat, Active Transportation Planner

Scott Walker, Transportation Planning Coordinator

STEERING COMMITTEE

Melissa Henderson, Healthy By Design

Rusty Logan, MET Transit

Joe Stout, Downtown Billings Alliance

Kathy Aragon, community advocate

Erin Claunch, City Engineering Division

Mark Jarvis, Billings Parks, Recreation, and Public Lands Department

Tracy Scott, City Parking Division Manager

Jennifer Reiser, Chamber of Commerce

Lora Mattox, MPO

Mike Black, Yellowstone County Public Works

Ed Gulick, Bicycle and Pedestrian Advisory Committee

Monica Plecker, MPO

Wyeth Friday, MPO

ALTA PLANNING + DESIGN

Jean Crowther, AICP

Mack Drzayich

Mike Sellinger

Libby Nachman

Phillip Longenecker

Zoey Mauck

TABLE OF CONTENTS

I. EXECUTIVE SUMMARY

PROJECT PURPOSE

The Billings-Yellowstone MPO is collaborating with local stakeholders to conduct a bike and scooter share feasibility study to define what a successful bike and scooter share program would look like for the Billings area. Over the last ten years around the U.S., bike share systems have shown themselves to be a practical complement to transit and a sustainable, useful way for people to get where they need to go. While scooter share systems are a more recent innovation, they have quickly proven to be a popular option for both transportation and recreation.

The Executive Summary highlights the study's key recommendations.

WHAT IS BIKE SHARE? WHAT IS SCOOTER SHARE?

A bike and/or scooter share system is a network of shared bicycles or scooters available for short-term use, usually 15 to 45 minute trips. A user can check out a bicycle or scooter from locations around the city, ride to their destination, and then leave the bicycle or scooter for someone else to use. Bike share and scooter share programs are designed to be a cost-effective, environmentally-friendly, convenient travel option for shorter trips. Bike and/or scooter share could serve as an extension of transit and help Billings community members and visitors get around more easily without using a car. **See the Glossary on page 12 for definitions of key words used in the language of bike and scooter share and other shared mobility.**

COMMUNITY PERSPECTIVES ON BIKE AND SCOOTER SHARE

KEY TAKEAWAYS

The following key takeaways reflect feedback from community members collected in the survey:

Mixed community support for bike and scooter share programs; more information requested. Fifty-three percent of survey respondents are interested in seeing bike and scooter share in Billings, 24 percent of respondents are not interested, and 14 percent need more information. For those who selected "Other," many respondents reported liking the idea of bike share, but not scooter share.

Most Billings community members have not used bike or scooter share. Sixty-four percent of survey respondents have not used bike share and 77 percent have not ridden scooter share. However, over one third of survey respondents had used bike share and 30 percent report that they bike at least a few times a year. As shown in **Figure ES-1**, survey respondents believe that bike and scooter share trips could replace car trips and benefit the environment.

Transit integration is not crucial for bike and scooter share in Billings. Sixty-three percent of survey respondents reported that access to bike or scooter share for first-mile travel would not increase transit trips. However, 43 percent of survey respondents say that bike or scooter share trips would replace car trips.

Top concerns related to bike and scooter share included safety, lack of bicycle infrastructure, and vandalism. Sixty-two percent of survey respondents reported that they had safety concerns about sharing the road and interacting with other vehicles, 51 percent reported having concerns regarding lack of designated bicycle infrastructure, and 40 percent reported concerns regarding bikes or scooters blocking the sidewalk or ending up in inappropriate places. Only 16 percent of survey respondents had no concerns about bike and scooter share in Billings, as shown in **Figure ES-2.**

Most Billings community members want to access downtown, parks, and restaurants/ coffee shops by bike or scooter share. Sixty-five percent of survey respondents reported that they would like to access Downtown with bike or scooter share, 48 percent reported that they would like to access parks, and 45 percent would like to visit restaurants or coffee shops. Twenty-seven percent of respondents reported that they didn't want to use bike or scooter share.

More details about the Bike Share Study outreach process can be found in Chapter 4 on page 39.

53%

OF RESPONDENTS WOULD BE INTERESTED IN SEEING BIKE/ SCOOTER SHARE IN BILLINGS

Figure ES-1.

Which of the following statements would support your interest in using a bike/scooter share system? (N=245)

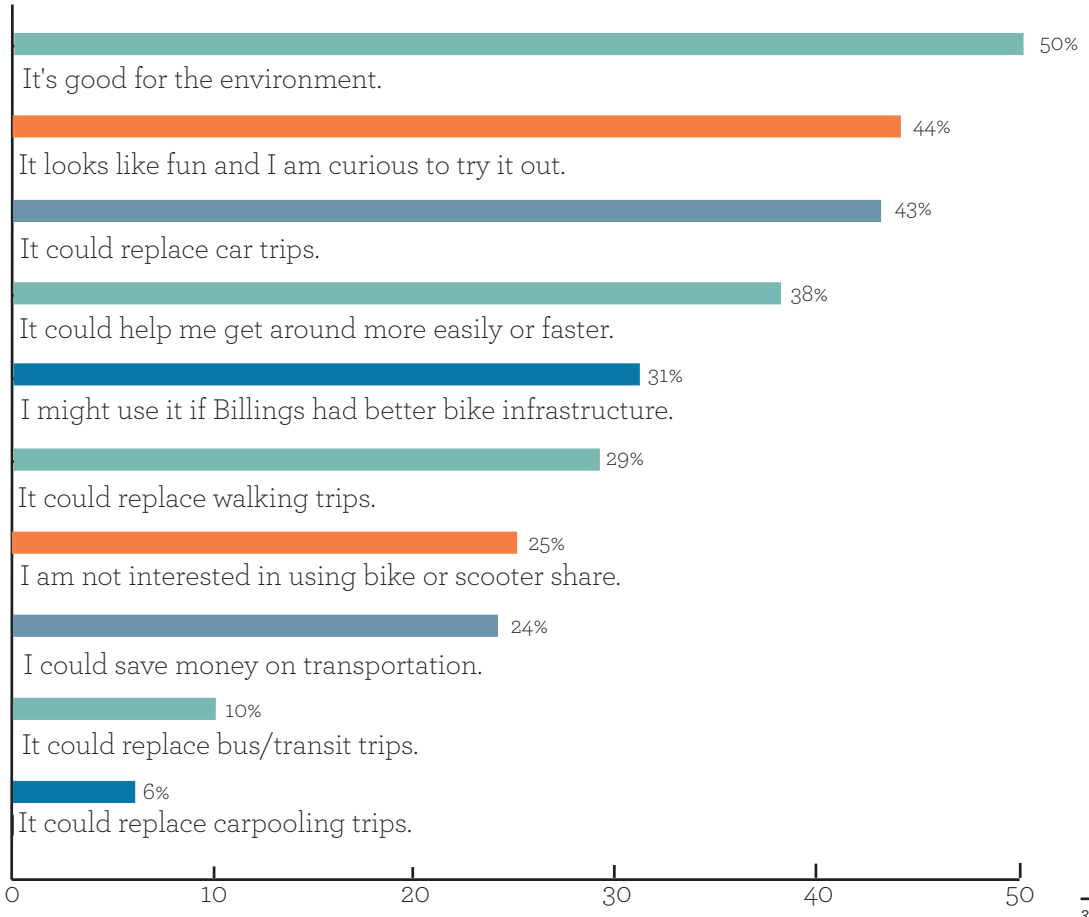
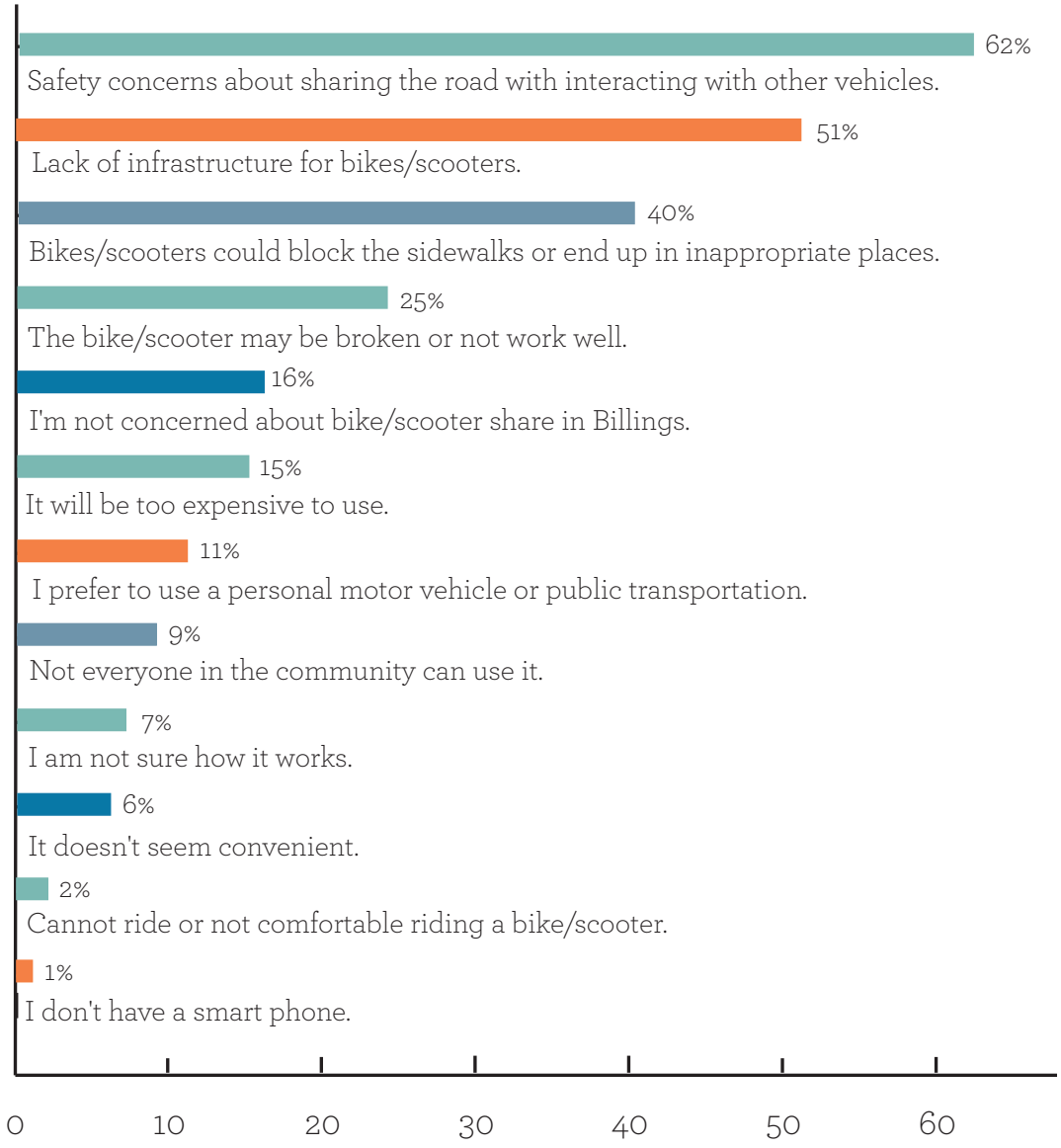


Figure ES-2.

What are your top three concerns related to bike and scooter share in Billings? (N=245)



As shown in Figure ES-2, personal safety, lack of safe infrastructure, and inappropriate bike/scooter parking are top concerns. Sixty-two percent of survey respondents are concerned about sharing the roadway with vehicles and 51 percent are concerned about lack of bike-specific infrastructure. Only 16 percent of survey respondents selected that they were not concerned about bike/scooter share in Billings.

BIKE SHARE STUDY RECOMMENDATIONS

Table ES-1 highlights the most significant recommendations identified in the Study.

Table ES-1.

SYSTEM TYPE
Hybrid Bike Share System
Electric-Assist Bikes
SYSTEM GOVERNANCE
Operated by a Private Company
Owned by either the private company ("turnkey") or by City of Billings
Provide Student Fares
SYSTEM LAUNCH
Launch in Initial Service Area including Downtown and MSU Billings
Create Equity Program
Establish Strategic Partnerships

SYSTEM TYPE

RECOMMENDATION: HYBRID BIKE SHARE SYSTEM, WITH OPTION FOR SCOOTERS

The recommended system type for bike share in Billings is a hybrid system. To determine the recommended bike share system type for Billings, the project team used a decision matrix to understand opportunities and limitations to three major types of shared micromobility systems: docked and hybrid bike share, and dockless scooter share. The matrix scores each type of micromobility system according to its ability to meet Billing's program goals and other considerations identified as important for the Billings community. Overall, a hybrid system will provide the ideal balance of control and flexibility to meet the needs of the Billings community. **The system type decision matrix (Table 6-2) is shown on page 70.**

Some hybrid bike share system operators have the ability to offer "mixed fleets," or fleets including bike share and other devices, such as scooter share. Although scooter share is not recommended as the sole micromobility option in Billings, the Bike and Scooter Share Study recommends that Billings consider incorporating scooter share as part of a mixed fleet.

RECOMMENDATION: ELECTRIC-ASSIST BIKES

The Bike and Scooter Share Study recommends the system use a fleet of electric-assist bikes. This will support a number of the program goals and other factors covered in the evaluation matrix, including:

- Providing for wider geographic coverage by increasing the comfortable speed and distance of bike share trips for customers
- Expanding geographic coverage and system usability to better serve vulnerable demographics, including low-income neighborhoods and riders with mobility challenges

With an e-bike share system, riders can cover more ground and navigate topography with ease. E-bikes are more appealing to a larger range of potential users of varying physical abilities. In the past few years, electric assist bike share equipment has become less expensive and easier to use. All models require the rider to pedal the bicycle in order to get an "assist" from the electric motor. The top speed for an e-bike share system is approximately 15 miles per hour, after which the regulator cuts off any additional power. Because e-bikes are powered by a battery, they must be recharged on a regular basis. This creates an additional operations step for vendors/contractors who must either swap the batteries or dock the bikes at a recharging station.

For more information about system types and detailed costs, see the System Type section starting on **page 15**. For system type definitions, see the glossary on **page 12-13**.

RECOMMENDATION: TURNKEY OR PUBLICLY OWNED/PRIVATELY OPERATED

The Bike and Scooter Share Study recommends that the City either solicit a turnkey bikeshare system (owned and operated by a private company) or that the City own the bike share system in Billings and contract to a private operator.

To implement a **turnkey bike share system,** a city hires a company such as Koloni or DropBike to provide "bike share as a service" for a defined amount of time. Instead of purchasing a full fleet of bikes and designing stations, a city rents equipment and contracts with the company for the full range of operations support, including: installation, operations, sponsorship, customer service, and maintenance.

The turnkey model allows a city to implement bike share with limited staff capacity and capital investment, while maintaining meaningful city control. Typically, turnkey systems have a faster timeline for implementation, and many companies offer mixed fleet options so the City could request to include e-scooters alongside bicycles. Turnkey models are common in smaller cities and on campuses.

Alternatively, the **City's ownership of bike share in Billings** would provide its own benefits. A Billings-owned bike share system would be an innovative method of supporting first-and-last mile connections to and from transit, adding to the geographic range and flexibility of transit trips. In addition to supporting transit service goals, owning the City's bike share fleet and hub infrastructure would offer the City the highest degree of

control over system design, station siting, and pricing/payment policy. With proper coordination with MET Transit and bike share integrated into MET's system, transit riders would experience a bike share system operated in-tandem with traditional bus service, including:

- A bike share pricing structure in-line with standard transit fares
- The option of using MET passes to pay for bike share rides
- A bike share system that shares in MET's branding, high standard of service, and responsiveness to customer needs
- Control over advertising and sponsorship opportunities

In this instance, **the City would select a bike share vendor to manage the operations of the system.** Private operators can bring extensive knowledge and experience from operating in other cities. Hiring a private operator still allows the City to dictate the terms of bike share service level agreements. The City should require prospective bike share operators to submit their plans for routine maintenance and operations during the bid process, as well as provide evidence of high performance in other jurisdictions.

See **Chapter 6** on **page 69** for additional recommendations regarding operations and maintenance, estimated costs, equity programming, strategic partnerships, initial service area, and bike share station locations.

II. INTRODUCTION

WHAT IS THIS PROJECT?

The Billings-Yellowstone MPO is collaborating with local stakeholders to conduct a bike and scooter share feasibility study to define what a successful bike and scooter share program would look like for the Billings area. A bike or scooter share system, also known as shared micromobility, is a network of bicycles and/or e-scooters available to the public for short-term use and for one-way (point-to-point) trips. The system's size, coverage, and service model can be tailored to a city or region's needs and context. The following report documents current conditions in Billings that are relevant to a shared micromobility system. The information and analyses contained here will inform further progress in developing recommendations suitable for the context of Billings.

Together with a group of community stakeholders, the planning team established a list of outcomes they hope to see as a result of implementing a bike and scooter share system in Billings. This stakeholder group consisted of representatives from the Billings MPO, MET Transit, City staff, Downtown Billings Alliance, Chamber of Commerce, and Healthy by Design. Potential challenges and desired incomes were discussed. The group showed general consensus around the desire to establish a system that:

- Enhances the transit system by expanding access to existing bus routes and linking the transit system to a broader suite of multimodal options
- Contributes to a more equitable transportation system by reducing the need for personal vehicle ownership
- Promotes greater participation in active transportation
- Increases visibility and awareness of alternative transportation modes
- Provides a new way for visitors to explore Billings
- Connects people to what the city has to offer

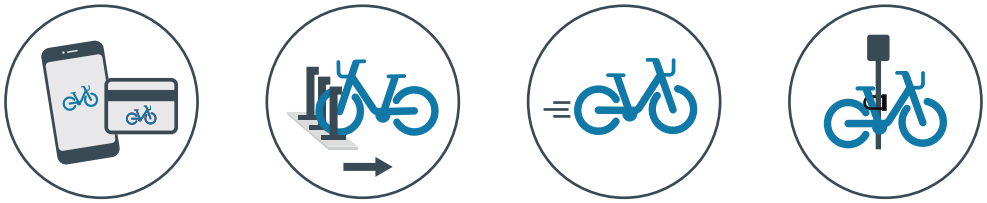
WHAT IS BIKE AND SCOOTER SHARE?

A bike and/or scooter share system is a network of shared bicycles or scooters available for short-term use, usually 15 to 45 minutes. A user can check out a bicycle or scooter from locations around the city, ride to their destination, and then leave the bicycle or scooter for someone else to use. Bike share and scooter share programs are designed to be a cost-effective, environmentally-friendly, convenient travel option for shorter trips.

Bike and/or scooter share could serve as an extension of transit and help Billings community members and visitors get around more easily without using a car. **See the Glossary on page 12 for definitions of key words used in the language of bike and scooter share and other shared mobility.**

As of the end of 2019, hundreds of cities and regions in the U.S. have some form of bike or scooter share. Shared micromobility has become a mainstream form of travel across the country.

BIKE SHARE In Four Easy Steps



1 Sign Up

2 Check Out

3 Ride

4 Lock

WHY SHARED MICROMOBILITY?

Bike share has been around for decades. Most of the first generation "systems" were volunteer-led and informally organized in a handful of cities, such as Amsterdam and Portland, Oregon in the 1970s, '80s and '90s. These programs experienced low to moderate success because of theft, vandalism, inefficient technology and insufficient operational oversight.

However, in the past ten years, innovations in technology have increased user accountability and given rise to a new generation of technology-driven bike share and scooter share programs. Advancements in credit card transaction capabilities, WiFi and RFID (radio-frequency identification) chips have allowed operators to introduce accountability and reduce theft and vandalism.

In the last four years, bike and scooter share experienced another rapid phase of evolution as private companies developed new business and operations models. This introduced new ways of implementing bike share that differed from previous systems. Previously, systems required a significant upfront capital investment, were often partially or fully-funded by public investment, and were often procured through exclusive contracts. New systems were primarily funded by venture-backed private companies. This also resulted in innovation around dockless e-scooter sharing that allowed anyone with a smartphone to check out an electric scooter for point-to-point trips.

The current state of the practice is discussed in more detail in **Chapter 3.**

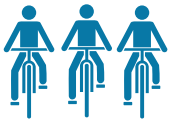
BENEFITS OF SHARED MICROMOBILITY

REDUCES EMISSIONS

SUPPLEMENTS THE TRANSIT SYSTEM

CONTRIBUTES TO AN EQUITABLE TRANSPORTATION SYSTEM

IMPROVED INDIVIDUAL & COMMUNITY HEALTH THROUGH ACTIVE TRANSPORTATION



CONTRIBUTES TO THE "SAFETY IN NUMBERS" EFFECT FOR ALL BICYCLISTS

QUICK REFERENCE GLOSSARY

NEW MOBILITY refers to transportation services enabled, defined, or refined by digital technology.

SHARED MOBILITY is the shared use of a vehicle (motorcycle, scooter, bicycle, or other travel mode) to provide users with short-term access for one-way or round trips.

SHARED MICRO-MOBILITY encompasses all shared use fleets of small, fully or partially human-powered vehicles; bike sharing and scooter sharing are types of shared micro-mobility.

BIKE SHARING is the shared use of a fleet of bicycles (manual or e-bikes) which provides users with on-demand access to bicycles for one-way (point-to-point) or round-trip travel.

SCOOTER SHARING is the shared use of a fleet of scooters which allows individuals access to scooters for on-demand for one-way trips. To-date, in the U.S., scooter sharing programs offer electric (rather than manual) scooters, are private sector owned and managed by companies that operate in multiple markets, and are primarily dockless (or free-floating). Some systems have recently begun introducing designated parking areas for scooters, or even designated racks for scooters.

RIDEHAILING SERVICES (also known as ridesourcing and transportation network companies (TNC)) are prearranged and on-demand transportation services for compensation in which drivers and passengers connect via digital applications.

ELECTRIC-ASSIST BIKES (E-BIKES) are bicycles with an integrated electric motor which propels the bike. Electric-assist bikes have a small motor to assist the rider's pedal-power. They retain the ability to be pedaled by the rider.

RIDE SHARING (also known as carpooling and vanpooling) is defined as the formal or informal sharing of rides between drivers and passengers with similar origin-destination pairings. Vanpoolers share the cost of a van and operating expenses, and may share driving responsibility.

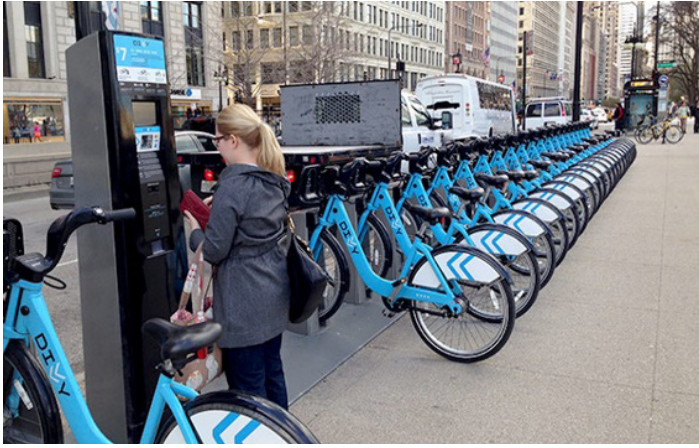
TYPES OF BIKE SHARING SYSTEMS INCLUDE:

DOCK-BASED – a bike can only be retrieved at and returned to a station with technology-enabled docks; user transactions can occur through web, smartphone application, or kiosks; may include manual bikes or e-bikes.

DOCKLESS – a bike can be retrieved at or returned anywhere within the service area, and the bike locks to itself (rather than an object) using a rear wheel lock enabled or disabled with a smart phone application; user transactions occur through a smartphone application. May include manual bikes or e-bikes.

HYBRID – a bike can be retrieved at and returned to a station which consists of a series of bike racks, or anywhere within the designated service area; bikes are typically referred to as "smart bikes" due to the on-board technology hardware; user transactions can occur through hardware on the bike, web, and/or smartphone application; may include manual bikes or e-bikes.

III. WHAT WE KNOW ABOUT BIKE AND SCOOTER SHARE



Docked bike share station with a payment kiosk in the City of Chicago.

SYSTEM TYPES

This section outlines a handful of system types that should be considered as potential service options for Billings, and highlights the pros and cons of each. In some cases, bike and scooter options can be mixed and matched (e.g. docked bike share plus dockless scooter share or hybrid bike share plus scooter share with docking capability).

DOCKED BIKE SHARE SYSTEMS

Description

Also referred to as "smart dock" systems, this bike share system type is based on powered stations with docks that securely lock a bike and kiosks for user payment transactions and information. At the kiosk, casual users can purchase a short-term pass for trips on demand. Bike share bikes must be retrieved from and returned to a station. Because the equipment is relatively expensive, most U.S. agencies use federal transportation grants and large corporate sponsorship deals to cover the capital and operations costs.

Feasibility in Billings

Defining Feature

Station density and visibility are critical to success since the bicycles must be secured at a station. Additionally, the rebalancing of bike share units is a major element of operations for dock-based systems. If station density and rebalancing upkeep is adequate, users of dock-based bike share systems enjoy the reliability of knowing where they can find a bike from day to day. These systems are largely city or agency-owned, giving them control over station locations, level of service, and pricing.

$ *Estimated Cost*

Typical station with 8-10 bikes: $35,000 to $55,000

Operating fees: $2,000-$2,500 per bike per year.

Table 3-1.

PROS	CONS
Station placement can give agencies control over bike locations and parking in the public right-of-way.	Stations with docks often mean higher system costs than dockless or hybrid options.
Contracting can establish service level standards including: pricing, maintenance, customer service, usage data, bike quality, and safety.	More upfront work is required to plan and design station locations.
Bike locations within dock-based systems can be more predictable for users, which is particularly valuable for commuters and transit riders.	Station placement may require permits and negotiation with adjacent land owners.
Stations can create a physical presence for the bike share system and advertise to new users.	Reliance on sponsorship and grants can be difficult to sustain.
Status as "infrastructure," can establish a more long-lasting system.	Lack of flexibility limits the geographic reach and access to destinations for users.
	Difficult and expensive to upgrade system, as technology evolves.

HYBRID BIKE SHARE SYSTEMS

Description

Also referred to as a "smart bike" system, this approach houses transactions on the bike rather than at a station. Stations, also called hubs, consist of branded racks for parking bike share bikes. Though stations are available, the program does not require that a bike be left at a station and it is permitted to be parked anywhere within the service area. The racks have no software or technology features (different than the dock-based "smart-docks"). Hybrid systems typically charge a fee to park outside of the stations or offer an incentive to park at the stations to encourage users to use the docks.

Hybrid bike share bike and docks in Orlando, Florida.

Defining Feature

Offer the reliability and visibility of docked systems with the flexibility of dockless systems. Agency contracts or ownership provide control over implementation, but less ability to manage parking in the right-of-way once launched. Hybrid systems are found in cities of all sizes.

Estimated Cost

Typical station with 8-10 bikes: $20,000 to $25,000.

Operating fees: $2,000-$2,500 per bike per year.

Feasibility in Billings

Table 3-2.

PROS	CONS
Sponsorship opportunities can create community partnerships.	The hardware and software included on the bikes and the need for stations means higher costs than dockless systems, but lower than fully docked.
Station placement gives agencies control over bike locations and parking in the right-of-way.	Station placement may require permits and negotiation with adjacent land owners.
Stations create a physical presence for the system and advertise to new users.	Bikes or e-scooters can be improperly parked and obstruct the right-of-way.
Bike locations are both predictable and flexible for users.	Time and funding for rebalancing bikes.
Users can more easily locate a pod of bikes for a group to ride.	Difficult and expensive to upgrade system as technology evolves.
Status as "infrastructure," can establish a more long-lasting system.	

DOCKLESS ELECTRIC SCOOTER SHARE SYSTEMS

Description

Dockless electric scooter share systems are a fleet of self-locking scooters that do not require any fixed stations, docks, or kiosks. Users retrieve or park e-scooters anywhere within the service area using a smart phone app. They offer an appealing level of flexibility and are generally permitted to operate in cities rather than procured.

Dockless scooter share scooters parked in a designated dockless parking zone.

Defining Feature

Compared to hybrid and docked, dockless systems provide more flexibility for users, but less agency control over bike locations, pricing, and level of service. Because they are privately funded and operated, dockless scooter share systems programs are offered in locations where there is sufficient market demand.

An electric charging hub with docks for scooters.

Dockless Scooter Parking Management

Improperly parked scooters can be a nuisance to other street users and, in particular, people with disabilities. In addition to clear parking guidelines and rider education, the following physical design features can be used to promote proper parking:

- **Dockless scooter designated parking/ geofenced areas:** Cities can provide designated parking areas that clearly mark areas where scooters should be parked. These are often provided in higher use areas, and places with competing demands on the public right-of-way. Cities can also place designated parking areas throughout the scooter service area and require that all trips end within one. Designated parking area regulations can be reinforced by geofencing the zones, which make it so users cannot end trips outside of geofenced areas.
- **Lock-to requirements:** Cities can require that all scooters come equipped with a cable lock and require that users end trips by securing the scooter to a bike rack or pole. Lock-to requirements have been shown to improve scooter parking compliance and decrease the number of complaints about improper scooter parking.
- **Charging docks:** Electrified docks for scooters can be supplied by the operator or by the city (through a third-party). The benefits of these docks are twofold: they provide a designated space for proper parking and they charge the scooter, reducing the need for operators to retrieve and charge scooters.

Estimated Cost

Equipment and operations typically provided to agencies at no cost. Companies are supported by venture capital and user fees.

Feasibility in Billings

Table 3-3.

PROS	CONS
System can be launched more quickly than docked or hybrid systems.	Agencies generally have much less control over dockless scooter share systems compared to other system types, including the sustainability of the system.
Station planning and design is not necessary, which saves time and money.	Dockless companies determine where they operate and are currently focusing on expanding into major markets and contiguous growth.
Due to venture capital involvement, little to no public funding is required.	Smaller cities have less leverage to regulate dockless companies than major markets.
Less city/agency liability for helmet laws.	Scooters can be improperly parked and obstruct the right-of-way.
System is highly flexible for users.	Fleet can suffer higher rates of vandalism and theft.
Can be more affordable for single-trip, casual users.	

BIKE AND SCOOTER SHARE GOVERNANCE MODELS

Because bike and scooter share are publicly-available fleets, they require a structure for ownership and operations. There are four basic bike and scooter share governance models typically found in the United States:

- Privately owned and operated (permitted or contracted)
- Publicly owned and privately operated
- Publicly owned and nonprofit operated
- Nonprofit owned and operated

This section describes each model and details the pros and cons associated with each.

PRIVATELY OWNED AND OPERATED

Description

An experienced private company brings established skills and credentials in operating bike share programs. The company takes on the risk of funding and operating the program in return for generated revenues. This model is most attractive in markets that support strong returns from advertising. Privately owned and operated systems can either be awarded permits to operate within a city (the company pays the city to operate) or can be awarded a contract to operate within the city (the city pays the company to operate). This is largely dependent on the local market. This model exists for both bike and scooter share and is the current, prevailing model for scooter share systems.

FEASIBILITY CONSIDERATIONS

Table 3-4.

PROS	CONS
Removes financial responsibility and risk from the City and other local partners	Correlated to market demand and highly dependent on private sector interest
The private operator is strongly incentivized to ensure program success (e.g. high ridership and profitability)	Due to private operation, agency control and program transparency is limited to what is defined in regulation and permitting
Higher likelihood of success due to established skills and experience from private sector operator	Funding options may be limited to what private operator can support
	Equity goals are harder to implement

PUBLICLY OWNED AND PRIVATELY OR NON-PROFIT OPERATED

Description

Ownership and financial responsibility for the system is managed by a government agency (e.g., a City, regional, or transit agency). The agency contracts out operations to a third party (or parties), which manages equipment, sponsorship and advertising, marketing, promotions, etc. This model exists for bike share but there are no known examples for scooter share.

Feasibility Considerations

Table 3-5.

PROS	CONS
The agency has full program control, including the brand, look, and operating standards	Agency must have both interest and capacity to manage the program
Agency can apply for federal, state, and local funding	Agency takes on risk and ongoing financial responsibility
Public can hold the agency accountable to a transparent system	There are multiple competing priorities beyond financial and operating performance
Agency can include goals such as geographic and social equity in the program	

NONPROFIT OWNED AND OPERATED

Description

An existing or newly formed nonprofit organization (NPO) takes on ownership and financial responsibility for the program. The NPO can manage any combination of responsibilities, including day-to-day system operations, and can also contract out some services to a third party, e.g., marketing and promotions, sponsorship and advertising, etc. This model exists for bike share but there are no known examples for scooter share.

Feasibility Considerations

Table 3-6.

PROS	CONS
This option provides the most flexibility in funding, including local, state, and federal funds, sponsorships, advertising, and philanthropic contributions	If NPO is newly-created, building capacity and establishing organization can take time
Community-oriented missions of NPOs are well-received by the public	NPO often lacks skills and experience at system launch
A Board of Directors made up of a broad range of community stakeholders effectively engages public, private, and community organizations in the system	The NPO's performance standards may not meet public and agency expectations for transit service

BIKE AND SCOOTER SHARE SYSTEM FARES

The fare structure for bike or scooter share in Billings will be decided through negotiations with the selected operator. This section details the two common pricing structures of bike and scooter share systems, and other important pricing considerations.

PER-TRIP FEES VERSUS PER-MINUTE FEES

Bike and scooter share systems either charge by the minute or by the trip (which provides the user a set amount of time to use the vehicle). This amount of time is usually 30 minutes to one hour, but some systems offer longer options such as full day. Systems that charge by the minute also often charge a fee to unlock the bike or scooter (typically $1). Traditionally, bike share systems have used the per-trip model, but systems are increasingly moving to the per-minute fee model. Nearly all scooter share systems use the per-minute fee model.

CASUAL VERSUS MEMBER PRICING

Most bike and scooter share systems offer significant discounts for users who purchase memberships. Memberships are typically offered as monthly or annual subscriptions. The benefits of membership can come in the form of unlimited free trips or discounts from standard pricing (e.g. waiving unlock fees and/or lowering per-minute costs).

PRICE INCENTIVES

Prices can be set up to incentivize certain user behaviors and reduce rebalancing expenses. For example, it is typical for hybrid systems to charge a small fee for users to lock bikes at locations outside the designated bike share stations, and a larger fee for bikes that are parked outside of the designated service area. Credits can also be issued to users who return bikes to popular stations, reducing the need to deploy people to rebalance the fleet. The additional parking fees can be removed in certain locations to increase access and usage.

DISCOUNTED PRICING

Bike and scooter share systems often offer discounts to certain groups. These groups can include students, people with low-incomes, and government employees. For more information on low-income discounts refer to the Advancing Equity Through Bike/ Scooter Share section.

THEFT AND VANDALISM CONSIDERATIONS

For all bike and scooter share system types, theft and vandalism are a potential concern. In a typical scooter share system, theft and vandalism are managed by the private operators to support successful operations. There are different implications for bike share, when local government is a partner in ownership, and may be partially or fully responsible for costs related to theft and vandalism.

To mitigate the costs of theft and vandalism, bike and scooter share vendors have designed the current generation of market available vehicles to be more resistant to vandalism and theft than earlier models. Today's vehicles typically have a number of anti-vandalism and anti-theft features, including:

- **GPS tracking:** GPS technology integrated into bike share units allows for the tracking and recovery of vehicles that have been stolen.
- **Integrated u-locks:** Heavy-duty u-locks integrated into many dockless and hybrid bike share units allow users to securely lock bike share units to a hub or public bike share rack.
- **Encasement of vulnerable parts:** Bike share units today often feature wires, chains, and gears that are partially or entirely encased within the frame of the bike itself. This encasement shields these vulnerable parts from being cut or stolen off of the bike.
- **Anti-theft hardware:** Bike and scooter share vehicles generally feature anti-theft nuts and bolts that cannot be quickly or easily removed using standard hand tools.
- **Accessory integration with frame:** Accessory features on vehicles (such as lights, bells, and baskets) are sometimes integrated into the design of the vehicles rather than being attached as a mountable feature.
- **Solid tires:** Some vehicles feature tires made out of solid rubber rather than inflatable tubes to mitigate risk of flats and slashed tires.
- **Custom design:** Bike and scooter share vehicles are highly customized to the unique demands of shared mobility, and many parts are not compatible with private vehicles. This greatly reduces the street value of bike and scooter share vehicle parts.

Additionally, the encouragement and enforcement of secure parking practices through in-app messaging, user fines, and diligent complaint response times can decrease the risk theft.

WINTER BIKE SHARE CONSIDERATIONS

Bike share systems become an integral part of a community's transportation system, so the decision about whether or not to operate during winter months should be made with careful consideration. Many bike share programs are seasonal and shut down operations for winter; however, in the 2015-2016 winter season about 15 systems in snow-impacted areas successfully remained operational.[1] Surveys have shown that bike share users are willing to use a bike share program in the winter, especially when bike paths and sidewalks are cleared of ice and snow.[2] Below are considerations for deciding whether to operate a seasonal or year-round system:

- **Reduced ridership and revenue:** Even in cities with an existing winter biking culture, ridership is lower during winter months due to cold and snow. Operators can expect between 10 and 30 percent of peak summer ridership.[3] This may be challenging for systems highly reliant on revenue from ridership.
- **Meet community transportation needs:** Community members that depend on bike share may be left without reliable transportation in winter months. Additionally, many people prefer bike share bikes in the winter because they would prefer to avoid subjecting their own bike to winter elements (snow, salt, etc.). The bikes themselves may be more reliable and safer to ride, with wider tires, an upright position, and internal hub braking systems.
- **Winter bicycling education:** Winter bicycling (especially on snowy days) can be risky, especially for newer riders; education efforts from the bike share service provider or the City may be necessary to make sure all riders know how to ride safely in inclement weather. For example, Bike Share Toronto regularly posts tips for safe winter riding on their blog.[4]
- **Winter bicycling promotion:** To encourage riders during winter months, some bike share systems invest in extensive marketing and winter bike share promotion. This can help increase winter ridership.
- **Station siting:** Station siting for systems planning year-round operation in snowy areas must take into consideration snow plowing needs to ensure that stations do not take up snow storage space, do not become buried under plowed snow, and are not damaged by snow plows. At the same time, stations will need to be located in areas that are regularly plowed and/or shoveled to ensure safe user access to/from the station.
- **Solar stations:** Bike stations powered by solar panels may lose power in winter months due to insufficient sunlight or snow coverage. Bike share operators can mitigate this by cleaning solar panels after snow events and monitoring station batteries to swap out for charged batteries when needed.

[1] Godavarthy, Ranjit Prasad., & Taleqani, Ali Rahim., Winter Bikesharing in US: User Willingness, and Operator's Challenges and Best Practices. Sustainable Cities and Society http://dx.doi.org/10.1016/j.scs.2017.02.006. Accessed December 21, 2020.

[2] Godavarthy & Taleqani, 2017.

[3] Godavarthy & Taleqani, 2017.

[4] Bike Share Toronto. "Winter Cycling: 8 Tips For A Safer Ride." Posted January 28, 2020. Accessed December 23, 2020. https://bikesharetoronto.com/news/winter-biking/

- **Snow events:** In addition to clearing solar panels, bike share stations need to be cleaned of snow and ice after snow events. Operators may need to invest in additional cleaning tools, such as shovels, brooms, brushes, ice scrapers, etc. Operators may also consider proactively pulling bikes from stations ahead of snow events.
- **Bike maintenance:** Bikes will require additional safety inspections to ensure they are ready for winter. This includes lubricating all chains and seat posts to ward off mud, grime, and road salt. Depending on the vehicle specifications, it may be worth replacing tires to be thicker and/or knobby, and reducing tire air pressure for better traction on ice.
- **Winter bike accessories:** Bikes may be customized for winter riding. For example, Lime's (now-defunct) fleet in Calgary, Canada included hand covers on the handlebars during winter months.
- **Storage needs for seasonal systems:** Depending on the type of bike share system, there may be a significant amount of equipment that requires storage through the off-months. This may include: stations, docks, and bicycles. The operator and/or City will need to find a secure storage location for this equipment that may need to be larger than warehouses or storage facilities that are used during the system's operating period.
- **Plowed network of cycling facilities:** In addition to education, a safe network of plowed and salted cycling facilities may assist in maintaining ridership. This may involve coordination with the public agency in charge of snow plowing to ensure that well-used bicycling routes near to stations are maintained clear of snow.

Lime bikes are equipped with bar mitts in Calgary, Canada. Photo by Tom Babin.

ADVANCING EQUITY THROUGH BIKE/ SCOOTER SHARE

OVERVIEW

It is critical to build shared mobility systems that equitably serves all users of the transportation system. This section looks at research on equity in shared mobility systems. Most of the research to date focuses specifically on bike share systems. However, the barriers to equitable scooter share are similar, and most of the lessons learned from this research should apply to scooter share as well.

Traditionally, the community members most susceptible to experiencing the negative impacts of limited mobility options have been children, senior citizens, people of color, people with limited access to a car, people with limited formal education, lower-income households, or people with limited proficiency with speaking English. Access to transportation can help or hinder a person's ability to get to work, attend school, buy healthy food, visit a doctor, and socialize or otherwise contribute to their community.

Many studies have documented the rapid increase in bike share systems and the fact that certain groups are underrepresented among bike share users, including: people of color, people with lower incomes, women, seniors, and people with less education.[5] [6]

Lack of bike share systems and stations in neighborhoods where higher percentages of people in these groups live and work is one contributing factor.[7] Cost, lack of payment options, lack of credit, language differences and lack of familiarity with bike sharing are other potential barriers.[8] [9] Even with the ability to pay, some people may not want to use bike share for fear of unforeseen charges or bike damage. Additionally, both traffic safety and personal safety fears are preventing people of color and those with lower incomes from trying bike share.[10] Traffic safety concerns, resulting from poor infrastructure or proximity to vehicles, is the biggest barrier across all racial and income categories. People of color have more personal safety concerns, resulting from violence, crime, or being targeted by the police than white bike share users.

It is important for new bike and scooter share services to address these barriers in order to create a successful, sustainable system. Developing specific bike and scooter share equity programs can help these historically marginalized communities gain greater access to public transportation networks and can help foster new opportunities for economic and social inclusion.

Roughly 75 percent of bike share systems larger than 150 bikes have specific equity programs.[11] The following research summarizes best practices in bike share

[5] Buck, D., R. Buehler, P. Happ, B. Rawls, P. Chung, and N. Borecki. (2013). "Are Bikeshare Users Different from Regular Cyclists? A First Look at ShortTerm Users, Annual Members, and Area Cyclists in the Washington, D.C.,Region." Transportation Research Record. No. 2387, pp 112-119.

[6] Shaheen, S., Martin, E., Chan, N.D., Cohen, A.P., and Pogodzinki, M. (2014). "Public Bikesharing in North America During a Period of Rapid Expansion: Understanding Business Models, Industry Trends and User Impacts." MTI Report 12-29. Mineta Transportation Institute.

[7] Ursaki, J. and L. Aultman-Hall. (2016). "Quantifying the Equity of Bikeshare Access in U.S. Cities." Transportation Research Board Annual Meeting, 2016. Paper # 16- 0426

[8] Hoe, N. (2015). "Bike Sharing in Low-Income Communities: Perceptions and Knowledge." April-October 2015. Temple University Institute for Survey Research Report.

[9] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

[10] Schneider, B. (2017). "What Keeps Bike Share White," Citylab. Citylab.org.

[11] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

equity programs, examples from other cities, and lessons learned from the growing body of bike share equity literature. Overall, station location, comprehensive outreach and affordability are pillars of an equitable bike share program. Additionally, bike share program managers have identified the importance of launching a program with equity and inclusion in place from the start, rather than retrofitting equity-focused outreach or expansions to historically-marginalized communities after a program is already established in a high-demand area.

DEFINING EQUITY

Defining equity in bike share systems is complex and is often contextual to the region it serves. However, defining equity is an important first step in order to successfully introduce bike share to a city, as this vision will inform the bike share's practices and operations. There are as many lenses to view equity as there are barriers to access the system. Some bike share systems define equity in terms of the ability for specific populations of people to access the system; others define equity in terms geographic accessibility. Many use both, as the more ways in which an equity program addresses the barriers for its usage, the more robust and successful it will be. Recently, researchers at Portland State University surveyed 38 bike shares operating in the United States and asked how they approached equity in their systems, shown in the table below.

EQUITABLE BIKE SHARE SYSTEM DESIGN FEATURES

Station Locations and Service Area: Bike share station locations and service area are critical components of an equitable bike share system. While bike share systems typically launch in high demand (and presumed higher revenue) areas, such as downtowns and near tourist destinations, it is important to consider geographic and social equity when deciding where to locate a system. The extent of the service area should be determined with community stakeholders to make sure that the balance between station coverage and station density aligns with community goals. Station sites should consider areas that are currently underserved by public transit, near destinations such as libraries, grocery stores and community or cultural centers. The National Association of City Transportation Officials (NACTO) guidelines recommend that bike share stations be no more than 0.4 miles apart to have truly comprehensive, equitable networks well-integrated with common destinations and existing transit.[12] Research from Portland State University finds that usership drops dramatically if a station is more than a quarter mile walk.[13]

There are strategies to ensure that system coverage and density are met. For example, in Pittsburgh, PA the Healthy Ride bike share system opted to double their number of stations and expand service to serve more neighborhoods by reducing the size of underused stations from 19 docking points to 6-8 docking points per station.[14] One of the results of this innovation has been increased ridership in newly-served communities, particularly for short, everyday bike trips. In Detroit, MoGo bike share is expanding to suburban communities through the creation of satellite bike share hubs for outlying pockets of residents.[15] The purpose of this style of expansion is to cover Detroit border communities who live near

[12] National Association of City Transportation Officials, (2016). "Bike Share Station Siting Guide." Nacto.org.

[13] McNeil, Nathan, Jennifer Dill, John MacArthur, Joseph Broach. Breaking Barriers to Bike Share: Insights from Bike Share Users. NITC-RR-884c. Portland, OR: Transportation Research and Education Center (TREC), 2017

[14] Cox, S. "Pittsburgh Adds Bike Share Density with Small Station Model," Better Bike Share Partnership. Betterbikeshare.org.

[15] Cos, S. "Detroit Provides Adaptive Bikes, Will Expand System," Better Bike Share Partnership. Betterbikeshare.org.

other jurisdictions and may be trying to navigate between multiple transit systems that do not coordinate routes, timetables, or fares. Bike share would provide flexible, predictable service to connect people to different jurisdictions' transit systems. As of December 2018, MoGo is conducting outreach with stakeholders in target areas to build community ownership and drive the process forward. Ultimately, it is important for every bike share provider to determine the extent of the service area with community stakeholders and effectively communicate that extent to its members.

Rebalancing: Bike sharing is a transportation system that is dynamic and fluid. It is important for every bike share provider to ensure the appropriate redistribution of bicycles to its full service area such that no location is over or undersupplied. Without rebalancing efforts, the system may drift away from its original service area and be rendered ineffective or exclusionary to certain communities. Bike share providers can incentivize rebalancing through fee and payment structures, or prioritize certain locations over others to ensure that the system is equitable for all people. For example, the Bike Angels program offered by Citibike in New York City rewards users who take bikes from crowded stations to empty ones. Points earned through this system can be used to redeem free rides, membership deals, gift cards, and merchandise.[16] Cities can also build requirements into bike share permits and contracts specifying the percentage of a fleet that must be rebalanced to low income communities of concern each day.

Income-based discounts: The vast majority of bike share systems that pursue equity goals, regardless of size, have plans that address the financial barriers to users.[17] Income based-discount and cash payment options are key strategies to include lower income bike share riders who may not have access to credit or may not be able to afford the transportation service at the standard fare.

Among cities with station-based bike share systems, 32% have an income-based discount program. This represents a 33% increase since 2016.[18] These programs often establish income thresholds or use affordable housing enrollment as qualifiers for discount enrollment. Boston offers an example of a discounted membership program. SNAP cardholders in the Boston metropolitan area can get a $5 monthly bike share pass through the SNAP Card to Ride program.[19] The full system membership cost is $99 per year. The SNAP Card to Ride program offers unlimited 60-minute rides, increased from 30-minute trips previously available. Cities of Boston, Brookline, Cambridge, and Somerville, along with Motivate, the Department of Transitional Assistance, and the public health department work together to verify SNAP program participation efficiently and conveniently in person or online, so that people are not deterred from signing up. Furthermore, the program has removed the financial hold that used to be placed on rider payment accounts, which had been a major deterrent for low income riders.

A survey of bike share users in Chicago, Philadelphia, and New York found that two-thirds of bike share users of color or lower incomes were "very likely" to renew their memberships, and rode just as frequently as higher income, white bike shares users. As described above, survey respondents cited

[16] Citibike, (2019). "Points and Rewards." Citibikenyc.com.

[17] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

[18] National Association of City Transportation Officials, (2017). "Bike Share in the U.S.: 2017," Nacto.org.

[19] Cox, S. "Boston Debuts Regional Discounted Bike Share Memberships," Better Bike Share Partnership. Betterbikeshare.org.

discount memberships as a main reason they joined bike share and reported that they were saving more on transportation overall by using bike share, an encouraging sign for retaining members, even if discounts end.[20]

Cash Payment: Over the past couple years, many bike share providers, both public and private, have implemented cash payment options where users can go to designated locations to add cash to their accounts.

[20] McNeil, Nathan, Jennifer Dill, John MacArthur, Joseph Broach. Breaking Barriers to Bike Share: Insights from Bike Share Users. NITC-RR-884c. Portland, OR: Transportation Research and Education Center (TREC), 2017.

Reload locations are often social service providers, bike share offices, and local grocery/convenience stores. Limebike, Capital Bike Share, Portland Biketown, New Orleans Bike Share, and many more offer a cash payment option. MoGo in Detroit offers a similar program called the AccessPass. Six months after implementation, AccessPass sales made up 18% of all long-term pass sales. MoGo also offers a well-used cash-payment membership option which is well used by AccessPass holders, that contributes to fast, flexible, and convenient access to transportation for hundreds of residents.

Table 3-7.

EQUITY APPROACH	% SURVEY RESPONDENTS	EXAMPLES
Specific Populations	71%	Low-income/LMI; Racial/Ethnic Groups; Gender; Those in most need; Historically underrepresented and underserved; Local residents; Nation of origin; Transportation option to diverse range of people; Reflect municipality's overall demographic makeup; For all people
Equity Goals	45%	Fosters economic equity; Job creation; Empower; Extension of public transit; Improve public health; Support daily lives; Community asset-exercise, recreation, and alternative transportation; Ensure outcomes and opportunities for all.
Affordable and Accessible	39%	Offering affordable pricing and access; Ensure access for low-income, bike station locations, cash, text-based access; Geographic access, economic access, demographic access, Access locations; Affordability; Anyone who identifies as requiring subsidized access.
Geographic Areas	29%	Neighborhoods; Areas in most need; Growth focused on expanded geographic coverage; Identifying disparities and targeting areas for action, intervention, investment; connect lower-income neighborhoods; Expanding systems coverage to underserved communities; station placement.
Addressing Barriers	26%	Bank-less; credit cards; Economic barriers; Physical; Technological; Language; Cultural relevance; Engages and serves minority and low-income; Community driven; Use investments to reduce racial disparity in access to mobility services, reduce non-financial barriers.
For All Abilities	21%	Accessible bicycles for disabled communities; People of all abilities; Elderly.
Operations	11%	Dependable, convenient, predictable; Services and operate in a manner that is just and free from bias or prejudice; Fair and just operations; Inclusive work environment, diverse staff; Training and hiring staff from underrepresented communities.

Source: National Scan of Bike Share Equity Programs, 2019.

Alternative Payment Structures: Beyond income-based discounts and cash payment options, bike share systems should consider other alternative payment structures in order to reduce the financial barriers to entry. For example, rather than offering either a year-long pass or weekly passes, bike share providers could consider offering monthly passes which cater to regular users who can't afford the high total cost of a year-long pass or the high per-trip cost of a weekly pass. Additionally, providing longer rental times can alleviate fears of overage charges. In Pittsburgh, Healthy Ride utilizes a pricing policy that aligns with the cost of public transit, charging a flat rate for 30 minutes with no annual membership or registration costs.[21]

Bike share systems are typically reliant on smartphone access and require a financial account to be linked for use, thus making access challenging or limited for the unbanked or those without a smart phone. Statewide, 4.3 percent of Montana households are considered unbanked, meaning they do not have access to a banking or credit union account. In the Billings Metropolitan Statistical Area, this rises to 5.9 percent of the population (FDIC National Survey of Unbanked and Underbanked Households, 2013- 2017 estimates). American Community Survey data available at the citywide scale estimates that in 2018, 79.8 percent of households in Billings have a smart phone and 9.9 percent of households to not have access to any type of computing device. If this is identified as a barrier to bike share use, considerations for access that do not rely on a smart phone, or programs that provide pre-paid cards or fares to check out a bike, should be considered.

[21] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

Reduce Liability and Eliminate Hidden Fees: Some bike share systems require a deposit or have steep fees for lost or stolen bikes. Eliminating these fees across the board or just for lower income users can make people feel more comfortable using the system. For example, Divvy in Chicago set up a loss liability fund to protect people from these high charges.[22]

Partnerships with Nonprofits and Social Services: Before a bike share system is implemented, it is important to build community "buy-in" to attract users to a system and build trust in the program. Thoughtful community engagement is essential. Portland State University research found that lack of knowledge about the bike share system is a significant barrier for lower income people of color. Thirty-four percent of low-income respondents of color said that not knowing enough about bike share was a barrier, compared to 19% of higher income respondents of color or 7% of higher income white respondents.[23] The same study found that more personal sources of information, such as talking to a bike share outreach staff person, volunteer, or community center staff were more effective than more passive sources of information at inspiring community members to try bike share.

[22] Ibid.

[23] McNeil, Nathan, Jennifer Dill, John MacArthur, Joseph Broach, Steven Howland. Breaking Barriers to Bike Share: Insights from Residents of Traditionally Underserved Neighborhoods. NITC-RR-884b. Portland, OR: Transportation Research and Education Center (TREC), 2017.

Community engagement should be designed with a feedback loop, so that there are clear ways to incorporate recommendations from the community into the bike share system design and programming. For example, community input can:

- Influence the specific location of a station,
- Help identify nonprofit partners to support program outreach,
- Change crime prevention strategies, and/or
- Guide new investments in bike infrastructure.

NACTO and the Better Bike Share Partnership released a community outreach guide, "Strategies for Engaging Community: Developing Better Relationships through Bike Share" that offers guidance on how cities, advocates, and bike share practitioners can develop programming to address community-oriented mobility goals:

- Increase access to mobility,
- Get more people biking, and
- Increase awareness and support for bike share.[24]

Bike share providers may collaborate and form partnerships with local nonprofits and social service providers who already work directly with historically-marginalized communities. Over 75% of bike share systems report having at least one community partner, and over half report having two.[25] Local nonprofits and social service providers have deep knowledge about community needs and communication channels for additional outreach. Community partners share the trust and history of the people bike share providers need to engage. Bike share providers should look for ways to add capacity and support local groups, such as paying advocates for their time, creating local jobs, and being responsive to community feedback. By tapping local resources, bike share providers can more effectively mitigate the lack of knowledge among community members for how to use the system or how to sign up. Key strategies that bike share systems around the country employ in partnership with nonprofits and social services include: facilitating enrollment, education and skills classes, prescribe-a-bike public health programs, organized rides, and ambassador programs.[26]

For example, Indego bike share system in Philadelphia operates a community ambassador program that pays representatives of local non-profits to serve as links between the Indego Bike Share program and their communities.[27] Indego Ambassadors promote bike share, plan events such as community rides or classes, and serve as a resource for bike share issues or questions from their community. Ambassadors focus on building bike share that is inclusive for the whole community and addressing barriers for specific groups. The bike share ambassador for the Bicycle Coalition of Greater Philadelphia focuses on the Latino community and youth by holding targeted events and creating materials in Spanish.[28]

[24] "Strategies for Engaging Community." NACTO, Better Bike Share. 2018. Betterbikeshare.org.
[25] Ibid.
[26] Ibid.
[27] Indego, (2018). "Meet the Indego 2018 Community Ambassadors," Rideindego.com.
[28] Cox, S. "Philadelphia's Bicycle Coalition is Committed to Bilingual and Youth Outreach," Better Bike Partnership. Betterbikeshare.org.

The ambassador program is one component of the Better Bike Share Partnership, a collaboration between the City of Philadelphia, Bicycle Coalition of Greater Philadelphia, and the National Association of City Transportation Officials (NACTO), funded by the JPB Foundation.[29] The collaboration aims to build equitable and replicable bike share systems—in Philadelphia and offer guidance globally.

Adaptive Bike Options: In the past several years, many bike share systems have begun to offer adaptive bikes for people with limited mobility to expand the benefits of bike share beyond the typical able-bodied user and respond to critiques from disability rights advocates. Just this year, the Ford GoBike Share in Oakland, CA piloted five different types of adaptive bicycles: upright handcycles, recumbent handcycles, recumbent leg trikes, recumbent trike tandems, and side-by-side tandems.[30] The mobility, recreation, and inclusion benefits are abundant, but challenges remain. Adaptive bike share bikes require specialized maintenance, are not always intuitive to use, and create logistical challenges for commuting. Pilot projects in several cities in 2017-2018 sought to address these challenges. In the summer 2017, the City of Portland, OR ran a pilot program called Adaptive Biketown, renting out tricycles, hand cycles, and side-by-side tandem bikes.[31]The Adaptive Biketown pilot ran for 14 weeks and matched the low-cost pricing structure of the city's traditional bike share program. The City partnered with a local non-profit to run the Adaptive bike share program out of their office, conveniently located on a main off-street bike path. After a successful pilot launch, the City is working to increase ridership and make the program more like traditional bike share, with additional rental locations and a streamlined rental process.

ACS data indicates that 9.5 percent of Billings residents are living with a disability. Thus, requiring a portion of bike share bicycles to accommodate persons with disabilities or adding a supplementary bike share option may be an important consideration for equity.

Electric Assist Bikes: An emerging trend in bike share systems has been the introduction of electric assist bicycles to support a larger service area and provide better bike share access for riders with mobility and fitness challenges. Current electric assist models used by bike share providers require the rider to pedal the bicycle in order to get an "assist" from the electric motor. The handful of systems that employ e-bike share currently cap the top speed at 15 mph at which time the regulator cuts off any additional power. E-assist bicycles make it easier for those not physically able to pedal a standard bike, helps users overcome steep terrain, and extend the trip distances made with bicycles. This has the effect of expanding the bike share system range, as well as the first and last mile usage to 1.5-2-mile trips when connecting to transit and other destinations.

Targeted Marketing: Targeted marketing is any content that increases awareness of the bike share among demographics and populations that may benefit from additional outreach. This is a key way providers pursue equity goals. Targeted marketing should reflect the diversity of the area the system serves. It should reinforce the idea that the system is for people who live in Billings, and not just visitors looking for recreational amenities.[32] Successful content is created for

[29] Cox, S, editor. "About Us," Better Bike Share Partnership. Betterbikeshare.org

[30] Baldassari, E. (2019). "The shared bike and scooter industry often leaves out people with disabilities – but Oakland is changing that," The Mercury News. Mercurynews.com.

[31] Cohen, J. (2018). "Portland Says Adaptive Bike-Share Pilot Was a Win," Next City. Nextcity.org.

[32] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share."

(and often with the help of) specific groups and communities the bike share hopes to engage. These strategies could include: ambassador photo shoots, press releases, social media, billboards, bus-stop displays, bike station panels, flyers, emails, custom painted or sponsored bikes by community partners. Regardless of marketing strategy, it is recommended that the content is produced in the languages and located in the places that the target population occupies.

A recent study on bike share barriers conducted by Portland State University (PSU) found that people of color and people with lower incomes are more likely to find out about bike share from targeted marketing and outreach than through their networks, highlighting the success and necessity of targeted marketing as part of an equity program. The study featured a robust survey of bike share uses from Chicago, New York, and Philadelphia. Specifically, the study found that typical sources for information about bike share were: talking to someone at an event, information at work or school, or from a newspaper or online source. A large majority of survey respondents said that their eligibility for a discounted membership was very important to their decision to get a bike share membership, compared to other users who primarily joined because of the convenience of using bike share.[33]

Once enrolling in a bike share program, people of color and lower income bike share users ride with similar frequency to white and higher income users. Both groups generally rode more than 11 trips a month, and a third rode more than 20 trips. People of color and those with lower incomes were more likely to ride for fun or for exercise than white, higher income users. Though not a large share of overall trips, bike share users of color and/or lower income were more likely to use bike share for school, daycare or religious-related trips, as well as for trips related to looking for work or job/skill training.[34]

Hiring Policies: Nearly 1 in 3 midsized bike share systems (350-750 bikes) have equity programs with a primary focus on internal operations.[35] Equity in internal operations means hiring policies that provide job opportunities for underserved residents. By training employees from disadvantaged communities, the bike share will ultimately be more responsive to servicing the needs of all its residents.[36] By integrating communities directly into the planning, implementation, and continuation of a bike share system, providers can ensure a greater degree of success of the bike share in those same communities.

Transit Integration: Among bike shares who have equity programs, half of all medium sized systems (350-750 bikes) report efforts to integrate transit with their bike share.[37]Integrating bike share programs with public transit can be an important step for expanding the geographic range and ease of mobility for low income and transit reliant travelers. Generally, these efforts manifest themselves in three areas: access, pricing and payment methods. While researchers report that linking bike share and public transportation systems is a relatively new practice, integrated transit systems and bike share systems can be mutually reinforcing in their goals to increase connectivity, awareness, and user support.

Transportation Research and Education Center (TREC) pp 1-138.

[33] McNeil, Nathan, Jennifer Dill, John MacArthur, Joseph Broach. Breaking Barriers to Bike Share: Insights from Bike Share Users. NITC-RR-884c. Portland, OR: Transportation Research and Education Center (TREC), 2017.

[34] Ibid.

[35] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

[36] Ibid.

[37] Ibid.

To ensure that a bike share is accessible from public transit, station planners should consider siting stations near or at existing bus stops or transit centers. Researchers at Portland State University note that 80% of Bublr bike share stations overlap with existing bus routes in Milwaukee, WI.[38] Larger scale integration efforts may include changing transit networks to better mesh with the local bicycle infrastructure network, in order to facilitate first and last mile trips. In Pittsburgh, PA, the Port Authority of Allegheny County allows riders a free bike trip (up to 15 minutes) if they are taking a trip to a public transportation stop.[39] Bike shares can become first and last mile solutions if those trips are made easily accessible to and from the existing transit network.

Pricing: Pricing models may change depending on what equity targets the bike share provider focuses on. However, when integrating with a transit system, some providers create a payment system that mirrors current transit fares such that the payment is an easily understood extension of the current pricing model, as in the case of Metro in Los Angeles.[40]

Payment Methods: Integrating payment methods will depend on the technology being used by the existing transit system. Some systems utilize a single card. Others add a special RFID bike share sticker to existing transit cards that sends a different frequency signal to unlock bikes, as in the case of Milwaukee County Transit System and Bublr Bikes.[41] Alternatively, Fargo's Great Rides bike share allows North Dakota State University student access to both public transportation and bike share systems with their student ID, paid for by student fees.[42] Researchers note that an integrated fare pass requires a debit or credit card on file, especially for pricing models that have a pay-as-you-go option.

Additional strategies to integrate transit systems and bike shares can be learned from the Milwaukee County Transit System's partnership with Bublr Bikes. These include having buses announce when stops are connected to bike share stations, displaying stops with bike stations via a MCTS transit app, co-branding bikes, and exploring joint station maintenance.[43]

[38] Cox, S. Editor. "Pittsburgh and Milwaukee Explain How They Linked Bike Share to Transit." Better Bike Share Partnership. Betterbikeshare.org.
[39] Ibid.
[40] Corbin, A. Editor. "Bike Share or Bus? In Los Angeles, the Price Will be the Same. Better Bike Share Partnership. Betterbikeshare.org.
[41] Davies, J. "MTCS + BUBLR = BUSLR." Bublr Bikes. Bublrbikes.org.
[42] Corbin, A. Editor. "Why the Country's Best Bike Share Might be in Fargo." Better Bike Share Partnership. Betterbikeshare.org.
[43] MacArthur, J., McNeil, N, Broach, J., Cumings, A., Stark, R., Sanders, R., and Witte, A. (2019). "National Scan of Bike Share Equity Programs: Approaches and Best Practices for Promoting Equity in Bike Share." Transportation Research and Education Center (TREC) pp 1-138.

Metrics for Equity Evaluation: Using data to inform bike share operations is essential to achieving equity outcomes. Tracking key metrics help bike share providers understand how, where and when the system is being used, and by whom. The insights gained by monitoring specific data metrics inform how best the system can improve, and can help attract additional funding from local officials, grants, and community sponsors. Below is a table written by researchers at Portland State University (MacArthur et.al, 2019) that lists example metrics for particular equity practices implemented by bike shares around the country, with each practice rated for how effective it was at achieving their equity goals, as reported by the bike shares surveyed.

Table 3-8.

EQUITY PRACTICE	EFFICACY RATING	EXAMPLE METRICS
Electric Bicycles	4	# rentals; trip distance, trip duration; bicycle selection when electric and non-electric options are available; monthly use reports; community surveys
Hiring Practices	4	# of positions held or hours worked by employees in defined categories of a diversity policy and a practice to hire from a diverse pool of candidates
Employee Training	3.75	% of employees trained on serving equity programs/clients; employee feedback
Income-Based Discount	3.73	# of sign-ups for discount program membership, % who renew; # of sign-ups; # of sign-ups by location; # of sign-ups by referral method; # of sign-ups by eligibility type; % of discount program members who opt for various program options; % of all members who are discount members; survey data from discount members
Adaptive Bicycles	3.6	# rentals; # users; surveys with riders after rental period is over; data collected via annual user survey; collect usage info on each bicycle; rentals by bicycle type
Cash Payment	3.6	# of sign-ups using cash; home location of cash payers; # of rides by cash payers; location of rides by cash payers; # of cash pay enrollees to credit/debit enrollees; # of cash payments; ride characteristics for cash payers; % of cash payers switching to credit payment over time
Education Programs	3.5	# of attendees; demographics of attendees; # of completed sign-ups; #riders, % of enrollees with rides; # of classes; instruction time; attendee feedback; comfort with process, system, class; % of enrollees who follow program rules
Prescribe-a-Bike	3.5	Community surveys and partnerships with other researchers; # vouchers handed out and redeemed; # rides; ride time
Ambassadors	3.5	# of ambassadors recruited, trained; # of workshops/classes; feedback from surveys; # of events attended; # rides completed; # people reached/ enrolled per ambassador; # promo codes distributed and redeemed; growth in ridership/ change in ridership patterns in ambassador focus neighborhoods; exit interviews for ambassadors
Facilitated Enrollment	3.41	# of people attending workshops; how they heard about program; # of people helped through enrollment process; # sign-ups; # of organizations, agencies helping with enrollment; # of events; # of interactions; membership tracking
Fee Reductions	3.33	% for whom fees, fear of fees etc. were barrier; feedback on motivations for signing up for program

Alternative Payment Structures	3.33	# of sign-ups and @ of trips taken by payment level; # of users receiving credits; # of users with a positive credit balancing bike share account of % having enough credit to cover membership costs; sign-ups by payment type; % of revenue from residents compared to visitors
Bike and Station Location	3.25	Ranking stations based on trips to and from each station location; conduct community engagement about where to locate stations (surveys, meetings, focus groups, conversations, station location postcards/forms); collect demographic data at sign-up to see what percentage of users are located in target areas; # of (discount) memberships from area near stations; # of sign-ups from affordable housing residents near station; # trip starts/ends per station; # of trips from neighborhood equity stations; # of bikes in target areas; trip patterns; types of trips by station; % of ridership by race, age, and gender by station; # of stations located in communities of concern
Organized Rides	3.2	# of rides; # of attendees; # sign-ups after rides; attendee and enrollee demographics; feedback from participants and reports from ride organizers
Service Area Boundaries	3	Demographic analysis of residents living within walking distance of station location (actual or proposed); following ridership in focus neighborhoods; % homes within a 10 min walk of bike share; % of neighborhoods with bike share access; % of employees/ jobs within 10 min walk of bike share; trips, bicycle availability, in target areas; resident feedback
Rebalancing Efforts	3	Use API data to track and make decisions about balancing efforts; access a data portal to find locations and usage records of each vehicle, which guides the rebalancing process; # bikes in target underserved neighborhoods; # of bikes near transit stations; # empty or full stations; average number of bikes at a station; usage by bike availability; % of service area within access to a bike within 5-10 min walking
Non-English Offerings	3	# of signups at workshop; # of enrollees by language
Transit Integration	3	% of rides taken through joint pass; start/stop of rides; trips by station adjacent to transit; surveys sent to people who use transit integration programs; use of bike share for first or last mile trips
Marketing Campaigns	2.9	Analytics on social media campaigns; track promo codes, college/vocational discounts; survey users: track event attendance; promo redemption; focus group feedback

*summary of strategies implemented by any of the 70 systems that responded to researchers' survey
**average reported rating from surveyed bike shares. 1 = not effective 2 = minimally effective 3 = somewhat effective 4 = very effective

Source: National Scan of Bike Share Equity Programs, 2019.

Key Resources: While the breadth and depth of equity programs often depend on funding, bike shares of all sizes can benefit from practices that ensure all people have access and the ability to use it. Researchers at Portland State University point out that the effectiveness of an equity program tends to increase when a holistic, broad range of approaches are used.[40] To that end, bike share equity programming is continuously evolving and improving. Below are some fundamental resources recommended for further reading.

Better Bike Share Partnership (BBSP)

National Scan of Bike Share Equity Programs

Breaking Barriers to Bike Share: Insights on Equity from a Survey of Bike Share System Owners and Operators

Breaking Barriers to Bike Share: Insights on Equity (video)

RELEVANT BIKE SHARE AND SCOOTER SHARE INDUSTRY TRENDS

The bike and scooter share industry is rapidly changing. The following three trends are important to consider for bike and scooter share in Billings.

ELECTRIFICATION

Electric-assist bikes (e-bikes) are becoming increasingly popular, and most new bike share systems include at least some e-bikes. Across the country, the vehicles that have the highest utilization (measured by rides/vehicle/day) are e-bikes. E-bikes can be used with both docked and hybrid systems.

Cities that added e-bikes to their station-based fleets report that, on average, e-bikes are used twice as frequently as pedal bikes. For example, in New York City, e-bikes are used up to 15 times a day during high ridership months (compared to around 5 times a day for pedal bikes). Bike share systems around the country are rapidly adding e-bikes to their fleets.[44]

E-SCOOTER SHARE

E-scooter share use continues to rise. After scooters debuted on North American streets in 2018, the number of shared e-scooter trips rose rapidly with 88 million trips taken in 2019. In cities under 200,000 people there were 34 scooter share systems with an average of 130 scooters.[45]

[44] Citi Bike in New York City. Shared Micromobility in the U.S.: 2018. NACTO. https://nacto.org/shared-micromobility-2018/

[45] Shared Micromobility: State of the Industry Report 2019. NABSA. https://nabsa.net/about/industry/

CHANGING OPTIONS FOR SMALL AND MIDSIZE CITIES

While 9 million trips were taken on dockless bike share in 2017, this number decreased by 2019 due to the disappearance of most dockless shared bikes across the U.S[46]. Driven by the need to show profitability, the private companies offering dockless bike share left smaller cities and focused their efforts in major urban centers. Even though private dockless companies may have shown interest in Billings in the past, it is highly unlikely to expect a private dockless company to launch in Billings in the near future.

However, dockless scooters may still enter small and midsize cities. For example, HOWL has enjoyed successful deployment in the Redding, CA market. Dockless scooters may also be launched as part of a "mixed fleet" alongside docked or hybrid bike share.

BIKE AND SCOOTER SHARE IS INCREASINGLY LINKED TO TRANSIT

Nationwide, 72 percent of docked bike share stations are within one block of a scheduled public transportation mode.[47] Connections to transit are increasingly important for successful bike share systems. People are using bike share to connect to transit across vastly different system types and contexts. For example, over half of the users of the dockless Mountain View, CA system and the docked Los Angeles, CA reported using bike share to connect to transit.

Scooter share is also used to access transit. In a recent e-scooter survey from Portland, OR, nearly a third of respondents primarily use e-scooters to go to or from a transit stop.

[46] Shared Micromobility in the U.S.: 2018. NACTO. https://nacto.org/shared-micromobility-2018/

[47] U.S. Department of Transportation, Bureau of Transportation Statistics. Intermodal Passenger Connectivity Database, available at https://data-usdot.opendata.arcgis.com/ November 2019.

Page Intentionally Left Blank.

IV. WHAT WE HEARD

OVERVIEW

For a bike and scooter share in Billings to be successful, it must be responsive to community needs. This chapter describes the study's public outreach process and key takeaways. Through a survey and interactive webmap, the project team asked community members to consider what a bike and scooter share system could look like in Billings.

From mid-September through late October, the project team heard feedback from community members via an online survey and interactive webmap. The Billings MPO advertised these platforms to the general public, local businesses, and university and college campuses.

SURVEY + PUBLIC INPUT WEB MAP

The project team developed an online interactive map and survey to collect information about the travel habits and desires of the Billings community as they relate to bike and scooter share. The online public input tool contained an origin and destination interactive map to help identify potential bike and scooter share station locations and service areas. The survey presented background information on the study and collected data on perceptions and preferences regarding bike and scooter share, as well as respondent travel behavior. Both tools were available in English and Spanish. Key public participation numbers include:

- 259 online survey respondents
- 62 comments on the online public input map

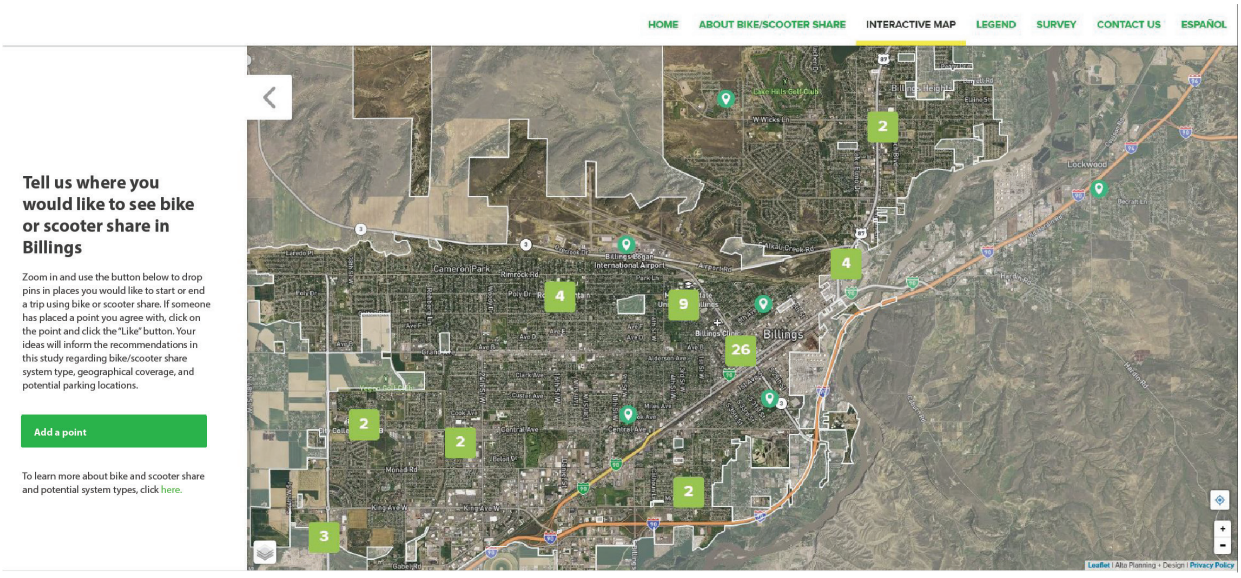


Figure 4-1 Screenshot of the online interactive map. Participants were able to place points to indicate locations they would like to access bike or scooter share

BILLINGS SNAPSHOT

WHO LIVES IN BILLINGS?

With a population of 109,544, Billings is the largest city in Montana. The population is 52 percent female, with 84 percent of the population identifying as white. The two largest non-white populations are Native and Hispanic, comprising five and seven percent of the population, respectively. The city's median age is just over 37, with 60 percent of the population between the ages of 18-64.

The city is also economically diverse with a median household income of $57,692. Forty-four percent of households make under $50,000, 35 percent between $50,000-100,000, 17 percent between $100,000 – 200,000 and four percent over $200,000.

The City's current mode breakdown for transportation to work is 81 percent drive alone, 10 percent carpool, one percent public transit, 1.1 percent bicycle, three percent walk, and one percent other; three percent of the population works from home (ACS 2018 1-year estimates).

WHO DID WE HEAR FROM?

Most respondents live and work in Billings (68 percent), while 41 percent live in Billings but work elsewhere and six percent work in Billings but live elsewhere. Other groups represented among survey respondents included business owners (10 percent) and students (three percent). **Figure 4-2** illustrates the race and ethnicity of survey respondents and **Figure 4-3** shows the reported income level of respondents.

When asked how they typically get to work or school, respondents indicated that "car or truck" is the most common means (73 percent). A substantial number of respondents also use a bicycle (19 percent) or walk (12 percent) to get to work or school. Nearly 23 percent of respondents reported that they work from home or do not go to work or school (e.g. retired, primary caregiver, etc.). (Note: this survey was conducted during the COVID-19 pandemic, resulting in increased numbers of respondents selecting that they work at home.)

Survey respondents between the ages of 25 and 46 made up the majority of respondents, followed closely by those between the ages of 46 and 64 years old. Fifteen percent of survey respondents reported that they were 65 or more years old and only three percent of survey respondents reported that they were under 24 years old.

Overall, survey participants generally reflect the demographics of the Billings community. However, people of color were underrepresented in the findings. Only six percent of survey respondents identified as Hispanic or Latino, Black, Asian/Pacific Islander, American Indian or Alaska Native, Middle Eastern, or another race. According to the 2018 American Community Survey, nearly 13 percent of the Billings community identify as one or more of these races or ethnicities. Additionally, people who walk or bike to work were overrepresented in the survey.

Figure 4-2.

What is your race or ethnicity? (N=240)

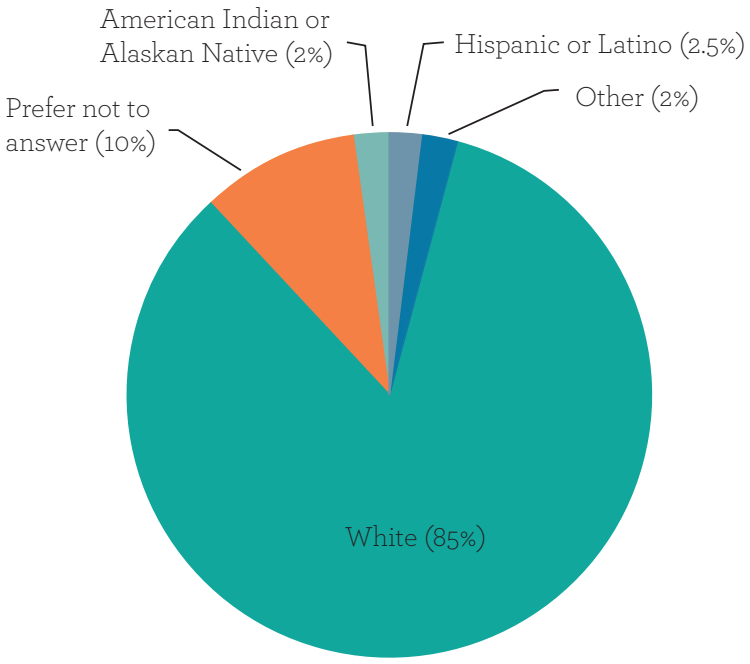
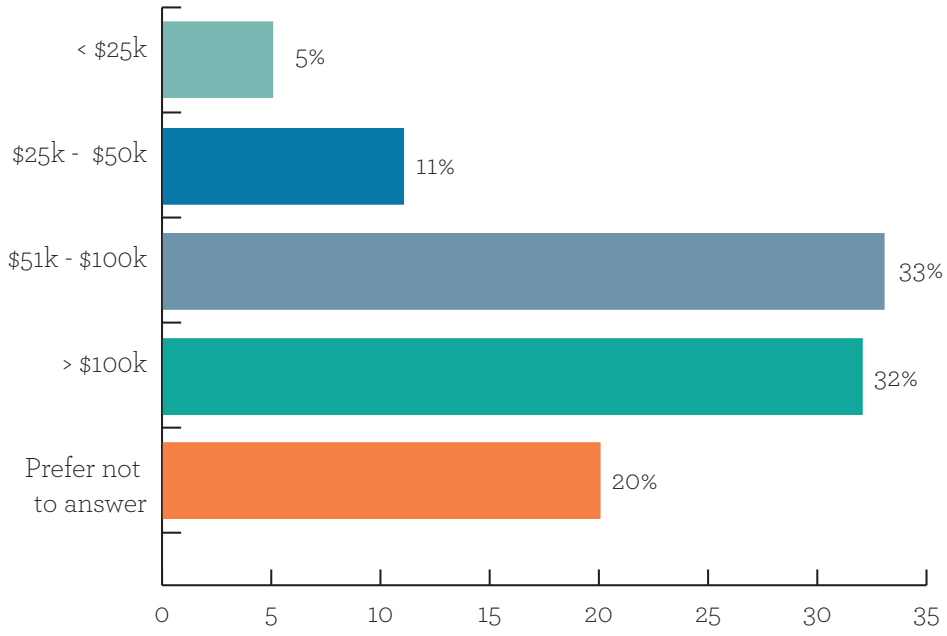


Figure 4-3.

What was your approximate household income last year? (N=243)



COMMUNITY PERSPECTIVES ON BIKE AND SCOOTER SHARE

KEY TAKEAWAYS

The following key takeaways reflect feedback from community members collected in the survey:

Mixed community support for bike and scooter share programs; more information requested. Fifty-three percent of survey respondents are interested in seeing bike and scooter share in Billings, 24 percent of respondents are not interested, and 14 percent need more information. For those who selected "Other," many respondents reported liking the idea of bike share, but not scooter share.

Most Billings community members have not used bike or scooter share. Sixty-four percent of survey respondents have not used bike share and 77 percent have not ridden scooter share. However, over one third of survey respondents had used bike share and 30 percent report that they bike at least a few times a year. As shown in **Figure 4-4**, survey respondents believe that bike and scooter share trips could replace car trips and benefit the environment.

Transit integration is not crucial for bike and scooter share in Billings. Sixty-three percent of survey respondents reported that access to bike or scooter share for first-mile travel would not increase transit trips. However, 43 percent of survey respondents say that bike or scooter share trips would replace car trips.

Top concerns related to bike and scooter share included safety, lack of bicycle infrastructure, and vandalism. Sixty-two percent of survey respondents reported that they had safety concerns about sharing the road and interacting with other vehicles, 51 percent reported having concerns regarding lack of designated bicycle infrastructure, and 40 percent reported concerns regarding bikes or scooters blocking the sidewalk or ending up in inappropriate places. Only 16 percent of survey respondents had no concerns about bike and scooter share in Billings, as shown in **Figure 4-5**.

Most Billings community members want to access downtown, parks, and restaurants/ coffee shops by bike or scooter share. Sixty-five percent of survey respondents reported that they would like to access Downtown with bike or scooter share, 48 percent reported that they would like to access parks, and 45 percent would like to visit restaurants or coffee shops. Twenty-seven percent of respondents reported that they didn't want to use bike or scooter share.

53%

OF RESPONDENTS WOULD BE INTERESTED IN SEEING BIKE/ SCOOTER SHARE IN BILLINGS

Figure 4-4.

Which of the following statements would support your interest in using a bike/scooter share system? (N=245)

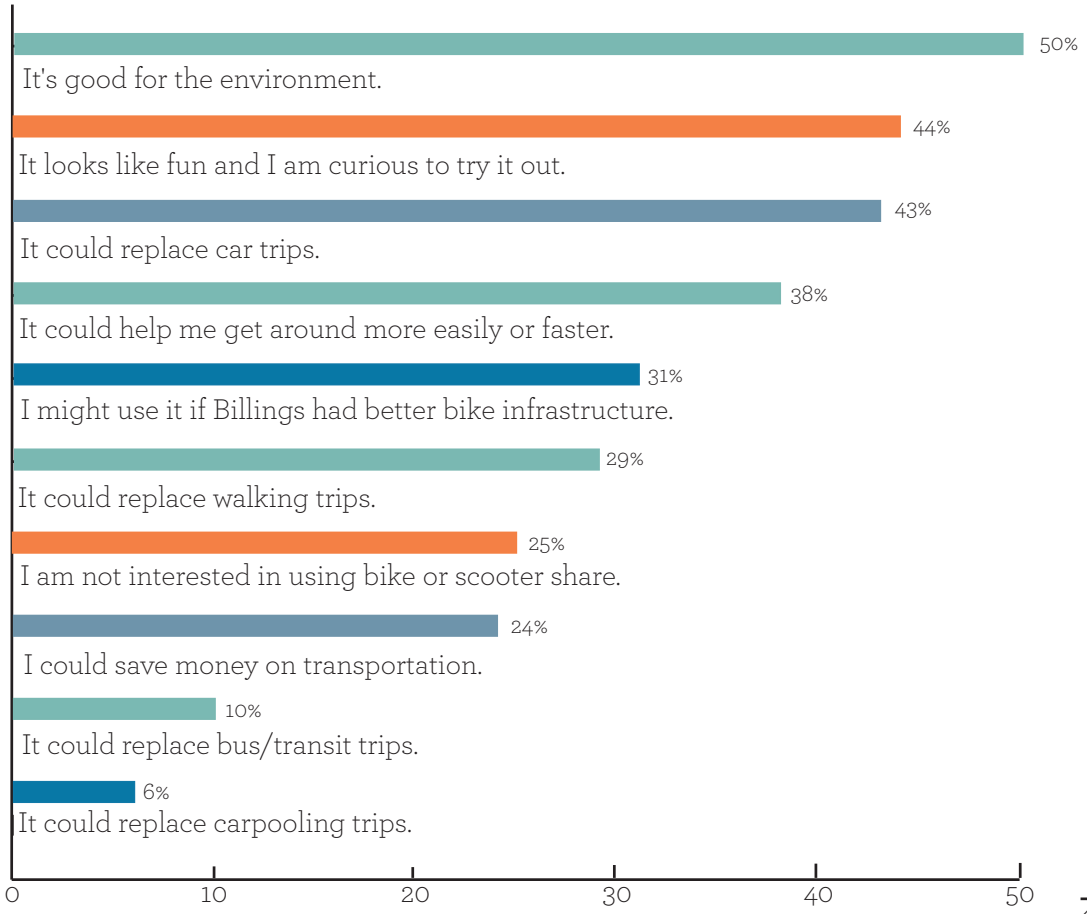
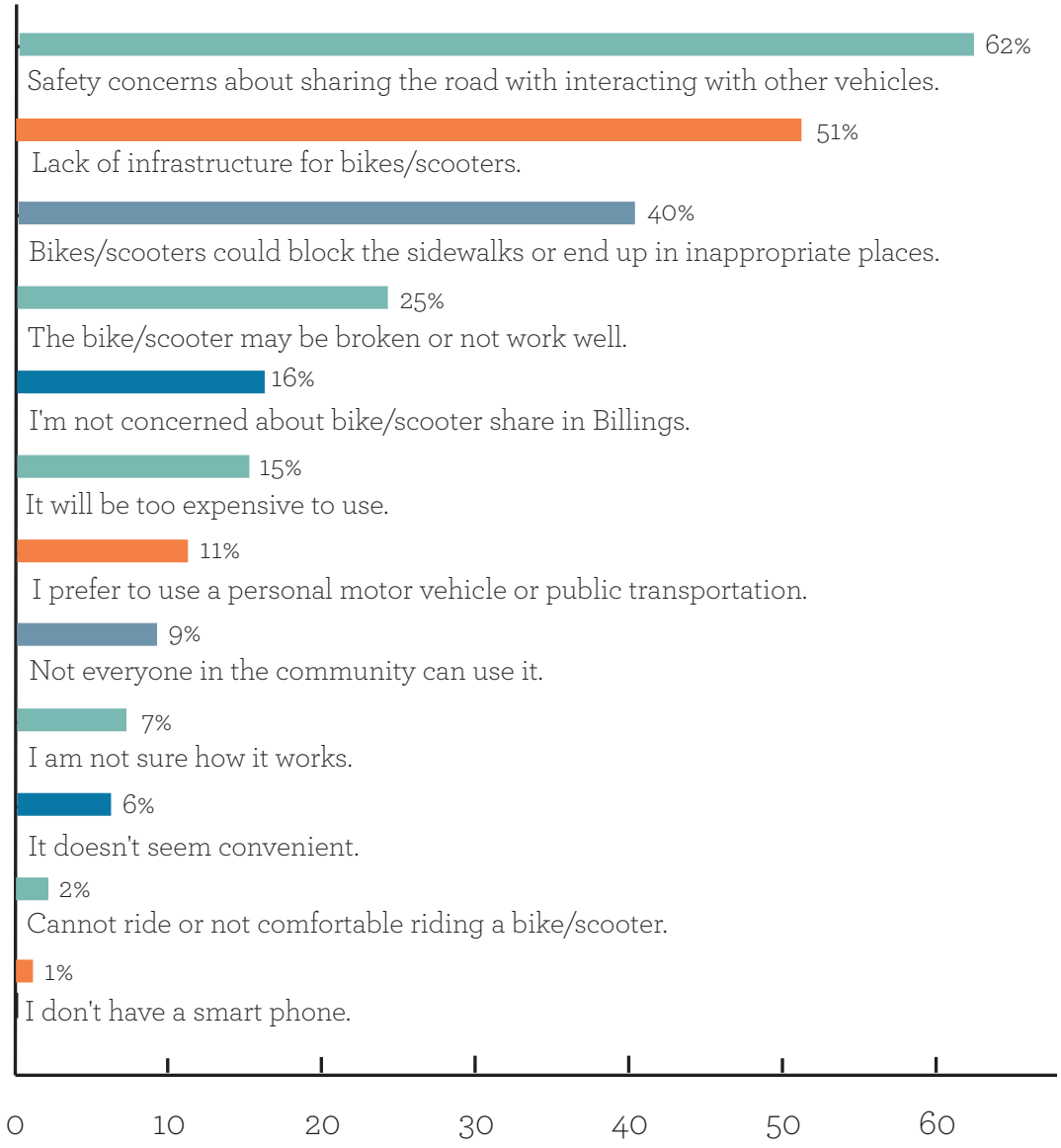


Figure 4-5.

What are your top three concerns related to bike and scooter share in Billings? (N=245)



As shown in Figure 4-4, personal safety, lack of safe infrastructure, and inappropriate bike/scooter parking are top concerns. Sixty-two percent of survey respondents are concerned about sharing the roadway with vehicles and 51 percent are concerned about lack of bike-specific infrastructure. Only 16 percent of survey respondents selected that they were not concerned about bike/scooter share in Billings.

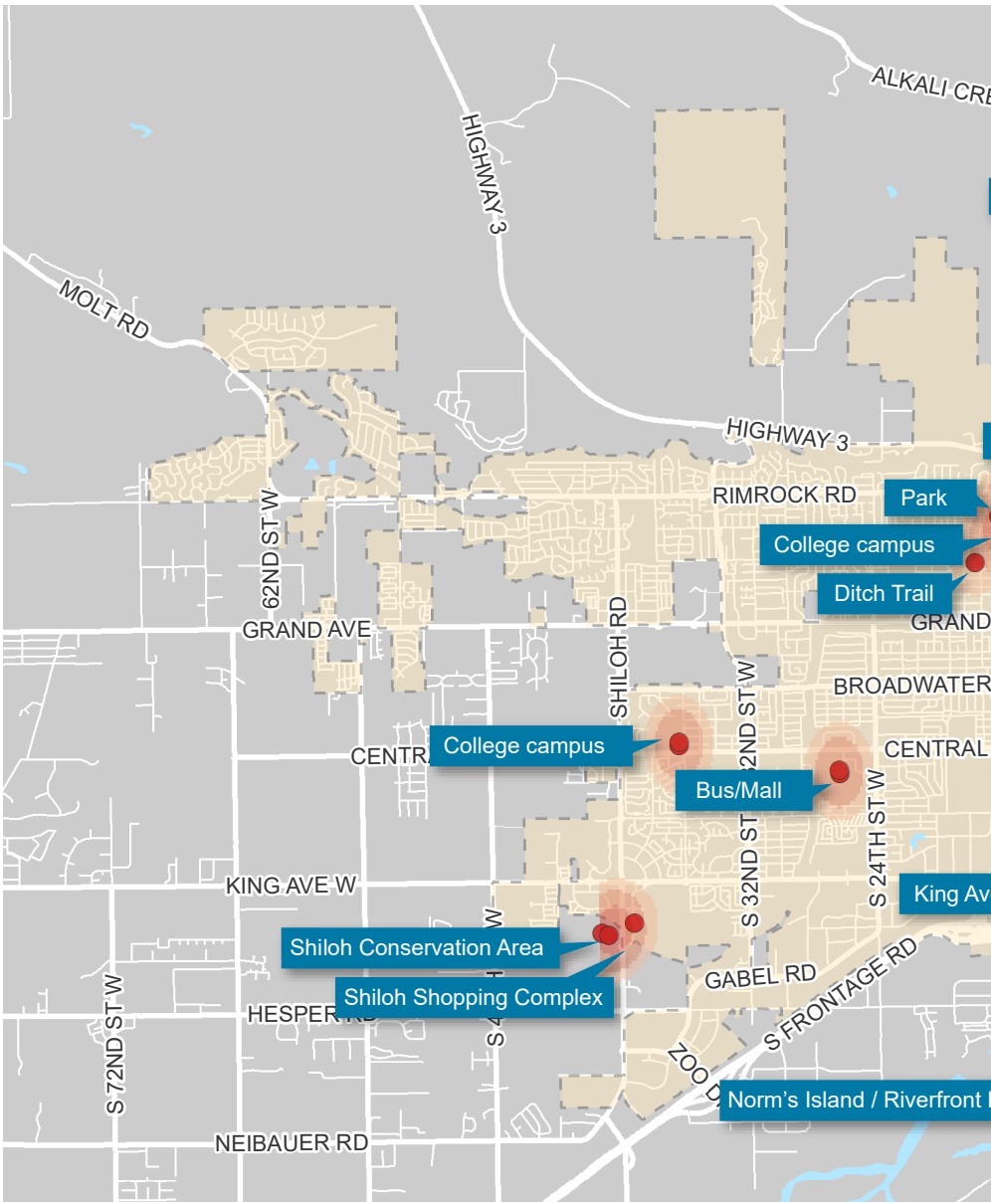
WHERE WOULD COMMUNITY MEMBERS LIKE TO SEE BIKES AND SCOOTERS?

Community members shared desired bike and scooter share locations via the online survey and online interactive public input map made available through websites and social media outlets managed by the City of Billings, the Billings-Yellowstone County MPO, and other local organizations. These public outreach tools enabled greater participation than is typically seen during in-person events and allowed residents to give input on their own time.

During the six-week window that the interactive map was publicly available, 62 suggestions were made by community members for locations where they would like to see future bike and scooter share. Common themes among these suggestions were downtown destinations, college campuses, parks, and trail systems. These suggestions are shown in **Figure 4-6** on the following page.

Key numbers from the online public input map include:

- 62 total suggestions
- 24 unique respondents
- 10 “votes” on suggestions, all of them likes



City of Billings

Public Input Suggestions

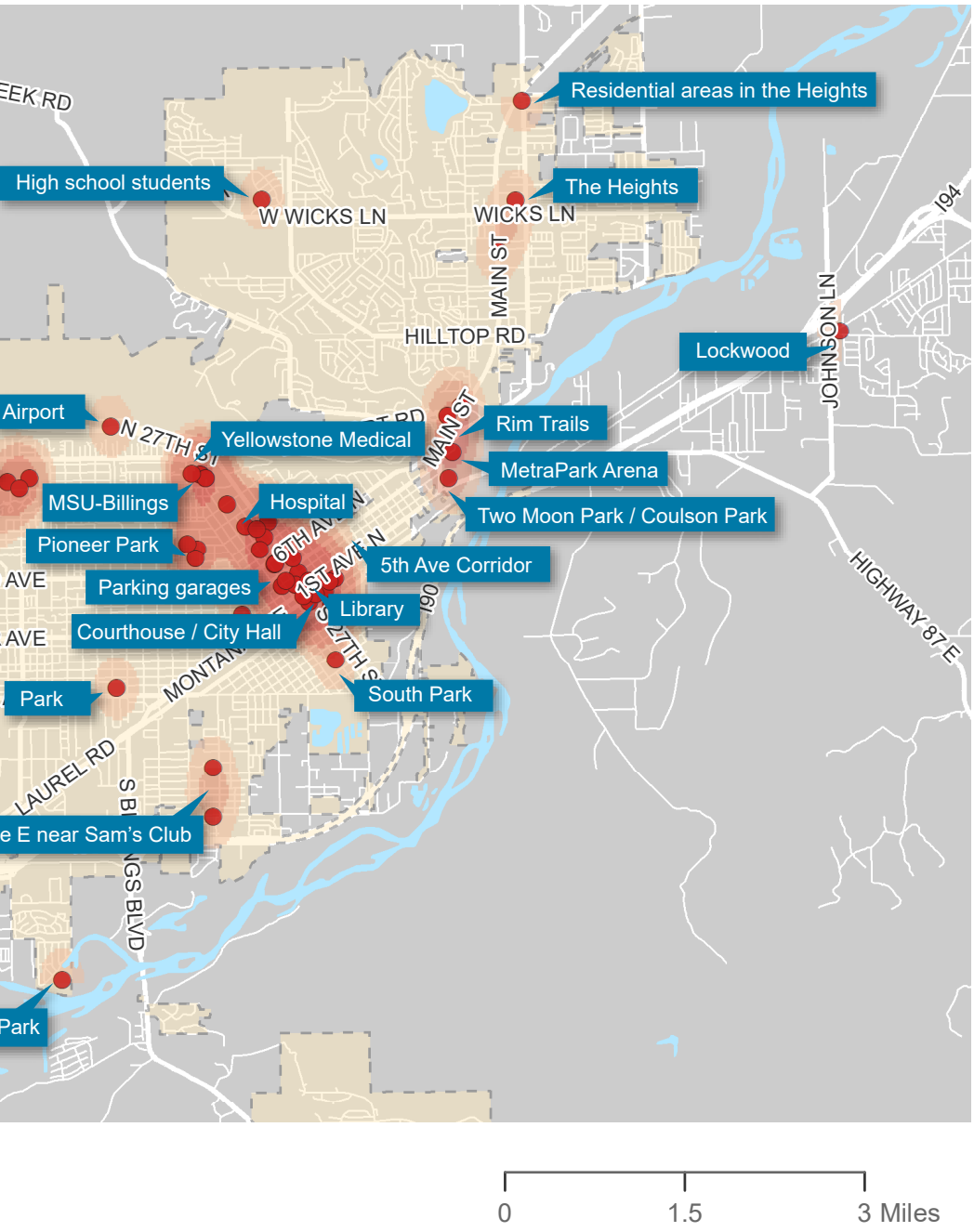
Density of Suggested Locations

Low

High

Suggested Locations

Source: US Ce
Billings-Yellows
Map Created J



ensus Bureau,
stone County MPO
uly 2020

Figure 4-6.

What locations would you like to visit with bike and scooter share? (N=62)

V. WHAT WE LEARNED ABOUT BILLINGS AND BIKE/SCOOTER SHARE

CITY OF BILLINGS CONTEXT

Billings is the county seat for Yellowstone County and Montana's largest city in terms of population, with around 135,000 residents in the Billings Urban Area as of 2017 and a projected population growth of over 30 percent by 2040.[1] The Yellowstone River separates the downtown, West End, and Southside parts of the city from the Heights to the north and Lockwood to the east. Sandstone cliffs, or rimrocks, frame the northern edge of the city. These geographical features influence development and transportation patterns in Billings. For example, the city has multiple east-west corridors that connect to the downtown area, but a significant pinch point exists near Metra Park Arena, where northern neighborhoods are primarily connected to downtown via Main St/SR 87. This creates a de facto barrier to active transportation access to the downtown area.

Downtown Billings is home to a growing medical corridor, which is one of Billings' primary industries and employment centers, the campus of Montana State University-Billings, and a number of other employment and activity hubs generating trips to and from the downtown area. The area is served by the City of Billings Metropolitan Transit System (MET), with 18 fixed bus routes and complementary paratransit service that run through two transfer centers at Stewart Park and Downtown. In addition to expanding transit offerings, Billings continues to grow its network of on- and off-street bikeways and trails with around 30 miles of existing on-street bikeways and more than 40 miles of paved, multi-use trails.

[1] Population statistics are cited from the 2018 Long Range Transportation Plan

DEMOGRAPHICS OF THE COMMUNITY

With a population of 109,544 Billings ranks as the largest city in Montana. The population is 52 percent female, 48 percent male, with 84 percent of the population identifying as white. The two largest non-white populations are Native and Hispanic, comprising 5 and 7 percent of the population respectively. The city's median age is just over 37 with 60 percent of the population between the ages of 18-64.

The city is also economically diverse with a median household income of $57,692. Forty-four percent of households make under $50,000, 35 percent between $50,000-100,000, 17 percent between $100,000 – 200,000 and 4 percent over $200,000.

The City's current mode breakdown for transportation to work is 81 percent drive alone, 10 percent carpool, 1 percent for public transit, 1.1 percent for bicycle, 3 percent for walk, 1 percent other; 3 percent of the population work from home (ACS 2018 1-year estimates).

BICYCLING IN BILLINGS

In 2017, Billings undertook a comprehensive update to their Bikeway and Trails Master Plan, led by Alta Planning + Design. That process included documentation of existing facilities, safety concerns and considerations, extensive public outreach, and the development of a backbone network of low-stress bicycle facilities.[2] A product of this plan update includes a short list of priority

[2] The Level of Traffic Stress (LTS) evaluation allows for planning of bicycle networks that are comfortable for riders of all ages and abilities, including young bicyclists and those who may be new to bicycling. This methodology seeks to measure how much stress is experienced by bicyclists across a street network due to various characteristics of roads and bicycle facilities. A Level of Traffic Stress (LTS) methodology was developed by Merkuria, Furth, and Nixon in Low-stress Bicycling and Network Connectivity (2012). LTS rankings range from 1 (very low-stress; tolerable by all) to 4 (very high-stress; tolerable to only a few).

projects to be implemented in the next 5-10 years, and overall proposes over 400 miles of additional on- and off-street bikeways that will add to the nearly 70 miles of existing bicycle facilities in the Billings area.

Bicycling generally comprises a small share of existing trips in Billings. According to the American Community Survey (ACS, 2018), an estimated 1.1 percent of commute trips in Billings occur via bicycle, which exceeds the national average of 0.5 percent, and is in line with the statewide estimated average of 1.2 percent.

These results illustrate the small existing role of bicycling within Billings' transportation system. The ACS has limitations as a data source in that it only counts commute trips. It also only considers a "primary" mode of travel and does not count trips made in combination with a second mode, and may not count all populations equally. Nevertheless, ACS data can serve as a benchmark for existing bicycle ridership and changes over time.

EXISTING AND PROPOSED BICYCLE FACILITIES

Existing bicycle facilities in Billings consist of intermittent bike lanes, signed on-street routes, and a fairly extensive paved trail network. Though formal bikeways are disconnected, the 2017 Billings Area Bikeway and Trails Master Plan Update proposes over 400 miles of additional facilities, both on- and off-street, many of which intersect or run along some of MET's most popular routes. Several of these routes that connect with existing transit patterns are slated for early implementation (5-10 years). Some notable projects include:

- **6th Ave N shared use path**: makes a critical connection for cyclists traveling to/from the Heights
- **Wicks Ln shared use path**: Wicks Ln is one of MET's major transit corridors in the Heights
- **Annandale/St Andrews bike lanes**: enhances bike access to Wicks Ln
- **15th St W bike lanes**: intersects Grand Ave and Broadwater Ave bus routes
- **Monad Rd bike lanes**: enhances access to Stewart Park Transfer Center
- **Central Ave shared use path**: runs along a portion of the Grand Ave bus route and connects to Shiloh Rd shared use paths

Several non-infrastructure policy and programmatic recommendations were also made, including assessing the feasibility of a city-wide bike and scooter share system, implementing a wayfinding program (this Study, completed Febra), and updating bicycle parking guidelines and requirements (current guidelines have been updated to reflect this recommendation).

EXISTING LOAN-A-BIKE PROGRAMS

The Downtown Billings Alliance (DBA) currently operates a low-capacity bike rental program out of their downtown office located at 116 N 29th Street. The Loan-a-Bike program makes a bicycle available for use, free of charge due to sponsorship from the Downtown Billings Business Improvement District (BID). Typically utilized by people visiting Billings, people can rent a bike by showing up to DBA's office and providing a photo I.D. and credit or debit card (in case of equipment damage). Typically, only a handful of bikes are available for use at any given time. Similarly, the Billings Chamber of Commerce maintains a limited assortment of bicycles that are loaned out to visitors.

Many visitors want to explore Billings' beautiful trail network and see the city by bike. Partnering with the DBA and Chamber of Commerce should be a priority in implementing a bike and scooter share system in Billings.

EQUITY ANALYSIS

A major factor in assessing a study area for bike and scooter share is striving for a system that is accessible to people from all walks of life; a person's access to transportation options either enables or hinders their ability to get to work, buy healthy food, see a doctor, go to school, or socialize with their community. Many communities rely on a variety of modes to connect to basic services and opportunities that are necessary to live productive, fulfilling,and healthy lives. However, convenient, safe, and affordable transportation options are not always available to those who need them the most. These communities, commonly labeled as vulnerable, are vulnerable because of a history of disinvestment, which has led to poor financial, health and housing circumstances, and/or physical or communication limitations. Without appropriate transportation, vulnerable individuals and communities are prevented from fulfilling basic needs.

Often, traditionally vulnerable populations, such as children, older adults, people of color, people with limited English proficiency, and low-income families rely heavily on affordable transportation options, specifically walking, biking and transit.[3] [4] [5] A lack of high-quality walking, biking, and transit facilities can result in unsafe and/or long travel. Uneven distribution of active transportation infrastructure can also result in health, safety, mobility, and economic benefits accruing to those who are more fortunate, while increasing hardships for vulnerable populations. Transportation facilities are essential components in creating communities of opportunity and reducing the disproportionate economic and health burdens of vulnerable communities.[6]

The terms "equity" and "equality" are sometimes used interchangeably, which can lead to confusion. In this analysis, equity is defined as trying to understand and provide disadvantaged communities with what they need to live healthy and productive lives. These needs include access to jobs, housing, and other critical services. Equity recognizes that different people experience different barriers to securing their needs. In contrast, equality aims to ensure that everyone gets the same things to live healthy and productive lives, regardless of need. Working towards equity may mean that active transportation funding is prioritized for areas with greater concentrations of disadvantaged populations instead of being distributed equally based on geography.

Across the country, bike and scooter share program managers have identified the importance of launching a program with equity and inclusion in place from the start, rather than retrofitting equity-focused outreach or expansions to historically-marginalized communities after a program is already established in a high-demand area. Alta's Bike and Scooter Share Equity Analysis utilizes the most current Census data typically associated with underserved populations to identify equity priority areas.

[3] Dannenberg A, Frumkin H, Jackson R. Making Healthy Places. 1st ed. Washington D.C.: Island Press; 2011.

[4] International City/County Management Association. Active Living for Older Adults: Management Strategies for Healthy & Livable Communities.; 2003. http://www.ca-ilg.org/sites/main/files/file-attachments/resources__Active_Living.pdf. Accessed February 11, 2011

[5] Mckenzie B. Modes Less Traveled—Bicycling and Walking to Work in the United States: 2008–2012. Am Community Surv Reports. 2014.

[6] Center for Infrastructure Equity. Transportation Equity. PolicyLink. 2016. http://www.policylink.org/focus-areas/infrastructure-equity/transportation-equity.

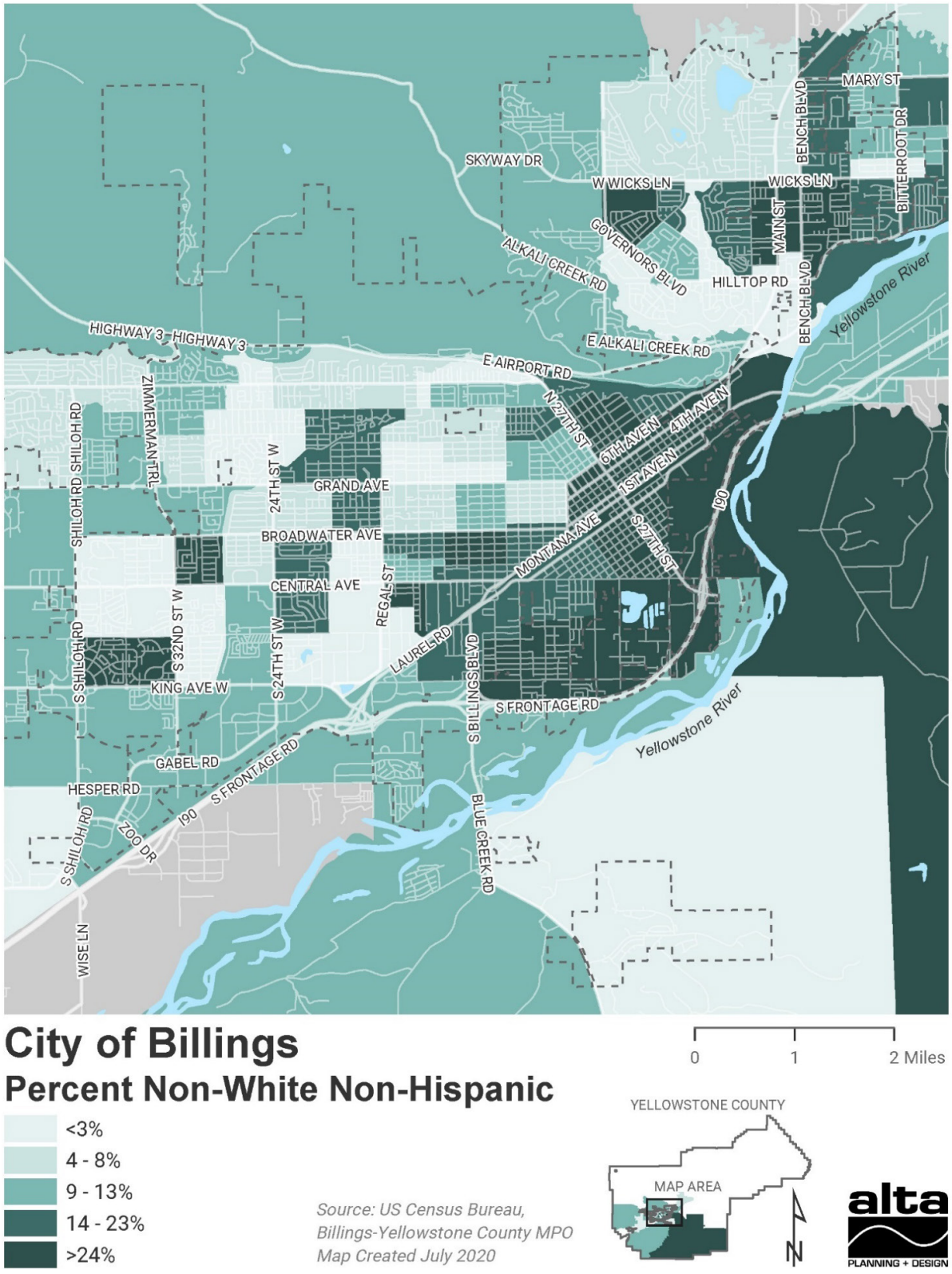
EVALUATION CRITERIA

The project team conducted an equity analysis using readily available demographic information from the US Census Bureau. All data was obtained from the 2018 American Community Survey (ACS) 5-year estimates and was analyzed at the census block group level. For Billings, the following indicators were used:

Race: This was measured using the percent of the population that identifies as non-white, non-Hispanic. Racial or ethnic minorities are more likely to live in areas with poor or limited active transportation facilities, educational opportunities, job resources, and healthy food outlets.[7] [8] Black individuals are over four times and Hispanics are three times as likely to not have access to a household car compared to their white counterparts, regardless of income.[9] Additionally, communities of color are more likely to experience low social cohesion within their residential area because of limited activated public spaces.[10] The deficits of active transportation facilities are consequences of social and institutional marginalization, including job and housing discrimination. In turn, these deficits exacerbate the disproportionate health burdens communities of color experience. Lastly, communities of color experience a greater proportion of pedestrian crashes and have increased risk of mortality after pedestrian injury.[11] [12] Therefore, increasing active transportation facilities and connectivity may promote physical activity, enhance economic opportunities, and increase transportation safety.

[7] Dannenberg A, FrumkinH, Jackson R. Making Healthy Places. 1st ed. Washington D.C.: Island Press; 2011.
[8] Rubin V. Sustainable Communities Series: Regional Planning for Health Equity. PolicyLink. 2015
[9] Berube A, Deakin E, Raphael S. Socioeconomic Differences in Household Automobile Ownership Rates: Implications for Evacuation Policy. Brookings Inst. 2006.
[10] Cutts B, Darby K, Boone C, Brewis A. City Structure, Obesity, and Environmental Justice: An Integrated Analysis of Physical and Social Barriers to Walkable Streets and ParkAccess. Soc Sci Med. 2009;69:1314-1322.
[11] Maybury RS, Bolorunduro OB, Villegas C, et al. Pedestrians struck by motor vehicles further worsen race-and insurance-based disparities in trauma outcomes: The case for inner-city pedestrian injury prevention programs. Surgery. 2010;148(2):202-208. doi:10.1016/j.surg.2010.05.010.
[12] Equity. Vis Zero SF. 2015. http://visionzerosf.org/equity/.

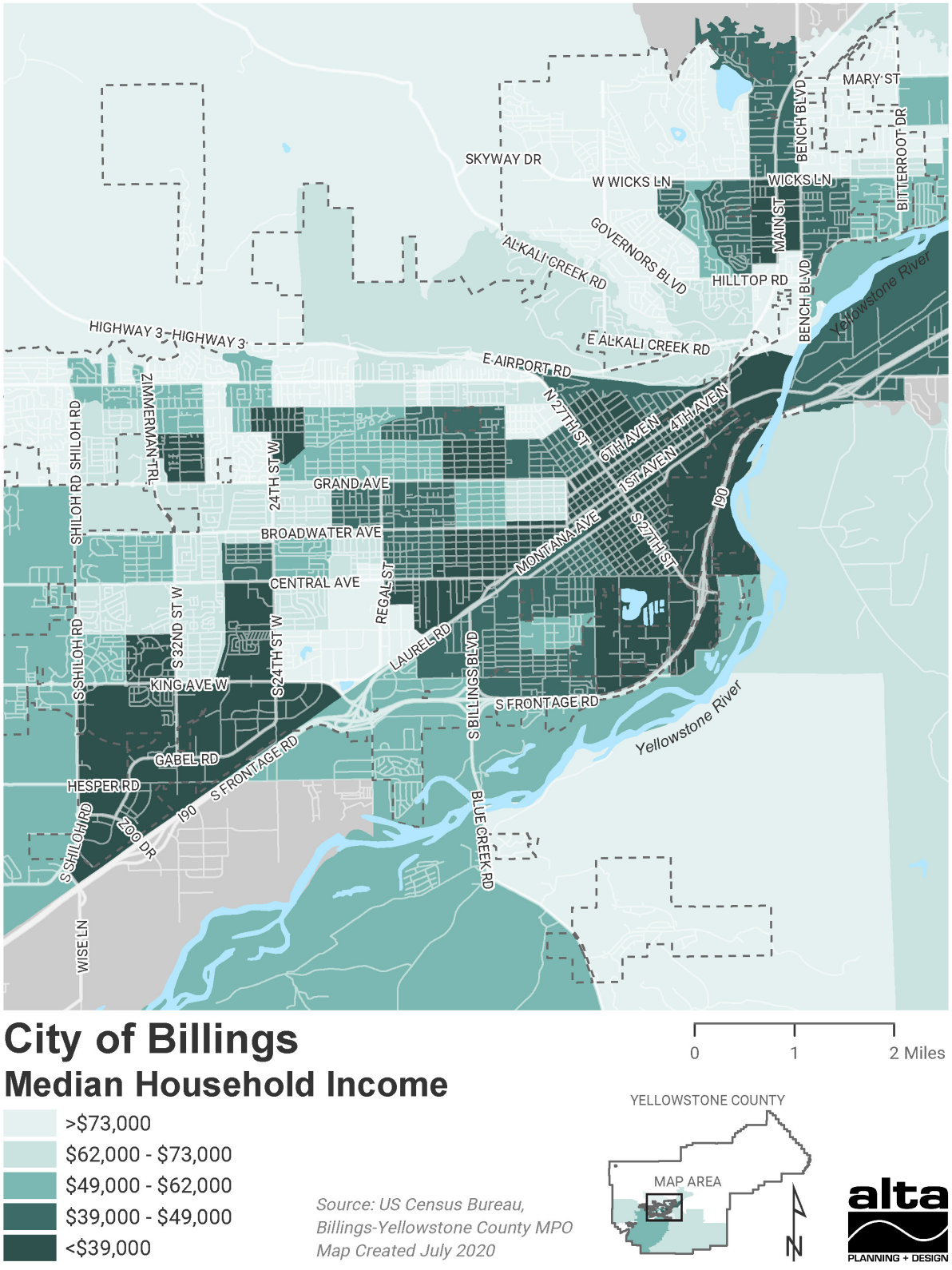
Figure 5-1.


SKYWAY DR
W WICKS LN
WICKS LN
MARY ST
BENCH BLVD
BITTERROOT DR
MAIN ST
GOVERNORS BLVD
ALKALI CREEK RD
HILLTOP RD
BENCH BLVD
Yellowstone River
HIGHWAY 3 - HIGHWAY 3
E ALKALI CREEK RD
E AIRPORT RD
ZIMMERMAN TRL
SHILOH RD SHILOH RD
N 27TH ST
6TH AVE N
4TH AVE N
1ST AVE N
24TH ST W
GRAND AVE
I90
BROADWATER AVE
MONTANA AVE
S 27TH ST
CENTRAL AVE
REGAL ST
S 32ND ST W
S 24TH ST W
LAUREL RD
S SHILOH RD
KING AVE W
S BILLINGS BLVD
S FRONTAGE RD
Yellowstone River
GABEL RD
HESPER RD
S FRONTAGE RD
I90
S SHILOH RD
ZOO DR
BLUE CREEK RD
WISE LN
City of Billings
Percent Non-White Non-Hispanic
<3%
4 - 8%
9 - 13%
14 - 23%
>24%
0
1
2 Miles
YELLOWSTONE COUNTY
MAP AREA
N
Source: US Census Bureau,
Billings-Yellowstone County MPO
Map Created July 2020
alta
PLANNING + DESIGN

Household Income: The median household income in Billings is $57,692. This is slightly higher than the median household income for Montana statewide, at $55,328. Nationwide, households with incomes less than $50,000 have the highest rates of walking and the second highest rates of biking to and from work.[13] These individuals may depend on walking and biking due to financial constraints and lack of adequate and/or convenient transportation options. And although this population is most likely to walk to work, people with lower incomes tend to live in areas without adequate biking and walking facilities and increased exposure to environmental hazards. Boosting active transportation resources in areas where these individuals reside could promote increased access to educational resources and job opportunities, and enhance residents' physical activity.

[13] Mckenzie B. Modes Less Traveled—Bicycling and Walking to Work in the United States: 2008–2012. Am Community Surv Reports. 2014.

Figure 5-2.



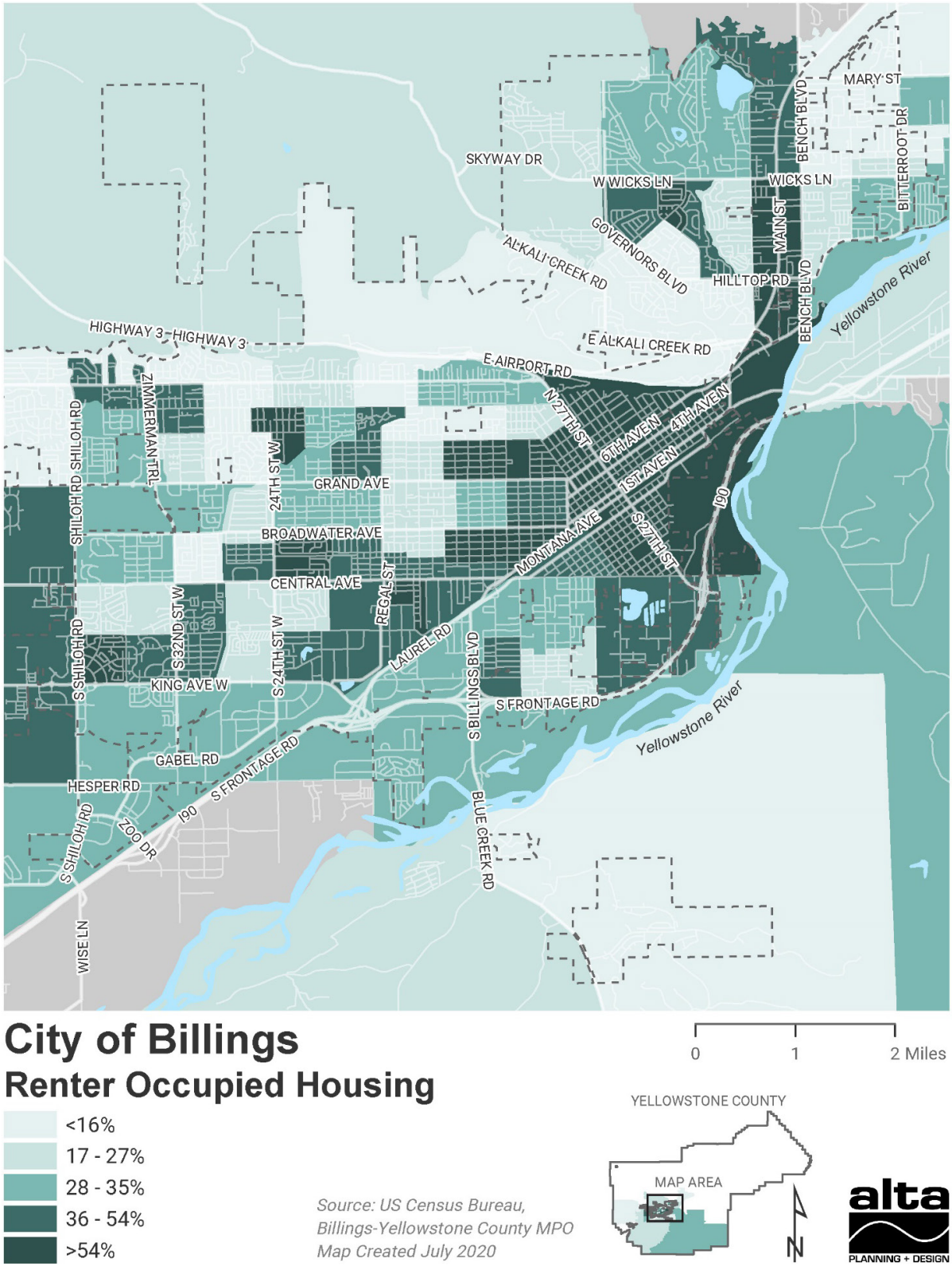
Source: US Census Bureau, Billings-Yellowstone County MPO
Map Created July 2020

Housing Tenure: That housing and transportation costs make up the largest portions of working households' budgets is a well-known reality.[14] Additionally, it has been found that lower-income groups in the rental multi-family market tend to spend higher proportions of their income on transportation costs than their higher-income counterparts. Even in the most location-efficient areas, the lowest income households are still cost burdened, with a high proportion of household income committed to housing and transportation.[15] This analysis therefore compares the distribution of renter-occupied housing units in the city of Billings (**Figure 5-3**).

[14] Center for Housing Policy. "Something's Gotta Give: Working Families and the Cost of Housing". New CenturyHousing, Volume 5, Issue 2, 2004..

[15] City of Portland Bureau of Planning and Sustainability. Housing and Transportation Cost Study. 2010. https://www.portland.gov/sites/default/files/2019-08/housing-and-transportation-cost-study.pdf. Accessed August 3, 2020.

Figure 5-3.

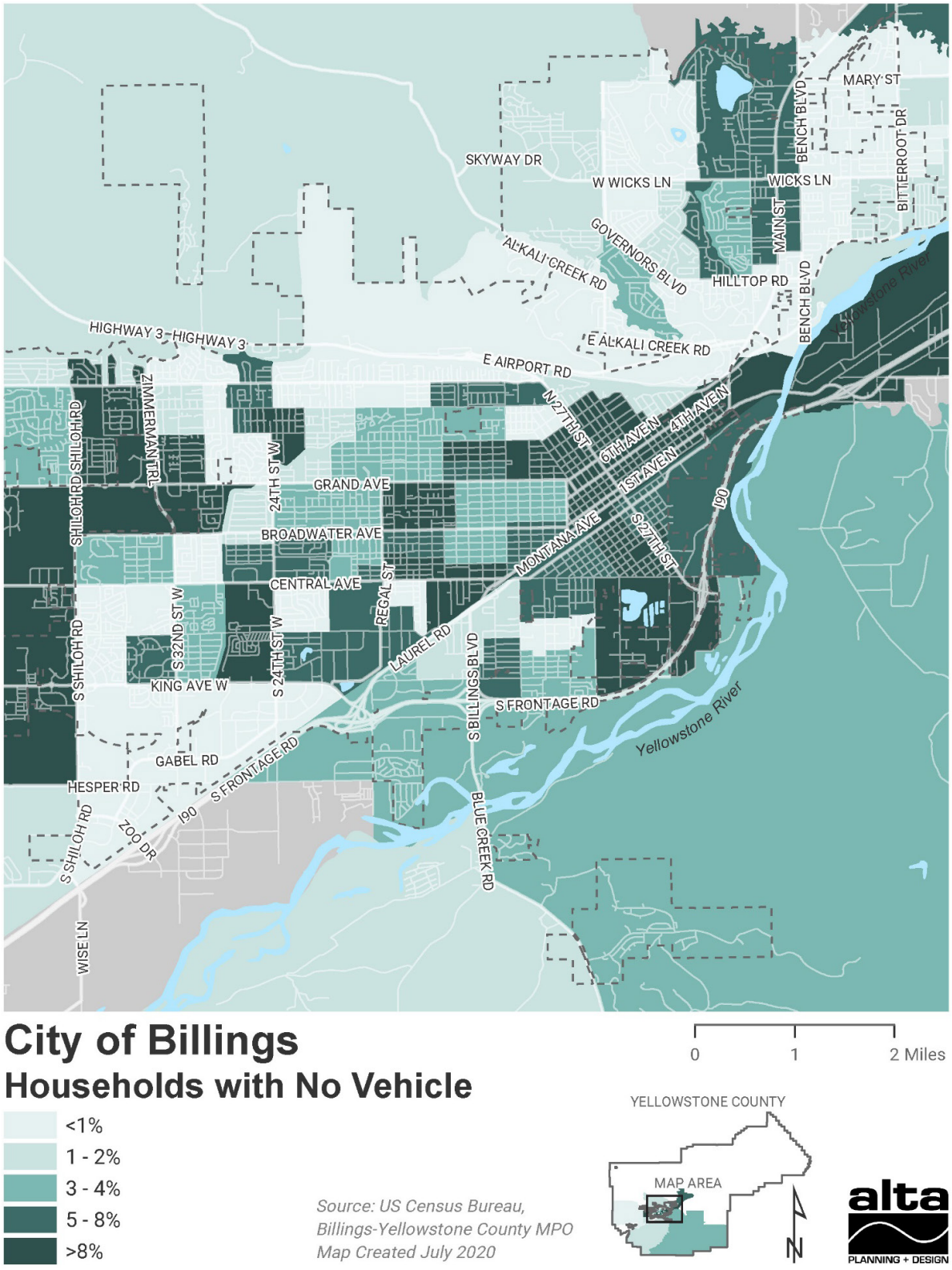


Source: US Census Bureau, Billings-Yellowstone County MPO
Map Created July 2020

Access to a Vehicle: This indicator measures the percentage of household who do not have regular access to a vehicle. In less urbanized locations, specifically those with limited transit access and coverage, access to a motor vehicle carries strong implications for one's ability to reach employment, access healthy foods, and reach basic services.[16] A diverse transportation system that offers multiple modes, including transit, bicycling, and walking, reduces reliance on automobiles and can provide for more equitable access to services.[17] Providing access via quality walking and bicycling infrastructure is one method for increasing equity in access for locations with limited vehicle availability.[18] Studies have also found that access to a motor vehicle improves employment rates, as it provides a reliable means to commute to work.[19] The addition of safe and comfortable walking and biking routes, as well as developing improved connections to transit, have the ability to also serve as a reliable means to commute to work. This has the potential to alleviate the necessity of a motor vehicle to reach employment opportunities.

[16] National Association of City Transportation Officials, (2016). "Bike Share Station Siting Guide." Nacto.org.
[17] Liu R, Schachter H. Emergency Response Plans and Needs of Communities with Limited English Proficiency. Transp Res Rec J Transp Res Board. 2007;2013:1-7. doi:10.3141/2013-01.
[18] Ibid.
[19] National Association of City Transportation Officials, (2016). "Bike Share Station Siting Guide." Nacto.org.

Figure 5-4.



Source: US Census Bureau,
Billings-Yellowstone County MPO
Map Created July 2020

COMPOSITE EQUITY

The composite equity map (**Figure 5-5**) displays the sum of the results from each of the indicators explored above. Each of the four indicators received equal weight in determining the composite equity score. Areas that represent higher need are numbered below:

1. West of S 32ndSt and North of King Ave W in the West End neighborhood

2. Montana Ave –Broadwater Ave –12thSt W triangle in the Central-Terry neighborhood

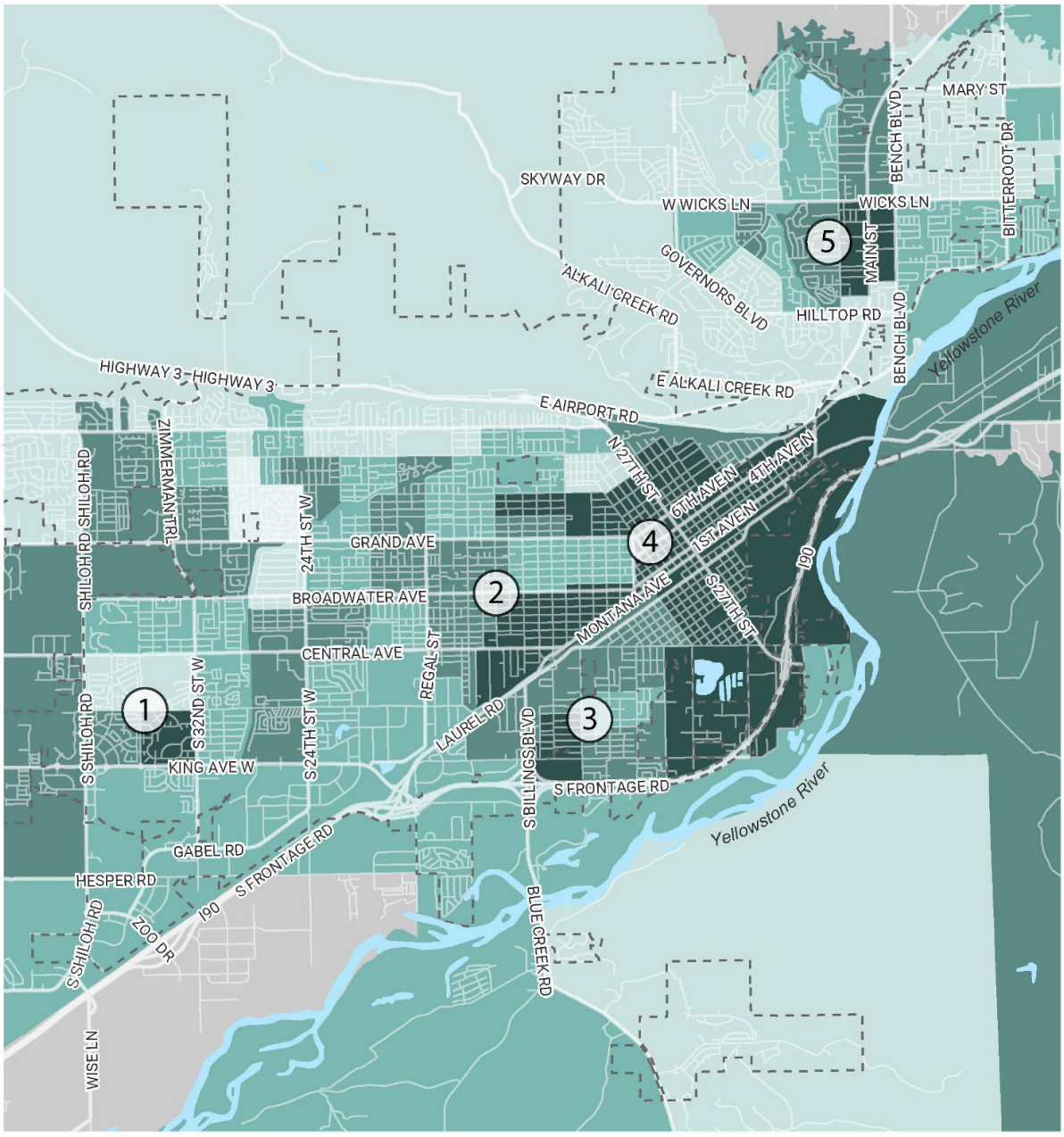
3. East of S Billings Blvd and North of S Frontage Rd in the Southwest Corridor neighborhood

4. Downtown Billings including much of the South Side, North Park and North Elevation neighborhoods

5. Adjacent to Main St north of Hilltop Rd and South of Wicks Ln

Higher relative need is found in the downtown neighborhoods of North Park and South Side. Investing in active transportation facilities in these areas of highest need will likely yield the most benefit for residents' health and access to resources and economic opportunities.

Figure 5-5.



Source: US Census Bureau, Billings-Yellowstone County MPO
Map Created July 2020

EQUITY ANALYSIS RESULTS & DISCUSSION

In this section, we discuss the observed trends in Billings for each of the four evaluation criteria and offer indicator-specific recommendations. **The data for each evaluation criteria were grouped into five categories by percentile in order to compare the magnitude of differences across Billings' census block groups. Each category represents a 20-percentile range. Therefore, the darkest color represents data that are in the 80th percentile and higher (among all census block groups in Billings).** First, the non-white populations range from 0 percent of a census block group to 66 percent in Billings. Higher concentrations of non-white populations are located west of 32ndSt W and north of King Ave W, near Main St south of Wicks Ln and north of Hilltop Rd, and in downtown Billings in the North Park and South Side neighborhoods. Next, median household incomes tended to be further from the downtown core of Billings, with notable pockets of lower income households in the Central-Terry, Southside, North Park, and Heights neighborhoods. The highest concentrations of renter-occupied housing units follow a similar distribution, with more renting households located north of King Ave W, Central Ave, and Grand Ave to the west of downtown, in the North Park and South Side neighborhoods, and adjacent to Highway 87 N north of downtown. Finally, vehicle access appears to be most limited in the downtown core, along with sections north and south of Grand Ave to the west, and north of King Ave west of 24thAve.

RECOMMENDATIONS

Investing in a well-connected biking and walking network should stand as a leading priority for the City of Billings in order to establish an equitable, well-utilized bike and scooter share system. Interventions to enable safe, convenient personal mobility such as sidewalks, separated bike lanes, crossing treatments, speed limit reductions, lighting, etc. should be focused around large employers and key services, such as health care and quality food outlets.[20] Facility planning, designing and implementation should be done with special attention to input and ideas from communities of color.[21]

Additionally, active transportation networks should be considered in areas with limited access to vehicles. Implementation of safe walking and bicycling connections to transit centers can facilitate transit access, while low-stress facilities, such as separated trails, may better connect more rural locations to employment centers, schools, and quality food centers.

[20] Dannenberg A, Frumkin H, Jackson R. Making Healthy Places. 1st ed. Washington D.C.: Island Press; 2011.
[21] Rubin V. Sustainable Communities Series: Regional Planning for Health Equity. PolicyLink. 2015.

BIKE AND SCOOTER SHARE DEMAND ANALYSIS

The Alta Demand Analysis methodology quantifies and visualizes demand for bicycle travel within a specified geography. The planning team conducted an analysis which resulted in a composite demand map (**Figure 5-5**) representing bicycling demand in the Billings area. The analysis is an objective tool and data-driven process that estimates the cumulative demand based on where people live, work, play, learn, and access transit by quantifying origins and destination factors. By utilizing Geographic Information Systems (GIS) to overlay these locations, the model creates a sketch of demand in the study area. This analysis helps to prioritize capital investments, placement of new stations, and identify potential bicycling campaign event sites such as bike to work or open street events. The analysis uses demographic information and urban context data to understand the areas of Billings where bike and scooter share use is likely to garner the highest usage (in terms of trips per device per day). This analysis will help define the optimal bike and scooter share service area and system size for the Billings area.

DEMAND ANALYSIS METHODOLOGY

Bike and scooter share demand incorporates data available from the US Census and is made up of five major inputs:

- Residential density (where people live) [22] [23]
- Employment density (where people work)
- Transit use (where people catch the bus)
- Higher education (where people learn)[24]
- Recreation (where people recreate)[25]

These categories are based on research that looked at the factors influencing bike share ridership, and by proxy, scooter share ridership. In three separate studies, researchers found that population density, employment density, transit commuters, proximity to institutional, commercial, and recreational land uses had a statistically significant correlation with and positive influence on bike share ridership.[26] [27] [28] High demand areas were identified through a heat mapping exercise that allocated points based on where people live, work, take transit, and recreate within Billings. College campuses

[22] Residential, employment, and recreational density was calculated using 2018 data provided by the US Census Bureau's LEHD Origin-Destination Employment Statistics, at the census block level.

[23] It should be noted that residential density does not take into account temporary residents, i.e. those staying in hotels, inns and motels. Hotel, inn and motel employees are included in the recreation density analysis, however, and serve as ade factoproxy for the increased demand that hotels—especially large hotels in walkable, commercial centers—create for bike and scooter share ridership.

[24] This input included the Montana State University-Billings and Rocky Mountain College campuses.

[25] Based on the location of employment specifically related to arts and recreation, restaurants, hotels and retail establishments.

[26] Rixey, R. Alexander. Station-Level Forecasting of Bike Sharing Ridership: Station Network Effects in Three U.S. Systems. 2012. 2013 TRB Annual Meeting <https://nacto.org/wp-content/uploads/2015/07/2012_Rixey_Station-Level-Forecasting-of-Bike-Sharing-Ridership.pdf>

[27] Kim, DJ., Shin, HC, Im, H., and J. Park. Factors Influencing Travel Behaviors in Bikesharing. 2011. 2012 TRB Annual Meeting. <https://nacto.org/wp-content/uploads/2012/02/Factors-Influencing-Travel-Behaviors-in-Bikesharing-Kim-et-al-12-1310.pdf>

[28] Faghih-Imani, A., Eluru, N., El-Geneidy, A. M., Rabbat, M., & Haq, U. (2014). How Land-Use and Urban Form Impact Bicycle Flows: Evidence from the Bicycle-Sharing System (BIXI) in Montreal. Journal of Transport Geography, 41, 306-314.

were also allocated points. A "heat map" was developed to determine where demand for bike and scooter share exists. Colors are set at threshold levels to indicate relative demand within a 1000' by 1000' grid overlaid onto the City of Billings. The accompanying map (**Figure 5-5**) indicates the relative demand for bike and scooter share throughout the city. Areas with the highest potential demand are taken into consideration for deployment of bike and scooter share. These locations will generate the most users and attract the highest value sponsorships, and as a result are the most likely to be financially sustainable.

DEMAND ANALYSIS RESULTS

The map on the following page (**Figure 5-5**) illustrates the results of the Bike and Scooter Share Demand Analysis. Annotations on the map correspond to the notes below.

1. One of the areas with the highest relative demand is the Montana State University-Billings campus. The university provides a combination of high residential density, jobs and transit access. Four bus routes in particular are accessible from the university: the Poly (Rte 24), Crosstown (Rte 3), Met Link (Rte 1), and the Lewis and Clark (Rte T4).

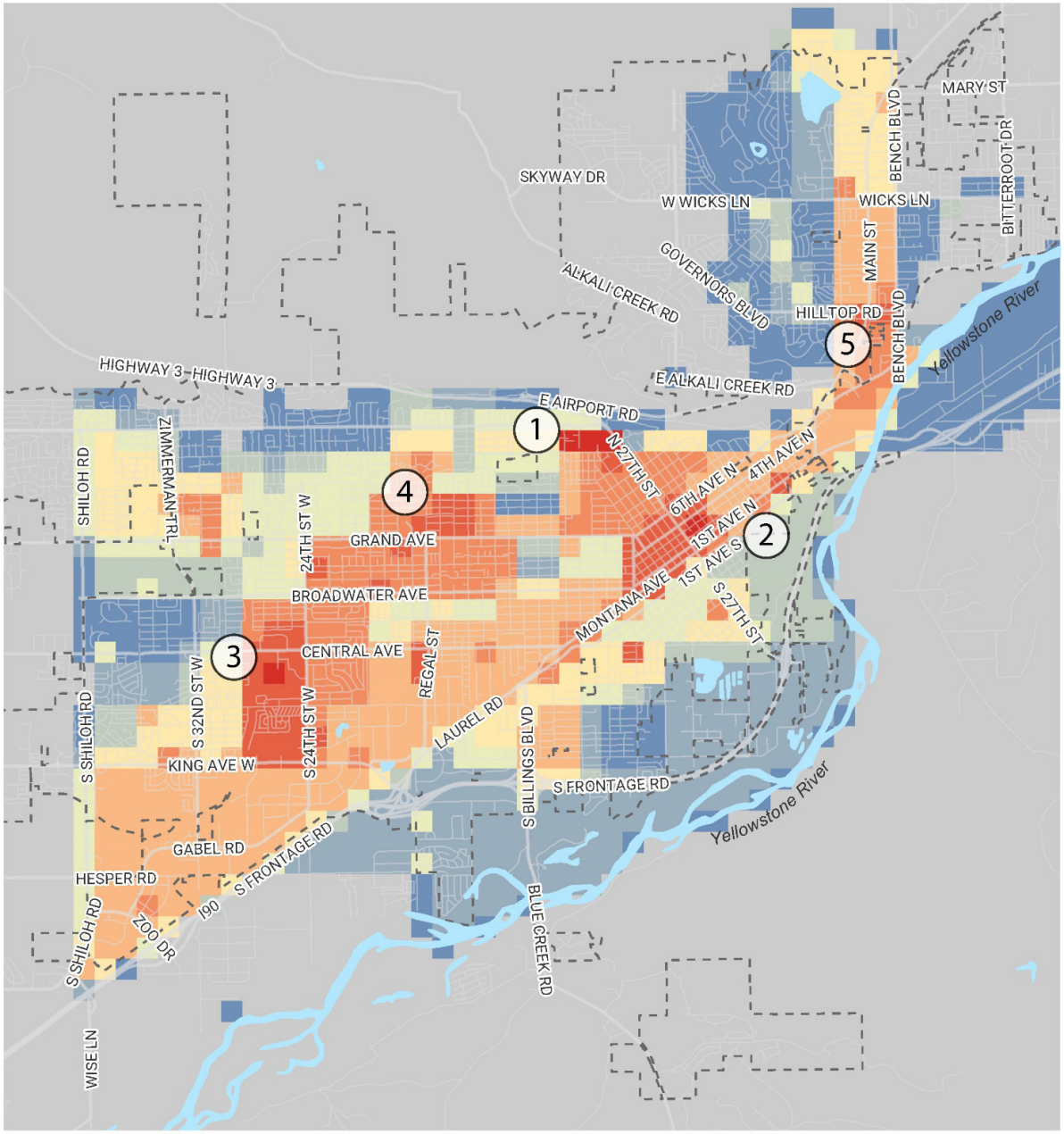
2. Another major source of demand is located in downtown Billings in an area bounded by 4thAve N and 1stAve N to the north and south, and N 27th St and N 23rd St. MET's Downtown Transfer Center falls within this area and is the driving force, in addition to land use and population density, behind the high demand result, as all bus routes are channeled through this transfer center.

3. Next, a high demand area west of downtown is located at Rimrock Mall due to its high employment density. Adjacent to the mall is Stewart Park, which offers significant recreational opportunities for surrounding neighborhoods and is home to MET's second transfer center where most routes converge.

4. The areas adjacent to the intersection of Grand Ave and 15thSt W stand out as another place where bike and scooter share demand is relatively high. The estimated demand score is largely driven by the employment and recreational opportunities near the West Park Promenade and a concentration of bus route time points serving the Grand (Rte 5), Crosstown (Rte 3), and Lewis and Clark (T4) lines.

5. Finally, another region with the City of Billings with a relatively high demand for bike and scooter share is near the intersection of Hilltop Rd and Main St in the Heights. This intersection is the nexus for six bus routes and offers access to a high number of jobs within walking distance.

Figure 5-5.



Source: US Census Bureau, Billings-Yellowstone County MPO. Map Created July 2020

OPPORTUNITIES AND CHALLENGES ANALYSIS

This section outlines some of the current conditions and relevant efforts that have a potential impact on the development and implementation of Billings' bike and scooter share system. Information below is informed by previous planning efforts and conversations with stakeholders such as the Downtown Billings Alliance and MET Transit, and highlights opportunities for a bike and scooter share system to succeed and challenges that may need to be considered.

OPPORTUNITIES FOR BILLINGS

The Steering Committee identified multiple desired outcomes and opportunities for a potential bike and scooter share program in Billings, including a shift to more active modes, progress towards a more equitable and accessible transportation system, and connecting residents and visitors to what the city has to offer. The following are opportunities identified for a potential bike and scooter share program in realizing some of these outcomes:

Enhanced access to transit. MET's fixed route bus system of over 18 routes is a flag stop system, meaning designated bus stops do not exist, and the bus can be flagged down at any corner along the route. Going through the process of identifying the best locations for bike and scooter share stations as part of this study could influence future decisions as to where bus stops are located should MET make plans for designated stops. Combining bus stops with bike and scooter share stations is an effective way to make multimodal trips convenient. Additionally, a strong partnership with MET presents opportunities for fare integration and a convenient platform for users to access both the bus and bike/scooter share systems.

MET involvement in the bike and scooter share system. Other opportunities for bike and scooter share with regards to transit is the potential for transit agency involvement in the funding and operations of the system. Recently distributed funds as part of the 2020 CARES Act should be assessed, along with other MET goals, to see if investment in a bike and scooter share system makes sense. Additionally, it's important to note that currently under review is a House of Representatives Bill H.R. 4001 (as part of the Bikeshare Transit Act of 2019) that would allow Federal Transit Administration (FTA) funds to be used by transit agencies for the purchase of bike share vehicles as well as operations and maintenance of the system.

Downtown daytime trip mode shift. With the Medical Corridor and MSU-Billings in such close proximity to Downtown, a bike and scooter share system presents opportunities for 1) converting short, daytime trips in and around Downtown to active modes and 2) enhancing connectivity to Downtown that might encourage more trips for Downtown retail or dining that otherwise feel too far for walking.

Expanding tourism opportunities. With a growing trail and on-street bikeway network, an effective bike and scooter share system can be leveraged to get visitors out and exploring the city and surrounding natural features, building on efforts already being made by the Downtown Billings Alliance and Billings Chamber of Commerce.

Increasing transportation equity. A well-planned bike and scooter share system presents opportunities for Billings to make its transportation system more equitable for

residents who would benefit the most from choices beyond just personal vehicles and fixed transit. Bike and scooter share also has the potential to provide access to transit for residents who currently live outside the range of MET's transit service by providing another way to make the first/last mile trip that gets them to/from MET transit service.

CHALLENGES FOR BILLINGS

Like any city, elements of Billing's unique character and context may present a challenge to implementing a successful bike and scooter share system. Challenges identified in the study process not only inform the assessment of feasibility, but also shape the decision-making process for a potential system type, service area, and program structure. Key challenges include:

Limited infrastructure for micromobility users. Micromobility users will generally operate like a bicyclist. While the city is making investments in the network of bicycle infrastructure, gaps exist, which may limit the micromobility service area or user access and comfort when traveling in Billings.

Funding limitations. City staff and stakeholders indicated limited capacity to secure funding for both capital and operational costs associated with a bike and scooter share system. Though privately funded, dockless systems started arriving in many cities across the U.S. in late 2017, the companies offering these programs have reduced their footprint significantly over the last several years. During this evolution of the micromobility industry, business models have changed and many companies have narrowed their criteria for desirable markets, shifting resources toward major metro markets. Concurrently, new companies continue to develop within the industry, testing varying approaches to public and private partnerships and serving small and mid-sized markets. Within this context, Billing's population size suggests that public investment will have an important role and that potential private sector operators are limited to a subset of the larger industry.

Community priorities. Secondly, the Steering Committee recognized that there is no existing consensus among residents and elected officials related to the potential value of a bike or scooter share program. Achieving some level of consensus and broadening understanding of bike and scooter share will be important for securing funding in the future and successful implementation.

Climate. Lastly, as Billings is a place that experiences severe weather conditions, especially in the winter, consideration for operations and maintenance will need to be made based on seasons and climate.

VI. RECOMMENDATIONS

OVERVIEW/ SUMMARY OF RECOMMENDATIONS

Chapter 6 includes the Billings Bike and Scooter Share Study recommendations that will inform bike share implementation in Billings. These recommendations build on the community outreach, current conditions analyses, and research conducted over the course of the study. **Table 6-1** highlights the key Bike and Scooter Share Study recommendations regarding system type, governance, and system launch.

Table 6-1.

Key Bike and Scooter Share Study Recommendations

SYSTEM TYPE
Hybrid Bike Share System
Electric-Assist Bikes
SYSTEM GOVERNANCE
Operated by a Private Company
Owned by either the private company ("turnkey") or by City of Billings
Provide Student Fares
SYSTEM LAUNCH
Launch in Initial Service Area including Downtown and MSU Billings
Create Equity Program
Establish Strategic Partnerships

SYSTEM TYPE

RECOMMENDATION: HYBRID BIKE SHARE SYSTEM, WITH OPTION FOR SCOOTERS

The recommended system type for bike share in Billings is a hybrid system. To determine the recommended bike share system type for Billings, the project team used the decision matrix illustrated in **Table 6-2** to understand opportunities and limitations to three major types of shared micromobility systems: docked and hybrid bike share, and dockless scooter share. **Table 6-2** scores each type of micromobility system according to its ability to meet Billing's program goals and other considerations identified as important for the Billings community. Overall, a hybrid system will provide the ideal balance of control and flexibility to meet the needs of the Billings community.

Some hybrid bike share system operators have the ability to offer "mixed fleets," or fleets including bike share and other devices, such as scooter share. Although scooter share is not recommended as the sole micromobility option in Billings, the Bike and Scooter Share Study recommends that Billings consider incorporating scooter share as part of a mixed fleet.

Table 6-2.
System Type Analysis Matrix

GOAL	DOCKED BIKE SHARE	HYBRID BIKE SHARE	DOCKLESS SCOOTER SHARE	DESCRIPTION
Enhances the transit system by expanding access to existing bus routes and linking the transit system to a broader suite of multimodal options	3	3	2	All versions of bike and scooter share systems can support transit, but dockless systems limit the City's ability to link device availability to specific locations (such as transit stops).
Contributes to a more equitable transportation system by reducing the need for personal vehicle ownership	3	3	2	All versions of bike and scooter share can support equity goals if properly implemented; however, geographic equity has been shown to be the best indicator in improving access to underserved communities. A dockless scooter share system without physical hubs or stations would require the operator to manually rebalance the scooters into underserved communities.
Promotes greater participation in active transportation	3	3	2	Assuming thoughtful planning and implementation has occurred, all versions of bike share systems are shown to increase bicycle ridership. Studies of scooter share show that scooters replace some driving trips, but they primarily tend to replace walking and biking trips.

Increases visibility and awareness of alternative transportation modes	3	3	2	While all versions of a bike and scooter system will engender a positive public perception through usage, a dockless scooter system may experience some negative feedback based on difficulties locating the free-floating scooters.
Provides a new way for visitors to explore Billings	3	2	1	All versions of bike share systems are shown to support tourism through improved convenience in accessing visitor destinations. Docked bike share systems are generally easiest for tourists to use because bikes can be rented using the station infrastructure. Hybrid bike systems and dockless scooter systems require downloading an app and linking a credit card, which could be hard for less tech-savvy tourists. Dockless scooter systems without stations also limit the City's ability to link device availability to specific tourism-based locations.
Connects people to what the city has to offer	1	3	2	All versions of micromobility systems are shown to support economic development through improving convenience and user experience in accessing business destinations. Docked bike share systems do not offer full flexibility for users to directly access their destinations. Dockless scooter share systems without stations limit the City's ability to link device availability to specific business-based locations (such as business districts); however, scooters tend to be ridden for longer distances than bikes, which allows users to connect to a higher number of destinations.
Relative cost	1	2	3	Docked bike share systems are the most expensive due to purchasing, permitting, and installing docking infrastructure. Hybrid bike share systems incur some costs for setting up the stations but are cheaper than docked systems. Dockless scooter share systems have very low infrastructure costs. Operations costs of all three types remain relatively similar.
Long-term Sustainability/ Adaptability	2	3	3	Docked bike share systems are more expensive to adjust within a city if demand changes, but the model has proven successful even as the micromobility space has changed over the past decade. Hybrid bike share systems and dockless scooter systems are newer so the model is less-proven, but have less up-front infrastructure costs, which give them more flexibility to introduce new models of bicycles as technology changes.
TOTAL	**19**	**22**	**17**	

RECOMMENDATION: ELECTRIC-ASSIST BIKES

The Bike and Scooter Share Study recommends the system use a fleet of electric-assist bikes. This will support a number of the program goals and other factors covered in the evaluation matrix, including:

- Providing for wider geographic coverage by increasing the comfortable speed and distance of bike share trips for customers
- Expanding geographic coverage and system usability to better serve vulnerable demographics, including low-income neighborhoods and riders with mobility challenges

With an e-bike share system, riders can cover more ground and navigate topography with ease. E-bikes are more appealing to a larger range of potential users of varying physical abilities. In the past few years, electric assist bike share equipment has become less expensive and easier to use. All models require the rider to pedal the bicycle in order to get an "assist" from the electric motor. The top speed for an e-bike share system is approximately 15 miles per hour, after which the regulator cuts off any additional power. Because e-bikes are powered by a battery, they must be recharged on a regular basis. This creates an additional operations step for vendors/contractors who must either swap the batteries or dock the bikes at a recharging station.

SYSTEM GOVERNANCE

RECOMMENDATION: TURNKEY OR PUBLICLY OWNED/PRIVATELY OPERATED

The Bike and Scooter Share Study recommends that the City either solicit a turnkey bikeshare system (owned and operated by a private company) or that the City own the bike share system in Billings and contract to a private operator.

To implement a **turnkey bike share system**, a city hires a company such as Koloni or DropBike to provide "bike share as a service" for a defined amount of time. Instead of purchasing a full fleet of bikes and designing stations, a city rents equipment and contracts with the company for the full range of operations support, including: installation, operations, sponsorship, customer service, and maintenance.

The turnkey model allows a city to implement bike share with limited staff capacity and capital investment, while maintaining meaningful city control. Typically, turnkey systems have a faster timeline for implementation, and many companies offer mixed fleet options so the City could request to include e-scooters alongside bicycles. Turnkey models are common in smaller cities and on campuses.

Alternatively, **the City's ownership of bike share in Billings** would provide its own benefits. A Billings-owned bike share system would be an innovative method of supporting first-and-last mile connections to and from transit, adding to the geographic range and flexibility of transit trips. In addition to supporting transit service goals, owning the City's bike share fleet and hub infrastructure would offer the City the highest degree of

control over system design, station siting, and pricing/payment policy. With proper coordination with MET Transit and bike share integrated into MET's system, transit riders would experience a bike share system operated in-tandem with traditional bus service, including:

- A bike share pricing structure in-line with standard transit fares
- The option of using MET passes to pay for bike share rides
- A bike share system that shares in MET's branding, high standard of service, and responsiveness to customer needs
- Control over advertising and sponsorship opportunities

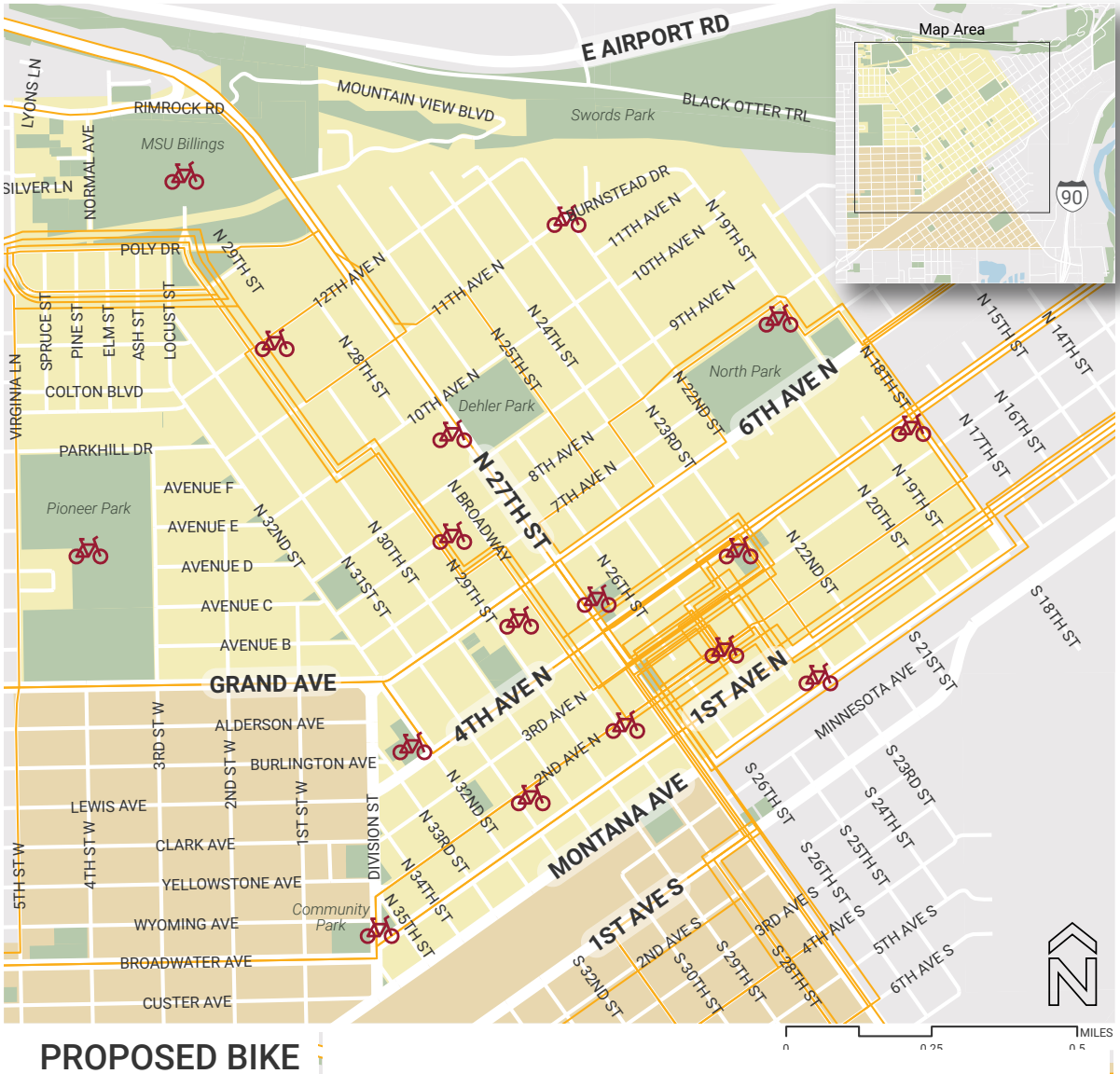
In this instance, **the City would select a bike share vendor to manage the operations of the system.** Private operators can bring extensive knowledge and experience from operating in other cities. Hiring a private operator still allows the City to dictate the terms of bike share service level agreements. The City should require prospective bike share operators to submit their plans for routine maintenance and operations during the bid process, as well as provide evidence of high performance in other jurisdictions.

Operations, Maintenance, and Customer Service

The following contains a list of the major factors to consider when selecting an operator.

- **Re-balancing:** This is a critical aspect of any successful bike share system, as it ensures that people have bikes where and when they want them. The system operator should be able to demonstrate how they will maintain bicycle availability throughout the service area on a daily basis. Additionally, e-bikes necessitate battery charging, so it will be important that the operator is experienced with charging a fleet of electric vehicles.
- **Maintenance:** Ongoing maintenance of bicycles and stations is required for a bike share system to operate smoothly. Maintenance protocols should be included within service agreements between the City and a bike share vendor. Penalties for noncompliance should be included within the agreement to empower public agencies to enforce maintenance procedures.
- **Customer Service:** Operators are responsible for bike share customer service and should have a call center, online portal, and service center to help resolve technical and mechanical issues. The City should request operators meet customer service levels comparable to the City's customer service.

Figure 6-1.


E AIRPORT RD
MOUNTAIN VIEW BLVD
BLACK OTTER TRL
Swords Park
RIMROCK RD
MSU Billings
LYONS LN
NORMAL AVE
SILVER LN
POLY DR
N 29TH ST
SPRUCE ST
PINE ST
ELM ST
ASH ST
LOCUST ST
VIRGINIA LN
COLTON BLVD
PARKHILL DR
Pioneer Park
AVENUE F
AVENUE E
AVENUE D
AVENUE C
AVENUE B
GRAND AVE
ALDERSON AVE
BURLINGTON AVE
LEWIS AVE
CLARK AVE
YELLOWSTONE AVE
WYOMING AVE
BROADWATER AVE
CUSTER AVE
3RD ST W
2ND ST W
1ST ST W
4TH ST W
5TH ST W
DIVISION ST
Community Park
Dehler Park
North Park
BURNSTEAD DR
12TH AVE N
11TH AVE N
10TH AVE N
9TH AVE N
8TH AVE N
7TH AVE N
6TH AVE N
4TH AVE N
3RD AVE N
2ND AVE N
1ST AVE N
N 27TH ST
N BROADWAY
N 24TH ST
N 25TH ST
N 28TH ST
N 30TH ST
N 31ST ST
N 32ND ST
N 33RD ST
N 34TH ST
N 35TH ST
N 29TH ST
N 26TH ST
N 23RD ST
N 22ND ST
N 20TH ST
N 19TH ST
N 18TH ST
N 17TH ST
N 16TH ST
N 15TH ST
N 14TH ST
MONTANA AVE
1ST AVE S
2ND AVE S
3RD AVE S
4TH AVE S
5TH AVE S
6TH AVE S
S 18TH ST
S 21ST ST
S 23RD ST
S 24TH ST
S 25TH ST
S 26TH ST
S 28TH ST
S 29TH ST
S 30TH ST
S 32ND ST
MINNESOTA AVE
Map Area
90
MILES
0
0.25
0.5
PROPOSED BIKE SHARE STATION LOCATIONS
CITY OF BILLINGS
Proposed Station Location
Bus Routes
Initial Service Area
Expansion Area
Parks
Water Body
BILLINGS - YELLOWSTONE COUNTY
MPO
METROPOLITAN PLANNING ORGANIZATION
alta
Map Created Dec 2020

SYSTEM LAUNCH

RECOMMENDATION: SERVICE AREA

This section defines an initial service area for system launch and an expansion service area. Introduction of bike share service in the expansion service area can be accomplished either as a single large-scale system expansion or incremental installation of hubs as funds become available.

As shown in Figure 6-1 on the following page, this plan recommends an initial service area that includes Downtown, MSU Billings, and Pioneer Park. The expansion area expands the service area to the west and south of the initial area. Starting in the initial service area provides the opportunity for residents and visitors to get comfortable with small-scale shared mobility on city streets and build support for bike and/or scooter share and bike infrastructure before it expands to other neighborhoods.

Initial Service Area

The initial bike share launch, illustrated at left in **Figure 6-1**, is recommended to include 140-200 electric-assist smart bikes spread between 17 stations of 5-15 bikes each, depending on the demand and available space within the right of way. The initial service area includes Downtown Billings (north of Montana Ave, west of N 18th St, east of Division Street and east of Virginia Lane), including MSU Billings. The entirety of the initial service area includes areas of high demand and/or high equity scores.

Stations are recommended initially in the following areas (listed approximately from north to south):

- MSU Billings
- Highland Apartments
- Yellowstone Medical Center
- North Park
- Billings Clinic/Dehler Park
- Pioneer Park
- Greyhound Station
- 8th Ave N & N 29th St
- Billings Community Center
- Yellowstone Art Museum
- Billings Public Library
- MET Downtown Transfer Center
- Skypoint (2nd Ave N & Broadway)
- Commercial area along Montana Avenue
- Billings YMCA
- Wise Wonders Science Museum
- Community Park

However, station locations may be adjusted as bicycle facilities — particularly protected facilities — are built. It is preferable to locate bike share stations near bicycle facilities to facilitate safe and comfortable bike trips. Stations may also be added in cases where trails or routes are built and high ridership is expected; for example, there is a proposed trail north of downtown below the Rimrocks. Construction of this trail may warrant the addition of another station in the northern portion of the initial service area.

Expanded Service Area

The proposed expansion service area would expand the system outward from its initial service area. Key destinations in the expanded service area would include:

- Residential areas south and west of downtown, including areas with high equity scores
- South Park
- Terry Park
- Highland Park
- Moss Mansion Museum

It is not necessary to expand all at once. The timing and size of the expansion should consider the following factors:

- **Ridership:** High system ridership may indicate the system is ready to expand.
- **Funding:** Identifying additional funding from sponsorships, grants, or operational funding will be necessary to determine the timing and size of system expansions.
- **Infrastructure:** as new bike infrastructure is implemented, system expansions could be coordinated with the arrival of new facilities that provide safe connections for people bicycling.
- **New Indicators of Demand:** Bike share system expansion could be implemented to respond to new development, changes in land use, or expansion of transit service.

ESTIMATED SYSTEM COSTS & REVENUES

The following section estimates the costs and revenues of a bike share system based on the recommended system type and size **(see Table 6-3)**. The actual costs and revenues of the bike share system will vary depending on the selected vendor, specific equipment, pricing structure and usage. These figures provide conservative estimates using current data from the industry. Though the events of the 2020 year have brought major change and uncertainty, the direct costs of bike share system equipment and operations are not expected to shift significantly. The following section describes the two major types of costs associated with bike share systems: start-up costs and operating costs.

Start-Up Costs

This category includes both capital and launch costs.

- **Capital costs** are the costs associated with the purchase of equipment including bikes, transaction kiosks (if present), map frame panels and docks.
- **Launch costs** are mostly one-time costs that include up-front costs such procuring a service center and storage warehouse, purchasing bike and station assembly tools, station installation, website development, communications and IT set-up and pre-launch marketing.

Operating Costs

Operating costs include those required to operate and maintain the system. This includes staff (may be a combination of City and/or vendor staff) and equipment related to:

- **Station maintenance:** Including troubleshooting any technology problems with the kiosk or docking points, cleaning and clearing the station, removing litter and graffiti, etc.
- **Bike maintenance:** Including regular inspection and servicing of bikes as well as maintaining equipment inventory, etc.
- **Re-balancing:** Staff time and equipment associated with moving bikes from full to empty stations and vice versa. This is typically a problem associated with peak demand at commute periods and during events. Re-balancing costs can be mitigated through the use of pricing that encourages riders to return bikes to priority stations or to stations low on bikes.
- **Customer service:** Providing a responsive customer interface for inquiries and complaints as well as performing marketing and outreach to new and existing customers.
- **Direct expenses:** Such as maintaining an operations facility, purchasing tools and spare parts, upkeep of software, communications and IT, administrative oversight, and general administrative costs such as insurance and membership database management.

Estimated System Cost

Most vendor/operators price out a system with a per-bike cost for launch, capital costs, and operations. Based on current industry data, Alta estimates bike share costs for an electric-assist hybrid bike share system in Billings to be:

- Capital: $3,000/bike
- Launch: $2,000/bike
- Operations: $2,000/bike/year

Table 6-3.

Hybrid Electric Bike Share 3-Year Cost Estimate Without Phase 2 Expansions

YEAR	0	1	2	3	0-3
# of Stations	17	17	17	17	17
# of Bikes	150	150	150	150	150
Launch Costs ($2,000/bike, est.)	$300,000	$0	$0	$0	$300,000
Capital Costs ($3,000/bike, est.)	$450,000	$0	$0	$0	$450,000
Operations Costs ($2,000/bike/year, est.)	$0	$300,000	$300,000	$300,000	$900,000
Costs Sub-Total	**$750,000**	**$300,000**	**$300,000**	**$300,000**	**$1,650,000**
Costs Cumulative	**$750,000**	**$1,050,000**	**$1,350,000**	**$1,650,000**	
Estimated "Farebox Recovery" Rate	N/A	30.00%	32.50%	35.00%	N/A
User-fees	$0	$90,000	$97,500	$105,000	$292,500
Annual Need	($750,000)	($210,000)	($202,500)	($195,000)	($1,357,500)
Cumulative Need	($750,000)	($960,000)	($1,162,500)	($1,357,500)	

Using this data, the conservative estimate for a bike share system in Billings with 17 stations and 150 electric-assist bikes would require $300,000 in launch costs, $450,000 in capital costs, and an annual operating cost of $300,000. The system would cost $1.6 million to purchase, launch, and operate for three years.

Revenue: User Fees

The revenue sources for bike share come from user fees, sponsorship, advertising and public funding. User fees include the fees bike share patrons pay for memberships, along with any overtime fees. A key factor to determine revenue through user fees is the "Farebox Recovery Rate" (FRR). The FRR is the percentage of the system's operating costs expected to be covered by user fees.

In bike share systems similar to the recommended system and in cities of similar sizes to Billings, the FRR ranges from 20 - 40 percent. Assuming an FRR of 30 percent, the user fees for bike share in Billings are expected to be approximately $90,000 in the first year of operation. The FRR is expected to grow over the first three years as more users join the system.

Considering the FRR, the annual operating gap (costs minus revenues) can be estimated at around $200,000 per year. This funding may be secured through a variety of sources, including a combination of sponsorship revenue, and state and federal grants. See the Funding Sources section of this report for more information on funding opportunities.

RECOMMENDATION: ESTABLISH STRATEGIC PARTNERSHIPS

Community buy-in is important for long-term bike share stability in Billings. Establishing collaborative partnerships with other agencies, community-based organizations, universities, and other relevant groups will help build support for the system, increase ridership, raise funding, and more.

The role of a partner organization varies based on that organization's role in the community, but may include:

- Direct sponsorship
- Assist with sponsorship solicitations
- Provide subsidized memberships
- Education, marketing & promotion
- Assist with enrollment (particularly into a low-income program)
- Creation and distribution of tourism materials
- Assist with station siting
- Coordinating bike infrastructure upgrades
- Data sharing

The types of organizations that a bike share program will partner with can vary, but may include:

- Local and regional municipalities
- Local and regional transportation agencies
- Parks districts
- Public health agencies
- Universities and colleges
- Tourism bureaus
- Chambers of commerce
- Business improvement districts
- Community-based organizations that serve marginalized communities
- Religious organizations
- Bicycle advocacy organizations
- Environmental organizations
- Hospitals, clinics, and other healthcare facilities

RECOMMENDATION: CREATE AN EQUITY PROGRAM

The Bike and Scooter Share Study researched bike share equity initiatives from bike share systems across North America. The City should include the following elements in the Billings bike share system:

- **Income-based Discounts:** The vast majority of bike share systems that pursue equity goals, regardless of size, have plans that address the financial barriers to users. Income based-discount and cash payment options are key strategies to include lower income bike share riders who may not have access to credit or may not be able to afford the transportation service at the standard fare.
- **Cash Payment:** Over the past couple years, many bike share providers, both public and private, have implemented cash payment options where users can go to designated locations to add cash to their accounts. Reload locations are often social service providers, bike share offices, and local grocery/convenience stores.
- **Alternative Payment Structures:** Beyond income-based discounts and cash payment options, bike share systems should consider other alternative payment structures in order to reduce the financial barriers to entry. For example, rather than offering either a year-long pass or weekly passes, bike share providers could consider offering monthly passes which cater to regular users who can't afford the high total cost of a year-long pass or the high per-trip cost of a weekly pass. Additionally, providing longer rental times can alleviate fears of overage charges.
- **Reduce Liability and Eliminate Hidden Fees:** Some bike share systems require a deposit or have steep fees for lost or stolen bikes. Eliminating these fees across the board or just for lower income users can make people feel more comfortable using the system.
- **Targeted Marketing:** Targeted marketing is any content that increases awareness of the bikeshare among demographics and populations that may benefit from additional outreach. This is a key way providers pursue equity goals. Targeted marketing should reflect the diversity of the area the system serves. It should reinforce the idea that the system is for people who live in Billings, and not just visitors looking for recreational amenities. Successful content is created for (and often with the help of) specific groups and communities the bike share hopes to engage. These strategies could include: ambassador photo shoots, press releases, social media, billboards, bus-stop displays, bike station panels, flyers, emails, custom painted or sponsored bikes by community partners. Regardless of marketing strategy, it is recommended that the content is produced in the languages and located in the places that the target population occupies.

Page Intentionally Left Blank.

VII. NEXT STEPS

FUNDING SOURCES

Funding from both public and private sources have been used to fund bike and scooter share systems across North America. Numerous public funding options are available for bike sharing in the United States, but the most common are federal grants issued by agencies such as FHWA, FTA, or CDC, state grants, and local transportation funds. The FHWA provides a summary of public funding sources in its guide to Bike Sharing in the United States (Federal Highway Administration, 2012). Additionally, various state and regional funding opportunities exist for bicycle and pedestrian infrastructure in Montana, for which bicycle and scooter share could be eligible **(Table 7-1).**

Table 7-1.

Potential Bikeshare Funding Sources

FUNDING OPPORTUNITY	ELIGIBLE PROJECT TYPES	LEAD AGENCY	FUNDING SOURCE DETAIL
Surface Transportation Block Grant Program (STBGP)	Bicycle and Pedestrian improvements, among others.	MDT and MPO	With the passage of the 2016 Federal Transportation Bill, Fixing America's Surface Transportation Act (FAST Act), the former Surface Transportation Program (STP) has become the Surface Transportation Block Grant Program (STBGP), which now includes Transportation Alternatives Program funding (described below). Billings- Yellowstone County Metropolitan Planning Organization (MPO) accepts concept reports for consideration of programming funds. This program has a state and an MPO component.
Community Transformation Grants	Bicycle and Pedestrian Infrastructure and Programs. Projects and programs aimed at increasing physical activity	CDC	Community Transformation Grants, administered through the Center for Disease Control (CDC), support community–level efforts to reduce chronic diseases such as heart disease, cancer, stroke, and diabetes. Active transportation infrastructure and programs that promote healthy lifestyles are a good fit for this program, particularly if the benefits of such improvements accrue to population groups experiencing the greatest burden of chronic disease.
Federal Transit Administration (FTA) Funding	Bicycle and Pedestrian infrastructure. Project must enhance or be related to public transportation facilities	FTA	Multiple FTA funding sources exist. Most FTA funding can be used to fund pedestrian and bicycle projects "that enhance or are related to public transportation facilities." Currently under legislation is House Bill 4001 (as part of the Bikeshare Transit Act of 2019), which would allow for the purchase of vehicles as well as the operations and maintenance for bike/scooter share systems.
Statewide Transportation Improvement Program (STIP)	Transportation projects, including bicycle and pedestrian infrastructure	MPO and MDT	The Statewide Transportation Improvement Program (STIP) is MDT's short-term capital improvement program, providing project funding and scheduling information for the department and Montana's metropolitan planning organizations. The MDT, as well as the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) approve the STIP.

Metropolitan Planning Organization Transportation Improvement Program (TIP)	Transportation projects, including bicycle and pedestrian infrastructure	MPO	The 2017 Billings Area Bikeway and Trails Master Plan update recommends that the City and County and its partners continue to work closely with MPO to ensure pedestrian, bikeways and transit improvement projects recommended in the plan (which includes a bike share system) are listed in the TIP.
Maintenance Districts	Maintenance, Capital Improvements List projects	City of Billings	Street and park maintenance districts are used to pay for maintenance expenses, which could potentially include bike share facilities.

ADVERTISING AND SPONSORSHIP REVENUES

There is a subtle difference between advertising and sponsorship. Advertising includes a contract with a company to provide a regularly changing graphic display and message, which could be independent of the bike and scooter share station or other street furniture. The advertiser or message may not be associated with bike sharing or bicycling in general. Sponsorship typically involves a longer-term relationship between the sponsor and the vendor, where stickers are put on the infrastructure (bikes, stations, or website) with a logo or statement that "Company X supports Billings bike/scooter share".

Sponsorship provides a significant funding opportunity in Billings. Potential major partners include MSU-Billings, St Vincent Healthcare Center, or the Billings Clinic. Experience in other cities has shown that companies are generally interested in sponsorship for its positive impression and "good corporate citizen" benefits as much as for its media exposure.

These entities may also gain value from subsidizing memberships for their employees or students. In particular, this presents a good opportunity for MSU-Billings or Rocky Mountain College. Experience in other cities has shown that rates of bike and scooter share use by college students are significantly higher when the membership fee is included in student tuition and fees.

In Billings, advertising and sponsorships within the City's right-of-way are regulated by the Public Works division. While obtaining permission from Public Works to allow advertising and sponsorship on the bike and scooter share system seems likely, it is important to note the nuances of sponsorships. Specifically, if the City were to take on full responsibility for the operations of a bike and scooter share system and sponsorships were to be permitted, the City would then be liable to allow any interest group to act as a sponsor. Conversely, if a third party were to operate the system, sponsorship applicants can be rejected by said third party.

The value of sponsorship will vary significantly between cities and the level of branding. It is possible that sponsorship in the range of $5,000 to $15,000 per station per year is achievable in Billings based on experience in other cities:

- Nice Ride Minnesota obtained approximately $5,500 per station per year for presenting sponsorship from BlueCross BlueShield (this does not include additional station sponsorship sales that would increase this rate).

- Denver B-cycle reported sponsorship of approximately $11,700 per station in 2011.
- Citibank paid approximately $13,500 per station per year for exclusive sponsorship of New York's bike share system.
- Hubway in Boston obtained over $16,500 per station per year for station sponsorship from various sources ranging from New Balance to Harvard University to individual developers.
- CoGo in Columbus OH received $8,333 per station per year for station sponsorship by the Medical Mutual company
- GREENbike in Salt Lake City received $25,000 per station for a three-year term ($8,333/year) and received sponsorship for 8 of the inaugural ten stations

There are generally four approaches to sponsorship described on the following page in **Table 7-2**.

It should be noted that most systems have not been able to procure enough sponsorship dollars through title sponsor arrangements to cover the up-front capital costs of bike and scooter share (New York and London are the notable exceptions). Some systems have secured sponsor dollars to match government grants, while others have found success by launching first, then bringing in sponsors to help sustain or expand. Examples are Chicago's Divvy Bike Share (after one year, they secured sponsorship from Blue Cross Blue Shield of Illinois) and Columbus Ohio's CoGo Bike Share (after one year, they secured sponsorship from Mutual Medical.) Denver B-cycle and numerous other B-cycle systems have been successful at bringing in numerous small-scale and station sponsors to supplement user revenues, grants, and government funding. All of these have involved high-level political leadership to procure the sponsorships.

Nonprofits such as the Indianapolis Cultural Trail (which manages the 250-bike Indiana Pacers Bike Share system which launched in 2014) have been very successful at using a combination of sponsor dollars and foundation grants to both launch and help fund operations. The key to success is having deep-pocketed, community-connected foundations, high-level political support, and local leadership.

Table 7-2.

Common Bike and Scooter Share Sponsorship Models in the United States

SPONSORSHIP MODEL	DESCRIPTION	ADVANTAGES	DISADVANTAGES
Title Sponsor	This can be a single sponsor that pays for full branding of system infrastructure (e.g., London or New York) or multiple sponsors that split the cost in exchange for proportional branding (e.g., Boston or Toronto). **Commitment is typically a 3-5 year period.**	Title: One-time sale of sponsorship Known timeline and full "occupancy" Consistent and recognizable branding	Often difficult to secure sponsor given the large investment Less opportunity for smaller businesses to get involved Competing brands can conflict certain tenants or nearby businesses
Presenting Sponsor(s)	Sponsor(s) pays for branding of certain parts of the infrastructure e.g., Hubway (Presented by New Balance), Nice Ride (Presented by Blue Cross Blue Shield of Minnesota), Pronto Emerald City Bike Share (Presented by Alaska Airlines.) **Commitment is typically a 3-5 year period.**	System branding with sponsors allows for future flexibility A strong, active sponsor adds marketing and outreach value Opportunities for businesses of all sizes to be involved Solid funding stream to complement user fees and government investment Can bring in multiple sponsors	Significant effort required to secure and retain sponsors Not enough money to fully fund system, typically
Station/Hub Sponsors	This model sells sponsorship opportunities on system infrastructure, e.g., Denver Bike Share sells logo placement on a station kiosk plus 10 bikes for $30,000 per year or discounted for multiple years. **Commitment is typically a 3 year period.**	Opportunities for businesses of all sizes to be involved Opportunity to value sponsorship by station demand	Income relies on uptake of a certain amount of sponsorship each year Significant effort required to secure and retain sponsors
Other sponsors	Numerous options available, such as one-time sponsors (e.g., Volkswagen paid for day-passes in Chattanooga for a weekend), product partners, media sponsors, and other ideas. **Commitment is typically a 1-3 year period.**	Opportunities for businesses of all sizes to be involved Builds strength in community by valuing bike and scooter share	Significant effort required to secure and retain sponsors

FUTURE CONSIDERATIONS

ADAPTIVE BIKES

Offering alternate bicycle types could expand the number of people who are interested in utilizing bike share in Billings. The system's mobile application should indicate the presence of these types of bikes and their roll-out should be accompanied by a minimum of one email newsletter to system users. Additional press leading up to and following the launch is recommended. Adaptive bike share is often provided as a complementary program managed by additional partners and is available from staffed locations where bikes are checked out for round-trip use (returned to the same location).

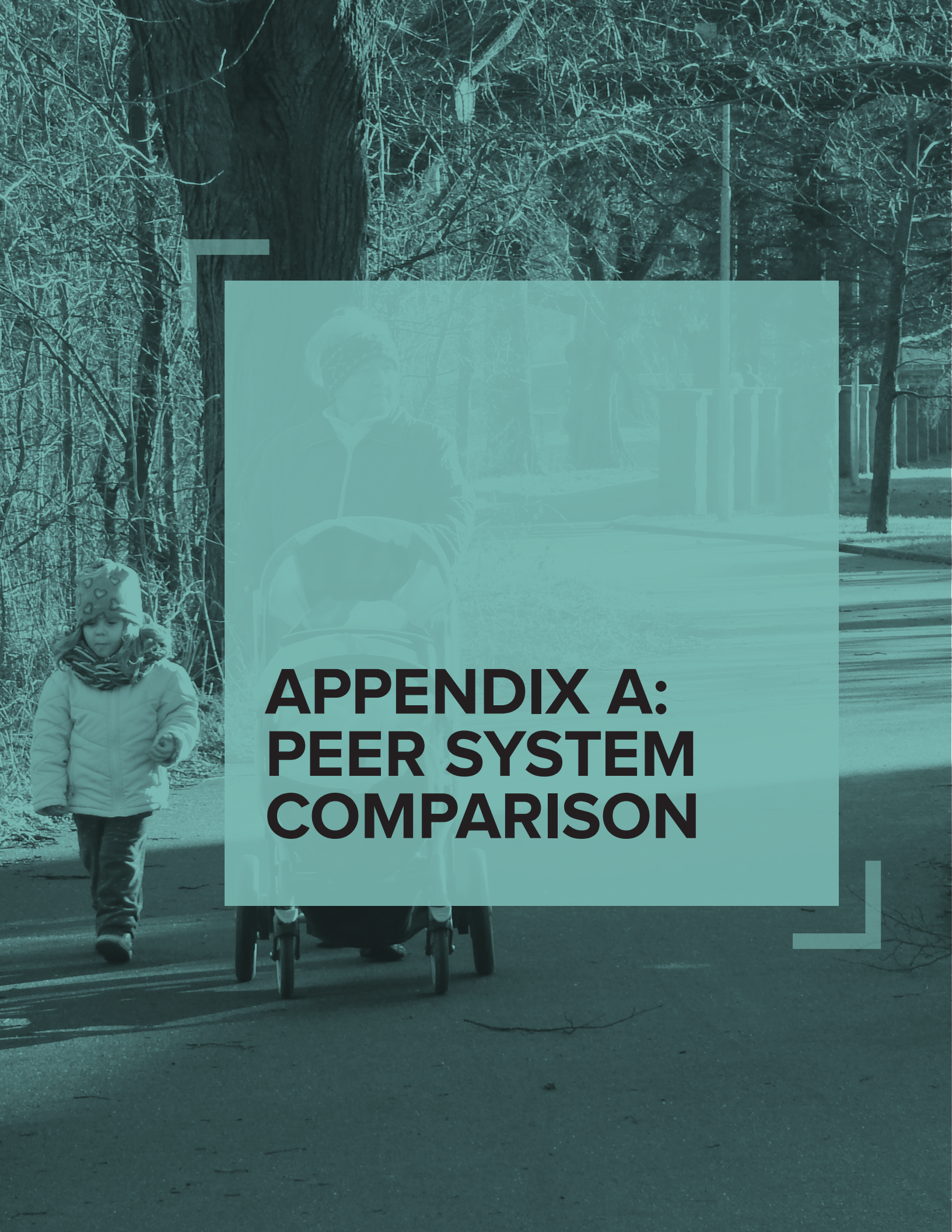
- **Cargo bikes:** Two- or three-wheeled cargo bikes could improve the system's functionality, since most bike share models offer relatively limited carrying capacity. They could also present a sponsorship opportunity for local hardware, garden, or similar retail establishments.
- **Adaptive cycles:** Including upright leg tricycles, recumbent leg tricycles, hand pedal cycles, or side-by-side tandem bike share units can improve the accessibility of bike share for riders with mobility challenges and disabilities.

DATA COLLECTION AND EVALUATION

Bike share data collection has the potential to improve user experience by providing information about where bikes are available throughout the system. Data collected from users also has the potential to improve overall system delivery by allowing public agencies or private vendors to analyze usage trends and respond to customer desires and needs. Despite these benefits, data collection should be anonymized to protect users' privacy. User data should not be shared with third parties.

Raw ridership data provided to public agencies should, at minimum, include trip date and time, point of origin/destination, length of trip (in miles), and duration of trip (in minutes). Data aggregated on a monthly basis should, at a minimum, include average number of trips per day, origin and destination locations (presented in a mapped format), average trip distance, average trip duration (in minutes), average number of unique riders per day, average number of trips per unique rider per day, location and details of all reported crashes involving bikes, location of each complaint, nature of each complaint, description of vendor response, and vendor response time for each complaint.

Using data to inform bike share operations is essential to achieving successful outcomes for program goals. Tracking key metrics help bike share providers understand how, where and when the system is being used, and by whom. The insights gained by monitoring specific data metrics inform how best the system can improve, and can help attract additional funding from local officials, grants, and community sponsors. Analyze the data at regularly scheduled intervals to understand patterns in usage, what is working well, and what needs to be improved.



APPENDIX A: PEER SYSTEM COMPARISON

The following tables summarize a variety of implemented bike share systems in communities similar to Billings in population size, geographic region, or climate. Listed in order of population size from smallest to largest, these systems have been adapted to best serve the unique communities they operate in.

Boulder B-Cycle

LOCATION:	BOULDER, CO (POPULATION 107,355)
OWNER/OPERATOR:	Boulder Bike Sharing
START OF SERVICE:	2011
SYSTEM TYPE:	Docked
NUMBER OF STATIONS/HUBS:	47 stations
NUMBER OF BIKES:	300 bikes

Boulder's BCycle system is dedicated to providing residents, commuters and visitors with an affordable, convenient and sustainable transportation option. The system is owned and operated by Boulder Bike Sharing, a nonprofit founded for the purpose of implementing and operating the program. Boulder Bike Sharing utilizes BCycle as its equipment vendor and software provider via licensing agreement. Boulder Bike Sharing purchased the initial equipment using capital grants secured by the City of Boulder, and receives annual funding from the City that funds a portion of the annual operating costs. The remainder of the costs are paid for by user fees, sponsors, and grants.

Since the system's inception in 2011, annual trips in Boulder have steadily increased from under 20,000 trips per year to more than 108,000 trips in 2018. The docked system has stations located throughout the city, and offers four pass varieties to meet the needs of a wide range of users.

Great Rides Bike Share, Fargo

LOCATION:	FARGO, NORTH DAKOTA (POPULATION 122,359)
OWNER/OPERATOR:	Great Rides Bike Share Inc. (BCycle system)
START OF SERVICE:	2014
SYSTEM TYPE:	Docked
NUMBER OF STATIONS/HUBS:	11 stations
NUMBER OF BIKES:	100 bikes

Fargo's Great Rides Bike Share system operates seasonally with aims of serving North Dakota State University's student population. System design and management heavily prioritizes reducing barriers to entry for NDSU students, who are automatically enrolled in program membership through mandatory student fees. Students activate bikes with their student ID cards. This integration and partnership with the University has led to system success, with students taking 90% of all bike share trips and each bike averaging 6-7 rides per day. Similar to Billings, Fargo experiences extreme winter weather.

Topeka Metro Bikes, Topeka

LOCATION:	TOPEKA, KANSAS (POPULATION 126,597)
OWNER/OPERATOR:	Topeka Metro (Social Bicycles system)
START OF SERVICE:	2015
SYSTEM TYPE:	Hybrid
NUMBER OF STATIONS/HUBS:	143 hubs, 17 main stations
NUMBER OF BIKES:	Unknown

Topeka Metro Bike manages its bike share system through Social Bicycles, a service by JUMP that offers hardware and software services to communities seeking to implement and manage bike share systems. Topeka Metro Bike expanded to over 300 units in 2018. Bikes feature integrated locks that allow riders to park at standard bike racks. The system also utilizes bike share hubs of varying capacity. The system offers a $2 reward for returning bikes to a hub and a $3 out of hub fee for parking bikes away from a hub location. Users who park bikes outside of the service area are charged a $20 fee. The highest density of hubs is located in downtown Topeka (where all bus routes eventually converge at Quincy Street Station) and at Washburn University's campus. Affiliates of the university and employees of the City may use the system for free, while other users have the option of paying 5 cents per minute, $5 per month (for 2 hours of daily time), or $25 annually (for 2 hours of daily time).

While Metro Bike's system does offer hubs near high boarding/alighting stops, the mobile app and payment options do not integrate transit routes, schedules, or fares. Topeka Metro's 2019 budget summary indicates that funding for the administration, maintenance, and operation of Metro Bikes comes from the same revenue pools dedicated to the provision of bus service. This has created a funding conflict between bus service enhancements and bike share provision, which costs roughly $284,000 a year for Metro to operate and brings in only around $108,000 in revenue annually. Metro has voted to end bike share service in December of 2019 in favor of using funds to expand transit service hours and frequency.

Bike Chattanooga

LOCATION:	CHATANOOGA, TN (POPULATION 179,139)
OWNER/OPERATOR:	Owners: Chattanooga Area Regional Transportation Authority and the City of Chattanooga. Operator: Shift Transit
START OF SERVICE:	2012
SYSTEM TYPE:	Docked
NUMBER OF STATIONS/HUBS:	42 stations
NUMBER OF BIKES:	400 total bikes, 55 e-bikes

Though greater in population size than Billings, the City of Chattanooga shares a close landscape resemblance. The downtown area is nestled along the Tennessee River with numerous surrounding parks. The system seeks to enable users to save money, save time, go green and have fun. In order to launch the program, the City first secured $100,000 in funding from the local Lyndhurst Foundation. Combined with an additional partnership with the local transit system, CARTA, the City was able to secure federal air-quality funds as well for a successful implementation. Today, the City operates the system with bikes provided by PBSC Urban Solutions. Funding is an ongoing process, and the City has developed creative ways to expand and progress the system. Similar to advertisements on buses, local companies can have a bike adorned in their colors and logos. In 2019, Bike Chattanooga experienced record high ridership with 74,409 annual trips. The program also offers Free Ride Days on Wednesdays during the summer months to encourage users and lower barriers to entry.

Madison B-Cycle

LOCATION:	MADISON, WI (POPULATION 258,054)
OWNER/OPERATOR:	B=Cycle
START OF SERVICE:	2011
SYSTEM TYPE:	Docked
NUMBER OF STATIONS/HUBS:	45 stations
NUMBER OF BIKES:	300 e-bikes

Madison BCycle is owned and operated by BCycle and Trek. It was the first docked bike share system in the country to convert to 100 percent electric bikes in mid-2019. Since then, ridership has more than doubled. The program offers free memberships to low-income residents.

Planned Review Schedule – Bike and Scooter Share Feasibility Study

TAC	1/21/21	Recommendation
Planning Board #1	1/26/21	Presentation/Public Hearing
Planning Board #2	2/9/21	Recommendation
City Council Work Session	2/16/21	Presentation
City Council	2/22/21	Consent agenda item
Commissioners Discussion	2/18/21	
Commissioners	2/23/21	Presentation and Recommendation
PCC	3/18/21	Presentation and Final Action

Planning Board

Date:	02/09/2021
Title:	Parkland West Subdivision, 7th Filing - Preliminary Major Plat
Presented by:	David Green
Department:	Planning & Community Services
Presentation:	Yes

Information

RECOMMENDATION

Staff recommends the Planning Board forward a recommendation of conditional approval of the preliminary plat of Parkland West Subdivision, 7th Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

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.

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.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On January 4, 2021, WWC Engineering, applied for preliminary major plat approval for Parkland West Subdivision, 7th Filing. The proposed subdivision creates 16 lots for residential development. The subject property is generally located on the east side of South 36th Street West between Crater Lake and Rachelle Circle. The property is part of a Planned Unit Development and is zoned Residential 9600 (R96). The PUD allows R96 zoning to have lots with square footage of 6,500. The land is currently dryland grass with residential development to the north, west and east, with a church to the south.

VARIANCES REQUESTED

No variances from the City Subdivision Regulations have been requested.

PROCEDURAL HISTORY

- Pre-application meeting October 29, 2020
- Preliminary plat application submitted to Planning Division January 4, 2021.
- Departmental review meeting January 14, 2021
- Preliminary plat re-submittal January 21, 2021
- Planning Board plat review February 9, 2021
- Planning Board public hearing February 23, 2021
- Preliminary plat to City Council March 22, 2021
- 60 working-day preliminary plat review period ends March 31, 2021

PLAT INFORMATION

General location:	The east side of South 36th Street West between Crater Lake and Rachelle Circle
Legal Description:	Parkland West 1st Filing, Lot 1A, Block 6
Owner/Subdivider:	Rod Lorenz
Engineer and Surveyor:	WWC Engineering
Existing Zoning:	R96
Existing land use:	Vacant land

Proposed land use:	Residential
Gross and Net area:	2.8046 acres / 2.8046 acres
Proposed number of lots:	16
Parkland requirements:	Parkland requirements were met with the Parkland West 1st Filing

STAKEHOLDERS

The Planning Board will review this plat at this meeting. A public hearing will be held prior to the Planning Board making a recommendation at its next meeting.

ALTERNATIVES

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects. Various City departments, private service/utility providers and the affected school district(s), have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed subdivision ends on March 31, 2012. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve;
or 3. Deny the Preliminary Plat

FISCAL EFFECTS

This subdivision will have no fiscal effect on the Planning Division.

Attachments

Findings of Fact

Preliminary Plat

SIA

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Parkland West Subdivision, 7th Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(8), BMCC).

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 (8)(b)]

1. Effect on agriculture and agricultural water user facilities

The subject property is not used as farmland. The original Descro Subdivision, 7th Filing was platted in 1982 and is a Planned Unit Development. The land has not been used for farming for quite some time. This proposed subdivision will have no effect on agriculture or water user facilities.

2. Effect on local services

a. **Utilities** – Water service will be provided by the City of Billings. There are two existing water lines, one in Crater Lake on the north and one in Rachelle Circle on the south. Both water lines are 8 inch and will be extended the entire length of Rachelle Circle and extended to the end of the subdivision on the east. Water service stubs will be provided for all new proposed lots within the subdivision. New fire hydrants will be installed 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). These requirements are outlined in the SIA under the heading VI. Utilities.

b. **Sewer** - Sanitary sewer service will be provided by the City of Billings. There are two existing sewer lines, one in Crater Lake on the north and one in Rachelle Circle on the south. Both sewer lines are 8 inch and will be extended the entire length of Rachelle Circle and extended to an existing manhole beyond the end of paving on Crater Lake to the east. Sewer service stubs will be provided for all new proposed lots within the subdivision. The subdivider will install new sewer line services for in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ. These requirements are outlined in the SIA under the heading VI. Utilities.

   Private utilities will be extended during construction of the roads and located within the right of way and utility easements shown on the plat.

c. **Storm water** –The applicant is proposing to maintain storm water on site and with the use of a detention pond to the east of the subdivision. All 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.

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

e. **Streets** – This subdivision will take access off South 36th Street West to Crater Lake and Rachelle Circle. Crater Lake and Rachelle Circle will be built within a 60-foot-wide right of way. They will be built to a City of Billings standard residential street of 34 feet from back of curb to back of curb. They will be built to meet the requirements of the City of Billings Engineering Division and receive their approval before any construction. This requirement is outlined in the SIA under the heading III Transportation A. Streets.

   Sidewalks will be built with this subdivision and will be 5-foot-wide boulevard sidewalks.

f. **Emergency services** – The Billings Police and Fire Department will respond to emergencies within the proposed subdivision. The nearest fire station is located at 605 24th St. West (Station #5). The developer will install 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).

g. **Schools** – This subdivision is in School District #2. The schools that will be affected are Central Heights Elementary, Will James Middle School and West High School. At the time this staff report was written there were no comments received from School District #2.

h. **Parks and Recreation** – Parkland dedication requirements were met with the Parkland West 1st Filing.

i. **Mail Delivery -** The United States Postal Service (USPS) will provide postal service to the subdivision. The applicant will need to coordinate location of CBU with the USPS. **(Condition #1)**

3. Effect on the natural environment

The subject property is relatively level land and is in an area that has been experiencing development for many years. There should be minimal effect on the natural environment. In the SIA there is a paragraph notifying the future lot owner there may be limitations or special requirements of the lot soils that should be investigated before construction on the lots.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. This land has been experiencing development for many years and there is minimal habitat on the land. This subdivision should have a minimal effect on wildlife and wildlife habitat. There is a paragraph in the SIA that warn lot owners there may be some interface with animals.

5. Effect on the public health, safety and welfare

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

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-902]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616 (2), MCA.

C. Does the subdivision conform to the City of Billings 2016 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]

1. City of Billings 2016 Growth Policy

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

> **Essential Investments (relating public and private expenditures to public values):** Infill development and development near existing City infrastructure may be the most cost effective. (p. 6)
>
> **Home Base (healthy, safe and diverse housing options):** Homes that are safe and sound support a healthy community. (p. 9)

2. 2018 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 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 no trail identified within the proposed subdivision. There is a trail along Monad Road to the south and a future trail along South 36th Street West is identified as a future location for a bike lane.

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(8)(b)(1)]

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 (8)(b)(5)]

The subject property will conform to the requirements of current zoning. When the lots are sold, and they submit for a building permit, additional requirements of zoning will be reviewed with the permit process.

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 (8)(b)(2)]

The subdivider has provided utility easements for private utility companies. Private utility companies will have locations available to them for installation of their services.

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 (8)(b)(3)]

Legal and physical access to the proposed lots is provided from South 36th Street West to Crater Lake and Rachelle Circle. Each lot will have access from street frontage on Crater Lake and Rachelle Circle.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Parkland West Subdivision, 7th 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 2016 Growth Policy 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.

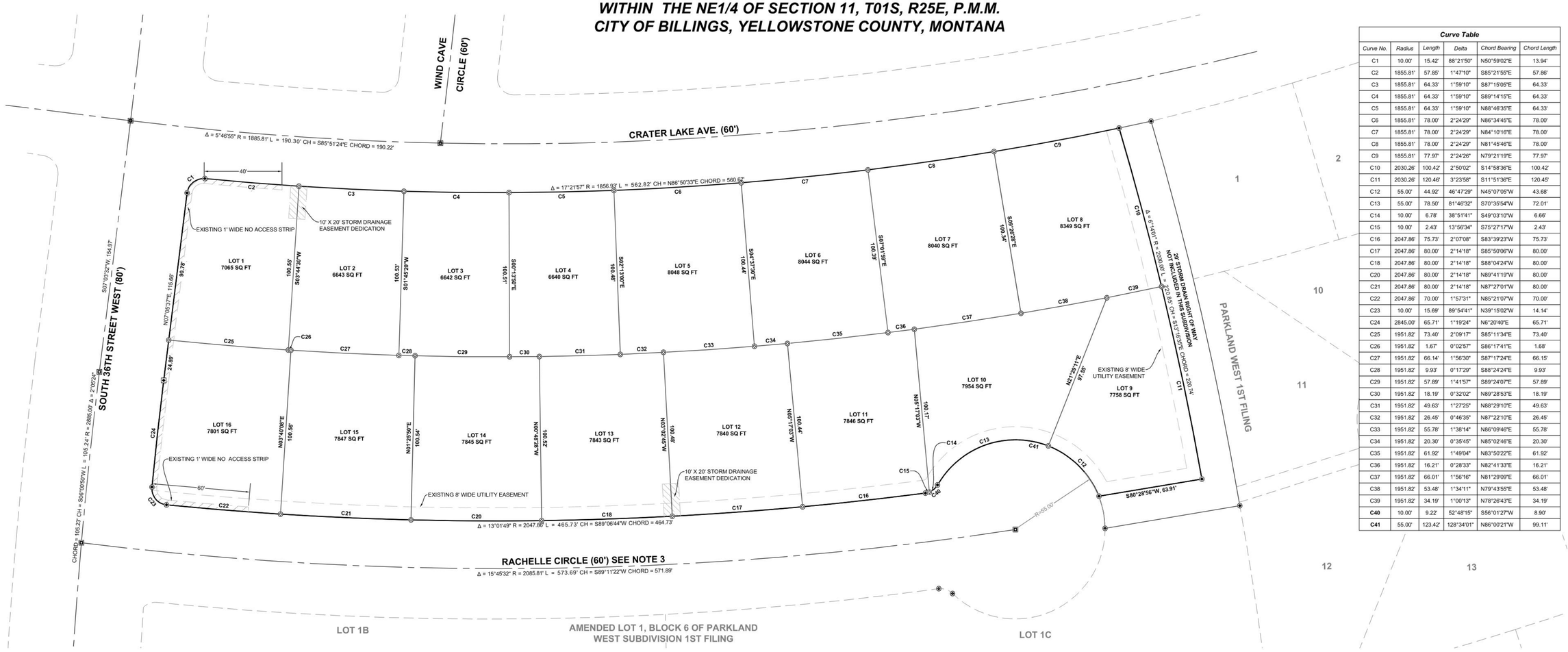
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

Staff recommends the Planning Board forward a recommendation of conditional approval of the preliminary plat of Parkland West Subdivision, 7th Filing, to the City Council, and adopt the Findings of Fact as presented in the staff report.

PLAT OF PARKLAND WEST SUBDIVISION, 7TH FILING

BEING LOT 1A OF AMENDED LOT 1, BLOCK 6 OF PARKLAND WEST SUBDIVISION 1ST FILING, DOCUMENT NO. 3115231, WITHIN THE NE1/4 OF SECTION 11, T01S, R25E, P.M.M. CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA



Curve Table

Curve No.	Radius	Length	Delta	Chord Bearing	Chord Length
C1	10.00'	15.42'	88°21'50"	N50°59'02"E	13.94'
C2	1855.81'	57.85'	1°47'10"	S85°21'55"E	57.86'
C3	1855.81'	64.33'	1°59'10"	S87°15'05"E	64.33'
C4	1855.81'	64.33'	1°59'10"	S89°14'15"E	64.33'
C5	1855.81'	64.33'	1°59'10"	N88°46'35"E	64.33'
C6	1855.81'	78.00'	2°24'29"	N86°34'45"E	78.00'
C7	1855.81'	78.00'	2°24'29"	N84°10'16"E	78.00'
C8	1855.81'	78.00'	2°24'29"	N81°45'46"E	78.00'
C9	1855.81'	77.97'	2°24'26"	N79°21'19"E	77.97'
C10	2030.26'	100.42'	2°50'02"	S14°58'36"E	100.42'
C11	2030.26'	120.46'	3°23'58"	S11°51'36"E	120.45'
C12	55.00'	44.92'	46°47'29"	N45°07'05"W	43.68'
C13	55.00'	78.50'	81°46'32"	S70°35'54"W	72.01'
C14	10.00'	6.78'	38°51'41"	S49°03'10"W	6.66'
C15	10.00'	2.43'	13°56'34"	S75°27'17"W	2.43'
C16	2047.86'	75.73'	2°07'08"	S83°39'23"W	75.73'
C17	2047.86'	80.00'	2°14'18"	S85°50'06"W	80.00'
C18	2047.86'	80.00'	2°14'18"	S88°04'24"W	80.00'
C20	2047.86'	80.00'	2°14'18"	N89°41'19"W	80.00'
C21	2047.86'	80.00'	2°14'18"	N87°27'01"W	80.00'
C22	2047.86'	70.00'	1°57'31"	N85°21'07"W	70.00'
C23	10.00'	15.69'	89°54'41"	N39°15'02"W	14.14'
C24	2845.00'	65.71'	1°19'24"	N6°20'40"E	65.71'
C25	1951.82'	73.40'	2°09'17"	S85°11'34"E	73.40'
C26	1951.82'	1.67'	0°02'57"	S86°17'41"E	1.68'
C27	1951.82'	66.14'	1°56'30"	S87°17'24"E	66.15'
C28	1951.82'	9.93'	0°17'29"	S88°24'24"E	9.93'
C29	1951.82'	57.89'	1°41'57"	S89°24'07"E	57.89'
C30	1951.82'	18.19'	0°32'02"	N89°28'53"E	18.19'
C31	1951.82'	49.63'	1°27'25"	N88°29'10"E	49.63'
C32	1951.82'	26.45'	0°46'35"	N87°22'10"E	26.45'
C33	1951.82'	55.78'	1°38'14"	N86°09'46"E	55.78'
C34	1951.82'	20.30'	0°35'45"	N85°02'46"E	20.30'
C35	1951.82'	61.92'	1°49'04"	N83°50'22"E	61.92'
C36	1951.82'	16.21'	0°28'33"	N82°41'33"E	16.21'
C37	1951.82'	66.01'	1°56'16"	N81°29'09"E	66.01'
C38	1951.82'	53.48'	1°34'11"	N79°43'55"E	53.48'
C39	1951.82'	34.19'	1°00'13"	N78°26'43"E	34.19'
C40	10.00'	9.22'	52°48'15"	S56°01'27"W	8.90'
C41	55.00'	123.42'	128°34'01"	N86°00'21"W	99.11'

CERTIFICATE OF CITY ATTORNEY

This Subdivision Plat has been reviewed by the City Attorney's Office and is acceptable to form.

Dated this _____ day of _____, 2021

_____
Reviewed by

ERRORS AND OMISSIONS REVIEW

Reviewed for errors and omissions in calculations and drafting this ____ day of _____, 2021, pursuant to section 76-3-611(2)(a), M.C.A.

_____
Examining Land Surveyor

Reg. No. _____

CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Section 76-3-611(1)(b), MCA, that all real property taxes and special assessments assessed and levied on the land described on this Subdivision Plat and encompassed by the proposed division have been paid.

Dated this _____ day of _____, 2021

_____
TREASURER
YELLOWSTONE COUNTY, MONTANA

CERTIFICATE OF SURVEYOR

The undersigned, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of March 2020, a survey was performed under his supervision of a tract of land to be known as PARKLAND WEST SUBDIVISION, 7TH FILING, in accordance with the request of the owner thereof and in conformance with Montana Subdivision and Platting Act; said subdivision being in accordance with the Landowner's Certificate and as shown on the plat; that the monuments found and set are of the character and occupy the positions hereon.

Dated the _____ day of _____, 2021

_____
John Bruckner
Registration Number 63052 LS

MONTANA JOHN BRUCKNER No. 63052 LS PROFESSIONAL LICENSED LAND SURVEYOR

SUBDIVISION IMPROVEMENTS AGREEMENT

Doucument No. _____

CERTIFICATE OF CITY COUNCIL APPROVAL

The City Council of the City of Billings, Yellowstone County, Montana does hereby certify that the accompanying plat for PARKLAND WEST SUBDIVISION, 7TH FILING has been duly examined and have found the same to confrom to the law and hereby approve it.

Dated this _____ day of _____, 2021

_____
CITY OF BILLINGS, MONTANA

BY: _____
Mayor

ATTEST: _____
City Clerk

CERTIFICATE OF CITY ENGINEER'S OFFICE

I hereby certify that I have examined the annexed plat and find that it conforms with Section 76-4-125(1)(d) MCA, removing sanitary restrictions since the plat is inside a master planning area and is provided with municipal facilities for the supply of water and disposal of sewage and solid waste.

Dated this _____ day of _____, 2021

_____
CITY ENGINEER'S OFFICE

NOTICE OF APPROVAL

STATE OF MONTANA)
) :ss
County of Yellowstone)

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

Date _____ _____
President

_____
Executive Secretary

CERTIFICATE OF FILING BY CLERK AND RECORDER

LEGAL DESCRIPTION AND PROPERTY OWNER CERTIFICATE OF DEDICATION

State of Montana)
) :SS
County of Yellowstone)

KNOW ALL BY THESE PRESENTS: That we, the undersigned owners, do hereby certify that we, have caused to be surveyed, subdivided, and platted into lots blocks roads and alleys and other divisions and dedications, as shown by this plat hereunto included, the following described tract of land, to wit:

The parcel situated in the NE1/4 of Section 11, T01S, R25E, P.M.M., City of Billings, Yellowstone County, Montana, and more particularly described as Lot 1A of Plat of Amended Lot 1 of Parkland West Subdivision 1st Filing, Document No.3115231. Said tract being 2.805 acres in area, more or less.

The above described tract of land is to be known and designated as PARKLAND WEST SUBDIVISION, 7TH FILING, City of Billings, Yellowstone County, Montana. The undersigned do hereby grant unto all utility companies, as such are defined and established by Montana Law, and cable television companies, an easement for the location, maintenance, repair, removal of lines over, under and across the areas designated on the plat as Utility Easement to have and hold forever.

DATED THIS ____ DAY OF _____, 2021

Lorenz Construction, LLC

_____
Owner, Rod Lorenz

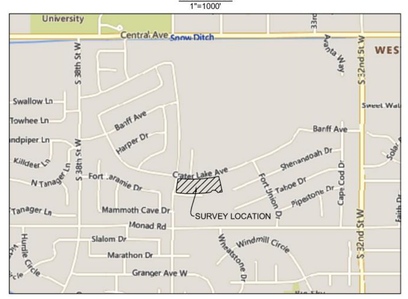
ACKNOWLEDGMENTS

State of Montana)
) :SS
County of Yellowstone)

on this _____ day of _____, 2021, before me, the undersigned a notary public for the State of _____, personally appeared Rod Lorenz, Owner of Lorenz Construction, LLC known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

_____
Notary Public for the State of _____

VICINITY MAP
1"=1000'



NOTES

1. *BASIS OF BEARING: NAD83(2011) MONTANA STATE PLANE COORDINATE SYSTEM, GRID*
2. *DISTANCES: GROUND, INTERNATIONAL FOOT*
3. *RACHELLE CIRCLE SHOWS A RECORD WIDTH OF 60 FEET PER THE AMENDED PLAT OF LOT 1, BLOCK 6 FILED AS DOCUMENT # 3115231. THE MONUMENTS FOUND IN THIS SURVEY AS WELL AS A CHECK OF RECORD PLAT DIMENSIONS FIND THE WIDTH OF RACHELLE CIRCLE TO BE +/- 59 FEET.*

LEGEND

- SET 5/8" REBAR W/ PURPLE PLASTIC CAP (BRUCKNER 63052 LS)
- FOUND #5 REBAR
- FOUND YELLOW PLASTIC CAP "ENG. INC BILLINGS, MT"
- FOUND CENTERLINE MONUMENT
- SET CENTERLINE MONUMENT
- UTILITY EASEMENT LINE
- 1" NO ACCESS STRIP

N

0 30' 60'
SCALE: 1"=30'

PARKLAND WEST SUBDIVISION, 7TH FILING

PREPARED BY:
WWC ENGINEERING
550 S. 24TH STREET W, SUITE 201
BILLINGS, MT 59102
(406) 896-2210
www.wwcengineering.com

NO.	REVISION	BY	DATE

DESIGNED BY: JPB
DRAWN BY: JPB
CHECKED BY: AMR
DATE: 11/26/20

SHEET
1 of 1

SUBDIVISION IMPROVEMENTS AGREEMENT
& WAIVER OF RIGHT TO PROTEST FURTURE SPECIAL IMPROVEMENT DISTRICTS

Parkland West Subdivision, 7th Filing

Table of Contents

(City of Billings)

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS

Parkland West Subdivision, 7th Filing

This agreement is made and entered into this ____ day of _____, 20__, by and between Rod Lorenz, whose address for the purpose of this agreement is **2050 Broadwater Ave, Suite D, Billings, MT 59102**, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, at a regular meeting conducted on _____ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of Parkland West Subdivision, 7th Filing; and

WHEREAS, at a regular meeting conducted on _____ day of _____, 20__, the City Council conditionally approved a preliminary plat of Parkland West Subdivision, 7th Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to Parkland West Subdivision, 7th Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

There are no variances being requested.

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

B. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

C. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction. Refer to Section IX for additional information regarding soil characteristics of the site.

D. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

E. The Subdivider and subsequent contractors/builders acknowledge that a Stormwater Pollution and Prevention Plan (SWPPP) may be required to be filed with the city and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.

F. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

III. TRANSPORTATION

A. Streets

- Rights-of-way widths of 60 feet for Rachelle Circle and Crater Lake Avenue were dedicated in previous filings.
- Private Contract P – 762 shall construct public streets and curb & gutter within the Subdivision. All roads shall be 34 feet back-of-curb to back-of-curb. These access roads shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All streets shall be built in accordance with the City of Billings' site development

ordinance and shall be reviewed and approved by City Engineering prior to construction.

B. Sidewalks

- Individual lot owners will be responsible for the construction of the sidewalks adjacent to their lot at the time of lot construction and shall be included in each building permit.
- 5-foot boulevard walk shall be constructed on the north frontage of Lot 1C of Parkland West Subdivision 1st Filing Private Contract P-762.
- An 8-foot sidewalk shall be constructed within the 20-foot Storm Drain Right-of-Way.
- Sidewalk shall be 5-foot wide with 5-foot boulevard planting strip between the sidewalk and the curb.

C. Street Lighting

- No street lighting is proposed for the development; however, street lighting is included in the waiver of right to protest.

D. Traffic Control Devices

- Traffic control is not required for this subdivision but are included in the waiver of right to protest

E. Access

- Location to the lots will be from drive approaches installed at the time of lot development.
- There are existing 1-foot no access strips adjacent to the subdivision.
    - The north property line of Lot 1 of Block 1 has a 40 foot no access strip from the radius point on Crater Lake Avenue adjacent to South 36th Street West extending east. This easement length shall be reduced to 15 feet on the filing of Parkland West Subdivision, 7th Filing.
    - The south property line of Lot 16 of Block 1 has a 50 foot no access strip on Rachelle Circle extending from the property line adjacent to South 36th Street West to the east. This easement shall be reduced to 20 feet on the filing of Parkland West Subdivision, 7th Filing.

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

- This subdivision is located within the jurisdiction of the BABTMP, but no future trail corridors are identified within this subdivision area. There is an existing bike lane on Monad Road and a future bike lane on 36th Street West.

G. Public Transit

- This subdivision does not require improvements to ensure public transit service. The nearest public transit stop is at the intersection of Monad Road and South 36th Street West.

IV. EMERGENCY SERVICE

Emergency service to the Subdivision will be provided via Rachelle Circle and Crater Lave Avenue.

At the time of future lot development construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to the issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150 feet of the furthest portion of a building under construction as measured along the approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of twenty (20) feet wide.
- An operational fire hydrant shall be located within 600 feet of the furthest portion of a residence under construction or within 400 feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

- A gravel turnaround will be constructed east of Lot 8 on Crater Lake Avenue. Drawings shall be submitted and approved by City Engineering and Fire Department prior to construction.

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions set forth in Chapter 28, BMCC, and the Stormwater Management Manual in place at the time of development. All Future stormwater improvements will be reviewed and approved by the Engineering Division to comply with said plan. The new storm drainage improvements shall be constructed as part of Private Contract P – 762.

As part of the Parkland West Subdivision, 7th Filing, the developer shall install stormwater improvements as included herein. Developer shall extend the 21" Storm Drain on Crater Lake Avenue beyond the eastern property line as required for construction of a temporary turnaround at the end of Crater Lake Avenue. The Crater Lake Avenue storm main shall discharge to a temporary storm pond constructed within the public right of way. The temporary storm pond shall be sized as required by the Stormwater Management Manual. Storm infiltration basins or storm gardens shall be installed on Rachelle Circle to meet the

requirements of the Storm Water Manual. The storm gardens will be front yard depressions with yard inlets to a below grade boulder pit and shall have curb cuts to allow flows into the property. Sidewalks shall pass flows beneath in a manner approved by the City Engineer. An 8' sidewalk shall be constructed to bypass flows from the end of Rachelle Circle to Crater Lake Avenue within the 20' Storm Drain Right-of-Way on the east side of the property.

Such stormwater facilities including piping, inlets, structures, vegetation shall be maintained through the Parkland West Subdivision, 7th Filing HOA as outlined in the HOA Stormwater Maintenance Agreement.

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department – Engineering Division. The extension/connection of/to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

It is acknowledged that the properties subject to this Subdivision Improvements Agreement shall be subject to the appropriate water and wastewater local and interior construction fees in effect at the time of payment. Fees shall be paid for the lots in each phase as applied for in the extension application and as per the first paragraph above.

The Developer/Owner acknowledges that the subdivision shall be subject to the applicable System Development in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc) shall be in accordance with design standards, specifications, rules, regulations of and as approved by the City of Billings Public Works Department, Fire Department and the Montana Department of Environmental Quality.

A. Water

There are existing 8-inch water mains located in Rachelle Circle and Crater Lake Avenue that currently terminate on the east side of the existing pavement. Private Contract P – 762 will extend the 8-inch water mains along the length of Rachell Circle and Crater Lake Avenue beyond the proposed paving surface of the Subdivision. Water services will be installed for all lots within the subdivision.

B. Sanitary Sewer

There are existing 8-inch sanitary mains located in Rachelle Circle that currently terminates approximately 10 feet beyond the existing pavement and Crater Lake Avenue that currently terminates at a manhole in the intersection of Crater Lave Avenue and Wind Cave Circle. Private Contract P – 762 will extend the 8-inch sanitary main along the length of Rachell Circle and sufficient to provide service to all proposed lots on Rachelle Circle. The 8-inch sanitary main on Crater Lake Avenue will be extended to a manhole constructed beyond the proposed paving surface of the Subdivision. Sewer services will be installed for all lots within the subdivision.

C. Power, Telephone, Gas, and Cable Television

Private utility facilities (power, natural gas, telephone, and cable) will be installed during construction and located within the right-of-way and utility easements shown on the plat.

VII. PARKS/OPEN SPACE

The parkland requirements were previously met by Parkland West Subdivision, 1st Filing.

VIII. IRRIGATION

No irrigation ditch, field laterals, or irrigation easement exist in this subdivision.

IX. SOILS/GEOTECHNICAL STUDY

A Geotech Investigation will be performed for the subdivision and information will be provided here.

X. PHASING OF IMPROVEMENTS

There are no intended phasing improvements.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements with cash or by utilizing the mechanics of a private contract secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and City of Billings Public Works.

XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two years from the date of final acceptance by the City of Billings.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns, and transferees of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER" Rod Lorenz

By: _____

Title: _____

STATE OF MONTANA)
: ss
County of)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____ _____, known to me to be the _____ of Rod Lorenz, who executed the foregoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20__.

"CITY"
CITY OF BILLINGS
MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Waiver of Right to Protest
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned is more particularly described as follows:

Parkland West Subdivision, 7th Filing

Signed and dated this _____ day of _____, 20___.

Subdivider/Owner

_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be Rod Lorenz, the person who executed the forgoing instrument and acknowledged to me that he/she executed the same.

Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

Planning Board

Date:	02/09/2021
Title:	West Meadows Subdivision, 2nd Filing - Preliminary Major Subdivisoin
Presented by:	David Green
Department:	Planning & Community Services
Presentation:	Yes

Information

RECOMMENDATION

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of West Meadows Subdivision, 2nd Filing and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

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

1. To 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's 773 and 796 for the new public roads within the subdivision and providing access to the subdivision.
3. To protect public health and safety and to provide fire suppression facilities, prior to final plat approval, the applicant will provide a letter from the Laurel Volunteer Fire Department stating they approve of the use of a pond for fire suppression purposes.
4. To protect public health and safety, prior to final plat approval, the applicant will create the maintenance district for the water pond being used for fire suppression, and to maintain the piping system used to pump water from the pond. The applicant will provide documents that outline the requirement of the maintenance district the water pond for fire suppression needs as outlined in the SIA. The applicant will provide documents that show the county is supportive of such a maintenance district.
5. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will coordinate required fire pond installation and location with the Laurel Fire Department. The access to the pond will be a public easement built to accommodate fire trucks in all weather conditions. Lockwood Fire Department will review and approve all fire hydrant locations within the subdivision.
6. To protect public safety and to ensure future maintenance of the parkland, prior to final plat approval, the applicant will expand the existing RSID for parkland maintenance for this subdivision.
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. 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.
10. 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.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On January 4, 2021, the Planning Division received an application for major plat approval for the proposed West Meadows Subdivision, 2nd Filing. The subject property is generally located on the east side of Whistlers Way and south of what will be Central Avenue. This subdivision would create 42 lots from a 50-acre parcel of land. The applicant is proposing to develop a residential subdivision, the land is outside of zoning. The land is currently dryland grass and shrub land.

VARIANCES REQUESTED

No variances are requested for this subdivision.

PROCEDURAL HISTORY

- Pre-application meeting July 30, 2020
- Completeness review submitted December 14, 2020
- Preliminary plat application submitted to Planning Division January 4, 2021
- Departmental review meeting January 14, 2021
- Preliminary plat resubmitted January 21, 2021
- Planning Board plat review February 9, 2021
- Planning Board public hearing February 23, 2021
- Preliminary plat to Yellowstone County Board of County Commissioners March 16, 2021
- 60 working-day preliminary plat review period ends March 31, 2021

PLAT INFORMATION

General location:	East side of Whistlers Way and south of what will be Central Avenue
Legal Description:	Lot 1A of west Meadows Subdivision Amended Plat
Owner/Subdivider:	Wineridge Inc.
Engineer/Surveyor:	WWC Engineering
Existing Zoning:	Outside of zoning
Existing land use:	Dryland Grass
Proposed land use:	Residential
Gross area:	50 acres
Proposed number of lots:	42
Max. lot size:	2.00 acres
Min. lot size:	0.65 acres
Parkland requirements:	There is an existing park within the proposed subdivision. No additional parkland is required.

STAKEHOLDERS

The Planning Board will not conduct a public hearing at this meeting, but public comment will be taken. The formal public hearing is scheduled for the Planning Board's upcoming meeting. After considering all public hearing testimony the Planning Board will forward a recommendation to the Board of County Commissioners.

ALTERNATIVES

One of the purposes of the County's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects. Various County departments, private service/utility providers and the affected school district(s), have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be some impacts from this proposed subdivision.

In accordance with state law, the Board of County Commissioners has 60 working days to act upon this major preliminary plan. The 60 working day review period for the proposed subdivision ends on March 31, 2021. State and County subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The County may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the Board of County Commissioners is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FISCAL EFFECTS

This subdivision will have no fiscal effect on the Planning Division.

Attachments

Findings of Fact
Preliminary Plat
SIA

FINDINGS OF FACT

The City-County Planning Division Staff has prepared the Findings of Fact for West Meadows Subdivision, 2nd Filing. These findings are based on the preliminary plat application and supplemental documents addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Yellowstone County Subdivision Regulations (YCSR).

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

1. Effect on agriculture and agricultural water users' facilities

The subject property is not used for farming purposes. Cove Ditch runs through the proposed subdivision. It is within a 66-foot-wide ditch easement. This easement will allow the Cove Ditch company to maintain the ditch as needed. According to the SIA under the heading VIII, Irrigation "there are no definitive plans for water share transfer at this time." Mitigation measures will be taken to ensure the protection of the Cove Ditch. These are outlined in the SIA under the same heading as referenced earlier in the paragraph. There will be no affect on water user facilities with this subdivision.

2. Effect on local services

a. **Water and Septic** – The proposed subdivision is not located within any public water district. It is proposed that each lot will have a cistern on it for domestic water use. The proposed cisterns in the subdivision will be reviewed and receive approval from Montana Department of Environmental Quality (MDEQ). The applicant will provide a copy of the MDEQ approval for the septic systems at the time of final plat. **(Condition #1)** Maintenance of the individual cisterns will be the responsibility of the home owner.

It is proposed that each lot, within the proposed subdivision, will have a septic system. The proposed septic systems will need to be reviewed and installed in accordance with Section 4.9 of the Yellowstone County Subdivision Regulations and will need to have MDEQ approval. The applicant will provide a copy of the MDEQ approval for the septic systems at the time of final plat. **(Condition #1)** Maintenance of the individual septic systems will be the responsibility of the home owner.

b. **Streets and roads** – There will be several new roads within the proposed subdivision. These roads will be public roads and will be built to Yellowstone County Paved road standards within 60-foot-wide rights-of-way.

There is an RSID that will be expanded to include the paved roads within this subdivision, RSID 773. That RSID expansion paperwork will be submitted with the final plat. **(Condition #2)**

The subdivision is required to have a second access in and out for public safety. The applicant states they are proposing to dedicate the undeveloped section of Homewood Park Drive to Central Avenue and Central to Whistler Way. Prior to dedication of the

road it will need to be built to a county gravel road standard to be accepted by the county. The applicant will expand the existing RSID, 796, for the maintenance of South 80th Street. The existing RSID will also cover maintenance of the second access. **(Condition #2)**

A TIS is has been submitted for this subdivision. It will be reviewed by County Public Works for impacts to the roads and intersections in the area.

c. **Fire and Police services** – The property is within the Laurel Urban Fire Service Area (LUFSA). LUFSA has approved the use of a pond for fire suppression needs in this subdivision. **(Condition #3)** The applicant is proposing to create a maintenance district to maintain the pond and fire suppression equipment in the pond. The maintenance district will have a contract with the Cove Ditch Company for water to fill the pond, should the ditch not provide enough water on a year-round basis the maintenance district will be responsible for filling the pond with water from a water company. The pond will have an access point for fire suppression vehicles to connect to fire suppression piping coming out of the pond. The pipe apparatus in the pond will have a filtering system. **(Condition #4)** This is outlined in the SIA under the heading IV Emergency Service. The Location of the pond and the access to it is to be shown on the plat and coordinated with the Laurel Fire Department prior to installation. **(Condition #5)**

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

d. **Solid Waste disposal** – The Billings Landfill has capacity for solid waste disposal. Solid waste will be collected and disposed of by a private garbage collection company. Each lot owner will be responsible for arranging for collection.

e. **Storm water drainage** – Storm water drainage shall satisfy Yellowstone County Storm Water Management requirements and DEQ. A storm water plan will have to be reviewed and approved by the DEQ to ensure the proposed stormwater management is feasible and will work satisfactorily. **(Condition #1)**

f. **School facilities** – The proposed subdivision is located within Elder Grove School District #8 for K-8. School District #2 will provide educational services for High School students. School District #8 has capacity for additional students. School District #2, West High School is currently over capacity.

g. **Parks and recreation** – This proposed subdivision is required to provide parkland. There is an existing parkland dedication within this proposed subdivision. There is no additional parkland dedication required. The applicant will be required to expand or create an RSID for the park maintenance with final plat. **(Condition #6)**

h. **Postal Service –** The USPS responded to request for comments; Mailbox set up will need to be a centralized box location with other mailboxes located on 80th and Monad. If there are any questions they can contact the USPS. The applicant will be required to coordinate with the USPS to ensure they are providing what has been requested.

(Condition #7)

i. **Historic features** – No known historic or cultural assets exist on the site.

j. **Phasing of Development** - The applicant is proposing to phase this subdivision. There will be 2 phases, those two phases are outlined in the SIA under the heading XI Phasing of Improvements. Phase 1 will include the construction of the pond for the fire suppression needs of the subdivision. A sentence about the fire suppression system being installed in Phase 1 is in the SIA under the heading IV Emergency Service.

3. Effects on the natural environment

The development will use noxious weed control measures to prevent the spread of noxious weeds to adjacent developed or agricultural land. Prior to final plat approval, the applicant will apply for and obtain a weed management plan with the County Weed Department. That plan will be submitted with final plat approval. **(Condition #8)**

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

4. Effects on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. A paragraph in the 'Conditions that Run with the Land' section of the SIA warns future lot owners of the likely presence of wildlife in the area and their potential to damage residential landscaping.

5. Effects on public health and safety

Plans and designs for the water and septic system will be reviewed and approved by MDEQ prior to final plat approval to ensure public health and safety.

Fire and emergency services are provided for this proposed subdivision from Lockwood Fire Department and the Yellowstone County Sheriff's department.

B. Was an environmental assessment required? If yes, what, if any, significant adverse impacts were identified? (76-3-603 MCA) (Chapter 9, YCSR)

An environmental assessment was required for this subdivision pursuant Section 9.2 C of the County Subdivision Regulations. In the environmental assessment is was determined that the impacts to the environment which include, agricultural, water user facilities, natural environment wildlife and habitat, will be minimal. The land is not used for agricultural purposes, the Cove Ditch is within an existing 60-foot-wide easement for maintenance and protection. There are no known endangered species on the land.

C. Does the subdivision conform to the Yellowstone County 2008 Growth Policy, the 2018 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan Update? [BMCC 23-302.H.4.]

1. **Yellowstone County - 2008 Growth Policy**

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

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

The subdivision is consistent with the type of residential development in the surrounding area.

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

There is residential development directly adjacent to the subject property.

- Goal: Controlled weed populations. (p. 9)

The developer shall complete a weed management plan and shall provide a re-vegetation plan for any ground disturbed by development.

2. 2018 Urban Area Transportation Plan

The subject property maintains the road the study area of the Transportation Plan. As proposed, there are only neighborhood streets associated with this subdivision.

3. Billings Area Bikeway and Trail Master Plan Update (BBTMP)

The subject property is not within the Billings Area Bikeway and Trail Master Plan Update.

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

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

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

The subdivider must receive approval from the MDEQ prior to final approval. New parcels are subject to DEQ review.

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

The proposed subdivision is not within a zoned area of Yellowstone County.

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

Private utilities are to be installed in the public road right-of-way. Should the private utility companies require easements the applicant will be required to coordinate the easements needed with the private utility companies.

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

Legal and physical access will be provided for the new proposed lots from Whistler Way. The internal streets will provide access to individual lots.

CONCLUSIONS OF FINDINGS OF FACT

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

RECOMMENDATION

Staff recommend that the Planning Board recommend conditional approval of the preliminary plat of West Meadows Subdivision, 2nd Filing to the Board of County Commissioners, and adopt the Findings of Fact as presented in the staff report, the SIA and Waiver.

WEST MEADOWS SUBDIVISION, 2ND FILING

LOT 1A OF WEST MEADOWS SUBDIVISION AMENDED PLAT
SITUATED IN THE N1/2NE1/4 OF SECTION 12, T.1S., R.24E., P.M.M.
YELLOWSTONE COUNTY, MONTANA

LEGAL DESCRIPTION AND PROPERTY OWNER CERTIFICATIONS

STATE OF MONTANA)
: ss
County of Yellowstone)

KNOW ALL MEN BY THESE PRESENTS: That **WINERIDGE, INC.**, the owner of the following described tract of land, does hereby certify that it has caused to caused to be surveyed, subdivided and platted into lots, blocks and streets as shown on the plat, said tract being situated Section 28, T.01S., R.25E., P.M.M. Yellowstone County, Montana, said tract being more particularly described as follows:

LOT 1A OF WEST MEADOWS SUBDIVISION, AMENDED PLAT AND SN1/2NE1/4 OF SECTION 12, T.01S., R.254E.

The park requirement for this subdivision has been met by ....

The undersigned hereby grants unto allutility companies, as such are defined and established by Montana Law, and cable television companies an easement for the location, maintenance, repair and remove of their lines and other facilities, in, over, under and across the areas designated on this plat as "UTILITY EASEMENT" to have and to hold forever. Said tract shall be known and designated as "**WEST MEADOWS SUBDIVISION, 2ND FILING**", and the lands designated as public right-of-way and are hereby granted and dedicated to the use of the public forever.

____
Wineridge, Inc.

____
Title

STATE OF MONTANA)
: ss
County of Yellowstone)

on this __________ day of ______________________ , 2020, before me, the undersigned a notary public for the State of ______________ __, personally appeared ___________________________, as ________________________ of Wineridge, Inc. known to me to be the persom whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

____
Notary Public for the State of _______________

CERTIFICATE OF COUNTY TREASURER

I hereby certify hat all real property taxes and special assessments have been paid per 76-3-611(1)(b)/76-3-207(3), M.C.A.

____
County Treasurer or Authorized Representative
Yellowstone County Treasurer's Office

____
Date

CERTIFICATE OF CITY/COUNTY HEALTH DEPARTMENT

This Certificate of Subdivision Plat has been reviewed and approved by the Yellowstone City/County Health Department and the State Department of Environmental Quality.

____
Health Officer or Authorized Representative
Yellowstone City/County Health Department

CERTIFICATE OF COUNTY ATTORNEY

This document has been reviewed by the Yellowstone County Attorney's Office and is acceptable as to form.

____
County Attorney or Authorized Representative
Yellowstone County Attorney's Office

____
Date

NOTICE OF APPROVAL

STATE OF MONTANA)
: ss
County of Yellowstone)

This plat has been approved for filing by the Yellowstone County Board of Planning and conforms to the recommendations of this board.

____
President Date

____
Executive Secretary Date

CERTIFICATE OF APPROVAL

STATE OF MONTANA)
: ss
County of Yellowstone)

We do hereby certify that we have examined the plat of **WEST MEADOWS SUBDIVISION, 2ND FILING**, and find that said plat conforms with the requirements of the laws of the State of Montana and that the requirements for park donation have been met to the satisfaction of the Yellowstone County Board of Planning. It is therefore approved and the dedication to the public use of any and all lands shown on this plat as being dedicated to such uses are accepted.

IN WITNESS WHEREOF, we have set our hands and the seal of Yellowstone County, Montana, this ______ day of ________________, 20___

____
Commissioner

____
Commissioner

____
Chairman

Attest: ________________________________
Clerk and Recorder

CERTIFICATE OF SURVEYOR

I, John Bruckner, a Montana Registered Land Surveyor being first duly sworn, deposes and says that during the month of February 2020, a survey was performed under my supervision of a tract of land to be known as **WEST MEADOWS SUBDIVISION, 2ND FILING**, in accordance with the request of the owner thereof and in conformance with Montana Subdivision and Platting Act; said subdivision being in accordance with the Landowner's Certificate and as shown on the plat; that the monuments found and set are of the character and occupy the positions hereon.

Dated the _________ day of ______________________, 2020

____
John Bruckner
Registration Number 63052 LS

MONTANA
JOHN BRUCKNER
No. 63052 LS
LICENSED
PROF. LAND SURVEYOR

Curve No.	Radius	Length	Delta	Chord Bearing	Chord Length
C1	300.00'	95.64'	18°15'59"	S69°22'46"W	95.24'
C2	90.00'	105.95'	67°26'51"	N86°01'48"W	99.94'
C3	90.00'	96.10'	61°10'41"	N82°53'43"W	91.60'
C4	225.00'	78.28'	19°56'00"	S76°28'57"W	77.89'
C5	260.00'	72.79'	16°02'25"	S78°25'44"W	72.56'
C6	55.00'	66.08'	68°50'27"	N75°12'44"W	62.18'
C7	100.00'	27.54'	15°46'41"	N32°54'10"W	27.46'
C8	70.00'	41.98'	34°21'51"	N42°11'45"W	41.36'
C9	205.00'	45.82'	12°48'18"	N52°58'31"W	45.73'
C10	200.00'	31.10'	8°54'32"	N51°01'38"W	31.07'
C11	185.00'	105.96'	32°48'56"	N39°04'26"W	104.52'
C12	90.00'	39.05'	24°51'28"	N10°14'14"W	38.75'
C13	45.00'	18.03'	22°57'05"	N09°17'03"W	17.91'
C14	1030.00'	305.02'	16°58'03"	S76°50'55"E	303.91'
C15	60.01'	86.97'	83°02'21"	N10°33'35"W	79.56'
C16	20.00'	41.74'	119°35'03"	N07°42'17"E	34.57'
C17	75.00'	77.47'	59°10'59"	S82°54'42"E	74.08'
C18	150.00'	71.45'	27°17'36"	S66°58'01"E	70.78'
C19	70.00'	35.02'	28°39'50"	S66°16'54"E	34.66'
C20	239.99'	200.14'	47°46'55"	N78°10'33"E	194.40'
C21	459.98'	287.29'	35°47'08"	N72°10'39"E	282.65'

Line No.	Length	Bearing
L1	121.63	S66°30'57"W
L2	42.74	S70°22'03"W
L3	28.90	N40°47'30"W
L4	29.18	N25°00'49"W
L5	46.25	N46°34'22"W
L7	60.71	N22°39'58"W
L8	69.02	N35°11'38"E
L9	72.92	N39°18'05"E
L10	34.16	N30°57'36"E
L11	41.70	N67°29'48"E
L12	30.13	S51°56'59"E
L13	122.27	N54°17'05"E

Line No.	Length	Bearing
L14	38.15	S55°45'55"W
L15	16.41	N34°14'05"W
L16	16.41	S34°14'05"E
L17	9.14	S23°19'16"E
L18	9.14	N23°19'16"W
L19	55.49	S63°31'30"W
L20	57.42	N88°14'28"W
L21	18.74	S67°03'03"W
L22	65.44	S83°56'09"W
L23	35.73	S41°30'32"W
L24	71.80	N66°53'22"W
L25	63.99	S35°29'22"E
L26	38.43	S66°20'18"W
L27	43.36	S89°24'50"W

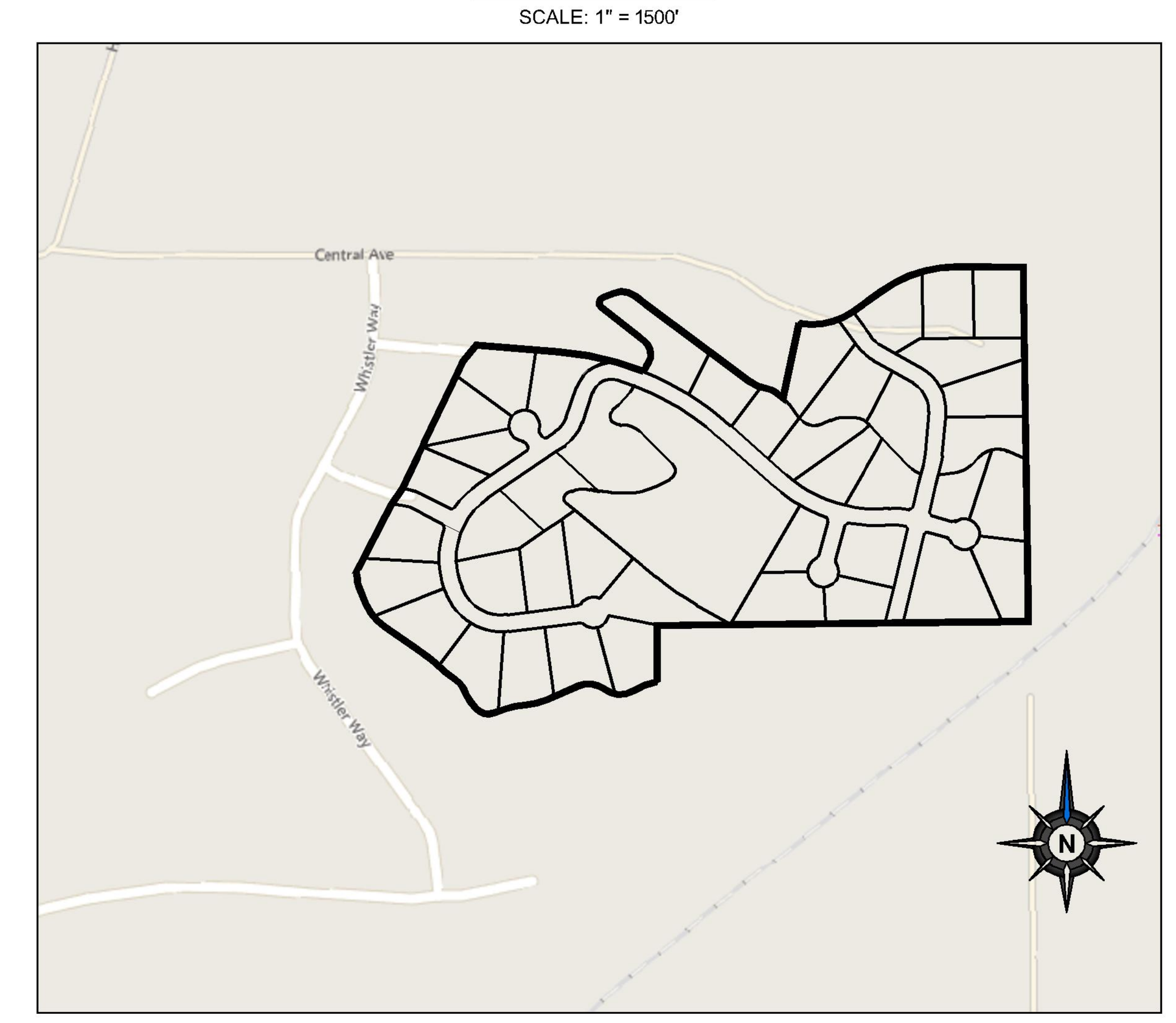
Curve No.	Radius	Length	Delta	Chord Bearing	Chord Length
C22	1030.00'	222.07'	12°21'11"	S79°09'21"E	221.64'
C23	130.00'	197.25'	86°56'02"	S62°11'00"W	178.87'
C24	98.00'	63.37'	37°02'56"	S37°14'27"W	62.28'
C25	10.00'	16.16'	92°36'36"	N80°32'23"W	14.47'
C26	12.00'	10.72'	51°10'51"	N08°38'39"W	10.37'
C27	55.00'	271.05'	282°21'42"	S55°45'55"W	68.96'
C28	12.00'	10.72'	51°10'51"	S59°49'30"E	10.37'
C29	10.00'	15.25'	87°23'24"	S09°27'37"W	13.82'
C30	318.00'	120.45'	21°42'10"	S44°54'50"W	119.74'
C31	10.00'	14.49'	82°59'43"	S75°33'36"W	13.26'
C32	160.00'	66.64'	23°51'50"	N74°52'26"W	66.17'
C33	430.00'	36.42'	4°51'10"	S84°29'28"E	36.41'
C34	100.00'	41.84'	23°58'28"	S74°55'49"E	41.54'
C35	10.00'	14.49'	82°59'43"	S21°26'41"E	13.26'
C36	318.00'	240.71'	43°22'14"	S01°38'02"E	235.01'
C37	208.00'	268.42'	73°56'17"	S60°17'24"E	250.18'
C38	12.00'	10.72'	51°10'51"	S71°40'17"E	10.37'
C39	55.00'	271.05'	282°21'42"	N07°15'42"W	68.96'
C40	12.00'	10.72'	51°10'51"	S57°08'52"W	10.37'
C41	148.00'	191.00'	73°56'26"	N60°17'29"W	178.02'
C42	258.00'	356.12'	79°05'11"	S16°13'20"W	328.52'
C43	158.00'	102.17'	37°02'56"	N37°14'27"E	100.40'
C44	70.00'	108.13'	88°30'21"	N62°58'10"E	97.70'
C45	969.90'	64.88'	3°49'58"	S70°51'41"E	64.87'
C46	309.93'	113.63'	21°00'22"	S42°08'23"W	113.00'
C47	30.00'	79.94'	152°40'26"	S23°41'48"E	58.31'
C48	80.00'	76.35'	54°40'47"	S72°41'37"E	73.49'
C49	35.00'	66.51'	108°52'44"	S09°05'08"W	56.95'
C50	215.00'	105.95'	28°14'02"	S77°38'31"W	104.88'
C51	300.00'	71.63'	13°40'48"	N81°24'04"W	71.46'
C52	100.00'	67.00'	38°23'17"	S86°14'42"W	65.76'
C53	20.00'	40.96'	117°21'18"	S08°22'24"W	34.18'
C54	950.00'	174.26'	10°30'36"	S55°33'33"E	174.02'
C55	969.90'	351.62'	20°46'19"	N58°33'33"W	349.71'
C56	530.00'	210.42'	22°44'51"	S59°32'49"E	209.05'

Curve No.	Radius	Length	Delta	Chord Bearing	Chord Length
C55	969.90'	351.62'	20°46'19"	N58°33'33"W	349.71'
C56	530.00'	210.42'	22°44'51"	S59°32'49"E	209.05'
C57	10.00'	14.83'	84°59'29"	S28°25'48"E	13.52'
C58	12.00'	10.72'	51°10'51"	S40°25'18"W	10.37'
C59	55.00'	271.05'	282°21'41"	S75°10'07"E	68.96'
C60	12.00'	10.72'	51°10'51"	N10°45'32"W	10.37'
C61	10.00'	14.97'	85°45'07"	N57°42'27"E	13.61'
C62	530.00'	151.79'	16°24'32"	S87°37'16"E	151.27'
C63	170.00'	53.55'	18°02'49"	S86°48'07"E	53.33'
C64	10.00'	15.57'	89°12'19"	S33°12'53"E	14.05'
C65	10.00'	16.16'	92°36'36"	N59°48'09"E	14.47'
C66	12.00'	10.72'	51°10'51"	S48°18'08"E	10.37'
C67	55.00'	271.05'	282°21'42"	N16°06'27"E	68.96'
C68	12.00'	10.72'	51°10'51"	S80°31'02"W	10.37'
C69	10.00'	15.25'	87°23'24"	N30°11'51"W	13.82'
C70	80.00'	59.24'	42°25'37"	S62°43'21"W	57.90'
C71	90.00'	112.47'	71°36'05"	S77°18'35"W	105.30'
C72	220.00'	33.08'	8°36'52"	N09°11'25"E	33.05'
C73	164.00'	189.24'	66°06'55"	N28°10'29"W	178.92'
C74	120.00'	53.44'	25°31'01"	N48°28'25"W	53.01'
C75	10.00'	15.71'	90°00'00"	N09°17'05"E	14.15'
C76	10.00'	12.87'	73°44'21"	S72°35'05"E	12.00'
C77	180.00'	80.16'	25°31'01"	S48°28'25"E	79.51'
C78	104.00'	120.01'	66°06'55"	S28°10'29"E	113.47'
C79	160.00'	24.06'	8°36'52"	S09°11'25"W	24.04'
C80	10.00'	16.01'	91°42'53"	S56°50'40"W	14.36'
C81	230.00'	74.15'	18°28'20"	N86°35'21"W	73.84'
C82	470.00'	390.90'	47°39'12"	S71°59'59"E	379.74'
C83	1029.90'	362.88'	20°11'16"	N58°16'00"W	361.01'
C84	110.00'	31.60'	16°27'37"	N43°43'10"W	31.50'
C85	60.00'	81.86'	78°10'20"	S74°34'32"E	75.66'
C86	120.00'	48.33'	23°04'32"	S77°52'34"W	48.01'
C87	50.00'	40.90'	46°51'56"	S67°09'11"E	39.77'
C88	100.00'	48.97'	28°03'34"	N57°44'59"W	48.49'

Curve No.	Radius	Length	Delta	Chord Bearing	Chord Length
(C100)	400.00'	18.26'	2°36'57"	S85°36'35"E	18.26'
(C101)	130.00'	54.40'	23°58'28"	S74°55'49"E	54.01'
(C102)	178.00'	229.71'	73°56'26"	S60°17'29"E	214.10'
(C103)	288.00'	397.53'	79°05'12"	S16°13'20"W	366.72'
(C104)	128.00'	82.77'	37°02'56"	S37°14'27"W	81.34'
(C105)	100.00'	154.34'	88°25'55"	S62°55'57"W	139.48'
(C106)	999.90'	429.52'	24°36'43"	N60°28'45"W	426.23'
(C107)	500.00'	415.84'	47°39'08"	N71°59'57"W	403.97'
(C108)	200.00'	76.56'	21°55'59"	N84°51'32"W	76.10'
(C109)	190.00'	28.57'	8°36'52"	S09°11'25"W	28.54'
(C110)	134.00'	154.63'	66°06'55"	S28°10'29"E	146.19'
(C111)	150.00'	66.80'	25°31'01"	S48°28'25"E	66.26'

Line No.	Length	Bearing
(L50)	158.39	S62°56'32"E
(L51)	303.01	N82°44'18"E
(L52)	9.14	S23°19'16"E
(L53)	327.40	S55°45'55"W
(L54)	108.60	S34°14'05"E
(L55)	113.35	S18°42'59"W
(L56)	263.16	N48°10'23"W
(L57)	215.34	N14°49'53"E
(L58)	578.40	S13°29'51"W
(L59)	195.72	N73°53'33"W
(L60)	150.57	S04°52'59"W
(L61)	160.42	S61°13'56"E
(L62)	109.55	S35°42'55"E

VICINITY MAP
SCALE: 1" = 1500'



1/4	SEC.	TWP.	RGE.
	12	01S	24E

WEST MEADOWS SUBDIVISION, 2ND FILING

JOB#: 2020-098

REVISIONS

Date	By

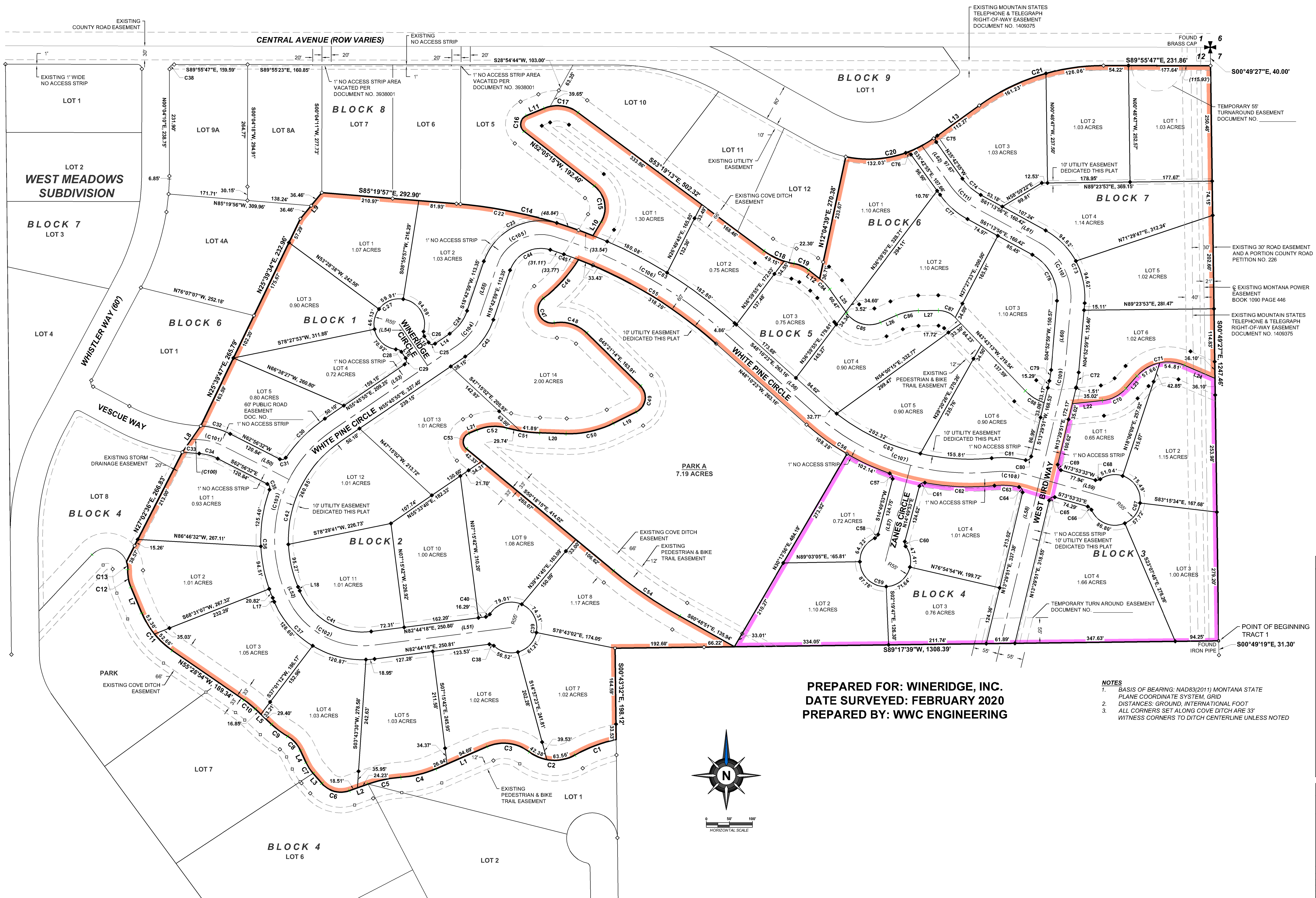
WWC ENGINEERING
550 S 24th STREET W, SUITE 201
BILLINGS, MT 59102
(406) 894-2210

Drawn By: AMR | Checked By: JPB | Date: OCTOBER 2020 | Scale: 1" = 100'

PLOT STYLE: WWC_v1-0.stb
20/01/2021 FILE PATH: K:\Billings\WINERIDGE, INC\20098 2nd Filing West Meadows Sub\05CAD\Dgn\Subdivision Platting\West Meadows Subdivision, , 2nd Filing_AMR.dwg

WEST MEADOWS SUBDIVISION, 2ND FILING

LOT 1A OF WEST MEADOWS SUBDIVISION AMENDED PLAT
SITUATED IN THE N1/2NE1/4 OF SECTION 12, T.1S., R.24E., P.M.M.
YELLOWSTONE COUNTY, MONTANA



PREPARED FOR: WINERIDGE, INC.
DATE SURVEYED: FEBRUARY 2020
PREPARED BY: WWC ENGINEERING

NOTES

1. *BASIS OF BEARING: NAD83(2011) MONTANA STATE PLANE COORDINATE SYSTEM, GRID*
2. *DISTANCES: GROUND, INTERNATIONAL FOOT*
3. *ALL CORNERS SET ALONG COVE DITCH ARE 33' WITNESS CORNERS TO DITCH CENTERLINE UNLESS NOTED*

LEGEND

- SECTION CORNER FOUND BRASS CAP
- SECTION 1/16 CORNER FOUND ALUMINUM CAP
- FOUND ALUMINUM CAP
- FOUND REBAR
- FOUND BRASS CAP
- SET ⅝" REBAR W/ PURPLE PLASTIC CAP (BRUCKNER, 63052 LS)
- SET ⅝" REBAR W/ ALUMINUM CAP (63052 LS)
- PHASE I
- PHASE II
- PUBLIC ROAD EASEMENT DOC. NO. ___________
- EXISTING EASEMENTS
- PROPERTY BOUNDARY
- EASEMENT DEDICATED THIS PLAT

1/4	SEC.	TWP.	RGE.
	12	01S	24E

WEST MEADOWS SUBDIVISION, 2ND FILING

JOB#: 2020-098

REVISIONS
Date | By

WWC ENGINEERING
550 S 24th STREET W, SUITE 201
BILLINGS, MT 59102
(406) 894-2210

Drawn By: AMR | Checked By: JPB | Date: OCTOBER 2020 | Scale: 1" = 100'

SUBDIVISION IMPROVEMENTS AGREEMENT
West Meadows Subdivision 2nd Filing
Table of Contents
(Yellowstone County)

SUBDIVISION IMPROVEMENTS AGREEMENT

West Meadows Subdivision, 2nd Filing

This agreement is made and entered into this ____ day of _____, 2021, by and between Wineridge, Inc., whose address for the purpose of this agreement is **P.O. Box 81508, Billings, MT 59108**, hereinafter referred to as "Subdivider," and YELLOWSTONE COUNTY, Montana, hereinafter referred to as "County."

WITNESSETH:

WHEREAS, at a regular meeting conducted on _____ day of _____, 2021, the Board of Planning recommended conditional approval of a preliminary plat of *West Meadows Subdivision, 2nd Filing;* and

WHEREAS, at a regular meeting conducted on _____ day of _____, 2021, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of West Meadows Subdivision, 2nd Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the County prior to the approval of the final plat.

WHEREAS, the provisions of this agreement shall be effective and applicable to West Meadows Subdivision, 2nd Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The Subdivision shall comply with all requirement of the Yellowstone County Subdivision Regulations, the rules, regulations, policies, and resolutions of Yellowstone County, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

A. There are no variance requests with this subdivision.

II. CONDITIONS THAT RUN WITH THE LAND

A. Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.

B. Lot owners should be aware that soil characteristics within the area of this subdivision, as described in 1972 Yellowstone County Soil Survey, indicate that

there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

C. No water rights have been transferred to the lot owners. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners.

D. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this Agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

E. Culverts and associated drainage swales shall not be filled in or altered by the subdivider or subsequent lot owners.

F. When required by road improvements, all fences and irrigation ditches in the public right-of-way adjacent to this subdivision shall be removed or relocated outside of the public right-of-way and any relocation outside of the public right-of-way shall be subject to securing and recording easements.

G. Subdivider may obtain water rights from the High Ditch Company or Cove Ditch Company to be used for a community irrigation system that would be operated and maintained through a Homeowners Association of the West Meadows Subdivision 2nd Filing. This is not a County required improvement.

H. The Burlington Northern Railroad right-of-way is located along the southeasterly boundary of the site and is in active operation. Noise from the moving trains is clearly audible within the subdivision.

I. Future maintenance of all public (or common) improvements shall be done through one (1) or more Rural Special Improvement Districts (RSIDs) created as part of the SIA for this subdivision. The subdivision, is located in a RSID; RSID#773M.

III. TRANSPORTATION

The subdivider agrees to guarantee all improvements for a period of one (1) year from the date of final acceptance by Yellowstone County.

A. Streets

Streets shall be built to grade with a satisfactory engineered subbase, base course, and asphalt surface. The internal subdivision streets will be 28 feet wide (24-foot wide paved surface with 2-foot side gravel shoulders) public

streets with drainage ditches on both sides. Culverts shall be provided to convey stormwater across roadways and driveways. The engineered design cross-sections of said streets shall be submitted to Yellowstone County Public Works Department. Improvements of streets shall be as outlined in Section XI in this SIA.

1. Interior Curbs and Gutters: Curbs and gutters within the subdivision will not be installed.

2. Street Name Signs: Street name signs for streets within the subdivision or located immediately adjacent thereto shall be furnished and installed in accordance with the specifications of the County Public Works Department and in compliance with MUTCD standards.

B. Traffic Control Devices

1. No traffic signals are required for this subdivision.

2. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual of Uniform Traffic Control Devices.

C. Access

A 60-foot wide right-of-way shall be dedicated by Subdivider for all internal streets. A right-of-way-dedication for Central Avenue was completed previously under the West Meadows Subdivision, which includes not only the petitioned right-of-way of Central Avenue, but an additional 10' of dedicated right-of-way. This dedication is not to be changed by this package.

Dedicated rights-of-way are closed until approval by the County Public Works Department. No permits for approaches to the roadway will be issued prior to approval by the County Public Works Department except as outlined herein.

All driveway approaches shall be piped in accordance with the approach standards of Yellowstone County Public Works. ROW culvert sizes are shown MDEQ storm water design report.

The County Public Works Department will issue permits for approaches to the public roadway (Central Avenue and Whistler Way) prior to opening of the dedicated rights-of-way, if the required public improvements outlined herein are secured by letter of credit or a letter of commitment to lend funds from a commercial lender.

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

The subdivision is not within the area of the BABTMP.

E. Survey Monuments

Survey monuments shall be installed as required by Yellowstone County and the Montana Subdivision and Platting Act.

F. Maintenance

RSID 773M was adopted in 2012 for purposes of maintenance of all street improvements including signage, surfacing, culverts, weed control, and fire protection facilities located within the dedicated rights-of-way and dedicated park areas as indicated on the plat. The associated estimated costs will be used for maintenance.

IV. EMERGENCY SERVICE

Fire Protection Service: The entire West Meadows Subdivision 2nd Filing is located within the Laurel Volunteer Fire District (LVFD) and as such, the LVFD provides fire service to the area. A dedicated fire suppressant system for LVFD use will be constructed during Phase I of the Subdivision. The pond will be located within an easement area on Lot 1 of Block 5 of West Meadows Subdivision 2nd Filing. The pond shall have suction piping and a dry hydrant connection meeting LVFD approval. The suction piping shall be constructed to be off of the bottom of the pond as approved by LVFD and shall have a straining device on the piping with openings as approved by LVFD. The pond is to be maintained year round by a Maintenance District formed by the Developer. The Maintenance District shall have a contract with Cove Ditch to allow filling of the pond. Should the pond not be able to be filled by the ditch, the Maintenance District shall fill the pond by water truck if necessary. Access to the pond shall be constructed during Phase I of the Subdivision and shall be to County standards. Access shall be to the top slope of the pond and shall have standard signage at the fire department connection meeting LVFD approval. A Maintenance District shall also provide year round maintenance of the access, signage, suction line, and pond for reliability of use.

Access to the individual properties via the collector road shall be addressed within the 2012 International Fire Code, Fire Department Access. The driveways leading to the structures located on these individual properties shall provide a minimum unobstructed width of 12 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches when any portion of an exterior wall of the first story of a building is located less than 150 feet from a road. These roads shall be all-weather surface roads.

Driveways leading to structures located on individual properties when any portion of an exterior wall of the first story of a building is located in excess of 150 feet from the road shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches, and roads in excess of 150 feet from the road in length that dead end shall be provided with turnarounds with an inside turning radii of not less than 30 feet and an outside turning radii of not less than 45 feet. These roads shall be all-weather surface roads.

V. STORM DRAINAGE

All storm water facilities located within or adjacent to the subdivision are an integral part of the street drainage system and shall remain so until such time as a storm drain trunk system becomes available and is utilized by the subdivision.

All drainage improvements shall comply with the provisions of the Section 4.7, Yellowstone County Subdivision Regulations, and a storm water management plan shall be submitted to and approved by MDEQ.

VI. UTILITIES

A. Water

Public water service is not available to the subdivision at this time. The subdivision will be served by individual cisterns for each lot. The systems shall be located as shown on the site layout approved by DEQ. Installation and maintenance of said systems shall be the responsibility of the lot purchaser.

B. Septic System

Municipal public sewer service is not available in the subdivision at this time. The subdivision will be served by individual on-site wastewater disposal systems as approved by DEQ. These systems shall be located and installed as shown on the site layout approved by DEQ. Installation and maintenance of said systems shall be the responsibility of the lot purchaser.

C. Power, Telephone, Gas, and Cable Television

Telephone, gas, electrical power, and cable television lines (where said utilities are available and existing to the subdivision) shall be installed as required and prior to street paving.

VII. PARKS/OPEN SPACE

As part of the West Meadows Subdivision, the Subdivider made a park contribution of land of 6.42 acres. The required land contribution is 2.87 acres for West Meadows Subdivision 2nd Filing. The park dedication made as part of the original West Meadows Subdivision was not vacated as part of the West Meadows Amended Subdivision package and is to be considered the park land dedication for the West Meadows Subdivision 2nd Filing.

RSID#773M was previously created for maintenance of public infrastructure within the West Meadows Subdivision. The irrigation system in the park of the West Meadows Subdivision 2nd Filing will be required to be maintained with the Park RSID to be created with this subdivision.

VIII. IRRIGATION

Concurrent with the recordation of the final plat, the Subdivider shall grant irrigation ditch easements, as depicted on the face of the plat, for the Cove Ditch, which currently exists on the property. The Cove Ditch will be maintained by the Cove

Ditch Company. The ditch easements will be 66 feet. There are no definitive plans for water share transfer at this time.

The mitigation efforts to protect the ditches during construction include:

- Maintenance of easements where feasible
- Standard erosion and sediment control measures will be used, and spill prevention best management practices (BMPs), and other BMPs will be used during construction.

IX. WEED MANAGEMENT

All noxious weeds on the latest Yellowstone County Noxious Weed List shall be controlled on all properties in the subdivision.

The weed plan shall include the following and shall be referenced in this SIA:

- A Weed Management Plan must be filed and updated as needed for approval by the Yellowstone County Weed Department. Said weed management plan shall contain the noxious weeds being addressed and the plan for the control of those weeds. All associated cost for noxious weed control is the responsibility of the owner of record.

- A revegetation plan shall be submitted as part of the management plan. A seeding recommendation can be obtained from the Yellowstone County Weed Department pursuant to Section 7-22-2152, MCA. The Yellowstone County Weed Department reserves the right to revise these recommendations based on the required site inspection.

- The Subdivider shall provide restoration of the areas disturbed during construction of the improvements outlined herein, as follows:

  Dryland Prairie Mix that may be seeded by either broadcast or drill.

X. SOILS/GEOTECHNICAL STUDY

Lot owners should be aware that soil characteristics within the area of this subdivision, as described in 1972 Yellowstone County Soil Survey, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical survey prior to construction.

XI. PHASING OF IMPROVEMENTS

The Subdivider requests to file the West Meadows Subdivision 2nd Filing as a Phased Subdivision. Completion of Phases will be per the following schedule.

- Phase I – April 2021
- Phase II – December 2027

Phase II will be platted and constructed by the Subdivider in the future. The Subdivider agrees not to sell or convey any lots in the Subdivision until the necessary installation of the public improvements to serve said lots and necessary access and traffic circulation for the traffic generated by those lots is provided. All phases must either be constructed prior to final plat or have financial guarantees prior to final plat as outlined in Section XII. Completion of each phase will be conducted in accordance with Yellowstone County Subdivision Regulations and Montana Code Annotated, as applicable.

Pursuant to the foregoing agreement, the Subdivider shall execute and record a Declaration of Restrictions on Transfers and Conveyances for each Phase, to be recorded concurrently with the recording of this Agreement. Said Declaration notifies all third parties that said lots may not be legally sold, conveyed or transferred until a Release executed by the Yellowstone County and substantially in the form of a Release has been recorded in the office of the Clerk and Recorder of Yellowstone County, Montana. No lots shall be released until a Certificate substantially in the form of a Certificate executed by Yellowstone County Department of Public Works stating that the above conditions have been met, which Certificate must accompany any request for a Release. By the acceptance and recording of the Agreement, the County does hereby authorize the Department of Public Works and the County Commissioners to review any request for Release and to execute such Certificates and Releases as may be necessary to evidence a Release from the restriction against sale, conveyance, and transfer of lots in the Subdivision.

Subdivider agrees to install postal service boxes for the proposed subdivision adjacent to the existing postal service boxes located near the intersection of South 80th Street West and Monad Road. Postal boxes will meet the requirements of the USPS for pad and box construction.

In accordance with the forgoing, the Subdivider and County agree as follows:

A. Phase I of infrastructure shall consist of the development of Lots 1 through 5 of Block 1, Lots 1 through 14 of Block 2, Lots 1 through 6 of Block 5, Lots 1 through 3 of Block 6, Lots 1 through 7 of Block 3. This phase shall include Vescue Way and Wineridge Circle in its entirety, White Pine Circle to the intersection of West Bird Way, and West Bird Way from the intersection to White Pine Circle to Central Avenue.

The Phase I improvements shall include the Phase I street improvements and the Phase I private utility improvements as described in this agreement. Easements for storm water control facilities inside of Phase I will be provided with the Final Plat of Phase I.

Improvements listed herein shall be installed and constructed utilizing a private contract guaranteed with appropriate monetary securities/guarantees. Said security/guarantee shall be in conformance with the requirements as outlined within the Yellowstone County Regulations.

B. Phase II of infrastructure shall consist of the development of Lots 1 through 4 of Block 3 and Lots 1 through 4 of Block 4. This phase shall include Zanes Circle, the remainder of White Pine Circle and the remainder of West Bird Way.

The Phase II improvements shall include the Phase II street improvements and the Phase II private utility improvements as described in this agreement. Easement for the storm water control facilities inside of Phase II will be provided with the Final Plat of Phase II.

Improvements listed herein shall be installed and constructed utilizing a private contract guaranteed with appropriate monetary securities/guarantees. Said security/guarantee shall be in conformance with the requirements as outlined within the Yellowstone County Regulations.

XII. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by bonds, irrevocable letters of credit, sequential development, or any other method that may be acceptable to the Planning Board and Board of County Commissioners. All engineering and legal work in connection with such improvements shall be paid by the contacting parties pursuant to said special improvement district or private contract, and the improvements shall be designed by and constructed under the supervision of a professional engineer competent in civil engineering, licensed in the state of Montana. Upon completion of the improvement, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvement have been completed in accordance with approved, seal stamped, record drawings, along with all required post-construction certification per Section 4.6.C. of the Yellowstone County Subdivision Regulations.

In the event that all required improvements are not installed and constructed prior to final plat approval, the Subdivider shall provide a monetary security guarantee in the amount of 125% of the estimated total cost by one (1) of the methods listed in Chapter 5 of the Yellowstone County Subdivision Regulations.

XIII. LEGAL PROVISIONS

A. Subdivider agrees to guarantee all public improvement for a period of one year from the date of the final acceptance by Yellowstone County.

B. The owners of the properties involved in this proposed Subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this Agreement.

C. The covenants, agreements, and all statements in this Agreement apply to and shall be binding on the heirs, personal representatives, successors and assigns of the respective parties.

D. In the event it becomes necessary for either party to this Agreement to retain an attorney to enforce any of the terms or conditions of this Agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this Agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this Agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agree that nothing contained herein shall relieve or exempt it from such compliance.

G. Subdivider agrees to create any required (or expansion of existing) RSID(s) for future maintenance of all public (or common) constructed improvement prior to final plat approval.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date first above written.

"SUBDIVIDER" WINERIDGE, INC

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 2021_____, known to me to be the _____ of WINERIDGE INC., who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by Yellowstone County, this _____ day of _____, 2021.

"COUNTY'
COUNTY OF YELLOWSTONE
MONTANA

County of Yellowstone
Board of County Commissioners

By: _____
Chairman

_____
Commissioner

_____
Commissioner

Attest:_____
County Clerk and Recorder

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 2021, before me, a Notary Public in and for the State of Montana, personally appeared _____, _____, and _____, known to me to be the Board of County Commissioners and the County Clerk and Recorder, respectively, of Yellowstone County, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of Yellowstone County, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires:_____

Planning Board

Date:	02/09/2021
Title:	Annafeld North Subdivision, 1st Filing - Preliminary Major Plat
Presented by:	David Green
Department:	Planning & Community Services
Presentation:	Yes

Information

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Annafeld North Subdivision, 1st Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval:

1. 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 the City of Billings Engineering Division. This agreement shall outline the maintenance responsibilities of the storm water facilities.

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.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On January 4, 2021, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Annafeld North Subdivision, 1st Filing. The proposed subdivision creates 53 new lots for development. The subject property is generally located on the north side of Elysian Road and west of the Hogan Slough. The property has been annexed into the city. The property is zoned Neighborhood Mixed Use (NMU) and the proposed lots will be developed in substantial compliance with this zoning. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on January 26, 2021.

VARIANCES REQUESTED

No variance from City Subdivision Regulations has been requested.

PROCEDURAL HISTORY

- Pre-application meeting November 12, 2020
- Preliminary plat application submitted to the Planning Division on January 4, 2021.
- Departmental review meeting January 14, 2021
- Preliminary plat resubmittal January 21, 2021
- Planning Board plat review February 9, 2021
- Planning Board public hearing February 23, 2021
- Preliminary plat to City Council March 22, 2021
- 60 working-day preliminary plat review period ends March 31, 2021

PLAT INFORMATION

General location:	North of Elysian Road and west of the Hogan Slough.
Legal Description:	Lot 1, QFC Subdivision, 1st Filing
Owner/Subdivider:	McCall Development, Inc.
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	Neighborhood Mixed Use (NMU)
Existing land use:	Sod Farm

Proposed land use:	Residential
Gross and Net area:	17.85 acres / 14.04 acres
Proposed number of lots:	53
Lot size:	Max: 9.03 acres Min.: 2,212 square feet
Parkland requirements:	In accordance with 76-3-621(6)(a), MCA the overall development provides for land permanently set aside for park. These parks will be private and maintained by the HOA. The development meets or exceeds the 11% net land area dedication requirement.

STAKEHOLDERS

The Planning Board will review this plat at its February 9th meeting. The Planning Board will hold a public hearing at its next meeting prior to making a recommendation.

ALTERNATIVES

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects. Various City departments, private service/utility providers and the affected school district(s), have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plan. The 60 working day review period for the proposed subdivision ends on March 31, 2021. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plan

FISCAL EFFECTS

This subdivision will have no fiscal effect on the Planning Division.

Attachments

Findings of Fact

Preliminary Plat

SIA

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Annafeld North Subdivision, 1st Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(8), BMCC).

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 (8)(b)]

1. Effect on agriculture and agricultural water user facilities

The subject property is currently used as sod farmland it has been rezoned and is annexed into the City. This proposed development will remove about 17.85 acres of sod farming land out of production. Perimeter ditches and drains shall remain in place and not be altered by the subdivider or subsequent owners. Any irrigation facilities will continue to provide irrigation to the remaining sod farm area to the north. The subdivision should not affect agricultural water users' facilities, but it will take land out of agricultural production.

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 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 installing an 8-inch water line in all the internal streets of this proposed filing. There will be connections provided for each lot within the subdivision. The main water lines will create a looped system to maintain equal water pressures throughout the development as the subdivision is constructed as outlined in the SIA under the heading VI Utilities.

   Sanitary sewer service will be provided by the City of Billings. All sanitary sewer lines will ultimately connect to an existing 24-inch gravity sewer trunk main that is in the south east corner of 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 as outlined in the SIA under the heading VI Utilities.

   Private utility companies, such as gas and electric, will provide service to the subdivision. Easements have been shown on the face of the plat that are acceptable to these utility providers. Some of the private utility lines will go in the carriage ways / 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 stormwater detention area that is located within a private park. This park will be deeded to the HOA and maintained by them. All 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. The applicant will submit an Operating and Maintenance manual to be followed by the HOA. The applicant will have the HOA documents completed and reviewed by the Engineering Division for the maintenance of the storm water systems before final plat approval. **(Condition #1)**

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 providing the required road 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. Road within the subdivision that currently are not named will be named before final plat.

   Elysian Road is designated as a collector on the Functional Classification Map. Elysian Road will be improved along the first filing with curb and gutter along with pavement widening. The widening will include a travel lane, center turn lane / center median and a parking lane. Storm drainage will be handled with curb and gutters draining as approved by City Engineering. All proposed improvements on Elysian Road will be submitted to City Engineering for review and approval prior to construction. This is all outlined in the SIA under the heading III Transportation A Streets.

   A TIS to account for any roads or connections that will be impact by this subdivision has been submitted to City Engineering. In the SIA under the heading, III Transportation it discusses impacts to Mullowney Land and Elysian Road and the impacts to East Lane and Elysian Road to be completed on the south side with the required storm water drainage with curb and gutter. Impacts to the surrounding roads and the required contributions to those roads and intersections is all outlined in the SIA under the heading III Transportation A Streets.

e. **Emergency services** – The Billings Police and Fire Department will respond to emergencies within the proposed subdivision. The nearest fire station is located at 604 S. 24th St. West (Station #5). The Fire Department has reviewed the proposed subdivision and is satisfied with 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 School provides educational services to elementary through middle school students. Elysian School has indicated that they currently have additional capacity for students. West High School would serve as the high school for this subdivision. A response from School District #2 indicates that West High School is currently over 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 subdivision regulations allow dedication of parkland to be waived. Consideration for waiving dedication of parkland occurs if the subdivision provides for a development with land permanently set aside for park and recreational uses enough to meet the needs of the persons who will ultimately reside in the development. Consideration for waiving dedication of parkland occurs if 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 development 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 developer is also providing a park on the north east corner of the subdivision.

h. **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision; they have indicated centralized mailbox units will be required. A paragraph 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 relatively level farm land adjacent to urban development on its south and east sides. A geotechnical study was performed for the subdivision, dated December 2020, a summary of the information from that study will be included in the SIA under the heading VIII. Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a paragraph 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 because of this subdivision.

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-902]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616 (2), MCA.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2016 Growth Policy, the 2019 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]

1. City of Billings 2016 Growth Policy

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

> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired (p.8). Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)
>
> **Home Base (healthy, safe and diverse housing options)** A mix of housing types that meet the needs of a diverse population is important. (p.9) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

2. 2019 Urban Area Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 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 has constructed a multi-use pathway along the entire frontage of the property along the south side of Elysian Road and a pedestrian bridge has been constructed over Hogan Slough. The developer to the east also constructed a pathway along the south side of Elysian Road so there will be a multi-use pathway constructed from Mullowney Lane to East Lane for multi modal users and youth to get to Elysian School. There will be no requirement for additional trail from this subdivision.

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(8)(b)(1)]

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 (8)(b)(5)]

The subject property will be in City zoning district Neighborhood Mixed Use (NMU). The proposed subdivision lots meet the requirements of zoning and further zoning compliance will take place with the submittal of buildings on specific lots.

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 (8)(b)(2)]

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 (8)(b)(3)]

Legal and physical access is provided to the proposed lots from Elysian Road, the new proposed internal roads and connections to the other road within Annafeld North Subdivision, 1st Filing.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Annafeld North Subdivision, 1st 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 2016 Growth Policy 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 Annafeld North Subdivision, 1st Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PRELIMINARY PLAT OF

ANNAFELD NORTH SUBDIVISION, FIRST FILING

BEING LOT 1 OF QFC SUBDVISION, FIRST FILING,
BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : MCCALL DEVELOPMENT, LLC

PREPARED BY : SANDERSON STEWART

DECEMBER, 2020

BILLINGS, MONTANA

- ○ FOUND SURVEY MONUMENT, REBAR WITH "SANDERSON STEWART" CAP OR AS NOTED.
- □ EXISTING BRASS CAP IN CAST IRON MONUMENT BOX.
- ╲ 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.

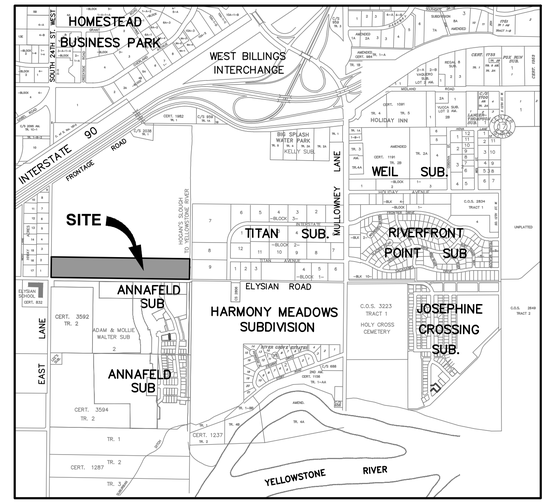
PLAT DATA

GROSS AREA	=	±17.85 ACRES
NET AREA	=	±13.73 ACRES
NUMBER OF LOTS	=	53
MINIMUM LOT SIZE	=	2,290 SF
MAXIMUM LOT SIZE	=	395,844 SF
LINEAL FEET OF STREETS	=	1,508 L.F.
PARKLAND REQUIREMENT	=	±0.552 ACRES
PARKLAND DEDICATION	=	±0.7315 ACRES
EXISTING ZONING	=	NEIGHBORHOOD COMMERCIAL
SURROUNDING ZONING:		
NORTH	=	HIGHWAY COMMERCIAL
SOUTH	=	P.U.D.
EAST	=	HIGHWAY COMMERCIAL
WEST	=	RESIDENTIAL 15000
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL

NORTH

80 40 0 80 160

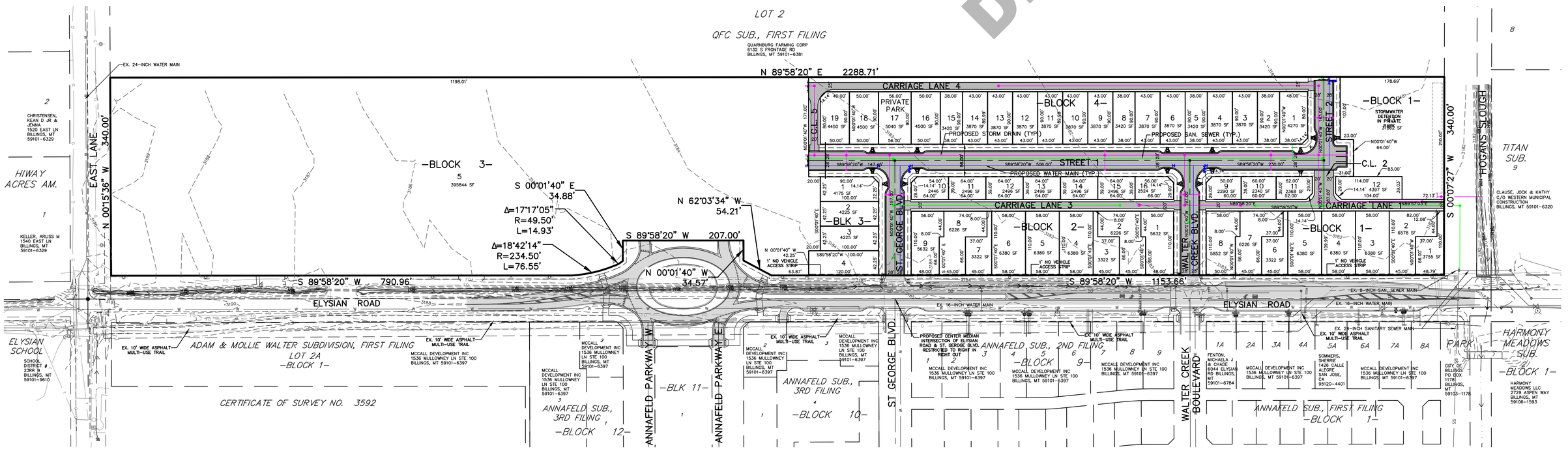
SCALE: 1"=80'



VICINITY MAP

NOT TO SCALE

DRAFT



Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS ANNAFELD NORTH SUBDIVISION, FIRST FILING

CITY OF BILLINGS

Table of Contents

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS ANNAFELD NORTH SUBDIVISION, FIRST FILING

THIS AGREEMENT is made and entered into this _____ day of _____, 20___, by and between **MCCALL DEVELOPMENT, INC.**, whose address for the purpose of this agreement is 1536 Mullowney Lane, Suite 100; Billings, Montana 59101, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of Annafeld North Subdivision, First Filing located in Yellowstone County, Montana was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on the __ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of Annafeld North Subdivision, First Filing; and

WHEREAS, at a regular meeting conducted on the __ day of _____, 20__, the City Council conditionally approved a preliminary plat of Annafeld North Subdivision, First Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat; and

WHEREAS, a Development Agreement between the Subdivider and the City is of record in the office of the Clerk and Recorder, under Document No. _____; and

WHEREAS, the provisions of this agreement shall be effective and applicable to Annafeld North Subdivision, First Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

None requested

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

B. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner, or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

C. Lot owners should be aware that this subdivision is built with a "traditional neighborhood" design. The dwellings will have the garage set in the rear of the lots. The access will be provided to the garages by means of a paved alley.

D. Lot owners should be aware that this subdivision is adjacent to wildlife habitat. Consequently, owners are advised that wildlife indigenous to the area is found on the property and may impact the developed property and interface with domestic animals, residents, and visitors. Owners may also experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops

and/or a threat to public health and safety. Any impacts associated with wildlife and any damage arising there from is the responsibility of the lot owners.

E. No water rights have been transferred to the individual lot owners but may be held by the Subdivider and/or the homeowners association. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners without the permission of the controlling ditch company.

F. Lot owners should be aware they may be required to participate in a park maintenance district administered by the homeowners association for Annafeld North Subdivision, First Filing.

G. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for any construction on lots. Best Management Practices are defined within Chapter 28-201, BMCC and detailed in the City of Billings *Stormwater Management Manual.*

H. Lot owners should be aware that Hogan's Slough adjacent to the subdivision is a major stormwater outfall for Billings west end. There is a possibility that the slough could overtop during a major storm event. Based upon the existing topography near Hogan's Slough and the Elysian Road Bridge, it is anticipated that the channel would overtop northeast of Elysian Road and flow east prior to overtopping Elysian Road. There is the possibility however that Elysian Road could be overtopped during a major storm event. If that occurs, flows not carried within the Hogan's Slough channel would be carried within the subdivision streets. The elevation of residential dwellings and commercial structures must be established in recognition of the City's policy that storm runoff flows are allowed to a depth of 18-inches in the gutter flowline of adjacent streets during the major storm. Higher house finished floor elevations may be required on a lot by lot basis.

I. The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution Prevention Plan (SWPPP) filed with the City and the State Department of Environmental Quality (DEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by DEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the City of Billings *Stormwater Management Manual.*

III. TRANSPORTATION

A. Streets

1. All internal access roads and site improvements within the subdivision will be in accordance with the City of Billings Site Development Ordinance, City Zoning Ordinance, International Building Code, the *Stormwater Management Manual*, and other applicable City codes, rules, and regulations.

2. All internal streets within the subdivision shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All public roads will be built to provide a 34-foot back-to-back curb street width. The design cross-sections of said streets shall be submitted to, and approved by, the City of Billings Public Works Department. The street improvements will be completed by private contract or SID.

3. Elysian Road is designated as a collector on the Billings/Yellowstone County Functional Classification Map. Curb and gutter will be constructed on the north side of Elysian Road adjacent to the First Filing, excluding the large lot for future 2nd Filing (Lot 5, Block 3). Improvements will also include the construction of necessary pavement widening to construct westbound travel lane, center turn lane/center median and parking lane adjacent the subdivision. A full access will be provided at Walter Creek Boulevard and Elysian Road. A restricted right in right out access with a center median will be provided at St. George Boulevard and Elysian Road. Storm drain shall be installed as necessary, draining directly to Hogan's Slough and/or routed internally through the subdivision. The design cross-section of said street shall be submitted to, and approved by, the City of Billings Public Works Department. Elysian Road improvements will be completed by private contract or SID.

4. A traffic accessibility study has been completed for the Annafeld North Subdivision, First Filing. All required intersection improvement contributions identified therein shall be completed by the Subdivider at the Subdivider's expense. Based on the additional lots created with Annafeld North Subdivision, First Filing, the percent of traffic contribution and associated costs to these intersections is as follows:

Mullowney Lane/Elysian Road	2.50%	$6,250.00
Elysian Road/East Lane	1.08%	$2,700.00

These cash contributions for the intersection improvements will be made prior to final plat approval. The percentage contributions and dollar amounts are as outlined within the Traffic Impacts Study for Annafeld North Subdivision, First Filing as submitted with the preliminary plat.

B. Alleys

All alleys within the subdivision shall be built to grade with a satisfactory subbase, base course, and asphalt surface or concrete surface. All alley approaches constructed with asphalt shall be replaced with concrete by the Subdivider at the time when home construction is complete. In the event asphalt approaches within the subdivision are not replaced with concrete within three years of the date of recording of the final plat, the City may construct the concrete approaches and assess the Subdivider for the costs associated with the approach construction. Alley pavement widths shall be 12-feet. The design cross-sections of said alleys shall be submitted to, and approved by, the City of Billings Public Works Department. No trees are allowed to be planted in the alley. In addition, no shrubs taller than two feet are allowed to be planted in alleys.

C. Sidewalks

Subdivider shall install handicap access ramps, where necessary, during street construction. Construction of sidewalks along frontage of the lots shall be installed by the lot owner at the time of lot development. Sidewalks along the street frontage shall be minimum 5-foot-wide and separated with a boulevard width not less than five feet. Developer shall construct the 5-foot-wide boulevard sidewalk adjacent to private parks (Lot 13, Block 1 and Lot 17, Block 4) at the time of private park development.

In the event that portions of the required sidewalks within the subdivision are not constructed within three years of the date of recording of the final plat, the City may construct the remaining sidewalks and assess the individual lot owners for the costs associated with the sidewalk construction.

D. Street Lighting

Street lighting is not required for this subdivision; however, it is anticipated that street lighting will be installed for First Filing by private contract or SID. A Street Light Maintenance District will be created for operation and maintenance of the lighting at a future date and is included in the waiver of right to protest.

E. Traffic Control Devices

1. Street name signs for streets within the subdivision, or located immediately adjacent thereto, shall be furnished and installed in accordance with the specifications of the City of Billings Public Works and Fire Departments.

2. No traffic signals are required within this subdivision.

3. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual on Uniform Traffic Control Devices and approved by the City of Billings Public Works Department.

F. Access

Access to the subdivision will be provided by Walter Creek Boulevard and St. George Boulevard. Alley access is also provided to all residential lots within the subdivision.

G. Billings Area Bikeway and Trail Master Plan

A multi-use trail has been constructed along the south boundary of Elysian Road. Said multi-use trail extends from the east boundary of the subdivision to the easterly right-of-way line of East Lane.

H. Public Transit

There are no MET Transit routes that service this subdivision at this time. The nearest established route is at the intersection of Elysian Road and Mullowney Lane. No improvements with regard to MET Transit vehicles are anticipated at this time.

IV. EMERGENCY SERVICE

A. Fire Hydrants

Emergency service will be provided by the City. Placement of fire hydrants will be as required by the City of Billings Fire Department.

B. Construction of Buildings

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to issuance of a building permit for construction using combustible materials (i.e. lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150-feet of the furthest portion of a building under construction as measured along the approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-foot-wide.
- An operational fire hydrant shall be located within 600-feet of the furthest portion of a residence under construction, or within 400-feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

C. Building Location

All buildings shall be located on each lot so that the furthest portion of each building is within 150-feet from an approved fire department access road over an approved route excluding all carriage lanes and alleyways.

V. STORM DRAINAGE

Storm drainage for the public streets shall be provided by a combination of surface drainage and curbs and gutters, drained to underground storm drains, and with discharge to a new detention facility that is located within the subdivision in a

private park on Lot 13, Block 1. This detention facility has been sized to accept additional runoff generated from the future Annafeld North Subdivision, Second Filing. The detention facility on site will be sized to store the stormwater generated by Annafeld North Subdivision, First and Second Filing. Treatment for the water quality runoff will be provided in the stormwater detention facility. The stormwater detention facility will discharge to Hogan's Slough. Stormwater management facilities for the subdivision must be able to pass flows generated outside the subdivision area without inundating existing and proposed home sites. All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division prior to filing of the final plat.

The stormwater detention area is to be located within a private park lot deeded to the Annafeld North Subdivision HOA and will be an integral part of the public street drainage system. The drainage system improvements will be in accordance with the recommendations of the stormwater analysis and report prepared and submitted with the improvement plans and specifications. Maintenance of the stormwater detention area and associated drainage facilities shall be by the Annafeld North Subdivision HOA.

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department - Engineering Division. The extension of/connection to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Subdivider/owner acknowledges that the subdivision shall be subject to the applicable system development fees in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc.) shall be in accordance with design standards, specifications, rules, regulations of, and as approved by the City of Billings Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

A. Water

The Annafeld North Subdivision water system consists of a looped water main located in each of the local streets. The subdivision water system will consist of new 8-inch water mains in Walter Creek Boulevard, St. George Boulevard, Street 1 (temporary name) and Street 2 (temporary name). A new 8-inch water main will also be installed parallel to the existing 16-inch water main Elysian Road to serve Lots 1-8, Block 1 and Lots 1-9, Block 2. A stub for future connection will be provided in Street 2 (temporary name). Future filing of Annafeld North Subdivision will provide the opportunity to make additional connections to the trunk main in Elysian Road providing water main looping.

B. Sanitary Sewer

Sanitary sewer service to Annafeld North Subdivision, First Filing will be provided by connecting to the existing 24-inch trunk sanitary sewer located in the south east corner of the subdivision. A stub for future connection will be provided in Street 2 (temporary name). All sanitary sewer construction improvements shall be installed in conformance with the design standards, specifications, and rules and regulations of the City of Billings and Montana Department of Environmental Quality, and will be approved by the Public Works Department, Distribution, and Collection Division.

C. Power, Telephone, Gas, and Cable Television

Private utility facilities currently exist to serve the subdivision. The private utility facilities will be installed within the alley right-of-way and by easements included on the plat, as requested by the utility companies, to provide routes to the alleys.

VII. PARKS/OPEN SPACE

Per Section 76-3-621 of the Montana Code Annotated, 0.533 acres of parkland dedication is required for Annafeld North Subdivision, First Filing. The parkland provided with the platting of Annafeld North Subdivision, First Filing is 0.847 acres. The excess parkland dedication will be applied to the parkland provided for Annafeld North Subdivision, Second Filing. The Subdivider proposes to dedicate land as private parks. The private parks will be maintained by the Annafeld North Subdivision Homeowners Association (HOA).

VIII. HOMEOWNER'S ASSOCIATIONS

A homeowner's association (HOA) will be established for this subdivision. The HOA will have the following responsibilities:

A. Contact Information

HOA shall provide contact information of the senior board official to the City Engineering Department upon the establishment of the HOA and/or changing of board members.

B. Stormwater Drainage Facilities

The HOA shall be responsible for the maintenance of the mechanical filtration stormwater manholes. The HOA shall share the cost of maintenance of the community stormwater facilities.

IX. POSTAL DELIVERY

The Subdivider shall provide centralized delivery boxes with sufficient pullout to accommodate a mail carrier vehicle. The location of the boxes shall be reviewed and approved by the United States Postal Service.

X. SOILS/GEOTECHNICAL STUDY

A soils/geotechnical study is being performed for the subdivision. The report dated December 2020, will be available for review at the City of Billings Planning Department. Lot owners and contractors/builders will be encouraged to review the report and its recommendations.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and Utility Department Manager.

XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two years from the date of substantial completion.

B. The owners of the properties involved in this proposed subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this agreement.

C. The covenants, agreements, and all statements in this agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

D. In the event it becomes necessary for either party to this agreement to retain an attorney to enforce any of the terms or conditions of this agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date Second above written.

"SUBDIVIDER" **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____of **MCCALL DEVELOPMENT, INC.** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20___.

"CITY" **CITY OF BILLINGS, MONTANA**

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

WAIVER OF RIGHT TO PROTEST
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties, and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned that is the subject of this waiver is more particularly described as follows:

ANNAFELD NORTH SUBDIVISION, FIRST FILING

SUBDIVIDER/OWNER **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the person who executed the foregoing instrument as the _____ of **MCCALL DEVELOPMENT, INC.** and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed Name:_____
Residing at:_____
My commission expires:_____

Planning Board

Date:	02/09/2021
Title:	Annafeld North Subdivision, 2nd Filing - Preliminary Major Plat
Presented by:	David Green
Department:	Planning & Community Services
Presentation:	Yes

Information

RECOMMENDATION

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of Annafeld North Subdivision, 2nd Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PROPOSED CONDITIONS OF APPROVAL

Staff recommends the following conditions of approval:

1. 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.

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.

BACKGROUND (Consistency with Adopted Plans and Policies, if applicable)

On January 4, 2021, Sanderson Stewart, agent for McCall Development, Inc., applied for preliminary major plat approval for Annafeld North Subdivision, 2nd Filing. The proposed subdivision creates 50 new lots for development. The subject property is generally located on north side of Elysian Road and east of East Lane. The property has been annexed into the city. The property is zoned Neighborhood Mixed Use (NMU) and the proposed lots will be developed in substantial compliance with this zoning. The Yellowstone County Board of Planning will review the plat at this meeting and conduct a public hearing on January 26, 2021.

VARIANCES REQUESTED

No Variance from City Subdivision Regulations has been requested.

PROCEDURAL HISTORY

- Pre-application meeting November 12, 2020
- Preliminary plat application submitted to the Planning Division on January 4, 2021.
- Departmental review meeting January 21, 2021
- Preliminary plat re-submittal January 28, 2021
- Planning Board plat review February 9, 2021
- Planning Board public hearing February 23, 2021
- Preliminary plat to City Council March 22, 2021
- 60 working-day preliminary plat review period ends March 31, 2021

PLAT INFORMATION

General location:	North of Elysian Road and east of East Lane
Legal Description:	Lot 5, Block 3, Annafeld North Subdivision, 1st Filing
Owner/Subdivider:	McCall Development, Inc.
Engineer and Surveyor:	Sanderson Stewart
Existing Zoning:	Neighborhood Mixed Use (NMU)
Existing land use:	Sod Farm

Proposed land use:	Residential
Gross and Net area:	9.03 acres / 5.69 acres
Proposed number of lots:	50
Lot size:	Max: 9,393 square feet Min.: 1,732 square feet
Parkland requirements:	In accordance with 76-3-621(6)(a), MCA the overall development provides for land permanently set aside for park. These parks will be private and maintained by the HOA. The development meets or exceeds the 11% net land area dedication requirement.

STAKEHOLDERS

On February 9th the Planning Board will review this plat. A public hearing will be held at the next meeting prior to the Planning Board making a recommendation.

ALTERNATIVES

One of the purposes of the City's subdivision review process is to identify potential negative effects of property being subdivided. When negative effects are identified it is the subdivider's responsibility to mitigate those effects. Various City departments, private service/utility providers and the affected school district(s), have reviewed this application and provided input on effects and mitigation. The Findings of Fact, which are presented as an attachment, discuss potential negative impacts of the subdivision and conditions of approval are recommended as measures to further mitigate any impacts. In this case, there were found to be minimal impacts from this proposed subdivision.

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed subdivision ends on March 31, 2012. State and City subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

1. Approve;
2. Conditionally Approve; or
3. Deny the Preliminary Plat

FISCAL EFFECTS

This subdivision will have no fiscal effect on the Planning Division.

Attachments

Findings of Fact

Proposed Plat

SIA

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Annafeld North Subdivision, 2nd Filing. These findings are based on the preliminary plat application and supplemental documents; addressing the review criteria required by the Montana Subdivision and Platting Act (76-3-608, MCA) and the Billings Subdivision Regulations (Section 23-303(8), BMCC).

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 (8)(b)]

1. Effect on agriculture and agricultural water user facilities

The subject property is currently used as sod farmland it has been rezoned and is annexed into the City. This proposed development will remove about 9.03 acres of sod farming land out of production. Perimeter ditches and drains shall remain in place and not be altered by the subdivider or subsequent owners. Any irrigation facilities will continue to provide irrigation to the remaining sod farm area to the north. The subdivision should not affect agricultural water users' facilities.

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 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 installing an 8-inch water line in all the internal streets of this proposed filing. There will be connections provided for each lot within the subdivision. The main water lines will create a looped system to maintain equal water pressures throughout the development as the subdivision is constructed as outlined in the SIA under the heading VI Utilities.

   Sanitary sewer service will be provided by the City of Billings. The subdivider will install new 8-inch 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 as outlined in the SIA under the heading VI Utilities.

   Private utility companies, such as gas and electric, will provide service to the subdivision. Easements have been shown on the face of the plat that are acceptable to these utility providers. Some of the private utility lines will go in the carriage ways / 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 stormwater detention area that is located within a private park in the Annafeld North Subdivision, 1st Filing. This park will be deeded to the HOA and maintained by them. All 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. The applicant will submit an Operating and Maintenance manual to be followed by the HOA. The applicant will have the HOA documents completed and reviewed by the Engineering Division for the maintenance of the storm water systems before final plat approval. **(Condition #1)**

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 providing the required road 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. Roads within the subdivision that currently are not named will be named before final plat.

Elysian Road is designated as a collector on the Functional Classification Map. Elysian Road will be improved along the second filing with curb and gutter along with pavement widening. The widening will include a travel lane, center turn lane / center median and a parking lane. A roundabout will be constructed with the second filing in Elysian Road. It will connect the roads coming out of Annafeld subdivision on the south and on the north, Annafeld Parkway East and West. Storm drainage will be handled with curb and gutters draining as approved by City Engineering. All proposed improvements on Elysian Road will be submitted to City Engineering for review and approval prior to construction. This is all outlined in the SIA under the heading III Transportation A Streets.

A TIS to account for any roads or connections that will be impact by this subdivision has been submitted to City Engineering. In the SIA under the heading, III Transportation it discusses impacts to Mullowney Land and Elysian Road and the impacts to East Lane and Elysian Road to be completed on the south side with the required storm water drainage with curb and gutter. Impacts to the surrounding roads and the required contributions to those roads and intersections is all outlined in the SIA under the heading III Transportation A Streets.

e. **Emergency services** – The Billings Police and Fire Department will respond to emergencies within the proposed subdivision. The nearest fire station is located at 604 S. 24th St. West (Station #5). The Fire Department has reviewed the proposed subdivision and is satisfied with 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 School provides educational services to elementary through middle school students. Elysian School has indicated that they currently have additional capacity for students. West High School would serve as the high school for this subdivision. A response from School District #2 indicates that West High School is currently over 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 subdivision regulations allow dedication of parkland to be waived. Consideration for waiving dedication of parkland occurs if the subdivision provides for a development with land permanently set aside for park and recreational uses enough to meet the needs of the persons who will ultimately reside in the development. Consideration for waiving dedication of parkland occurs if 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 development 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 developer also provided a park on the north east corner of Annafeld Subdivision 1st Filing. The parkland proposed with both subdivisions is the correct amount for both filings.

h. **Mail Delivery -** The United States Postal Service will provide postal service to the subdivision; they have indicated centralized mailbox units will be required. A paragraph 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 relatively level farm land adjacent to urban development on its south and east sides. A geotechnical study was performed for the subdivision, dated December 2020, a summary of the information from that study will be included in the SIA under the heading VIII. Soils/Geotechnical Study. The subdivision should have a minimal effect on the natural environment.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a paragraph 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 because of this subdivision.

B. Was an Environmental Assessment required? [(MCA 76-3-616 and BMCC 23-902]

The proposed subdivision is exempt from the requirement for an Environmental Assessment pursuant to Section 76-3-616 (2), MCA.

C. Does the subdivision conform to the Yellowstone County-City of Billings 2016 Growth Policy, the 2019 Urban Area Transportation Plan and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-(8)]

1. City of Billings 2016 Growth Policy

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

> **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods):** Neighborhoods that are safe and attractive and provide essential services are much desired (p.8). Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)
>
> **Home Base (healthy, safe and diverse housing options)** A mix of housing types that meet the needs of a diverse population is important. (p.9) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings.

2. 2019 Urban Area Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 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 has constructed a multi-use pathway along the entire frontage of the property along the south side of Elysian Road and a pedestrian bridge has been constructed over Hogan Slough. The developer to the east also constructed a pathway along the south side of Elysian Road so there will be a multi-use pathway constructed from Mullowney Lane to East Lane for multi modal users and youth to get to Elysian School.

There is a trial identified on East Lane. A new 10-foot-wide multi-use path will be constructed on the east side of East Lane adjacent to Annafeld North Subdivision, 2nd 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(8)(b)(1)]

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 (8)(b)(5)]

The subject property will be in City zoning district Neighborhood Mixed Use (NMU). The proposed subdivision lots meet the requirements of zoning and further zoning compliance will take place with the submittal of buildings on specific lots.

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 (8)(b)(2)]

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 (8)(b)(3)]

Legal and physical access is provided to the proposed lots from Elysian Road, the new proposed internal roads and connections to the other road within Annafeld North Subdivision, 1st Filing.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Annafeld North Subdivision, 2nd 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 2016 Growth Policy 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 Annafeld North Subdivision, 2nd Filing to the City Council, and adopt the Findings of Fact as presented in the staff report.

PRELIMINARY PLAT OF

ANNAFELD NORTH SUBDIVISION, SECOND FILING

BEING LOT 5, BLOCK 3, OF ANNAFELD NORTH SUBDIVISION, FIRST FILING, BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : MCCALL DEVELOPMENT, LLC

PREPARED BY : SANDERSON STEWART

DECEMBER, 2020

BILLINGS, MONTANA

- ○ FOUND SURVEY MONUMENT, REBAR WITH "SANDERSON STEWART" CAP OR AS NOTED.
- □ EXISTING BRASS CAP IN CAST IRON MONUMENT BOX.
- ╲ 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.

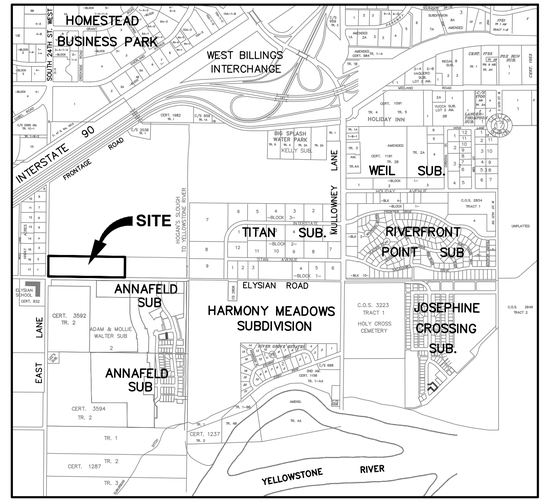
PLAT DATA

GROSS AREA	=	±9.09 ACRES
NET AREA	=	±5.69 ACRES
NUMBER OF LOTS	=	50
MINIMUM LOT SIZE	=	2,758 SF
MAXIMUM LOT SIZE	=	9,393 SF
LINEAL FEET OF STREETS	=	1,732 L.F.
PARKLAND REQUIREMENT	=	±0.624 ACRES
PARKLAND DEDICATION	=	±0.381 ACRES WITH EXCESS DEDICATION WITH ANNAFELD NORTH, 1ST FILING
EXISTING ZONING	=	NEIGHBORHOOD COMMERCIAL
SURROUNDING ZONING:		
NORTH	=	HIGHWAY COMMERCIAL
SOUTH	=	P.U.D
EAST	=	NEIGHBORHOOD COMMERCIAL
WEST	=	RESIDENTIAL 15000
EXISTING LAND USE	=	VACANT
PROPOSED LAND USE	=	RESIDENTIAL/COMMERCIAL

NORTH

50 25 0 50 100

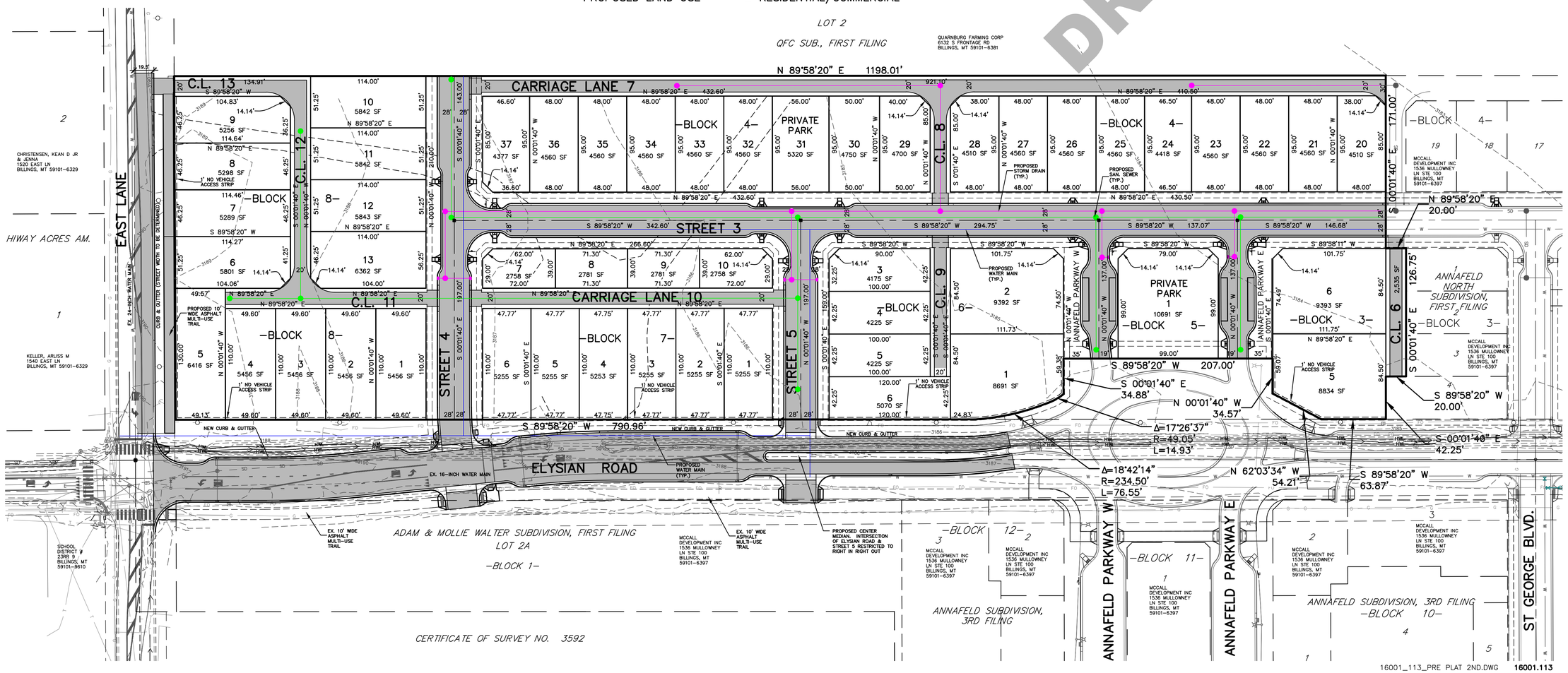
SCALE: 1"=50'



VICINITY MAP

NOT TO SCALE

DRAFT



Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS ANNAFELD NORTH SUBDIVISION, SECOND FILING

CITY OF BILLINGS

Table of Contents

Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

SUBDIVISION IMPROVEMENTS AGREEMENT & WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL IMPROVEMENT DISTRICTS ANNAFELD NORTH SUBDIVISION, SECOND FILING

THIS AGREEMENT is made and entered into this _____ day of _____, 20___, by and between **MCCALL DEVELOPMENT, INC.**, whose address for the purpose of this agreement is 1536 Mullowney Lane, Suite 100; Billings, Montana 59101, hereinafter referred to as "Subdivider," and the **CITY OF BILLINGS**, Billings, Montana, hereinafter referred to as "City."

WITNESSETH:

WHEREAS, the plat of Annafeld North Subdivision, Second Filing located in Yellowstone County, Montana was submitted to the Yellowstone County Board of Planning; and

WHEREAS, at a regular meeting conducted on the __ day of _____, 20__, the Board of Planning recommended conditional approval of a preliminary plat of Annafeld North Subdivision, Second Filing; and

WHEREAS, at a regular meeting conducted on the __ day of _____, 20__, the City Council conditionally approved a preliminary plat of Annafeld North Subdivision, Second Filing; and

WHEREAS, a Subdivision Improvements Agreement is required by the City prior to the approval of the final plat; and

WHEREAS, a Development Agreement between the Subdivider and the City is of record in the office of the Clerk and Recorder, under Document No. _____; and

WHEREAS, the provisions of this agreement shall be effective and applicable to Annafeld North Subdivision, Second Filing upon the filing of the final plat thereof in the office of the Clerk and Recorder of Yellowstone County, Montana. The subdivision shall comply with all requirements of the City of Billings Subdivision Regulations, the rules, regulations, policies, and resolutions of the City of Billings, and the laws and administrative rules of the State of Montana.

THEREFORE, THE PARTIES TO THIS AGREEMENT, for and in consideration of the mutual promises herein contained and for other good and valuable consideration, do hereby agree as follows:

I. VARIANCES

None requested

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

A. Lot owners will be required to construct that segment of the required sidewalk that fronts their property at the time of lot development.

B. There is attached hereto a Waiver waiving the right to protest the creation of the special improvement district or districts which by this reference is expressly incorporated herein and made as much a part hereof as though fully and completely set forth herein at this point. The Waiver will be filed with the plat, shall run with the land, and shall constitute the guarantee by the Subdivider and property owner, or owners of the developments described herein. Said Waiver is effective upon filing and is not conditioned on the completion of the conditions set forth in this agreement. The Subdivider and owner specifically agree that they are waiving valuable rights and do so voluntarily.

C. Lot owners should be aware that this subdivision is built with a "traditional neighborhood" design. The dwellings will have the garage set in the rear of the lots. The access will be provided to the garages by means of a paved alley.

D. Lot owners should be aware that this subdivision is adjacent to wildlife habitat. Consequently, owners are advised that wildlife indigenous to the area is found on the property and may impact the developed property and interface with domestic animals, residents, and visitors. Owners may also experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops

and/or a threat to public health and safety. Any impacts associated with wildlife and any damage arising there from is the responsibility of the lot owners.

E. No water rights have been transferred to the individual lot owners but may be held by the Subdivider and/or the homeowners association. Irrigation ditches that exist on the perimeter of this development are for the benefit of other properties. Perimeter ditches and drains shall remain in place and shall not be altered by the Subdivider or subsequent owners without the permission of the controlling ditch company.

F. Lot owners should be aware they may be required to participate in a park maintenance district administered by the homeowners association for Annafeld North Subdivision, Second Filing.

G. Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for any construction on lots. Best Management Practices are defined within Chapter 28-201, BMCC and detailed in the City of Billings *Stormwater Management Manual.*

H. Lot owners should be aware that Hogan's Slough adjacent to the subdivision is a major stormwater outfall for Billings west end. There is a possibility that the slough could overtop during a major storm event. Based upon the existing topography near Hogan's Slough and the Elysian Road Bridge, it is anticipated that the channel would overtop northeast of Elysian Road and flow east prior to overtopping Elysian Road. There is the possibility however that Elysian Road could be overtopped during a major storm event. If that occurs, flows not carried within the Hogan's Slough channel would be carried within the subdivision streets. The elevation of residential dwellings and commercial structures must be established in recognition of the City's policy that storm runoff flows are allowed to a depth of 18-inches in the gutter flowline of adjacent streets during the major storm. Higher house finished floor elevations may be required on a lot-by-lot basis.

I. The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution Prevention Plan (SWPPP) filed with the City and the State Department of Environmental Quality (DEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by DEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the City of Billings *Stormwater Management Manual.*

III. TRANSPORTATION

A. Streets

1. All internal access roads and site improvements within the subdivision will be in accordance with the City of Billings Site Development Ordinance, City Zoning Ordinance, International Building Code, the *Stormwater Management Manual*, and other applicable City codes, rules, and regulations.

2. All internal streets (excluding Annafeld Parkway East and Annafeld Parkway West) within the subdivision shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All public roads will be built to provide a 34-foot back-to-back curb street width. The design cross-sections of said streets shall be submitted to, and approved by, the City of Billings Public Works Department. The street improvements will be completed by private contract or SID.

3. Annafeld Parkway East and Annafeld Parkway West will be designed for one-way traffic with a minimum drive aisle of 20-feet and parallel parking on both sides of the street. The street shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. The design cross-section of said street shall be submitted to, and approved by, the City of Billings Public Works Department. The street improvements will be completed by private contract or SID.

4. Elysian Road is designated as a collector on the Billings/Yellowstone County Functional Classification Map. Curb and gutter will be constructed on the north side of Elysian Road adjacent to the Second Filing. Improvements will also include the construction of necessary pavement widening to construct westbound travel lane, center turn lane/center median and parking lane adjacent the subdivision. A full access will be provided at Elysian Road and Street 4 (temporary name). A restricted right in right out access with a center median will be provided at Street 5 (temporary name) and Elysian Road. A roundabout will be constructed at the intersection of Elysian Road and Annafeld Parkway East and West. Storm drain shall be installed as necessary, draining directly to Hogan's Slough and/or routed internally through the subdivision. The design cross-section of said street shall be submitted to, and approved by, the City of Billings Public Works

Department. Elysian Road improvements will be completed by private contract or SID.

5. East Lane is designated as a collector on the Billings/Yellowstone County Functional Classification Map. Curb and gutter will be constructed on the east side of East Lane adjacent to the Second Filing. Improvements will also include the construction of necessary pavement widening to construct northbound travel lane, center turn lane/center median and parking lane adjacent the subdivision. Storm drain shall be installed as necessary, draining directly to Hogan's Slough and/or routed internally through the subdivision. The design cross-section of said street shall be submitted to, and approved by, the City of Billings Public Works Department. East Lane improvements will be completed by private contract or SID.

6. A traffic accessibility study has been completed for the Annafeld North Subdivision, Second Filing. All required intersection improvement contributions identified therein shall be completed by the Subdivider at the Subdivider's expense. Based on the additional lots created with Annafeld North Subdivision, Second Filing, the percent of traffic contribution and associated costs to these intersections is as follows:

Mullowney Lane/Elysian Road	5.58%	$13,950.00
Elysian Road/East Lane	2.25%	$5,625.00

These cash contributions for the intersection improvements will be made prior to final plat approval. The percentage contributions and dollar amounts are as outlined within the Traffic Impacts Study for Annafeld North Subdivision, Second Filing as submitted with the preliminary plat.

B. Alleys

All alleys within the subdivision shall be built to grade with a satisfactory subbase, base course, and asphalt surface or concrete surface. All alley approaches constructed with asphalt shall be replaced with concrete by the Subdivider at the time when home construction is complete. In the event asphalt approaches within the subdivision are not replaced with concrete within three years of the date of recording of the final plat, the City may construct the concrete approaches and assess the Subdivider for the costs associated with the approach construction. Alley pavement widths shall be 12-feet. The design cross-sections of said alleys shall be submitted to, and

approved by, the City of Billings Public Works Department. No trees are allowed to be planted in the alley. In addition, no shrubs taller than two feet are allowed to be planted in alleys.

C. Sidewalks

Subdivider shall install handicap access ramps, where necessary, during street construction. Construction of sidewalks along frontage of the lots shall be installed by the lot owner at the time of lot development. Sidewalks along the street frontage shall be minimum 5-foot-wide and separated with a boulevard width not less than five feet. Developer shall construct the 5-foot-wide boulevard sidewalk adjacent to private parks (Lot 31, Block 4 and Lot 1, Block 5) at the time of private park development.

In the event that portions of the required sidewalks within the subdivision are not constructed within three years of the date of recording of the final plat, the City may construct the remaining sidewalks and assess the individual lot owners for the costs associated with the sidewalk construction.

D. Street Lighting

Street lighting is not required for this subdivision; however, it is anticipated that street lighting will be installed for Second Filing by private contract or SID. A Street Light Maintenance District will be created for operation and maintenance of the lighting at a future date and is included in the waiver of right to protest.

E. Traffic Control Devices

1. Street name signs for streets within the subdivision, or located immediately adjacent thereto, shall be furnished and installed in accordance with the specifications of the City of Billings Public Works and Fire Departments.

2. No traffic signals are required within this subdivision.

3. The Subdivider shall furnish and install all necessary traffic control devices in accordance with the Manual on Uniform Traffic Control Devices and approved by the City of Billings Public Works Department.

F. Access

Access to the subdivision will be provided by Annafeld Parkway East and West, Street 4 (temporary name) and Street 5 (temporary name). Alley access is also provided to all residential lots within the subdivision.

G. Billings Area Bikeway and Trail Master Plan

A multi-use trail has been constructed along the south boundary of Elysian Road. Said multi-use trail extends from the east boundary of the subdivision to the easterly right-of-way line of East Lane. A new 10-foot-wide multi-use path will be constructed on the east side of East Lane adjacent to Annafeld North Subdivision, Second Filing. The multi-use path improvements will be completed by private contract or SID.

H. Public Transit

There are no MET Transit routes that service this subdivision at this time. The nearest established route is at the intersection of Elysian Road and Mullowney Lane. No improvements with regard to MET Transit vehicles are anticipated at this time.

IV. EMERGENCY SERVICE

A. Fire Hydrants

Emergency service will be provided by the City. Placement of fire hydrants will be as required by the City of Billings Fire Department.

B. Construction of Buildings

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (fire hydrants) in place to allow for fire suppression requirements. Prior to issuance of a building permit for construction using combustible materials (i.e., lumber, plywood, wood trusses, etc.), fire apparatus access roads and water supply requirements shall be provided in accordance with the International Fire Code as adopted by the City of Billings.

At a minimum, the following is required:

- An unobstructed gravel road or gravel road base must be within 150-feet of the furthest portion of a building under construction as measured along the approved route.
- The access roads are required to support fire apparatus vehicle loading (40 tons) during all weather conditions and shall be a minimum of 20-foot-wide.
- An operational fire hydrant shall be located within 600-feet of the furthest portion of a residence under construction, or within 400-feet of the furthest portion of a commercial building under construction as measured along the access roads to the site.
- The above requirements do not alter or effect the current minimum subdivision requirements for fire apparatus access and water supply.

C. Building Location

All buildings shall be located on each lot so that the furthest portion of each building is within 150-feet from an approved fire department access road over an approved route excluding all carriage lanes and alleyways.

V. STORM DRAINAGE

Storm drainage for the public streets shall be provided by a combination of surface drainage and curbs and gutters, drained to underground storm drains, and with discharge to the detention facility that is located within the Annafeld North Subdivision, First Filing, in a private park on Lot 13, Block 1. This detention facility in Annafeld North Subdivision, First Filing has been sized to accept additional runoff generated from Annafeld North Subdivision, Second Filing. The detention facility on site will be sized to store the stormwater generated by Annafeld North Subdivision, First and Second Filing. Treatment for the water quality runoff will be provided in the stormwater detention facility. The stormwater detention facility will discharge to Hogan's Slough. Stormwater management facilities for the subdivision must be able to pass flows generated outside the subdivision area without inundating existing and proposed home sites. All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division prior to filing of the final plat.

The stormwater detention area is located within a private park lot deeded to the Annafeld North Subdivision HOA and will be an integral part of the public street drainage system. The drainage system improvements will be in accordance with the recommendations of the stormwater analysis and report prepared and submitted with the improvement plans and specifications. Maintenance of the stormwater

detention area and associated drainage facilities shall be by the Annafeld North Subdivision HOA.

VI. UTILITIES

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department - Engineering Division. The extension of/connection to water mains and sanitary sewers is subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications.

The Subdivider/owner acknowledges that the subdivision shall be subject to the applicable system development fees in effect at the time new water and/or sanitary sewer service connections are made.

The design/installation of sanitary sewers and appurtenances, and water mains and appurtenances (fire hydrants, etc.) shall be in accordance with design standards, specifications, rules, regulations of, and as approved by the City of Billings Public Works Department, Fire Department, and the Montana Department of Environmental Quality.

A. Water

The Annafeld North Subdivision water system consists of a series of looped water mains located in each of the local streets. The subdivision water system will consist of new 8-inch water mains in Street 3 (temporary name), Street 4 (temporary name) and Street 5 (temporary name). A new 8-inch water main will also be installed parallel to the existing 16-inch water main Elysian Road to serve Lots 1-6, Block 7 and Lots 1-5, Block 8. A stub for future connection will be provided in Street 4 (temporary name).

B. Sanitary Sewer

Sanitary sewer service to Annafeld North Subdivision, Second Filing will be provided by connecting to the existing 8-inch sanitary sewer main located in the Street 3 (temporary name). A stub for future connection will be provided in Street 4 (temporary name). All sanitary sewer construction improvements shall be installed in conformance with the design standards, specifications, and rules and regulations of the City of Billings and Montana Department of Environmental Quality, and will be approved by the Public

Works Department, Distribution, and Collection Division.

C. Power, Telephone, Gas, and Cable Television

Private utility facilities currently exist to serve the subdivision. The private utility facilities will be installed within the alley right-of-way and by easements included on the plat, as requested by the utility companies, to provide routes to the alleys.

VII. PARKS/OPEN SPACE

Per Section 76-3-621 of the Montana Code Annotated, 0.624 acres of parkland dedication is required for Annafeld North Subdivision, Second Filing. The parkland provided with the platting of Annafeld North Subdivision, Second Filing is 0.381 acres. The remaining parkland was previously dedicated with Annafeld North Subdivision, First Filing. The Subdivider proposes to dedicate land as private parks. The private parks will be maintained by the Annafeld North Subdivision Homeowners Association (HOA).

VIII. HOMEOWNER'S ASSOCIATIONS

A homeowner's association (HOA) will be established for this subdivision. The HOA will have the following responsibilities:

A. Contact Information

HOA shall provide contact information of the senior board official to the City Engineering Department upon the establishment of the HOA and/or changing of board members.

B. Stormwater Drainage Facilities

The HOA shall be responsible for the maintenance of the mechanical filtration stormwater manholes. The HOA shall share the cost of maintenance of the community stormwater facilities.

IX. POSTAL DELIVERY

The Subdivider shall provide centralized delivery boxes with sufficient pullout to accommodate a mail carrier vehicle. The location of the boxes shall be reviewed and approved by the United States Postal Service.

X. SOILS/GEOTECHNICAL STUDY

A soils/geotechnical study is being performed for the subdivision. The report dated December 2020, will be available for review at the City of Billings Planning Department. Lot owners and contractors/builders will be encouraged to review the report and its recommendations.

XI. FINANCIAL GUARANTEES

Except as otherwise provided, Subdivider shall install and construct said required improvements by private contracts secured by letters of credit or a letter of commitment to lend funds from a commercial lender. All engineering and legal work in connection with such improvements shall be paid by the contracting parties pursuant to said private contract, and the improvements shall be installed as approved by the City Engineer and Utility Department Manager.

XII. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

A. Subdivider agrees to guarantee all public improvements for a period of two year from the date of substantial completion.

B. The owners of the properties involved in this proposed subdivision by signature subscribed herein below agree, consent, and shall be bound by the provisions of this agreement.

C. The covenants, agreements, and all statements in this agreement run with the land and apply to and shall be binding on the heirs, personal representatives, successors, assigns and transferees of the respective parties.

D. In the event it becomes necessary for either party to this agreement to retain an attorney to enforce any of the terms or conditions of this agreement or to give any notice required herein, then the prevailing party or the party giving notice shall be entitled to reasonable attorney fees and costs.

E. Any amendments or modifications of this agreement or any provisions herein shall be made in writing and executed in the same manner as this original document and shall after execution become a part of this agreement.

F. Subdivider shall comply with all applicable federal, state, and local statutes, ordinances, and administrative regulations during the performance and discharge of its obligations. Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

IN WITNESS WHEREOF, the parties hereto have set their hands and official seals on the date Second above written.

"SUBDIVIDER" **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this ____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the _____of **MCCALL DEVELOPMENT, INC.** who executed the foregoing instrument and acknowledged to me that he/she executed the same.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

This agreement is hereby approved and accepted by the City of Billings, this ____ day of _____, 20___.

"CITY" **CITY OF BILLINGS, MONTANA**

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20___, before me, a Notary Public in and for the State of Montana, personally appeared _____ and _____, known to me to be the Mayor and City Clerk, respectively, of the City of Billings, Montana, whose names are subscribed to the foregoing instrument in such capacity and acknowledged to me that they executed the same on behalf of the City of Billings, Montana.

_____
Notary Public in and for the State of Montana
Printed Name: _____
Residing at: _____
My commission expires: _____

WAIVER OF RIGHT TO PROTEST
FUTURE SPECIAL IMPROVEMENT DISTRICTS

FOR VALUABLE CONSIDERATION, the undersigned, being the Subdivider and all of the owners of the hereinafter described real property, do hereby waive the right to protest the formation of one or more special improvement district(s) for a period of no more than twenty years from the recording of this waiver, for street light maintenance and energy, and for the construction of streets, street widening, sidewalks, survey monuments, street name signs, curb and gutter, street lights, driveways, traffic signals, and traffic control devices, parks and park maintenance, trails, sanitary sewer lines, water lines, storm drains (either within or outside the area), and other improvements incident to the above which the City of Billings may require.

This Waiver and Agreement is independent from all other agreements and is supported by sufficient independent consideration to which the undersigned are parties and shall run with the land and shall be binding upon the undersigned, their successors and assigns, and the same shall be recorded in the office of the County Clerk and Recorder of Yellowstone County, Montana.

The real property hereinabove mentioned that is the subject of this waiver is more particularly described as follows:

ANNAFELD NORTH SUBDIVISION, SECOND FILING

SUBDIVIDER/OWNER **MCCALL DEVELOPMENT, INC.**

By:_____

Its:_____

STATE OF MONTANA)
: ss
County of Yellowstone)

On this _____ day of _____, 20__, before me, a Notary Public in and for the State of Montana, personally appeared _____, known to me to be the person who executed the foregoing instrument as the _____ of **MCCALL DEVELOPMENT, INC.** and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

_____
Notary Public in and for the State of Montana
Printed Name:_____
Residing at:_____
My commission expires:_____