



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



**AGENDA**

**MARCH 23, 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@billingsmt.gov](mailto:deinest@billingsmt.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](mailto:deinest@billingsmt.gov) or 406247-8610. 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: MARCH 9, 2021**
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. **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!
    1. **Public Hearing. Motion/Recommendation to BOCC. The Grove Subdivision. County Major Subdivision. Taj Mukadam, owner/applicant. Kolten Knatterud, Territorial Landworks/IMEG, agent. Dave Green, Planner II, presenting.**
  
8. **NEW BUSINESS:** (Agenda items new to this meeting).
  - a. **Motion and Recommendation to City Council. South Billings Urban Renewal, (SBURA), District expansion and Plan amendment conformance with the 2016 City of Billings Growth Policy.** Director Wyeth Friday, presenting.
  - b. **Presentation. Board Discussion. “Yellowstone County Growth Policy 101”.** Planning Division Manager Plecker presenting.
  
9. **OTHER BUSINESS**
  - a. **Update. Planning Board meeting format. Director Wyeth Friday, presenting.**
  - b. **(Standing Item) Long Range Strategic Issues and an overview of future City and County issues and projects.**
  
10. **ADJOURNMENT**

**FUTURE AGENDA ITEMS FOR TUESDAY, APRIL 13, 2021**

- a. Plat Review/Board Discussion. Lake Hills Subdivision 39th Filing. City major Subdivision. Ron Hill, Owner/Applicant. Greig Reid, WWC Engineering, agent. Dave Green, Planner II, presenting.
  
- b. Plat Review/Board Discussion. Bitterroot Hieghts Subdivision, 3rd Filing. City Major Subdivision, BCJM Properties, LCC, Owner/Applicant. Rob Neihart, Performance Engineering, agent. Dave Green, Planner II, presenting.
  
- c. Plat Review/Board Discussion. Yellowstone Landing Commercial Park Subdivision. City Major Subdivision. Aviation Properties, Owner/Applicant. Taylor Kasperick, Performance Engineering, agent. Dave Green, Planner II, presenting.

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



## **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 2 (4th Tuesday)**

**Meeting Date:** 03/23/2021

---

**Information**

**Subject**

**MOTION. MEETING MINUTES: MARCH 9, 2021**

---

**Attachments**

PlnBMinutes\_2021\_03\_09\_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 | 03/09/2021 | 03/24/2021 | 04/14/2021 | 04/28/2021 | 05/12/2021 | ** 05/27/2021 | 06/09/2021 | 06/23/2021 | 07/14/2021 | 07/28/2021 | 08/11/2021 | 08/25/2021 | 09/09/2021 | 09/22/2021 | **10/14/2021 | 10/27/2021 | 11/10/2021 | 11/24/2021 | 12/08/2021 |
|--------------------------------|-------------------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|---------------|------------|------------|------------|------------|------------|------------|------------|------------|--------------|------------|------------|------------|------------|
| <b>Teresa Larsen</b>           | Mayor/Billings Ward I   | 1          | 1          | 1          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Heidi Jensen-Christison</b> | Mayor/Billings Ward II  | 1          | 1          | E          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Dennie Stephenson</b>       | Mayor/Billings Ward III | 1          | 1          | 1          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Darell Tunnickliff</b>      | Mayor/Billings Ward IV  | 1          | 1          | 1          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Jon Thompson</b>            | Mayor/Billings Ward V   | 1          | E          | 1          | 1          | E          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Troy Boucher</b>            | YC District 1           | 1          | 1          | 1          | E          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Dennis Cook</b>             | YC District 2           | 1          | 1          | 1          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Vacant</b>                  | YC District 3           | -          | -          | -          | -          | -          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Vacant</b>                  | YC District 4           | -          | -          | -          | -          | -          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Woody Woods</b>             | YC District 5           | 1          | 1          | 1          | 1          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Vacant</b>                  | YC District 6           | -          | -          | -          | -          | -          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Jarett Hillius</b>          | YC District 7           | 1          | 1          | 1          | E          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Vacant</b>                  | Y County Cons. District | -          | -          | -          | -          | 1          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |
| <b>Scott Reiter</b>            | <b>Ex-Officio SD2</b>   | -          | -          | -          | 1          | E          |            |            |            |            |               |            |            |            |            |            |            |            |            |              |            |            |            |            |

---

## CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview and Yellowstone County"*

**March 9, 2021**

### **Virtual Video Conference Format**

*DRAFT- To be approved by a motion on March 23, 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, March 9, 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 March 9, 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:** Wyeth Friday, Director, Planning & Community Services Department; Dave Green, Planner II, Tammy Deines, Planning Clerk; Darin Swenson, Yellowstone County Public Works

**Other Participants:** Kolten Knatterud, Territorial Landworks/IMEG; Taj Mukadam, applicant

**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 March 9, 2021 Agenda**

**Board member Tunncliff made a motion and Board member Cook seconded the motion to approve the March 9, 2021 meeting agenda as amended. The motion carried with a unanimous voice vote.**

---

## CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview and Yellowstone County"*

### **Approval of Minutes: February 23, 2021**

**Board member Tunncliff moved and Board member Hillius seconded the motion to approve the February 23, 2021 meeting minutes.**

**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 incoming calls for public comment.

**7. OLD BUSINESS:** There is no Old Business.

### **8. NEW BUSINESS**

**8a. Plat Review. Discussion. The Grove Subdivision. County Major Subdivision. Taj Mukadam, Owner, Applicant. Kolten Knatterud, Territorial Landworks/IMEG, agent. Dave Green, Planner II, presenting.**

Planner Dave Green opened this agenda item with an overview of the Staff Report.

### **INTRODUCTION**

On February 1, 2021, the Planning Division received an application for major plat approval for the proposed The Grove Subdivision. The property is generally located on the southwest corner of the intersection of Hesper Road and South 64th Street West. This subdivision would create 26 lots from a 24.523-acre parcel of land. The applicant is proposing to develop residential subdivision; the land is outside of zoning. The land is currently farmland.

### **RECOMMENDATION**

Staff recommends that the Yellowstone County Planning Board recommend to the Board of County Commissioners to conditionally approve the preliminary plat of The Grove 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 MDEQ for the proposed water systems, septic systems and the proposed storm water management.
2. To protect public safety and to ensure future understanding of road use and maintenance, prior to final plat approval, the applicant will submit easement documents and a plan on how the roads will be

---

## CITY/COUNTY PLANNING BOARD

*“Serving Billings, Broadview and Yellowstone County”*

maintained by the subdivision residents.

3. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will submit construction drawings to BUFSA for review and approval. Once installed the applicant will request BUFSA to test the system to ensure it works correctly and get a sign off from BUFSA. The applicant will also create an RSID for the dry hydrant system.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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 questions and discussion.

### **Kolten Knatterud, IMEG/Territorial Landworks, Billings, MT**

Kolten Knatterud represents owner/applicant Taj Makadam. Mr. Knatterud thanked the Board for this opportunity. Applicant Taj Mukadam is attending. Mr. Knatterud stated they are moving through the DEQ application approval process for the storm water. He stated the parkland dedication would include a path to the school.

Board member Jensen-Christison asked if the property owners will have ditch water rights and she asked if improvements would be made to address the additional traffic generated by this development. Mr. Knatterud stated the current DNRC application assumes homeowners will irrigate with on-site wells. He pointed out that this subdivision is providing cash in lieu for future right-of-way on Hesper Road.

President Woods noted the Homeowners Association will be responsible for maintenance of the private roads, and asked how assessments will be done for maintenance. He commented on his experience with a Rural Special Improvements District, (RSID), which uses tax assessments to fund maintenance. Dave Green said Condition of Approval #2 states the applicant will submit easement documents and a plan as to how the subdivision residents will maintain the roads.

Mr. Knatterud explained the current DEQ submittal would use widened roadside ditches for storm

---

## CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview and Yellowstone County"*

water absorption. President Woods commented the installation of a dry hydrant and a well to provide the water supply is a good choice for fire suppression. Board member Hillius asked if DEQ has concerns with locating septic systems near the Canyon Creek ditch. Mr. Knatterud said the southwest lots are within a ¼ mile of the ditch and they will require an evaporation system. He pointed out the affected lots on the survey. Board member Hillius stressed the importance of ensuring the ditches are constructed to handle use as storm drainage systems. Mr. Knatterud said per the new DEQ requirements, the storm frequency to design has been increased in order to size the ditches accordingly. President Woods comments on circumstances where issues were created when homeowners filled in storm water ditches for their convenience.

\*\*A public hearing for The Grove Subdivision will be held during the next Planning Board meeting on March 23, 2021.

### 9. OTHER BUSINESS:

**9a. Motion. Text Amendment of the Planning Board By-Laws. Election and Seating of Officers.** The text amendments below were submitted for Planning Board approval:

#### **Page 4, ARTICLE VII, BOARD OFFICER, TERMS, AND DUTIES**

##### Section 2. Election of Officers

The President and Vice President shall be elected by a majority of the Board members present and voting at the first regular scheduled meeting in ~~January~~December. The terms of office of the President and Vice President shall commence on ~~February 1~~January 1.

#### **Page 10. ARTICLE IX COMMITTEES AND ADVISORY COMMITTEES**

##### **Section 1B Nomination Committee**

###### B. Nominating Committee

The President shall at the first regular meeting in November appoint three (3) members who will present their recommendations for new officers at the first meeting in December as the first order of business following the approval of the minutes. Nominations from the floor may be made at this time. Election of officers will follow the nominations at first meeting in December (See Article VII, Section 2). The President shall not be a member of the Nominating Committee.

##### **Discussion**

President Woods stated he is in favor of this amendment. He pointed out that the Planning Board President holds a seat on the Policy Coordinating Committee, (PCC). PCC seats new officers in January.

##### **Motion**

**Board member Tunnicliff made a motion and Board member Larsen seconded the motion to approve the amendments to the Planning Board Bylaws as submitted by staff.**

---

## CITY/COUNTY PLANNING BOARD

*"Serving Billings, Broadview and Yellowstone County"*

### **Discussion**

The Planning Clerk will provide copies of the 2021 Amended Planning Board Bylaws to the members of the Board.

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

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

**9b1. Update. Zoning Boundary Expansion.** President Woods said he and Division Manager Plecker presented the Yellowstone County Commissioners with a letter expressing the Planning Board's interest in expanding the zoning boundary to address issues with incoming subdivision developments. He said the Board's inclination for expansions on the current east and on the west boundary lines.

**9b2. Update. West Meadows Subdivision 2<sup>nd</sup> Filing.** Dave Green said the Commissioners are aware of the potential issues with subdivisions that rely on the use of a pond for fire suppression. He said the Conditions of Approval for West Meadows Subdivision 2<sup>nd</sup> Filing require proof that the BOCC will approve a Rural Special Improvement District to maintain the pond; and the Commissioners were not in approval. The Commissioners also voiced concern with the need for fencing and required a letter from the Laure Fire Department. Dave Green asked Director Friday if these types of issues could be addressed within the subdivision regulations. Director Friday said the local jurisdictional language should be reviewed to see if this might be addressed.

**9b3. METRA Park Board Presentation.** Board member Tunnicliff stated the METRA Park Board hired a consultant to bring information forward to the community in regards to the upgrades to the facility.

### **9b4. Future Agenda Items. March 23, 2021 Planning Board Meeting.**

- **Presentation by Division Manager Plecker, "Yellowstone County Growth Policy 101"**, in anticipation of moving forward with adoption of the Yellowstone County Growth Policy Update.
- **Director Friday. Motion/Recommendation to City Council. South Billings Urban Renewal District Expansion.**

**9b5. Meeting format for future Planning Board meeting.** Board member Cooks asked Director Friday if he has any insight as to what format will be used for future Planning Board meetings. Director Friday said the Miller Building first floor conference room is too small to allow for social distancing. He explained that City Council is considering using a hybrid setup to allow for in-person and online citizen participation. The City Council Chambers and the Library Community Room are undergoing technology upgrades to stream meetings. He said he will apprise the Board during the March 23<sup>rd</sup> meeting. Potentially, some of the Planning Division meetings may be able to use the new format in May.

---

## **CITY/COUNTY PLANNING BOARD**

*“Serving Billings, Broadview and Yellowstone County”*

**9b6. Miller Building.** President Woods said he noticed the BOCC has expressed interest in purchasing the Miller Building. Director Friday said the Planning and Community Services Department is currently housed in this building. He commented the County is definitely focused on the building as well as City Council.

**ADJOURNMENT: 6:45 PM**

**DRAFT—TO BE APPROVED BY A MOTION- March 23, 2021**

*--Tamara L. Deines, Planning Clerk*

## **Planning Board**

**Date:** 03/23/2021  
**Title:** The Grove Subdivision - Preliminary Major Plat  
**Presented by:** David Green  
**Department:** Planning & Community Services  
**Presentation:** Yes

---

### **Information**

#### **RECOMMENDATION**

Staff recommends the Planning Board recommend to the Board of County Commissioners conditional approval and adoption of the Findings of Fact.

#### **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 safety and to ensure future understanding of road use and maintenance, prior to final plat approval, the applicant will submit easement documents and a plan demonstrating how the roads will be maintained by the subdivision residents.
3. To protect public health and safety with proper fire suppression, prior to final plat approval, the applicant will submit construction drawings to BUFSA for review and approval. Once installed the applicant will request BUFSA to test the system to ensure it works correctly and get a sign off from BUFSA. The applicant will also create an RSID for maintenance of the dry hydrant system.
4. 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.
5. 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.
6. 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.
7. 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.
8. 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 February 1, 2021, the Planning Division received an application for major plat approval for the proposed The Grove Subdivision. The property is generally located on the southwest corner of the intersection of Hesper Road and South 64th Street West. This subdivision would create 26 lots from a 24.523-acre parcel of land. The applicant is proposing to develop residential subdivision. The land is outside of zoning and is currently farmland.

#### **VARIANCES REQUESTED**

No variances are requested for this subdivision.

#### **PROCEDURAL HISTORY**

- Pre-application meeting October 8, 2020
- Completeness review submitted January 13, 2021
- Preliminary plat application submitted to Planning Division February 1, 2021
- Departmental review meeting February 18, 2021
- Preliminary plat resubmitted February 25, 2021
- Planning Board plat review March 9, 2021

- Planning Board public hearing March 23, 2021
- Preliminary plat to Yellowstone County Board of County Commissioners April 20, 2021
- 60 working-day preliminary plat review period ends April 27, 2021

**PLAT INFORMATION**

|                          |  |
|--------------------------|--|
| General location:        | South west corner of the intersection of Hesper Road and South 64th Street West                                  |
| Legal Description:       | COS 3753 Tract 1A  |
| Owner/Subdivider:        | Taj Mukadam  |
| Engineer/Surveyor:       | IMEG / Territorial Landworks   |
| Existing Zoning:         | outside zoning   |
| Existing land use:       | Farmland   |
| Proposed land use:       | Residential  |
| Gross and Net area:      | 24.523 acres / 18.6 acres  |
| Proposed number of lots: | 26   |
| Max. lot size:           | 1.13 acres   |
| Min. lot size:           | 0.5 acres  |
| Parkland requirements:   | There required parkland dedication is 1.41 acres; the applicant is proposing to dedicate 1.43 acres of parkland. |

**STAKEHOLDERS**

A brief presentation was given to the planning board about the subject subdivision. After the presentation, Planning Board President Woody Woods asked if there were any questions for staff or the agent. One board member asked if the property owners will have water rights. Kolten Knatterud, agent for the applicant, stated there will be no water rights given to the new lots within the subdivision. The current DNRC application assumes homeowners will irrigate with on-site wells.

President Woods noted the HOA will be responsible for road maintenance and asked if assessments will be done as maintenance is needed. Staff pointed out that condition #2 requires the applicant to demonstrate how the HOA will fund the road maintenance. Woods noted the installation of a dry hydrant and a well to provide the water supply is a good choice for fire suppression. Another question from a board member was whether DEQ has concerns with septic systems near Canyon Creek. Mr. Knatterud stated that the 4-5 lots along the west edge and southwest corner of the subdivision were within a ¼ mile of the creek and will need an evaporation system. An additional question was asked about storm drainage systems using the ditches and pointed out the need that the ditches are constructed to be used in this way. Mr. Knatterud stated the storm frequency to design for has been increased per the new DEQ requirements and the ditches will be sized to meet that current requirement.

**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 April 27, 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 plat will have no fiscal impacts on the City/County 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 The Grove Subdivision. 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 used for agricultural purposes. There will be no water shares or rights available to the lots within this subdivision. Irrigation facilities associated with this property will not be altered with the development of the land. It will take 24.5 acres of ag land out of production.

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

a. **Water and Septic** – The proposed subdivision is not located within any public water system. It is proposed that each lot will have a well for water. The subdivider will meet requirements of Section 4.9 of Yellowstone County Subdivision Regulations and have the proposed system reviewed and approved by the Montana Department of Environmental Quality (MDEQ) prior to construction. **(Condition #1)**

It is proposed that lots will have a septic system on them within the proposed subdivision. The proposed septic systems will need to be reviewed and installed in accordance with Section 4.8 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)**

b. **Streets and roads** – There will be new roads within the proposed subdivision. These roads will be private roads and will be built to Yellowstone County Paved road standards within 60-foot-wide rights-of-way. Easement documents will be provided to outline what is allowed on those private roads and who is responsible for maintenance of roads with the final plat documents. **(Condition #2)**

Additional right of way will be provided for both Hesper Road and South 64<sup>th</sup> Street West to meet the county requirements for Principal Arterial Street width.

A TIS is not required for this subdivision as it does not meet the minimum threshold that requires one.

c. **Fire and Police services** – The property is within the BUFSA Service Area. The developer will be installing a 30,000-gallon dry hydrant system as required by Yellowstone County Subdivision Regulations. The location, access and construction drawings for the dry hydrant system are to be reviewed and approved by BUFSA prior to

installation. **(Condition #3)**

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 kindergarten through 8<sup>th</sup> grade and School District #2 for High School. School District #8 responded to the request for information indicating Elementary and Middle school can handle the student population increase.

g. **Parks and recreation** – This proposed subdivision is required to provide parkland. The applicant in the SIA under the heading VIII. Parks/Open Space has outlined the requirements of parkland. The total required parkland dedication is 1.41 acres. The applicant is proposing to dedicate 1.43 acres with this filing. The applicant will be required to create an RSID for the park maintenance with final plat. **(Condition #4)**

This subdivision is also identified in the Billings Area Bike Trail and Master Plan (BABTMP). A future trail is identified on both South 64<sup>th</sup> Street and Hesper Road. There is no trail identified within the proposed subdivision.

h. **Postal Service** – Mailbox set up will need to be centrally located, the applicant will be required to coordinate with the USPS to ensure they are providing what is needed for a safe and efficient mailbox location. **(Condition #5)**

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

j. **Phasing of Development** - The applicant is not proposing to phase this subdivision.

### **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 #6)**

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 BUFGA 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 A of the County Subdivision Regulations. Although there is a potential for wildlife in the area this is a parcel that has been used for farming purposes for many years and the natural habitat that may have been on it no longer exists, with the possible exception of small wildlife creatures living the surrounding grassy road edges.

**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 within the Billings Area Bikeway and Trail Master Plan Update. There are no trail identified within the subdivision.

**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 lots 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 within outside of zoning.

**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 private road and utility easements by private utility companies. Should the private utility companies require easements the applicant will be required to coordinate the easements needed with the private utility companies. Well and septic will be reviewed and approved by MDEQ prior to final plat.

**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 South 64<sup>th</sup> Street West and Hesper Road. 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.

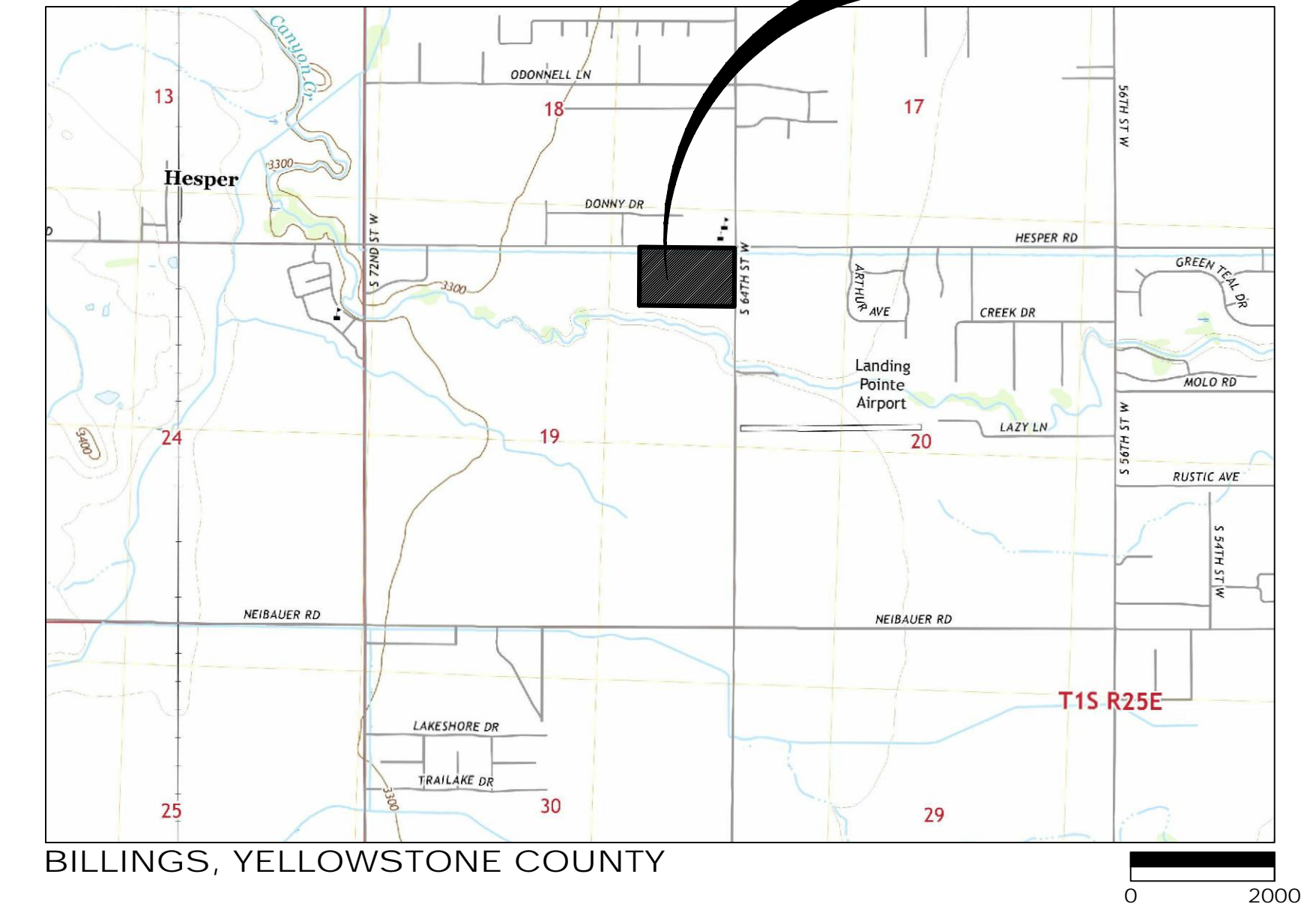
**RECOMMENDATION**

Staff recommends that the Planning Board recommend conditional approval of the preliminary plat of The Grove Subdivision, to the Board of County Commissioners, and adopt the Findings of Fact as presented in the staff report, the SIA and Waiver.

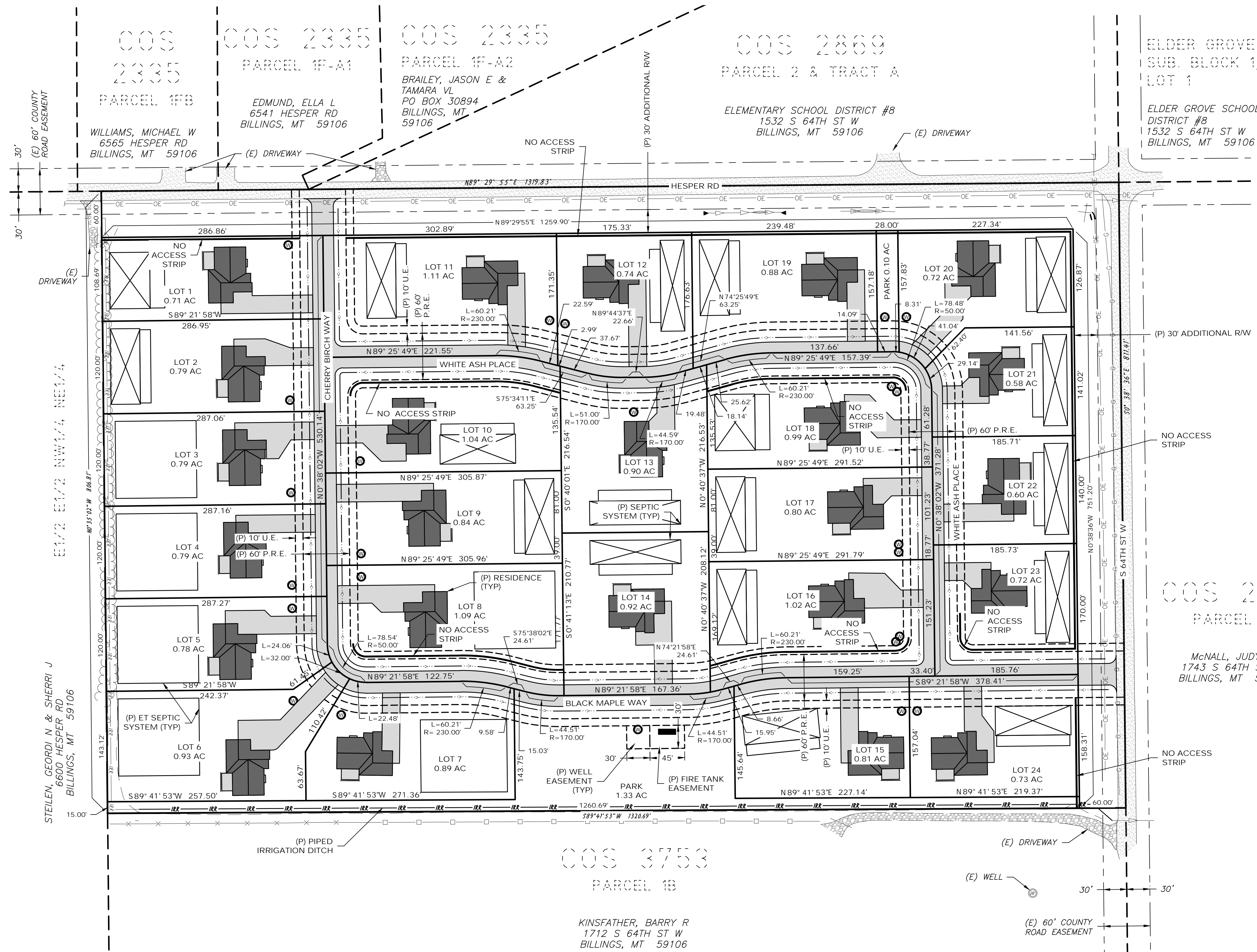
# PRELIMINARY PLAT OF THE GROVE SUBDIVISION

LOCATED IN THE NE1/4 NE1/4 OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 25 EAST, P.M.M., YELLOWSTONE COUNTY, MONTANA

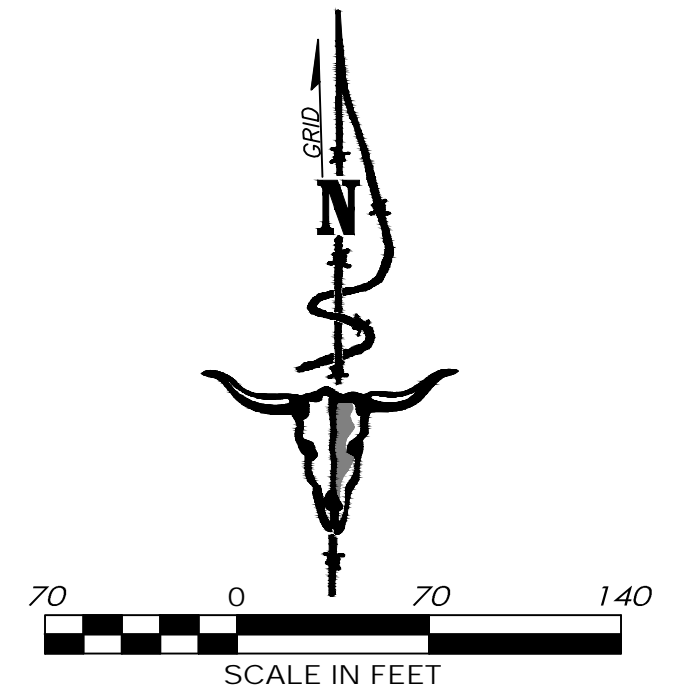
VICINITY MAP



THIS PROJECT



BILLINGS, YELLOWSTONE COUNTY



**BASIS OF BEARING:**  
STATE PLANE MONTANA - ZONE 2500  
GROUND (TRUE) DISTANCES

**RECORD OWNER:**  
TAJ MUKADAM

**SUBDIVIDER:**  
M&J LAND CO. LLC

**DATE:**  
FEBRUARY, 2021

**TOTAL SUBDIVISION AREA:**  
24.52 ACRES (GROSS)  
17.97 ACRES (NET)

COS 2001  
PARCEL A  
McNALL, JUDY C  
1743 S 64TH ST W  
BILLINGS, MT 59106

| SITE DATA              |              |
|------------------------|--------------|
| NUMBER OF LOTS         | 24           |
| MAXIMUM LOT AREA       | 1.11 AC      |
| MINIMUM LOT AREA       | 0.58 AC      |
| AREA OF PARKLAND       | 1.54 AC      |
| LINEAR FEET OF STREETS | 5,000 LF     |
| NET ACREAGE            | 17.94 AC     |
| GROSS ACREAGE          | 24.52 AC     |
| EXISTING ZONING        | N/A          |
| PROPOSED ZONING        | N/A          |
| EXISTING LAND USE      | AGRICULTURAL |
| PROPOSED LAND USE      | RESIDENTIAL  |

- LEGEND**
- (E) = EXISTING
  - (P) = PROPOSED
  - COS = CERTIFICATE OF SURVEY
  - R/W OR R.O.W. = RIGHT-OF-WAY
  - P.R.E. = PRIVATE ROAD EASEMENT
  - U.E. = UTILITY EASEMENT
  - ⊙ = WELL
  - ⊠ = DRAINFIELD
  - = NO ACCESS STRIP

**PERIMETER LEGAL DESCRIPTION**  
TRACT 1A OF AMENDED TRACT 1 CERTIFICATE OF SURVEY NO. 3753, FILED AS DOCUMENT NO. 3939118 IN THE OFFICE OF THE YELLOWSTONE COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHEAST ONE-QUARTER (NE1/4) OF SECTION 19, TOWNSHIP 1 SOUTH, RANGE 25 EAST, PRINCIPAL MERIDIAN MONTANA, YELLOWSTONE COUNTY, MONTANA.

| T. R. | SEC. | 1/4 |
|-------|------|-----|
| 1S    | 25E  | 19  |

**SUBDIVISION IMPROVEMENTS AGREEMENT**

***The Grove Subdivision***  
**Yellowstone County**

**Table of Contents**

|  |        |
|--|--------|
| I. Variances                                   | Page 2 |
| II. Conditions that Run with the Land          | Page 3 |
| III. Transportation                            | Page 4 |
| A. Streets                                     |        |
| B. Traffic Control Devices                     |        |
| C. Access                                      |        |
| IV. Emergency Services                         | Page 4 |
| V. Storm Drainage                              | Page 5 |
| VI. Utilities                                  | Page 5 |
| A. Water                                       |        |
| B. Sanitary Sewer                              |        |
| C. Power, Telephone, Gas, and Cable Television |        |
| VII. Parks/Open Space                          | Page 5 |
| VIII. Irrigation                               | Page 5 |
| IX. Weed Management                            | Page 6 |
| X. Soils/Geotechnical Study                    | Page 6 |
| XI. Phasing of Improvements                    | Page 6 |
| XII. Financial Guarantees                      | Page 6 |
| XIII. Legal Provisions                         | Page 6 |

**SUBDIVISION IMPROVEMENTS AGREEMENT**

***The Grove Subdivision***

**This agreement** is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_, by and between **M&J Land Co LLC**, whose address for the purpose of this agreement is **5233 Blue Heron Dr., Billings, MT 59106**, hereinafter referred to as “Subdivider,” and **YELLOWSTONE COUNTY**, Montana, hereinafter referred to as “County.”

**WITNESSETH:**

**WHEREAS**, at a regular meeting conducted on \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the Board of Planning recommended conditional approval of a preliminary plat of The Grove Subdivision; and

**WHEREAS**, at a regular meeting conducted on \_\_\_\_ day of \_\_\_\_\_, 20\_\_, the Yellowstone County Board of County Commissioners conditionally approved a preliminary plat of The Grove Subdivision; 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 The Grove Subdivision 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 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.** Subdivider has requested, and the County hereby grants, the following variances by the Board of County Commissioners from the strict interpretation of the County’s Subdivision Regulations (Chapter 11, Yellowstone County Subdivision Regulations):

1. No variances have been requested for The Grove 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 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.
- C.** There are no existing water rights associated with the parcel prior to subdivision. As part of the subdivision, a Groundwater Application for Beneficial Water Use Permit is being obtained from the DNRC. This permit will cover the individual wells on each lot for domestic and irrigation purposes.
- 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.** Future maintenance of all public (or common) improvements shall be done through one (1) or more HOA(s) or RSID(s) created as part of the SIA for this subdivision.
- H.** The Subdivider will obtain two Access Permits from County Public Works prior to any construction on any lot within the subdivision. The application will include a site plan showing the designed location of the access and show that it meets the requirements outlined by the DEQ stormwater requirements for the subdivision. These two Access Permits will be for the connections of private roads onto Hesper Road and 64<sup>th</sup> Street West.

Future lot owners inside the subdivision will all access their property from the private road network and a County Public Works Access Permit will not be required.

### **III. TRANSPORTATION**

#### **A. Streets**

The following roads exist surrounding the subdivision:

- South 64<sup>th</sup> Street West is an existing road located adjacent to and east of the property within a 60' wide County Road Easement.
- As part of this subdivision, 30' of the County Road Easement and an additional 30' of property along 64<sup>th</sup> Street will be dedicated as right-of-way to the County.
- Hesper Road is an existing road located adjacent to and north of the property within a 60' wide County Road Easement.
- As part of this subdivision, 30' of the County Road Easement and an additional 30' of property along Hesper Road will be dedicated as right-of-way to the County.

The Subdivision proposes the following roads:

- Standard asphalt 24-foot-wide private road maintained by the newly created HOA and to be known as Cherry Birch Lane, located within a 60' Private Road Easement throughout the subdivision as shown on the plat.
- Standard asphalt 24-foot-wide private road maintained by the newly created HOA and to be known as Black Maple Way, located within a 60' Private Road Easement throughout the subdivision as shown on the plat.
- Standard asphalt 24-foot-wide private road maintained by the newly created HOA and to be known as White Ash Place, located within a 60' Private Road Easement throughout the subdivision as shown on the plat.

#### **B. Traffic Control Devices**

- One stop sign will be installed at the intersection of proposed Cherry Birch Lane and Hesper Road and one stop sign will be installed at the intersection of proposed Black Maple Way and South 64<sup>th</sup> Street West.

#### **C. Access**

- All twenty-four (24) of the proposed subdivision lots will access off of the internal subdivision road network.

### **IV. EMERGENCY SERVICE**

Construction of buildings made of combustible materials shall have adequate fire apparatus access roads and water supply (Fire Suppression Tank) in place to allow for fire suppression requirements. Fire apparatus access roads and water supply requirements shall be provided in accordance with the Fire Protection Requirements as noted in the Yellowstone County Subdivision Regulations.

A 30,000 Gallon Fire Suppression Tank will be provided in the south portion of The Grove Subdivision adjacent to proposed Black Maple Way. The design and construction will be reviewed and approved per BUFSA requirements. A RSID will be created to maintain the fire tank.

## **V. STORM DRAINAGE**

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

- Stormwater detention facilities are proposed within The Grove Subdivision. Increased stormwater will be mitigated with culverts, roadside ditches, and drainage swales as well as the detention facilities proposed within the development.

## **VI. UTILITIES**

### **A. Water**

In accordance with Section 4.9 Yellowstone County Subdivision Regulations, the following has been proposed:

- Each lot is to be served by an individual water well.
- The Montana Department of Environmental Quality approval letter will be submitted with the final plat.

### **B. Septic System**

In accordance with Section 4.8 Yellowstone County Subdivision Regulations, the following has been proposed:

- Individual subsurface wastewater treatment systems have been proposed for each lot.
- The Montana Department of Environmental Quality approval letter will be submitted with the final plat.

### **C. Power, Telephone, Gas, and Cable Television**

These utilities will be provided within the 60-foot Private Road Easement or the Utility Easements created as part of this subdivision.

## **VII. PARKS/OPEN SPACE**

In accordance with Section 10.2 Yellowstone County Subdivision Regulations, 1.43 acres of parkland has been dedicated as part of The Grove Subdivision which meets the 1.41 acres required by the Yellowstone County Subdivision Regulations. Prior to completion of the subdivision, the parkland areas will need to be planted with grass and have an irrigation system installed and a RSID will need to be created for the park maintenance.

## **VIII. IRRIGATION**

Irrigation for the proposed lots will be provided by the on-site wells to be permitted by the DNRC and DEQ.

The irrigation ditches that exist on and adjacent to this development are for the benefit of other properties. The irrigation ditches shall remain in place and shall not be altered by the Subdivider or subsequent owners without the permission of the irrigation users.

## **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.

#### **X. SOILS/GEOTECHNICAL STUDY**

A soils/geotechnical study was not required but owners of the lots will be encouraged to perform a site-specific geotechnical investigation that is specific to the type of structure contemplated prior to construction.

#### **XI. PHASING OF IMPROVEMENTS**

The Grove Subdivision proposes that all 24 lots will be developed in a single phase.

#### **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 contracting 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 improvements, the consulting Engineer shall file with the Public Works Department, a statement certifying that the improvements 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. If using a security, describe the method in this section)

#### **XIII. LEGAL PROVISIONS**

- A. Subdivider agrees to guarantee all public improvements for a period of one year from the date of 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 agrees that nothing contained herein shall relieve or exempt it from such compliance.
- G.** Subdivider agrees to create any required (or expansion of existing) HOA(s) or RSID(s) for future maintenance of all public (or common) constructed improvements prior to final plat approval.



This agreement is hereby approved and accepted by Yellowstone County, this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**“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 \_\_\_\_\_, 20\_\_, 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:** 03/23/2021  
**Title:** South Billings Boulevard Urban Renewal District Expansion - Growth Policy Conformance  
**Presented by:** Wyeth Friday  
**Department:** Planning & Community Services  
**Presentation:** Yes

---

### Information

#### RECOMMENDATION

Staff recommends the Yellowstone County Board of Planning review the proposed District expansion and Plan amendment, and make a recommendation to the City Council that the expansion and plan amendment are in conformance with the 2016 City of Billings Growth Policy.

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

South Billings Urban Renewal Association Coordinator Jim Tevlin working with Planning and Community Services Department Director Wyeth Friday in the past 8 months has been in contact with property owners and agents interested in having property included in the South Billings Boulevard Urban Renewal District. Several of these properties face significant hurdles to development with property conditions and cleanups, and public infrastructure needs that align with the goals and purpose of urban renewal efforts in South Billings. City staff also is proposing Riverfront Park be included in the District expansion as the SBBURD Urban Renewal Plan calls for park improvements and amenities, and Riverfront Park has significant infrastructure deficiencies as well as park amenity needs. The proposal to expand the District was brought to the City Council at a Work Session in December 2021 and Council directed staff to move forward with the process to expand the District in 2021. This action by the Planning Board is one of the critical steps to move the process forward to the City Council for action on the expansion.

The SBBURD was formed and amended in 2008, and the Urban Renewal Plan for the District was amended in 2019. However, the District boundary has not been expanded since 2008. While expanding urban renewal districts is not common, it is a tool available to communities under the urban renewal laws, and Billings has most recently used the tool in the East Billings Urban Renewal District in 2015. The process mirrors the process to create a district, with Council taking action on a resolution of necessity to expand the District, update the Urban Renewal Plan, provide notification of property owners that would be included in the expansion, Planning Board review of expansion, legal notice of public hearing, and final public hearing and Council action to expand the District. Several of the properties are in the County (Adkins, Driscoll and Riverfront Park as noted below) and are in the process of going through annexation to the City in coordination with the District expansion process so that they are in the City before the City Council acts on the District expansion in May.

The following properties are proposed to be included in the SBBURD expansion:

Adkins Property - Northeast corner of the intersection of Jackson Street and King Avenue East, about 4 acres, owned by Jason Adkins with an in-holding owned by Robert Ronshaugen. The In-holding property has not indicated definite participation in expansion process at this time. Property is in the County. Property has some possible characteristics of blight and also would involve frontage and infrastructure improvements along King Avenue East and Jackson Street to facilitate development.

Compton Property - 3218 South Frontage Road, about 17 acres, owned by KSKC Properties, LLC (Tim Compton). Property is former Knife River gravel pit that was remediated, annexed into the City and sold to KSKC Properties, LLC in 2015. Property requires remediation work to develop due to the fill material on the site. Water and sewer infrastructure extensions and access are significant in this area but improvements would benefit this and other properties in the area to access City services.

Driscoll Property - 3508 South Frontage Road, about 36 acres, owned by Driscoll Family, LP (sale pending). Property is in the County. Development would involve significant frontage and infrastructure improvements along the South Frontage Road.

Hogan Property - 3716 South Frontage Road, about 3.6 acres, owned by Evolution HC, LLC. Property was Annexed by the City Council at its meeting on November 23, 2021. A minor subdivision is in process for the property with further commercial development planned.

Riverfront Park (City) - East of South Billings Boulevard and north of the Yellowstone River, about 300 acres, owned by the City of Billings, Parks and Recreation. Much of the park is natural area but there is a significant area that is day use by the public. Improvement and maintenance needs today include, but are not limited to: Trail connections/improvements (paving) west end and trail development on east end of the park by Washington Street; Road and parking lot repair and paving; Automated irrigation improvements; Shelter addition and repairs.

City staff find that several of these properties have qualifying conditions per MCA 7-15-4202 and 7-15-4206 (2), that all of them require public infrastructure improvements as identified in the 2008 and 2019 project and program recommendations of the adopted SBBURD Urban Renewal Plan, and that including these properties in the District would ensure development with municipal services and building to the infrastructure, site, land use and building requirements and standards of the City of Billings. Staff in coordination with SBURA Consultant is moving the process of expanding the SBBURD forward to the City Council in April and May 2021.

The Yellowstone County Board of Planning must review the proposed expansion of the South Billings Boulevard Urban Renewal District and Plan update, and affirm for the City Council that the District expansion conforms to the 2016 City of Billings Growth Policy. Specifically, several Growth Policy Guidelines are addressed by potential development and redevelopment that may occur on properties to be included in the District expansion. Some examples are called out here for the Board's reference:

Essential Investments (relating public and private expenditures to public values)

- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.
- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Infill development and development near existing City infrastructure may be the most cost-effective
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important

## **STAKEHOLDERS**

There are multiple opportunities for direct and indirect public participation for the process to expand the SBBURD boundary. This item is not a public hearing for this meeting, but the Planning Board meeting is open to the public so that the community may be aware of this process. This process will come before the City Council at two separate meetings, both of which are open to the public, and one of which will be a public hearing. Further, the property owners of the properties that are being proposed for inclusion in the District expansion will be directly noticed via mail of the public hearing at the Council Meeting. This is all per Montana Code requirements for a District expansion process and public hearing notification.

## **ALTERNATIVES**

The Planning Board may:

- Find the proposed expansion of the SBBURD and Plan amendment are in conformance with the 2016 City of Billings Growth Policy; or,
- Find the proposed expansion of the SBBURD and Plan amendment are not in conformance with the 2016 City of Billings Growth Policy. However, review of the adopted 2016 City of Billings Growth Policy demonstrates several statements and guidelines in the policy align with the SBBURD purpose and future development opportunities with the District expansion.

## **FISCAL EFFECTS**

There is no direct fiscal impact by making a recommendation of conformance of this expansion to the South Billings Boulevard Urban Renewal Plan with the 2016 City of Billings Growth Policy. However, this District expansion will open up future development and public infrastructure improvement opportunities with urban renewal funds in the future.

---

### **Attachments**

SBBURD Expansion Summary and Description

2016 Billings Growth Policy

SBBURD Current Adopted Plan

Draft Board Growth Policy Conformance Letter to City Council

# **2021 Expansion of the South Billings Boulevard Urban Renewal District & Amendment to the Urban Renewal Plan**

## **South Billings Urban Renewal Association Statement of Position**

**Presented to The City of Billings  
Planning & Community Services  
Department**



South Billings Urban Renewal Association (SBURA)  
PO Box 21271  
Billings, MT 59104

Consultant: James Tevlin  
Email: [jtev1960@gmail.com](mailto:jtev1960@gmail.com)

## **Section 1 – Introduction**

On May 12, 2008, the City of Billings (i.e., “the City”) adopted Ordinance 08-5462 creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a tax increment finance district (i.e., “the District”). Concurrently, the City adopted an Urban Renewal Plan and established the boundaries of the District.

On December 8, 2008, the City adopted Ordinance 08-5484, which expanded the District to its current boundaries (see Appendix I).

On July 22, 2019, the City adopted Ordinance 19-5725, that modified the Urban Renewal Plan for purposes of identifying future projects/programs, ensuring the City has the option to bond future projects and updating the 2008 Plan to reflect the 2019 amendment process.

The City is in the process of annexing three properties into the City Limits that are contiguous to the current boundaries of the District that merit inclusion in the District. These properties, as discussed below, have growth opportunities, consistent with the District’s Master and Urban Renewal Plans, that will result in favorable economic development, public infrastructure and amenities.

## **Section 2 – Background**

In 2008, the Billings City Council established an urban renewal area (subsequently known as the South Billings Boulevard Urban Renewal District) by resolution declaring the area contains structures and property that are:

- in a state of substantial deterioration,
- are obsolete or defective,
- pose unsanitary or unsafe conditions,
- are vacant and unused,
- have inappropriate uses.

Additionally, the Council believed the condition of the area:

- substantially impairs the sound functioning of the South Billings Boulevard area and its environs,
- is conducive to juvenile delinquency and crime,
- poses the threat of vandalism or mischief and fire and loss,
- constitutes an economic and social liability,
- and is a menace to the public health, safety and welfare of the residents of the City.

The Council also considered urban renewal opportunities in the District consisting of:

- the acquisition of certain vacant or blighted properties,
- demolishing the blighted structures thereon,
- improving such properties with landscaping, utilities and other similar improvements,
- assembling and making such properties so improved available for private redevelopment in accordance with Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43, as amended.

The Council currently has a Memorandum of Understanding between the City of Billings and the South Billings Urban Renewal Association (SBURA) that designates the SBURA as the advisory group tasked with managing the District's redevelopment efforts.

### **Section 3 – Summary of Urban Renewal Efforts**

Since the District's inception, the Council has invested the incremental growth in tax revenues over and above the base year value in over \$20 million in redevelopment projects. Listed below are the most noteworthy investments from January 1, 2013 to December 31, 2020 (in thousands):

|   |            |
|---|------------|
| 1. Newman Lane                          | \$ 207     |
| 2. Midland Rd                           | 3,109      |
| 3. TIF Master Plan                      | 276        |
| 4. Sewer Phase I&II                     | 2,470      |
| 5. Calhoun Lane                         | 2,222      |
| 6. Amend Park Land                      | 943        |
| 7. Optimist Park Improvements           | 380        |
| 8. Orchard Lane                         | 3,897      |
| 9. Elementary school/ Boys & Girls Club | 201        |
| 10. King Ave East                       | 2,394      |
| 11. Amend Park Field Turf               | 1,565      |
| 12. Business development                | 766        |
| 13. Police Evidence Center              | <u>919</u> |
|   | \$19,349   |

The base year taxable value of \$7,046,472 has increased approximately 35% to \$12,284,446 (as of 2020). The annual tax increment has grown to approximately \$3.6 million as of 2020. When the District sunsets in 2040, its taxable value will increase (assuming a 2% annual growth rate) to approximately \$17.9 million, thus returning to the City about \$7.5 million annually in deferred tax revenue.

Most of the infrastructure projects (i.e., roads & sewers) identified in the District's Urban Renewal and Master Plans have been accomplished or will likely be accomplished in

the next few years. The afore-mentioned master plans also emphasize the establishment and/or redevelopment of neighborhoods. Consequently, the SBURA seeks to invest tax increment funds to help facilitate the creation of attractive neighborhoods through the elimination of blight and the development of affordable housing opportunities across a wide range of socio-economic groups. The SBURA also recognizes that there are promising opportunities for commercial investment along the I-90 corridor. Lastly, the Amend Park area has the potential to become the focal point for athletics in the greater Billings area through the development of recreational facilities and team sports venues.

**Section 4 - Properties to be Annexed to the SBBURD**

There are five properties identified for inclusion in the District. Four of these properties are privately owned. The City of Billings owns the other property.

Exhibit A below details the four privately-owned properties. These properties are contiguous to the southeastern boundary of the District.

**EXHIBIT A**

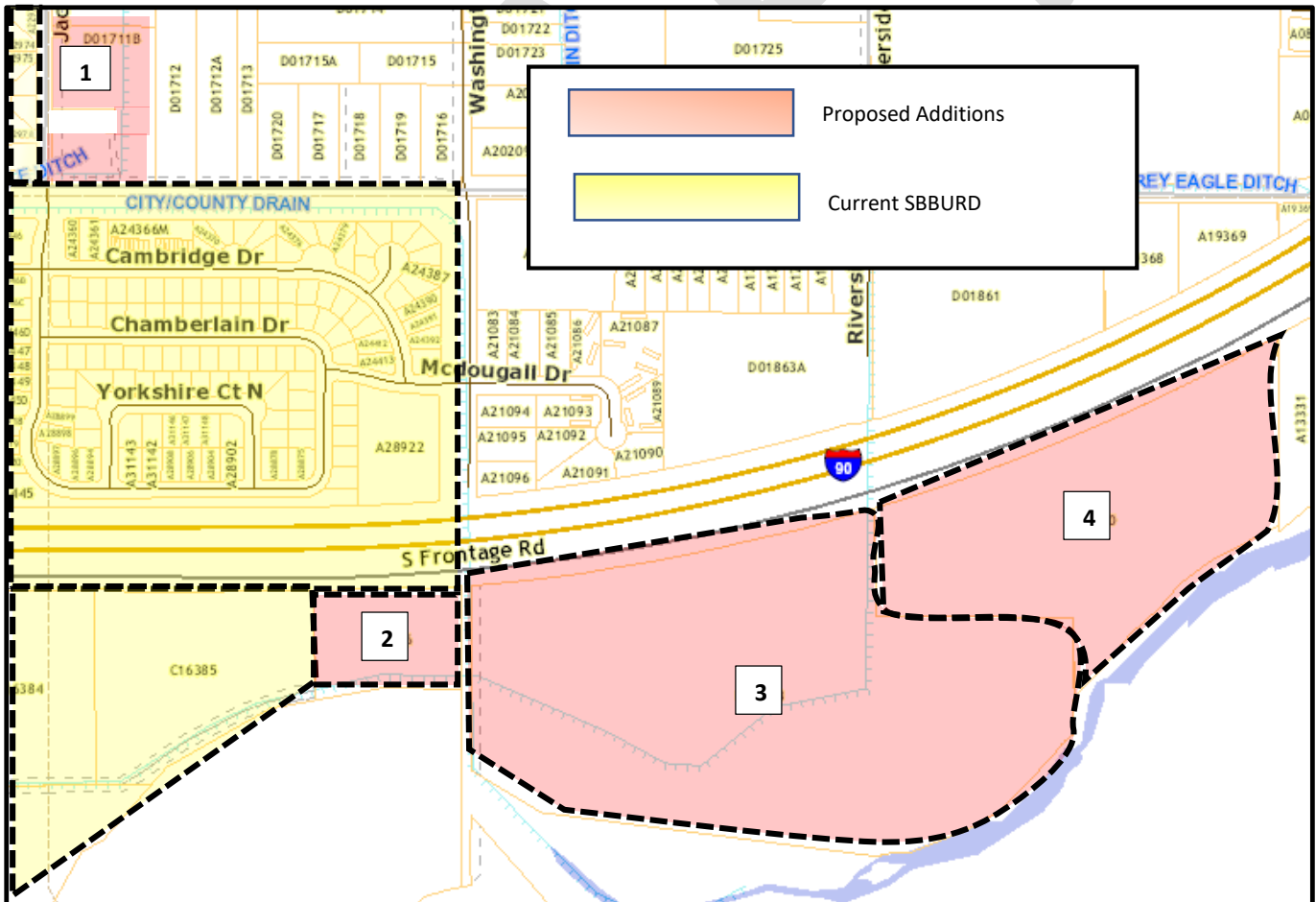
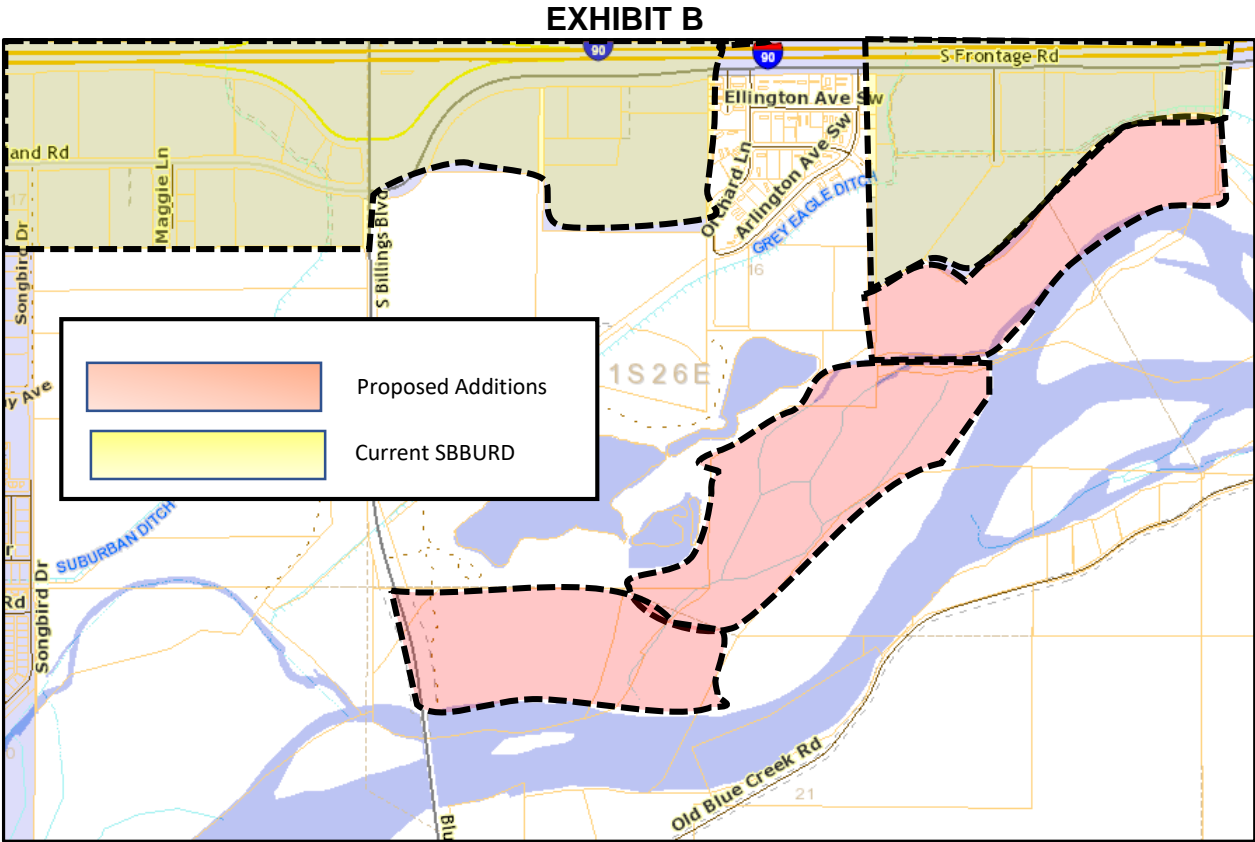


Exhibit B below details the property that is City-owned, specifically Riverfront Park.



**Section 5 – Defining the District’s Boundaries**

The current District contains blight as defined in Montana Code Annotated Title 7, Chapter 15, Parts 42 & 43 and as recognized by Council in Ordinances 08-5462 and 08-5484. While every property in the District does not contain blight, a District may not be formed in a “checkerboard” pattern and be defined only on a parcel-by-parcel basis. Revitalization is best achieved when a continuity of properties allows for a seamless investment in infrastructure. Accordingly, the District contains properties within the City of Billings that, when viewed as a whole, logically define an urban renewal area.

The annexation into the City of Billings of two of the three properties located along South Frontage Rd creates an opportunity to add three contiguous properties to the District. The property on the northeast intersection of King Ave East and Jackson St. is likely the first in a series of developments spurred by the improvements to King Ave East. What makes the inclusion of these properties into the District compelling is that, given a measure of public assistance, they have very promising opportunities for development.

Riverfront Park, like the afore-mentioned private properties, is a logical extension to the current District. The annexation of the three properties along the South Frontage Road creates a “bridge” to Riverfront Park.

### **Section 6 Summary of Blight Findings**

Montana Code Annotated Title 7, Chapter 15, Parts 42 and 43 provides the authority to declare the existence of blighted areas and to target them for improvements. “Blighted are” is defined in Section 7-15-4206(2) MCA as follows:

*[A]n area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs or arrests the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use by reason of:*

- a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or non-residential;*
- b) inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of examination of the building standards of the municipality;*
- c) inappropriate or mixed uses of land or buildings;*
- d) high density of population and overcrowding;*
- e) defective or inadequate street layout;*
- f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness;*
- g) excessive land coverage;*
- h) unsanitary or unsafe conditions;*
- i) deterioration of site;*
- j) diversity of ownership;*
- k) tax or special assessment delinquency exceeding the fair value of the land;*
- l) defective or unusual conditions of title;*

*m) improper subdivision or obsolete platting;*

*n) the existence of conditions that endanger life or property by fire or other causes; or*

*o) any combination of the factors listed in the subsection (2).*

As discussed earlier, not every parcel in the District is blighted, making it essential to view the District as a whole to achieve the revitalization described in its Urban Renewal and Master Plans. Notwithstanding, the parcels of land proposed for addition to the District have characteristics of blight that conform to Montana code.

Note the following issues present on the three parcels on South Frontage Rd:

- City water services are incomplete. Billings Public Works would need to install a trunk line to provide water for a large portion of these properties (Nos 3 & 4).
- One of the parcels (No.4) contains a former gravel mine. While the former mine owners backfilled the property in accordance with the Montana Department of Environmental Quality standards, the resulting soil is not compact enough to support buildings and roadways. Consequently, a costly procedure known as “geomeshing” would be necessary as part of building and road construction.
- There are abandoned vehicles and concrete rip-rap (No. 3) that would require removal. Additionally, the areas adjacent to the Yellowstone River would require stabilization.
- Property No 2, while not blighted, would provide continuity to Properties 3 & 4 should the City add infrastructure in the form of utility extensions, curb, gutter, sidewalks, trails etc.

Note the following issues present on the property (No.1) on the northeast intersection of Jackson St. and King Ave East:

- There is a concrete ditch running along the subject property that is unsightly and tends to collect trash. The ditch also accumulates water that is a safety hazard to the children that play on or near it.
- The property surrounds a small inholding. The owner is deceased. The current occupant’s residence is dilapidated with junked cars being stored onsite.

Riverfront Park needs infrastructure improvements (e.g., boat ramps, restrooms, picnic tables, shelters etc.).

Taken as a whole, the subject properties would be commonsense additions to the District. Had these properties been within the City limits at the District’s inception, it is

likely they would have been included within the District's original boundaries. These properties already have drawn interest from developers who are attracted by the possibility of receiving tax increment finance assistance to help mitigate development challenges and to install public improvements. Inclusion of Riverfront Park permits the use of tax increment funds to help pay for public amenities such as extending the Billings Trail system.

### **Section 7 – The Site and Its Relationship to the City**

The District is in the south-center region of the City of Billings. Bordered by Interstate I-90, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service, commercial, industrial, parks and recreation and housing choices are located within the District.

### **Section 8- Description of the District Boundary**

Parcel No. 1

ADKINS EXPANSION AREA TRACT B-2 ONLY  
Legal Description of Property

A tract of land situated in the SW 1/4 of Section 10, T.1S., R.26E, P.M.M., Yellowstone County, Montana, more particularly described as follows:

Tract B-2, of Amended Tract B of Certificate of Survey No. 2367 M, recorded September 27, 2012, under Document No. 3640039, on file and of record in the Records of Yellowstone County.

Said tract of land containing an area of 3.522 acres more or less.

Parcel No. 2

HOGAN EXPANSION AREA

Legal Description of Property

Tract of land situated in the NW1/4 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:  
Being Tract 2-A-1 of Amended Tracts 2-A And 2-B, of Amended Tract 2 Certificate of Survey No. 1121, Recorded January 14th, 2008, under Document Number 3451343, on file and of record in the office of the Yellowstone County Clerk & Recorder.

Said tract of land containing an area of 3.673 acres more or less.

**[Insert Driscoll/Torgerson description]**

Parcel No. 4

COMPTON EXPANSION AREA

Legal Description of Property

Tracts of land situated in the N1/2 of Section 15, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tract 1 of Certificate of Survey Number 1591, Recorded August 20, 1976, under Document No. 1026729, Records of Yellowstone County;

Tract 1 of Certificate of Survey Number 1596, Recorded September 16, 1976, under Document No. 1029099, Records of Yellowstone County.

Said tracts of land containing an area of 16.937 acres more or less.

Parcel No. 5

RIVER FRONT PARK EXPANSION AREA  
Legal Description of Property

Tracts of land situated in the SE1/4 of Section 17, N1/2 of Section 20, the SW1/4, the SE1/4 and the NE1/4 of Section 16, the NW1/4 and the SW1/4 Section 15, the NW1/4 and the NE1/4 of Section 20, and the NW1/4 of Section 21, T.1S., R.26E., P.M.M., Yellowstone County, Montana, more particularly described as:

Tracts of land being known as Riverfront Park:

Tract 2 of Certificate of Survey No. 2649, Recorded October 28, 1991, under Document Number 1612662;

Riverfront Park Subdivision, Lots 3, 4 and 5, Block 1, Recorded May 10, 1995, under Document Number 1783132;

Tracts A, B and C of Certificate of Survey No. 1152, Recorded March 16, 1970, under Document Number 858029;

Unplatted land wholly surrounded on the West by said Riverfront Park Subdivision, Lot 3, Block 1, on the South by said Certificate of Survey No. 1152, unplatted land created by accretion from the Yellowstone River, on the East by unplatted land created by accretion from the Yellowstone River, Tract 1 of Certificate of Survey 1150, Recorded February 5, 1970, under Document Number 855794, Tract 3 of Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148, on the North by Agri-Center Subdivision, Recorded September 20, 1967, under Document Number 806352, unplatted land being the W1/2NE1/4NW1/4SE1/4 & E1/2NW1/4NW1/4SE1/4 of Section 16, T.1S., R.26E., and a Fraction of Government Lot 3 in T.1S., R.26E., located Southeast of Willowbrook Subdivision, Lot 5, Block 1, Recorded May 30, 2002, under Document Number 3178165, Certificate of Survey 2648, Recorded October 17, 1991, under Document Number 1611718;

Certificate of Survey 2648, Recorded October 17, 1991, under Document Number 1611718;

Agri-Center Subdivision, Park Land, Recorded September 20, 1967, under Document Number 806352;

Tract 3 Certificate of Survey 1121, Recorded June 18, 1969, under Document Number 843148;

Tract 1 Certificate of Survey 1150, Recorded February 5, 1970, under Document Number 855794;

All documents are on file and of record in the office of the Yellowstone County Clerk & Recorder.

Said tracts of land containing 378.075 acres more or less.

## **Section 9 – Property Developers**

Private investment and public-private partnerships through the implementation of the Urban Renewal and Master Plans will help spur new development and revitalization. Improvements in infrastructure will complete and connect City utilities in the area, spur investments in commercial businesses, workforce housing and public recreational facilities.

## **Section 10 – Conformance to the City’s Growth Policy**

The City’s 2016 Growth Policy Statement is as follows:

*In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.*

The City’s growth policy, in large part, focuses on the notion of return on investment. Given a limited budget, the City seeks to invest in projects and infrastructure that generate a positive return in terms of tax revenue and/or public satisfaction and community pride.

Since its inception, the District has been successful in accomplishing the primary purpose of an urban renewal district: eliminate blight and/or economic development. As detailed above, the City has invested over \$20 million in projects and infrastructure that have resulted in a 35% growth in taxable values. Over the next few years, the District plans to invest an additional \$2 million to complete improvements to its collector streets, \$4 million to improve gravel and unmaintained streets with paving, curb, sidewalks, and lighting and over \$500,000 for parking lots and improvements in Optimist Park. Additionally, the SBURA will seek ways to make the District’s Interstate I-90 gateway more attractive.

The properties identified for inclusion in the District represent a natural growth of the District as prompted by annexation into the City. Their inclusion will attract investment and provide funding for necessary public infrastructure and amenities.

## **Section 11 – Conformance with Montana Code**

Section 7-15-4217, M.C.A. Criteria for approval of urban renewal project. Following the hearing required in 7-15-4214, the local governing body may, by ordinance, approve an urban renewal project if it finds that:

- 1) A workable and feasible plan exists for making available housing for the persons who may be displaced by the project;

**There are no housing units in the expansion area, so no displacement plan is necessary.**

- 2) The urban renewal plan conforms to the comprehensive plan or parts thereof for the municipality as a whole;

**The Urban Renewal Plan for the South Billings Boulevard Urban Renewal Plan as amended for inclusion of the subject properties, conforms to the City of Billings Growth Policy and the SBBURD Master Plan.**

- 3) The urban renewal plan will afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

**It is unreasonable to expect the District will be redeveloped or revitalized solely with public support. At present, there are areas containing blight and/or deficient infrastructure that would ordinarily attract private investment. Consequently, it is essential to promote public-private partnerships as means for securing investment capital.**

- 4) A sound and adequate financial program exists for the financing of said project.

**The District receives approximately \$3.9 million of funding annually of which approximately \$800k is dedicated to debt service. The expected growth in annual tax increment is expected to increase until the District sunsets in 2040.**

## **Section 12 – Tax Increment**

As of 2020, the four privately-held properties collectively pay the following property taxes:

| <b>Code</b> | <b>District</b>                  |             |
|-------------|----------------------------------|-------------|
|             | BILLINGS OUTSIDE (Levy District) | \$ 8,878.31 |
|             | BILLINGS (Levy District)         | 9,9892.04   |
| BACF        | BLGS ARTERIAL CONST FEE          | 1,260.00    |
| BLSW        | BILLINGS STORM SEWER             | 1,110.00    |
| BS#2        | BLGS STREET MAINT #2             | 1,545.00    |
| BUFC        | BLGS URBAN FIRE SERV-COM         | 147.80      |
| BUFR        | BLGS URBAN FIRE SERV-RES         | 493.52      |
| CRED        | COUNTY REFUSE DISTRICT           | 40.00       |

|      |                        |              |
|------|------------------------|--------------|
| PD01 | BILLINGS PARK DISTRICT | 190.42       |
| SOIL | SOIL CONSERVATION      | <u>12.04</u> |
|      |                        | \$14,003.13  |

Assuming the City Council approves the inclusion of these properties in the District, the Montana Department of Revenue would set a separate base year calculation for these properties. Consequently, the annual tax increment would essentially consist of the District's current revenues, approximately \$3.6 million, plus the incremental increase attributable to the subject properties.

Hypothetical Increment Example:

1. A developer invests \$1,000,000 in one of the subject properties.
2. Assuming a dollar-for-dollar increase in taxable value, the property will create approximately \$13,000 in annual tax increment.

$$\begin{array}{r}
 \$1,000,000 \text{ taxable value} \times 1.89\% \text{ commercial tax rate} & = \$18,900 \\
 \$18,900 \times 69 \text{ mills} & = \$13,041
 \end{array}$$

3. The Council could award up to \$247,779 in tax increment assistance and achieve a payback concurrent with the District's 2040 sunset date.

$$\$13,041 \times 19 \text{ years} = \$247,779$$

4. Considering the Council's preferred \$5 private investment for \$1 of tax increment assistance, the payback period in this example would be:

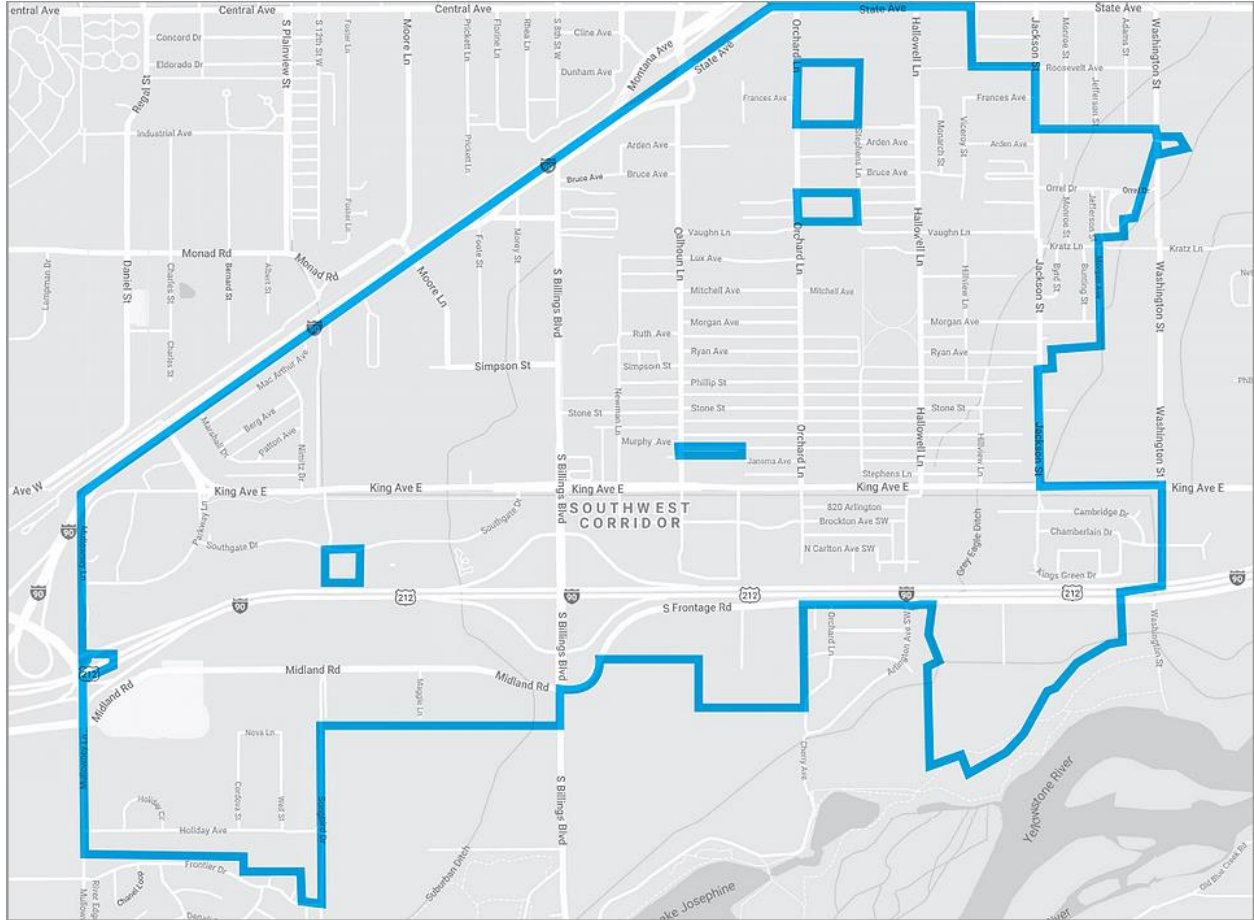
$$\begin{array}{l}
 \$1,000,000 \times 16.67\% = \$166,700 \\
 \text{Payback period} = \$166,700 / \$13,041 = 12.78 \text{ years}
 \end{array}$$

### **Section 13 – Conclusion**

In 2008 the City voted to create the District. The resulting investment capital in the form of tax increment has been invested in infrastructure and other economic development ventures. The increase in the District's tax base is evidence of how tax increment finance districts are supposed to operate.

The proposed expansion of the South Billings Boulevard Urban Renewal District represents a logical extension of the District's current footprint. The City's annexation of the subject properties provides the impetus to expand the District. Given the tax increment funding available for investment, these properties have significant potential for long-term economic and civic development.

# Appendix I: Current South Billings Boulevard Urban Renewal District





**2016 CITY OF BILLINGS  
GROWTH POLICY**  
AUGUST, 2016



Prepared for the Community by:  
City-County Planning Division  
2825 3<sup>rd</sup> Ave. N. 4<sup>th</sup> Floor  
Billings, MT 59101



|   |    |
|---|----|
| Executive Summary .....                                 | i  |
| Acknowledgements.....                                   | ii |
| Chapter 1 – The Planning Process .....                  | 1  |
| Chapter 2 – Growth Policy Statement and Guidelines..... | 6  |
| Chapter 3 – Billings – Then, Now, and Beyond.....       | 10 |
| Chapter 4 – Community Goals.....                        | 21 |
| Chapter 5 – Growth Scenario Planning .....              | 35 |

## List of Figures, Tables and Charts

### Chapter 1

|            |   |   |
|------------|---|---|
| TABLE 1.1  | COMPARISON OF GROWTH METRICS, 2010 – 2014.....    | 1 |
| FIGURE 1.1 | COMMUNITY GOALS AND THEIR INTERRELATIONSHIPS..... | 3 |
| CHART 1.1  | SCENARIO COSTS AND REVENUES.....                  | 4 |
| CHART 1.2  | RETURN ON INVESTMENT .....                        | 5 |

### Chapter 3

|            |  |    |
|------------|--|----|
| FIGURE 3.1 | POPULATION INCREASE BASED ON SAMPLE GROWTH RATES .....         | 10 |
| TABLE 3.1  | CITY OF BILLINGS POPULATION CHANGE OVER THIRTEEN DECADES ..... | 11 |
| TABLE 3.2  | POPULATION AGE BY DECADE .....                                 | 11 |
| MAP 3.1    | LIMITS OF ANNEXATION, 2004.....                                | 12 |
| MAP 3.2    | LIMITS OF ANNEXATION, 2016.....                                | 13 |
| CHART 3.1  | LOTS CREATED BY SUBDIVISION, 2010 – 2015 .....                 | 13 |
| CHART 3.2  | CITY ZONING ACTIVITY, 2010 – 2015.....                         | 14 |
| TABLE 3.3  | FUNDING SOURCE TOTALS IN CIP BY YEAR .....                     | 17 |
| TABLE 3.4  | BICYCLE AND PEDESTRIAN FACILITY PLANNING DOCUMENTS .....       | 18 |

### Chapter 5

|           |   |    |
|-----------|---|----|
| TABLE 5.1 | GROWTH INDICATOR COSTS PER SCENARIO .....                 | 43 |
| TABLE 5.2 | AVERAGE TAX AND ASSESSMENT VALUES BY HOUSING DENSITY..... | 44 |
| TABLE 5.3 | COMPARISON OF COSTS AND REVENUES PER SCENARIO.....        | 45 |
| CHART 5.1 | TOTAL SCENARIO COSTS AND REVENUES .....                   | 45 |
| CHART 5.2 | SCENARIO COSTS AND REVENUES PER ACRE.....                 | 45 |
| CHART 5.3 | RETURN ON INVESTMENT .....                                | 46 |

**Appendix A – Public Involvement**

**Appendix B – Implementation Tools and Timetable**

**Appendix C – Interjurisdictional Coordination**

**Appendix D – Subdivision Review Criteria and Process**

**Appendix E – Scenario Planning Work Sheet and CommunityViz™ Indicator  
Reports**

Since the last update to the City and County Growth Policy in 2008, the City of Billings has added more than 6,000 people and has expanded by 1.5 square miles. The change in population and land area places a greater demand on public services and infrastructure. As a reflection of these increases, the City budget also increased. In Fiscal Year 2010, the General Fund revenues were \$29,561,687 and in Fiscal Year 2016 General Fund revenues were \$33,454,515; an increase of \$3.9 million. Growth alone has public costs associated with it but the needs and preferences of the public may also increase costs as values and priorities change.

One of the main purposes of this Growth Policy is to determine current public values and priorities. A second purpose is to compare patterns of growth to examine if there are more cost effective ways to develop. The approach to this Growth Policy and the methods used were tailored to address the two main purposes.

Through an extensive public comment process and carefully modeled growth scenario planning, a vision for Billings in the next 20 years emerged. This vision is embodied in the Growth Policy Statement:

**In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.**

This statement, along with the Growth Guidelines, provides the City Council and other decision makers with an insight into public values and priorities. ***The Guidelines are not regulatory, but meant to be considered when Council acts on land use and infrastructure decisions.*** This Growth Policy will be used consistently as land use applications are brought before Council for action.

Billings has emerged as a regionally important small City that provides a high quality of life, good business and employment opportunities, and excellent public services and amenities. The improvements to the City made over the past few decades have not been by accident. The City has adopted and implemented several plans related to parks, transportation, utilities, and land use that have provided the framework for progress. This Growth Policy is an important element in that framework and will help ensure Billings will remain a great City, now and beyond!



The planning process and methodologies used for the 2016 City of Billings Growth Policy were conceived and designed by Candi Millar, Planning and Community Services Department Director. She was ably assisted by the **Planning Division staff**:

- Wyeth Friday, **Planning Division Manager**
- Nicole Cromwell, **Zoning Coordinator; Supervisor, Code Enforcement Division**
- Dave Green, **Planner II**
- Scott Walker, **Transportation Planning Coordinator**
- Lora Mattox, **Transportation Planner**
- Karen Husman, **Planner I**
- Jeffery Butts, **Bicycle and Pedestrian Coordinator**
- Jeannette Vieg, **Planning Assistant**
- Tammy Deines, **Planning Clerk**
- Robbin Bartley, **Administrative Support I**

**Geodata Services, Inc.** of Missoula, Montana was invaluable for its help with the Scenario Planning piece, especially Ken Wall and Kyle Balke.

Support from other City Departments was most appreciated, including:

- Kevin Moore, **IT – GIS Specialist** and Ron Frisbie, **IT- GIS Coordinator**
- Barb McCrae, **IT – Application Development Manager**
- All the Department Directors that reviewed parts of the document
- Christina Volek, **City Administrator**

A substantial effort was given by the members of the Growth Policy Steering Committee who attended six meetings and provided great insight into public values and priorities:

- Anya Fiechtl, **High Plains Architects**
- Wyeth Friday, **Planning Division Manager**
- Keith Hart, **Keller Williams Realty**
- Melissa Henderson, **RiverStone Health**
- John How, **Kadmas, Lee & Jackson**
- Dianne Lehm, **Big Sky Economic Development**
- Bruce MacIntyre, **Billings Chamber of Commerce**
- Scott Reiter, **School District 2**
- Michael Sanderson, **Sanderson Stewart**
- Amber Sunsted, **Billings Association of Realtors**
- Connie Wardell, **League of Women Voters**

Most importantly, the citizens of Billings who provided comments and attended the public meetings need to be recognized. Thanks to everyone for the support and direction given during this process.



---

---

# Chapter 1 – The Planning Process



Community planning is a continuous process. Community values change, conditions change, and policies change requiring a community plan to be re-evaluated periodically. Montana law recommends re-examining a growth policy every five years and determining, based on a list of conditions “what will lead to a revision of the growth policy”, MCA 76-1-601 (3)(f)(ii). This policy, as the policy it replaces, recommends that the growth policy be revised when the following occurs:

- Major changes in existing conditions or projected trends
- Modifications in the legal requirements a Growth Policy must meet
- Significant changes in community direction or goals
- Citizens desire for changes to the Growth Policy

Since the 2008 City/County Growth Policy was adopted a lot has changed in Billings as the following comparison of metrics between 2010 and 2014 demonstrates:

**TABLE 1.1. COMPARISON OF GROWTH METRICS 2010 AND 2014**

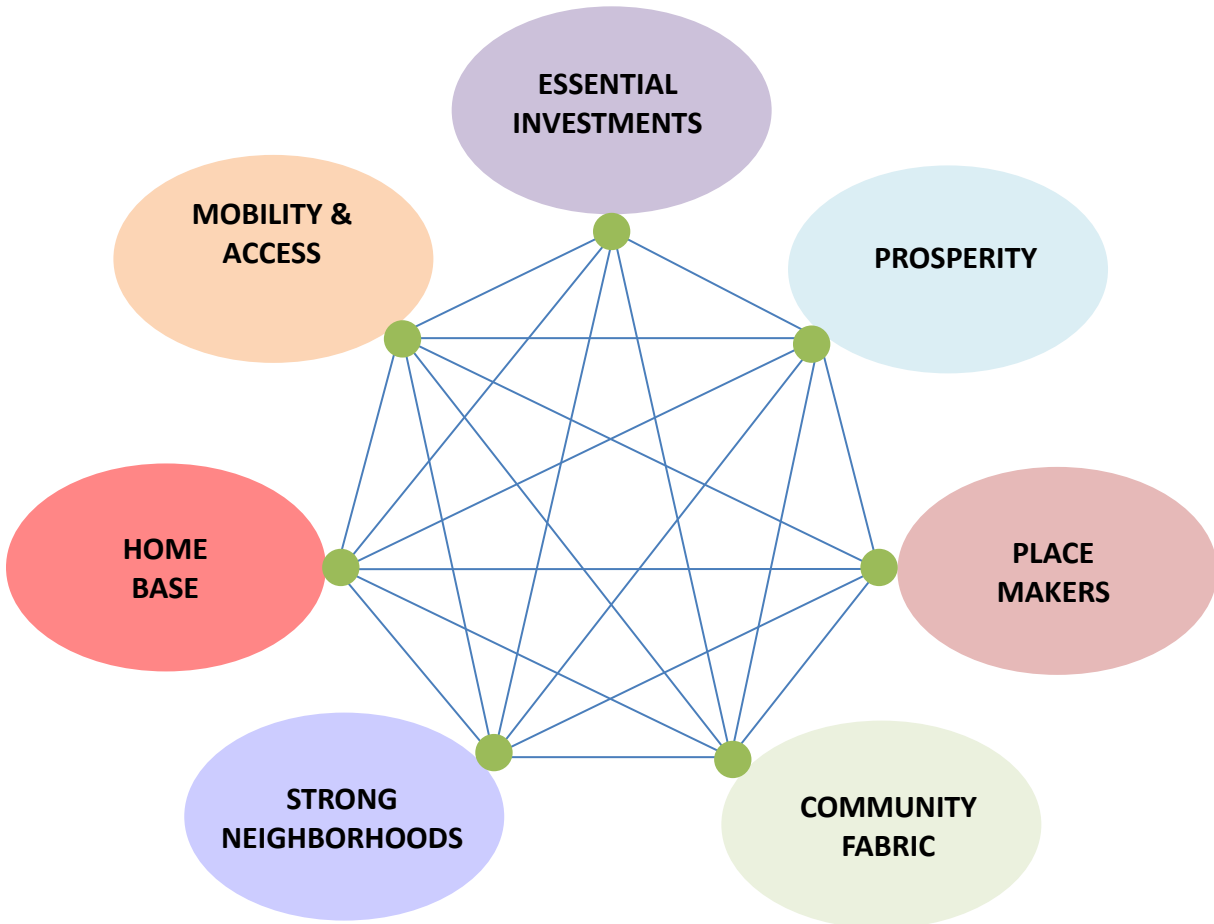
|                                | 2010               | 2014               |
|--------------------------------|--------------------|--------------------|
| <b>Population</b>              | <b>104,170</b>     | <b>106,979</b>     |
| <b>Median Age</b>              | <b>37.5</b>        | <b>37.1</b>        |
| <b>Housing Units</b>           | <b>46,317</b>      | <b>46,674</b>      |
| <b>Median Household Income</b> | <b>\$46,433</b>    | <b>\$49,265</b>    |
| <b>City Area</b>               | <b>41.9 sq. mi</b> | <b>42.9 sq. mi</b> |
| <b>Street Miles</b>            | <b>532.7</b>       | <b>565.7</b>       |

Updating the 2008 City of Billings/Yellowstone County Growth Policy was identified as a priority in the 2014 City Council Strategic Plan. The City Council recognized at that time that a policy was needed to achieve its goal of “comprehensive, cost-effective, and orderly growth.” Staff was directed to “prepare a comprehensive growth policy focused on existing service gaps in the City growth areas.” To achieve this directive, two questions needed to be answered:



associations. For instance the value of outdoor spaces under the Community Fabric goal is also an essential value in Strong Neighborhoods and Place Makers.

FIG. 1.1. COMMUNITY GOALS AND THEIR INTERRELATIONSHIP



The public comments were also the basis for three other important elements of this Policy: objectives, toolboxes, and performance measurements. Goal objectives are targeted outcomes that provide definition to what the goal can achieve or how the goal can be achieved. Toolboxes suggest ways, means, and methodologies to accomplish the goal, and performance measurements are recommended metrics for determining if the goal is being achieved.

Referring back to the Council’s Strategic Plan goal of “comprehensive, cost-effective, orderly growth”, the planning process also evaluated seven different growth scenarios to estimate the relative cost and revenue of various growth patterns in three separate growth areas: North (around the proposed Inner

Belt Loop), West (west of Shiloh Road) and Infill (existing parcels within the City limits and adjacent properties). The scenarios were developed to accommodate approximately 50,000 more residents. The costs to provide selected services and facilities the public preferred were calculated for high, low, and mixed residential density scenarios in the North and West growth areas. The residential density used for the infill scenario was based on existing zoning. The revenue estimates were developed by extrapolating the average tax and assessment revenue from existing residential housing developments of comparable densities.

The scenario planning results were looked at three ways:

1. Total cost of selected services and facilities and total revenue from housing unit per scenario
2. Total anticipated annual revenue/total cost of selected services and facilities (Return on Investment)
3. Total anticipated annual revenue from residential development/acre

**CHART 1.1. SCENARIO COSTS AND ANNUAL REVENUES**

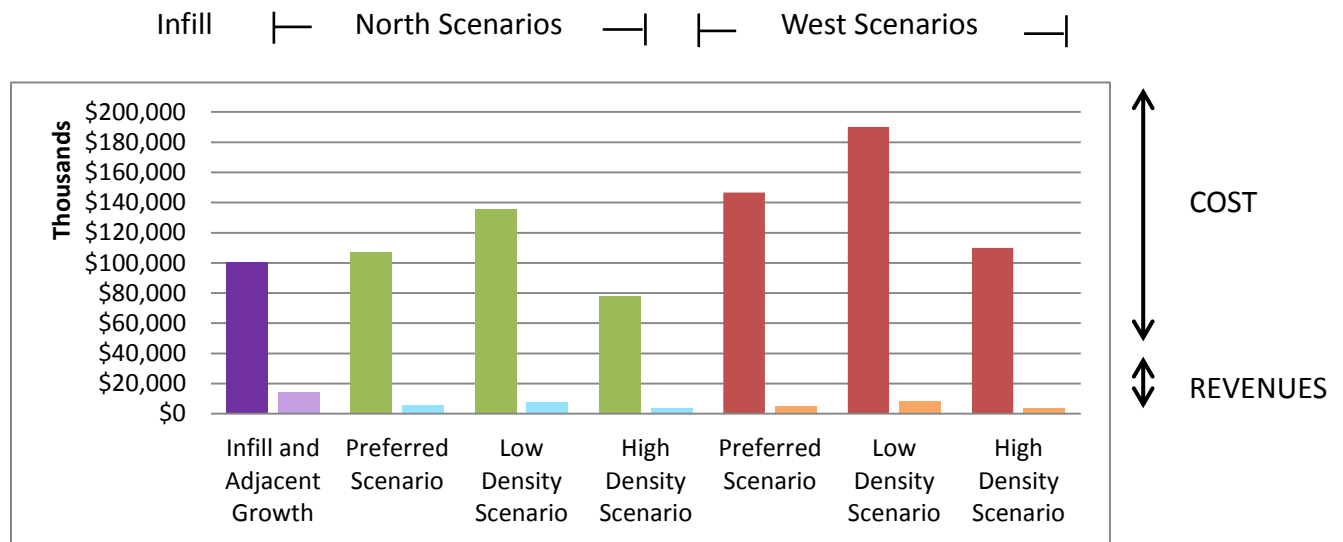
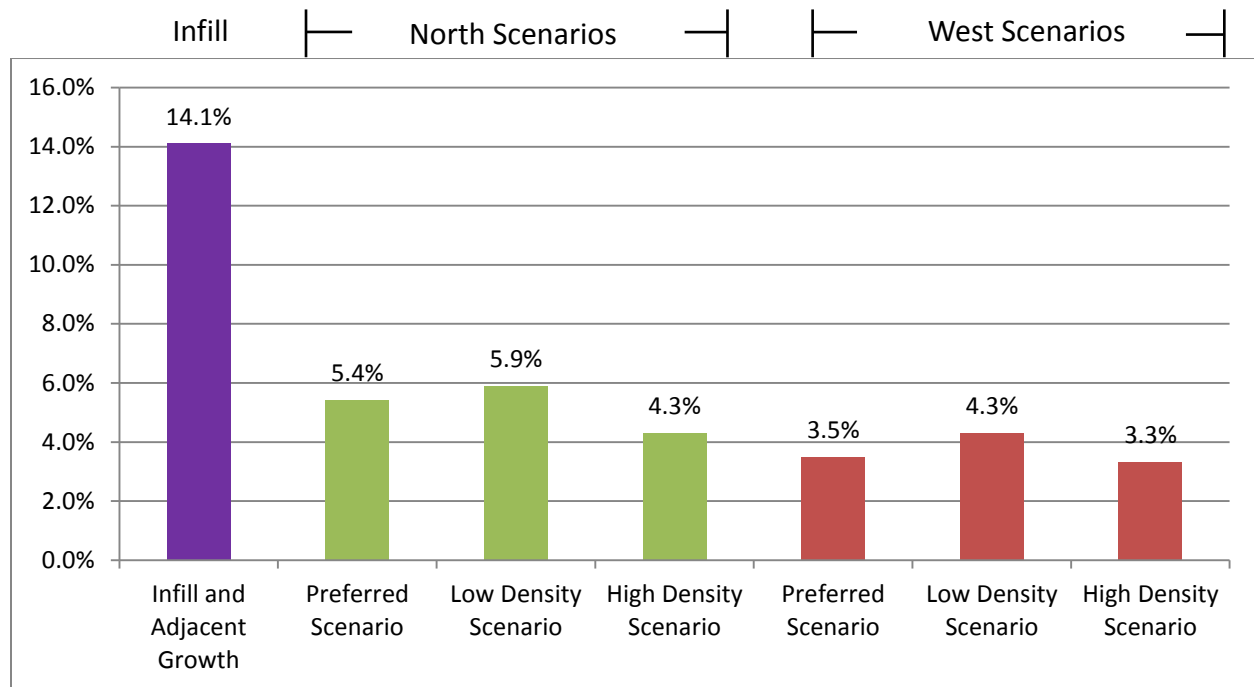


CHART 1.2.-ANNUAL RETURN ON INVESTMENT



The scenario planning data and the values expressed by the public support a general consensus that development of infill parcels and properties adjoining the existing City limits is preferred. Also substantiated by public comment and the scenario planning data, is that a mix of residential densities is also preferred. There are clear revenue advantages to the low density scenarios in terms of return on investments and total revenue per acre, mostly because the revenue generated by higher valued houses on larger lots is greater than any other scenario. However, the infill scenario returns the highest total revenue per acre largely because of the concentrated value on smaller lots and provides a mix of housing. The Scenario Planning demonstrates that the Infill and Adjacent Parcels growth pattern is most cost effective and has the highest rate of return. It should be noted that maintenance and replacement costs were not factored into the scenario planning. It stands to reason that infill development will require replacement and repair of existing infrastructure sooner than newer development in the north and west scenarios. This repair and replacement of existing infrastructure will be necessary regardless of the growth area as the majority of the City population still live in areas served by existing infrastructure and rely on this infrastructure.

The primary purpose of the planning process is to formulate a *Growth Policy* for the selected time horizon, or 20 years. In the end, the *Policy* is derived from the comments, goals, objectives and data. The *Growth Policy* stands as a framework to evaluate future public and private development and investment. The *Policy* is further supported by a *Growth Policy Statement* (vision) and suggested *Growth Guidelines* that can be referred to when making decisions for land use applications and infrastructure projects.

---

---

## **Chapter 2 – Growth Policy Statement and Guidelines**



The **Growth Policy Statement** and **Guidelines** provide elected officials and other decision-makers an understanding of the public’s vision for future growth and development, and recommendations on how to achieve that vision within the City of Billings in the next 20 years. As stated in state statute, “*a growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law,*” MCA 76-1-605(2)(a). It does, however, provide guidance when developing future regulations, policies, and projects. Most specifically, subdivision and zoning regulations are required to “*be made in accordance with the growth policy,*” MCA 76-1-605(1)(c) and MCA 76-2-304(1)(a). State law also provides for the governing bodies “*to be guided by and give consideration*” to the growth policy on other matters including public infrastructure, utilities, and structures, MCA 76-1-605(1).

The Growth Policy Statement may be considered a vision of where and how the City will grow in the next 20 years. The Growth Guidelines describe more specifically what people value and desire as outcomes or objectives and these are categorized under seven headings that define general goals.

### City of Billings Growth Policy Statement

**In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.**

### Growth Guidelines

#### Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings’ residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- Accessible, friendly and cost-effective government are important public values

- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- It is important to factor in maintenance costs when programming public spaces and infrastructure
- Integrated, long range water planning that better utilizes existing resources and treatment options, and when necessary acquires new ones, is vital
- Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community
- A cost/benefit study is important to make cost effective land use decisions

### **Place Making (Enhance, maintain, preserve, and improve existing public places)**

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Locally grown foods help sustain agriculture, provide healthy options, and support local businesses
- The history and heritage of Billings are cornerstones of our community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community
- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

### **Community Fabric (attractive, aesthetically pleasing, uniquely Billings)**

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

### **Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)**

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods
- Implementation of the Infill Policy is important to encourage development of underutilized properties
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses

### **Home Base (healthy, safe and diverse housing options)**

- A mix of housing types that meet the needs of a diverse population is important
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe

- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community
- Accessory dwellings units provide an important type of affordable housing options if compatible
- Energy efficient housing can reduce energy consumption

### **Mobility and Access (transportation choices in places where goods and services are accessible to all)**

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Expanded air service ensures that Billings remains a competitive and an accessible destination
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

### **Prosperity (promoting equal opportunity and economic advancement)**

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy
- Continued workforce training benefits the community and helps attract and retain businesses
- Strategically placed industrial parks will encourage a more diverse city economy, and will better help manage effluent and emission from industrial processes

---

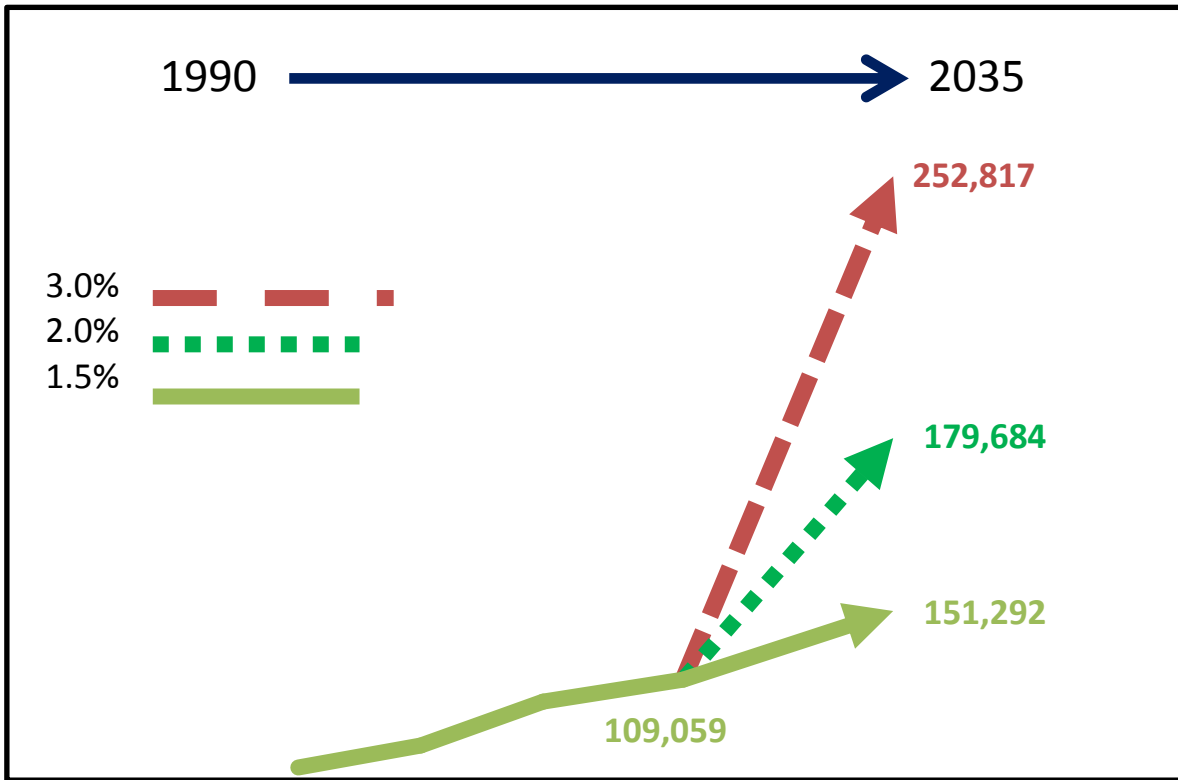
## **CHAPTER 3 – Billings – Then, Now, and Beyond...**



Demographics

Early in the public comment phase of the planning process, the public was shown a graph with three potential growth rates (Figure 3.1). One was based on past trends and two were examples of what a slight increase in the growth rate could mean in terms of population increase. None was meant as a projection.

FIGURE 3.1. POPULATION INCREASE BASED ON SAMPLE GROWTH RATES



The best population data comes from the Decennial Census compiled by the US Census Bureau. Population data for Billings from the last 13 decades is shown in Table 3.1. The 2015 estimate is also provided by the Bureau of Census, from the Annual Estimates of Resident Population, 2015 Population Estimates. The average annual growth rate since 1990 is 1.5 percent.

**TABLE 3.1. CITY OF BILLINGS POPULATION CHANGE OVER THIRTEEN DECADES**

| Decade | City of Billings | Avg. Annual Growth Rate |
|--------|------------------|-------------------------|
| 1890   | 836              |                         |
| 1900   | 3,221            | 28.5%                   |
| 1910   | 10,031           | 21.1%                   |
| 1920   | 15,100           | 5.1%                    |
| 1930   | 16,380           | 0.8%                    |
| 1940   | 23,261           | 4.2%                    |
| 1950   | 31,834           | 3.7%                    |
| 1960   | 52,851           | 6.6%                    |
| 1970   | 61,581           | 1.7%                    |
| 1980   | 66,798           | 0.8%                    |
| 1990   | 81,151           | 2.1%                    |
| 2000   | 89,847           | 1.1%                    |
| 2010   | 104,170          | 1.6%                    |
| 2015   | 110,263          | 1.2%                    |

The population of Billings is getting increasingly older, with the majority of the population between the ages of 25 and 65, as shown in Table 3.2. The average age increased by almost a year from 2000 to 2010. Since 1980, it has increased nearly 8 years from 29.3 years old to 37.5 years old.

**TABLE 3.2. POPULATION AGE BY DECADE, 1980 – 2010**

| Age               | 1980             |                  | 1990             |                  | 2000             |                  | 2010             |                  |
|-------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
|                   | Total Population | Percent of Total | Total Population | Percent of Total | Total Population | Percent of Total | Total Population | Percent of Total |
| Under 5           | 4,907            | 7.35%            | 6,021            | 7.42%            | 5,882            | 6.55%            | 7,293            | 7.00%            |
| 5 to 9            | 4,673            | 7.00%            | 5,804            | 7.15%            | 5,985            | 6.66%            | 6,457            | 6.20%            |
| 10 to 14          | 4,635            | 6.94%            | 5,848            | 7.21%            | 6,063            | 6.75%            | 6,070            | 5.83%            |
| 15 to 19          | 6,032            | 9.03%            | 5,501            | 9.78%            | 6,290            | 7.00%            | 6,325            | 6.07%            |
| 20 to 24          | 7,377            | 11.04%           | 5,345            | 6.59%            | 6,483            | 7.22%            | 7,654            | 7.35%            |
| 25 to 34          | 11,801           | 17.67%           | 14,096           | 17.37%           | 11,869           | 13.21%           | 15,318           | 14.70%           |
| 35 to 44          | 7,071            | 10.59%           | 12,433           | 15.32%           | 13,882           | 15.45%           | 12,025           | 11.54%           |
| 45 to 54          | 6,664            | 9.98%            | 8,145            | 10.04%           | 12,284           | 13.67%           | 14,799           | 14.21%           |
| 55 to 64          | 6,401            | 9.58%            | 6,973            | 8.59%            | 7,770            | 8.65%            | 12,623           | 12.12%           |
| 65 to 74          | 4,424            | 6.62%            | 6,319            | 7.79%            | 6,464            | 7.19%            | 7,508            | 7.21%            |
| 75+               | 2,813            | 4.21%            | 4,666            | 5.75%            | 6,875            | 7.65%            | 8,098            | 7.77%            |
| <b>Total</b>      | <b>66,798</b>    | <b>100%</b>      | <b>81,151</b>    | <b>71.55%</b>    | <b>89,847</b>    | <b>100%</b>      | <b>104,170</b>   | <b>100.00%</b>   |
| <b>Median Age</b> | <b>29.3</b>      |                  | <b>33.7</b>      |                  | <b>36.8</b>      |                  | <b>37.5</b>      |                  |

## Population Predictions

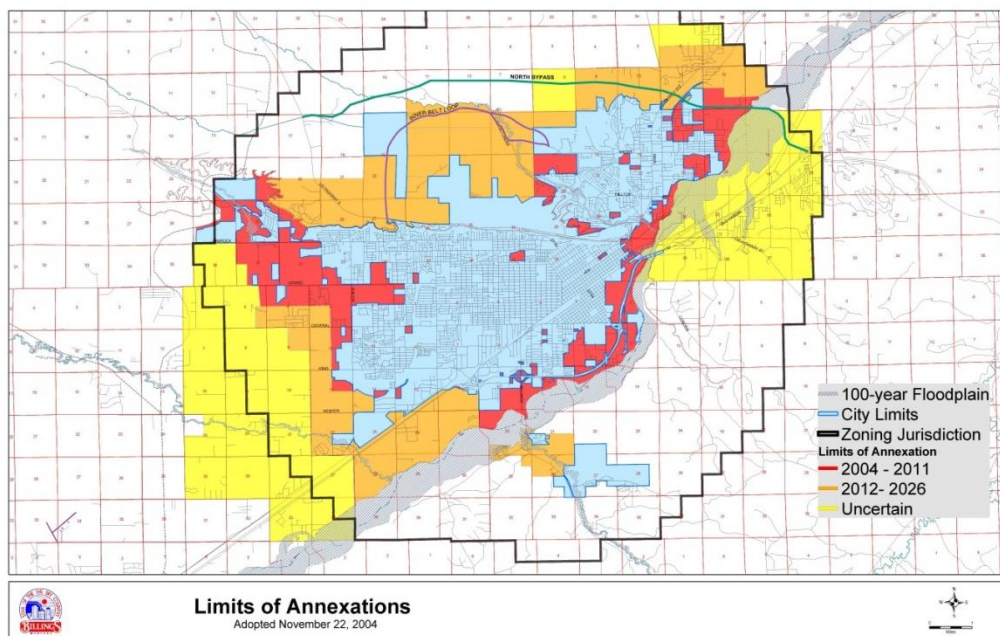
Historic trends are often used to make predictions on future growth rates, but how far back is appropriate? Considering the last four decades, a reasonable estimate would be 1.5 percent per year. At this rate, Billings would add approximately 42,233 people by 2035. However, trends are not necessarily destiny. Many events will happen that will likely change the predictions: resurgence in the Bakken oil play, another recession, recruitment of a major employer, loss of a major employer. Population projections based on trends should be used with caution. Given the stability of our economy, the quality of our schools, and the continuing improvement to our quality of life, a 1.5 percent annual increase is not an unreasonable prediction.

## Land Use

### Current Planning

The City of Billings has added 1.0 square mile since 2014 and is currently at 42.9 square miles. It is still the largest city in Montana. Roughly 33 percent of the city is zoned for commercial use, 12 percent for industrial use, and the remainder as residential. As property is annexed, it is zoned according to the City zoning designation closest to what it was zoned in the County. Most annexations have been residential. However, property owners that intend to develop soon after annexation rezone their property to suit at the same time as annexation. The City's Annexation Policy has done much to manage the expansion of the City since its adoption in 2004. Maps 3.1 and 3.2 show the change in city limits and limits of annexation from 2004 to 2016.

**MAP 3.1. LIMITS OF ANNEXATION, 2004**



MAP 3.2. LIMITS OF ANNEXATION, 2016

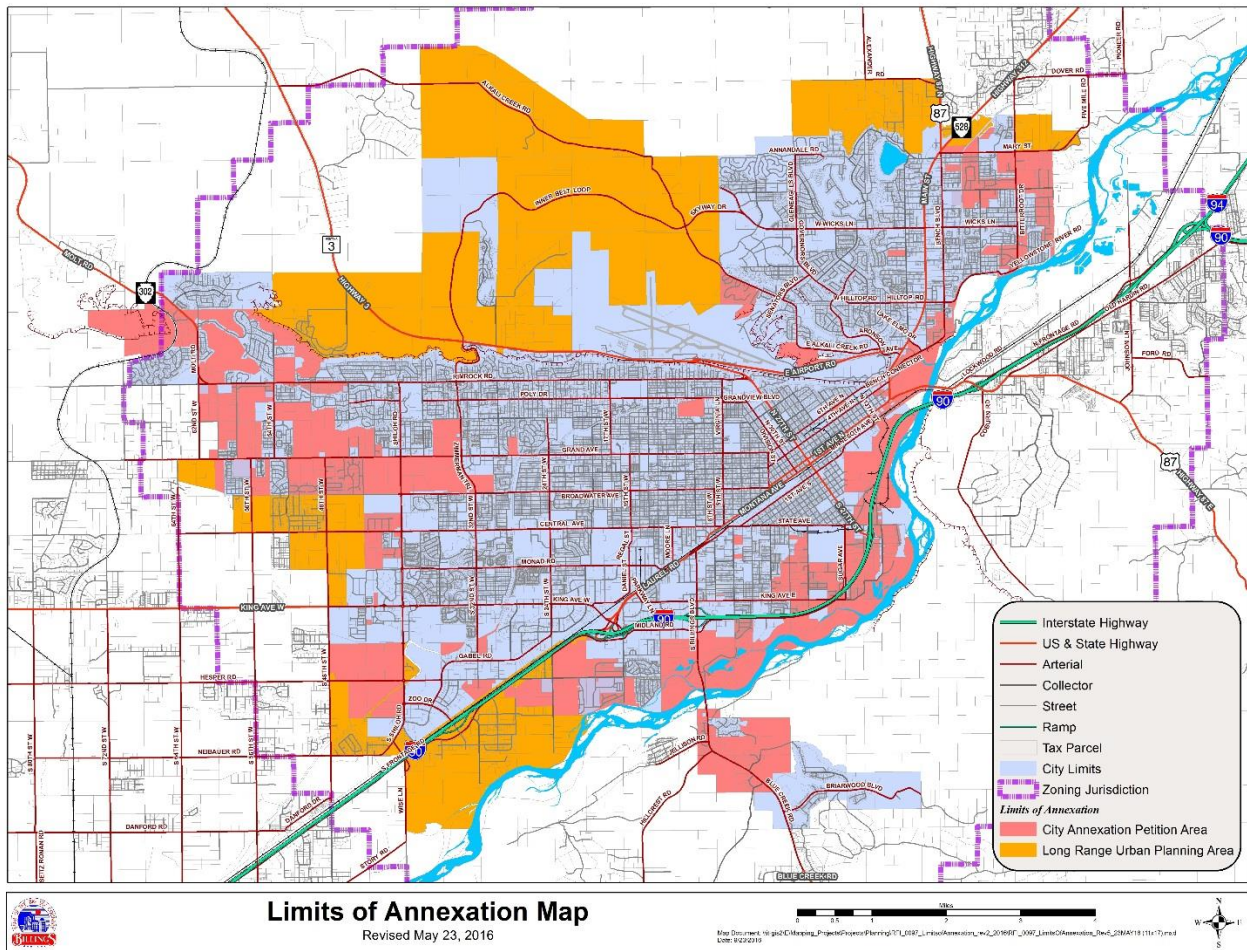
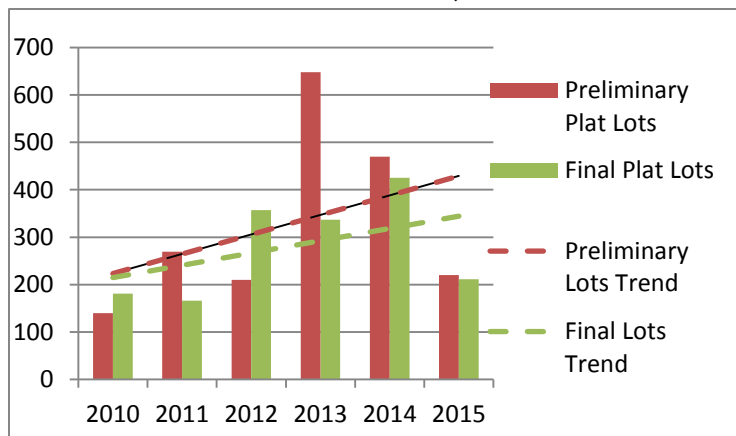


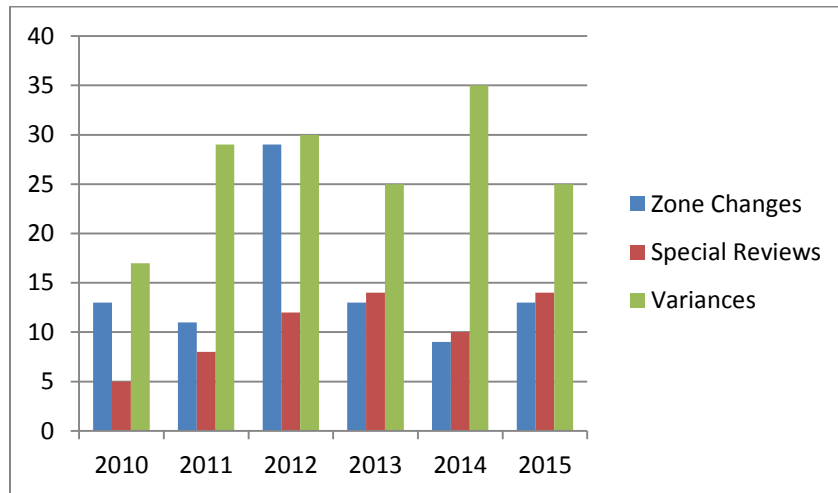
CHART 3.1. LOTS CREATED BY SUBDIVISION 2010 – 2015

Commensurate with growth are changes in zoning, special reviews, variances and subdivision activity. The number of lots created through subdivision steadily increased since 2010, but fell off sharply in 2015 as the chart below shows. A total of 1,677 lots were created since 2010.



With the exception of 2012, when there were 29 zone changes, zoning activity has remained fairly consistent. Chart 3.2 shows the number of Zone Changes, Special Reviews, and Variances processed in the City between 2010 and 2015.

**CHART 3.2. CITY ZONING ACTIVITY 2010 – 2015**



## Housing

In 2010, Billings had an estimated 46,317 housing units. The number of units has increased significantly since then. Since 2010 the City Building Division issued permits for almost 3,000 new units, including 2,006 single family units and 258 duplex units. Building permits in the past 6 years were also issued for 465 multi-family structures containing at least 3 units apiece but many of them were 4 to 10 unit structures so the estimate of total units built is probably low.

The greater Billings area housing market continues to be strong in 2016 but is showing signs of adjustment. Pending sales in March, 2016, were 447 compared to pending sales at the same time in 2015 of 396. In 2006, before the recession, pending sales were 320. Other signs of a strong market include closed sales up by seven percent, and inventory was up 20 percent. Interest rates were down 2 percent.<sup>1</sup> There are, however, some negative aspects of the market that need to be recognized.

Activity in the Bakken Oil Field in North Dakota and Montana has slowed considerably due to a significant decrease in oil prices. In April 2015, the drilling rig count in North Dakota was 88. In 2016 the rig count dropped to 27 and no rigs were drilling in Montana in 2016. The regional coal industry has also been negatively affected recently. Montana coal production is down by one third from 2015<sup>2</sup> and Arch Coal has declared bankruptcy and laid off workers, and the coal-fired generators in Colstrip are being threatened by out-of-state clean energy interests.<sup>3</sup> The effect on the local real estate market does not

<sup>1</sup> Howard Sumner, Howard Sumner Real Estate, Market Update at a Glance, March 2016.

<sup>2</sup> Billings Gazette, Montana Coal Production Down a Third, June 9, 2016

<sup>3</sup> Billings Gazette, Washington Plans for Colstrip’s Closure, but Stops Short of Ordering It, Mar 9, 2016

appear to be significant at this time but may result in fewer families and individuals associated with the oil and coal industries moving to Billings and purchasing homes.

A problem identified in the 2012 Analysis of Impediments to Fair Housing Choice, concerns social equity and possible discriminatory housing practices.<sup>4</sup> The study reported Billings as having a dual housing market; one for Whites and Asians and one for American Indians, Hispanics and African Americans. The concentration of minorities in some neighborhoods which coincides with areas of low income is characteristic of discrimination which *distorts* a free housing market. A free housing market may be distorted by practices such as racial steering, mortgage lending discrimination, discriminatory advertising, discriminatory rental policies, mortgage and insurance redlining or discriminatory appraisals.

Another problem facing the Billings' housing market is affordability for our most vulnerable populations:<sup>5</sup>

- Small family households (two to four members) with incomes from zero to 80 percent of the Area Median Income (AMI).
- Households with members aged at least 75 years of age with incomes from 30 percent to 80 percent AMI.

*The following text is excerpted from the FY2015 – 2019 Consolidated Plan:*

“The greatest housing need in Billings is the development and renovation of affordable housing for both owners and renters with incomes from zero to 80% AMI. Local housing options are limited due to cost burden, low vacancy rates and increased competition for available units.

According to the American Community Survey data, population growth appears to be keeping pace with the number of available housing units in Billings. However, more recent data point to a higher number of people experiencing homelessness and a considerably tight rental market with a vacancy rate of less than two percent. The largest qualifying income category for Community Development programs is the 50% to 80% category at 7,330 households. Excluding total households and households with incomes over 80%, the next largest cohort includes households with incomes between 50% and 80% AMEI (6,315). Small family households are the largest cohorts in all income categories (4,633) followed by those at least 75 years (3,387).

Most in demand are smaller affordable rental units, as the Housing Authority of Billings has identified over 1,200 households on the waiting list for rental units with one bedroom. The development of

---

<sup>4</sup> Billings, Montana, Analysis of Impediments to Fair Housing Choice, 2012, Planning/Communications, River Forest, Illinois, April 2013. Commissioned by the City of Billings Community Development Division

<sup>5</sup> FY2015 – 2019 City of Billings Five Year Consolidated Plan, Community Development Division, April 27, 2015. For reference, the 2015 HOME income limits for a two person household at 80% AMI is \$41,100 and for a four person household the limit is \$51,350.

smaller rental units would also meet the needs of the Millennials, who prefer to rent small units. It would also support the needs of the elderly, who may prefer to rent or purchase maintenance-assisted condominiums.”

### Transportation

According to the 2015 statistics maintained by the City Public Works Department, Billings has 544.4 miles of streets and 124.2 miles of alleys. This is a 3.5 percent increase in total street and alley miles since 2008. In Billings, streets are classified by their function in the overall context of the highway transportation system. The functional classification system is established by the following hierarchy:

**Freeways** – serve high speed, long distance travel movements and provide limited access to adjacent lands. Interstate 90 is the only freeway designated route in Billings.

**Principal and Minor Arterials** – intended to serve higher volumes of traffic, particularly through-traffic at higher speeds. Examples of Principal Arterials include Shiloh Road, 24<sup>th</sup> Street West, N 27<sup>th</sup> Street, Main Street, Rimrock Road, Zimmerman Trail, Grand Avenue and King Avenue West. Examples of Minor Arterials include King Avenue East, State Street, North 30<sup>th</sup>, Aronson Avenue and Poly Drive.

**Collectors** – represent the intermediate class and collect traffic from the local street system and link travel to the arterial roadway system. Examples of collectors include Lake Elmo Drive, Parkhill Drive, Calhoun Lane, 19<sup>th</sup> Street West and 29<sup>th</sup> Street West.

**Local Roads and Streets** – these roadways carry locally generated traffic at relatively low speeds. Local streets provide connectivity through neighborhoods and are generally designed to discourage cut-through traffic.

A map showing the classification of the Billings street network is available on the City’s website: <http://ci.billings.mt.us/DocumentCenter/View/26253>. A full description of the functional classifications and the City street network is provided in the 2014 Billings Urban Area Long Range Transportation Plan.<sup>6</sup>

The City approves a Capital Improvement Plan, (CIP), each year for capital projects in excess of \$25,000 that are planned for a six fiscal year time frame. The plan identifies the project, years in which the expenditures will be made, the cost of the project per year, and the funding source(s). The last five CIPs list the following projects and the primary funding sources for road improvements and reconstruction. Table 3.3 below shows the amounts in each funding source that were listed in the year the CIP was approved by City Council.

---

<sup>6</sup> 2014 Billings Urban Area Long Range Transportation Plan, prepared for City of Billing/Yellowstone County Metropolitan Planning Area by Kittelson & Associates, Inc. and DOWL HKM, Inc., August 2014.

**TABLE 3.3. FUNDING SOURCE TOTALS IN CIP BY YEAR**

| Funding Source   | FY2012             | FY2013              | FY2014              | FY2015              | FY2016              |
|--|--------------------|---------------------|---------------------|---------------------|---------------------|
| Storm Drain Bonds                                      | \$0                | \$9,000,000         | \$4,000,000         | \$10,253,750        | \$0                 |
| Safe Routes to School                                  | \$0                | \$25,000            | \$0                 | \$0                 | \$0                 |
| Community Development Block Grants                     | \$0                | \$25,000            | \$0                 | \$0                 | \$0                 |
| Sidewalk Bonds   | \$0                | \$200,000           | \$200,000           | \$200,000           | \$400,000           |
| Gas Tax  | \$570,436          | \$3,650,000         | \$3,375,000         | \$3,537,000         | \$2,867,000         |
| Storm Drain  |                    | \$2,202,500         | \$817,250           | \$2,802,500         | \$1,325,000         |
| Public Works Bond Utility Repair                       | 0                  | \$5,000             | \$5,000             | \$0                 | \$0                 |
| Street Maintenance Fees                                | \$0                | \$0                 | \$0                 | \$0                 | \$0                 |
| Special Improvement Bonds                              | \$1,200,000        | \$1,000,000         | \$800,000           | \$1,000,000         | \$800,000           |
| Street Lights  | \$0                | \$5,000             | \$5,000             | \$0                 | \$0                 |
| Developer Contributions                                | \$0                | \$0                 | \$0                 | \$59,800            | \$0                 |
| State & Federal  | \$0                | \$0                 | \$7,400,000         | \$0                 | \$0                 |
| Tax Increment Financing                                | \$0                | \$330,000           | \$2,300,000         | \$2,200,000         | \$3,300,000         |
| Community Transportation Enhancement Program (federal) | \$170,564          | \$0                 | \$415,000           | \$0                 | \$0                 |
| BSEDA  | \$0                | \$0                 | \$120,000           | \$0                 | \$0                 |
| Arterial Fees  | \$400,000          | \$2,250,000         | \$4,500,000         | \$3,050,200         | \$0                 |
| Unfunded   |                    | \$0                 | \$0                 | \$0                 | \$4,120,000         |
| <b>Total</b>   | <b>\$2,341,000</b> | <b>\$17,687,833</b> | <b>\$23,937,250</b> | <b>\$23,103,250</b> | <b>\$12,812,000</b> |

Billings enjoys more than 37 miles of paved, off-street multi-use trails. The trail network includes trails through parks, such as Swords Park trail; trails within road rights-of-way, such as Zimmerman Trail and Shiloh Road, and trails within other City right-of-way, such as the Kiwanis Trail. These trails function both for commuters and recreationists. Eleven miles of soft surface trails through Riverfront, Two Moon, and Phipps Parks and around Lake Elmo provide recreational opportunities to pedestrians and bicyclists alike. There are also over 17 miles of on-street bicycle facilities such as bike lanes and sharrows around the City that are used primarily by commuters.

Trail usage has steadily increased in the past eight years and the City also has expanded its trail counting system to collect more data in both fixed and mobile locations across the community. Based on daily counts across the trail system, there were about 770,000 user trips in 2015, factoring for the most severe winter months (December through February) where usage is expected to be significantly reduced. The City produces a number of planning documents that report on the state of pedestrian and bicycle facilities that are updated periodically.

**TABLE 3.4. BICYCLE AND PEDESTRIAN FACILITY PLANNING DOCUMENTS**

| Planning Document                           | Last Update | Scheduled Update |
|---|-------------|------------------|
| Billings Area Bikeway and Trail Master Plan | 2011        | 2016             |
| Complete Streets Progress Report            | 2013        | 2016             |
| Long Range Transportation Plan              | 2014        | 2018             |

In 2011, the City Council adopted the first Complete Streets Policy. Contributors to the first Complete Streets Policy included members of the Healthy by Design Built Environment Workgroup; BikeNet (now Billings TrailNet), Downtown Billings Alliance, Montana Department of Transportation, MET Transit, City Engineering Division, City/County Planning Division and Big Sky Economic Development Authority. The 2011 Policy was repealed and a new policy was adopted by City Council on May 23, 2016. The 2016 Complete Streets Policy “intends to promote and encourage the development of a multi modal transportation system that will provide access to all users where practicable.” The policy provides definitions and outlines implementation procedures that provide a framework for planning and designing the City’s transportation network.

MET Transit, the City’s public transit provider, currently operates with 17 routes and has two primary transfer centers. MET operates 41 fleet vehicles all containing wheelchair lifts or ramps and two-slot bicycle racks. In 2016, MET intends to modify its current routes by eliminating some routes (2, 4, 6, and 8) and changing other routes and hours of service. The changes will add or enhance service to the two new middle schools as well as increase evening service to the Heights.

### Economics

Billings is commonly referred to as a regional economic hub with a trade area of over a half million people<sup>7</sup>. There are approximately 6,200 businesses operating in Yellowstone County with a combined gross national product of about \$10,000 million in 2014.<sup>8</sup> Yellowstone County enjoys a low unemployment rate of 3.0% (2016) compared to the statewide unemployment rate of 3.6%.<sup>9</sup> Medical and education are the largest employers making up 22 percent of the total employment<sup>10</sup>. In 2012, the health care sector employed nearly 13,000 people, paying \$641 million in wages. Retail trade is also a large economic sector because of Billings’ regional status. Because Montana has no sales tax, Billings is a shopping destination for Wyoming, and North and South Dakota residents. One dollar out of seven dollars spent on retail purchases in Montana is being spent in Billings.<sup>11</sup>

<sup>7</sup> “Best Places to Launch a Small Business 2009 – Billings, MT, Fortune Magazine, October 13, 2009

<sup>8</sup> Economic Pulse Billings Montana, ECONorthwest, October 20, 2015

<sup>9</sup> Montana Department of Labor & Industry, “Current Labor Force Statistics, May, 2016”

<sup>10</sup> US Census Bureau, Economy-wide key statistics: 2012, 2012 Economic Census of the United States

<sup>11</sup> Lutey, Tom (December 18, 2011, “Billings ahead of almost everywhere: Agriculture, retail, energy, health care driving economy: Missoulian.com

### Natural Resources

The physical environment of Yellowstone County has strongly influenced the economic, social, and physical development of the County. The following subchapters on climate, vegetation, wildlife, soil, geology, and hydrology describe the physical environment of Yellowstone County. The purpose of this section is to provide enough information on the physical conditions that future land use controls can take into account the unique constraints and opportunities presented by the natural environment.

#### Climate

Yellowstone County enjoys a relatively mild climate and experiences few significant weather events during an average year. Extremely low temperatures, less than 0 degrees Fahrenheit, may prevail in the winter for short periods of time. High wind events are possible in the spring and summer and may include rare tornadic activity. Heavy rainfall is rare, but localized thunderstorms can deposit significant rainfall in a small area resulting in flashfloods. Flooding is a problem on the Yellowstone River and tributaries particularly when warmer temperatures rapidly melt snow and ice during spring break up.

#### Vegetation and Wildlife

The major vegetation type in the County is grassland which supports, in addition to domestic livestock, a healthy population of deer, antelope and several small mammal species. Critical to the survival of many native species are the riparian and prairie wetland habitats. In the semi-arid terrain, access to water, forage and cover these habitats provide increase their importance to wildlife. Weeds are a threat to all vegetation types, including cultivated crops. Yellowstone County has an aggressive weed management program that focuses on noxious weed containment and eradication. Most of the conflicts between humans and wildlife occur at the urban and wildland interface. This area is most susceptible to wildlife habitat destruction and noxious weed invasion due to soil disturbance from construction. The dry grassland and uncontrolled weed populations make many areas within the county susceptible to wildfires, especially in wildland urban interface areas.

#### Soil

The soil units in Yellowstone County are generally derived from nearby bedrock sources, or from transported alluvial sediments. Soils formed in place tend to contain high amounts of clay, silt and sand and low amounts of organic material. These soils are located on the higher terraces and hills north and south of the Yellowstone River valley. Many of these soils are suited only for rangeland but some support dryland cultivation. The transported soils found in the valley are more loam rich and highly suited to cultivation, especially when irrigated. The Yellowstone River valley in the vicinity of Billings and Huntley Project possesses some of the most productive soil in the State. These soils are designated as Prime Agricultural Soils by the Natural Resource Conservation Service.

### Geology

Much of the geology of Yellowstone County is starkly visible when viewed from the sandstone rims north of downtown Billings. To the south, the view encompasses the broad Yellowstone River valley composed of several alluvial benches. Across the valley a wide terrace underlain by early Cretaceous and Jurassic sedimentary formations ramps gently upward towards the Pryor Mountains. These formations are composed predominantly of shale. Near Billings and north of the river valley, the eye is drawn to the prominent sandstone cliffs formed by the resistant Eagle Formation. The plains north of the Yellowstone River are broken by a series of northeast trending faults which expose interbedded shale and sandstone of the Judith River Formation. The geology of the County presents both obstacles and opportunities. Shallow bedrock and unstable slopes can pose difficulties for construction. However, near surface gravel and coal deposits have contributed to the area's economic development.

### Hydrology

Clean water and reliable flows are critical for human consumption, agricultural production, wildlife and recreation uses. Yellowstone County is dependent on the main source of water, the Yellowstone River, for all these reasons. While there are numerous tributaries to the Yellowstone River, few carry water year round. Because of the scarcity of surface water, early settlers to the area constructed elaborate ditch systems to carry water from the Yellowstone River to the higher benches. Ditches continue to play an important role for groundwater recharge and agricultural production. Except in the alluvial deposits within the river valley, groundwater is scarce and usually found at depths too great to be economically developed. Within the valley, groundwater can be found at very shallow depths and susceptible to contamination from surface uses.



---

## **Chapter 4 – Community Goals**



# Goal



## ESSENTIAL INVESTMENTS – prioritize public and private investment in areas, policies, programs and projects that achieve the community vision as described in the Growth Policy Statement:

“In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing city limits, but preference will be given to areas where city infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The city will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.”

*Essential Investments are where and how the public and private sectors should spend their time and resources. These policies, programs or projects are considered extremely important to achieve the community vision. For budgeting public funds, the objectives may be considered priorities. These objectives may also guide private investments in our community.*

# Objectives

|   |  |
|---|--|
| <ul style="list-style-type: none"> <li>• <b>Locations for investments</b> <ul style="list-style-type: none"> <li>▪ Infill and contiguous County properties</li> <li>▪ Downtown</li> <li>▪ Urban Renewal Districts</li> <li>▪ Interstate Interchanges</li> <li>▪ Major Arterials</li> <li>▪ Inner Belt Loop</li> <li>▪ West End</li> </ul> </li> <li>• <b>Public Services</b> <ul style="list-style-type: none"> <li>▪ Public safety</li> <li>▪ Schools</li> <li>▪ Planning</li> <li>▪ Parks and Recreation</li> <li>▪ Snow removal</li> <li>▪ Street maintenance</li> <li>▪ Trail maintenance</li> </ul> </li> <li>• <b>Infrastructure</b> <ul style="list-style-type: none"> <li>▪ Integrated water systems</li> <li>▪ Waste water treatment</li> <li>▪ Communications</li> <li>▪ Street lights</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• <b>Regulation</b> <ul style="list-style-type: none"> <li>▪ Animal control</li> <li>▪ Traffic control</li> <li>▪ Architectural control</li> <li>▪ Growth management</li> <li>▪ Water conservation</li> <li>▪ Energy conservation</li> <li>▪ Preservation of sensitive natural environments</li> </ul> </li> <li>• <b>Businesses</b> <ul style="list-style-type: none"> <li>▪ Neighborhood commercial and public services</li> <li>▪ Improved air service</li> <li>▪ Recycling programs</li> <li>▪ Local businesses</li> <li>▪ Local foods</li> </ul> </li> <li>• <b>Amenities</b> <ul style="list-style-type: none"> <li>▪ Dog Parks</li> <li>▪ Recreation Center/Sports Facility</li> <li>▪ Branch Libraries</li> <li>▪ Convention Center</li> <li>▪ Museums</li> </ul> </li> </ul> |
|---|--|

# Toolbox



- ❖ Priority based budgeting
- ❖ Fees and assessments
- ❖ Municipal and tax increment finance bonds
- ❖ Grants
- ❖ Mill levies
- ❖ Local option tax
- ❖ City Charter amendments
- ❖ Public/private partnerships
- ❖ Special districts
- ❖ Regulatory changes

# Performance Indicators

- Annual tax increment growth in Urban Renewal Districts
- Annual change in the area added to the City
- Number of neighborhood and park master plans prepared annually
- Miles of streets and trails maintained annually
- Quality of waste water discharge at the treatment plant measured annually
- Annual number of vehicle crashes
- Annual change in the average dwelling units per acre within the City limits
- Acres of land zoned for neighborhood commercial services measured annually
- Number of annual business licenses (Business Determination Tax) issued and renewed
- Number of dog parks developed annually



# Goal



**PLACE MAKERS** – Enhance existing public places, create new ones, preserve natural and historic places, and maintain our agricultural landscape to define the community for its residents and improve the quality of life for everyone who lives or visits here.

*The Billings area should continue to make places that we all enjoy by preserving and improving public space as well as the natural and historic landscape to bring the community together where people are comfortable and share activities. These places are ones that you go back to, share with visitors and recall when someone asks you to describe your community.*

# Objectives

|   |  |
|---|--|
| <p><b>Enhanced public spaces</b></p> <ul style="list-style-type: none"> <li>• Parks</li> <li>• Public property</li> <li>• Interstate interchanges</li> <li>• Street corridors</li> </ul> <p><b>Public Services</b></p> <ul style="list-style-type: none"> <li>• Recreation center/sports facility</li> <li>• Branch libraries</li> <li>• Museums</li> </ul> | <p><b>Protection and Preservation</b></p> <ul style="list-style-type: none"> <li>• Historic preservation controls</li> <li>• Integrated landscape and storm water controls</li> <li>• Preservation of view sheds</li> <li>• Preservation of natural areas</li> <li>• Preservation of historic places</li> </ul> <p><b>Amenities</b></p> <ul style="list-style-type: none"> <li>• Yellowstone River access</li> <li>• Rimrock views and access</li> <li>• Preserved agricultural lands</li> </ul> |
|---|--|



# Toolbox



- ❖ Landscaping regulations
- ❖ Site development regulations
- ❖ Zoning regulations
- ❖ Subdivision regulations
- ❖ Agricultural land acquisition program
- ❖ Farm to table program to supply local food
- ❖ Public/private partnerships to develop community facilities
- ❖ City-wide Public Arts Committee program
- ❖ Develop City-owned spaces downtown
- ❖ Local/State coordination for community entryway right-of-way improvements
- ❖ Billings Area Bikeway and Trail Master Plan updates
- ❖ City-Wide Parks Master Plan
- ❖ Rims to Valley Bike/Ped Feasibility Study implementation
- ❖ Highway 3 Corridor Study implementation
- ❖ Prepare and implement park master plans
- ❖ Funding Sources
  - County-Wide Library Levy
  - Transportation Planning Program
  - County-Wide Planning Levy
  - City-wide and Downtown Park District
  - Business Improvement District
  - Tax Increment Finance District

# Performance Indicators

- Number of acres of agricultural land preserved every five years
- Number of street trees planted in the public right of way annually
- Number of park master plans adopted and implemented (funded) every five years
- Number of public art installations added city-wide annually
- Miles of trails added annually
- Gallons of storm water retained annually using landscaping (use project design calculations)
- Number of community events held in public spaces community-wide annually
- Access, trail, historic place improvements along Highway 3 built every five years
- Two branch libraries opened
- Recreation Center opened
- Annual number of visitors to City parks

# Goal



**COMMUNITY FABRIC** - is what makes the City of Billings unique, attractive, a desirable place to live and aesthetically pleasing to residents and visitors. Community fabric can make Billings a draw to others looking for a place to call home.

*A strong community promotes the City’s appeal to residents, businesses and visitors. Elements of community fabric include access to outdoor activities, enjoyment of urban greenspace and participation in a rich cultural heritage.*

# Objectives

|  |   |
|--|---|
| <p><b>Attractive entryways</b></p> <ul style="list-style-type: none"> <li>• Require trees and landscaping</li> <li>• City beautification</li> <li>• New landscaping code</li> <li>• Design standards</li> </ul> <p><b>Neighborhood parks</b></p> <ul style="list-style-type: none"> <li>• Require developers to improve parks</li> <li>• Variety of parks</li> <li>• Small neighborhood parks</li> <li>• More natural areas</li> </ul> <p><b>Green space in commercial areas</b></p> <ul style="list-style-type: none"> <li>• More places to enjoy trees</li> <li>• More green space in commercial development</li> <li>• Green space and landscaping in Downtown</li> <li>• More attractive freeway frontage</li> </ul> | <p><b>Vibrant Downtown</b></p> <ul style="list-style-type: none"> <li>• Pocket parks downtown</li> <li>• Shopping and dining Choices</li> <li>• Green buildings</li> <li>• Fun centers / science centers</li> <li>• Museums</li> <li>• Walking mall in Downtown</li> </ul> <p><b>Outdoor public spaces</b></p> <ul style="list-style-type: none"> <li>• Downtown square</li> <li>• Dog parks</li> <li>• Community gardens</li> <li>• River access</li> </ul> <p><b>Recreation/cultural opportunities</b></p> <ul style="list-style-type: none"> <li>• Marathon loop</li> <li>• Bike trails</li> <li>• Make use of river frontage</li> <li>• Paths between neighborhoods</li> <li>• Walkable paths through the city</li> </ul> <p><b>Historic preservation</b></p> <ul style="list-style-type: none"> <li>• Protect rims</li> <li>• Protect river</li> <li>• Historic buildings</li> </ul> |
|--|---|

# Toolbox



- ❖ Landscape/Zoning regulations
- ❖ Infill policy implementation
- ❖ Updated Engineering Site Development code
- ❖ Connectivity of streets and pedestrian facilities
- ❖ Integrated storm water management
- ❖ Cultural Partner Funding
- ❖ City forestry program
- ❖ Prepare city wide park program
- ❖ Local Historic Districts
- ❖ Grassroots community groups

# Performance Indicators

- Number of park master plans adopted and implemented (funded) every five years
- Acreage urban heat islands (infrared imagery) reduced
- Number of cultural and recreational events Downtown
- Miles of trails added annually
- Number of street trees planted in public right of way annually
- Number of Downtown parks or parklets constructed



# Goal



**STRONG NEIGHBORHOODS** – Create and enhance strong neighborhoods that are clean and safe with streets and public places that provide convenient access for our most vulnerable citizens – our children and grandparents. A strong neighborhood is a place where we will be comfortable no matter our age, income or heritage and provides gathering spaces to encourage everyday interaction between residents.

*Billings is a city of neighborhoods. A neighborhood can be as small as one block of houses between two intersections or as large as a 400 homes in a distinctive subdivision. How our neighborhoods are designed and built sets a course for its livability, safety, sociability and resilience.*

# Objectives

|  |   |
|--|---|
| <p><b>Safe, accessible and comfortable places for people to walk and gather</b></p> <ul style="list-style-type: none"> <li>• Neighborhood green space, play spaces and parks</li> <li>• Neighborhood events</li> <li>• Street trees</li> <li>• Complete sidewalks</li> <li>• Street and pedestrian lighting</li> <li>• Neighborhood Watch programs</li> </ul> <p><b>Access to everyday conveniences within walking distance</b></p> <ul style="list-style-type: none"> <li>• Complete neighborhoods</li> <li>• Small neighborhood businesses for services</li> </ul> | <p><b>Housing choices for all ages and families</b></p> <ul style="list-style-type: none"> <li>• Mixed housing types</li> </ul> <p><b>Interconnected network of sidewalks and trails that are safe at all times</b></p> <ul style="list-style-type: none"> <li>• Complete sidewalks</li> <li>• Pedestrian lighting</li> </ul> <p><b>Connect Neighborhoods</b></p> <ul style="list-style-type: none"> <li>• Public transit</li> <li>• Sidewalks and trails</li> </ul> <p><b>Attractive and safe neighborhood streets</b></p> <ul style="list-style-type: none"> <li>• Low-speed design</li> <li>• On-street parking</li> <li>• Street trees</li> </ul> |
|--|---|

# Toolbox



- ❖ Complete Streets Policy
- ❖ Zoning regulations
- ❖ Site development regulations
- ❖ Subdivision regulations
- ❖ Landscape regulations
- ❖ General Obligation Bonds
- ❖ Neighborhood Grant Program
- ❖ Special Improvement Districts (city-wide)
- ❖ Neighborhood Task Forces
- ❖ Grassroots organizations

# Performance Indicators

- Crime rate
- Carbon emissions monitoring
- Community Health Impact Assessment
- Conflicts/crashes between vehicles and bicycles and pedestrians
- Happiness quotient 😊
- Vehicle crashes
- Housing + Transportation Index <sup>TM</sup>
- WalkScore <sup>TM</sup>



# Goal



**HOME BASE – Enable a home environment for all residents that is healthy, safe and affordable, and offers a choice of housing options.**

*Residents of Billings prefer a choice of housing that is healthy, safe, and affordable. The resident’s age and household diversity create needs that are no longer served by only the traditional single family home. For many residents, lifestyle dictates the type of housing preferred. Busy households without children or households with aging residents may opt for smaller, more compact homes, even apartments. Larger households with children might prefer single family homes on small to large lots. Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe.*

# Objectives

- Housing Options
- Affordability
- Safety
- Convenience
- Healthy
- Energy Efficient



# Toolbox



- ❖ Housing Needs Assessment
- ❖ Subdivision regulations
- ❖ Accessory dwelling units
- ❖ Affordable housing incentives/requirements
- ❖ Infill Policy
- ❖ Public/private partnerships
- ❖ Neighborhood Planner/Coordinator
- ❖ Housing rehabilitation program
- ❖ First Time Home Buyer program
- ❖ Land Bank
- ❖ Foreclosure and acquisition program
- ❖ Affordable housing project

# Performance Indicators

- Number of new residential building permits by Neighborhood Task Force area
- Housing + Transportation Index <sup>TM</sup>
- Crime rate
- Number of Nuisance Code violations by Neighborhood Task Force area



# Goal

**MOBILITY AND ACCESS** - The transportation system is designed to be safer and more efficient for all users.

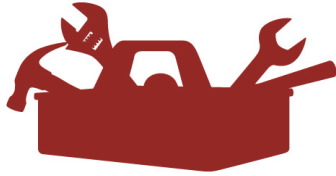


*A transportation network allows people to make transportation mode choices that work best for them and helps reduce traffic congestion, protect air quality and promote public health. Mobility and access means projects, policies and programs to ensure transportation choices in places where goods and services are accessible to all residents.*

# Objectives

|   |   |
|---|---|
| <p><b>Connectivity</b></p> <ul style="list-style-type: none"> <li>• People to places</li> <li>• North, south, east and west</li> <li>• Vehicles, bicycles and pedestrians</li> <li>• Neighborhoods and subdivisions</li> <li>• Essential services</li> <li>• Bus routes</li> <li>• Transportation options</li> <li>• Public safety</li> <li>• Safe Routes to School</li> </ul> <p><b>Accessible</b></p> <ul style="list-style-type: none"> <li>• Essential services</li> <li>• Public transportation</li> <li>• ADA compliant</li> <li>• Safe</li> </ul> <p><b>Safety</b></p> <ul style="list-style-type: none"> <li>• Predictable use of facilities</li> <li>• Bike lanes</li> <li>• Separated shared-use facilities</li> <li>• Boulevard sidewalks</li> <li>• Safe Routes to School</li> <li>• Speed control/traffic calming</li> </ul> | <p><b>Transit and Air</b></p> <ul style="list-style-type: none"> <li>• Frequent headways and convenient routes</li> <li>• Extended hours</li> <li>• Technology (mobile apps for bus tracking)</li> <li>• Airport shuttle</li> <li>• Economically stable</li> <li>• Smaller/energy efficient fleet</li> <li>• Expanded air service</li> </ul> <p><b>Rail and Freight</b></p> <ul style="list-style-type: none"> <li>• Safe railroad crossings (both vehicle and pedestrian)</li> <li>• Passenger rail</li> <li>• Reduced congestion</li> <li>• Improved traffic flow</li> <li>• Designated truck routes</li> </ul> |
|---|---|

# Toolbox



- ❖ Complete Streets Policy
- ❖ Complete Streets Progress Report
- ❖ Long Range Transportation Plan
- ❖ Transportation Planning Studies
- ❖ Billings Bikeway and Trail Master Plan
- ❖ Transportation Demand Management (TDM) Strategies
- ❖ Federal, state and local grants
- ❖ Permanent, local non-motorized funding
- ❖ Targeted traffic enforcement
- ❖ Data
- ❖ Zoning regulations
- ❖ Subdivision regulations
- ❖ Site development regulations
- ❖ Inter-agency cooperation (planning/projects)
- ❖ Private/public partnerships
- ❖ Connected node ratio
- ❖ MET mill levy

# Performance Indicators

- Crash rates
- Ridership/modal splits
- Travel times
- Community health indicators
- Emergency response times
- Air quality
- WalkScore™
- Housing + Transportation Index™
- Livability index



# Goal



**PROSPERITY – enable “a diverse, welcoming community where people prosper and business succeeds.”** VISION STATEMENT, CITY OF BILLINGS FY 2015-2019 CITY COUNCIL STRATEGIC PLAN

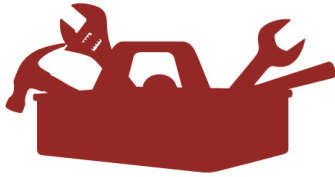
*As Billings grows, its population becomes more diverse in terms of age, race, ethnicity, and culture. Every individual has the right to enjoy a quality of life that is free from discrimination and provides equal opportunity for social and economic advancement. As the Vision Statement in the Council’s Strategic Plan states, Billings strives to welcome this diversity and create a community that encourages individual and commercial success. Government’s role is to ensure charges, fees, taxes and assessments are affordable and reasonably related to the services it provides. Both the public and private sector can contribute to the prosperity of the City by attracting and retaining businesses that pay competitive wages.*

# Objectives

- City taxes and assessments**
  - Affordable
  - Equitable
- Job creation**
  - Professional jobs
  - Competent workforce
  - Living wages
  - Business development
- Tax and assessment reform**
  - Local tax authority
  - Equalization (revenue neutral)



# Toolbox



- ❖ Impact fees
- ❖ Tax incentives
- ❖ Workforce training and recruitment
- ❖ Gasoline tax
- ❖ Local Option tax
- ❖ Tiered assessments (based on location)

# Performance Indicators

- Annual net job growth
- Annual change in average wages with and without benefits
- Annual change in median home prices
- Annual change in median household income
- Annual amount of tax revenue received from local authority tax



---

## **Chapter 5 – Growth Scenario Planning**



### Process

Growth scenario planning was undertaken to demonstrate, in general, the costs and benefits of different growth patterns. The initial step was to identify areas of growth. The preferred growth areas were easily determined from the public's response on where growth should occur. While the overwhelming response was for infill development, or development within the existing city limits, there was also a strong preference for the area around the proposed Inner Belt Loop and west Billings Heights and area west of Billings. These areas were chosen to examine the cost implication of future growth. The next step was to apply different development patterns to these areas to evaluate if one pattern was more cost-effective than another. The three patterns evaluated were predominantly high density residential development, predominantly low residential density development, and a mix of densities. From the public comments, a mix of densities providing a variety of housing choice is preferred. The scenarios with a mix of densities are referred to as "public preferred." The area determined for infill development considered only one growth pattern that is defined by densities permitted by the City's existing zoning regulations.

Before the placement of land uses which define the scenarios could occur, the growth areas were mapped for suitability. Areas that constrained growth because of steep slopes, in public ownership, or in a floodplain were removed for consideration. This step allowed for a more realistic placement of land uses and the road network.

After the growth areas and growth scenarios were determined, indicators were selected to approximate the costs of providing preferred services, facilities and infrastructure to the scenarios. The indicators are based on how the public responded to "How should Billings grow?" While this list could be extensive, it was narrowed down to seven key indicators: Branch Libraries, Walkability, Community Parks, Public Safety, Public Transit, and Arterial and Collector Roads. The software, CommunityViz™, was used to help analyze the costs and revenues for each scenario based on these indicators and also provided results of a number of fixed indicators which are provided in Appendix F.





In order to calculate the extent the growth scenarios were already served by existing services and facilities, these were mapped in accordance to accepted standards for those services. For instance, the National Recreation and Parks Association guidelines suggest each resident should be within a three miles from a Community Park. Three-mile radii from existing Community parks were mapped to determine the existing coverage. Most of these standards are based on proximity of the service, facility or infrastructure to dwelling units. The standards for growth indicators are listed in the Indicator Description section in this chapter. If gaps existed in the service coverage areas, hypothetical facilities, services or infrastructure were placed in order to ensure full coverage.


The number or length of the hypothetical indicators was then calculated and a cost was assigned. The total costs were calculated for each scenario and the total revenues from taxes and assessments were estimated. These calculations and estimates are also described in the Indicator Description section of this chapter. From these results, total development costs, total revenue generated, total development costs per acre, total revenue generated per acre, and return on investment were calculated.


The final scenarios showing the added hypothetical transportation network, bus routes, and other facilities used as indicators are shown in the following series of images.

**Scenario Map Legend**












**Hypothetical Facilities/Infrastructure**

-  Branch Libraries
-  Elementary Schools
-  Community Parks
-  Co-located Police/Fire Stations

 Bus Routes

 Arterials & Collectors

**Land Use Type**

-  Commercial High Density
-  Commercial Low Density
-  Commercial Medium Density
-  Industrial Light-Craftsman
-  Institutional
-  Mixed Use
-  Open Space Conservation
-  Open Space Park
-  Residential High Density
-  Residential Low Density
-  Residential Medium Density

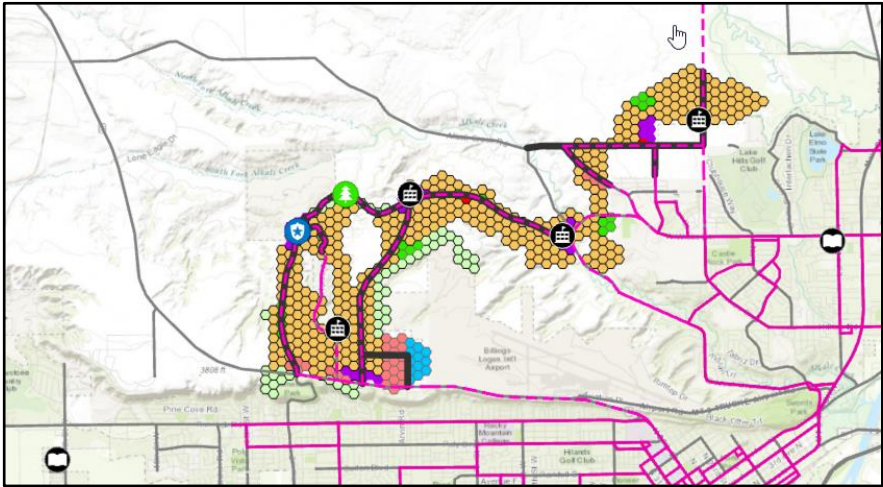
1 hexagon = 5.739 acres or approximately  
2.8 city blocks

Residential high & mixed use density = 16 d.u./acre

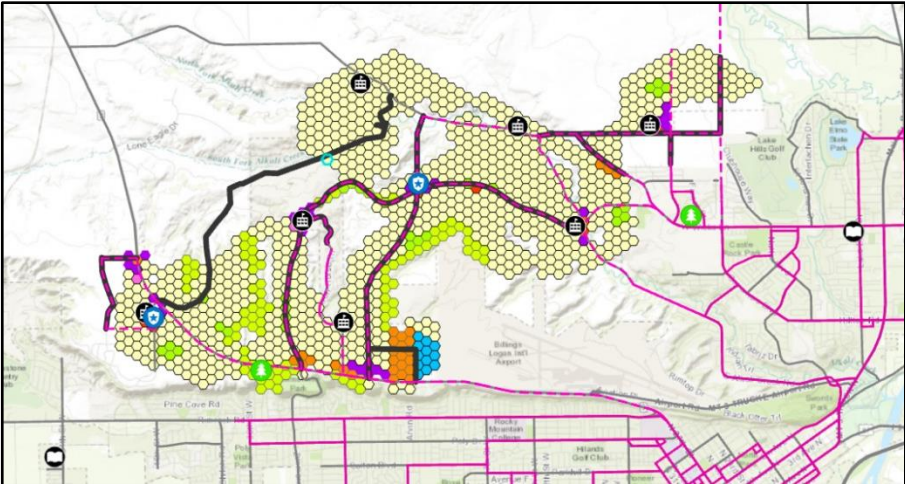
Residential medium density = 9 d.u./acre

Residential low density = 5 d.u./acre

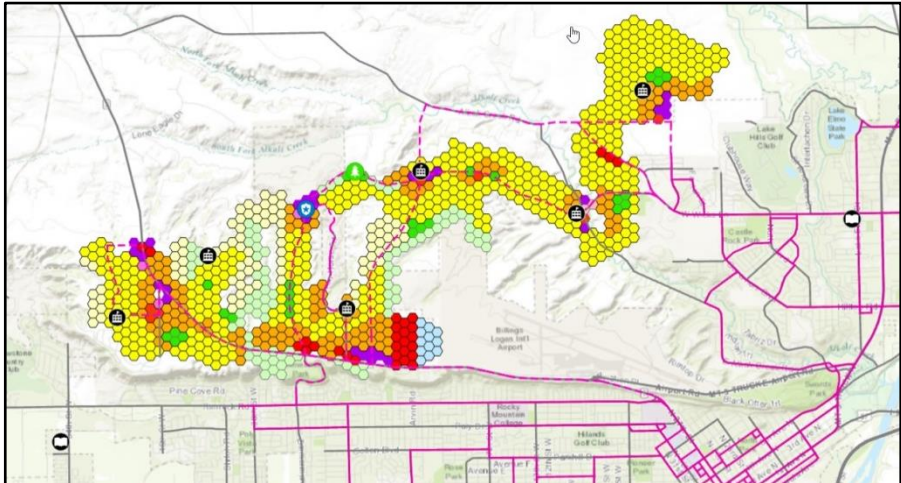
**NORTH HIGH DENSITY SCENARIO (NHD)**



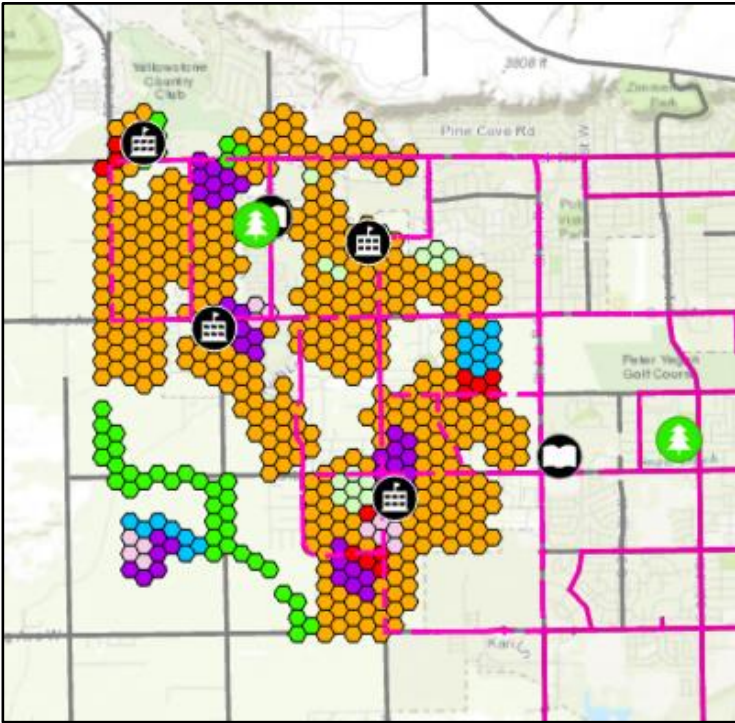
**NORTH LOW DENSITY SCENARIO (NLD)**



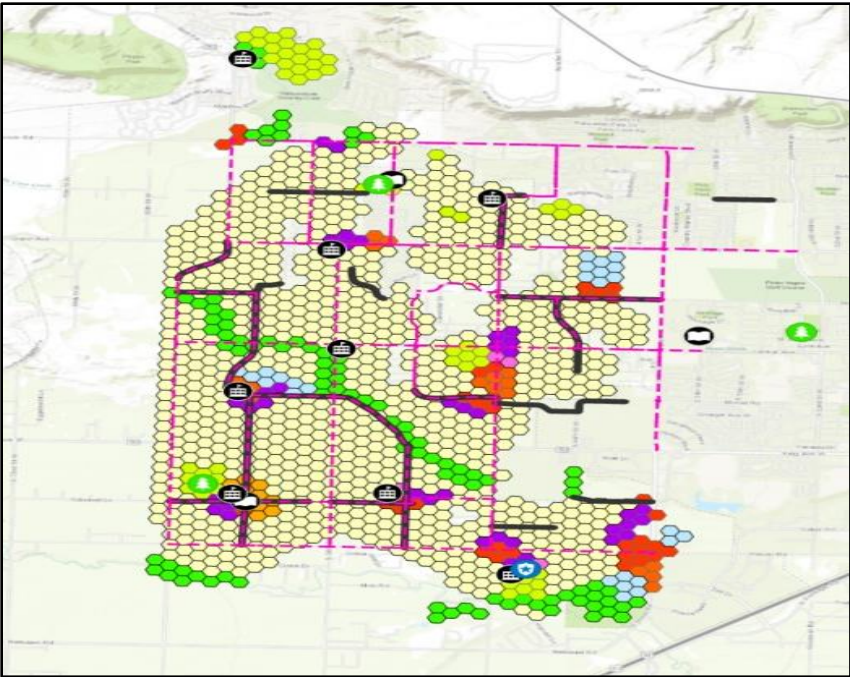
**NORTH PUBLIC PREFERRED SCENARIO (NPP)**



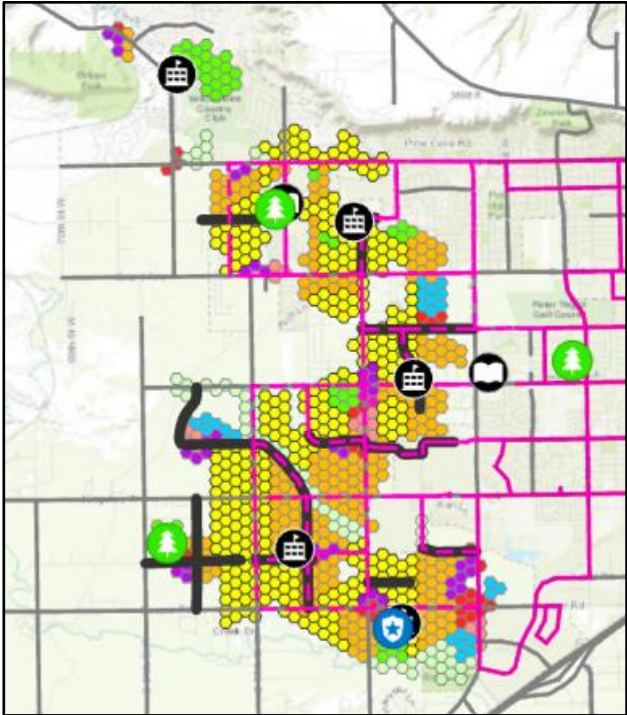
**WEST HIGH DENSITY SCENARIO (WHD)**



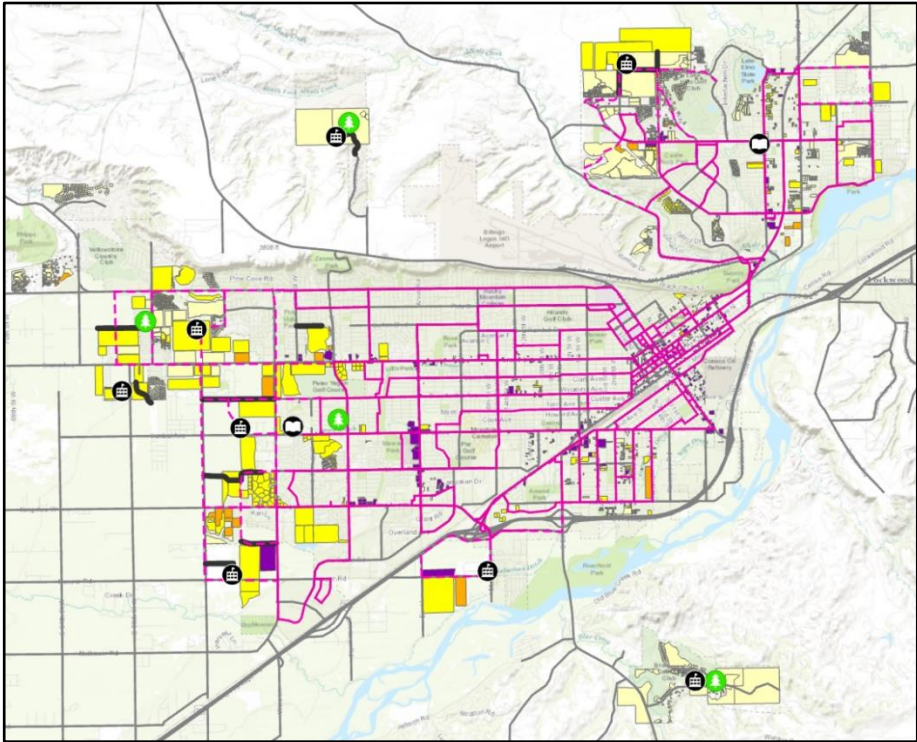
**WEST LOW DENSITY SCENARIO (WLD)**



**WEST PUBLIC PREFERRED (WPP)**



**INFILL AND ADJACENT PARCELS**



### Growth Indicator Descriptions

#### Branch Libraries

The estimate for the number of branch libraries needed to meet the needs of the population in 2035 is based on two factors: 1) the average square feet per capita for urban public libraries in Montana, which has held steady for many years at .65, and 2) the distance from the branch library locations that should be constructed to meet existing resident's needs. The projected population of Billings in year 2035 is 151,404 based on a 1.5% growth rate, resulting in a recommended total square footage of 98,413. The Billings Public Library is 66,000 square feet. The minimum size for a branch library is 15,000 s.f. which would accommodate adult and children's collections, computers, and a multi-purpose meeting room. The formula used to calculate the number of branch libraries needed in 2035 is:  $(98,413 \text{ s.f.} - 66,000 \text{ s.f.}) / 15,000 \text{ s.f.} = 2.1$ . For practical purposes two branch libraries was used as a minimum for each scenario. The cost was based on the 2014 construction cost for the Billings Public Library at \$200 per square foot excluding land acquisition costs. The assumption was made that two branch libraries are needed within the existing city limits. These locations are fixed. If growth occurs more than four miles from these locations, as in the case of the North Scenarios, a third branch library was located.

#### Walkability

Elementary schools were used to represent the walkability of a neighborhood. If an elementary school is located within 20 minutes (1 mile) of every residential unit, the neighborhood is considered walkable. This situation currently exists within Billings. The placement of hypothetical elementary schools within the scenarios ensured 20 minute coverage for every residential unit. The construction cost is calculated at \$185 per square foot based on an architects' estimate excluding land acquisition costs.

#### Community Parks

The National Recreation and Parks Association (NRPA) offers a classification for municipal parks based on size and use. Billings, generally speaking, maintains Subdivision, Community and Regional parks. Subdivision parks are acquired through the subdivision process and serve the immediate development. Regional parks, because of their size have been acquired through private donations or arrangements with other public agencies and attract users from the community and beyond. Community parks are generally acquired by the City for use by the community. The cost of acquisition and improvement is paid for through city funds. Community parks are used as indicators of parkland needs for the growth scenarios. The location of the hypothetical community parks are based on distance to a residential unit. Using the NRPA guidelines of a three-mile radius, community parks were located to ensure every residence was within at least three miles. The cost of acquisition was not calculated but the improvement costs, based on 2015 prices are estimated to be approximately \$112,370 per acre. Based on the NRPA guidelines, community parks should be approximately 30 acres in size.

#### Public Safety

Billings' residents value their safety both at home and on the road. The distance from existing fire and police stations is used as an indicator of personal safety. A five-minute response time is considered reasonable according to the Billings Fire Chief, Paul Dextras. The existing city area is within this

response time coverage as is much of the outlying area. However, there are gaps in this coverage area that would require a new station to ensure the same level of service throughout the community. Future facilities will be built as co-located Fire and Police facilities similar to Fire Station 7 on 54<sup>th</sup> Street West. The approximate cost of a new facility, \$1,714,414, is based on the cost to construct Fire Station 7 but does not include the land acquisition costs. Where gaps in the five-minute response time coverage were identified, a hypothetical facility was placed at a location deemed appropriate by the Fire Chief (i.e. not in residential areas and with good access to arterial roads). Most scenarios required at least one additional co-located Fire and Police station, while the North Low Density Scenario required two additional locations.

### Public Transit

Public transit is desired in Billings and is considered an important service to provide to new growth areas. MET transit currently operates 17 fixed routes. The cost of hypothetical bus routes serving the scenarios were used as indicators of growth impacts. The hypothetical bus routes were located along existing and hypothetical arterial and collector roads at about the same level of coverage as the existing city limits. The 2015 cost of operating a bus for one mile was multiplied by the number of route miles for each scenario. The operating cost for one mile in 2015 was \$31,293.

### Arterial Roads

Roads within the growth areas are currently in the County and are built to county standards. They generally lack shoulders and have no curb and gutter or sidewalks. Arterial roads in the City are wider and include curb, gutter, sidewalk and usually landscaping and a multi-purpose path. As the City expands into the County, the County arterials will eventually need to be brought up to City standards. In some locations where arterials do not exist, new roads will need to be constructed. The locations of arterials, including roads that need to be upgraded and constructed, were obtained from the 2014 Billings Urban Area Long Range Transportation Plan. Additionally, if existing or proposed arterials were not shown in this plan but are needed to serve the scenarios, hypothetical arterials were added. The cost to reconstruct or construct arterial roads is approximately \$5,000,000 per mile. The miles of hypothetical arterials that need to be reconstructed or constructed was multiplied by the cost per mile to arrive at the arterial cost of roads for each scenario.

### Collector Roads

Similar to arterial roads, some collector roads exist in the County and some need to be constructed in order to serve the growth areas. Local roads through subdivisions were not considered because these routes would be entirely constructed at the time of development. The location of collectors was also derived from the Long Range Transportation Plan, except where none existed or are proposed. In those cases, routes were added to ensure a reasonable transportation network in each of the scenarios. The cost of constructing or reconstructing a collector is approximately \$1,000,000 per mile. This cost was multiplied by the number of miles of hypothetical collectors to arrive at the total cost of collectors for each scenario.

### Development Costs

The total development cost of all growth indicators were summed to compare how much it would cost the public to ensure services and facilities are provided to each of the scenarios. Table 5.1 shows the cost of the indicators and the total cost for each scenario.

TABLE 5.1. GROWTH INDICATOR COSTS PER SCENARIO

| SCENARIO                                       | INFILL                     | NORTH GROWTH AREA    |                      |                       | WEST GROWTH AREA     |                      |                       |
|--|----------------------------|----------------------|----------------------|-----------------------|----------------------|----------------------|-----------------------|
|  | Infill and Adjacent Growth | Preferred Scenario   | Low Density Scenario | High Density Scenario | Preferred Scenario   | Low Density Scenario | High Density Scenario |
| Estimate Population to Accommodate             | 50,000                     | 48,574               | 48,141               | 48,960                | 48,928               | 48,390               | 49,112                |
| Acres of New Community Parks                   | 130                        | 30                   | 60                   | 30                    | 100                  | 100                  | 70                    |
| Development Cost per acre                      | \$112,370                  | \$112,370            | \$112,370            | \$112,370             | \$112,370            | \$112,370            | \$112,370             |
| <b>TOTAL PARK COSTS</b>                        | <b>\$14,608,100</b>        | <b>\$3,371,100</b>   | <b>\$6,742,200</b>   | <b>\$3,371,100</b>    | <b>\$11,237,000</b>  | <b>\$11,237,000</b>  | <b>\$7,865,900</b>    |
| Number of New Elementary Schools @ 30K s.f.    | 5                          | 6                    | 8                    | 4                     | 5                    | 6                    | 4                     |
| Elementary School Costs (30K*\$185)*#          | \$27,750,000               | \$33,300,000         | \$44,400,000         | \$22,200,000          | \$27,750,000         | \$33,300,000         | \$22,200,000          |
| New Fire/Police Stations                       | 0                          | 1                    | 2                    | 1                     | 1                    | 1                    | 0                     |
| Facility Costs                                 | \$1,714,414                | \$1,714,414          | \$1,714,414          | \$1,714,414           | \$1,714,414          | \$1,714,414          | \$1,714,414           |
| <b>TOTAL STATION COSTS</b>                     | <b>\$0</b>                 | <b>\$1,714,414</b>   | <b>\$3,428,828</b>   | <b>\$1,714,414</b>    | <b>\$1,714,414</b>   | <b>\$1,714,414</b>   | <b>\$0</b>            |
| Miles of New Bus Routes                        | 35.32                      | 24.98                | 31.26                | 22.55                 | 29.19                | 40.29                | 22.22                 |
| Transit Operation Costs per mile               | \$31,293                   | \$31,293             | \$31,293             | \$31,293              | \$31,293             | \$31,293             | \$31,293              |
| <b>TOTAL TRANSIT COSTS</b>                     | <b>\$1,105,269</b>         | <b>\$781,699</b>     | <b>\$978,219</b>     | <b>\$705,657</b>      | <b>\$913,443</b>     | <b>\$1,260,795</b>   | <b>\$695,330</b>      |
| New Branch Libraries                           | 2                          | 2                    | 3                    | 2                     | 2                    | 3                    | 2                     |
| Branch Library Costs                           | \$3,250,000                | \$3,250,000          | \$3,250,000          | \$3,250,000           | \$3,250,000          | \$3,250,000          | \$3,250,000           |
| <b>TOTAL LIBRARY COSTS</b>                     | <b>\$6,500,000</b>         | <b>\$6,500,000</b>   | <b>\$9,750,000</b>   | <b>\$6,500,000</b>    | <b>\$6,500,000</b>   | <b>\$9,750,000</b>   | <b>\$6,500,000</b>    |
| Miles of Arterial Construction/Reconstruction  | 9.1                        | 11.0                 | 12.6                 | 7.8                   | 17.6                 | 24.0                 | 13.7                  |
| Cost per mile                                  | \$5,000,000                | \$5,000,000          | \$5,000,000          | \$5,000,000           | \$5,000,000          | \$5,000,000          | \$5,000,000           |
| Miles of Collector Construction/Reconstruction | 5.0                        | 6.4                  | 7.2                  | 4.6                   | 10.6                 | 13.0                 | 4.2                   |
| Cost per mile                                  | \$1,000,000                | \$1,000,000          | \$1,000,000          | \$1,000,000           | \$1,000,000          | \$1,000,000          | \$1,000,000           |
| <b>TOTAL ROAD COSTS</b>                        | <b>\$50,540,000</b>        | <b>\$61,400,000</b>  | <b>\$70,200,000</b>  | <b>\$43,600,000</b>   | <b>\$98,590,000</b>  | <b>\$132,910,000</b> | <b>\$72,580,000</b>   |
| <b>TOTAL COSTS FOR SCENARIO</b>                | <b>\$100,503,369</b>       | <b>\$107,067,213</b> | <b>\$135,499,247</b> | <b>\$78,091,171</b>   | <b>\$146,704,857</b> | <b>\$190,172,209</b> | <b>\$109,841,230</b>  |

### Revenues Generated by Unit and Per Acre

Growth comes with a cost; residents and visitors desire city services, amenities, and infrastructure which need to be maintained and eventually replaced. In order to determine if there is a growth pattern, i.e. housing density, that is more effective at paying for those costs, the potential revenues generated by each growth pattern were evaluated. Revenue, in terms of City taxes and assessments, was calculated for each growth pattern by extrapolating revenue generated from similar existing growth patterns. The average annual tax and assessment revenue generated from recently created subdivisions of high, low and medium densities was applied to similar housing types in each scenario. For purposes of this calculation, the return from high density housing in Josephine Crossing and Lenhardt Square Subdivisions were used; for low density housing, Ironwood and Yellowstone Ridge were used; for medium density housing, Trails West, Cottonwood Grove and Grand Peaks Subdivisions were used.

The amount of land needed to accommodate the three growth patterns; high, medium and low, varies significantly. The land area is an important factor when comparing the total development costs for each scenario. Residential development that is more spread out and further from service centers and infrastructure, costs more than development that is more compact, as shown in Table 5.1. The relationship is similar to the revenues generated. More revenue is generated for higher density units on a per acre basis than for lower density units on a per acre basis. This is because there is more tax generated in a smaller area. Table 5.2 below shows the results of the taxes generated on a per unit basis and a per acre basis for each growth pattern or housing density.

**TABLE 5.2. AVERAGE TAX AND ASSESSMENT VALUES BY HOUSING DENSITY.**

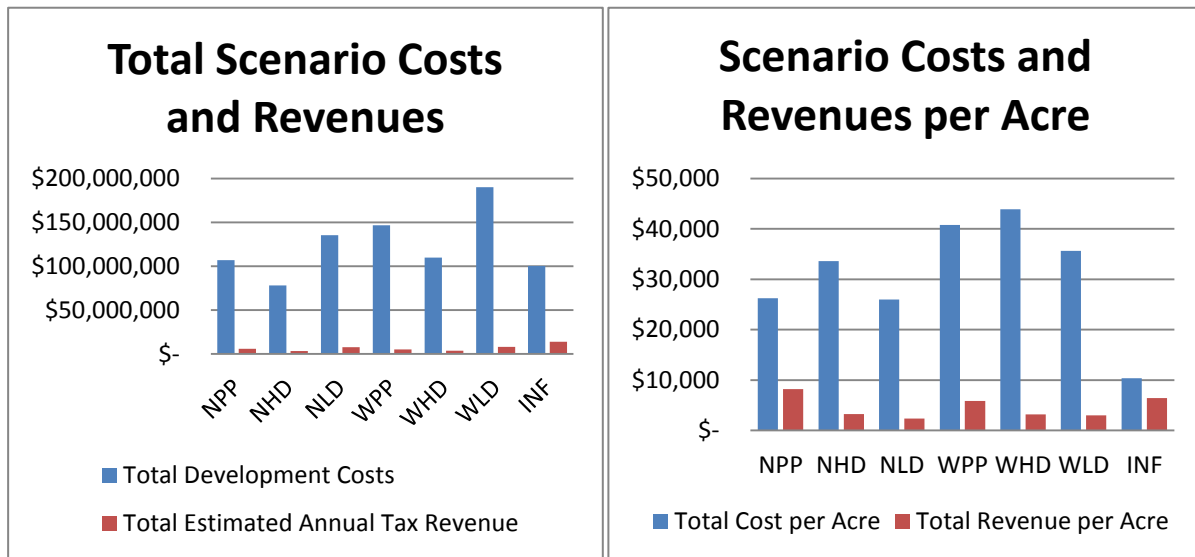
|  |               | High Density   | Medium Density | Low Density    |
|--|---------------|----------------|----------------|----------------|
| Sampled Subdivisions                   | Total units   | 178            | 219            | 59             |
|  | Total acreage | 13.06          | 55.28          | 37.2           |
| Average tax + assessment/unit          |               | \$419          | \$731          | \$1,461.26     |
| Total revenue generated in subdivision |               | \$45,893       | \$158,181      | \$87,422       |
| Total revenue in subdivision/acre      |               | <b>\$3,514</b> | <b>\$2,861</b> | <b>\$2,350</b> |

The average tax + assessment value per unit calculated from the sampled subdivision was multiplied by the number of the housing units by density in each scenario. The revenue generated on a per acre basis was divided by the number of acres occupied by that density for each scenario. The results are shown in Table 5.3 and Charts 5.1 and 5.2.

TABLE 5.3. COMPARISON OF COST AND REVENUES PER SCENARIO.

|                             | Total Development Costs | Total Estimated Annual Tax Revenue | Total Cost per Acre | Total Revenue per Acre |
|-----------------------------|-------------------------|------------------------------------|---------------------|------------------------|
| North Public Preferred      | \$ 140,314,390          | \$ 5,831,510                       | \$ 34,436           | \$ 8,183               |
| North High Density          | \$ 114,548,989          | \$ 3,393,900                       | \$ 49,283           | \$ 3,280               |
| North Low Density           | \$ 193,189,585          | \$ 7,949,106                       | \$ 37,073           | \$ 2,350               |
| West Public Preferred       | \$ 178,743,468          | \$ 5,134,254                       | \$ 49,674           | \$ 5,873               |
| West High Density           | \$ 125,800,259          | \$ 3,653,680                       | \$ 50,276           | \$ 3,184               |
| West Low Density            | \$ 198,481,205          | \$ 8,125,472                       | \$ 37,228           | \$ 3,023               |
| Infill and Adjacent Parcels | \$ 100,503,369          | \$ 14,171,362                      | \$ 23,893           | \$ 6,430               |

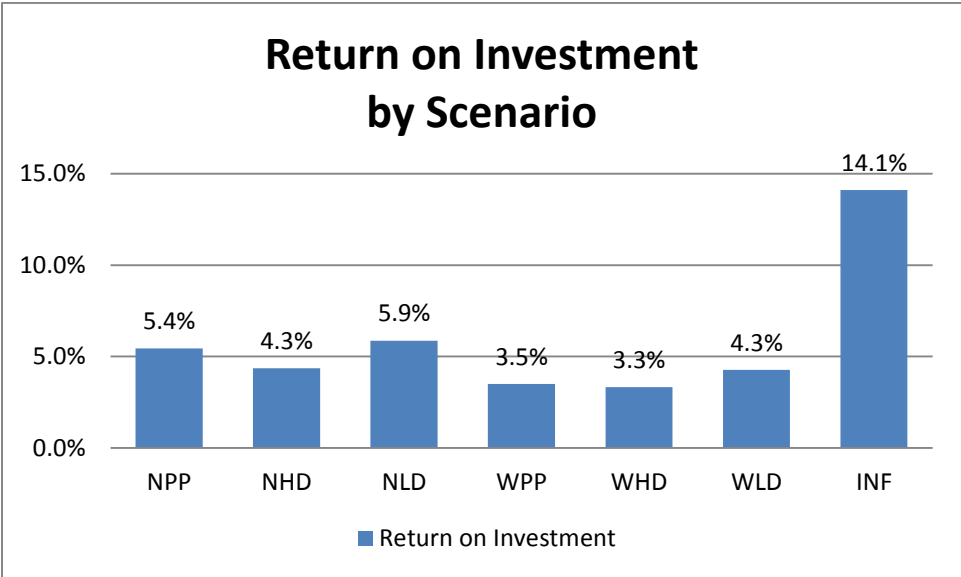
CHARTS 5.1 AND 5.2. COMPARISON OF COST AND REVENUE PER SCENARIO.



### Return of Investment

Another way to look at the cost and benefit of each scenario is to consider the return on investment. In other words, what is the percentage of costs recouped by one year of revenue? The result is presented as the Return on Investment which calculates the annual revenues divided by the development costs and presented as a percentage. The higher the percentage, the better rate of return. Chart 5.3 shows the Return on Investment for each scenario.

CHART 5.3. RETURN ON INVESTMENT BY SCENARIO



---

## Appendices



Public input is paramount in producing a growth policy that reflects the community's goals and values. Past planning efforts have demonstrated that holding a few public meetings after work hours rarely attracts a meaningful number of people. Rather than expecting the public to attend randomly scheduled meetings, it was decided early in the process to take the information to them. Since so many citizens are members of civic organizations, working groups and neighborhood committees it was more effective to schedule presentations and solicit input during their regularly scheduled meeting times.

The initial round of presentations began in October, 2014. Between then and February, 2015, 30 “scoping” meetings were held in addition to one public hearing, three steering committee meeting, one City Council meeting, one County Commissioner meeting, and one Planning Board meeting. The first presentation provided an overview of existing conditions in Billings, constraints and opportunities for growth, and asked the participants to answer the questions:

- How should we grow?
- Where should we grow?

Postcards were provided to the participants and collected after each meeting. The response was very good. A total of 312 cards were submitted. While some cards had a simple, one line response to each question; most cards had multiple ideas embedded in the response. Staff transcribed each card and separated the various ideas into distinct comments. A total of individual 1,200 comments were obtained from those responses.

The Planning Division staff took considerable time reviewing the comments and categorizing them into general themes. The themes that emerged from this exercise formed the basis of the community goals and the individual comments formulated the essence of the growth guidelines. Both the community goals and guidelines are discussed within the main body of this document and the list of comments is provided at the end of this section.

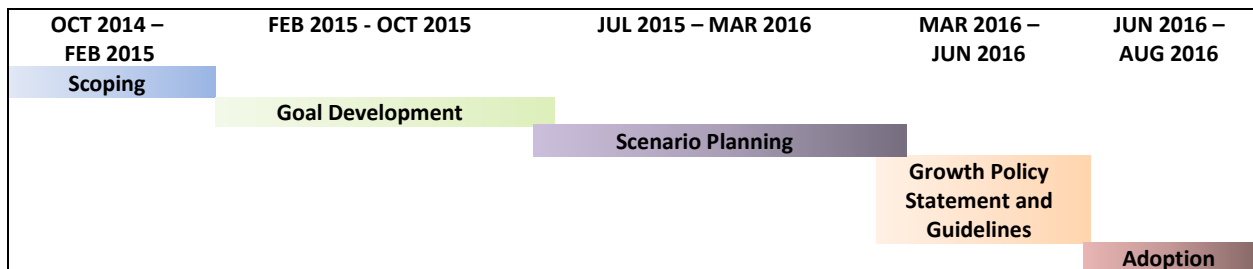
In the next round of meetings, only eight of the groups were revisited as well as the steering committee, Planning Board, County Commissioners and City Council. This was considered the Goal Development Phase of the process where the results of categorizing the public comment into themes and later goals were presented. At these meetings, people were asked to review the results and comment on whether they made sense? Was something missing? Could it be presented differently? The most substantial comment pointed out that another category could be added: Prosperity. This was later done and the comments relating to this goal were re-categorized. This process took another eight months at which time the goal descriptions, toolboxes and performance measures were also developed.

The time between July, 2015 and March, 2016 was used primarily to develop and analyze the growth scenarios and referred to as the Scenario Planning Phase. The development and analysis of the growth scenarios was largely done in-house with the assistance of Geodata Services, Inc. from Missoula, Montana. However, a very critical piece of this phase, creating the preferred scenarios, was performed

with the input of the steering committee and the Planning Board. Seven scenarios were eventually developed based on three growth patterns: infill, high density, low density, and public preferred. The high, low and preferred growth patterns were applied to the area north of the Billings Airport around the proposed Inner Belt Loop alignment, and west of the existing City limits out to 64<sup>th</sup> St. West between Rimrock Road and Neibauer Road. The infill scenario identified vacant and potentially re-developable parcels in the City and adjacent to the City. A full explanation of the scenario planning process is provided in the body of this document. The results of the Scenario Planning Phase were presented to the City Council, the steering committee, and the Planning Board. A third public meeting was also held in March, 2016 to explain the process and get input on the results. As a result of these meetings, some changes to the placement of selected ‘growth indicators’ were modified and the scenarios were rerun to reflect those changes.

The final public meeting was held in May, 2016. The purpose of this meeting was to present the proposed Growth Policy Statement and Growth Guidelines. These elements are the most important part of this Growth Policy in that they provide decision-makers information to consider when making future land use decisions. The public comments gathered at this meeting were incorporated into the proposed Growth Policy Statement and Growth Guidelines and presented to the steering committee, Planning Board and City Council.

As required by state law, the Planning Board held a public hearing on the Draft 2016 City of Billings Growth Policy – BillingsBeyond, and forwarded, by resolution, a recommendation of approval. The City Council passed the Resolution of Intent to Adopt the Growth Policy on July 11, and The Growth Policy adopted, by resolution 16-10575, on August 8, 2016.



### Introduction

The tools available to implement a Growth Policy are limited by legal authority, by administrative cost, and to some degree, political acceptance. Implementation tools may be enforced through regulations, adopted as policy by governing bodies or emplaced voluntarily by landowners. They may be mandated by state law or authorized by City Code or County Ordinances. Some tools are simply policies, without the force and effect of law, while others are purely educational. There is a wide variety of tools currently used in the City of Billings. The first part of this section briefly describes the existing and recommended implementation tools available to the City to achieve the Goals and Objectives of this Growth Policy. The last section describes a reasonable timetable for update and revision to the 2016 Growth Policy.

### Implementation Tools

This section provides general information on a range of planning tools that can be used to implement a growth policy. It includes brief definitions or descriptions for each tool. Some tools are already in use in Billings and others are suggested for further consideration. This list is not intended to be comprehensive of all planning tools available to local jurisdictions.

The implementation tools are organized into the following descriptive categories: Regulatory, Planning and Programming, Financial, Educational, and Cooperative. **Regulatory tools** are enforced by regulations and are authorized by state statute. Governing bodies adopt **Planning and Programming** tools to demonstrate a commitment to a particular direction or course of action, and can be employed with discretion. **Financial tools** require a financial commitment to appropriate funds for specific projects. **Educational tools** include a broad range of items used to inform governing bodies, policy makers, and the public on key planning and community development issues. **Cooperative tools** describe partnerships between departments and agencies to develop joint policies or action plans. These may serve as the basis for creating, reviewing, and revising policies and regulations. Cooperative tools are generally enforced or administered at the discretion of cooperating agencies.

### Regulatory Tools

#### *Subdivision Regulations*

Counties and incorporated municipalities must adopt subdivision regulations that comply with the Montana Subdivision and Platting Act (76-3-101 *et seq.*, MCA). Subdivision regulations control the creation of new parcels by imposing design and infrastructure standards and by establishing procedures for local governmental and public review. Regulating the division of land ensures that development can be adequately served without adversely impacting public services and natural resources.

The City of Billings has adopted subdivision regulations. Appendix D provides more detailed information on the relationship between subdivision regulations and this Growth Policy. Subdivision regulations are among the most effective tools available for implementation of a growth policy and land use changes.

### *Design Standards*

Design standards are typically part of subdivision regulations or incorporated into the municipal code to preserve community character, protect property values, and ensure public safety. The Montana Subdivision and Platting Act authorizes the adoption of design standards, and self-chartered municipalities may include them in their municipal code.

Design standards can significantly affect the appearance and functionality of a development. For these reasons, they are often employed to address a variety of issues including land use, aesthetics, transportation, and public service. Flexible design standards may help reduce costs to the developer. Development costs can also increase if design standards are complex and rigid. Both the City and the County have adopted the Entryway/Interchange zoning regulations, which require a higher level of landscaping and building design in the Entryway/Interchange zoning districts. Additional design standards have been adopted by the City for the Zoo Drive-Shiloh Road Corridor as zoning ‘overlay districts’. These districts are at major entryways into the community and are intended to be developed in an attractive and appealing manner.

### *Zoning Regulations*

Zoning is another commonly used tool for implementing land use policy. The historical rationale for zoning was to separate incompatible land uses. Zoning ordinances generally address type of use, intensity of use, and space and bulk requirements. Development and design standards for such things as signage, parking, landscaping, noise, lighting, buildings, and site layout can also be addressed through zoning regulations. A zoning map and the descriptive text of districts are the two critical components of zoning regulations. Municipal or County zoning must comply with the Growth Policy and its amendments.

The Billings-Yellowstone County Unified Zoning Regulations govern zoning in the City and County. Most of the County is not zoned. Billings, Laurel, and Broadview all maintain their own zoning within their corporate boundaries. Laurel has extraterritorial zoning jurisdiction that extends approximately one mile outside of the city limits. Yellowstone County has a zoning jurisdiction that extends out from the Billings city limits approximately 4-1/2 miles. The majority of the zoned property within Yellowstone County is located in and around the Billings and Laurel urban areas. Additionally, there are a number of citizen-initiated zoning districts located throughout the County as described in the Land Use Element chapter.

The City of Billings Zoning Ordinance #1099, originally adopted on July 15, 1930, governs zoning within the municipal limits of the City of Billings. In addition to the more traditional form of zoning, jurisdictions may explore other zoning approaches that can be used to regulate development of property. Some of these alternatives are described below.

### *Performance Zoning*

Performance zoning is an alternative to traditional “Euclidian” zoning because it uses measurable standards to regulate the impact a land use may have on its surroundings instead of separating uses by zoning districts. Performance zoning for residential uses can be used to protect natural resources and provide flexibility in the development design. Common performance thresholds established through performance zoning include minimum amount open space, maximum density, and maximum percent of impervious surface.

Performance zoning has also been used to address commercial and industrial uses by requiring more intense uses to meet higher standards for site and building design. For example, the City has adopted the Medical Corridor Permit Zoning District. In this district, a proposal is evaluated for compliance with absolute standards and a point system is used to determine compliance against a set of relative standards. All projects have to meet the absolute standards; then, the more intense the use, the greater the number of relative standards must be met.

### *Interim Zoning*

Interim zoning may be employed by the City or County as an emergency measure to protect the public health, safety and under the County’s authority, morals (76-2-306, MCA). A jurisdiction may use interim zoning to prohibit uses that may conflict with a “contemplated zoning proposal” which the governing body is considering. The City can implement interim zoning initially for only six months, with an extension up to one year. Interim zoning has been used by the City of Billings to implement the Entryway/Interchange zoning regulations until permanent regulations could be adopted and more recently to implement buffering standards for sexually oriented businesses.

### *Transfer of Development Rights*

Transfer of Development Rights (TDR) uses zoning to allow owners of land in areas called “sending districts” to sever the development rights from their property and sell, or otherwise legally transfer those rights to owners of property located in specified “receiving districts”, where higher intensity of development is preferred. There are several components essential to a TDR program: a designated protection/preservation area (sending zone), a designated growth area (receiving zone), development rights that can be severed from the land, and a procedure for transferring development rights between properties. TDR procedures have not been established in Yellowstone County.

### ***Building Permits***

The City Building Division administers building codes for the City of Billings only. The Building Codes that are adopted by the State, including building, plumbing, mechanical, and electrical, are also required to be adopted by the City. The Code provides the City with minimum standards to safeguard life and property by regulating building construction. They also serve to create an enjoyable and aesthetically pleasing place to live while preserving property values. A building permit is required for almost any type of construction on private property. Several Departments are involved in the review process, including Fire, Engineering, Planning and Community Services and Public Utilities to ensure compliance with their associated codes.

### ***Floodplain Regulations***

The purpose of floodplain regulations is to protect the watercourses and their flood storage areas, as well as the public health, safety, and welfare. Montana state law requires local governments to adopt and enforce floodplain management regulations. The City and the County administer separate floodplain regulations.

## **Planning and Programming Tools**

### ***Long-Range Planning***

Critical implementation tools for this Growth Policy are more detailed neighborhood or area plans, and plans to address a particular issue such as transportation, parks and recreation, economic development, infrastructure or housing. This Growth Policy establishes a framework for future plans by specifying public values through Growth Statement and Guidelines and the Goals and Objectives. With the adoption of this Growth Policy, plans may be developed that provide a higher level of detail and include content specific to an area or issue. Since 2003, five neighborhood plans within the City have been written and adopted as part of this Growth Policy.

In addition to the development of new plans, existing plans which presently have a role in decision making may need to be revised and updated. These include the 2014 Urban Area Transportation Plan, 2013 Billings Bicycle and Trail Master Plan, Parks2020, and several neighborhood plans. Updates to these plans could be simple additions or modifications or may require a new approach to become more consistent with the Growth Policy Goals and Objectives.

### ***Annexation Policy***

A city expands its boundaries and its jurisdictional authority through the process of annexation. State statute authorizes six separate methods for annexation. Adjacent land may be annexed as described in Parts 42 through 44 of Title 7, Chapter 2, Montana Code Annotated (MCA). Property

that is wholly surrounded by a city may be annexed under Part 45 with the exception of land used for agricultural, mining, smelting, refining, transportation, industrial or manufacturing purposes, golf course, cemeteries, or outdoor entertainment uses. Private property owners can petition for annexation as described in Part 46. When property owners petition for annexation, the City of Billings' Annexation Policy requires them to enter into an annexation agreement and comply with the other conditions under which annexation will occur. The Annexation Policy is used to help plan for expansion and provision of municipal services. In 2004, a 'Limits of Annexation' map was added to the policy indicating which areas surrounding the City limits could be reasonably supported for annexation if requested by the property owner. This map was developed based on expected and potential capital improvements the City has planned and is updated annually in coordination with the City's Capital Improvements Plan.

### *Urban Planning Area*

The Urban Planning Area is an area surrounding the City of Billings established for the purpose of planning for its future growth within a 10-year horizon. The UPA was initially created in 1967 under Article 20-300, BMCC, and has historically been the City's growth boundary. The UPA policy states that no City services shall be provided outside of the UPA; however, to quote a 1980 study, "the UPA is not designed to limit growth, merely limit the amount of land that is consumed and reduce the cost of services needed when this growth occurs." Expansion of the UPA requires the completion of an Urban Planning Study so that the City can determine the impacts of annexing and serving the property. City departments review UPS documents for conformance with operating policies, capital improvement plans, the Growth Policy, and other plans. A property must be within the Urban Planning area before it can be annexed into the City limits.

### *Urban Renewal Districts*

Title 7, Chapter 15, Part 42 of MCA, otherwise known as the Urban Renewal Law, gives municipalities the authority to redevelop and rehabilitate "blighted" areas. State law specifies requirements for preparing Urban Renewal Plans and also authorizes the expenditure of funds on Urban Renewal Districts, including tax increment funds. Urban Renewal Plans have been most recently prepared in 2006 for the 'East Billings Urban Renewal District' located east of downtown to MetraPark, and in 2008 for the 'South Billings Boulevard Urban Renewal Area' located near the South Billings Boulevard interchange.

### *Departmental Work Plans*

Every City department develops annual work plans to assist them in their budgeting process. Work plans establish a list of priority projects that the department can implement within the year, in addition to their regular work duties. For some departments, such as the Planning and Community Services and Parks, Recreation and Public Lands Departments, the annual work plan is

reviewed and approved by their citizen advisory boards. Work plans are also programming tools that establish the timeframes for completion of priority tasks and projects.

### Financial Tools

#### *Capital Improvements Programs*

The City of Billings adopts an annual Capital Improvements Plan (CIP) which identifies all capital projects that are in excess of \$25,000 and equipment needs in excess of \$5,000. The projects and equipment needs are then prioritized and budgeted over a five year period. The City undertakes a comprehensive review of the Capital Improvements Plan every two years. The importance of a CIP for land use planning is the critical connection between where and when infrastructure is provided and what the desired land use pattern is for a community or neighborhood. Proposals included in the CIP are reviewed for compliance with adopted land use and transportation planning policies.

#### *Fee Incentives*

Some City and County departments are authorized to charge fees for their services and facility maintenance. The most common fees are for solid waste service, storm drainage, water and sewer service. The location of development can be influenced by tying the location to a fee increase or decrease. Municipalities, particularly, have the ability to develop a utility fee structure that can be used as an incentive for directing growth.

#### *Purchase of Development Rights*

A Purchase of Development Rights (PDR) program involves the outright purchase of development rights from a private property owner by local or state governments to preserve resource land. Funding for PDRs can come from sources such as bond initiatives, grants, and public matching funds programs. The difference between PDRs and land acquisition is that a property owner in a PDR program can continue to use this land in ways that are consistent with the objectives of the PDR program. PDR procedures have not been developed in Yellowstone County.

#### *Land Acquisition*

Land acquisition programs involve a jurisdiction or organization purchasing land usually for some public benefit. Some communities and organizations have used this tool to purchase land to be used for affordable housing development; others have used it to purchase property for its open space or agricultural value.

#### *Impact Fees*

An impact fee is a charge on new development assessed by a governmental entity at the time of the development approval process to pay for the construction or expansion of off-site capital improvements that are necessitated by and benefit the new development. In 2005, the state

legislature passed enabling legislation known as the “Montana Impact Fee Act” (7-6-1601, et seq., MCA) to allow local governments to establish impact fees provided certain requirements are met. In general, the collection and expenditure of impacts fees must be reasonably related to and reasonably attributed to the development’s share of the cost of infrastructure improvements made necessary by the new development.

### **Educational Tools**

#### *Inventories and Planning Studies*

Land use policies and decisions can be better informed if supported by studies and inventories. Typically, these studies help identify and rank critical social, environmental, historic and cultural resources. Studies and inventories can also provide the rational nexus required for exactions and other dedications. The information obtained from these studies must be well organized, accurate and easy to understand. Maps and databases developed using Geographic Information Systems can satisfy these criteria.

#### *Health Impact Assessments (HIA)*

The built environment can have substantial effects on the health of the community. By using a new tool known as the Health Impact Assessment, or HIA, one can research the potential health effects of an anticipated policy, program or project and offer recommendations to increase positive health outcomes and minimize potential adverse health effects. HIAs are similar in some ways to Environmental Impact Assessments (EIAs), which are mandated processes that focus on potential environmental outcomes of a proposed project, such as changes in air and water quality. However, unlike EIAs, HIAs are currently voluntary assessments that can be used to focus on possible community health outcomes of a proposal and subsequently highlight proactive measures to improve individual or community health. For example, an HIA may identify that a project or policy may inadvertently cause physical inactivity and lead to obesity, or that it may negatively impact air quality which may increase asthma occurrences, or even that it may promote inefficiencies in design that may lead to increased injuries. In these cases, the HIA would then recommend project alterations in order to help resolve these detrimental health impacts before they occur. HIAs are being increasingly used to proactively promote social equity and improve the health of many growing communities.

### Cooperative Tools

#### *Interjurisdictional Coordination and Partnerships*

The City and County must coordinate their efforts on several levels to provide safe and dependable services to the public. The Metropolitan Planning Organization (MPO) is an important mechanism for ensuring that transportation projects are coordinated between the City and the County. Both jurisdictions have representation in the MPO and jurisdictional interests are further represented by members from the joint City-County Planning Board. The Planning Board is composed of City and County residents and is advisory to both the City Council and the County Commissioners. The Billings Fire Department also cooperates with the County and other Fire District to provide services outside the City. Many quasi-governmental boards also have cooperative agreements with the City and County such as the Billings Downtown Partnership and Big Sky Economic Development Authority. It is through these partnerships that the interest of all jurisdictions are discussed and addressed.

#### *Interagency Coordination*

Some federal, state and local government land management agencies share similar responsibilities for the same resources. In some cases, these agencies are not well informed of other agencies' proposed plans or tasks. This lack of communication can result in ineffective policies or inconsistent regulations if agencies do not coordinate their planning and implementation efforts. Opportunities for interagency coordination are particularly possible in land and water conservation areas because the resources overlap agency jurisdictions.

### Timetable for Implementation and Updates

The planning horizon for this Growth Policy is 20 years; however, it is unreasonable to assume it will be relevant in 2035. State law requires that a growth policy be reviewed at least once every 5 years and revised as necessary (76-1-601 (3)(f)(iii), MCA). It is recommended that the Yellowstone County Board of Planning review this policy in 2021 and direct staff to make necessary revisions or perform a complete update.

Because this document is not prescriptive and does not include a list of strategies, projects, or policies to be implemented, no timetable is given for implementation. Instead, a list of implementation tools is provided in each of the Goal categories. These tools are to be considered when the City initiates certain actions that are listed as an Objective or Growth Guideline.

State law requires that this Growth Policy include a statement on how the governing bodies will coordinate and cooperate with other jurisdictions in matters related to the growth policy (76-1-601 (2)(f), MCA). Coordination of planning matters between Yellowstone County and the City of Billings is facilitated primarily through the Yellowstone County Planning Board. The jurisdiction of this board is the entire County, including the City of Billings and Town of Broadview but not including the City of Laurel planning jurisdiction. This countywide jurisdiction enables the Planning Board to coordinate policies with the County Commissioners and the City Council.

### **Coordinated Planning in Yellowstone County**

The history of coordinated planning in Yellowstone County goes back approximately 60 years. Based on records kept in the Planning Department, there has been some form of a joint planning board since the early 1940s. The most recent Planning Board structure was authorized through an Interlocal Agreement adopted in 1984 and amended in 1990 and again in 1995. The Interlocal Agreement establishes the administrative and financing responsibilities of each jurisdiction, the relationship of the Planning Board to the governing bodies and the relationship of the Planning Board and Planning Department Director and staff.

There are 15 members on the County Planning Board: seven are appointed by the County Commissioners, five are appointed by the Mayor of Billings, and one member is appointed by the County Commissioners from the governing board of the Yellowstone County Conservation District, and two members are ex-officio non-voting representative of School District No. 2 and the County Superintendent of Schools. Board members serve 2-year terms. The duties and responsibilities of the Planning Board are described in the By-Laws, last amended in 2012. In addition to other duties, the Board is responsible for developing a Growth Policy for the Board's jurisdiction.

In 1991, the City of Billings, Town of Broadview, and Yellowstone County adopted the first countywide comprehensive plan: The 1990 Yellowstone County Comprehensive Plan. Until then, the City and County developed separate planning documents. The Comprehensive Plan established goals and objectives and addressed separate City and County issues, as well as joint issues that involved both the City and County. In 2003, the Comprehensive Plan was updated, and renamed the 2003 Yellowstone County and City of Billings Growth Policy. The Growth Policy for the City and County was updated again in 2008.

The Yellowstone County Planning Board, as the designated Metropolitan Planning Organization, is also charged with the responsibility for transportation planning for the Billings Urban Area. To accomplish this, the Board prepares a Unified Planning Work Program (UPWP) each year that contains a description of projects to undertake during the upcoming program year. It also contains appropriate funding information, staffing information, and a schedule for each project. The UPWP is supplemented by a five-year Transportation Improvements Plan (TIP). The TIP is a fiscal planning program for federally assisted

highway and transit improvements for the Billings urban area. Approximately every ten years, the MPO is responsible for drafting a Transportation Plan that assesses the transportation needs of the Billings Urban Area and recommends actions to address those needs. The most recent Transportation Plan was adopted in 2014.

The City and County conduct transportation planning together for the Billings urban area. Two committees, the Policy Coordinating Committee (PCC) and Technical Advisory Committee (TAC), were created through a Memorandum of Agreement signed by the City, County, County Planning Board, and the Montana Department of Transportation. The PCC is responsible for directing transportation policy for the study area and the TAC provides technical advice to the PCC.

In addition to the 1990 Comprehensive Plan, the 2008 Growth Policy and the 2014 Long Range Transportation Plan, there have been a number of other plans, primarily transportation related, adopted by both the City and County to address common issues. This Growth Policy supersedes previous Growth Policies but only for the City of Billings jurisdiction.

### Ongoing City and County Planning Coordination

There are a number of other coordinated efforts to address common issues, primarily for the Billings urban area. As a joint City-County office, the Planning and Community Services Department administers all planning programs for both jurisdictions. Additional city-county coordination on planning issues includes the following:

- Subdivision proposals adjacent to the City limits are reviewed by both City and County agencies. Subdivision proposals are also reviewed by state agencies when applicable for such issues as impacts on wildlife and wildlife habitat, wildfire hazards, transportation, as well as other issues.
- The City and County have a joint Health Department that is responsible for public and environmental health programs in both jurisdictions. RiverStone Health’s water quality and sanitation programs have strong links to land use and transportation planning in Yellowstone County.
- The City of Billings, City of Laurel, Yellowstone County, and the Crow Indian Tribe entered into an Interlocal Agreement for historic preservation. This agreement created the Yellowstone Historic Preservation Board and Certified Local Government. This board reviews and implements various policies for historic, archeological, and cultural preservation issues throughout Yellowstone County. Each governmental agency has representation on this board.
- The Yellowstone County Air Quality Board serves both the City and County through a Memorandum of Agreement to address local air quality issues.
- The City Fire Department has a contractual agreement with the Billing Urban Fire Service Area (BUFSA) to provide fire suppression and first response services. The Department also contracts equipment and labor to the Montana Department of Natural Resources for wildfire suppression in times of need. The Department also has mutual aid agreements with the three oil refineries, Lockwood Fire Department, Billings Logan International Airport Aircraft Rescue Firefighting, and

the Laurel Volunteer Fire Department as well as all of the surrounding volunteer fire departments.

- Subdivision, zoning, floodplain administration, permitting, and enforcement programs rely on strong collaborative efforts with other departments in the city and county, as well as with state and federal agencies.
- The City, County and State share Geographic Information System Resources pursuant to a Memorandum of Understanding. Based on this agreement, the Montana Department of Revenue shares property ownership and tax information with the Yellowstone County Information Systems Department. In return, the County maintains the City and County parcel coverage with the assistance of the City of Billings.

### **Strategy for Future Cooperation**

The City and the County will continue to improve their cooperative relationships by maintaining a joint City-County Planning Board and continuing the existing cooperative agreements. The Planning Board and existing coordinating organizations will strive to implement this Growth Policy equitably, openly, and for the benefit of all City residents.

Every county, city and town is required to adopt and enforce subdivision regulations that provide for the orderly development of their jurisdictional areas, (76-3-501, MCA). The Montana Subdivision and Platting Act (Title 76, Chapter 3, MCA) specifies the purpose and minimum requirements of the subdivision regulations. It is incumbent on the local governing body to adopt regulations consistent with this law and to review subdivision applications in accordance with the criteria provided in 76-3-608(3)(a):

1. The impact on agriculture
2. The impact on agricultural water user's facilities
3. The impact on local services
4. The impact on the natural environment
5. The impact on wildlife and wildlife habitat
6. The impact on public health and safety

This chapter presents both definitions of the review criteria and describes how these criteria are to be used to review subdivisions.

### Primary Review Criteria

A growth policy is required to include a statement explaining how the governing bodies will define agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety and describe how these items will be used in the evaluation and decisions of a subdivision proposal (76-1-601(3)(h), MCA). The following section provides detailed definitions of the primary review criteria and how the criteria will be applied in subdivision review.

Each subdivision proposal shall be evaluated based on its effect on certain factors expressed in this Growth Policy and implemented through the City and County Subdivision Regulations. The evaluation factors specify what effects should be considered at the time of subdivision review. The degree to which these effects play a role in subdivision approval and denial will be dependent on 1) whether the effects are allowed by existing laws and regulations, and 2) whether the effects can be reasonably mitigated.

#### **Agriculture**

##### ***Definition***

Agriculture means the use of land for growing, raising, or marketing of plants or animals to produce food, feed, and fiber commodities. Examples of agricultural activities include, but are not limited to, cultivation and tillage of the soil; dairying; growing and harvesting of agricultural or horticultural commodities; and the raising of livestock, bees, fur-bearing animals, or poultry. Agriculture does not include gardening for personal use, keeping of house pets, kenneling, or landscaping for aesthetic purposes. The definition of agricultural land also includes land

## Appendix D – Subdivision Review Criteria and Process

---

considered by the Natural Resources Conservation Service to have a soil of agricultural importance and lands devoted to a soil conservation or rangeland management program.

### ***Evaluation Factors***

1. The amount of agricultural land removed from production shall be considered.
2. The amount of agricultural land with soil considered prime or having statewide or local importance by the Natural Resources and Conservation Service shall be considered.
3. Subdivision review shall consider the potential conflicts between the proposed subdivision and adjacent agricultural operations, including:
  - a. Interference with the movement of livestock or farm machinery
  - b. Maintenance of fences
  - c. Proliferation of weeds
  - d. Harassment of livestock by pets
  - e. Odors
  - f. Visual quality
4. It shall be determined whether the proposal is located within the Urban Planning Area or in the “Limits of Annexation” as defined by the City’s Annexation Policy.

### **Agricultural Water User Facilities**

#### ***Definition***

Agricultural water user facilities shall mean those facilities which provide water for agricultural land or provide water for the production of agricultural products. These facilities include, but are not limited to ditches, canals, pipes, head gates, tanks, drains, reservoirs, ponds and developed springs used for agricultural purposes.

#### ***Evaluation Factors***

1. The location and proximity of an agricultural water user facility shall be considered.
2. Potential conflicts between facility users and subdivision residents shall be evaluated.
3. The rights of all water right owners and users of the facility shall be considered.

### **Local Services**

#### ***Definition***

Local services means any and all services provided to the public by local government entities or public utilities such as transportation systems, including non-motorized facilities, parking, law enforcement, fire protection, drainage structures, water supply, sanitary sewage disposal, solid waste disposal, recreation, parks, libraries, or schools.

#### ***Evaluation Factors***

1. Subdivision review shall consider the goals and objectives of existing plans.
2. Subdivision review shall consider increased demand on services and need to expand services as a result of the proposal. Lack of adequate service capacity and capability of a

local service may be grounds for denial if the situation cannot be mitigated by the applicant.

3. The cost of providing services shall be evaluated by determining the per capita or per lot cost of services and current and anticipated tax and fee revenue.

### **Natural Environment**

#### ***Definition***

The natural environment means the physical, chemical, and biological factors that exist within or influence a geographic area or community. These factors include, but are not limited to, geology, soils, topography, climate, surface water, groundwater, floodplain, vegetation, and objects or places of cultural, historic, or aesthetic significance.

#### ***Evaluation Factors***

1. Review of the subdivision shall consider the degree of impact to the following environmental features:
  - a. Riparian or wetland areas
  - b. Vegetation cover or type
  - c. Noxious weeds
  - d. Important or sensitive natural habitats
  - e. Surface and groundwater quality
  - f. Stream bank stability
  - g. Erodible soils
  - h. Cultural and historic landmarks
2. The amount of appropriate open space preserved for natural resource conservation shall be considered.
3. Results of water and sanitary facility inspection for all lots shall be considered.
4. Subdivision review shall also evaluate the amount of cuts and fill on slopes as a result of road or building construction.

### **Wildlife and Wildlife Habitat**

#### ***Definition***

Wildlife means animals that are not domesticated or tamed. Wildlife habitat means an area containing the complex of environmental conditions essential to wildlife for feeding and forage, cover, migration, breeding, rearing, nesting, or buffers from those areas. It also includes areas essential to the conservation of species protected by the Endangered Species Act or of special interest or concern to the State of Montana.

#### ***Evaluation Factors***

1. The presence and potential destruction of wildlife and wildlife habitat shall be considered in subdivision review.
2. Subdivision review shall consider the potential for human-wildlife conflicts or unhealthy encounters.

3. The amount of wildlife-friendly amenities, such as preserved open space, enhanced habitat or wildlife protection devices shall be considered in subdivision review.

### **Public Health and Safety**

#### ***Definition***

Allowable standards established by Federal, State and local policies, codes, and regulations shall be the primary means for defining the limits of acceptable public health and safety. Any variance from these standards shall be reasonably mitigated and approved by the governing body.

#### ***Evaluation Factors***

1. The subdivision review shall consider all potential hazards to residents of the subdivision from high voltage lines, high-pressure gas lines, highways, railroads or railroad crossing and nearby industrial or mining activity.
2. Any creation of public health or safety hazards by the subdivision, such as traffic or fire conditions, contamination or depletion of groundwater supplies, accelerated storm water runoff, widening or existing floodplain or flood hazard area, or existence within the Wildland-Urban Interface, must be considered in subdivision review.

### **Public Hearing Process**

As part of the major subdivision preliminary plat review process, a public hearing is required. The requirement for a public hearing is not applicable to the first minor subdivision of a tract of record. State law requires the governing body or its authorized agent to conduct the public hearing. Both the Board of County Commissioners and the City Council have relinquished that task to the County Planning Board. An outline of the public hearing process adopted by the Planning Board can be found in the By-Laws of Yellowstone County Board of Planning, as amended. The following hearing process is reproduced in its entirety from Section 5 of the By-Laws.

#### **SECTION 5 PUBLIC HEARINGS**

The Board shall cause to be published a Notice of Public Hearing containing the date, time, location, and purpose pursuant to statutory requirements in a newspaper of general circulation for each hearing held by the Board.

##### **A. Public Hearings for Subdivisions**

1. When a preliminary plat application is set for a public hearing pursuant to a public notice, the matter shall be heard even though no one in favor or in opposition to the application appears at the hearing, unless the Board has received a written request from the subdivider, twenty-four (24) hours prior to the public hearing, to continue such hearing at a later time due to good and sufficient reason, or to withdraw or to postpone the application for reason approved by the Board.

## Appendix D – Subdivision Review Criteria and Process

---

2. Each person who speaks at the public hearing shall stand and furnish his/her name and address to the Board and shall thereby become a part of the record.
  3. Each preliminary plat application shall be heard in the following order:
    - a. A Planning Department staff member shall summarize pertinent data and present or amplify the recommendations of staff and department heads.
    - b. The applicant, or his representative, shall present the application to the Board, and summarize the proposed subdivision and, if applicable, the following criteria of public interests:
      - i. Effects on Agriculture
      - ii. Effects on Local Services.
      - iii. Effects on Natural Environment.
      - iv. Effects on Wildlife Habitat and Wildlife.
      - v. Effects on Public Health and Safety.
      - vi. Effects on Agricultural Users Facilities.
    - c. Persons in favor or opposed to the application shall be heard or written comments received up and until the time of the close of the public hearing.
- B. Other Public Hearings
1. All other public hearings shall be conducted in accordance with the following procedure unless the Board determines by a majority vote to follow some different procedure:
    - a. The Board shall first hear a report on the subject item from the Planning Department staff, which report may include a recommendation as to the action to be taken by the Board.
    - b. The Board shall then hear and/or receive written or oral statements from the public in the following order:
      - i. Proponents of the proposal.
      - ii. Opponents of the proposal.
      - iii. Members of the public who, being neither proponents nor opponents of the proposal wish to make a general statement or comment regarding the same.
      - iv. The Board shall then hear any brief rebuttal to previous comments, testimony, or statements.
      - v. The Board shall then hear any brief final comments, statements, or recommendations, if any, from the Planning Department staff.
      - vi. Any person wishing to speak a second time may do so only during the proper course of the proceedings, only after all persons wishing to speak have been heard, and only with the permission of the President or the approval of the majority of the Board members.
  2. Prior to hearing and/or receiving oral statements, comments, or testimony from the public, the Board may, by majority vote, impose reasonable and prudent limitations on the time allotted for each person's oral statement, comments, or testimony.

## Appendix D – Subdivision Review Criteria and Process

---

3. The Board or any member thereof, may at any time question any person about his/her statements, comments, or testimony.
  4. After hearing any and all statements, comments, and testimony as above provided, the President shall close the public testimony portion of the hearing. After closure, and after such discussion as may be appropriate, the Board may vote upon a recommendation for the item under consideration.
  5. Subject to any time constraints imposed by law, the Board may, at any stage of a public hearing or proceeding, continue the same to a later date in order to allow or facilitate full public participation, to obtain additional information, to properly consider or deliberate any matter, or for any other lawful reason. In the case of such continuance, the time and place of all further proceedings in regard thereto shall be immediately fixed and announced to the Planning Department staff and the public, in which case no further legal notice of the hearing need be given.
- C. Informal Hearings
- The Board, by majority vote, may follow some other procedures for the conduct of hearings.



## Appendix E – Scenario Planning Worksheet and CommunityViz™ Indicator Reports

| Scenario Planning Worksheet  |               |                    |                   |                    |                    |                    |                    |                    |                    |
|--|---------------|--------------------|-------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Name   | Base Scenario | NPP                | NHD               | NLD                | WPP                | WHD                | WLD                | INF                |                    |
| Proposed Libraries Development Costs   | 0             | \$ 6,500,000       | \$ 6,500,000      | \$ 9,750,000       | \$ 6,500,000       | \$ 6,500,000       | \$ 9,750,000       | \$ 6,500,000       | \$ 6,500,000       |
| Proposed Schools Development Costs   | 0             | \$ 33,300,000      | \$ 22,200,000     | \$ 44,400,000      | \$ 27,750,000      | \$ 22,200,000      | \$ 33,300,000      | \$ 27,750,000      | \$ 27,750,000      |
| Proposed Community Parks Development Costs                                       | 0             | \$ 3,371,100       | \$ 3,371,100      | \$ 6,742,200       | \$ 11,237,000      | \$ 7,865,900       | \$ 11,237,000      | \$ 14,608,100      | \$ 14,608,100      |
| Proposed Police and Fire Station Development Costs                               | 0             | \$ 1,714,414       | \$ 1,714,414      | \$ 3,428,828       | \$ 1,714,414       | \$ -               | \$ 1,714,414       | \$ -               | \$ -               |
| Proposed Bus Routes Development Costs  | 0             | \$ 781,699         | \$ 705,657        | \$ 978,219         | \$ 913,443         | \$ 695,330         | \$ 1,260,795       | \$ 1,105,269       | \$ 1,105,269       |
| Proposed Arterial Roads Development Costs  | 0             | \$ -               | \$ -              | \$ -               | \$ -               | \$ -               | \$ -               | \$ -               | \$ -               |
| Proposed Collector Roads Development Costs2                                      | 0             | \$ 61,400,000      | \$ 43,600,000     | \$ 70,200,000      | \$ 98,590,000      | \$ 72,580,000      | \$ 132,910,000     | \$ 50,540,000      | \$ 50,540,000      |
| Proposed Community Parks Costs   | 0             | \$ -               | \$ -              | \$ -               | \$ -               | \$ -               | \$ -               | \$ -               | \$ -               |
| <b>Total Development Costs</b>   | <b>0</b>      | <b>107,067,213</b> | <b>78,091,171</b> | <b>135,499,247</b> | <b>146,704,857</b> | <b>109,841,230</b> | <b>190,172,209</b> | <b>100,503,369</b> | <b>100,503,369</b> |
| <b>Total Estimated Annual Tax Revenue</b>  | <b>0</b>      | <b>5,831,510</b>   | <b>3,393,900</b>  | <b>7,949,106</b>   | <b>5,134,254</b>   | <b>3,653,680</b>   | <b>8,125,472</b>   | <b>14,171,362</b>  | <b>14,171,362</b>  |
| <b>Total Cost per Acre</b>   |               | <b>26,276</b>      | <b>33,598</b>     | <b>26,002</b>      | <b>40,770</b>      | <b>43,898</b>      | <b>35,669</b>      | <b>10,393</b>      | <b>10,393</b>      |
| <b>Total Revenue per Acre</b>  |               | <b>8,183</b>       | <b>3,280</b>      | <b>2,350</b>       | <b>5,873</b>       | <b>3,184</b>       | <b>3,023</b>       | <b>6,430</b>       | <b>6,430</b>       |
| <b>Return on Investment</b>  |               | <b>0</b>           | <b>0</b>          | <b>0</b>           | <b>0</b>           | <b>0</b>           | <b>0</b>           | <b>0</b>           | <b>0</b>           |
| HexCountHD   | 0             | 148                | 378               | 0                  | 234                | 395                | 9                  | 93                 | 93                 |
| HexCountLD   | 0             | 87                 | 0                 | 881                | 0                  | 0                  | 882                | 733                | 733                |
| HexCountMD   | 0             | 448                | 0                 | 0                  | 354                | 0                  | 0                  | 684                | 684                |
| HexCountMixed  | 0             | 27                 | 27                | 27                 | 39                 | 41                 | 38                 | 175                | 175                |
| ROI  | NaN           | 0.113605404        | 0.070341334       | 0.179016383        | 0.138702261        | 0.123271658        | 0.257959017        | 0.218521683        | 0.218521683        |
| Rank   |               | 88.6%              | 93.0%             | 82.1%              | 86.1%              | 87.7%              | 74.2%              | 78.1%              | 78.1%              |
|  |               | 2                  | 1                 | 5                  | 4                  | 3                  | 7                  | 6                  | 6                  |
| *1 hex = 16 high or mixed density units/9 med. density units/5 low density units |               |                    |                   |                    |                    |                    |                    |                    |                    |
| HexCountHD du  | 16            | 2368               | 6048              | 0                  | 3744               | 6320               | 144                | 1488               | 1488               |
| HexCountLD du  | 5             | 435                | 0                 | 4405               | 0                  | 0                  | 4410               | 3665               | 3665               |
| HexCountMD du  | 9             | 4032               | 0                 | 0                  | 3186               | 0                  | 0                  | 6156               | 6156               |
| HexCountMixed du   | 16            | 432                | 432               | 432                | 624                | 656                | 608                | 2800               | 2800               |
| *1 hex = 5.739 acres   | 5.739         |                    |                   |                    |                    |                    |                    |                    |                    |
| HexCountHD acres   |               | 849.37             | 2169.34           | 0.00               | 1342.93            | 2266.91            | 51.65              | 533.73             | 533.73             |
| HexCountLD acres   |               | 499.29             | 0.00              | 5056.06            | 0.00               | 0.00               | 5061.80            | 4206.69            | 4206.69            |
| HexCountMD acres   |               | 2571.07            | 0.00              | 0.00               | 2031.61            | 0.00               | 0.00               | 3925.48            | 3925.48            |
| HexCountMixed acres  |               | 154.95             | 154.95            | 154.95             | 223.82             | 235.30             | 218.08             | 1004.33            | 1004.33            |
| <b>Total Acreage</b>   |               | <b>4,075</b>       | <b>2,324</b>      | <b>5,211</b>       | <b>3,598</b>       | <b>2,502</b>       | <b>5,332</b>       | <b>9,670</b>       | <b>9,670</b>       |



## Appendix E – Scenario Planning Worksheet and CommunityViz™ Indicator Reports

| Scenario Planning Worksheet        |               |                   |                  |                   |                   |                  |                   |                   |  |
|------------------------------------|---------------|-------------------|------------------|-------------------|-------------------|------------------|-------------------|-------------------|--|
| Name                               | Base Scenario | NPP               | NHD              | NLD               | WPP               | WHD              | WLD               | INF               |  |
| Total Cost/Acre/Growth Pattern     |               |                   |                  |                   |                   |                  |                   |                   |  |
| High Density (including mixed use) |               | \$ 106,606        | \$ 33,598        | \$ 874,454        | \$ 93,637         | \$ 43,898        | \$ 705,039        | \$ 65,345         |  |
| Low Density                        |               | \$ 214,438        | \$ -             | \$ 26,799         | \$ -              | \$ -             | \$ 37,570         | \$ 23,891         |  |
| Medium Density                     |               | \$ 41,643         | \$ -             | \$ -              | \$ 72,211         | \$ -             | \$ -              | \$ 25,603         |  |
| <b>Total cost per acre</b>         |               | <b>362,687</b>    | <b>33,598</b>    | <b>901,253</b>    | <b>165,848</b>    | <b>43,898</b>    | <b>742,609</b>    | <b>114,839</b>    |  |
| <b>Rank</b>                        |               | <b>3</b>          | <b>6</b>         | <b>1</b>          | <b>4</b>          | <b>7</b>         | <b>2</b>          | <b>5</b>          |  |
| Total Revenue/Growth Pattern       |               |                   |                  |                   |                   |                  |                   |                   |  |
|                                    | Rev/ac        |                   |                  |                   |                   |                  |                   |                   |  |
| High Density (including mixed use) | \$ 3,514      | \$ 2,984,693      | \$ 7,623,068     | \$ -              | \$ 4,719,042      | \$ 7,965,904     | \$ 181,502        | \$ 1,875,517      |  |
| Low Density                        | \$ 2,350      | \$ 1,173,339      | \$ -             | \$ 11,881,739     | \$ -              | \$ -             | \$ 11,895,225     | \$ 9,885,714      |  |
| Medium Density                     | \$ 2,861      | \$ 7,355,837      | \$ -             | \$ -              | \$ 5,812,425      | \$ -             | \$ -              | \$ 11,230,787     |  |
| <b>Total Revenue</b>               |               | <b>11,513,869</b> | <b>7,623,068</b> | <b>11,881,739</b> | <b>10,531,467</b> | <b>7,965,904</b> | <b>12,076,727</b> | <b>22,992,018</b> |  |
| Total Revenue/Acre/Growth Pattern  |               |                   |                  |                   |                   |                  |                   |                   |  |
| High Density (including mixed use) |               | \$ 2,972          | \$ 3,280         | \$ -              | \$ 3,012          | \$ 3,184         | \$ 673            | \$ 1,219          |  |
| Low Density                        |               | \$ 2,350          | \$ -             | \$ 2,350          | \$ -              | \$ -             | \$ 2,350          | \$ 2,350          |  |
| Medium Density                     |               | \$ 2,861          | \$ -             | \$ -              | \$ 2,861          | \$ -             | \$ -              | \$ 2,861          |  |
| <b>Total Revenue/Acre</b>          |               | <b>8,183</b>      | <b>3,280</b>     | <b>2,350</b>      | <b>5,873</b>      | <b>3,184</b>     | <b>3,023</b>      | <b>6,430</b>      |  |
| <b>Rank</b>                        |               | <b>1</b>          | <b>4</b>         | <b>7</b>          | <b>3</b>          | <b>5</b>         | <b>6</b>          | <b>2</b>          |  |
| Total Revenue/Unit/Growth Pattern  |               |                   |                  |                   |                   |                  |                   |                   |  |
| High Density (including mixed use) | \$ 419        | \$ 1,173,200      | \$ 2,715,120     | \$ 181,008        | \$ 1,830,192      | \$ 2,922,944     | \$ 315,088        | \$ 1,796,672      |  |
| Low Density                        | \$ 1,461      | \$ 635,535        | \$ -             | \$ 6,435,705      | \$ -              | \$ -             | \$ 6,443,010      | \$ 5,354,565      |  |
| Medium Density                     | \$ 731        | \$ 2,947,392      | \$ -             | \$ -              | \$ 2,328,966      | \$ -             | \$ -              | \$ 4,500,036      |  |
| <b>Total</b>                       |               | <b>4,756,127</b>  | <b>2,715,120</b> | <b>6,616,713</b>  | <b>4,159,158</b>  | <b>2,922,944</b> | <b>6,758,098</b>  | <b>11,651,273</b> |  |
| <b>Rank</b>                        |               | <b>4</b>          | <b>7</b>         | <b>3</b>          | <b>5</b>          | <b>6</b>         | <b>2</b>          | <b>1</b>          |  |



| <b>CommunityViz™ Indicators</b>                 |                |            |            |            |            |            |            |            |                                |
|---|----------------|------------|------------|------------|------------|------------|------------|------------|--------------------------------|
| <b>Assumption</b>                               | <b>Default</b> | <b>NPP</b> | <b>NHD</b> | <b>NLD</b> | <b>WPP</b> | <b>WHD</b> | <b>WLD</b> | <b>INF</b> | <b>Units</b>                   |
| CI Assumption - Annual Household Energy Use     | 95             | 95         | 95         | 95         | 95         | 95         | 95         | 95         | million BTU / household / year |
| CI Assumption - Auto Emissions - CO             | 226.34         | 226.34     | 226.34     | 226.34     | 226.34     | 226.34     | 226.34     | 226.34     | grams / gallon                 |
| CI Assumption - Auto Emissions - CO2            | 19.56          | 19.56      | 19.56      | 19.56      | 19.56      | 19.56      | 19.56      | 19.56      | lbs / gallon                   |
| CI Assumption - Auto Emissions - Hydrocarbons   | 25.94          | 25.94      | 25.94      | 25.94      | 25.94      | 25.94      | 25.94      | 25.94      | grams / gallon                 |
| CI Assumption - Auto Emissions - NOx            | 16.69          | 16.69      | 16.69      | 16.69      | 16.69      | 16.69      | 16.69      | 16.69      | grams / gallon                 |
| CI Assumption - Average Vehicle Trip Length     | 9.72           | 9.72       | 9.72       | 9.72       | 9.72       | 9.72       | 9.72       | 9.72       | miles                          |
| CI Assumption - Daily Household Water Use       | 282            | 282        | 282        | 282        | 282        | 282        | 282        | 282        | gallons / household / day      |
| CI Assumption - Household Vehicle Trips per Day | 5.66           | 5.66       | 5.66       | 5.66       | 5.66       | 5.66       | 5.66       | 5.66       | household vehicle trips / day  |
| CI Assumption - Passenger Car Fuel Efficiency   | 22.6           | 22.6       | 22.6       | 22.6       | 22.6       | 22.6       | 22.6       | 22.6       | miles / gallon                 |
| CI Assumption - Percent Employed                | 58.41          | 58.41      | 58.41      | 58.41      | 58.41      | 58.41      | 58.41      | 58.41      | percent of population          |
| CI Assumption - Percent School-aged Children    | 17.4           | 17.4       | 17.4       | 17.4       | 17.4       | 17.4       | 17.4       | 17.4       | percent of population          |
| CI Assumption - Persons per Household           | 2.61           | 2.61       | 2.61       | 2.61       | 2.61       | 2.61       | 2.61       | 2.61       | persons / household            |



**RESOLUTION 16-02**

**RESOLUTION RECOMMENDING ADOPTION OF THE 2016 CITY OF BILLINGS GROWTH POLICY – “BILLINGSBEYOND – A GROWTH POLICY FOR BILLINGS” TO THE BILLINGS CITY COUNCIL AT ITS REGULAR BUSINESS MEETING ON JULY 11, 2016.**

WHEREAS, the Yellowstone County Board of Planning desires the Billings City Council to adopt the 2016 City of Billings Growth Policy – “BillingsBeyond – A Growth Policy for Billings”; and

WHEREAS, on the 28th day of June, 2016, a public hearing was held by the Yellowstone County Board of Planning for the purpose of receiving public comments on the proposed City of Billings Growth Policy; and

WHEREAS, pursuant to Montana Codes Annotated Section 76-1-601, the Yellowstone County Board of Planning may prepare and propose a Growth Policy for any part of its entire jurisdictional area; and

WHEREAS, pursuant to Montana Codes Annotated Section 76-1-603, the Yellowstone County Board of Planning must recommend, by resolution, the proposed Growth Policy and any proposed ordinances and resolutions for implementing to the governing bodies;

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT THE YELLOWSTONE COUNTY BOARD OF PLANNING recommends the Billings City Council adopt the proposed 2016 City of Billings Growth Policy – “BillingsBeyond – A Growth Policy for Billings”.

DONE BY ORDER of the Yellowstone County Board of Planning this 28<sup>th</sup> day of June, 2016.

YELLOWSTONE COUNTY BOARD OF PLANNING

  
Darell Tunnicliff, President

ATTEST:

  
Candi Millar, Executive Secretary

RESOLUTION NO. 16- 10575

**RESOLUTION TO ADOPT THE CITY OF BILLINGS 2016 GROWTH POLICY**

WHEREAS, pursuant to Title 76, Chapter 1, PART 6, Montana Code Annotated, the Billings City Council desires to adopt a Growth Policy covering the City of Billings and any future annexed land within Yellowstone County Board of Planning jurisdiction;

WHEREAS, the Growth Policy contains those elements listed in subsection (3) §76-1-601, MCA;

WHEREAS, on the 28<sup>th</sup> day of June, 2016, a public hearing was held by the Yellowstone County Board of Planning for the purpose of receiving public comments on the proposed Growth Policy;

WHEREAS, The Yellowstone County Board of Planning by Resolution 16-02, recommends the Billings City Council adopt the proposed Growth Policy, and;

WHEREAS, The City Council by Resolution 16-10572, intended to adopt the proposed Growth Policy;

NOW, THEREFORE, BE IT HEREBY RESOLVED,

The Billings City Council approves this Resolution to Adopt the 2016 City of Billings Growth Policy and in doing so, also adopts the Growth Statement and Guidelines for the City of Billings, Montana:

City of Billings Growth Policy Statement

In the next 20 years, Billings will manage its growth by encouraging development within and adjacent to the existing City limits, but preference will be given to areas where City infrastructure exists or can be extended within a fiscally constrained budget and with consideration given to increased tax revenue from development. The City will prosper with strong neighborhoods with their own unique character that are clean, safe, and provide a choice of housing and transportation options.

Growth Guidelines

**Essential Investments** (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors

- Infill development and development near existing City infrastructure may be the most cost effective
- Accessible, friendly and cost-effective government are important public values
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- It is important to factor in maintenance costs when programming public spaces and infrastructure
- Integrated, long range water planning that better utilizes existing resources and treatment options, and when necessary acquires new ones, is vital.
- Regulatory compliant water and wastewater treatment plants that provide sufficient capacity will help sustain community growth
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community
- A cost/benefit study is important to make cost effective land use decisions

**Place Making (Enhance, maintain, preserve, and improve existing public places)**

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Locally grown foods help sustain agriculture, provide healthy options, and support local businesses
- The history and heritage of Billings are cornerstones of our community
- Natural landscapes are important because they define the uniqueness of Billings and help protect the environment and beautify neighborhoods
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community
- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

**Community Fabric (attractive, aesthetically pleasing, uniquely Billings)**

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people

- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community
- Natural landscapes and parks are important because they define the uniqueness of Billings and help protect the environment
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

**Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)**

- Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels
- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Zoning and subdivision regulations that utilize Crime Prevention Through Environmental Design (CPTED) strategies result in safer neighborhoods
- Implementation of the Infill Policy is important to encourage development of underutilized properties
- Public safety and emergency service response are critical to the well-being of Billings' residents and businesses

**Home Base (healthy, safe and diverse housing options)**

- A mix of housing types that meet the needs of a diverse population is important
- The Housing Needs Assessment is an important tool to ensure Billings recognizes and meets the demands of future development
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- Public safety and emergency service response are critical to the well-being of Billings' residents
- Homes that are safe and sound support a healthy community
- Accessory dwellings units provide an important type of affordable housing options if compatible
- Energy efficient housing can reduce energy consumption

**Mobility and Access (transportation choices in places where goods and services are accessible to all)**

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Expanded air service ensures that Billings remains a competitive and an accessible destination
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

**Prosperity (promoting equal opportunity and economic advancement)**

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- A diversity of available jobs can ensure a strong Billings' economy
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy
- Continued workforce training benefits the community and helps attract and retain businesses
- Strategically placed industrial parks will encourage a more diverse city economy, and will better help manage effluent and emission from industrial processes

APPROVED AND PASSED by the City Council of the City of Billings this 8<sup>th</sup> day of August, 2016.

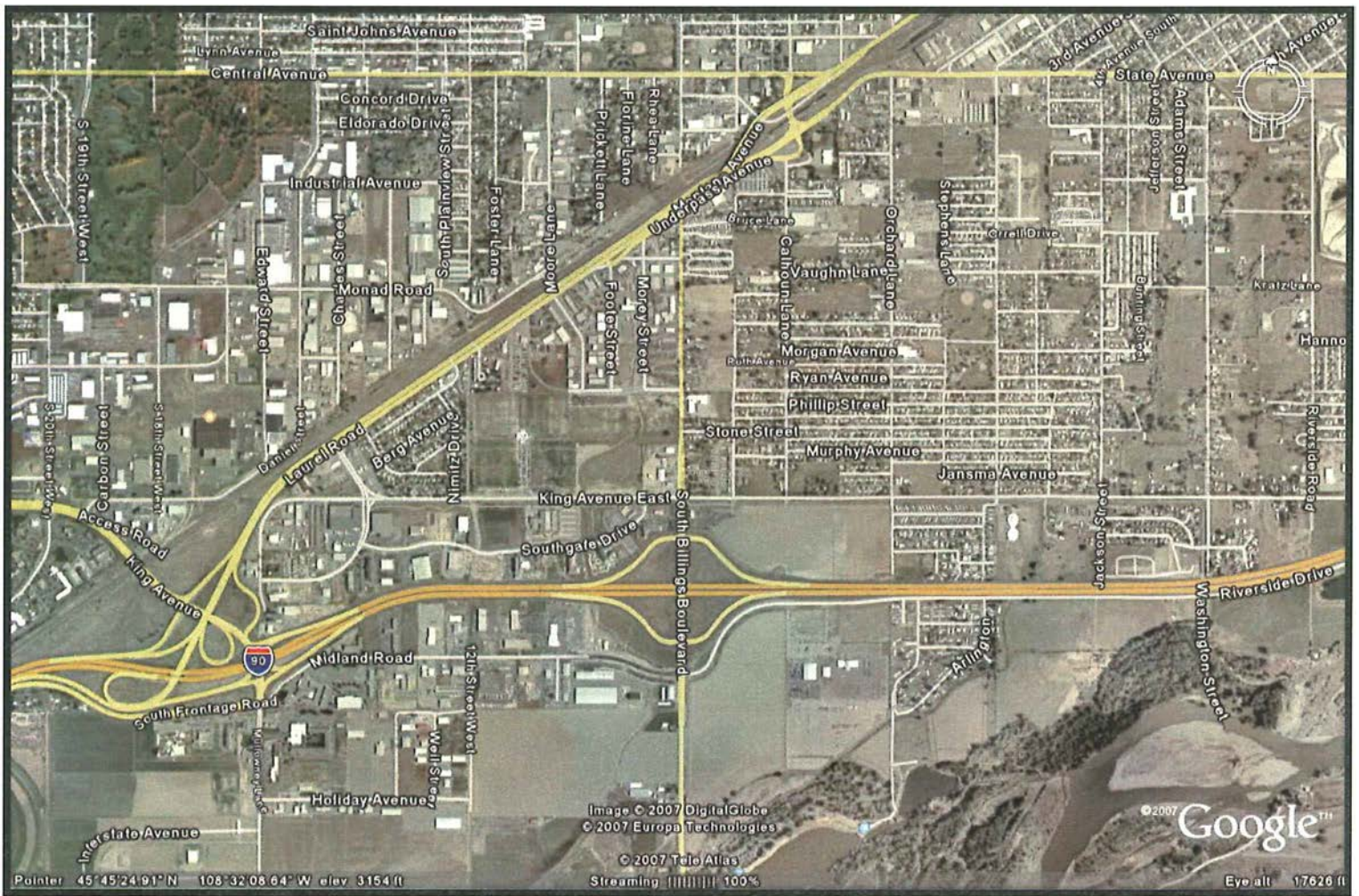
THE CITY OF BILLINGS:

BY: Thomas W. Hanel  
THOMAS W. HANEL, MAYOR

ATTEST:  
BY: Denise R. Bohman  
DENISE R. BOHLMAN, CITY CLERK



# Urban Renewal Plan for the South Billings Boulevard Urban Renewal Area



Prepared by the Planning & Community Services Department  
Adopted by the Billings City Council on December 8, 2008  
Amended by the Billings City Council on July 22, 2019

## Table of Contents

|  |    |
|--|----|
| Section 1 - Introduction   | 5  |
| Section 2 - Definitions  | 5  |
| Section 3 - Background   | 7  |
| Section 4 - Description of Blight                                      | 11 |
| Section 5 - Summary of Blight  | 11 |
| Section 6 - The Site and Its Relationship to the City                  | 14 |
| Section 7 - Description of the District Boundary                       | 14 |
| Section 8 - Planning Process   | 17 |
| Section 9 - Housing (Conservation of existing affordable housing)      | 19 |
| Section 10 - Transportation and Pedestrian Circulation                 | 19 |
| Section 11 - Public Services and Facilities                            | 19 |
| Section 12 - Infrastructure and Utilities                              | 20 |
| Section 13 - Urban Renewal Projects and Programs                       | 20 |
| Section 14 - Goals and Objectives Respective to the City Growth Policy | 22 |
| Section 15 - Neighborhood Planning                                     | 24 |
| Section 16 - Conclusion  | 24 |
| List of Maps:  |    |
| Map 1 - Proposed Boundaries of the District                            | 8  |
| Map 2 - Existing Land Uses   | 9  |
| Map 3 - Current Zoning   | 10 |
| Map 4 - Water Distribution System                                      | 12 |
| Map 5 - Sanitary Sewer System  | 13 |
| Map 6 - Tax Increment Finance District in Relationship to City         | 16 |

## Acknowledgements

### 2008 Participants and Stakeholders

#### City of Billings

- Ron Tussing, Mayor

#### City Council Members:

- Richard (Dick) Clark
- Mark Astle
- Peggie Denney Gaghen
- Jim Ronquillo
- Vince Ruegamer
- Chris "Shoots" Veis
- Ed Ulledalen
- Jani McCall
- Denis Pitman
- Lan-y Brewster

#### Planning and Community Services Department

#### Southwest Corridor Task Force Officers

- Tom Ruschkewicz, Chair
- Floyd Martin, Vice Chair
- Alan Pomick, Treasurer
- Debbie Rowe, Secretary

#### Big Sky Economic Development Authority

#### Downtown Billings Partnership

#### Stakeholders

|                     |                  |                  |
|---------------------|------------------|------------------|
| Alene Malloy        | Casey Ryan       | Edythe Davis     |
| Allen Krenz         | Charles Duenow   | Eleanor Aukshun  |
| Alta Dean           | Cindy Linse      | Elissa Linse     |
| Arlene Bierwagen    | Cindy Reid       | Elsie Arntzen    |
| Barbara Kipp        | Clarence Perkins | Floyd Martin     |
| Barbara Prewett     | Clifton Burns    | Gary Cooper      |
| Barry Willson       | Colleen Apps     | Gary Tipton      |
| Beth Kirkwood       | Connie Wagner    | Gene Frank       |
| Betty Hofstad       | Connie Wittman   | Gerald Apps      |
| Betty Kegley        | Cris Ruckman     | Gerogia Kembel   |
| Beverly Bennetts    | Dale Kiel        | Glen Kibbee      |
| Bob Franks          | Daryle Young     | Gloria Krenz     |
| Brandy Pmter        | David Mora       | Greg Sennett     |
| Brenda Estill       | Dean Haley       | Harriet Conklin  |
| Brenda Ryan         | Dean Miller      | Ida Stuart       |
| Brian Reid          | Dennis Randall   | Irene Aure       |
| Bruce Burrows       | Don Pett         | James Lasater    |
| Candice Reinschmidt | Dorothy Plouffe  | Jay Hanson       |
| Carl Howard         | Doug Toomey      | Jean Randall     |
| Carol Atchley       | Duane Bender     | Jeannine Swoboda |

## Stakeholders Continued

|                    |                    |                    |
|--------------------|--------------------|--------------------|
| Carol Dale         | Ed Gabbo           | Jed Porter         |
| Jerald Mohr        | Kevin Nelson       | Mary Ann Kraske    |
| Jerry Driscoll     | Lany Estill        | Mary Duenow        |
| Jimmie Frasch      | Leonard Bierwagen  | Maurice Muth       |
| Joan Dosch         | Linda Furlong      | Mavis Schultz      |
| JoAnne Mollet      | Linda Hayworth     | Mavis Wilkinson    |
| Joe Morin          | Linda Pettengill   | Mel Maier          |
| John Hoffmann      | Linda Vansky       | Michele Johnson    |
| John Hurless       | Loren Bice         | Michelle Grasswick |
| Jon Gowan          | Louis Plouffe      | Mike Kenney        |
| Jon Rupprecht      | Lynn Toomey        | Mike Vinton        |
| Joyce Kenney       | Marc Swoboda       | Neal Armfield      |
| Joyce Pirrie       | Margaret Schantz   | Nelda Reinschmidt  |
| Judy Coles         | Margo Allen        | Paige Tipton       |
| Judy Mmiin         | Margo Smith        | Partice Schuman    |
| Julie Bender       | Marian Leligdowize | Pat Jensen         |
| Karen Hergett      | Mmjorie Bishop     | Pat Morin          |
| Katherine Gowan    | Marlene Anderson   | Pat Newbury        |
| Kathy Doty         | Marlis Brodsack    | Pat Perkins        |
| Kathy Wilkinson    | Marlis Bufford     | Patsy Kahler       |
| Kelly Handley      | Martha Sheldon     | Patty Nordlund     |
| Kerri Tallerico    | Marvin Forquer     | Paul Hartman       |
| Paul Hendershot    | Rebekah Wales      | Richard Deis       |
| Richard Ruff       | Rick Leuthold      | Robbin Ostrum      |
| Robert Neal        | Robert Popelka     | Robyn Rupprecht    |
| Roger Mollett      | RonHergett         | Ron Kaneski        |
| Ron Kirkwood       | Ronald Schultz     | Roy Linse          |
| Sammy Handley      | Sandra Fiscus      | Shane Keehn        |
| Shanna Fredrickson | Sharon Franks      | Sharon Young       |

## 2019 Participants and Stakeholders

### City of Billings

Mayor Bill Cole

#### City Council Members:

Brent Cromley  
Mike Yakawich  
Frank Ewalt  
Roy Neese  
Denise Joy  
Chris Friedel  
Reg Gibbs

Penny Ronning  
Richard Clark  
Shaun Brown

South Billings Urban Renewal Association

Carolyn Rukstad  
Scott Hanser  
Debbie Keller  
Chuck Barrett  
Sam Hadley  
Mike Mayott  
Jeff Muri

Steve Zeier, Zeier Consulting

City Administration  
City Finance Department  
Planning and Community Services Department  
Billings Police Department

## **Section 1 - Introduction**

On May 12, 2008 the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted. Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The December 2008 modification of the urban renewal plan:

- Served as a framework for the official urban renewal plan
- Fulfilled Montana state law
- Updated and define district boundaries
- Classified blight
- Set forth the protocol for its authorization, execution, and management
- Illustrated the development opportunities
- Documented baseline taxable property values and potential areas for redevelopment

The July 2019 amendment of the urban renewal plan will:

- Identify future projects and programs
- Ensure the City has the option to bond future projects
- Update to the 2008 Plan to reflect the 2019 amendment process

## **Section 2 - Definitions**

The following terms have the following meanings unless a different meaning is clearly indicated by the context:

1. "Agency" or "urban renewal agency" means a public agency created by Section 7-15-4232 of the Montana Code Annotated.
2. "Blighted area" means an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodations; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:
  - a. The substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
  - b. Inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;

- c. Inappropriate or mixed uses of land or buildings;
  - d. High density of population and overcrowding;
  - e. Defective or inadequate street layout;
  - f. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
  - g. Excessive landcoverage
  - h. Unsanitary or unsafe conditions;
  - 1. Deterioration of site;
  - J. Diversity of ownership;
  - k. Tax or special assessment delinquency exceeding the fair value of the land;
  - I. Defective or unusual conditions of title;
  - m. Improper subdivision or obsolete platting;
  - n. The existence of conditions that endanger life or property by fire or other causes; or
  - o. Any combination of the factors listed in the subsection (2).
3. "Bonds" means any bonds, notes, or debentures (including refunding obligations) authorized to be issued pursuant to Section 7-15-4300 MCA.
  4. "Clerk" means the clerk or other official of the municipality who is the custodian of the official records of the municipality.
  5. "Local governing body" means the council or other legislative body charged with governing the municipality.
  6. "Mayor" means the chief executive of a city or town.
  7. "Municipality" means any incorporated city or town in the state.
  8. "Redevelopment" may include:
    - a. acquisition of a blighted area or portion of the area;
    - b. demolition and removal of buildings and improvements;
    - c. installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban renewal provisions in accordance with the urban renewal plan; and
    - d. making the land available for development or redevelopment by private enterprise or public agencies, including sale, initial leasing, or retention by the municipality itself, at its fair value for uses in accordance with the urban renewal plan. If the property is condemned pursuant to Title 70, chapter 30, the private enterprise or public agencies may not develop the condemned area in a way that is not for a public use.
  9. "Urban renewal area" means a blighted area that the local governing body designates as appropriate for an urban renewal project or projects.
  10. "Urban renewal plan" means a plan for one or more urban renewal areas or for an urban renewal project. The plan:
    - a. must conform to the growth policy if one has been adopted pursuant to Title 76, chapter 1; and;
    - b. must be sufficiently complete to indicate, on a yearly basis or otherwise:
      - i. any land acquisition, demolition, and removal of structures; redevelopment; improvements; and rehabilitation that is proposed to be carried out in the urban renewal area;
      - ii. zoning and planning changes, if any, including changes to the growth policy if one has been adopted pursuant to Title 76, chapter 1;
      - iii. land uses, maximum densities, building requirements; and
      - iv. the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

### **Section 3 - Background**

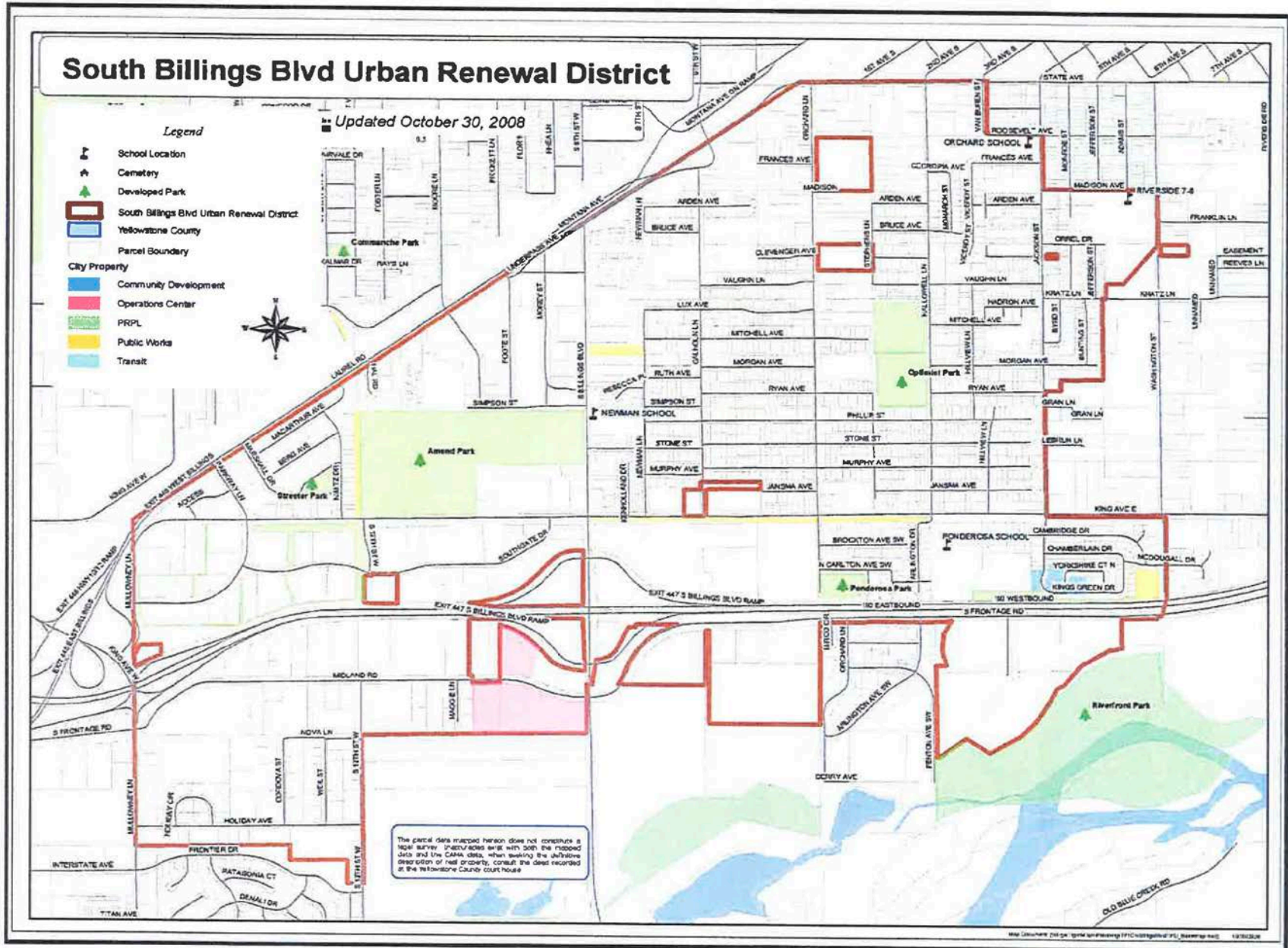
The South Billings Boulevard Urban Renewal District lies within city boundaries, is situated between major transportation routes, and stretches from the east side of the King Avenue Overpass east to Washington Street and from State Avenue South to the city limit boundaries. Located within the district is the I-90/94 Interstate and adjacent north is the major railway line through the city. Map 1 shows the boundaries of the SBBURD.

This district lies within the Southwest Corridor Neighborhood Task Force. The task force was created in the early 1990's in response to the growing problem with the roadway interchanges and associated issues. Since that time, the Task Force has become a more diverse body that handles many issues for the Southwest Billings community. Recent neighborhood issues include the re-opening of the Southgate Cop Shop and the development of Amend Park. Existing land uses and current zoning are shown on Maps 2 and 3.

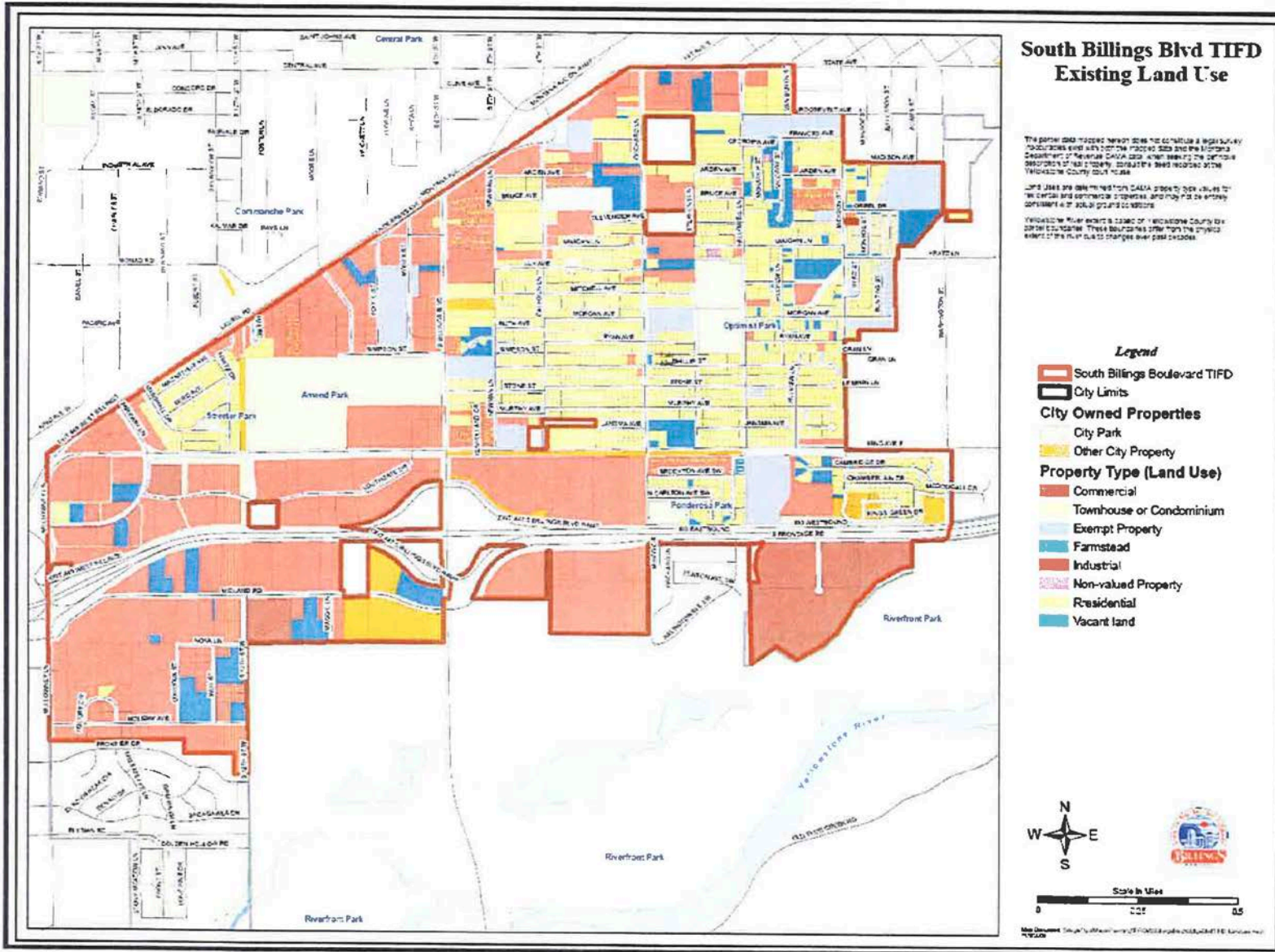
A closer look at this neighborhood shows an established area of mixed residential and commercial uses. This area also includes four schools. Some areas include unimproved streets, no sidewalk, curbs or gutters. In addition, many areas are not served by municipal water and sewer or there is old, inadequate water and sewer infrastructure. Many of the concerns raised by residents within the district center around routes for children to get to school, including bus routes that run on unimproved streets and children walking down the street instead of sidewalks to get to school.

Due to the location, the South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a major economic force. With the interstate corridor located in this district, the potential exists for this area to become a major destination place for retail, goods and services, manufacturing, and entertainment.

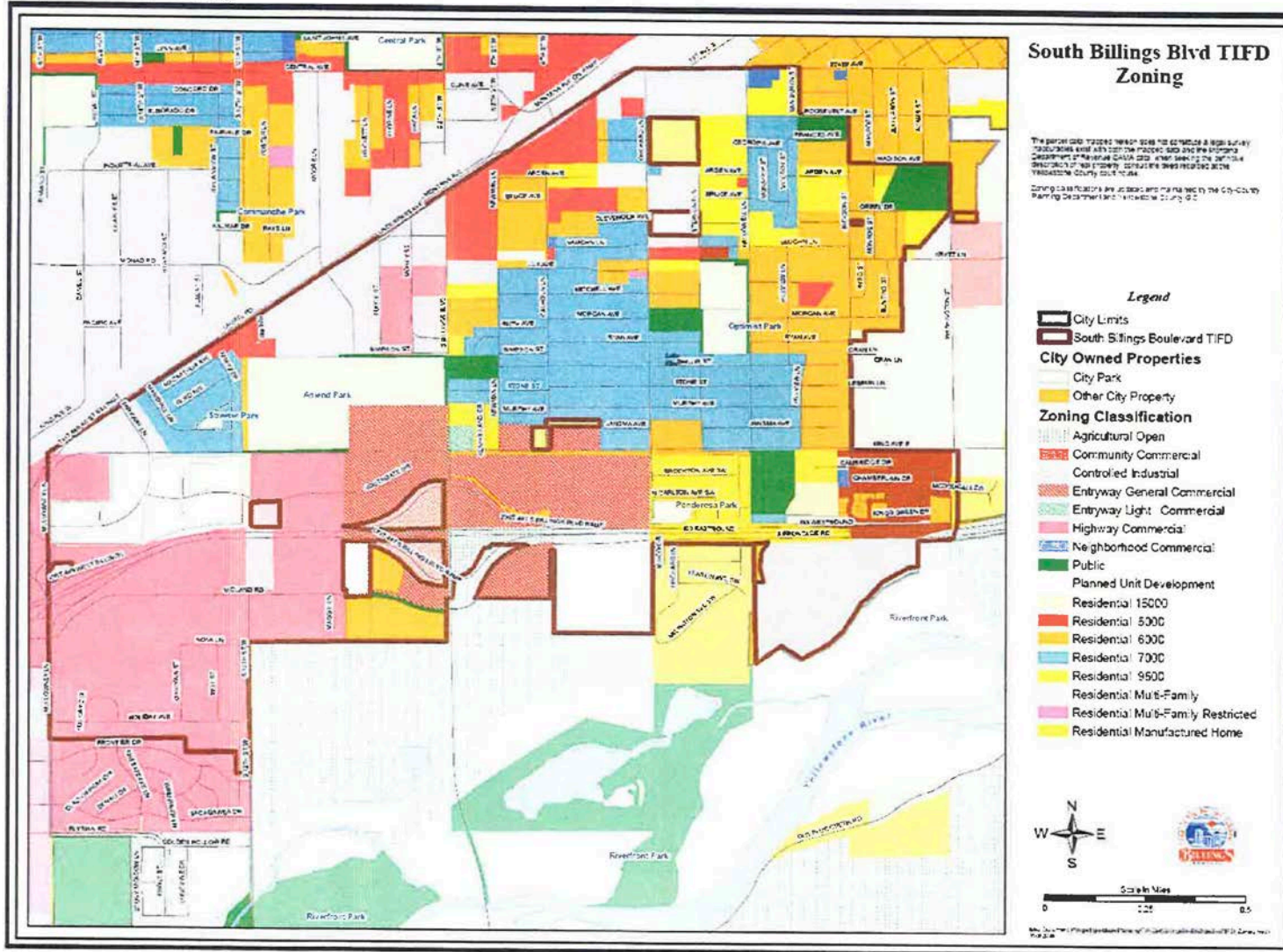
Map 1 – Proposed Boundaries of the District



Map 2 – Existing Land Uses



Map 3 – Current Zoning



## **Section 4 - Description of Blight**

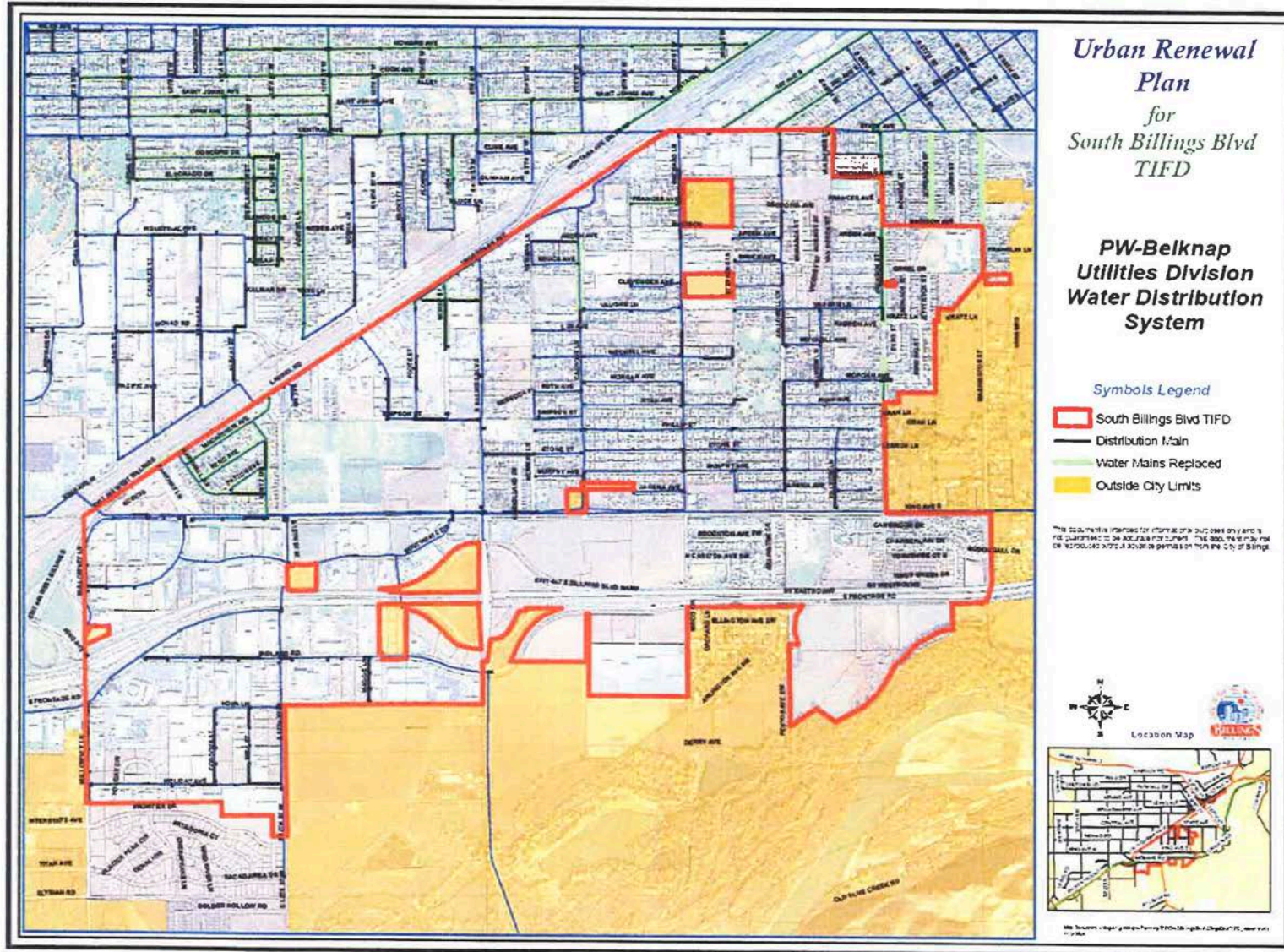
A requirement of Montana Annotated Code 2005 is to justify an urban renewal plan supported through a tax increment finance district through the determination of *blight*. Blight is defined as an area that is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime; substantially impairs the sound growth of the city or its environs; retards the provision of housing accommodation; or constitutes an economic or social liability or is detrimental or constitutes a menace to the public health, safety, welfare, and morals in its present condition and use, by reason of:

- the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; or age obsolescence of buildings or improvements, whether residential or nonresidential;
- inadequate provision for ventilation, light, proper sanitary facilities, or open spaces as determined by competent appraisers on the basis of an examination of the building standards of the municipality;
- inappropriate or mixed uses of land or buildings;
- high density of population and overcrowding;
- defective or inadequate street layout;
- faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- excessive land coverage;
- unsanitary or unsafe conditions;
- deterioration of site;
- diversity of ownership
- tax or special assessment delinquency exceeding the fair value of the land;
- defective or unusual conditions of title;
- improper subdivision or obsolete platting;
- the existence of conditions that endanger life or property by fire or other causes;
- any combination of the factors listed

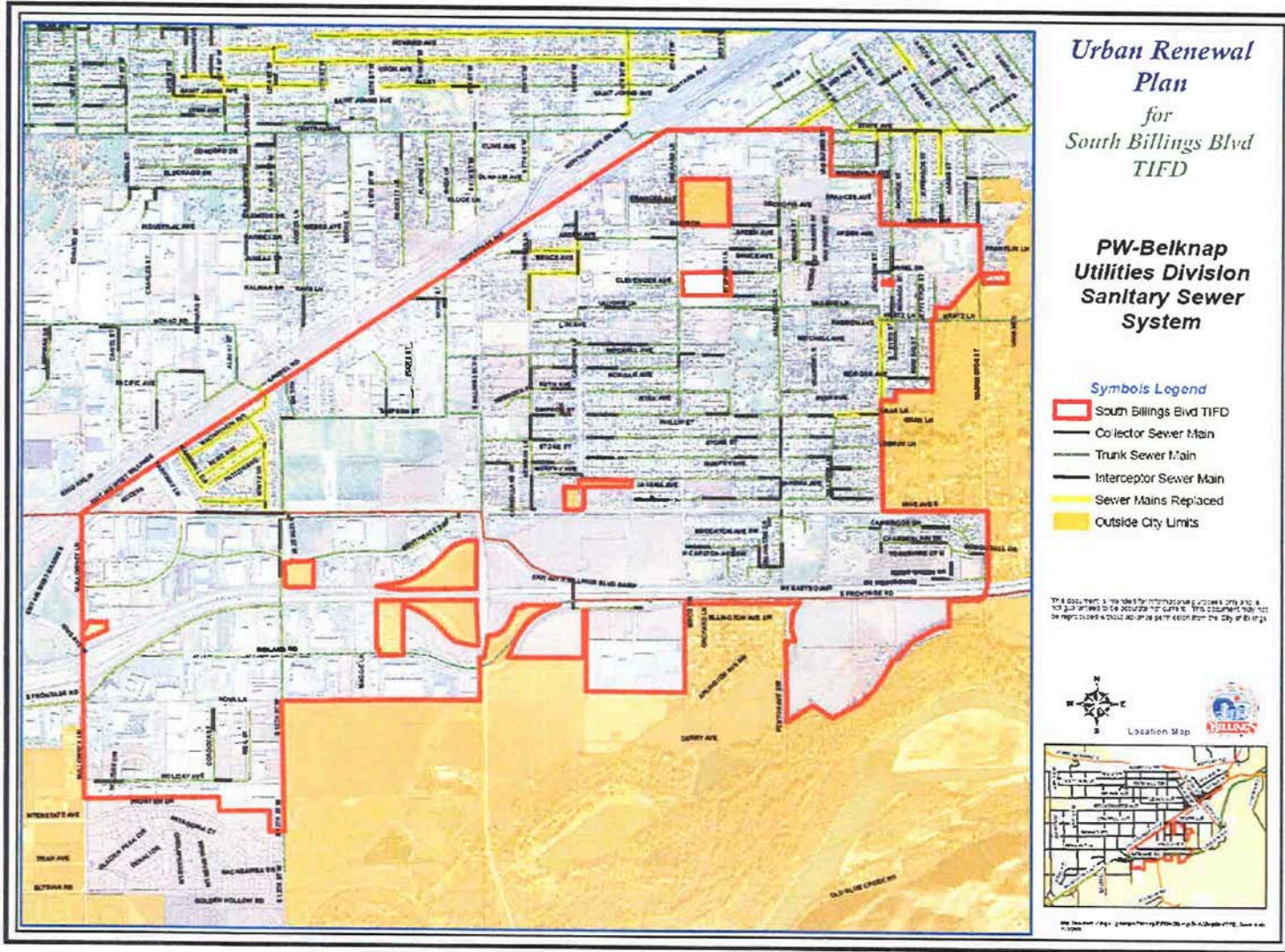
## **Section 5- Summary of Blight**

The area in the proposed district contains a great deal of blight. Within the district there is substantial structural deterioration, long-term land vacancy, and significant infrastructure needs. Several of the commercial buildings in the district are vacant or deteriorated and need demolition. Many of the sidewalks are cracked or nonexistent, alleys are deteriorated, and, in general, much of the area is below city standards. In contrast to the above, there are certain properties within the district in good repair but included in the district to allow for a contiguous block of land within the district; and because pockets of revitalization cannot be sustained if areas of neglect and blight surround them. Over time, without continued managed urban renewal, even these success stories will once again decline in taxable value. Portions of the district fall into the blighted, neglected and under-utilized categories. Maps 4 and 5 show the current infrastructure conditions within the district.

Map 4 – Water Distribution System



Map 5 – Sanitary Sewer System



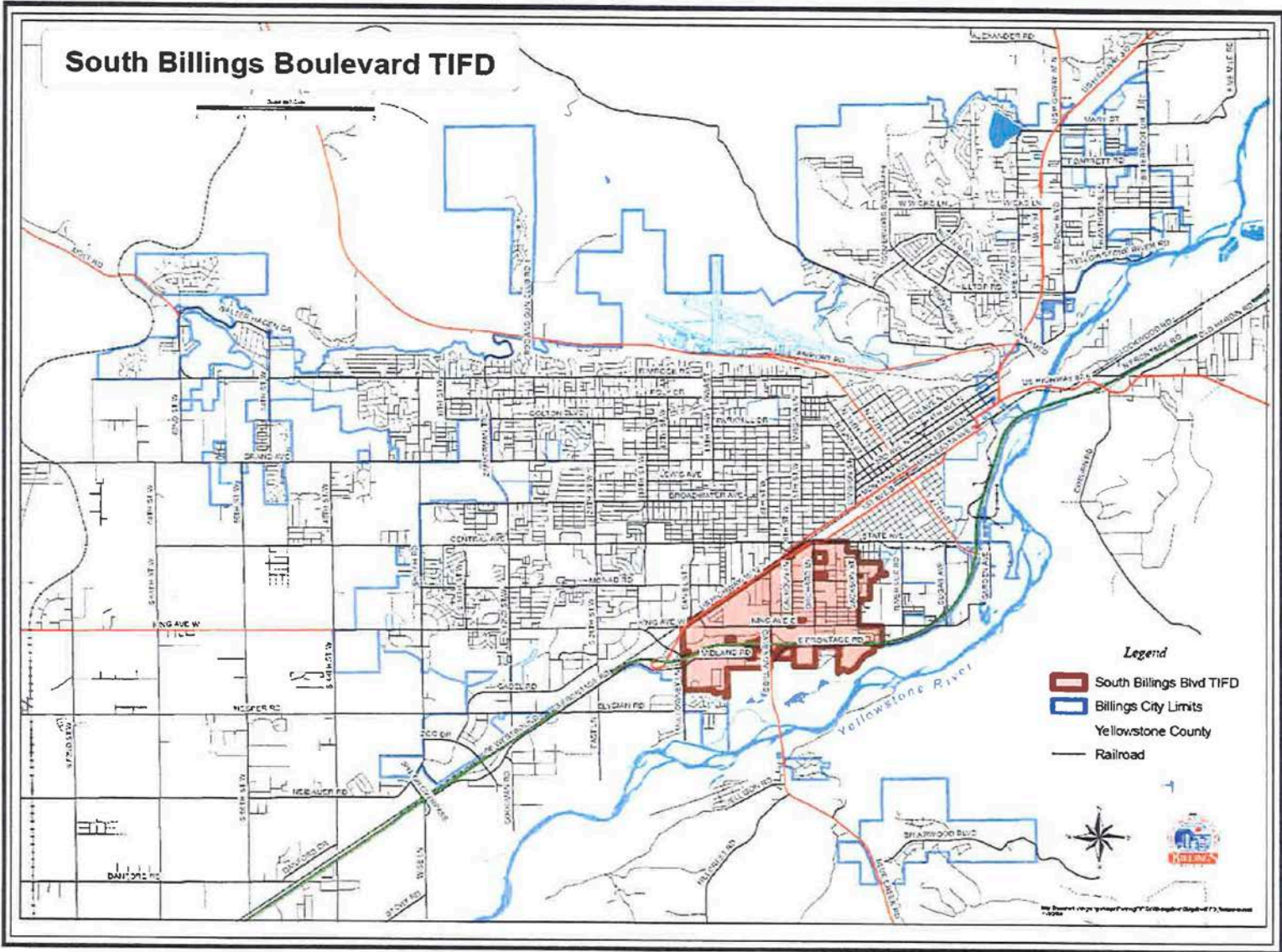
## **Section 6 - The Site and Its Relationship to the City**

The South Billings Boulevard TIFD and Urban Renewal District is located in the south center region of the City of Billings. Bordered by the Interstate Corridor, the main railroad line and principal transportation routes, it is an area where economic development opportunities are numerous. In addition, numerous service, commercial, industrial, parks and recreation and housing choices are located within the district. Map 6 shows the TIFD boundary in relationship to the rest of the city.

## **Section 7 - Description of the District Boundary**

Starting at the intersection of State Avenue and Van Buren Street, extending south down the centerline of Van Buren Street to the intersection of Van Buren Street and Roosevelt Avenue, extending east down the centerline of Roosevelt Avenue to the intersection of Roosevelt Avenue and Jackson Street, extending south down the centerline of Jackson Street to the intersection of Jackson Street and Madison Avenue, extending east down the centerline of Madison Avenue to the intersection of Madison Avenue and Washington Street, extending south down the centerline of Washington Street to the intersection of the centerline of Washington Street and the extension of the northern boundary of Lot 7, Willis Subdivision, extending east along said boundary to the eastern boundary of said lot, extending south along said boundary to the southern boundary of said lot, extending westerly along said boundary and its extension to the centerline of Washington Street, extending north to the existing City of Billings city limit boundary, extending southerly and westerly along the existing city limit boundary to the intersection of Jackson Street and King Avenue East, extending east along the centerline of King Avenue East to the intersection of King Avenue East and Washington Street, extending south along the centerline of Washington Street and its projection across the Interstate 90 right-of-way, to its intersection with South Frontage Road, thence in a westerly direction following the south right-of-way boundary of the South Frontage Road to the intersection of an extension of the east boundary of Riverfront Business Park Subdivision, extending south along eastern boundary of said subdivision to the south boundary of said subdivision, extending southerly and westerly along said boundary to the west boundary of said subdivision, extending northerly and easterly along said boundary and its extension to the south right-of-way boundary of South Frontage Road, extending westerly to the northeast corner of Lot 1, Block 1, Willowbrook Subdivision, thence in a southerly and westerly direction following the existing city limit boundary to a point which intersects with the extension of the southern boundary of Tract 1, C/S 2834, then west along said southern boundary of Tract 1, C/S 2834 and southern boundary of Block 4 of Weil Subdivision to the intersection with the centerline of Mullowney Lane, extending north along the centerline of Mullowney Lane and its projection to the centerline of Laurel Road, extending northeast along the centerline of Laurel Road to its intersection with State Avenue, extending northeast and east along the centerline of State Avenue to the ending point at the intersection of State Avenue and Van Buren Street. Excluding all unincorporated land within the boundary.

Map 6 – Tax Increment Finance District in Relationship to City



## **Section 8 - Planning Process**

### **Stakeholder and Community Participation**

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the city began an urban renewal plan modification process to include 3 additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

In May 2019 the City in coordination with the South Billings Urban Renewal Association began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.

### **Urban Renewal Plan**

The Urban Renewal Plan is the tool that governs what public improvements are needed and desired within the district. Through public meetings and meetings at the Southwest Corridor Task Force, neighborhood needs and projects were identified.

With input from property owners and the identification of goals and objectives, the City of Billings moved forward with the completion of the Urban Renewal Plan. A draft was reviewed with the property owners and the Southwest Corridor Task Force prior to review by the City of Billings City Council.

The high level of transparency and frequency of meetings has ensured that a large local constituency has been involved, and as many stakeholders as possible participate and approve of the plan.

### **Eminent Domain**

In no case shall eminent domain be used as a tool in the redevelopment of the South Billings Boulevard Urban Renewal District except as a last resort in the case of needed public infrastructure improvements and/or rights-of way.

## **Residential Relocation Plan**

If a residential structure requires relocation as a result of right-of-way acquisition and/or a public infrastructure construction project, that is partially or fully funded with federal assistance (Housing and Urban Development, Federal Highway, etc), the City of Billings shall abide by the Uniform Relocation Assistance Act.

## **Planning, City Administration and Legal Review**

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the city council before the end of 2007. The urban renewal plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this plan.

The plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's conformity to the 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

The modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the plan.

The City initiated an amendment to the SBBURD plan in May 2019 to ensure future projects contemplated by the City and also provided by public comments and recommendations would be possible if funded by bonding or directly through tax increment funds generated by the SBBURD. The process to amend the plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2016 Growth Policy on June 25, 2019. The affected property owners were notified by mailed postcard of the plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the plan amendment.

## **Financial Programming**

The City of Billings to ensure a sound and adequate financial program to fund projects has concluded the following: For every \$1 million dollars of increased market value, assuming Class 4 (commercial) property @ 3.01 % taxable rate and a mill levy of\$ .55, it is anticipated that an increment value of \$14,500 will be generated yearly.

## **Modification of SBBURD Plan**

The SBBURD may be modified at any time by the City Council as necessary to eliminate and prevent the development or spread of blighted areas, and encourage urban rehabilitation. The process for plan modification shall follow the procedures set forth in 7-15-4212 through 7-15-4219 MCA, with respect to initial adoption of this plan. For purposes of urban renewal district boundary changes only, the notice of public hearing, as described in 7-15-4215 MCA, may only be mailed to those owners whose properties are situated within the area of expansion or contraction of the Urban Renewal District boundaries. In cases where the boundaries are not modified, but the contents of the urban renewal plan are substantially modified, notification shall be mailed to all owners of property within the Urban Renewal District area.

## **Section 9 - Housing (Conservation of existing affordable housing)**

Housing is an important element to the district. Providing the district with housing opportunities is vital to the sustainability of the district. With housing opportunities, individuals and families can live and work within the district. This provides a dual benefit, first the commute to work for individuals will be reduced and second the businesses within the district will have a local work force to draw from.

Current housing in the area consists of single-family, duplex, and multi-family units and include rental units and owner-occupied. Also, manufactured home parks are located within the district. The main concentration of housing is located in the central and eastern portion of the district. During the summer of 2007, the Planning Division developed a map of existing housing conditions within the City of Billings. The information was generated through the Yellowstone County CAMA (Computer Assisted Mass Appraisal) detail system. Properties were queried that were labeled as either unsound, poor, fair or incomplete. This resulted in approximately 2,390 properties within the city limits that met this query. Out of the 2,390, 562 or 24% were located in the SBBURD. Of the 562 residential structures, 7 were rated as unsound, 184 as poor and 371 as fair.

Future housing for the district is encouraged to be developed for the goal of ownership. When rental housing occurs, such facilities shall be developed in connection with mixed-uses and managed by a company that will provide active policy measures to eliminate crime and blight. Approval of multi-family housing will require either a Zone Change or Special Review request that requires approval by the City Council.

Housing in the area shall also be designed to cater to a variety of income demographics as well. All current affordable housing needs in the district shall be accounted for through the development of owned and rental housing that remain within the district. Housing for mid- and higher level income groups shall also be encouraged. To avoid creation of substandard housing or encourage future blight, mixed-use housing developments shall incorporate all income demographics within the same project in a safe and positive way.

## **Section 10 - Transportation and Pedestrian Circulation**

The transportation and circulation situation in the TIF district should be a major focus during redevelopment of the area. Traffic patterns and access issues can affect the function and livability of a community or neighborhood.

During discussions and public meetings, it was apparent the current street conditions and lack of adequate transportation and pedestrian facilities was a high priority for property owners. The majority

of traffic that comes into the district is either pass-through or destination traffic to the major transportation routes located within the district. In addition, the lack of sidewalk and pedestrian routes is a concern with the number of schools and parks located in the district. Safe and attractive pedestrian amenities, such as sidewalks, boulevards, crosswalks, improved signage and shelters or benches would greatly enhance pedestrian experiences.

## **Section 11 - Public Services and Facilities**

Currently there are four public schools located within the district; three elementary schools and one middle school. A concern mentioned many times by residents was the lack of sidewalks for school children to get to school. It was observed that many students are walking directly in the street due to a lack of sidewalks. The creation of a Safe Routes to School Plan should be created to address this concern. In addition to schools, there are several developed parks located in the district. Amend Park provides a multi-use facility for soccer and rugby as well as picnic sites and shelters. Optimist Park has a variety of amenities that include basketball courts, jogging trails, playground, softball and baseball fields and picnic areas. Ponderosa Park provides horseshoe courts, playground, softball and baseball fields and soccer and rugby fields. The City of Billings also provides services to the district with MET Transit and the Southgate Cop Shop. Currently two MET routes serve the neighborhood; the Central and the Southside Loop. Both of these routes travel to and from the Stewart Park and Downtown Transfer Centers. The Southgate Cop Shop was reopened in May of 2007 and operates on Monday, Wednesday and Friday from 4 - 7 p.m. The station is a neighborhood police contact center currently staffed by volunteers. Residents are encouraged to use the Cop Shop to report crimes, suspicious activities or obtain information and assistance.

## **Section 12 - Infrastructure and Utilities**

The district has infrastructure and utilities deficiencies that need to be addressed prior to any large influx of redevelopment or new building construction. Water and sewer conditions need to be addressed due to out of date installations, inadequate lines, or increases in impacts to existing structures.

The storm water drainage situation is particularly troublesome as many areas either have inadequate storm water facilities or none at all.

By upgrading infrastructure and utilities, therein lies the opportunity for more attractive development opportunities.

## **Section 13 - Urban Renewal Projects and Programs**

The Urban Renewal Projects were identified by property owners within the district during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019. Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use Tax Increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new project recommendations for the 2019 Plan amendment. The items are identified by the year:

**2008 Project and Program Recommendations:**

Project: Traffic calming measures on Calhoun and Orchard Streets.

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter.

Project: Pave, curb and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave Calhoun the full length. Project: Widen, curb and gutter (where needed) and repave Orchard the full length. Project: Widen, curb and gutter (where needed) and repave Hallowell the full length.

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive.

Project: Safety to school plan.

Project: Crosswalks within the district (where needed).

Project: Sidewalks within the district (where needed).

Project: Street lights along King Avenue East.

Project: Street widening at Optimist Park.

Project: 4100 Block of Vaughn Street - sidewalk.

Project: 4100 Block of Vaughn - public sewer needed, drainfields failing. Project: Bike/pedestrian routes along King Avenue.

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development.

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, street lights.

Project: Install public sewer along Morgan Avenue that includes storm water improvements. Project: More bike trails throughout neighborhood.

Project: Park improvements for Little League and soccer leagues.

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood.

Project: Pave Newman Lane behind Newman Elementary School.

Project: Storm water improvement at the Northeast corner of Phillip and

Hallowell. Project: Need school zone signage at Newman Elementary School.

Project: Installation and improvement of municipal water and sewer lines within the district. Project: Installation of sidewalks on Jackson Street (where needed).

Project: Stop light at South Billings Boulevard and Midland Road.

Project: Neighborhood wide traffic study for traffic calming strategies.

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed.

Project: Traffic light at State Avenue and Hallowell Lane.

Project: Continuation of street lights on Jackson to King Avenue.

In addition to property owner identification of projects for the district, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- Orchard Lane - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. This project is scheduled for the spring or fall of 2009.
- Calhoun Lane – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. This project could be scheduled for 2010 or 2011.
- Jackson Street - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides of Jackson Street from State Avenue to Kratz Lane. These

phases are programmed in the FY 2009 Budget

- Newman Lane and Bruce Avenue - Sanitary sewer rehabilitation work was completed in the TIF district in 2007 at Newman Lane and Bruce Avenue.

### **2019 Project and Program Recommendations:**

**Parks & Recreational Amenities** – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

**Public Safety** – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

**Railroad Infrastructure** – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

**Walking Paths and Trails** – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

**Transportation Corridor Improvements** – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

**School and Community Services** – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

## **Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings Growth Policy**

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. The 2016 City of Billings Growth Policy ("Growth Policy") refers to and promotes economic development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the Growth Guidelines identified in the Growth Policy in the following areas:

### **Growth Guidelines**

#### **Essential Investments (relating public and private expenditures to public values)**

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City

- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community

**Place Making (Enhance, maintain, preserve, and improve existing public places)**

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings
- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

**Community Fabric (attractive, aesthetically pleasing, uniquely Billings)**

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

**Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)**

- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Implementation of the Infill Policy is important to encourage development of underutilized properties

**Home Base (healthy, safe and diverse housing options)**

- A mix of housing types that meet the needs of a diverse population is important
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Homes that are safe and sound support a healthy community

**Mobility and Access (transportation choices in places where goods and services are accessible to all)**

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation
- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

**Prosperity (promoting equal opportunity and economic advancement)**

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

## **Section 15 - Neighborhood Planning**

Another tool that is expected to be used in the future to address current conditions within the district and the identification of neighborhood needs will be accomplished through the creation of a Neighborhood Plan. A neighborhood plan may be drafted for this area of Billings in the next three or four years based on available funding. The purpose of the neighborhood plan is to assist residents, governing agencies, planners and developers in making the right choices when determining future growth patterns and development within the neighborhood. The plan also encourages local government, developers and businesses to discuss future land use decisions with neighborhood residents and business owners prior to the proposed land use change. The neighborhood plan is not a regulatory document; instead, it is adopted by the City Council and the Board of County Commissioners as an implementation strategy and is part of the City of Billings and Yellowstone County Growth Policy as an advisory document. The neighborhood plan would be implemented through the City's Capital Improvement Program Planning and by the Southwest Corridor Neighborhood Task Force.

The plan would include general and specific recommendations that reflect the values of the community, encourage sound decision-making, and empower people to take action. The plan also includes realistic implementation strategies that involve both private and public actions, as well as regulatory decisions.

## **Section 16- Conclusion**

The South Billings Boulevard Urban Renewal District has a tremendous amount of potential to become a viable and reliable economic engine. The district has a great potential to become a destination place where Billings residents, business owners, and visitors will purposefully go to conduct business, have goods and services manufactured and enjoy recreation and leisure activities. At the end of the life of this TIFD program it is the hope of all involved that this area of Billings will be a wonderful place to live, work and play far into the future.

**ORDINANCE 19-5725**

**AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL PLAN FOR THE SOUTH BILLINGS BOULEVARD URBAN RENEWAL DISTRICT (SBBURD), FORMED BY THE CITY IN NOVEMBER 2007 AND EXPANDED IN NOVEMBER 2008, BE AMENDED BY REVISING SECTIONS 1, 8, 13 AND 14, PROVIDING FOR ADDITIONAL PROJECTS TO BE FUNDED AND CONSTRUCTED IN THE FUTURE IN THE SBBURD, AS WELL AS UPDATING THE PLAN TO REFLECT THE AMENDMENT PROCESS.**

WHEREAS, this Council on May 12, 2008, established the South Billings Boulevard Urban Renewal District and adopted the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5462,

WHEREAS, this Council on December 8, 2008, modified the South Billings Boulevard Urban Renewal District and modified the South Billings Boulevard Urban Renewal Plan under Ordinance 08-5484,

WHEREAS, opportunities have been presented to the City that make it desirable for the City to amend the South Billings Boulevard Urban Renewal Plan to enable further development and redevelopment of properties, demolishing blighted structures, improving such properties with, landscaping, utilities, and other similar improvements, assembling such properties, and making the properties so improved available for private redevelopment.

WHEREAS, the City Council has made amendments to the South Billings Boulevard Urban Renewal Plan as outlined in this Ordinance and as attached as Exhibit A.

WHEREAS, the South Billings Boulevard Urban Renewal Plan has been reviewed and approved by the Yellowstone County Board of Planning, as evidenced by the Board's letter provided to the City Council and the meeting minutes of June 25, 2019.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:**

Section 1. That Section 1 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

On May 12, 2008 the City of Billings adopted an ordinance creating the South Billings Boulevard Urban Renewal District (SBBURD) and established a Tax Increment Finance District. As part of this ordinance, an urban renewal plan and the boundaries of the tax increment finance district were adopted.

Public participation for preparing the urban renewal plan involved public meetings and participation with the City of Billings, the Southwest Corridor Neighborhood

Task Force, residents and property owners, Downtown Billings Partnership, and Big Sky Economic Development Authority.

In October of 2008, the City began a modification of the SBBURD to include three additional properties. Two of these properties were recently annexed and contiguous to the existing SBBURD; therefore, the properties are now eligible to be included within the SBBURD. The third property is contiguous and requested an expansion of the district boundary. The modification of the urban renewal plan will reflect the addition of those properties.

The [December 2008](#) modification of the urban renewal plan will:

- Served as a framework for the official urban renewal plan
- Fulfilled Montana state law
- Updated and define district boundaries
- Classified blight
- Set forth the protocol for its authorization, execution, and management
- Illustrated the development opportunities
- Documented baseline taxable property values and potential areas for redevelopment

[The July 2019 amendment of the urban renewal plan will:](#)

- [Identify future projects and programs](#)
- [Ensure the City has the option to bond future projects](#)
- [Update to the 2008 Plan to reflect the 2019 amendment process](#)

Section 8. That Section 8 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

### **Stakeholder and Community Participation**

The initial concept of developing a Tax Increment Finance District and an Urban Renewal Plan in the South Billings Boulevard area was brought forward by the City of Billings, Big Sky Economic Development Authority and the Downtown Billings Partnership. After discussions and meetings with the Southwest Corridor Task Force, it was determined that a steering committee would be established to move forward with the development of an Urban Renewal Plan for the creation of the South Billings Boulevard TIF District. After discussions with the participating members, it was apparent that direct communication with business owners, landowners and public participation was critical for the project to be a success. Two public meetings were scheduled to open dialogue on the proposed Urban Renewal Plan and TIF District

process, and to set goals and objectives of the project. It also became clear that a grass-roots effort conducted and led by the property owners themselves was needed.

In October of 2008, the city began an urban renewal plan modification process to include 3 additional properties to the district pursuant to Montana Code section 7-15-4221. All property owners affected by the urban renewal plan modification were notified by mail of the public hearing on the Urban Renewal Plan held November 24, 2008.

[In May 2019 the City in coordination with the South Billings Urban Renewal Association began the process to amend the South Billings Urban Renewal Plan. All property owners affected by the urban renewal plan amendment were notified by mail of a public meeting to discuss and receive public comment on the Plan amendment on May 30, 2019. All property owners affected by the urban renewal plan amendment were also notified of the public hearing on the Urban Renewal Plan held July 8, 2019.](#)

### **Planning, City Administration and Legal Review**

During the many meetings with the local property owners and the Southwest Neighborhood Task Force, it was decided to begin the process of finalizing the urban renewal plan and take it to the city council before the end of 2007. The urban renewal plan was sent to the City Legal Department and City Administration for review and comments. Comments and recommendations from both City Legal and City Administration were taken into account and incorporated into this plan.

The plan was also sent to the Yellowstone County Board of Planning for its review and recommendations regarding the plan's conformity to the 2003 Growth Policy Plan. A recommendation of approval was passed by the Planning Board on October 23, 2007. The plan was then presented at a City Council Work Session on November 5, 2007. The public hearing and first reading of the Ordinance was held by the City Council on November 26, 2007 with the second reading and final adoption on December 10, 2007.

The modification to the SBBURD plan began in October of 2008. On November 10, 2008, the Billings City Council passed a Resolution Declaring Blight, Intent to Modify the District, and Setting a Public Hearing Date. The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2003 Growth Policy on November 12, 2008. The affected property owners were notified of the plan's modification and public hearing notices were published on November 6, 2008 and November 13, 2008 for the first reading and public hearing on the modification of the plan.

[The City initiated an amendment to the SBBURD plan in May 2019 to ensure future projects contemplated by the City and also provided by public comments and recommendations would be possible if funded by bonding or directly through tax](#)

increment funds generated by the SBBURD. The process to amend the plan has followed the process described in Montana Code as follows: The Yellowstone County Board of Planning reviewed the modified Urban Renewal Plan and made recommendations to the City Council with regard to the plan's conformity with the 2016 Growth Policy on June 25, 2019. The affected property owners were notified by mailed postcard of the plan's modification, and public hearing notices were published on June 28, 2019 and July 5, 2019 for the first reading and public hearing on the plan amendment.

Section 13. That Section 13 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

### **Section 13 - Urban Renewal Projects and Programs**

The Urban Renewal Projects were identified by property owners within the district during the public meetings at the time the Plan was first adopted in 2008 and also during the amendment process in 2019. Information for the 2008 Plan adoption process utilized the Southwest Corridor Task Force meetings and delivery through comments mailed to the Planning Division. For the 2019 amendment process, a public meeting was held at Orchard Elementary School on May 30, 2019 where projects ideas and comments were collected, as well as at the South Billings Urban Renewal Association meeting on June 4, 2019. It is the City's intent to use Tax Increment to finance public improvement projects. In addition to TIF financing, the City may also use Special Improvement District financing as well as grant funding through but not limited to, the Community Development Block Grant Program. By combining funding opportunities, more projects will be able to be completed.

The project and program list below encompasses both items included in the 2008 Plan as well as the new recommendations for the 2019 Plan amendment. The items are identified by the year:

#### **2008 Project and Program Recommendations:**

Project: Traffic calming measures on Calhoun and Orchard Streets.

Project: Street improvements on Newman Drive between Simpson and Stone Streets, install curb and gutter.

Project: Pave, curb and gutter on Simpson from Calhoun to Newman.

Project: Widen, curb and gutter (where needed) and repave

Calhoun the full length. Project: Widen, curb and gutter (where

needed) and repave Orchard the full length. Project: Widen, curb and gutter (where needed) and repave Hallowell the full length.

Project: Widen, curb and gutter and install bike path or sidewalk the full length of King Avenue East from Parkway to Riverside Drive.

Project: Safety to school plan.

Project: Crosswalks within the district (where needed). Project: Sidewalks within the district (where needed).

Project: Street lights along King Avenue East. Project: Street widening at Optimist Park.

Project: 4100 Block of Vaughn Street - sidewalk.

Project: 4100 Block of Vaughn - public sewer needed, drainfields failing. Project: Bike/pedestrian routes along King Avenue.

Project: Sewer improvements on South Billings Boulevard from Mitchell north to Underpass Road. Sewer line currently runs east under adjoining residential development.

Project: Repave Morgan Avenue between Hallowell Lane and Jackson Street include sidewalks, street lights.

Project: Install public sewer along Morgan Avenue that includes storm water improvements. Project: More bike trails throughout neighborhood.

Project: Park improvements for Little League and soccer leagues.

Project: Community Resource Officer within the neighborhood to steer kids away from drugs and promote a safe neighborhood.

Project: Pave Newman Lane behind Newman Elementary School.

Project: Storm water improvement at the Northeast corner of Phillip and Hallowell. Project: Need school zone signage at Newman Elementary School.

Project: Installation and improvement of municipal water and sewer lines within the district. Project: Installation of sidewalks on Jackson Street (where needed).

Project: Stop light at South Billings Boulevard and Midland Road. Project: Neighborhood wide traffic study for traffic calming strategies.

Project: Assess adequacy of fire hydrants throughout the neighborhood and add fire hydrants as needed.

Project: Traffic light at State Avenue and Hallowell Lane. Project: Continuation of street lights on Jackson to King Avenue.

In addition to property owner identification of projects for the district, the City of Billings Public Works Department has several ongoing or future infrastructure projects scheduled. These projects include the following:

- Orchard Lane - Replacement of a water main in Orchard Lane from just south of King Avenue East to Underpass Avenue. This project is scheduled for the spring or fall of 2009.
- Calhoun Lane – Replacement of water main in Calhoun Lane from King Avenue East to Underpass Avenue. This project could be scheduled for 2010 or 2011.
- Jackson Street - Jackson Street is split into two phases. The first phase will provide sidewalk and drive approaches on the west side of Jackson Street from King Avenue East to Ryan Avenue. The second phase will provide drive approaches, sidewalk, curb and gutter, and ADA ramps along both sides

of Jackson Street from State Avenue to Kratz Lane. These phases are programmed in the FY 2009 Budget

- Newman Lane and Bruce Avenue - Sanitary sewer rehabilitation work was completed in the TIF district in 2007 at Newman Lane and Bruce Avenue.

#### 2019 Project and Program Recommendations:

**Parks & Recreational Amenities** – Construct and enhance public facilities that will increase the quality or quantity of parks and recreational activities within the District. This may include, but is not limited to, a recreation center, swimming pool, ice arena, indoor and outdoor park development, and other amenities.

**Public Safety** – Construction of Police or Fire facilities within the District, to include necessary furnishings for such facilities.

**Railroad Infrastructure** – Coordinate with BNSF Railway and Montana Rail Link on safety and long-term viability of railroad crossings and corridors in the District and cooperate on projects with the railroads and City of Billings.

**Walking Paths and Trails** – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.

**Transportation Corridor Improvements** – Construct and reconstruct transportation infrastructure in the District to include streets, sidewalks, lighting, traffic control, multi-purpose side paths, landscaping, water, sewer, stormwater, and transit access projects.

**School and Community Services** – Assist in funding projects and programs in the District to enhance school playgrounds and athletic fields, health and wellness programs, access to community meeting and activity spaces, and other efforts that improve access to school and community services.

Section 14. That Section 14 of the South Billings Boulevard Urban Renewal Plan be amended so that such section shall read as follows:

#### **Section 14 - Identified Projects and Programs in Relationship to the Goals and Objectives Respective to the 2016 City of Billings-County Growth Policy-Plan**

One of the requirements of Montana's Urban Renewal Law (Title 7, Chapter 15, Parts 42 and 43, MCA) is that the urban renewal plan must conform to the community's growth policy. The Yellowstone County and 2016 City of Billings 2003 Growth Policy Plan—"Growth Policy") refers to and promotes economic

development and urban renewal in a variety of ways. The preceding list of urban renewal goals listed in Section 13 are relevant to the goals-Growth Guidelines identified in the Growth Policy in the following elements/areas:

### Growth Guidelines

#### Essential Investments (relating public and private expenditures to public values)

- The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans
- Public transit and commercial air service are critical to ensure access to and around the City
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.
- Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community
- Landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors
- Public health and safety and emergency service response are critical to the well-being of Billings' residents, businesses, and visitors
- Infill development and development near existing City infrastructure may be the most cost effective
- The history and heritage of Billings are cornerstones of our community
- Neighborhoods that are safe and attractive and provide essential services are much desired
- Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable
- A supportive school system that inspires, motivates, and prepares students for meaningful employment is important for ensuring a high quality, competitive community

#### Place Making (Enhance, maintain, preserve, and improve existing public places)

- A multi-use community recreation facility is desirable
- Enhancement and maintenance of public spaces and buildings through City stewardship is integral to a vibrant community
- Park master plans and transportation plans are important to facilitate the preservation and improved public access to the Yellowstone River and the Rims
- Public and private partnerships are valuable for creating enhanced entryways into Billings

- Enhancing public buildings and spaces to be more efficient in their uses of energy, money, and space is important to having a vibrant and livable City

Community Fabric (attractive, aesthetically pleasing, uniquely Billings)

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity
- Attractive streetscapes provide a pleasant and calming travel experience in urban and suburban neighborhoods
- Outdoor public spaces provide casual and relaxing gathering areas for people
- Planning and construction of interconnected sidewalks and trails are important to the livability of Billings
- Cost-effective landscaping of public rights-of-way and entryways makes Billings more visually appealing to residents and visitors

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)

- Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction
- Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces
- Implementation of the Infill Policy is important to encourage development of underutilized properties

Home Base (healthy, safe and diverse housing options)

- A mix of housing types that meet the needs of a diverse population is important
- Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe
- Homes that are safe and sound support a healthy community

Mobility and Access (transportation choices in places where goods and services are accessible to all)

- Connecting people to places with transportation choices is vital to the well-being of Billings' residents, businesses and visitors
- Safe and accessible transportation systems benefit everyone's quality of life
- Affordable public transit is much desired
- Development oriented to transit routes will provide more transportation choices and is preferred
- "Safe Routes to Schools" promotes physical health and reduces vehicle trips, earning parents more time and less costs for transportation

- Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings
- On-street bike facilities promote predictability for all users
- Technology can reduce congestion and facilitate emergency vehicle travel at railroad crossings

Prosperity (promoting equal opportunity and economic advancement)

- Predictable, reasonable City taxes and assessments are important to Billings' taxpayers
- Successful businesses that provide local jobs benefit the community
- Community investments that attract and retain a strong, skilled and diverse workforce also attracts businesses
- Retaining and supporting existing businesses helps sustain a healthy economy

PASSED by the City Council on first reading this 8th day of July, 2019.

PASSED, ADOPTED and APPROVED on second reading this 22<sup>nd</sup> day of July, 2019.

CITY OF BILLINGS:



By: William A. Cole  
William A. Cole, Mayor

ATTEST:

By: Denise R. Bohlman  
Denise R. Bohlman, City Clerk

# YELLOWSTONE COUNTY BOARD OF PLANNING

PLANNING AND COMMUNITY SERVICES DEPARTMENT  
2825 3<sup>RD</sup> AVENUE NORTH, 4<sup>TH</sup> FLOOR  
BILLINGS, MONTANA 59101  
PHONE: (406)247-8676      FAX: (406) 657-8327



March 23, 2021

Mayor and City Council  
City of Billings, Montana

RE: South Billings Boulevard Urban Renewal District Expansion

As President of the Yellowstone County Board of Planning, I am forwarding the Board's recommendation for the proposed expansion of the South Billings Boulevard Urban Renewal District and modification of the Urban Renewal Plan. On March 23, 2021, per MCA 7-15-4213 (5)(d) the Planning Board reviewed the proposed expansion of the District and modification of the Plan as to conformity with the 2016 City of Billings Growth Policy. The Planning Board voted to forward a recommendation to City Council of approval of the expanded District and Plan modification and their conformity with the Growth Policy.

This item was posted on the Planning Board agenda for its regular meeting held March 23, 2021. The Yellowstone County Board of Planning reviewed the proposed expansion of the South Billings Boulevard Urban Renewal District and Plan modification and found the changes conformed with the 2016 City of Billings Growth Policy. Specifically, several Growth Policy Guidelines are addressed by potential development and redevelopment that may occur on properties to be included in the District expansion. Some examples are called out here by the Board:

## **Essential Investments (relating public and private expenditures to public values)**

- *Developed parks that provide recreation, special amenities (community gardens, dog parks, viewing areas), and active living opportunities are desirable for an attractive and healthy community*
- *Walking Paths and Trails – Construct sidewalks, trails and pathways throughout the District with landscaping to ensure the safety of children and all pedestrians, as well as provide access to neighborhoods and services.*
- *The safety of all users and the connectivity of the transportation system are important criteria to consider in roadway designs and transportation plans*
- *Infill development and development near existing City infrastructure may be the most cost-effective*
- *Infrastructure and service investments that stabilize or improve property values, secure future utility costs, consider maintenance costs, and improve our environmental quality far into the future (i.e. energy efficient) are desirable*

**Community Fabric (attractive, aesthetically pleasing, uniquely Billings)**

- *Planning and construction of interconnected sidewalks and trails are important to the livability of Billings*

**Home Base (healthy, safe and diverse housing options)**

- *A mix of housing types that meet the needs of a diverse population is important*

The Board respectfully submits this recommendation to the City of Billings Mayor and City Council for consideration.

Respectfully Yours,

Woody Woods, President  
Yellowstone County Board of Planning