



YELLOWSTONE COUNTY BOARD OF PLANNING

CITY OF BILLINGS AND
YELLOWSTONE COUNTY, MONTANA



AGENDA

JULY 13, 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****

The Yellowstone County Board of Planning members will attend the meeting in the Miller Building 1st Floor Conference Room, 2825 3rd Avenue North. 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
- 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.

****In the event a quorum of the Council is present, no City-related decisions will be made during this meeting or event.**

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

1. **CALL TO ORDER - Planning Board President:** Welcome and Introduction of new and returning Board Members.
2. **APPROVAL OF AGENDA*** - including any additions or deletions to agenda. The agenda for a regular meeting will be closed at 5:00 p.m. three (3) working days prior to the date of the meeting.

3. **MOTION. APPROVAL OF MEETING MINUTES:** JUNE 22, 2021

Attachments

PlnBMinutes_2021_06_22_DRAFT

4. **PUBLIC COMMENT PERIOD** – As required (3 minute maximum per person). *Any member of the public may be heard on any subject that is not on the agenda. The Planning Board will not take any action on these items at this time, but could choose to add an item to the next meeting's agenda for discussion.*

4a) Comments on items not on agenda and requests to add items to future agendas

4b) Comments on items on the non-public hearing agenda items

5. **DISCLOSURE OF CONFLICT OF INTEREST:**
6. **DISCLOSURE OF EX PARTE COMMUNICATION:** Ex Parte Communication Binder is available at the Sign-In and Agenda station.
7. **OLD BUSINESS** (Agenda items that were not discussed or not completed in a previous meeting or items requiring action).
 - 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 PCC. Administrative Update. 2021 Billings Urban Area Unified Planning Work Program, (UPWP), Scott Walker, Transportation Coordinator, Rusty Logan, MET Transit Manager, presenting.

- b. Public Hearing. Staff Presentation & Board Discussion. 5th Avenue North Corridor Feasibility Study. Lora Mattox, Transportation Planner, presenting.

Attachments

Study Area

5th Ave North Feasibility Study

8. **NEW BUSINESS:** (Agenda items new to this meeting).
 - a. Plat Review. Discussion. Cherry Island Subdivision. City Major Subdivision with request for Variance from the subdivision regulations. Cherry Island

LLC, Developer. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

Attachments

Findings of Fact
Proposed Plat
SIA

9. **OTHER BUSINESS:**

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

10. **ADJOURNMENT**

FUTURE AGENDA ITEMS FOR TUESDAY, JULY 27, 2021

- a. Motion/Recommendation to PCC. 5th Avenue Corridor Feasibility Study. Scott Walker, Transportation Coordinator.
- b. Public Hearing. Motion/Recommendation to City Council. Cherry Island Subdivision. A 42-lot City Major Subdivision. Jock Clause, Cherry Island LLC, owner/developer. Rick Leuthold, Sanderson Stewart, agent. Dave Green, Planner II, presenting.

Public Hearing Participation Guidelines

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

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

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

-Effect on agriculture and agricultural water user facilities

-Effect on local services

-Effect on the natural environment

-Effect on wildlife and wildlife habitat

-Effect on public health and safety

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

Thank you for participating.

Planning Board Meeting I (2nd Tuesday)

3.

Meeting Date: 07/13/2021

Information

Subject

MOTION. APPROVAL OF MEETING MINUTES: JUNE 22, 2021

Attachments

PlnBMinutes_2021_06_22_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	03/23/2021	04/13/2021	04/28/2021	05/11/2021	** 05/27/2021	06/09/2021	06/22/2021	07/14/2021	07/28/2021	08/11/2021	08/25/2021	09/09/2021	09/22/2021	**10/14/2021	10/27/2021	11/10/2021	11/24/2021	12/08/2021
Teresa Larsen	Mayor/Billings Ward I	1	1	1	1	1	1	1	E	1	E	-	1											
Heidi Jensen-Christison	Mayor/Billings Ward II	1	1	E	1	1	E	1	E	1	E	-	E											
Dennie Stephenson	Mayor/Billings Ward III	1	1	1	1	1	1	1	1	1	1	-	E											
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	1	1	1	1	1	1	1	1	-	1											
Jon Thompson	Mayor/Billings Ward V	1	E	1	1	E	1	1	1	E	1	-	1											
Troy Boucher	YC District 1	1	1	1	E	1	E	1	1	A	E	-	1											
Dennis Cook	YC District 2	1	1	1	1	1	1	1	1	1	1	-	A											
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-											
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-											
Woody Woods	YC District 5	1	1	1	1	1	1	1	1	1	1	-	1											
Vacant	YC District 6	-	-	-	-	-	-	-	-	-	-	-	-											
Jarett Hillius	YC District 7	1	1	1	E	1	1	E	1	1	1	-	1											
Vacant	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-											
Scott Reiter	Ex-Officio SD2	-	-	-	1	E		E	E	A	1	-	E											

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

June 22, 2021

Virtual Video Conference Format

DRAFT- To be approved by a motion on July 13, 2021

PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.

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.

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Call the Meeting to Order

President Woods called the meeting to order at 6:00 p.m. on Tuesday June 22, 2021.

Introduction of Planning Board Members and Planning Department Staff

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

Participating Planning staff members: Monica Plecker, Planning Division Manager; Tammy Deines, Planning Clerk; Scott Walker, Transportation Coordinator; Rusty Logan, Transit Manager

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.

CITY/COUNTY PLANNING BOARD

"Serving Billings, Broadview and Yellowstone County"

Approval of the June 22, 2021 Agenda

Transportation Planner Scott Walker asked for a correction to Agenda Item 8a Administrative Update. 2021 Billings Urban Area Unified Planning Work Program, UPWP, as this is a Presentation and Discussion item. The public hearing will be held on July 13, 2021.

Board member Thompson made a motion and Board member Larsen seconded the motion to approve the June 22, 2021 meeting agenda with correction to Agenda Item 8a. The motion carried with a unanimous voice vote.

Approval of Minutes: May 25, 2021 (The June 8, 2021 meeting was canceled due to a lack of agenda items.

Board member Larsen moved and Board member Hillius seconded the motion to approve the May 25, 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.

7. OLD BUSINESS: There is no Old Business.

8. NEW BUSINESS

8a. Staff Presentation/Board Discussion. Administrative Update. 2021 Billings Urban Area Unified Planning Work Program, (UPWP), Scott Walker Transportation Coordinator, Rusty Logan, MET Transit Manager

Scott Walker opened this agenda item and introduced Rusty Logan, MET Transit Manager. He explained that the Work Program identifies funds that can be expended from a budgetary standpoint. This amendment is due to Federal funds coming into the system. Rusty Logan opened with a presentation

INTRODUCTION

- Metropolitan Planning Organization (MPO) must be established in communities over 50,000 in population to do transportation planning and be eligible for federal transportation planning funds. Both the MPO and the local designated transit provider must submit a work program outlining intended activities annually.
- The Work Program and subsequent amendments are reviewed and recommended for approval by the:
 - Technical Advisory Committee (TAC)
 - Planning Board
 - Yellowstone County Commission
 - City Council
 - Policy Coordinating Committee
 - Montana Department of Transportation (MDT)

CITY/COUNTY PLANNING BOARD

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AMENDMENT #1

- MET Transit planning funding is typically received in accordance with 49 USC section 5303, a funding source that is intended for urbanized area transit planning
- MDT has opted to transfer a balance of unused section 5304 funds (typically used for rural area transit planning) to the City of Billings
- Transferred funds will be programmed into the 5303 program via the proposed amendment; as with previously programmed funds, these are subject to a 20% local / 80% federal match.
- Using these funds, MET Transit will expand on previously programmed activities surrounding development of a Transit Development Plan and a Marketing Strategy Plan. These changes effect plan elements of “Future Service Enhancements” and “Current Service Enhancements.” MET had originally intended development of these plans in house but will solicit proposals from planning and development firms for assistance after the amendment is finalized.
- The total amount of additional federal funding is \$60,000, requiring \$15,000 in local match for a total program change of \$75,000.

TRANSIT FUNDING CHANGES				
ORIGINAL UPWP 21 FUNDING PER ELEMENT				
WORK ELEMENT	FUNDING SOURCES FY 2021			STAFF HOURS
	LOCAL	FTA	EST. COST	
44.21.01 Administration	\$5,743	\$22,973	\$28,716	353.40
44.24.01 Future Service	\$18,906	\$75,623	\$94,529	1026.00
44.24.02 Current Service	\$14,734	\$58,935	\$73,669	950.40
44.25.01 T.I.P.	\$2,034	\$8,138	\$10,172	125.18
44.26.15 ADA Service	\$14,064	\$56,257	\$70,321	907.20
Planning Software	\$3,000	\$12,000	\$15,000	N/A
TOTAL	\$58,481	\$233,926	\$292,407	3362.18

AMENDED UPWP 21 FUNDING PER ELEMENT					
WORK ELEMENT	FUNDING SOURCES FY 2021			STAFF HOURS	
	LOCAL	FTA	EST. COST		
44.21.01 Administration	\$5,743	\$22,973	\$28,716	353.40	
44.24.01 Future Service	\$31,906	\$127,263	\$159,529	1047.60	+\$65,000
44.24.02 Current Service	\$16,734	\$66,935	\$83,669	976.18	+\$10,000
44.25.01 T.I.P.	\$2,034	\$8,138	\$10,172	125.18	
44.26.15 ADA Service	\$14,064	\$56,257	\$70,321	907.20	
Planning Software	\$3,000	\$12,000	\$15,000	N/A	
TOTAL	\$73,481	\$293,926	\$367,407	3409.56	

Discussion

President Woods called for questions and discussion from the Board. He asked if the population status for the semi-metropolitan areas will be updated and how it would affect the MPO. Rusty Logan said the addition of a single urban area such as Bozeman should not significantly affect this MPO’s funds. Scott Walker said Bozeman should be close to the benchmark when the Census numbers are recalculated. Even so, it may be some time before Bozeman is recognized as an MPO. Board member Thompson asked what information they anticipate with the study. Rusty Logan said they are looking for better integration within the City of Billings long-term within a 10-year timeframe. Board member Thompson said the Growth Policy might point to areas in need of service expansion.

9. OTHER BUSINESS

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

1. President Woods asked the Board members if there are topics or presentations they would like to see in the future.

- Board member Larsen asked regarding the METRA Park presentation. Monica Plecker said she could e-mail her a link to the project specific website.
- Board member Thompson asked about the Parks Department and parks development. Monica Plecker said the latest legislative session has several bills that deal with the Platting Act and subdivisions. Subdivision Regulation amendments will be need to be made in the fall. Integration may be made to include some the Parks Department’s Master Planning effort.
- President Woods asked regarding installation of public utilities in public parks. Monica Plecker said staff did not get a strong answer from the Legal Department that it could be rejected in all cases. Applicants may dedicate cash-in-lieu instead of parkland. She commented on the possibility of including language to clarify characteristics of suitable parkland. Board member Thompson said that there is existing policy to address this issue with public parkland located within the City of Billings. Board member Tunnickliff reflected that during the public hearing, the agent for Stone Creek Subdivision commented that the Parks Department wanted the park on a busy street. He said he is interested in park development with ease of access and safety. Monica Plecker clarified and said that Craig Dalton was referring to a City subdivision where the Parks Department wanted the parkland located closer to the arterials.
- Board member Hillius asked if there are updates with the expansion of the Zoning Boundary area. Monica Plecker said there is a need to identify lands outside of the 3-mile boundary and potentially the need to create a “broad stroke” future land use map. She said she obtained some maps from GIS and some discussion materials. She said she plans to contact the Commissioners for a discussion in the next few weeks.
- Board member Tunnickliff spoke to the need to conduct a study on safely transporting students from home to school and creation of a bicycle-pedestrian system within the County. President Woods asked if there has been follow-up between Stone Creek Subdivision’s developer and Planning Staff. Monica Plecker said the developer requested a delay to propose mitigation measures from the Commissioners. Staff will present the Findings of Fact during the Commissioners’ discussion meeting. Staff sent a courtesy mailing to the interested citizens to notify them of the BOCC discussion meeting. Discussion followed by the members of the Board on the need for developers to work together to make improvements for the good of the community and provide contributions for improvements.

2. Announcement: The next Planning Board meeting will be held Tuesday, July 13, 2021 and will be held in person in the Miller Building 1st Floor Conference Room, 2825 3rd Ave N. at 6:00 PM. The meeting will be streamed on “Facebook Live”.

CITY/COUNTY PLANNING BOARD

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ADJOURNMENT: 6:46 PM

DRAFT—TO BE APPROVED BY A MOTION- July 13, 2021

--Tamara L. Deines, Planning Clerk

Planning Board

Date: 07/13/2021
Title: 5th Avenue North Corridor Feasibility Study
Presented by: Lora Mattox
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Staff is requesting Planning Board receive a presentation of the 5th Avenue North Corridor Feasibility Study and conduct a public hearing to collect public testimony regarding the Corridor Study. The Planning Board at the July 27th meeting will take formal action on the study to forward a recommendation to the PCC.

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

The Billings Metropolitan Planning Organization (MPO) is presenting the 5th Avenue North Corridor Feasibility Study to the Planning Board with the intent to have the Planning Board conduct a public hearing to collect public testimony regarding the Corridor Study. The Planning Board, at the July 27th meeting will take formal action on the study to forward a recommendation to the PCC.

The goal of the 5th Avenue North Corridor Feasibility Study is to analyze opportunities to develop transportation connections to, from, and within the corridor for non-traditional and non-motorized facilities and identify connectivity opportunities to the existing transportation system in the area. The MPO hired Sanderson Stewart through a competitive process to develop the 5th Avenue North Corridor Feasibility Study. The study was developed with assistance of a Project Oversight Committee (POC). The committee included representatives from Planning, City Engineering, County Public Works, MET Transit, local and state Montana Department of Transportation (MDT) staff, Billings Industrial Revitalization District (BIRD), Schnitzer Steel, East Billings Urban Renewal District (EBURD), Downtown Billings Alliance (DBA), Billings TrailNet, YMCA, and the Federal Highway Administration (FHWA). In addition to regular meetings of the POC, two public meetings and outreach to property owners were held as well as emailed updates to the City Council and Board of County Commissioners. More on stakeholder and public involvement meetings and opportunities are outlined further in this memo.

The goal of the study was to analyze and develop the following information:

- Provide a comprehensive analysis of the opportunities to develop transportation connections to, from and within the corridor for multi-modal uses;
- Identify connective opportunities to the existing transportation system;
- Incorporate, as appropriate, elements from adopted plans and studies;
- Provide broad opportunities for community involvement to help inform the study;
- Develop a vision for the corridor that incorporates transportation elements and considers adjacent land uses; and
- Develop implementation priorities, including phasing and funding opportunities.

Feasibility Criteria -- The following discussion provides the feasibility criteria used to develop the study. The criteria included:

- Railroad agreement and support -- it was essential that the study include how a transportation corridor may amicably co-exist with existing rail operations;
- Property owner agreement and support -- success of the corridor will only be achieved if property owners understand and support potential changes in land uses and ensure that respect will be given with current land uses;
- Right-of-way availability -- the east and west ends of the 5th Corridor are very different and have to be treated separately while keeping a cohesive corridor. The portion west of North 27th Street has been reclaimed by private owners and wayfinding and creative routes will have to be explored, the section east of North 27th Street is primarily right-of-way for Montana Rail Link, any proposed improvements will need cooperation from the rail company;
- Public support -- development of this corridor will require securing public support, public and private funding will be the best way to promote a successful corridor;
- Safety -- safety of a continuous corridor for all users is a desire of the numerous stakeholder groups who participated in the study;
- Costs -- because of the magnitude of the corridor and its differences, it will likely be developed in phases with a variety of funding sources. It was important to identify and understand potential costs of improvements, this not only allows for future planning, but provides the information needed to apply for grant funds;
- Phasing -- to accommodate rail operations, the improvements will need to be phased as opportunity arises.

The study determined that the 5th Avenue North corridor can be completed over time to create a multitude of high-amenity, non-motorized connections. The study includes implementation recommendations and strategies for the identified visionary concepts. It also provides pilot project suggestions, phasing priorities and potential funding sources.

STAKEHOLDERS

Sanderson Stewart and City staff met with a variety of key stakeholders. The intent of these meetings was to understand the opportunities for development, potential obstacles, and issues in the redevelopment of the corridor. Five meetings were held with landowners, developers, social service providers, adjoining neighborhoods, and transportation advocacy groups. A full list of the agencies and property owners are listed on page 18 of the study.

In conformance with the Yellowstone County Board of Planning Participation Plan, a robust public participation process was developed. Because this study took place during the height of the pandemic, public events and meetings were held virtually. A website was developed to provide information and a platform for the public to provide feedback.

Two virtual open houses were held, the first in the fall of 2020 to introduce the study to the public and solicit public opinion. Comments solicited during this meeting were used to develop a corridor vision, goals, and improvements. Virtual open house number two was held in February 2021 to present the draft corridor study and solicit comments.

ALTERNATIVES

N/A

FISCAL EFFECTS

The contract for the 5th Avenue North Corridor Feasibility Study was budgeted at \$97,000. The majority of the funding is through the MPO's Federal PL (planning) funds. PL funds for this project required 13.42% local match, which was provided through the Planning Division's FY21 Budget utilizing its County-

Wide Planning Mill Levy revenues. Implementing projects identified in the study are not included in this budget.

Adoption of this study does not program funds to be expended. Prioritizing project identified in this plan would be part of the City's CIP process.

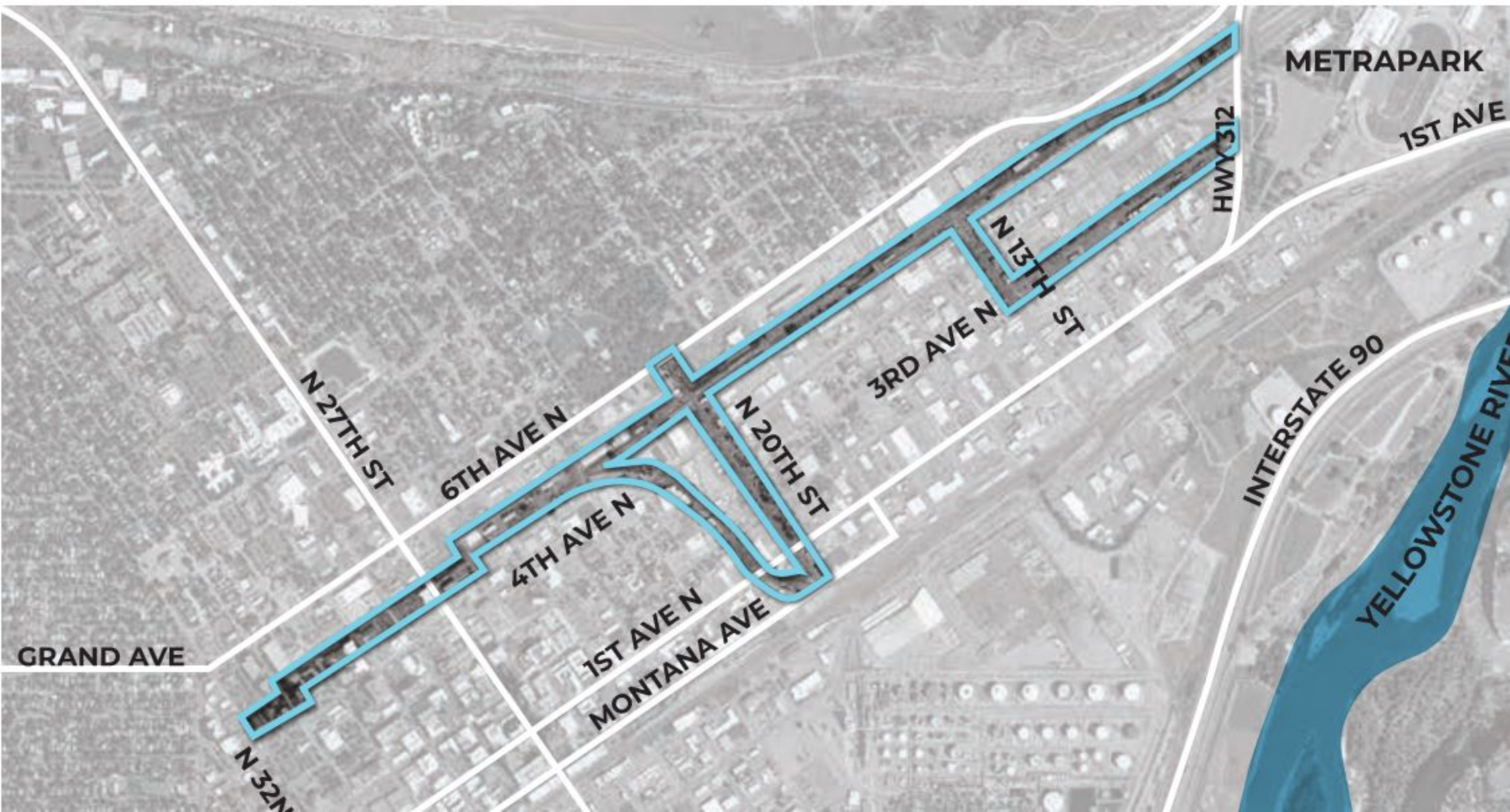
SUMMARY

The 5th Avenue North Corridor Feasibility Study outlines the possibility of using the corridor as a transportation connection in the downtown. The study through review of previous planning documents, existing conditions and assessment of feasibility criteria envisions a non-traditional motorized and non-motorized corridor connecting to the existing transportation system in the area and enhancing the surrounding community. Through further development of projects and public/private funding opportunities, the corridor could become a reality.

Attachments

Study Area

5th Ave North Feasibility Study



METRAPARK

1ST AVE

HWY 312

N 13TH ST

3RD AVE N

N 20TH ST

6TH AVE N

4TH AVE N

N 27TH ST

1ST AVE N

MONTANA AVE

INTERSTATE 90

YELLOWSTONE RIVER

GRAND AVE

N 32ND



5th
AVENUE NORTH



Acknowledgements

This feasibility study was made possible through funding by the Billings Area Metropolitan Planning Organization.

Many thanks to all the community members, steering committee, key stakeholders, and staff who contributed to the development of this study.

Project Oversight Committee

Scott Walker, City/County Planning
 Lora Mattox, City/County Planning
 Wyeth Friday, City/County Planning
 Elyse Monat, City/County Planning
 Rusty Logan, MET Transit
 Erin Claunch, City Public Works
 Kurtis Schnieber, Montana Department of Transportation
 Zack Terakedis, Billings Industrial Revitalization District (BIRD)
 James Chandler, Downtown Billings Association
 Patrick Klugman, Big Sky Economic Development
 Katie Potts, Montana Department of Transportation
 Parker Osterloh, Montana Department of Transportation
 Mike Black, Yellowstone County Public Works

Consultant Team

Sanderson Stewart

Michael Sanderson
 Lauren Waterton
 Eären Hummel
 Chris Naumann

Collaborative Design

Jeff Kanning

Stakeholder Group Participants

Anna O'Donnell, Bicycle & Pedestrian Advisory Committee
 Tom Rupsis, Billings Parks, Recreation & Cemetery Board
 Craig VanNice, Billings Public Schools
 Kristi Drake, Billings TrailNet
 Kim Kaiser, Billings YMCA
 Matt McDonnell, BIRD Board Chair
 Kathy Aragon, Community Advocate
 Marcee Farrar-Neary, Community Crisis Center
 Brad Sperry, Cushing Terrell/YMCA Board Chair
 Alan Woodmansey, FHWA
 Jed Barton, LIFTT
 Barbara Mettler, Mental Health Center
 Tim Goodridge, MetraPark
 Nick Bailey, Montana Rail Link
 Joe Gentri, Montana Rail Link
 Ross Lane, Montana Rail Link
 Claire Oakley, Riverstone Health
 Pat Ryan, Ryan Restaurant Corp
 David Trost, St. John's United
 Craig Barthel, St. Vincent de Paul
 Rob, St. Vincent de Paul Guest
 Shane, St. Vincent de Paul Guest
 David Ellis, Schnitzer Steel
 Erika Willis, Tumbleweed
 Joel Long, United Properties, Inc.
 Danna Newell, United Properties, Inc.
 John Greenberger, Yellowstone Art Museum

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PREFACE

Project Vision

Envision the 5th Avenue North corridor as a non-traditional motorized and non-motorized corridor connecting to the existing transportation system in the area and enhancing the surrounding community.

Project Goals

- Provide a comprehensive analysis of the opportunities to develop transportation connections to, from and within the corridor for multi-modal uses
- Identify connective opportunities to the existing transportation system
- Incorporate, as appropriate, elements from adopted plans and studies
- Provide broad opportunities for community involvement to help inform the study
- Develop a vision for the corridor that incorporates transportation elements and considers adjacent land uses
- Develop implementation priorities, including phasing and funding opportunities



Concept of 5th Avenue North at North 20th Street.

INTRODUCTION

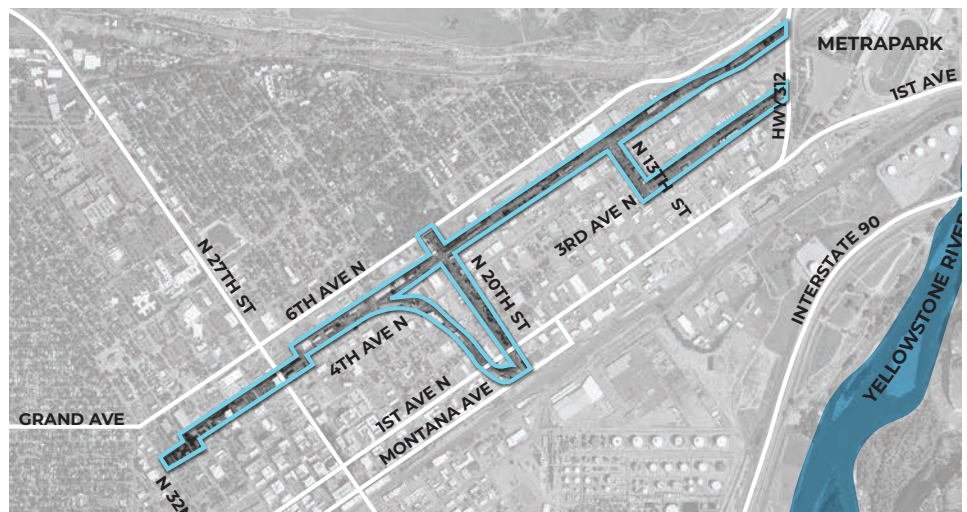
Purpose of the Study

The purpose of the 5th Avenue North Corridor Feasibility Study (the Study) is to investigate the feasibility of creating a non-traditional motorized and non-motorized transportation corridor within the 5th Avenue North alignment through Downtown Billings and the East Billings Urban Renewal District. This document outlines the analyses and conclusions of the planning effort which was initiated in June 2020 by the Billings Metropolitan Planning Organization. The Study reflects a comprehensive effort in which the consultants, Sanderson Stewart and Collaborative Design Architects, worked closely with the City of Billings, and additional stakeholders to evaluate opportunities within the corridor. The Study provides a broad framework for furthering the community building potential within the corridor and includes recommendations for designing and implementing corridor improvements.

Study Area Description

The study area (shown below outlined in blue) is the 5th Avenue North railroad corridor, bounded by Main Street/Highway 312 on the east, North 32nd Street on the west, 4th Avenue North to the south, and 6th Avenue North to the north. The Study also includes the north-south spur connecting this corridor to the main rail line adjacent to Montana Avenue. The Study includes the corridor alignment and properties adjacent to the corridor.

A rail spur running north from the Montana Rail Link (MRL) Main Line to the 5th Avenue North corridor services properties along the eastern portion of 5th Avenue North. The active spur occupies approximately 75 percent of the overall corridor within the study area. The actively used railroad is located within the existing right-of-way owned by BNSF Railway Co. and leased by MRL. Portions of the corridor no longer have active railroad right-of-way. Over the years, the right-of-way has been deeded back to the adjacent properties.



5th Avenue study area.

BACKGROUND

Relevant Planning Documents

The completed analysis and proposed recommendations of this Study align with the community's shared vision and established priorities articulated in numerous existing plans.

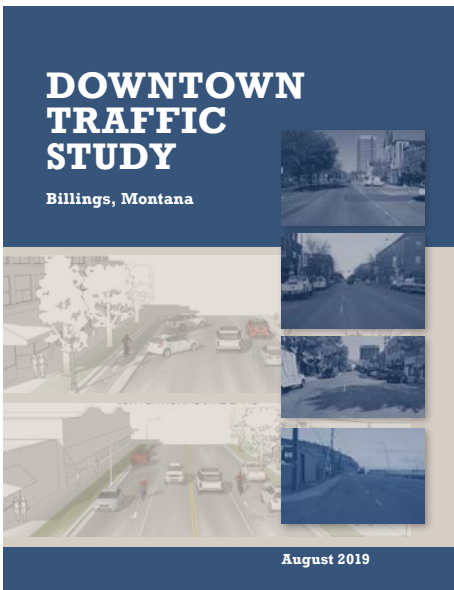


2020 Billings Area Wayfinding Signage Plan

The 2020 Wayfinding Signage Plan identifies several general benefits of wayfinding that directly correlate to the goals of the 5th Avenue North Corridor Study. Most notably, the Wayfinding Plan states, “Moving forward, wayfinding elements should be considered part of the complete implementation of any future bikeways”.

2019 Downtown Traffic Study

The 2019 Downtown Traffic Study (supplemented by the 2021 Alternative Prioritization & Public Preference Plan) investigated issues related to the transportation network and identified alternatives to enhance that network. According to the traffic study, the Project Advisory Committee identified several actions that could improve downtown transportation. One of those actions includes using the 5th Avenue North corridor as a green space for pedestrian and bicycle facilities. This action would help improve the connectivity to and from downtown.



2015-2019 Billings City Council Strategic Plan

It is critical that all sub-area plans and secondary studies support the City's Strategic Plan. Several of the City Council strategies and objectives would be bolstered by the 5th Avenue North Corridor Study.

- Strategy 3: Transportation - Objective 1: Improve transportation in Billings - Action 2: Continue adding to the City's network of trails and sidewalks to improve pedestrian access.
- Strategy 4: Sustainable Economic Development - Objective 5: Enhance economic growth by ensuring infrastructure availability - Action 4: Continue to develop the transportation system to accommodate both commercial and commuter needs.
- Strategy 7: Quality of Life - Objective 2: Plan for adequate parks, open space and trails infrastructure city wide - Objective 6: Promote, encourage and develop city wide landscaping and tree planting to make the community more attractive.

2018 Billings Urban Area Long Range Transportation Plan

The Transportation Plan does not include any specific recommendations for 5th Avenue North but does identify the need to add bike and pedestrian facilities.

- Pedestrians and Bicyclists – Create a transportation system that supports the practical and efficient use of active transportation such as walking and bicycling. Objectives: Increase number of shared-use trail miles by 10% between 2018 and 2023; Incorporate bicycle or pedestrian facilities on 75% of projects between 2018 and 2023.

2017 Billings Area Bikeway and Trails Master Plan

The 5th Avenue North Corridor Study aligns with the Bikeway and Trails Plan which recommends developing more off-street multi-use trails and shows 5th Avenue as a visionary long range bikeway. Multi-modal improvements to 5th Avenue North would support several general recommendations of the Bikeway and Trails Plan:

- Provide a bicycle, pedestrian, and trail network that is safe and attractive and meets the needs of all ages and abilities.
- Providing adequate, and a variety of bikeway connections to downtown can positively impact daily bicycle use in the City. Bikeway facilities that provide direct or secondary connectivity to downtown will qualify for this criterion.

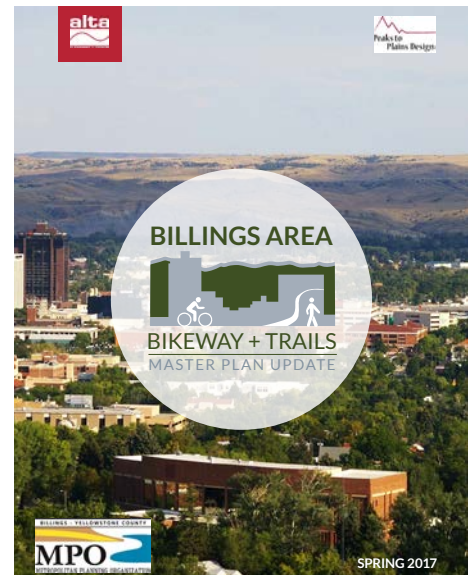
2016 City of Billings Growth Policy

The Growth Policy provides the high-level framework that all other plans and studies must support. The 5th Avenue North Study aligns with several of the defined growth guidelines established in 2016.

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.
- Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings.

2018 Billings Urban Area Long Range Transportation



Place Making: enhance, maintain, preserve, and improve existing public places

- The history and heritage of Billings are cornerstones of our community.
- Encouraging the installation of art in public spaces enhances the places and showcases the talents and diversity of the community.

Community Fabric: attractive, aesthetically pleasing, uniquely Billings

- Developed landscape areas in commercial areas encourage more pedestrian activity and vibrant commercial activity.

Mobility and Access: 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.



2009 East Billings Urban Renewal District Master Plan

The East Billings Urban Renewal District Master Plan (EBURD) articulates a vision for the urban renewal area, which includes a portion of the 5th Avenue North corridor.

The following guiding principles from the Master Plan are relevant to the 5th Avenue North Study:

- **Industrial Uses:** Ensure existing industrial uses can continue to operate as desired.
- **Edges:** Integrate the edges of the District with the North Park Neighborhood, the Downtown Core, the Medical Corridor, and the University.
- **Transportation:** Provide a variety of transportation connections and choices throughout the District and surrounding areas.
- **Trees & Open Space:** Improve the natural beauty of the District by reintroducing trees and environmental features.
- **River Connections:** Extend non-motorized connections from the Billings Core to MetraPark, the Yellowstone River, and the Heights.

Additionally, the goals and objectives outlined in the 5th Avenue North Study would address the bicycle and pedestrian deficiencies identified in the EBURD Master Plan.

- “The EBURD has numerous limitations with respect to its bicycle and pedestrian environment. Currently, the district has a poor environment for pedestrians and bicyclists. There are no established bikeways through the district. There is no established pedestrian link between the CBD (Central Business District) and MetraPark.”

2013 Exposition Gateway Plan and Hospitality Corridor Study

The eastern portion of the 5th Avenue North corridor includes the Exposition Gateway District and the Hospitality Corridor. The Exposition Gateway and Hospitality Corridor documents identify several opportunities that align with the Study including:

- The confluence of transportation corridors and eventual reuse of rail corridor offers visibility and access to the greater metropolitan area.
- Provide safe and comfortable travel for a variety of modes, vehicle and non-vehicle, supporting the City's overall vision of revitalizing the Exposition Gateway District and better connecting with MetraPark.



Why this Corridor

“Having access to strong mobility options equates to having access to opportunities like employment and education, which is critical for individual, economic, social and community success.”

– Active Transportation Transforms America, Rails to Trails

The 5th Avenue North corridor presents a rare opportunity for the community to create a shared-use mobility route through the heart of Billings. Because of its historic use as a railroad spur, this corridor has been set aside from the traditional street grid of downtown and East Billings. This creates a chance to enhance the transportation network by adding a unique multi-modal element that does not exist.

The railroad is still in use within this corridor and this use will continue as long as there are customers and adjacent properties in need of rail access. In coordination with Montana Rail Link and other adjoining properties, the 5th Avenue North corridor provides an opportunity to incorporate multi-modal transportation facilities that are compatible alongside the existing rail line and transform the corridor into a safe, vibrant public space.

With portions of the corridor underutilized, there is an opportunity for revitalization of the corridor and adjacent properties. The case studies located in Appendix A demonstrate the opportunity other communities have leveraged underutilized property into community assets. These types of projects are often catalyst projects that cause a corresponding and complementary development reaction on surrounding properties.

Feasibility Criteria

“Multimodal Streets and Connectivity: downtown Billings will be viewed as a safe, attractive, and connected environment, which encourages downtown visitors and residents to walk and cycle between destinations to support increased multi-modal activity and communication within this unique economic and cultural asset.”

– One of Four Transformational Initiatives from the Downtown Billings Strategic Plan

This section describes the criteria used to evaluate the feasibility of transforming the 5th Avenue North corridor. Railroad use, adjacent land uses and available right-of-way were evaluated within the corridor as the primary feasibility criteria. Below is a summary of each item identified as key component in determining feasibility.

Railroad agreement and support

Because a portion of the corridor is currently used as part of the Montana Rail Link service to local businesses, it is essential that the feasibility study include how a transportation corridor may amicably co-exist with the existing rail operations.

Property owner agreement and support

The ultimate success of the corridor will be achieved if improvements support and enhance the existing land uses along the right-of-way. Understanding the potential changes in land uses and respecting current activities of adjacent properties are critical to determining the feasibility of the corridor transformation.

Right-of-way availability

What remains of the 5th Avenue North corridor is primarily right-of-way owned or leased by Montana Rail Link. In the section that is no longer used by the railroad, the right-of-way has been returned to the adjoining property owners. To construct transportation improvements within the entire corridor, easements or right-of-way will need to be acquired, as well as agreements made to use any portion of the railroad right-of-way.

Public support

The development of this corridor will require securing considerable public support. Public funding and community support for improving the corridor will be vital to leverage additional funding, win the necessary approvals, and act as a catalyst for private investment.

Safety

The feasibility of transforming the 5th Avenue North corridor will require the creation of a safe, continuous corridor for a variety of users. Input from numerous stakeholder groups identified improving safety as a top priority for the project.

Costs

While the corridor will likely be developed in phases and with a variety of funding sources, it is important to identify and understand potential total costs of the proposed improvements. Even at this conceptual level, the feasibility study provides an analysis of estimated implementation costs to provide a sense of the required funding.

Phasing

Due to the continued railroad operations, the corridor vision will need be completed in phases to accommodate the multiple, differing uses over time. Phased improvements along the active rail line will need to physically begin and end at points that such as intersections to discourage trespassing along unimproved portions of the corridor. The corridor should be evaluated with an understanding of how it can be strategically improved to best function for existing and future uses.

PROJECT PROCESS

Evaluation of the feasibility for the 5th Avenue North corridor included technical analysis, stakeholder engagement, steering committee meetings, and public participation and input. A summary of the project process is described below.

Analysis

Right-of-Way Analysis

The first step was to determine the location and use of existing right-of-way. Using available cadastral and property record information, as well as information from Montana Rail Link, the right-of-way locations are noted throughout the study. The width of the right-of-way varies from approximately 20 feet to over 60 feet. Facilities within the right-of-way include railroad tracks and storage buildings. Some of the buildings are leased to adjoining landowners, which contributes to the irregularity of the right-of-way width.

Within the western portion of the corridor from North 26th Street to North 32nd Street, the right-of-way no longer exists. Over time, as railroad use diminished, it was deeded to the adjacent properties. A walking tour of the corridor indicated that physical space exists to use the former alignment as a potential transportation corridor. Property owner cooperation and involvement would be required to complete this portion of the corridor.



LEGEND

- Study Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way



Railroad Use

With an understanding of the right-of-way, the next step of the process explored the frequency of train access on the corridor, and locations of businesses requiring rail service. There are currently four businesses within the corridor that have a service agreement with Montana Rail Link, although only two of those businesses currently request service for rail cars. When a rail car is delivered to a business, trains use the tracks from Montana Avenue and then turn north to the corridor at North 23rd Street. Train cars are then moved along the corridor to the business requesting service. Train cars are requested approximately 10 times per week. Because this is an active rail line, frequency of use and locations along the corridor may change as new businesses request service or existing customers discontinue rail service.

Coordination with Other Planning Projects

Based on the economic development projections and scenarios, the consultant team, City staff, and stakeholders suggested elements for the physical improvement of the corridor including land use, stormwater, and transportation. This vision lays out options for achieving the land use goals, addressing the rail traffic requirements, and enhancing pedestrian and bicycle facilities.

Stakeholder Meetings

Early in the process, the consultant team and City staff met with the key stakeholders. The intent of these meetings was to understand the opportunities for development of the corridor, potential obstacles, and issues for additional exploration. Five meetings were held with landowners, developers, service providers, adjoining neighborhoods, and transportation advocacy groups to provide information and offer ideas for the corridor. Social Services representatives and several homeless residents, which are traditionally underrepresented groups in public processes, participated in the stakeholder meetings. Four key themes emerged from stakeholder meetings: Active Transportation, Economic Development, Public Safety, and Placemaking. These themes were used to develop the vision and opportunities for the corridor.



Agencies Represented:

Billings Industrial Revitalization District
Bicycle and Pedestrian Advisory Committee
Billings Police Department
Billings TrailNet
City of Billings Public Works and Planning & Community Development Departments
Community Crisis Center
Downtown Billings Association
LIFFT
Mental Health Center
MET Transit
Parks, Recreation & Cemetery Board
Riverstone Health
St. Vincent de Paul
Tumbleweed

Property Owners:

Billings Public Schools
Montana Rail Link
Ryan Restaurant Corporation
St. John's United,
United Properties
Yellowstone Art Museum
YMCA

Active Transportation

Active transportation, the non-motorized movement of people most commonly walking and bicycling, emerged as a common theme with all groups.

Key points:

- Portions of the corridor are already used as an active pedestrian transportation corridor. This includes the west end between the YMCA, First Interstate Bank Building, and the Lincoln Center. It also includes east of North 27th Street where many people use it informally to connect to social services in the area.
- Formalizing those routes and connections would be beneficial to facilitating connectivity, improving safety, and increasing biking and walking options. More opportunities to safely bike and walk could reduce vehicle traffic.
- It would be a community benefit to safely walk or bike from the MetraPark to downtown after an event to extend the evening.
- Use of the corridor for public transit was viewed as not viable due to the limited availability of usable right-of-way and lack of activity generated by transit. However, transit is an important function within the area and can serve the corridor via parallel routes and key intersections with 5th Avenue North.
- A dedicated corridor to biking and walking would increase accessibility and use by a broad spectrum of residents.

Economic Development

The transformation of the corridor to a safe, attractive, and active transportation corridor has a symbiotic relationship with economic development.

Key points:

- The improvement of the 5th Avenue North corridor would provide the community a reason to come downtown and stay downtown.
- Connections to the medical corridor and Montana State University – Billings would enhance downtown and reduce car trips.
- This is an opportunity to create an identifiable district by connecting these areas of the city. This corridor can be a significant destination, like the San Antonio River Walk.
- Start small. Identify some target project pieces and start connecting nodes of activity. A phased approach would make it more feasible rather than trying to develop the corridor as one action.

Public Safety

Concerns about existing and potential public safety were identified during all stakeholder meetings.

Key points:

- MRL expressed concern about incorporating a trail along an active rail line without sufficient buffers and barriers.
- One stakeholder discussion included representatives from local social service agencies and two clients of St. Vincent de Paul who are currently homeless. They shared their experiences related to safety, homelessness, and ways in which the 5th Avenue North Corridor could be developed to serve the needs of homeless people.
- Because homeless people often need to carry all their belongings with them, the threat of crime increases. In other communities, providing storage for homeless people has resulted in a reduction of crime.
- There is already concern about crime and safety in the area so people may be reluctant to use the corridor unless properly designed and built.
- Lighting was identified as an important public safety improvement and necessary for the enhancement of the corridor.
- The corridor should be visible at all intersections to increase safety while crossing streets. North 27th Street was identified as a particular challenge for pedestrians and bicyclists.

Placemaking

Stakeholders expressed optimism that the 5th Avenue Corridor could be a transformational project for Billings.

Key points:

- Several groups identified the San Antonio River Walk as an inspirational project that this corridor could replicate.
- There is a desire to build a community asset that is beautiful and that draws people to and from downtown.
- Improvements that would make it inviting to all include adding public restrooms, green space, and areas to gather.
- Designing for all, including the homeless, will create a welcoming and inclusive public amenity.
- Using the rail corridor would allow Billings to tell its history as a railroad town.

“Let’s create our own green-belt style cultural “Rail-Walk” - telling our history of culture, trade, commerce, agriculture and industry. These could be built as small parklets along the tracks that support different displays- sculptural, interactive, and educational art. These then become nodes for additional development: food truck hubs, housing neighborhoods, adventure playgrounds, venues for small productions.”

– Public Comment

Project Oversight Committee

The Project Oversight Committee (POC) was tasked with providing in-depth review and feedback on the study as it progressed. The Committee consisted of staff members from the City of Billings and Yellowstone County, elected and appointed officials, and community members. POC meetings were held monthly to discuss the direction of the planning study from June 2020 and until February 2021. The first meeting included a walking tour of the corridor, while the remaining meetings were held virtually due to the COVID-19 pandemic. The POC provided input on the project vision and goals, corridor character, and improvement opportunities.

Public Participation

In conformance with the Yellowstone County Board of Planning Participation Plan, a thorough public participation process was conducted. Because of concerns with public events during the COVID-19 pandemic, all meetings and activities were held virtually. For the duration of the project, a website provided information to and a feedback platform for the public.

The following public engagement meetings were conducted and planned as part of the feasibility study process:

Virtual Open Houses

Virtual open house No. 1 was held in the fall of 2020 to introduce the corridor planning study to the public. A virtual open house also solicited public opinion regarding the opportunities for multi-modal transportation and public improvements. The comments provided during the open house were reviewed by the POC and used to develop the corridor vision, goals, and improvements.

Virtual Open House No. 2 will be held in February 2021 to present the draft corridor study and solicit public feedback.



Opportunity Focus

There are many possibilities and opportunities for this corridor and we want to hear from you about **what you think would be important**. Considering the inspiration projects and any other successful corridor/transportation/community gathering projects you have seen – let us know what you think might work for 5th Avenue.

Click anywhere on the map to leave a comment or idea – remember to hit submit to send us your ideas!



Approval Process

The approval process will include the following dates for review and approval of the 5th Avenue North Feasibility Study and will be completed prior to issuing final study document.

Reviewer	Presentation	Action
Technical Advisory Committee	TBD	TBD
Yellowstone County Planning Board	TBD	TBD
Billings City Council	TBD	TBD
Yellowstone County Commission	TBD	TBD
Policy Coordinating Committee	TBD	TBD

Recommendations

Based upon the vision and goals of the project, corridor analysis, and public engagement, a set of recommendations was developed to improve the corridor and anticipate future issues and opportunities. These recommendations provide a thoughtful framework including the necessary information to make future decisions about specific improvements, project phasing, and potential costs.

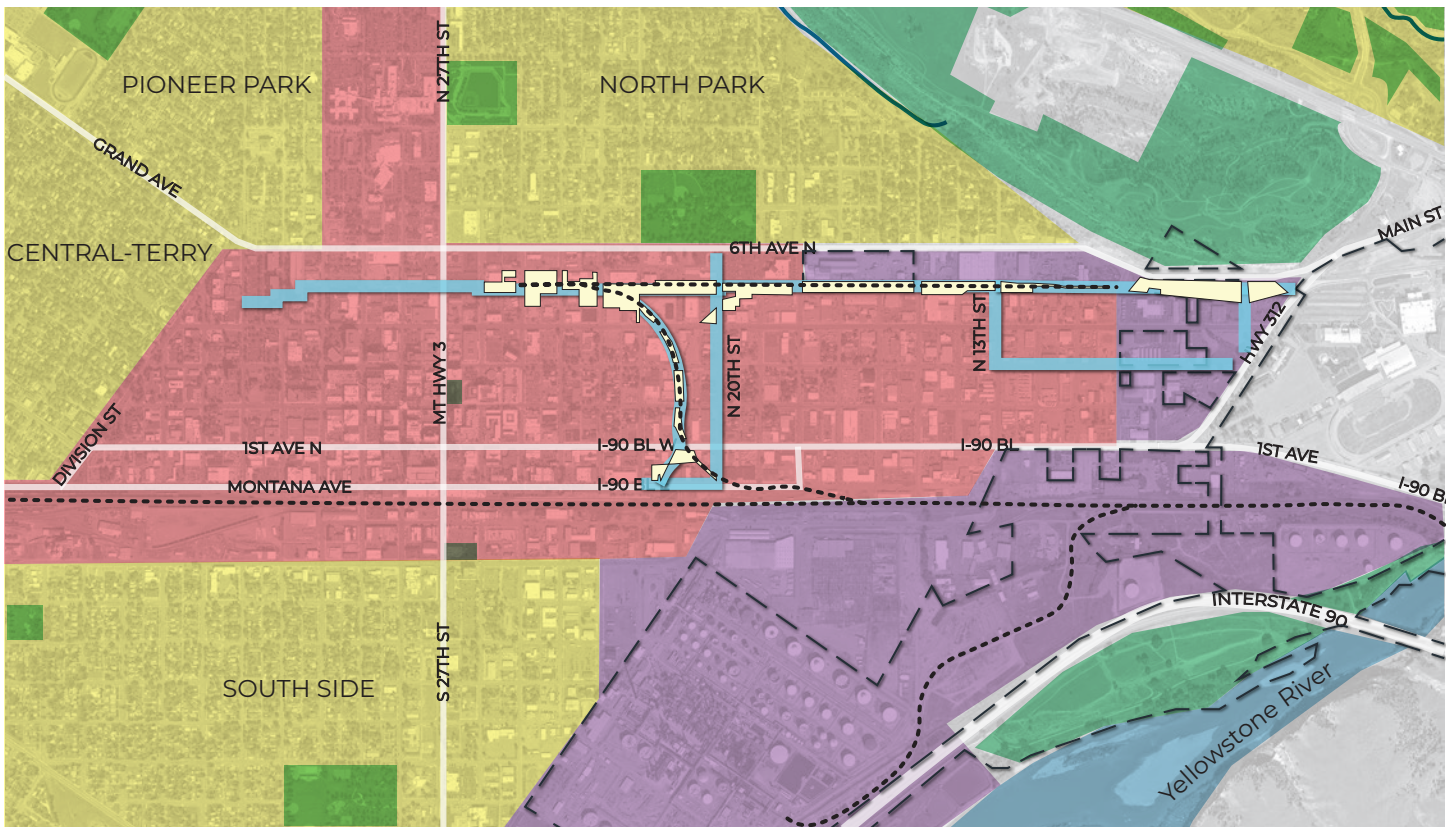
EXISTING CONDITIONS

Corridor Alignment

5th Avenue North is a non-motorized corridor integrated into the existing street grid for the downtown and East Billings business districts. For nearly two miles, it lies parallel between 4th Avenue North and 6th Avenue North running from North 32nd Street to Main Street/Highway 312. The eastern portion of the corridor is within Montana Rail Link right-of-way. The western portion, between North 32nd Street and North 26th Street, no longer has designated right-of-way. Over the years, this right-of-way has been deeded back to the adjacent landowners.

Rail Use

The corridor is used to service several businesses via rail cars. The portion of the corridor that is actively used by trains includes the 14 blocks between North 24th Street and North 10th Street. It also includes the five-block north-south spur from 5th Avenue North to the Montana Rail Link main line adjacent to Montana Avenue. Presently, there are two industrial businesses that order cars from Montana Rail Link with service several times a week.



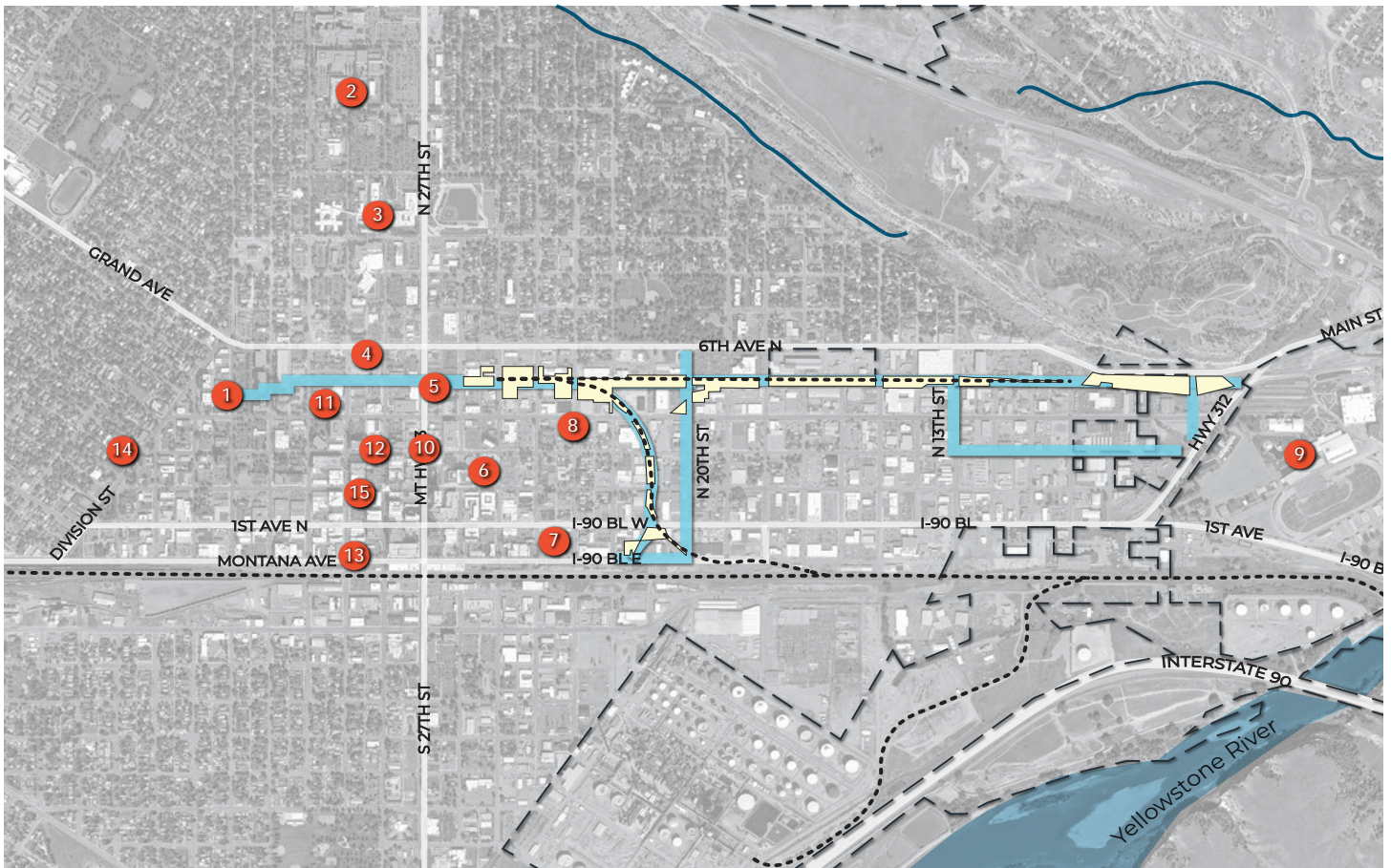
LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Residential
- Commercial
- Industrial
- Parks & Open Space
- Railroad Right-of-Way



Adjacent Land Use

There are a wide variety of land uses adjacent to the 5th Avenue North Corridor. The western end of the corridor is anchored by the YMCA. Continuing east, the corridor is bound by multi-story office buildings, landscaped plazas, and surface and structured parking lots. Moving to the east, the corridor continues through a series of surface parking lots until it reaches North 25th Street. Buildings that accompany those parking lots include public facilities, institutions, and a variety of commercial uses (the Lincoln Center, Billings Public Library, and the Billings Gazette). Between North 25th Street and Main Street/Highway 312, the uses are predominately industrial and warehousing, except for a cluster of office buildings at the corridor's intersection with North 20th Street, such as First Interstate Bank and Federal Building.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way

- | | | |
|--|---|--|
| 1 YMCA | 6 MET Transit Transfer Station | 11 Lincoln Center |
| 2 St Vincent Healthcare | 7 Historic Train Depot | 12 Alberta Bair Theatre |
| 3 Billings Clinic Hospital | 8 Billings Community Center | 13 Western Heritage Center |
| 4 Billings Public Library | 9 Metrapark | 14 Moss Mansion Historic House |
| 5 Yellowstone Art Museum | 10 City Hall, County Courthouse | 15 Babcock Theatre |

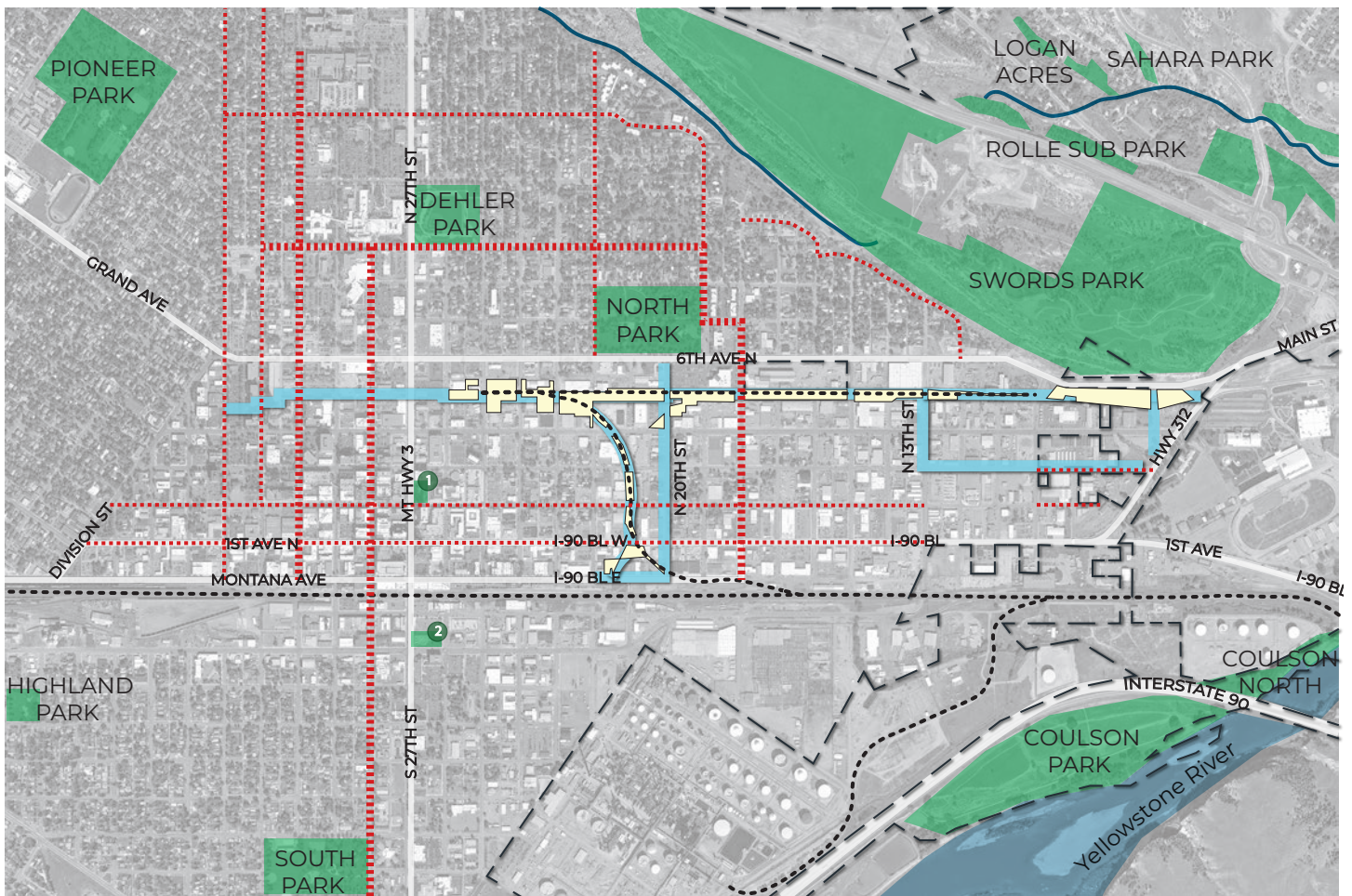


Social Conditions

In addition to the commercial uses of 5th Avenue, some community members use the corridor as a direct east-west route of travel connecting various destinations. Some of the area's homeless population have used the area for temporary camps. Stakeholders indicated that the homeless are a diverse group with differing needs and encouraged the proposed improvements of the corridor to take these members of the community into consideration.

Green Space

Green space refers to parks or naturally enhanced areas within an urban environment. There are limited areas of green space within and immediately adjacent to the corridor. North Park and Swords Park are the only two parks near the 5th Avenue project area.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way
- Primary Bikeway
- Secondary Bikeway
- 1 County Courthouse Park
- 2 Downtown Skatepark



Multi-Modal Transportation

The existing transportation network serves the adjoining neighborhoods and districts, but also provides connectivity between eastern Billings and rest of the city. In doing so, streets adjacent to the corridor carry significant vehicle traffic volumes that are not conducive to safe, efficient pedestrian and bicycle travel. Creating a dedicated multi-modal shared-use transportation route along 5th Avenue North would result in more equitable options for a wide variety of residents.

Transit Routes

The area is well served by the Metropolitan Transit system (MET) with the Downtown Transit Station located on North 25th Street between 2nd and 3rd Avenues North. Of the 13 routes using this station, six cross 5th Avenue North allowing for multiple connection points between the corridor and the bus system. These bus routes travel in all four directions, enhancing the opportunity to connect more geographical areas to the corridor via public transit.

Bicycle Infrastructure

Existing and proposed bike routes cross the 5th Avenue North corridor in multiple locations. These designated bike facilities include buffered bike lanes, shared use paths, and bikeways. With six proposed routes crossing 5th Avenue North, there is the opportunity to extend and expand the bicycle network east and west by improving the corridor as a protected, high-amenity bike facility.

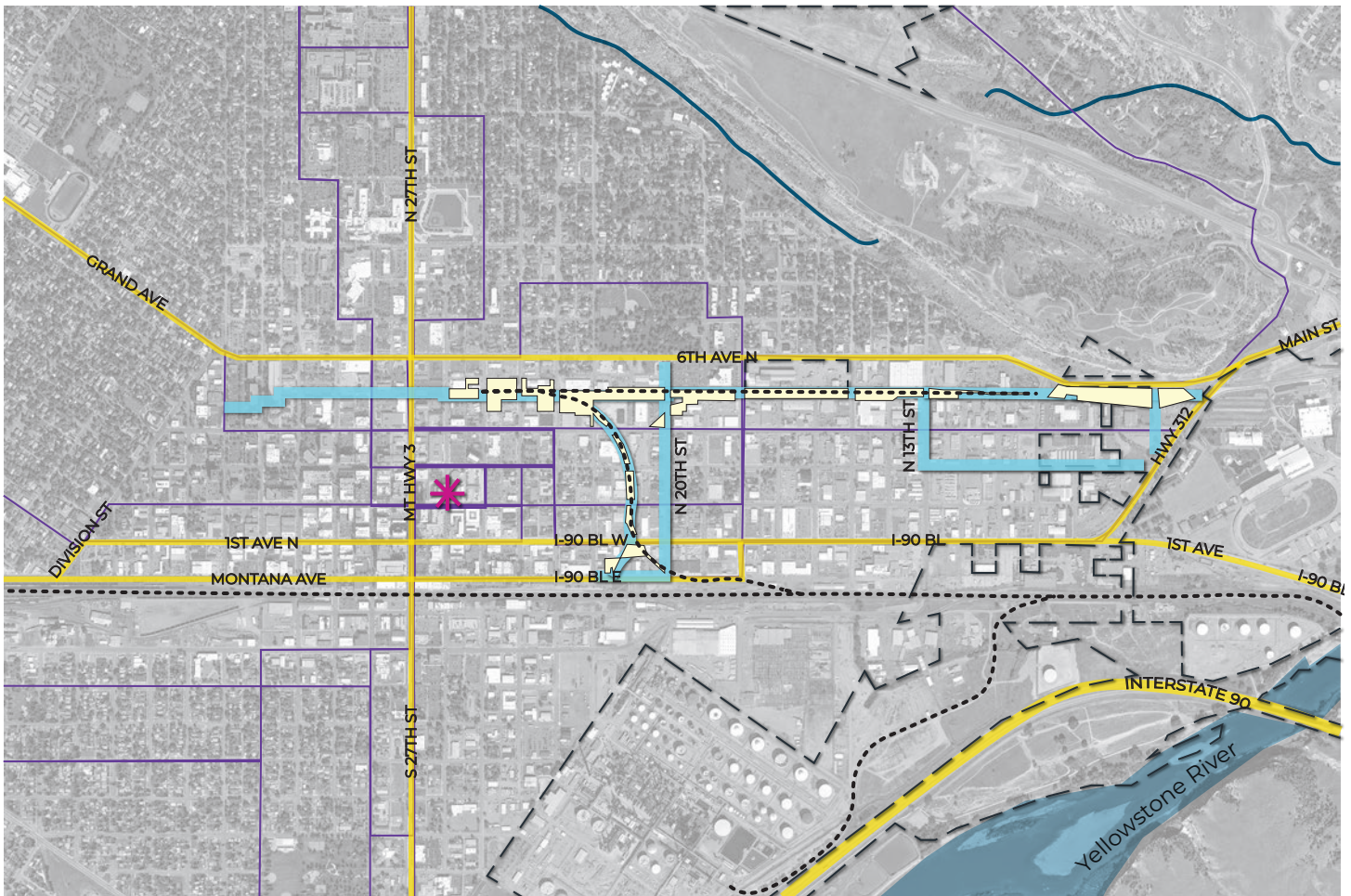
Pedestrian Infrastructure

All the adjacent parallel and cross streets in the project area have at least partial sidewalks. They are in varying condition in terms of size and maintenance. Very few of the sidewalks include desirable amenities such as trees, benches, trash and recycling receptacles, or pedestrian-scale lighting. There is a pedestrian crosswalk signal at 6th Avenue North between North 20th and North 21st Streets. This provides a critical safe crossing between the East Billings area and the North Park neighborhood. A pedestrian activated crosswalk signal also provides a safe crossing at the intersection of 4th Avenue North and North 20th Street.

Street Network

The street network in the project area consists of arterials, collectors, and local streets ranging from two lanes to six lanes wide. They are a mix of one-way and two-way streets. The recently completed Downtown Traffic Study presented recommendations to convert some one-way streets to two-way. A few currently include bike lanes while others are identified in the Billings Bikeway and Trails Plan as future bike facilities. On the eastern end, several north-south streets terminate at the corridor impeding connectivity. Some of this is due to the rail spur from Montana Avenue.

It is important to note that Montana Avenue, 1st Avenue North, and North 27th Street are classified as National Highway System routes. North 30th Street, North 13th Street, 4th Avenue North, and 6th Avenue North are designated as Montana Department of Transportation Urban Routes.



LEGEND

- Project Area
- City Limits
- Active Montana Rail Link
- Railroad Right-of-Way
- Major Roadways
- Bus Routes
- MET Transit Transfer Station



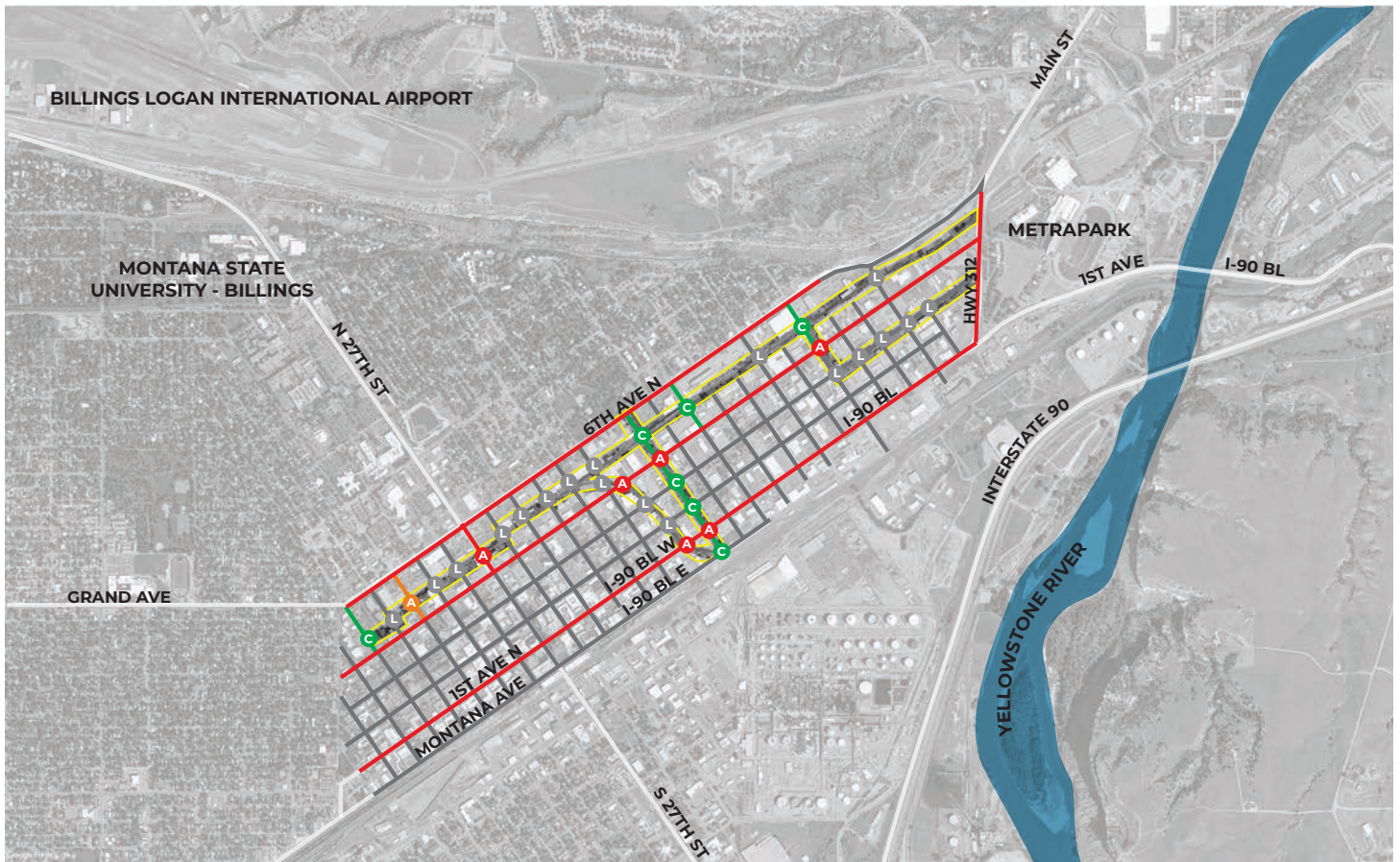
Inventory of Intersections

Cross street intersections interrupt the continuity of the corridor. Understanding the current conditions of those intersections helps to determine the feasibility of creating a continuous transportation facility for the 5th Avenue North corridor. Some of the intersections present challenges to pedestrian and bicyclist safety, while others create important connectivity with other transportation modes. The intersections are grouped into two categories. 1) Arterials and Collectors and 2) Local Streets. These designations influence the design and traffic volumes and therefore will influence the appropriate intersection and crossing type with any multi-modal improvements proposed for the corridor.

Appendix B provides an inventory of the existing conditions for each intersection and how each relates to the 5th Avenue North corridor.

“North 27th Street between Montana Ave and 6th Ave North had the highest crash rate in the City of Billings from 2013-2017. The intersection of North 27th Street and 6th Avenue North was the 7th worst intersection for crashes during that same period.”

Source: 2020 Billings Urban Area Transportation Plan



ROAD CLASSIFICATION LEGEND

- A Major Arterial
- A Minor Arterial
- C Collector
- L Local



Corridor Character



The diversity of character and uses distinguishes the corridor from any other piece of the street grid in Billings. Due to the variety of adjacent uses (office space, cultural institutions, light industrial, warehousing, and a regional recycling center), it is difficult to summarize the character of the entire corridor as anything other than unique.

The western edge of the corridor, where the railroad right-of-way no longer exists, there are plazas and open space associated with adjacent office buildings providing some activated common-area outdoor places. Given the proximity to several social service agencies, parts of 5th Avenue North are actively used as direct pedestrian connections to those services. Further east, where there are fewer office buildings and lighter pedestrian use, neglected sections of the corridor are littered with debris and subject to higher rates of crime and vandalism.



The existing negative characteristics present challenges to the perceived feasibility, but those same challenges are the very reason to envision transforming 5th Avenue North into a safe park-like shared-use corridor to better serve the adjacent properties and the Billing community. To this end, the feasibility study proposes a cohesive community-envisioned concept to improve the overall character and function of 5th Avenue North that honors its heritage, current uses, and future evolution.



All photos on this page show existing conditions along 5th Avenue North in Billings

ASSESSMENT OF FEASIBILITY CRITERIA

This section describes the evaluation of the established criteria to determine the feasibility of improving the 5th Avenue North corridor. Right-of-way availability, active railroad use, and safety were considered. Qualitative assessments including public support, community needs, and property owner interest were also evaluated. Results of these assessments formed the foundation to develop a vision for the corridor.

Railroad Agreement and Support

Montana Rail Link has an obligation to serve customers with rail service for as long as that need exists. Therefore, because a portion of the corridor is actively used to service local businesses, it is essential that the feasibility study include how enhancing the transportation corridor can co-exist with the existing rail operations.

The consultant team met with Montana Rail Link representatives to discuss the project opportunities and constraints. While approval for any use of the MRL right-of-way will require design plans beyond the scope of this feasibility study, a phased approach to the development of a multi-use path adjacent to or within the right-of-way was not outright rejected. Beyond this study, the next step in assessing the development of the corridor will be to complete design plans to a level that can be reviewed by MRL and subsequently BNSF Railway Co. It is anticipated that a 30% complete design would be the minimum to initiate additional discussions, with final approval by BNSF not occurring until nearly 100% design completion.

Property Owner Agreement and Support

In addition to MRL and BSNF support, implementing the proposed improvements along the 5th Avenue North corridor will require significant support from the adjacent business and property owners. Understanding the needs and securing the support of the adjacent properties is critical to determining the feasibility of the corridor improvements.

During the project process, the consultant team and representatives from the POC met with property owners along the corridor. Many view the opportunity to construct a non-traditional transportation corridor as a catalyst for redevelopment within the downtown and EBURD areas. As there is no designated right-of-way for 5th Avenue North west of North 26th Street, coordination with property owners in this section will be integral for the completion of the corridor.

Right-of-Way Availability

The right-of-way varies in width, which will influence the ultimate design of the corridor. In analyzing the availability and dimensions of the right-of-way, the design approach will need to respond to the varying opportunities and constraints. In some locations, easements may need to be secured. In locations with active rail use, safety buffers will need to be implemented which may require additional easements. In the overall analysis of the right-of-way, it has been determined that the corridor can be significantly improved with support from MRL and certain adjacent property owners.

Public Support

Throughout the public outreach, including the virtual open house in the fall, the overall response has been very supportive of the project. The community views 5th Avenue North as an opportunity to create a unique amenity that can be a showcase improvement project and enduring public asset for Billings. The vision created within this document is the result of resounding public support and constructive input. 5th Avenue North is an opportunity to build a multi-faceted coalition of public and private partners to bring the community's vision to fruition.

Safety

Throughout discussions with stakeholders, safety was a common theme. The downtown and EBURD areas currently have higher rates of crime than other locations within the City. According to the Billings Police Interactive Crime Stats Report ([link](#)), the downtown and East Billings neighborhoods reported nearly 17,000 calls for service between January and September 2020.

Balancing the needs to provide a welcoming and safe place for all with the development of adjacent land uses will be important for the design of the corridor. Improving the safety for the corridor and the adjacent neighborhoods will take a coordinated effort between public agencies, social service agencies, and property owners. To that end, implementing transportation and placemaking improvements will be important aspects to increasing overall safety.

Another safety consideration is the many intersection crossings within the 2-mile corridor. Two-thirds of these intersections are local streets with little traffic. However, the intersections of busy and multiple lane streets, such as North 27th Street, pose a significant safety challenge for bicyclists and pedestrians. Designing a safe multi-modal corridor must include consideration of improving this intersection.

“Cities can foster the development of safer conditions for all road users through planning that prioritizes mass transport, pedestrians, and bicyclists.”

**– *Cities Safer by Design*,
World Resources Institute**

Costs

While the corridor will likely be improved in phases over time using a variety of funding sources, it is important to identify and understand the potential project costs up front. While this feasibility study is conceptual only, it provides preliminary cost estimates for the major components of the proposed improvements.

The cost estimates do not include the purchase of any right-of-way and assumes that any improvement of the corridor on private property would be completed in coordination with the current owner or future redevelopment.

ESTIMATED IMPLEMENTATION COSTS			
Item	Total	Notes	
Demolition & Reconstruction	\$ 316,800.00	Average of 40' width of demolition; 2 mile of trail length	
Trail	\$ 407,000.00	12' wide asphalt	
Site Amenities	\$ 164,400.00	Trash/recycling receptacles; benches; bike racks; dog waste bag dispensers; planter pots	
Site Lighting	\$ 1,020,000.00	Pedestrian scale pole lights; light bollards; electrical connection	
Railroad Barrier Fence	\$ 528,000.00	Metal barrier fence; 4' height	
Pilot Project Activity Spur	\$ 750,000.00	Plaza, site furnishing, plantings, specialty lighting	
Intersection - Local	\$ 110,880.00	12 intersections; accessible ramp with truncated dome pavers, removable bollards, painted crosswalk	
Intersection - Collector & Minor Arterial	\$ 301,480.00	5 intersections; accessible ramp with truncated dome pavers; removable bollards; enhanced concrete paver crosswalk	
Intersection - N 27th St.	\$ 802,176.00	Traffic signal, pedestrian signals, electric service; removable and fixed bollards; median refuge; enhanced concrete paver crosswalk with concrete banding	
Signage and Wayfinding	\$ 63,000.00	5th Ave N Corridor (East-West) Gateway kiosks, street/trail intersection signs, secondary access & trail etiquette signs, destination/decision signs	
Signage and Wayfinding	\$ 20,000.00	3rd Ave N, N 13th St, and N 20th St (North-South) Gateway kiosks, street/trail intersection signs, secondary access & trail etiquette signs, destination/decision signs	
Landscaping	\$ 50,000.00	Trees, seeding, shrub beds	
SUB TOTAL	\$ 4,533,736.00		
Public Art	\$ 45,337.36		
Design Contingency	\$ 906,747.20		
Construction Contingency	\$ 453,373.60		
TOTAL	\$ 5,939,194.16		

NOTE: Opinion of probable cost does not include environmental remediation

Phasing

Because the railroad will continue to operate for as long as there are customers needing rail service, the corridor will need to be completed in phases. Phased improvements along the active rail line will need to physically begin and end at points that such as intersections to discourage trespassing along unimproved portions of the corridor. The evaluation of feasibility includes opportunities to implement the improvements over time, while providing a consistent and cohesive design. Phasing also facilitates gaining additional public support in response to initial pilot improvements. The phasing will also need to be responsive to redevelopment opportunities as they arise, as opportunities will likely not be sequential or contiguous along the corridor. Putting forth a complete and comprehensive vision will help facilitate the strategic, phased implementation of the project.

Summary

The feasibility study evaluated the reasonable ability to provide a continuous east-west multi-modal route along 5th Avenue North between the YMCA and MetraPark with connections south to Montana Avenue. It has been determined that the 5th Avenue North corridor can be completed over time to create a multitude of high-amenity non-motorized connections. Alternate routes from North 13th Street east to Main Street and MetraPark were also identified to connect the eastern portion of the corridor while the recycling hub is still operational with active rail use.

In response to the varying existing conditions and uses along 5th Avenue North, the proposed improvements identified in the vision below are a coordinated kit of parts. This allows for flexibility and adaptation as the implementation is phased and adjacent land uses change over time.

CORRIDOR VISION

A bold vision is required to realize the full potential of the 5th Avenue North Corridor to be a safe, amenity-rich community asset.

Throughout the feasibility analysis, many ideas were presented and evaluated that would transform this corridor into a high-value community asset. These ideas represent opportunities to improve transportation access, interact with adjoining properties, and create a unique inclusive public space.

As demonstrated in the case studies presented in Appendix A, communities that embrace a bold vision for the transformation of public places benefit immensely from the improvements for decades. These types of projects become the catalyst for revitalization of private property while providing safe, attractive, and functional public space for the entire community.

The vision and concepts proposed in this study articulate ways that the 5th Avenue North Corridor can be a transformational catalytic project for Billings. Most importantly, the corridor vision and concepts are community driven by the project oversight committee, business and property stakeholders, community organizations, and the people of Billings.

Corridor Vision

Guided by the established project vision and community input, the 5th Avenue North Corridor will be a safe, attractive, and accessible transportation corridor acting as a catalyst for revitalization and economic prosperity while invoking community pride and ownership.

It will provide an inviting, convenient, and safe way of travel for all ages and abilities, provide convenient access to transit, and create new connections to local destinations. A dedicated space to non-motorized travel will provide opportunities for pedestrians and bicycles through creative trail design, attractive public spaces, landscape, signage, art, and other site amenities.

“We can create a gathering spot for things like festivals and outdoor markets that would be a centerpiece for Billings.”

- Public Comment

Corridor Goals

The 5th Avenue North Corridor study provides a vision for the corridor by considering physical design elements, existing conditions, potential land use, and future traffic demand. The following goals are established to help achieve the project vision.

Connect the Community through a Multi-Use Transportation Corridor

- Enhance the physical and visual connections of 5th Avenue North to streets, bike routes, the bus transfer station, neighborhoods, downtown, and MetraPark by creating an attractive, safe multi-use transportation corridor.

Create a Transformational and Inviting Public Space

- Transform the railroad corridor into a vibrant travel route that welcomes users with an inviting and safe experience that is enlivened by well-designed placemaking.

Increase Corridor Visibility

- Increase the visibility of the 5th Avenue North corridor at street crossings and access points through placemaking, wayfinding signage, and public artwork.

Create an Atmosphere of Safety

- Prevent problems and encourage safe behavior by improving street connections, signage, and lighting to create a public space that is inclusive and inviting to a wide variety of users.

Leverage Community Partnerships

- Leverage existing partnerships between the City, businesses, and property owners to enhance, maintain, and manage the corridor by developing engaging public and private spaces that encourage the use of the corridor.

“Would love a green space here to bike/run to the Metra, hook up to the rest of our trail system, or attend events at Metra Park (and not have to drive!). More housing/density along here could also support food trucks, pop up craft fairs, and other inviting activities along this trail. Even farmers markets on different nights of the week! So much potential.”

– Public Comment

OPPORTUNITIES

“Prioritize the connectivity of this project to surrounding neighborhoods and provide an alternative for pedestrians.”

– Public Comment

Building off the vision and goals, the project consultants developed a schematic corridor alignment and evaluated the opportunities that could arise from corridor development. These opportunities relate to the corridor itself, the overall transportation system, placemaking, and associated redevelopment opportunities along the alignment.

All the corridor goals stated above represent a unique opportunity for Billings to create a community asset that is accessible, equitable, and inclusive for everyone. The goals could be summarized as “leverage partnerships to connect the community by creating an inviting public space that is visible and safe”. The 5th Avenue North corridor could, and should, become a place that people can travel, recreate, and find respite regardless of the race, age, ability, and socio-economic status.

Corridor Character

The analysis of the existing conditions along 5th Avenue North identified widely diverse characteristics of the corridor. The opportunities to improve and enhance the corridor should reflect and celebrate that diversity. There are four sections that generally have different characteristics from one another. Each distinct section should have a unique but complementary approach to the specific improvements proposed. One way to ensure cohesion of the corridor is to create a common theme of design elements and allow flexibility as when and how those elements can be completed. This will enable phasing of the corridor to occur as conditions change and opportunities arise. Yet, creating that common theme ensures that each element is working towards completion of the corridor.

The idea of development of the corridor into an identifiable destination in Billings has been evolving through the community. Incorporating public comments, stakeholder meetings, and the Project Oversight Committee, a theme arose to identity this corridor as the 5th Avenue Rail Trail. Retaining 5th Avenue in the name securely holds the location in geographical context. Rail reminds the community of the use – past and present – of the corridor. Trail presents the opportunity for the future use.

Throughout the rest of this Study, there are images that reflect the Rail Trail theme. Through development of a visionary concept design, these ideas can be further established and incorporated throughout the length of the corridor.

As the vision for 5th Avenue North is refined, section boundaries may need to be adjusted. The character areas proposed below are a starting point for further exploration and design.



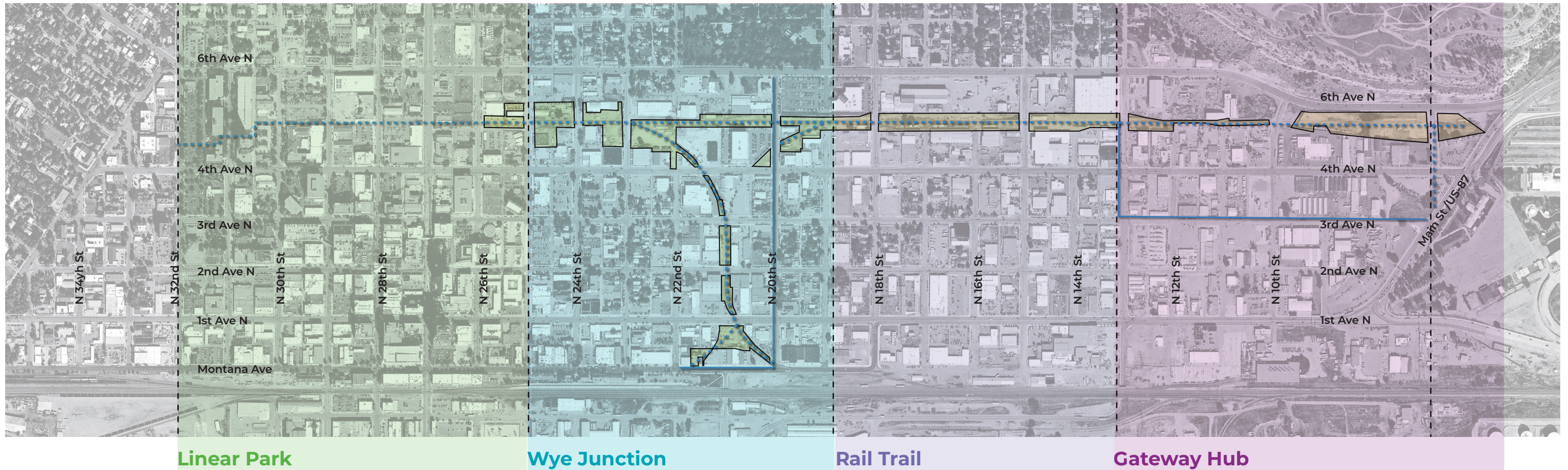
Charlotte Rail Trail, Charlotte, North Carolina



Charlotte Rail Trail, Charlotte, North Carolina



Indianapolis Cultural Trail
credit: Lavengood Photography



Corridor Transportation Improvements



Crosswalk

Marked crosswalk to designate pedestrian / bicycle right-of-way at street crossing



Entry Monument

Gateway monument to provide a clear and grand image on entry points to the corridor



Wayfinding Signage

Signage to encourage visitation, provide clear directions, and reflects the character of the corridor



Shared Street

Street shared between vehicles and bicycles with bicycle lane markings and sidewalk improvements

Corridor Placemaking Elements



Pedestrian Lighting

Pedestrian scale lighting along the corridor and at entry points to increase user safety and visibility within the corridor



Site Furnishing

Benches, planters, trash receptacles, bicycle parking that reflects the character of the corridor and creates places for people



Trees and Landscape

Trees to provide shade and planting to provide interest and act as a buffer from the railroad tracks or street



Pocket Park

Small activity spaces at entry points where people can gather, where additional amenities can be provided, and provide a sense of place



Public Art

Murals and sculptures that reflect the character of the corridor

Overall Vision Exhibit

Linear Park

The section of the 5th Avenue North vision from the YMCA to North 25th Street offers an opportunity to use existing plazas and landscaping to extend the corridor into the central business district as an urban linear park. This area lacks cohesive park and open spaces, and the Linear Park would provide a connected multi-use route and green space to enhance the public realm.

As the right-of-way has been deeded back to adjacent properties, implementation of the Linear Park improvements through this section would require cooperation and participation by adjacent property owners. The Linear Park will require community collaboration to incorporate the recommended corridor improvements with future private redevelopment.

Highlights of the Linear Park section include providing a safe and accessible route for students who attend youth and after-school programs at the YMCA by reducing interaction with busy vehicular streets.

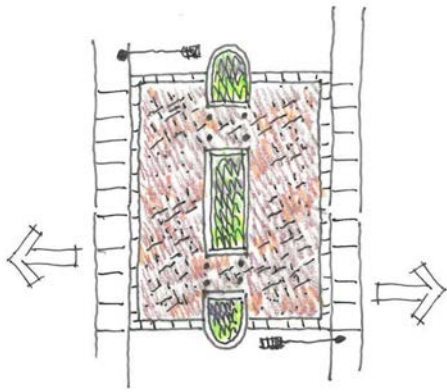
Additionally, the Linear Park would support and enhance amenities such as the Billings Public Library, the Lincoln Center, and the Yellowstone Art Museum. It could be used as a public space for outdoor gatherings, markets, and special events.



ADJACENT PROPERTY BUFFER - VARIES 12' TRAIL BUFFER - VARIES EXISTING PARKING

Linear Park

An area of civic and office buildings interlaced with parking lots. Without any of the 5th Avenue North right-of-way remaining, the corridor would meander through existing development, creating opportunities for plazas and pockets of amenities. Corridor should be designed to add green space and gathering spots as amenities for nearby residents and downtown workers.



Conceptual intersection crossing at
North 27th Street and 5th Avenue North

There are seven cross streets within this section that would require creation of intersections with 5th Avenue North. All City streets are designated in the Billings Urban Area Long-Range Transportation Plan as local, collector, and arterial streets based on the intended balance between prioritizing local access versus efficient mobility. Intersection design will vary due to traffic volumes, speed, and street width of those cross streets. Below are examples of intersections of pedestrian streets with different street conditions.

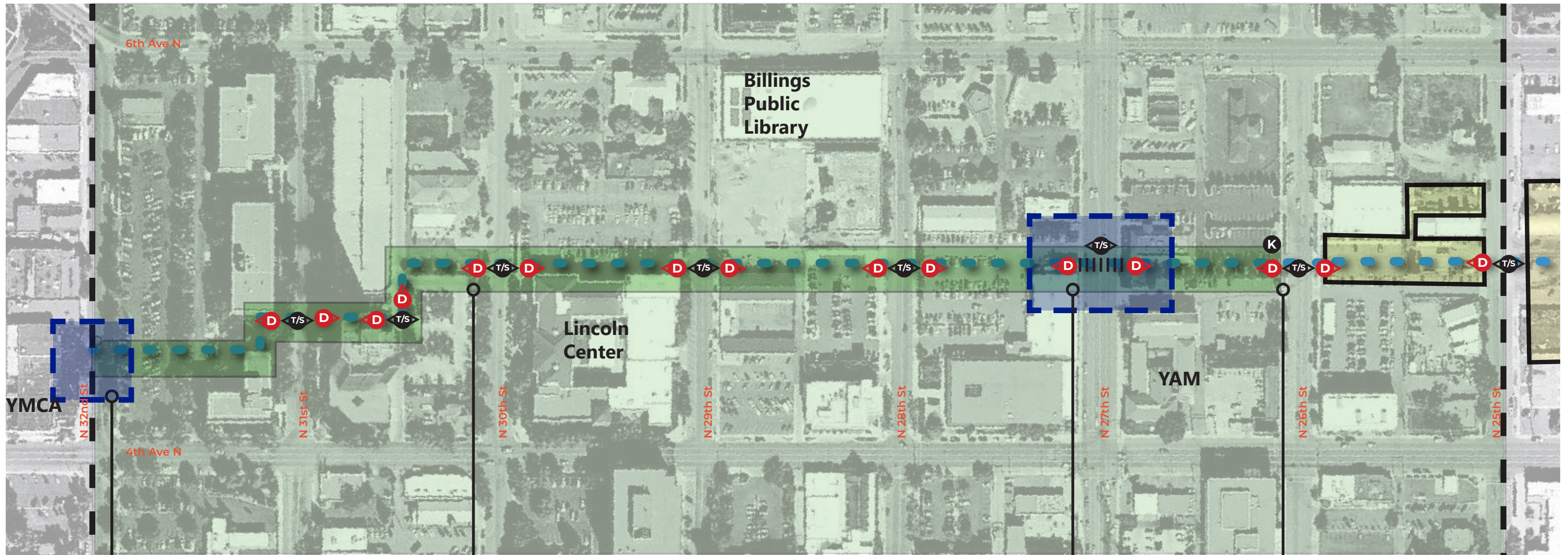
Given the high traffic volume and street width, the intersection with North 27th Street will require special consideration. Classified as a Major Arterial and a Montana Department of Transportation (MDT) Urban Route, North 27th Street is a primary route through downtown Billings, providing direct connectivity between I-90 and both Highway 3 and Billings Logan Airport. According to nationally accepted resources such as the Guide for Improving Safety at Uncontrolled Crossing Locations (FHWA, 2018) and the Urban Street Design Guide (NACTO, 2013), best practices for pedestrian and bicycle crossings of multi-lane urban arterials include:

- Crosswalk visibility enhancements (high-visibility markings, lighting improvements, curb extensions, advanced signing)
- Raised crosswalk
- Pedestrian refuge island (with offset crosswalk alignments where applicable)
- Road diet (reduction in lanes)
- Actuated pedestrian signal systems (Rectangular Rapid Flash Beacon or Pedestrian Hybrid Beacon)

Designing a safe intersection and meeting the goal to increase the corridor visibility creates a distinct opportunity at this focal point of the corridor.



Dequindre Cut, Detroit, Michigan
credit: Smith Group JJR



Transformation Public Space - create public space where none currently exists.

Activity Hub: flexible event space, increased green spaces, public-private collaboration

Partnership - Collaboration to create trail connecting civic and cultural uses

Corridor Visibility -High visibility crossing N 27th St with at-grade crossing the full width of corridor, with traffic signal and median refuge

Safety - Enhance intersections to provide safe crossing

WAYFINDING ELEMENTS LEGEND

-  DECISION SIGN
-  TRAIL / STREET INTERSECTION SIGN
-  INFORMATION KIOSK
-  SHARED USE PATH (separated from active railroad line with approved barrier)

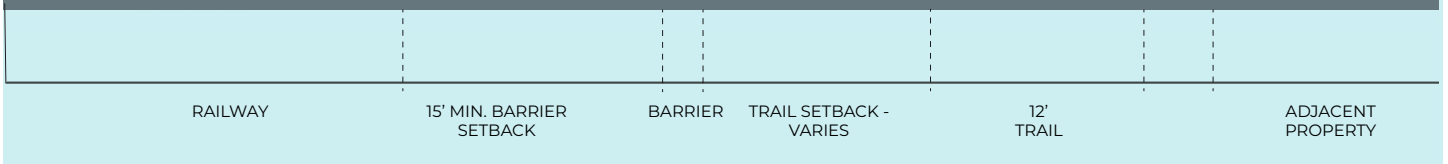
Linear Park Exhibit

Wye Junction

The section between North 25th Street and North 20th Street is a transition between the urban central business district and the industrial section to the east. The railroad right-of-way begins here and provides increased opportunities for plazas and activity areas. The area includes a mix of adjacent land uses. This section includes a significant concentration of professional offices, including the Federal Building and the First Interstate Bank Operations Center.

As Billings looks to expand and improve transportation networks, the Wye Junction area provides critical connectivity between downtown, the North Park neighborhood, Montana Avenue, the EBURD, and MetraPark.

In railroad structures, and rail terminology, a wye (like the 'Y' glyph) is a triangular joining arrangement of three rail lines with a railroad switch (set of points) at each corner connecting to each incoming line.



Wye Junction

The zone is a transition from downtown to the industrial area and serves as a connection to Montana Avenue and the North Park neighborhood. With several large office buildings, this zone serves as a potential pilot project area for corridor improvements. Improvements including trail development, activity nodes and wayfinding would be valuable amenities.

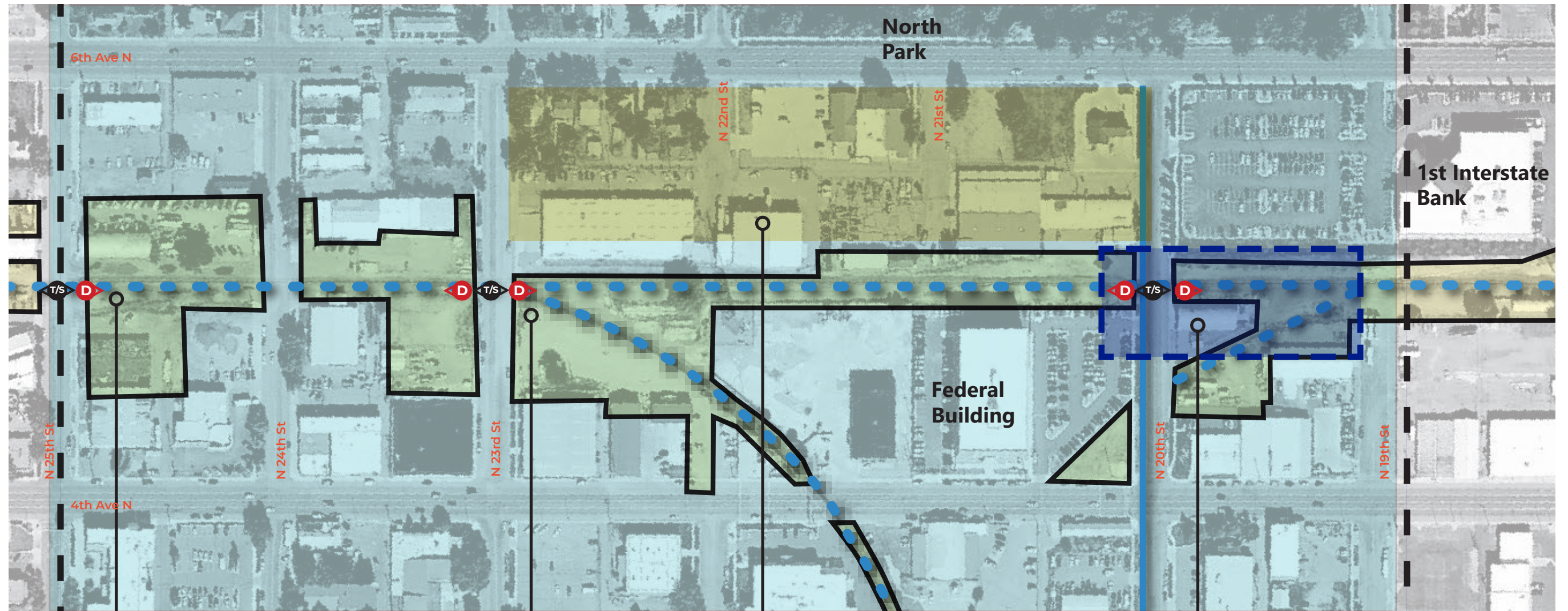
A re-envisioned 5th Avenue North would create a dedicated multi-modal transportation corridor, connecting employment, social services, entertainment, and housing.

The focal point of Wye Junction would be an activity node near the North 20th Street intersection anchored by the Federal Building and the First Interstate Bank Operations Center. This node could incorporate green space, public art, and a food truck plaza. Additionally, just one block north, a pedestrian signal crossing 6th Avenue North to the North Park Neighborhood would allow residents to safely access and utilize the 5th Avenue North corridor. The proposed 6th Avenue North pedestrian signal crossing at North 20th Street would compliment the existing one at 4th Avenue North, providing safe access from both the north and south.

The Wye Junction section also connects south to Montana Avenue via the rail spur right-of-way and adjacent streets. From north to south, this route would create multi-modal connectivity between the North Park Neighborhood, North Park, the 5th Ave North Corridor, and Montana Avenue.

North 20th Street can serve as the north-south connection until such time that the current active rail spur can be converted to a shared-use path. As an interim solution, North 20th Street is the logical direct connection between the North Park Neighborhood and Montana Avenue that will allow safe travel across 6th Avenue North and 4th Avenue North utilizing the existing signalized pedestrian crosswalks

There is also opportunity to connect to transit routes that currently cross the 5th Avenue North Corridor. According to the US Department of Transportation, public transportation ridership can increase by 16 percent when walking and bicycling access is improved.




Multi-Modal – Increase connectivity with transit opportunities

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

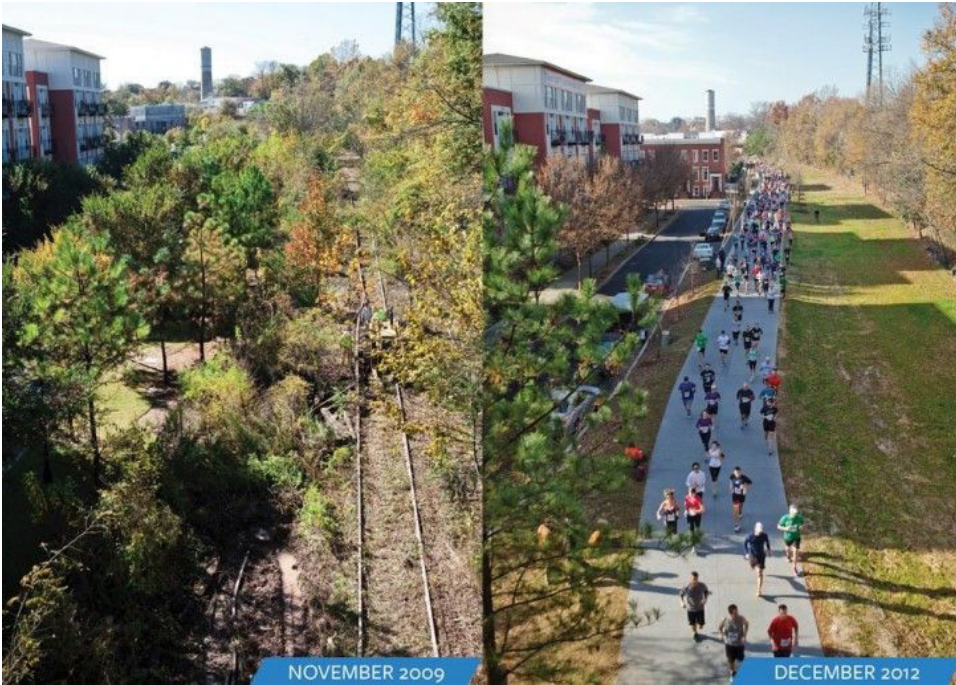
Safety – With active railroad use, look for opportunities to expand amenities with adjacent property owners

Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art
Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

WAYFINDING ELEMENTS LEGEND

-  DECISION SIGN
-  TRAIL / STREET INTERSECTION SIGN
-  INFORMATION KIOSK
-  SHARED USE PATH (separated from active railroad line with approved barrier)

Wye Junction North Exhibit



The BeltLine, Atlanta, Georgia

“The Atlanta BeltLine project is converting 22 miles of disused railway beds surrounding the city into a biking and pedestrian loop. A Georgia Tech graduate student submitted the idea for the BeltLine to city officials in 2001. This idea turned into a grassroots campaign of local citizens and civic leaders dedicated to the BeltLine’s integrated approach to transportation, land use, greenspace, and sustainable growth. Construction began in 2006, and the city expects to complete the \$4.8 billion project by 2030. It will connect 45 neighborhoods – cutting across socioeconomic and racial lines – while promoting urban revitalization and a healthier lifestyle for all residents.”

Source: Case Study of the Atlanta BeltLine



The BeltLine in Atlanta, Georgia
credit: Christopher T. Martin

Rail Trail

East of the Wye Junction section, the railroad use increases and the right-of-way narrows. Therefore, the Rail Trail section is envisioned as a straight multi-modal shared-use trail without the potential for activity hubs. This section has fewer intersections than those to the west, allowing for longer uninterrupted stretches of the trail for improved mobility efficiencies.

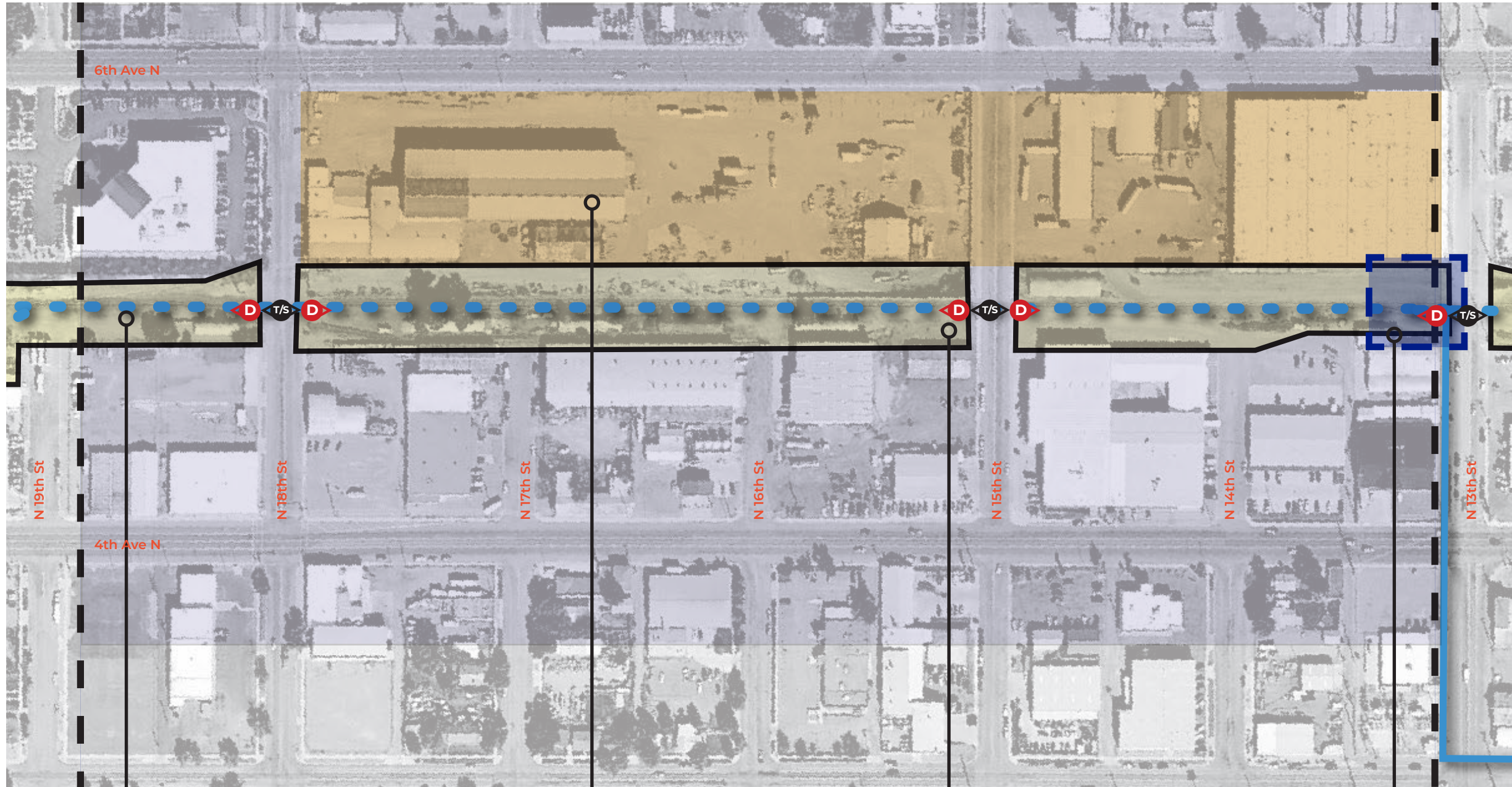
Assessment of the existing right-of-way established there is ample room for a 12-foot multi-use trail and a buffer zone to limit conflict with rail activity. In addition to the buffer zone, safety should be enhanced through the Rail Trail with additional lighting elements.

If land and business use along the Rail Trail change, opportunities to create amenity nodes on adjacent property could be explored. This section of the corridor has larger properties, particularly on the north side, which would enable greater opportunity for partnerships if and when property redevelops. This could include providing easements for trail use and public spaces.



Rail Trail

The right-of-way narrows through this zone, creating fewer opportunities for activity hubs. This section provides opportunity for a multi-use trail with limited intersections. This zone has some larger properties that could partner to complete the corridor as part of redevelopment projects.



Multi-Modal – Increase connectivity with transit opportunities

Safety – With active railroad use, look for opportunities to expand amenities with adjacent property owners

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art

Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

WAYFINDING ELEMENTS LEGEND

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 SHARED USE PATH (separated from active railroad line with approved barrier)

Rail Trail Exhibit



12' TRAIL

TRAIL SETBACK - VARIES

BARRIER

15' MIN. BARRIER
SETBACK

RAILWAY

Gateway Hub
 This zone has active rail use and limited right-of-way. It provides opportunity to connect with the activities of MetraPark as well as connection to the Swords Park trails. While the railroad use remains active, an alternate route using 3rd Avenue North could provide these needed connections.

Gateway Hub

The final section of the corridor is located between North 13th Street and MetraPark. Between North 13th Street and North 10th Street, the right-of-way becomes too narrow to continue the buffered shared-use trail. An alternative alignment would be to detour the shared-use trail south along North 13th Street to continue east on 3rd Avenue North. This alignment would ultimately connect to the proposed pedestrian overpass across Main Street to MetraPark.

There should be a committed effort to extend the corridor within the 5th Avenue North alignment east of North 13th Street in conjunction with future property redevelopment. If right-of-way or easements can be secured, opportunities such as those envisioned in the Wye Junction can also be created here. Green spaces, nodes and activity centers should be considered to enhance the area, providing amenities for the nearby users of MetraPark.

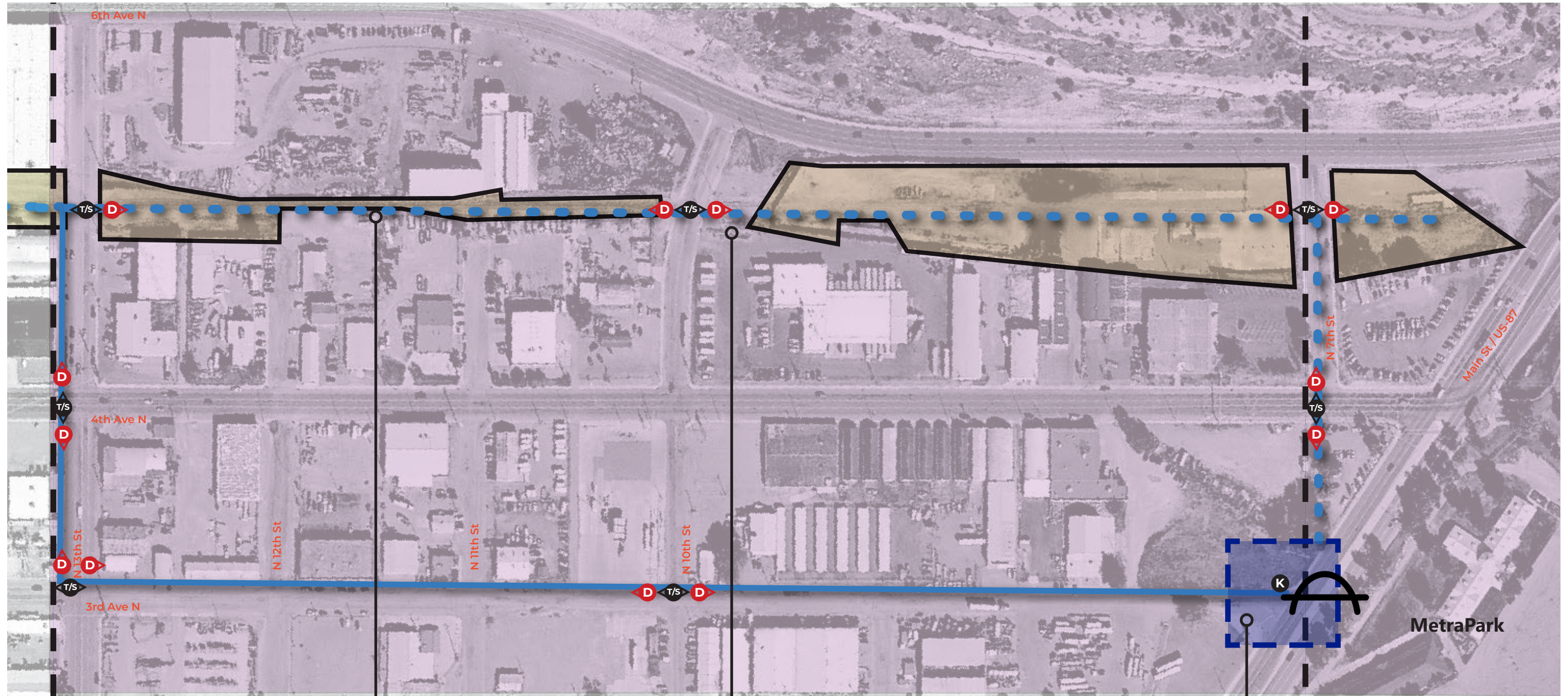
This zone should also be focused on connecting bike and pedestrian facilities to Swords Park and The Heights.

As an interim solution, the existing facilities along 3rd Avenue North, which includes an existing bike lanes, can provide a connection to MetraPark. In this case, coordinated signage and other amenities should be used to build and create a cohesive corridor.

This section is called Gateway Hub in recognition of the area's current identification as the Recycling Hub and the adjacent Exposition Gateway. As these areas continue to be developed and evolve, the Gateway Hub will serve as gateway to and from MetraPark and a hub of complimentary amenities to the Exposition Gateway and its proposed hospitality corridor.



The Rail Park, Philadelphia, Pennsylvania



WAYFINDING ELEMENTS LEGEND

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-  TRAIL / STREET INTERSECTION SIGN
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Gateway Hub Exhibit

Multi-Modal – Increase connectivity with transit opportunities

Corridor Visibility – Wayfinding and other common elements can highlight the connection between 5th Avenue North and Montana Avenue

Transformational Public Space - Employment Activity Hub: build off the private investment occurring in this area by activating public space with increased green space, food truck plaza, and public art

Partnerships – Seek spaces for food trucks and other amenities for nearby office workers

Transportation

The primary purpose of the 5th Avenue North Corridor Feasibility Study is to identify opportunities to create new multi-modal transportation facilities and connectivity with the existing network.

Access

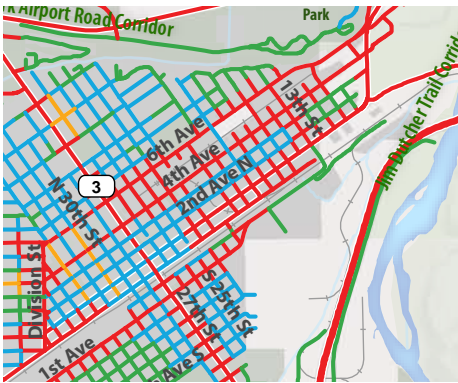
Implementing complementary transportation facilities along 5th Avenue North would create a 2-mile stretch of east-west multi-modal access that does not currently exist. Establishing access between the downtown central business district, the EBURD, and MetraPark is a community goal reiterated in numerous Billings plans, including the 2017 Billings Area Bikeway and Trails Master Plan, 2013 Exposition Gateway Plan and Hospitality Corridor Study, and the 2009 East Billings Urban Renew District Master Plan.

Connectivity

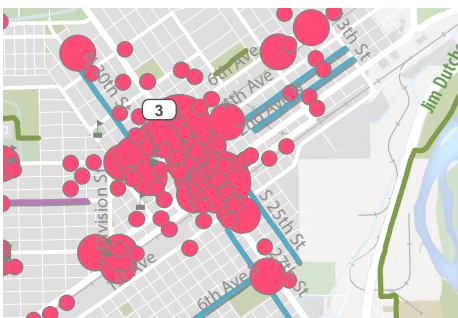
In addition to increasing access to downtown and MetraPark, upgrading 5th Avenue North as a multi-modal corridor would dramatically improve connectivity with numerous north-south transportation facilities. The proposed shared-use corridor would intersect with over 15 streets many of which are established bike routes and pedestrian ways. A highly connected transportation system, particularly for multi-modal uses such as biking and walking, dramatically increases efficiency, route options, and correspondingly, utilization.

Safety

The 2017 Billings Area Bikeway and Trails Master Plan (the Plan) includes an analysis of the level of traffic stress for bicyclists. The Plan assigned the highest level of traffic stress to 4th Avenue North and 6th Avenue North. It also designates every cross street between North 13th Street and North 27th Street at the highest traffic stress level. The Plan establishes that high traffic stress streets are only appropriate for “strong and fearless” cyclists, thus excluding most people. The Plan states an equitable transportation network “should provide direct routes between origins and destinations that do not include links that exceed one’s tolerance for traffic stress.”



Level of Traffic Stress for Bicyclists, 2017 Billings Area Bikeway and Trails Master Plan



Bike/Ped-Vehicle Collisions, 2017 Billings Area Bikeway and Trails Master Plan

The 2017 Billings Area Bikeway and Trails Master Plan provides this explanation of the stress level designations:

“The methods used for the Level of Traffic Stress Analysis were adapted from the 2012 Mineta Transportation Institute (MTI) Report 11-19: Low-Stress Bicycling and Network Connectivity. The approach outlined in the MTI report uses the following variables to classify roadways:

Posted speed limit

The number (and width) of travel lanes

The presence of bicycle lanes

LTS 4 [denoted in red on the corresponding map] is assigned to segments that are only acceptable to “strong and fearless” bicyclists, who will tolerate riding on roadways with higher motorized traffic volumes and speeds. Sometimes, even the presence of a dedicated bicycle lane is not sufficient to make a high-speed and volume roadway comfortable to a significant portion of the population.”

High amounts of traffic stress directly correlate to vehicle collisions with pedestrians and bicyclists. The 2017 Billings Area Bikeway and Trails Master Plan illustrates the high number of collisions occurring within the 5th Avenue North corridor project area. These collisions are a direct result of inadequate safe pedestrian and bike facilities.

Converting 5th Avenue North to a low-stress multi-modal corridor connecting nearby destinations would benefit bicyclists and pedestrians. The east-west pedestrian experience along 4th Avenue North and 6th Avenue North - high-speed one-way four-lane thoroughfares with marginal sidewalks and little to no traffic calming amenities - leave much to be desired. A quiet, attractive, and safe 5th Avenue North multi-modal corridor would be a significant improvement for both pedestrians and bicyclists.

Demand

All the relevant planning documents referenced in the Background section of this study prioritize access, connectivity, improved bicycle and pedestrian facilities, multi-modal transportation, and mobility safety. The emphasis placed on these community benefits indicate a high level of demand for the type of improvements proposed for the 5th Avenue North corridor.

The 2017 Billings Area Bikeway and Trails Master Plan received 650 individual interactions using an online public input map. The mapping input indicated that only 8 miles of “comfortable” bike routes currently exist in the entire city. Resident input indicated the demand for 120.3 miles of new desired off-street bike facilities and 217 miles of new desired on-street bike facilities.

MOST IMPORTANT FACILITIES

BASED ON RESIDENTS' TOP FOUR CHOICES

From the Community Interest/Opinion Survey

WALKING & BIKING TRAILS 54%

SMALL PARKS 50%

LARGE PARKS 23%

HIGHEST PRIORITY FOR INVESTMENT

BASED ON RESIDENTS' CHOICES AND UNMET NEEDS

WALKING AND BIKING TRAILS

Source: 2016 City of Billings Community Interest and Opinion Survey

Trails Master Plan Survey Responses, 2017 Billings Area Bikeway and Trails Master Plan

The 2018 Billings Urban Area Long Range Transportation Plan established a goal of “increasing the number of shared-use trail miles by 10% between 2018 and 2023”. These metrics begin to quantify a high demand for additional multi-modal facilities.

Placemaking

The 5th Avenue North corridor provides a unique opportunity to incorporate a variety of placemaking strategies to enhance the multi-modal transportation function of the corridor while celebrating its history and current industrial character.

Placemaking incorporates landscaping, hardscaping, lighting, public art, and amenities such as wayfinding, seating, trash receptacles, etc. Where more right-of-way is available, and by collaborating with adjacent property owners, pocket parks could be built to provide small spaces with high concentrations of public amenities. All these placemaking elements not only make the public realm more attractive and user-friendly, but they also increase safety and positively impact property values.

What is Placemaking?

A hands-on approach for improving a neighborhood, city, or region, by inspiring people to collectively reimagine and reinvent public spaces as the heart of every community.

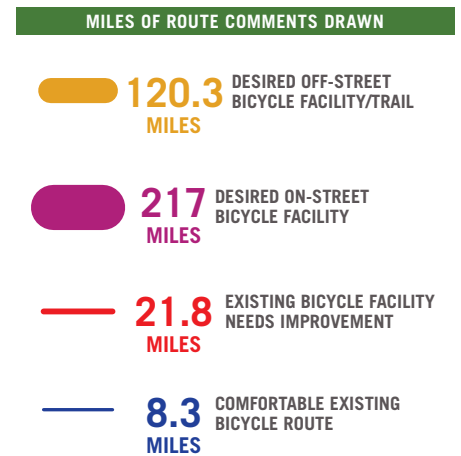
A collaborative process by which we can shape our public realm in order to maximize shared values and to strengthen the connection between people and the places they share.

A tool to facilitate creative patterns of use, paying particular attention to the physical, cultural, and social identities that define a place and support its ongoing evolution.

Source: Project for Public Spaces

Wayfinding is a key component of placemaking and particularly important for the 5th Avenue North Corridor to provide guidance along, to, and from this long transportation corridor. Using the standards and typologies identified in the 2020 Billings Wayfinding Plan, a signage plan should be developed for 5th Avenue North and installed as the other improvements are implemented. The wayfinding system would also need to be extended along North 20th Street as the north-south connection in Wye Junction and down North 13th Street and along 3rd Avenue North in the Gateway Hub.

The 5th Avenue North Corridor has a rich history and diverse mix of uses today that provide an authentic framework to inspire placemaking design and implementation. The primary themes for the placemaking vision are the railroad and the recycling industry.



Trails Master Plan public input



The Rail Park, Philadelphia, Pennsylvania



An on-street parklet, Oslo, Norway

Why is Wayfinding Important?

The 2020 Billings Area Wayfinding Signage Plan outlines the numerous benefits of comprehensive wayfinding system:

Orients and guides locals and visitors from place to place with minimal stress

Identifies best routes to destinations

Creates a recognizable brand and identity for the jurisdiction and/or active transportation network

Overcomes barriers to entry, such as negative perceptions of connectivity, safety, the time it takes to travel by bicycle, and overall convenience

Improves safety by increasing the visibility of pedestrians and bicyclists and heightening the awareness of motor vehicle drivers

Normalizes walking and bicycling as legitimate modes of transportation

By incorporating railroad and recycling themes into the placemaking elements, the improvements will be uniquely Billings—familiar and comfortable to residents and interesting to visitors. It is recommended that, when feasible, placemaking amenities such as seating, signage, and public art should be designed and created locally. This would allow Billings artisans and fabricators to capture a unique community ‘look and feel’ and supports the local economy.

Public art is also a placemaking strategy that can transform underutilized public spaces into vibrant community assets. Collaborating with local art institutions (Yellowstone Art Museum), schools, and artists, to develop a public art plan for 5th Avenue North would engage a diverse group of residents to design and create a shared vision for beautifying and activating the corridor.

Adjacent Land Redevelopment

See Appendix A for several inspiring case studies of redevelopment adjacent to railroad corridors.

Implementation of the vision of the 5th Avenue North corridor will be directly tied to redevelopment and improvements of adjacent properties. The creation of new and safe public open space, such as the 5th Avenue North corridor, can generate positive momentum that leads to private investment in a neighborhood. Also, private redevelopment can lead to opportunities to complete and enhance the corridor. These activities will need to go hand-in-hand.

Much of the land adjacent to the corridor, particularly between 26th Street and Main Street/Hwy 312, is underused. Over half of properties have an assessed land value greater than the assessed building improvements value. This indicates an under-investment in the area and suggests many opportunities for higher and better uses in the future.

FROM FEASIBILITY TO FRUITION

Taking the 5th Avenue North corridor from current conditions to the envisioned multi-modal transportation facility will take preparation and partnerships. The intent of this Study is to evaluate the feasibility of creating a multimodal corridor. That realization will require private investment and strategic public infrastructure investments. This is especially important as the city does not own any corridor property and therefore is reliant on cooperation and collaboration with property owners to realize the vision for this area. The following information details the necessary actions and steps to work towards project completion.

IMPLEMENTATION

Implementation requires proactive planning to ensure success. Visionary concepts do not become reality by accident or luck. Every project needs a group of leaders and champions to carry the vision forward to completion. Just as the steering committee shepherded this study forward, implementation is dependent on a group of community leaders dedicated to improving the 5th Avenue North corridor.

Planning for implementation also needs to consider how the improved corridor is going to be managed and maintained. Use of right-of-way will require an agreement between Montana Rail Link, BNSF and the City of Billings. Such agreements would need to include provisions for managing and maintaining the public improvements. Forming a community non-profit, Friends of 5th Avenue North, could be a third-party partner.

To fully implement the corridor vision, the community must be committed and prepared to take advantage of two critical types of implementation opportunities. The first is the acquisition of the railroad right-of-way at such time that its use for rail service is discontinued. What makes the 5th Avenue North corridor so unique is the fact that it is neither a traditional street nor is it typically developed with buildings and parking lots. Therefore, if given the chance, the City of Billings should acquire the right-of-way rather than it being deeded back to the adjacent private properties. The second type of critical opportunity will arise when private properties adjacent to the corridor are redeveloped. The City and champions of the 5th Avenue North vision will need to work with developers to ensure the corridor's public access and amenities are incorporated into the design, construction, and operation of new developments. This can be done in mutually beneficial ways discussed more in the public private partnership section of Appendix C, which also outlines potential funding sources for ROW acquisition.

Beyond taking advantage of those two critical opportunities, each of the defined character areas would require different implementation strategies to successfully improve the corridor.

What Are Public Private Partnerships?

Public Private Partnerships, commonly referred to as P3 or PPP, are a powerful tool that has been used across the country to bring high-impact community projects to fruition by combining the respective strengths of the public and private sectors.

Community improvements can be made beyond the scope of one private development project using P3.

Cities do not have enough funding to finance all the needed public improvements and P3 provide a means to invest public funds and leverage private resources.

Linear Park

The railroad right-of-way terminates just past North 25th Street. The extension of the corridor further to the west will require vision, patience, and collaboration. For example, by partnering with The Yellowstone Art Museum, the corridor could be extended to North 27th Street by making use of the existing open spaces adjacent to the Vault and YAM buildings and parking lots. One idea would be to create a slightly elevated walkway over the stormwater detention swale. This would create a safe, tree lined path for pedestrian and bicyclists while preserving the stormwater function.

Continuing further west would require creating a safe crossing where the corridor would cross North 27th Street. Further implementation will require working with the existing property owners, many of which are community-minded, such as the Billings Gazette, Stockman Bank, the Billings Public Library, and the Lincoln Center. There may be creative ways using ‘tactical urbanism’ strategies to safely extend the corridor along the edges of those buildings and the associated parking lots. In addition to exploring ways to traverse this stretch today, a bold concept design should be formulated that would incorporate the complete 5th Avenue North shared-use corridor between North 27th Street and North 32nd Street at such time that one of more of those properties are redeveloped. This area would be ideal to utilize public private partnerships when the opportunities arise.

Wye Junction

The entire 5th Avenue North corridor through Wye Junction has ample railroad right-of-way and implementing the full complement of improvements will be dependent on collaborating with Montana Rail Link. Wye Junction is the most complicated and perhaps most important area of the four corridor sections because it includes the potential for a critical north-south connection from the North Park neighborhood to Montana Avenue. Therefore, implementation of this north-south connection will need to be phased over time. The exiting rail spurs arcing between Montana Avenue and the 5th Avenue North corridor do not have enough right-of-way to co-locate a shared use path with the rail lines. Therefore, the recommended first phase implementation would be to use North 20th Street as the north-south connection. This initial connection could be made by sampling using the 5th Ave North corridor wayfinding elements to guide users north and south along North 20th Street. This part of the wayfinding system would be anchored with a gateway monument at the intersection of Montana Avenue and North 20th Street.

In preparation for full north-south implementation along rail spur, a visionary concept design should be created. In the future, if the rail use along either spur is discontinued, the City of Billings should be prepared to acquire the railroad right-of-way to extend the shared-use path and placemaking improvements between 5th Avenue North and Montana Avenue.

What is Tactical Urbanism?

Tactical Urbanism is all about action. Also known as DIY Urbanism, Planning-by-Doing, Urban Acupuncture, or Urban Prototyping, this approach refers to a city, organizational, and/or citizen-led approach to neighborhood building using short-term, low-cost, and scalable interventions to catalyze long-term change.

Source: Tactical Urbanism Guide



Tactical urbanism crosswalk project across Main Street in Price, Utah



Tactical urbanism wayfinding signs in Ottawa, Canada

Rail Trail

The implementation through the Rail Trail section is the most straight forward of the four character areas. In this section, 5th Ave North is a clearly defined and consistent corridor between North 19th and North 13th Streets. The entire length runs through a wide railroad right-of-way that would accommodate the proposed landscaped shared-use path. Complete implementation will require collaborating with Montana Rail Link to agree on the access and recommended improvements.

Gateway Hub

Implementation of the shared-use trail and placemaking improvements along the 5th Avenue North corridor through the Gateway Hub will require temporarily utilizing the existing street and sidewalk network. Initially, the shared-use path will need to transition from the 5th Avenue North corridor and turn south down North 13th Street. The route could then continue east along 3rd Avenue North until it reaches Main Street. Wayfinding signage would identify this meandering route.

Like the implementation strategies recommended for the Wye Junction north-south connection, a visionary concept design should be developed illustrating the extension of the 5th Avenue North corridor improvements. The complete implementation would be possible at such time that the adjacent land use along the corridor between North 13th Street and Main Street changes. The City of Billings should be prepared to acquire the right-of-way through this section and collaborate with future redevelopment projects to extend the full slate of shared-use path and placemaking improvements.



Pop-up protected bike lane on Telegraph Avenue in Oakland, California

PILOT PROJECTS AND PHASING PRIORITIES

The 5th Avenue North Corridor feasibility study proposes an ambitious vision for enhancing the corridor that will need to be implemented in phases over time. Thoughtful consideration will need to be given to the prioritization of the potential implementation phases. Phasing may be influenced as adjacent properties are redevelopment. As private property may redevelop, an opportunity to implement corridor improvements is created. The vision created in the Study acknowledges the need to be flexible and provide a theme for common elements so that parts may be built over time.

Below is a phasing plan utilizing the proposed Corridor Character Areas. The phase order is based on a variety of factors including current use, available right-of-way, and potential private partners.

- Phase One—Wye Junction
- Phase Two—Rail Trail
- Phase Three—Linear Park
- Phase Four—Gateway Hub

Phase One implementation in the Wye Junction area would serve as a pilot project showcasing all the improvement elements. This initial phase would extend between North 26th and North 18th Streets, respectively anchored by the Yellowstone Art Museum Visible Vault and the First Interstate Bank Operations Center. This section would also incorporate direct connectivity to North Park via North 20th Street with the installation of complimentary wayfinding signage.

The Linear Park area would provide another opportunity to pilot some improvements using temporary tactical urbanism installations discussed below.

These initial improvements and temporary installations would give the community a chance to guide the vision into reality and experience the benefits of improving the corridor. A successful initial phase and tactical installations would create excitement and momentum to pursue subsequent phases.

NEXT STEPS

According to the findings in the study, there are two initial steps that the City could take to continue moving forward with the process of building a multi-modal transportation corridor.

The first step is for the City to request professional design services to finalize the corridor vision and develop design plans for the entire corridor.

The second step would be to continue discussions with Montana Rail Link to develop an agreement for use of the right-of-way.

Beyond these initial steps, subsequent activities include:

- Public Review and Design Concept
- Phasing Priorities and Funding Identification
- Design and Build Pilot Project
- Final Design Documents for Phase One
- Management and Maintenance Structure
- Construction
- Ribbon Cutting

Appendix A: Case Studies



Railroad Adjacent Redevelopment Case Studies



SANDERSON
STEWART 

Enduring Community Design

1. Sioux Falls, South Dakota Railyard



The City of Sioux Falls, SD purchased an existing railroad yard, approximately 10.25 acres in size, adjacent to their downtown for the purposes of redevelopment.

Plans for the area include:

- a new / reestablished / continued street grid organizing new mixed-use development
- a framework for multi-modal transportation
- Potential development yields

◇ Rail operations were relocated after City purchase

◇ Property was purchased using Federal funds

Similar to 5th Avenue North:

- » Plan area is adjacent to downtown
- » Redevelopment will be adjacent to active rail
- » Reuse of rail area to spur adjacent land use changes
- » Reestablishment of public ROW as a plan goal
- » Managing land use change and transition
- » Industrial uses remain in area
- » Vision will be accomplished through development on public and private property

Image Source: City of Sioux Falls Railyard Redevelopment Plan, RDG Planning & Design



2. Atlanta Belt Line



Image Source: Georgia State Signal, Google Images

The Atlanta Belt Line is an ambitious trails, open space, parks and redevelopment proposal that utilizes several segments of abandoned, underutilized, and very active railroad right of way that encircle the City of Atlanta.

- Right of way width varies considerable throughout the project, necessitating many different design approaches to providing bicycle and pedestrian facilities, from grade separated trails to on-street paths.
- While emphasis is on trails, land use change is addressed through the designation of activity nodes that are near the system and primed for change. Many areas have been transitioning away from industrial uses for some time.
- Extensive effort has gone into integrating and aligning the beltline plan with other plans. Including transit and transportation and parks and open space.
- Funding sources include local government, foundation and philanthropic and the use of Tax Allocation Districts, which is similar to a TIF district.

Similar to 5th Avenue North:

- » Transportation and trails component
- » Managing land use change and transition component
- » Diversity of available right of way width, but often narrow
- » Adjacent to active rail operations

3. Kalispell Core Area Plan



Image Source: Kalispell Core Area and Glacier Rail Park Roadmap to Redevelopment, Council of Development Finance Agencies

The City of Kalispell Core Area Plan calls for the removal of a rail line and related industries located just north of their historic downtown and the redevelopment of the surrounding land, 44 acres of vacant, blighted, and brownfield property.

- At the time of the planning effort, the rail line was active. The plan created a process for moving rail served industries to a new location, allowing for the line's abandonment. The last rail car left in December 2019, seven years after the plan was done.
- Plan calls for a linear greenway and trail that supports existing and future development
- Key component is the establishment of new public crossing of the rail line area.
- Project is funded by a TIGER grant, federal rail loan, TIF funds and an EPA Brownfields grant. These funds will support the relocation of existing businesses, purchase and removal of railroad tracks, assessment and demolition of adjacent sites, and construction of the trail and amenities.

Similar to 5th Avenue North:

- » Study area is adjacent to downtown
- » Land use in study area is in transition from industrial to residential and commercial
- » Reuse of rail area to spur adjacent land use changes
- » Active rail line serving existing customers
- » Railroad ROW is linear in nature



Image Source: City of Kalispell, Montana Core Area Plan, CTA Architects Engineers

4. Montana Rail Link Park - Missoula

The City of Missoula purchased a 12 acre parcel from the Montana Rail Link RR in order to complete a missing segment of trail and construct a park.

- The purchase was funded through the 1995 Open Space Purchase Bond. The development of the park is funded using TIF funds.
- Park contains an open play field as well as children's playground and dog park. The Bitterroot Trail, which parallels an active rail line, runs along side the park.

Similar to 5th Avenue North:

- » Adjacent to active rail line
- » Reuse of previously occupied property



Image Source: Google Maps

Appendix B: Inventory of Intersections

Inventory of Intersections

Street	City Functional Classification	One-way or Two-way	Road Width (ft)	Number of Drive Lanes	Speed Limit	Traffic count	Sidewalk	Bike Facility	Transit Route
N 32 nd St	Major Collector	One-Way ^S	50 ¹	2	25	7776 ¹	Yes	No	Yes
N 31 st St	Local	One-Way ^N	50 ¹	2	25	-	Yes	No	No
N 30 th St	Minor Arterial	One-Way ^S	50 ¹	2	25	3380 ¹	Yes	No	No
N 29 th St	Local	One-Way ^N	50 ¹	2	25	3279 ²	Yes	No	No
N Broadway	Local	Two-Way	47 ²	2	25	3632 ²	Yes	No	Yes
N 27 th St	Principal Arterial	Two-Way	66	6	25	18728 ²	Yes	No	Yes
N 26 th St	Local	One-Way ^S	50 ¹	2	25	-	Yes	No	No
N 25 th St	Local	One-Way ^N	50 ¹	2	25	486 ²	Yes	No	Yes
N 24 th St	Local	Two-Way	48 ²	2	25	1152 ²	Yes	No	Yes
N 23 rd St	Local	Two-Way	48 ²	2	25	965 ²	Yes	No	Yes
N 20 th St	Collector	Two-Way	48 ²	2	25	1071 ²	Partial	No	No
N 18 th St	Collector	Two-Way	48 ²	2	25	2006 ²	Partial	No	Yes
N 15 th St	Local	Two-Way	46 ²	2	25	590 ²	Yes	No	No
N 13 th St	Collector	Two-Way	46 ²	2	25	2121 ²	Yes	No	No
N 10 th St	Local	Two-Way	46 ²	2	25	747 ²	Yes	No	No
N 7 th St	Local	Two-Way	46 ²	2	25	-	Yes	No	No
Main St/Hwy 312	Principal Arterial	Two-Way	~110 ³	8	35	40164 ²	Yes	No	Yes

One-Way or Two-Way:

- (N) - Northbound
- (S) – Southbound

Road Width:

- (1) Data sourced from Billings Downtown Traffic Report
- (2) Data measured in field
- (3) Average width between 4th and 6th measured from google earth aerial

Traffic Count:

- (1) 2020 – MDT ms2 Data
- (2) 2019 – MDT ms2 Data/City of Billings ArcGIS
- (3) 2017 - Billings Downtown Traffic Study Report

Sidewalk:

- Yes – Sidewalk is present on both sides of road
- Partial – Sidewalk is only on one side of road or not for entire road length
- No – No sidewalk present

Appendix C: Potential Funding Sources

Phasing the implementation also allows for securing funding overtime. Just like the implementation vision includes various components— a shared-use path, public art, placemaking amenities—the necessary funding will need to come from a variety of sources. Ultimately, the financing package will be a kit of parts potentially including transportation funds, public art grants, park and recreation funds, and private contributions. Sources may include local, state and federal government, urban renewal districts, non-profit organizations, private foundations and corporations, and charitable citizens.

City of Billings Funds

The City uses funding mechanisms for a variety of government services. Some of these funding mechanisms could be used for actions identified within this Study. However, it should be noted that any mechanism included here does not imply the funding is available. This list is intended to identify potential sources of funding.

- General Funds
- General Obligation Bonds

Targeted Assessments

Targeted assessments are collected and expended within a specific geographic area of the community.

- There are two Tax Increment Financing (TIF) districts within the Study area: East Billings Urban Renewal District and the Downtown Urban Renewal District. Tax revenue collected within the district is commonly invested in public infrastructure projects that stimulate private development, such as street improvements and placemaking enhancements.
- Business Improvement Districts collect funds from a special assessment on commercial properties within the district area. The funds are used for special projects that benefit the property owners within the district. Examples of business improvement district expenditures include maintenance and beautification programs.
- Special Improvement Districts can be established to assess properties for funds that target a specific purpose. Examples include infrastructure improvements and maintenance of infrastructure.

Nonprofit Grant Funding

- Humanities Montana provides funding for public programs in the humanities, including events, lectures, conferences, oral histories, and workshops. These grants provide opportunities for community exploration of topics ranging from significance of historical events, cultural understanding, and interaction between scholars and the public.
- The National Endowment for the Arts awards cost/share matching grants to nonprofit organizations for a wide variety of arts projects across the country. The NEA “Challenge America” and “Grants for Arts Projects” are frequently awarded to community-driven public art projects.

Public Grant Funding

- Community Development Block Grant (CDBG) is a federally funded program that provides assistance to communities for projects such as public facilities, economic development, and planning grants.
- Transportation Alternatives Program (TA Program) is a federal program to assist local governments in developing transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects that improve access to public transportations, recreational trail improvements, and safe routes to school projects.
- The Better Utilizing Investments to Leverage Development, or BUILD, Transportation Discretionary Grant program is a federal program that funds the building and repairing of critical pieces of road, rail, transit, and port facilities. It includes funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional DOT programs.
- Montana Tourism Grants are available to assist communities in digital development, tourism infrastructure, event paid media advertising, and trade show assistance. The grant process is on a first come-first serve basis, starting July 1st. Preference is given to projects that are identified as key tourism projects in a community master planning process, undertaken with other programs within the Montana Department of Commerce (i.e. Main Street Program), which complement, enhance, and incorporate design elements of the Montana Brand. A matching fund is required.
- Environmental Protection Agency’s Brownfields Program provides grants and technical assistance to communities to assess, clean up, and reuse brownfields. The EPA specifically recognizes underutilized or abandoned railroad right-of-way as a type of brownfield. Grants for technical assistance are also available. Grants are typically awarded annually, with deadlines in December of each year.
- Department of Natural Resources and Conservation (DNRC)

administers a wide range of grants and loans. Urban and Community Forestry Grants are available to help support Urban Forestry projects. Grants range from \$2,000 to \$10,000.

- The Montana Arts Council provide grants through the Cultural and Aesthetic Project Grants program. The program is funded biannually, with a match required. Examples of government sponsors are county art or historical museums, public libraries, public educational institutions or school districts, state agencies, city arts commissions, parks and recreation departments, and tribal cultural or educational committees.
- Montana State Parks administers the Recreational Trails Program (RTP), a federally funded grants program that supports Montana's trails. The RTP funds come from the Federal Highway Trust Fund. RTP applicants can include federal, tribal, state, county or city agencies, private associations, and clubs. Urban trail development projects are eligible to apply.

Other Funding Sources

There is a wide variety of other funding sources that could be pursued to compliment municipal, assessment, and grant funding. Urban routes, such as North 27th Street, are eligible for funding from Montana Department of Transportation for access and safety improvements. Several of Montana's larger corporations make annual donations to community causes and projects. Utilizing popular crowdfunding platforms provide individual residents and small businesses a way to make donations to community enhancement projects. Developers often contribute to high-amenity public improvements near new projects to enhance the neighborhood where they are investing. Public-private partnerships (P3) are one way to cooperatively design, build, and maintain a community benefit project such as the 5th Avenue North corridor improvements.

Planning Board

Date: 07/13/2021
Title: Cherry Island Subdivision - Preliminary Major Plat - Plat Review
Presented by: David Green
Department: Planning & Community Services
Presentation: Yes

Information

RECOMMENDATION

Staff recommends the Planning Board recommend conditional approval of the preliminary plat of Cherry Island Subdivision to the City Council and adopt the Findings of Fact as presented in the staff report.

VARIANCES REQUESTED

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

PROPOSED CONDITIONS OF APPROVAL

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 and to ensure proper storm drainage functioning, prior to final plat approval, the applicant will include language in the SIA under the heading V. Storm Drainage, outlining the HOA responsibility to maintain the system. The language will be coordinated with the City Public Works Department to ensure it is correct and meets requirements of the City.
2. 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.
3. Minor changes may be made in the SIA and final documents, as requested by the Planning, Legal or Public Works Departments to clarify the documents and bring them into the standard acceptable format.
4. The final plat shall comply with all requirements of the City of Billings Subdivision Regulations, rules, regulations, policies, and resolutions of the City of Billings, and the laws and Administrative Rules of the State of Montana.

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

On June 1, 2021, Sanderson Stewart, agent for Cherry Island, LLC, applied for preliminary major plat approval for Cherry Island Subdivision. The proposed subdivision creates 41 lots for residential development. The subject property is generally located between Cherry Creek Loop and east of Bitterroot Drive. The property for the proposed subdivision is going through the annexation process and a zone change. The property is proposed to be zoned Neighborhood Residential (N3), this zoning is for a single family home on each lot. The proposed lots will be developed in compliance with zoning through the building permit process. The zone change and petition for annexation are running concurrently with this application.

PROCEDURAL HISTORY

- Pre-application meeting March 3, 2021
- Preliminary plat application submitted to Planning Division on June 1, 2021
- Departmental review meeting June 17, 2021
- Preliminary plat resubmittal June 24, 2021
- Planning Board plat review July 13, 2021
- Planning Board public hearing July 27, 2021
- Preliminary plat to City Council August 23, 2021
- 60 working-day preliminary plat review period ends August 25, 2021

PLAT INFORMATION

General location: Between Cherry Creek Loop (North and South) and east of Bitterroot Drive

Legal Description: Cherry Creek Estates Subdivision Block 1, Lot 2

Owner/Subdivider: Cherry Island, LLC

Engineer and Surveyor: Sanderson Stewart

Existing Zoning: RR1

Existing land use: Vacant, native grasses and trees

Proposed land use: Residential

Gross and Net area: 20.195 acres / 18.182 acres

Proposed number of lots: 41

Lot size: Max: 8.1 acres
Min.: 7,470 square feet

Parkland requirements: Parkland dedication required for this subdivision is 0.78 acres, it will be met with a cash in lieu contribution.

STAKEHOLDERS

There are no stakeholder responses at this time. Stakeholder input will be received at a public hearing scheduled for this subdivision on July 27.

ALTERNATIVES

In accordance with state law, the City Council has 60 working days to act upon this major preliminary plat. The 60 working day review period for the proposed subdivision ends on August 25, 2021. State and County subdivision regulations also require that preliminary plats be reviewed using specific criteria, as stated within this report. The City may not unreasonably restrict an owner's ability to develop land if the subdivider provides evidence that any identified adverse effects can be mitigated. Within the 60 working day review period, the City Council is required to:

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

FISCAL EFFECTS

This subdivision will have no fiscal impact on the City/County Planning Division.

Attachments

Findings of Fact
Proposed Plat
SIA

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Cherry Island 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 Billings Subdivision Regulations (Section 23-303(H), BMCC).

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

1. Effect on agriculture and agricultural water user facilities

The subject property is currently vacant, grassland and trees. It is not used for farming purposes. There are no ditches or water rights to be transferred to new owners. The subdivision should not affect agricultural water users' facilities.

2. Effect on local services

- a. Utilities** – Public water services to the subject property will be provided by the County Water District of Billings Heights. This subdivision will connect to an existing 8-inch water line in the north Cherry Creek Loop Road and to the south Cherry Creek Loop Road which also connects to Bitterroot Drive. Eight-inch water lines will be installed in all internal roads with stubs to each lot. All water line construction shall be installed, by the subdivider, in conformance with the design standards, specification, rules and regulations of the County Water District of Billings Heights.

Fire hydrants will also be installed, by the subdivider, as required by the City of Billings Fire Department. The City Fire Department will review and approve all proposed hydrant locations prior to installation.

Sanitary sewer service will be provided by the City of Billings. The sanitary sewer system for the Subdivision will be installed by the subdivider. It will be a low-pressure system and will consist of sewer lines appropriately sized as required by the City of Billings Public Works Department. This system will discharge into the existing 8-inch sanitary sewer gravity main located in North Cherry Creek Loop Road. All sanitary sewer line installation shall be reviewed and approved prior to installation by the City of Billings Public Works Department.

Each lot will be provided with individual sewer service connections. All sewer line construction shall be installed, by the subdivider, in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department.

Private utility companies shall use the provided easement outside the public right of way, these easements are shown on the face of the plat.

- b. **Storm water** – Stormwater management for the proposed subdivision will be provided by directing water through a network of curb and gutters, inlets and piping. The system will use the existing Cherry Creek Estates Subdivision system in accordance with that previously prepared and approved Storm Water Drainage Plan of which this parcel was a part. The stormwater design for Cherry Island Subdivision, will conform to the current City of Billings Stormwater Management Manual. An irrigation drain/waste ditch traverses the site. Provisions shall be made to continue conveyance of the seasonal flows that may occur in this ditch. The applicant’s agent will submit a stormwater management plan to be reviewed and approved by the Engineering Division. All drainage improvements shall comply with the provisions of the Stormwater Management Manual and Section 23-706, BMCC.

The storm water system within the subdivision will be the responsibility of the Home Owners Association (HOA) to maintain. In the SIA under the heading V. Storm Drainage the applicant will include wording that outlines the HOA responsibility to maintain the system. That language shall be coordinated with the City Public Works Department to ensure it is correct and covers the requirements of maintenance. **(Condition #1)**

- c. **Solid waste** – The City of Billings will provide solid waste collection and disposal. The City’s landfill has adequate capacity for this waste.
- d. **Streets** – Access to the lots within this proposed subdivision will be from North or South Cherry Hills Loop Road. Each individual lot will be accessed from Cherry Island Drive within the subdivision. This street shall be public, located within a 56-foot right-of-way with a street width of 34-foot back of curb to back of curb. This internal access road shall be built to grade with a satisfactory subbase, base course, curb and gutter, and asphalt surface. All streets construction shall be reviewed and approved prior to installation by the City of Billings Public Works Department.

Sidewalks will be installed at time of lot construction with 5-foot wide boulevard sidewalks. Road construction will include installation of accessible ramps at the intersections.

A boulevard sidewalk along the south side of North Cherry Creek Loop Road from Bitterroot Drive to Cherry Island Drive is required at this time.

This information is outlined in the SIA under the heading III Transportation B. Sidewalks.

- e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that serves this area is located at 1601 Saint Andrews Drive (Station #6).

The subdivision is located within the ambulance service area of American Medical Response (AMR).

Comments from the Police department state that continued expansion of subdivisions will require additional resources to maintain acceptable levels of service.

- f. Schools** – This subdivision will be served by School District #2. Elementary School for this subdivision is Beartooth Elementary, Middle School, Medicine Crow, and High School is Skyview High School.
- g. Parks and Recreation** – This subdivision parkland dedication is 0.78 acres. The applicant will be providing a cash in lieu contribution for parkland.
- h. Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. **(Condition #2)**
- i. Historic features** – No known historic or cultural assets exist on the site.

3. Effect on the natural environment

The subject property does have some slopes on the south end of the property by South Cherry Hills Loop Road. The land will present some challenges for road installation but nothing that would prevent it from being done. There are existing trees on the property that may have to be removed to get the new subdivision streets and sidewalks installed. The subdivision should have a minimal effect on the natural environment.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. Future property owners should be aware that the proposed subdivision is located near prime wildlife habitat and adjacent to open agricultural areas, therefore conflicts with wildlife may occur. Any damage caused by wildlife is the responsibility of the owner. This notice is in the SIA under the heading II. Property Conditions and Information for Lot Purchasers.

5. Effect on the public health, safety and welfare

Fire hydrants will be installed to meet fire department requirements. Sidewalks will offer a safe place for pedestrians to walk. The effects on public health and safety should be minimal.

B. Was an Environmental Assessment required? [(MCA 76-3-603 and BMCC 23-302.H.1.)]

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

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

1. City of Billings 2016 Growth Policy

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

Essential Investments (relating public and private expenditures to public values): Infill development and development near existing City infrastructure may be the most cost effective. (p.6)

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. (p.8)

Implementation of the Infill Policy is important to encourage development of underutilized properties. (p.8)

Home Base (healthy, safe and diverse housing options): A mix of housing types that meet the needs of a diverse population is important. (p.8)

2. Billings Heights Neighborhood Plan

The Billings Heights Neighborhood Plan identifies this area for medium density residential development on its Future Land Use Map, as this area was not yet annexed or developed when the Plan was adopted. The subdivision meets the following goals of the Heights Neighborhood Plan:

- a) **Provide safe, good quality and affordable housing in the Heights. Develop housing patterns that are compatible with existing neighborhoods. Encourage high density multi-family development along arterial routes. Maintain similar housing in established neighborhoods (Land Use Goal, Page 19).** This subdivision provides medium density residential single-family development in a neighborhood with existing single family to the west and manufactured home development to the east.
- b) **Encourage infill housing (Housing Goal, Page 23).** This property is surrounded by existing City development on the east and west and municipal services are already provided to the neighborhood making development of this property logical to provide municipal services efficiently.

3. 2018 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2018 Transportation Plan and preserves the street network and street hierarchy specified in the plan.

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

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP shows a future bike lane along Bitterroot Drive and one along South Cherry Creek Loop Road. There are no identified trails within the proposed subdivision.

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

The proposed subdivision satisfies the requirements of the Montana Subdivision and Platting Act and to the design standards specified in the local subdivision regulations. The subdivider and the local government have complied with the subdivision review and approval procedures set forth in the local and state subdivision regulations.

E. Does the proposed subdivision conform to all requirements of the zoning in effect? [BMCC 23-302.H.3.e.]

The subject property is located within the Suburban Neighborhood Residential (N3) zoning district. All building development on the lots shall comply with current zoning when applying for a building permit.

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

The subdivider has provided private utility easements as requested by private utility providers on the face of the plat.

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

Legal and physical access is provided to the proposed lots from proposed Cherry Island Drive. All existing and new proposed streets are dedicated to the public as shown on the plat.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Cherry Island Subdivision does not create any adverse impacts that warrant denial of the subdivision. It is a good infill project for land that is surrounding by existing residential uses.
- The proposed subdivision conforms to several goals and policies of the 2016 Growth Policy and does not conflict with the Transportation or Bikeway and Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

RECOMMENDATION

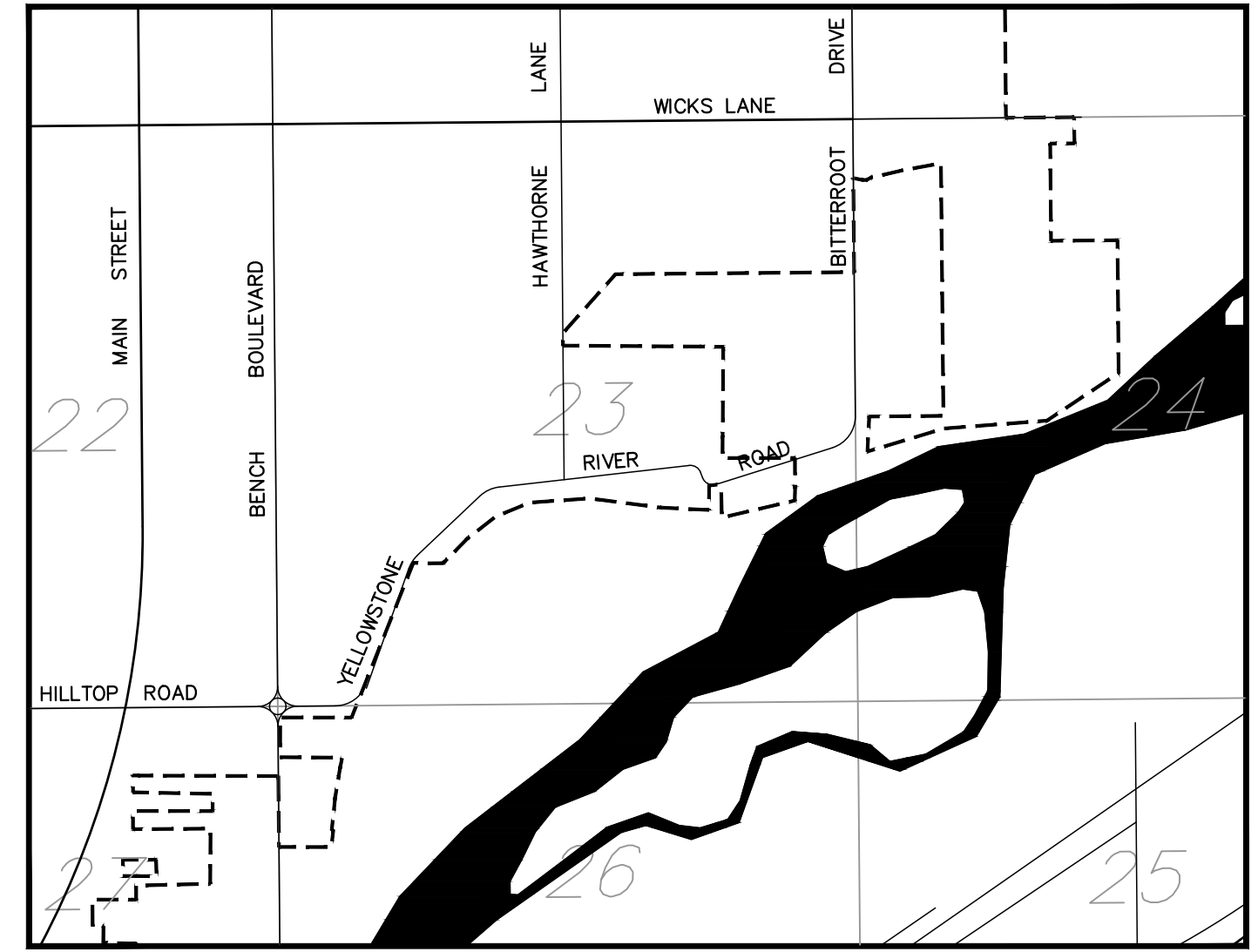
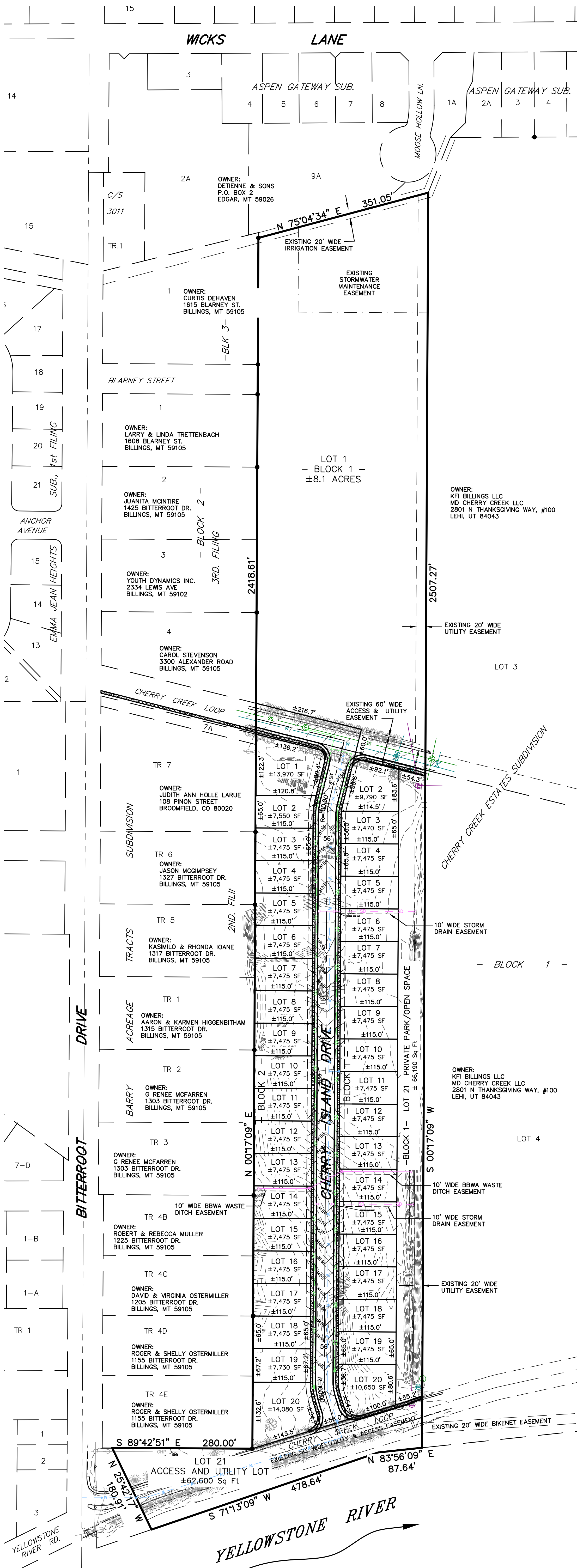
Planning Staff proposes the Planning Board forward a recommendation of conditional approval of the preliminary plat of Cherry Island Subdivision to the City Council and adoption of the Findings of Fact as presented in the staff report.

PRELIMINARY PLAT OF CHERRY ISLAND SUBDIVISION

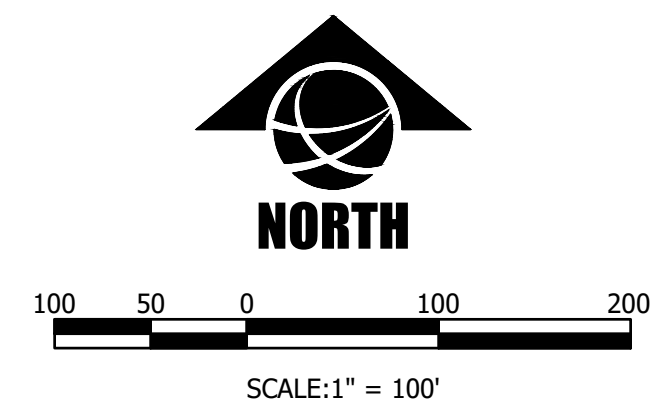
BEING LOT 2, BLOCK 1, CHERRY CREEK ESTATES SUBDIVISION
SITUATED IN THE NW1/4 AND THE SW1/4 OF SECTION 24
TOWNSHIP 1 NORTH, RANGE 26 EAST, P.M.M.
IN THE CITY OF BILLINGS, YELLOWSTONE COUNTY, MONTANA

PREPARED FOR : CHERRY ISLAND, LLC
PREPARED BY : SANDERSON STEWART BILLINGS, MONTANA

APRIL 2021



VICINITY MAP
NOT TO SCALE



- ss --- ss --- = PROPOSED LOW PRESSURE SANITARY SEWER
- w --- w --- w --- = PROPOSED 8" WATER MAIN
- so --- so --- so --- = PROPOSED STORM DRAIN
- ⊗ = PROPOSED FIRE HYDRANT
- ==== = PROPOSED CURB, GUTTER & BOULEVARD WALK

PLAT DATA

GROSS AREA	= 20.195 Acres
NET AREA	= 18.182 Acres
NUMBER OF LOTS	= 42
MINIMUM LOT SIZE	= 7,470 Sq Ft
MAXIMUM LOT SIZE	= 8.1 Acres
LINEAL FEET OF STREETS	= 1,548 LF
PARKLAND REQUIREMENT	= 34,150 Sq Ft
PARKLAND DEDICATION	= CASH IN LIEU
EXISTING ZONING	= RR1 and P1
SURROUNDING ZONING:	
NORTH	= RR1
SOUTH	= AGRICULTURAL/YELLOWSTONE RIVER
EAST	= RMH
WEST	= N4
EXISTING LAND USE	= VACANT
PROPOSED LAND USE	= SINGLE FAMILY RESIDENTIAL

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

**SUBDIVISION IMPROVEMENTS AGREEMENT
& WAIVER OF RIGHT TO PROTEST FUTURE SPECIAL
IMPROVEMENT DISTRICTS
CHERRY ISLAND SUBDIVISION
CITY OF BILLINGS
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Return to:
Sanderson Stewart
1300 North Transtech Way
Billings, MT 59102

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

THIS AGREEMENT is made and entered into this ____ day of _____, 20____, by and between **CHERRY ISLAND, LLC**, whose address for the purpose of this agreement is 5855 Elysian Road; Billings, MT 59101, hereinafter referred to as “Subdivider,” and the **CITY OF BILLINGS**, Montana, hereinafter referred to as “City.”

WITNESSETH:

WHEREAS, at a meeting held by the Yellowstone County Board of Planning on the ____ day of _____, 20____ the Board recommended for approval, subject to certain conditions, an area known as the Cherry Island Subdivision; and

WHEREAS, at a regular meeting held on the ____ day of _____, 20____ the City Council approved, subject to certain conditions, a preliminary plat of Cherry Island Subdivision; and

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

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

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

I. VARIANCES

No variances are being requested with this subdivision.

II. PROPERTY CONDITIONS AND INFORMATION FOR LOT PURCHASERS

- A.** Lot owners will be required to construct that segment of the required five-foot- wide boulevard-style sidewalk that fronts their property at the time of lot development. If sidewalk is not constructed within 5 years, the City has the right to construct the sidewalk and assess the property owners.
- B.** Lot owners should be aware that this subdivision is being built in close proximity to prime deer and antelope habitat and it is likely that homeowners will experience problems with damage to landscaped shrubs, flowers, and gardens. The Montana Fish, Wildlife, and Parks Department does not provide damage assistance unless there is damage to commercial crops and/or a threat to public health and safety.
- C.** Lot owners should be aware that soil characteristics within the area of this subdivision, as described in the geotechnical investigation report for this property, indicate that there could be potential limitations for proposed construction on the lots, which may require a geotechnical investigation prior to construction. Assessment and mitigation, if any, of these conditions shall be the responsibility of the lot owner.
- D.** The Subdivider and subsequent contractors/builders acknowledge that there is a Stormwater Pollution and Prevention Plan (SWPPP) filed with the city and the Montana Department of Environmental Quality (MDEQ). This SWPPP shall be adhered to during all phases of construction and shall be updated as required by MDEQ under the General Permit for Stormwater Discharges Associated with Construction Activity, Chapter 28, BMCC and the Billings Stormwater Management Manual.
- E.** Individual lot owners should be aware that Best Management Practices for stormwater control shall be required for new construction on lots. Best Management Practices are defined within Section 28-201, BMCC and detailed in the Billings Stormwater Management Manual.

- F. 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.
- G. Lot owners should be aware that agricultural activities could be present on surrounding properties. Any impacts associated with agricultural activities, and any issue arising therefrom, is the responsibility of the lot owners.

III. TRANSPORTATION

A. Streets

Cherry Island Drive within the subdivision shall be public and shall be located within a 56-foot right-of-way and have a street width of 34-foot back of curb to back of curb. This internal access road shall be built to grade with a standard crown and a satisfactory subbase, base course, curb and gutter, and asphalt surface. All streets shall be built in accordance with the City of Billings site development ordinance, Subdivision Regulations, and Uniform Building Code.

B. Sidewalks

City and the Subdivider agree that the developer will install accessibility ramps at time of private contract construction. Individual lot owners will be responsible for the construction of the five-foot wide boulevard sidewalks adjacent to their lot at the time of lot construction. The City reserves the right to construct any missing sidewalk and assess the property owners three years after construction of a phase.

A boulevard sidewalk along the south side of North Cherry Creek Loop Road from Bitterroot Drive to Cherry Island Drive is required to be built with this subdivision.

C. Street Lighting

Construction or installation of street lights within the public rights-of-way shall not be required at this time. If street lights are installed, a maintenance district will be formed for future maintenance of the street lights.

D. Traffic Control Devices

The Subdivider shall furnish and install all necessary traffic control devices adjacent to the subdivision. Traffic control devices shall include all necessary signing, striping, and channelization devices to properly complete the implementation of the proposed street construction. All traffic control devices shall be subject to review and approval by the City Engineering office.

Street Name signs are required at the new intersections with Cherry Island Drive. No further signage is anticipated.

E. Access

Two accesses will be provided for the subdivision from Bitterroot Drive along North and South Cherry Creek Loop Road. Location of these accesses shall be subject to review and approval by the City Engineering Office.

F. Billings Area Bikeway and Trail Master Plan

No bikeway or trail requirements are anticipated for this specific area.

G. Public Transit

There are no MET Transit routes that service this subdivision at this time. No improvements with regard to MET Transit vehicles are anticipated at this time.

IV. EMERGENCY SERVICES

Access is provided to this subdivision from Bitterroot Drive along North and South Cherry Creek Loop Road. The City will provide emergency service. Fire hydrants shall be provided at each street intersection, and at intermediate locations where distances exceed 500 feet. Appropriate turn arounds will be located on any street in excess of 150 feet.

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

At a minimum, the following is required:

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

V. STORM DRAINAGE

All drainage improvements shall comply with the provisions of the *Stormwater Management Manual* and Section 23-706, BMCC, a stormwater management plan shall be submitted to and approved by the Engineering Division. Because the City of Billings storm drain system is not available in the area of the subdivision, stormwater will be handled on site through surface flow on the streets, inlets, and piping and through the existing Cherry Creek Estates Subdivision system in accordance with that previously prepared and approved Storm Water Drainage Report for Cherry Creek Estates Subdivision of which this parcel was a part. The stormwater design for Cherry Island Subdivision, will conform to the current City of Billings Stormwater Management Manual.

An irrigation drain/waste ditch traverses the site. Provisions shall be made to continue conveyance of the seasonal flows that may occur in this ditch.

VI. UTILITIES

Water and sanitary sewer lines shall be sized and installed in conformance with the City design standards and specifications, and the rules and regulations of the

City of Billings and the County Water District of Billings Heights.

The Subdivision Improvements Agreement does not constitute an approval for extension of or connection to water mains and sanitary sewers. The property owner shall make application for extension/connection of water mains and sanitary sewers to the Public Works Department, Distribution and Collection Division, and the County Water District of Billings Heights. The extension/connection of/to water mains and sanitary sewers are subject to the approval of the applications and the conditions of approval. Applications shall be submitted for processing prior to the start of any construction and prior to review and approval of any project plans and specifications. The appropriate water and wastewater fees in effect shall be submitted with the applications.

It is acknowledged that the properties subject to the Subdivision Improvements Agreement shall be subject to the appropriate buy-in fee for the County Water District of Billings Heights in effect at the time of payment. Fees shall be paid as applied for in the extension application and as per the first paragraph above.

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

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

A. Water

The subdivision will be served by making connections to an existing water main located in North Cherry Creek Loop Road and connection to the main located at the corner of South Cherry Creek Loop Road and Bitterroot Drive. The existing water main in these streets is an 8-inch diameter main and is a part of the County Water District of Billings Heights water distribution system. A new 8-inch water main will be installed in the local interior streets. The water main within the subdivision will make looped connections whenever possible. Fire hydrants will be provided at all appropriate locations and will be subject to approval by the City of Billings Fire Department. Appropriately sized mains and services in the internal streets will provide service to the individual lots within the subdivision. Each lot shall be provided with its own separate water service. All water construction improvements shall

be installed in conformance with the design standards, specifications, and rules and regulations of the County Water District of Billings Heights and Montana Department of Environmental Quality and will be approved by the County Water District of Billings Heights.

B. Sanitary Sewer

The subdivision will be served by one connection to an existing 8-inch sanitary sewer main located in North Cherry Creek Loop Road. The subdivision shall be serviced by low pressure sewer lines that collect and discharge to the existing gravity main in North Cherry Creek Loop Road. Appropriately sized mains and services in the internal streets will provide service to the individual lots within the subdivision. All sanitary sewer construction improvements shall be installed in conformance with the design standards, specifications, and rules and regulations of the City of Billings and Montana Department of Environmental Quality, and will be approved by the Public Works Department, Distribution, and Collection Division.

C. Power, Telephone, Gas, and Cable Television

All telephone, gas, electrical power, and cable television lines shall be placed in designated easements outside of the right-of-way, where possible, and shall be installed underground prior to surface improvements. The location of all such facilities shall be subject to approval of the City Engineer.

VII. PARKS/OPEN SPACE

The park land required for this subdivision is 0.78 acres. Park Dedication shall be met by cash-in-lieu contribution.

VIII. SOILS/GEOTECHNICAL STUDY

The Subdivider has performed a preliminary geotechnical analysis for this property dated April 27, 2021.

It is recommended that owners, purchasers, realtors, builders or developers fully familiarize themselves with the information contained in this report prior to any design or construction.

IX. FINANCIAL GUARANTEES

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

X. LEGAL PROVISIONS APPLYING TO SUBDIVIDER

- A.** The Subdivider agrees to guarantee all public improvements for a period of two years from the date of final acceptance by the City of Billings.
- B.** The owners of the properties involved in this proposed subdivision, by signature subscribed herein below, agree, consent, and shall be bound by the provision of the agreement.
- C.** The covenants, agreements, and all statements in this agreement run with the land and apply to, and shall be binding, on the heirs, personal representatives, successors, assigns and transferees of the respective parties.
- D.** In the event it becomes necessary for either party to this agreement to retain an attorney to enforce any of the terms or conditions of this agreement, or to give any notice required herein, then the prevailing party 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. The Subdivider acknowledges and agrees that nothing contained herein shall relieve or exempt it from such compliance.

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

“CITY”

CITY OF BILLINGS, MONTANA

By: _____
Mayor

Attest: _____
City Clerk

STATE OF MONTANA)
 : ss
County of Yellowstone)

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

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

**WAIVER OF RIGHT TO PROTEST
FUTURE SPECIAL IMPROVEMENT DISTRICTS**

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

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

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

CHERRY ISLAND SUBDIVISION

SUBDIVIDER/OWNER

CHERRY ISLAND, LLC

By: _____

Its: _____

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this _____ day of _____, 20____, before me, a Notary Public in and for the State of _____, personally appeared _____, known to me to be the person who executed the foregoing instrument as the _____ of **CHERRY ISLAND, LLC**. and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year hereinabove written.

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