

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	07/13/2021	07/27/2021	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	1	E										
Heidi Jensen-Christison	Mayor/Billings Ward II	1	1	E	1	1	E	1	E	1	E	-	E	R	-	-	-	-							
Dennie Stephenson	Mayor/Billings Ward III	1	1	1	1	1	1	1	1	1	1	-	E	1	1										
Darell Tunnickliff	Mayor/Billings Ward IV	1	1	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	E	1										
Troy Boucher	YC District 1	1	1	1	E	1	E	1	1	A	E	-	1	E											
Dennis Cook	YC District 2	1	1	1	1	1	1	1	1	1	1	-	A	1	E										
Vacant	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-										
Vacant	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-										
Woody Woods	YC District 5	1	1	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	E	1										
Vacant	Y County Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-										
Scott Reiter	Ex-Officio SD2	-	-	-	1	E		E	E	A	1	-	E	E	E										

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July 27, 2021

DRAFT- To be approved by a motion on August 10, 2021

PUBLIC HEARINGS/PUBLIC HEARING PARTICIPATION GUIDELINES.

As legally advertised, The Yellowstone County Board of Planning met on August 10, 2021 in the Miller Building 1st Floor Conference Room.

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.

Call the Meeting to Order

President Woods called the meeting to order at 6:00 p.m. on Tuesday July 27, 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, Director, Planning & Community Services Department; Scott Walker, Transportation Coordinator; Dave Green, Planner II; Tammy Deines, Planning Clerk; Sarah Graham, Administrative Coordinator, MET Transit

Others in Attendance: Gary Owen, Sanderson Stewart

Disclosure of Outside (Ex Parte) Communication or Conflicts of Interest– Board Members and Planning Staff. President Woody Woods disclosed he has involvement with the applicant for the Cherry Creek Subdivision through the school district but there is no conflict of interest.

Approval of the July 27, 2021 Agenda

Board member Tunnicliff made a motion and Board member Hillius seconded the motion to approve the July 27, 2021 meeting agenda. The motion carried with a unanimous voice vote.

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Later in the meeting Board member Tunnicliff identified that the agenda item for Cherry Island Subdivision should have been posted under “Old Business” with no public hearing as the public hearing for this subdivision was legally advertised and held on July 27, 2021. A recommendation to City Council will be forwarded during this meeting.

Approval of Minutes: July 13, 2021

Board member Tunnicliff moved and Board member Hillius seconded the motion to approve the July 13, 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

7a. Motion/Recommendation to PCC. 5th Avenue North Corridor Study. Scott Walker Transportation Coordinator, presenting.

Scott Walker opened this agenda item with an overview of the staff report.

RECOMMENDATION

Staff recommends the Planning Board forward a recommendation of approval of the 5th Avenue North Corridor Feasibility Study to the PCC. The PCC is scheduled to take final action on the study at its meeting on August 17, 2021.

BACKGROUND

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 forward a recommendation of approval to the Policy Coordinating Committee (PCC). The Planning Board reviewed the Study and conducted a public hearing on the Study at its meeting on July 13.

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.

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

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- 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 consider 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

Discussion

President Woods called for questions and discussion from the Board. There was none.

Motion

President Woods called for a motion.

Board member Tunncliff made a motion and Board member Stephenson seconded the motion to forward a recommendation to the Policy Coordinating Committee of approval of the 5th Avenue North Corridor Study as presented by staff.

The motion carried with a unanimous voice vote.

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8. NEW BUSINESS

8a. Public Hearing. Staff Presentation. Board Discussion. 2022 Unified Planning Work Program Scott Walker, Transportation Coordinator, presenting.

Scott Walker opened this agenda item with an overview of the staff report.

RECOMMENDATION

Staff recommends the Planning Board review the Draft 2022 UPWP and conduct a public hearing at this meeting. The Board is scheduled to take action on the Draft 2022 UPWP (recommended) at its August 10 meeting and instruct PCC Designee President Woods to give a positive recommendation to PCC for final local approval.

BACKGROUND

At this meeting, the Board is scheduled to review the document and conduct a public hearing. At the August 10th Planning Board meeting, the Planning Board is scheduled to take action on the UPWP and forward that recommendation to the PCC.

The UPWP is primarily for the purpose of programming the federal dollars that Billings receives from the Federal Highway Administration (FHWA) for transportation planning and the Federal Transit Administration (FTA) for transit (MET) planning. These funds are passed through the Montana Department of Transportation (MDT). All transportation planning activities are included in the UPWP so that it represents a comprehensive document for the urban transportation planning program. This UPWP proposes planning activities for Federal Fiscal Year 2022, which runs from October 1, 2021, through September 30, 2022. This UPWP corresponds directly with the Planning Division's annual work plan. The significant changes in this year's program include an update to the 2018 Long Range Transportation Plan, Phase II of the Safe Routes to School Plan, and completion of the North Bypass Corridor Study. The Transit section is Chapter II of the UPWP. The document is consistent with past programs in its content and format.

The breakdown of funding sources for the FY 2022 UPWP is estimated below:

\$280,000	Planning Dept. Fee Revenue (City of Billings)
\$155,000	Planning Dept. Fee Revenue (Yellowstone County)
\$523,000	Yellowstone County Planning Levy
<u>\$1,679,581</u>	<u>Federal Planning (PL) Allocation</u>
\$2,637,581	Total Local and Federal Program Funding (UPWP)

TABLE II - is a comparison of project and staffing costs in the twelve work elements in FY 2021 and FY 2022. Costs have remained constant in all work elements. It is typical to carry a contingency in each year. Per request of the Board, Scott Walker clarified the “Un-Programmed Funds” line item which is the difference between the funds available and the local funds expended.

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TABLE IV-The Work Program allocates staff time to the different work elements. Planning staff is shown across the columns and the amount of time the individual spends in each element, (calculated in man months), is shown in the columns below.

WORK ELEMENT	DIRECTOR	TRANS. PLANNING & CORD.	PLANNER I	PLANNING MANAGER	PLANNER II	CLERK	PLANNER II	PLANNER I	ZONING CORD.	PLANNER I (Vacant)	ACTIVE TRANS. PLANNER
100	7	1.5	2.5	5.5	.5	1.5	.5	.5	1	2	5.5
101	.5		1				.5	.5	1		
102	.5		.5	.5	.5	.5	1	.5			
200	1.5		5	2	1	2	1	5	1	3	2.5
204			.5	.5		.5	.5	2	6	3	
205			.5	1		.5	7.5		2	3	
300		2.5	.5	.5	5	2					3
301	.5	4		.5	2	2					
302	.5	1		.5	1	1		2.5			
500	.5	1			.5	.5					
600		1	.5		.5	.5					
TOTAL	11	11	11	11	11	11	11	11	11	11	11

Scott Walker said two new Planner I positions have been approved for this Work Program. He said the UPWP has had a placeholder for this position for several years and the City has approved filling it this year. The second Planner I position will be created following the retirement of the Planning Assistant and the position will be filled with a Planner I. The Planner I position will work on zoning, current planning, and current administrative tasks. Monica Plecker clarified and said the second position will be hired as a Planner I funded through the Work Program, as opposed to a Planning Assistant which was only locally funded. She said this is a great opportunity for the Planning Division; and these new positions will allow for more neighborhood planning and build capacity within the staff. She said there will be shared responsibilities for the front-end office responsibilities. In addition, a Code Enforcement Supervisor position will be filled which will allow Zoning Coordinator Nicole Cromwell to focus solely on zoning administration. Scott Walker continued and gave an overview of the 2021 and 2022 project priorities.

FY 2021 Priorities

- Complete Bike/Scooter Share Impact Study
- North Bypass Corridor Study
- Complete 5th Ave. Corridor Feasibility Study
- Community Transportation Safety Plan
- Safe Routes to School Plan Update
- Complete Downtown Traffic Circulation - Public Participation
- County Growth Policy Update

FY 2022 Priorities

- Complete the North Bypass Corridor Study
- Complete the Transportation Safety Plan
- Complete Safe Routes to School Phase I
- Safe Routes to School Plan Update Phase II
- Begin the Update to our Long Range Transportation Plan
- County Growth Policy Update

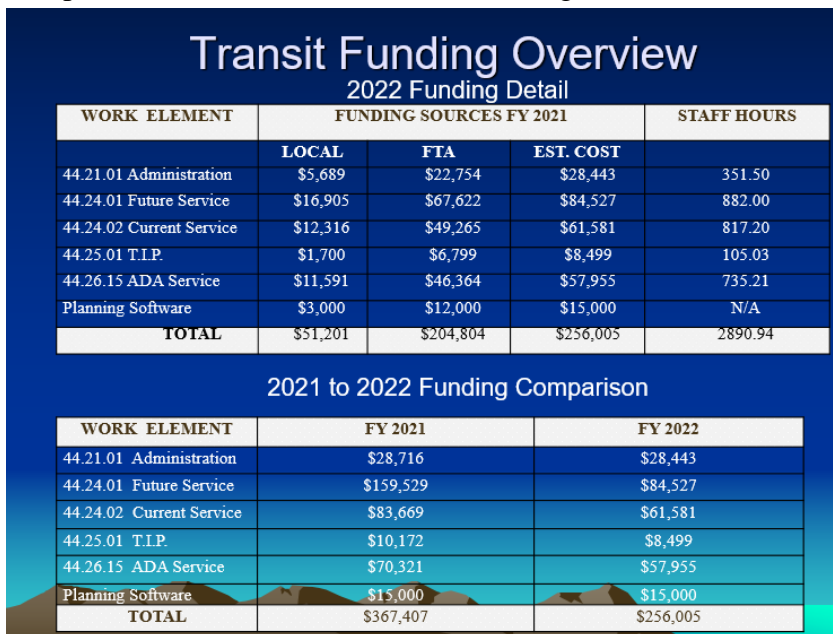
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Scott Walker introduced Sarah Graham, Administrative Coordinator, MET who is in attendance in the absence of MET Transit Manager Rusty Logan.

TRANSIT SECTION: 2022 UPWP

The Transit section of the UPWP is also structured into separate elements with specific activities and functions outlined within each element. As with PL funds, reimbursement of funds occurs quarterly; amounts will differ for each quarter based upon the activities undertaken and eligible hours spent per element. Federal funding is provided via FTA Section 5303 for multimodal transportation planning in metropolitan areas. Funds are apportioned via a formula including factors such as urbanized area population. Local match is provided through local transportation mills, transit fares, advertising revenue, and other applicable sources. Federal funding is provided via FTA Section 5303 for multimodal transportation planning in metropolitan areas. Funds are apportioned via a formula including factors such as urbanized area population. Local match is provided through local transportation mills, transit fares, advertising revenue, and other applicable sources.



FY Transit 2021

- Public Transit Agency Safety Plan
- DBE Plan Update, TAM Plan Update
- Developed recommended budget mods
- Developed response to Touchpass, Ecolane Schedule modification response to COVID
- Expanded agreements for increased service to senior population
- Began development of Transit Development Plan and Marketing Plans (continue in 2022)

FY Transit 2022

- Complete Transit Development Plan and Marketing Plans (RFPs being developed)
- Continue research on technology enhancements for customer experience

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- Research and implement more complete training and communication for the public
- Public Outreach and Development position for increased outreach and to explore how to better communicate with the community.
- Continue development of the PTASP including updating the emergency action plan
- Comprehensive Transit Asset Management Plan (TAM) update
- Continue developing partnerships

Policy updates include: Financial and Procurement Policies, Public Participation Plan, updated Title VI non-discrimination plan, updated Equal Employment Opportunity policy and plan

Technology updates included: Automated Passenger Counters, Automated Voice Annunciation and Infotainment Systems, On board WIFI, Electronic Fare Collection, Paratransit Software update, Cloud-Based Planning Software

Community Wide Transit Survey complete online; ran mid-December to January 31 - 627 total response. 446 responses received were from City of Billings residents; when considering a population of approximately 120,000, this means the survey results were well within a 95% confidence level with a 5% margin of error. The results are being utilized in both future service evaluation as well as current service enhancements.

Operational analysis for future transit including assessment of existing costs, development of real-world cost model based upon employee hours and potential hours on street, development of various proposals for high frequency service including potential 15-minute peak service

Expanded agreements include updated service with the Adult Resource Alliance (increased eligibility to all seniors for medical rides) revised and simplified agreement with State of Montana DD services.

2022 UPWP Review Schedule

- TAC July 22nd
- Planning Board August 10th
- County Commission August 3rd
- City Council August 8th
- PCC August 17th
- MDT, FHWA, FTA September 30th

Discussion

President Woods called for questions and discussion from the Board. Board member Tunnicliff commended Scott Walker and Sarah Graham for their presentations.

Public Hearing

President Woods opened the public hearing and asked if there is anyone wishing to speak in favor or against this agenda item. There was none. President Woods closed the public hearing.

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**The Planning Board will forward a motion to the Policy Coordinating Committee during its next meeting on Tuesday, August 10, 2021.

7b. Motion/Recommendation to City Council. Cherry Island Subdivision. City major subdivision. Cherry Island LLC, Developer. Sanderson Stewart, agent. Dave Green, Planner II, presenting.

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

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.

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City Council will take action on Cherry Island Subdivision on August 23, 2021. Dave Green disclosed he received one phone call from a concerned citizen regarding single family housing.

Discussion

President Woods called for questions and discussion from the Board. Board member Thompson asked regarding saving the existing trees on the east side of the parcel.

Gary Owen, Sanderson Stewart, 1300 N Transtech Way, Billings, MT

In response to question by Board member Thompson, Gary Owen said trees located in the easement on the east side will be relocated.

Motion

Board member Tunncliff made a motion and Board member Stephenson seconded the motion to forward a recommendation to City Council of 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.

The motion carried with a unanimous voice vote.

9. OTHER BUSINESS

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

Monica Plecker said the Planning office activity levels are high with ten annexation applications this and several public inquiries on a daily basis. She said a presentation on the Public Safety Mill Levy will be scheduled for the August 24, 2021.

Announcement: The next Planning Board meeting will be held Tuesday, August 10, 2021 and will be held in person in the Miller Building 1st Floor Conference Room, 2825 3rd Ave N. at 6:00 PM.

ADJOURNMENT: 6:57 PM

APPROVED BY A MOTION- August 10, 2021

--Tamara L. Deines, Planning Clerk