

**CITY/COUNTY PLANNING BOARD**

**TUESDAY, March 25, 2025 at 6:00pm**

	Position	01/14/2025	01/28/2025	02/11/2025	02/25/2025	03/11/2025	03/26/2025	04/08/2025	04/22/2025	05/13/2025	05/28/2025	06/10/2025	06/24/2027	07/08/2025	07/22/2025	08/12/2025	08/26/2025	09/09/2025	09/23/2025	10/14/2025	10/28/2025	11/12/2025	11/26/2025	12/09/2025	12/23/2025
<b>Jim Ronquillo</b>	Billings Ward I	1	A	1	1	A	1																		
<b>Roger Gravgaard President</b>	Billings Ward II	1	1	1	1	1	1																		
<b>Dennie Stephenson</b>	Billings Ward III	1	1	1	1	1	1																		
<b>John Staley Vice President</b>	Billings Ward IV	V	1	1	1	1	1																		
<b>David Nordel</b>	Billings Ward V	A	V	V	A	V	A																		
<b>Troy Boucher</b>	YC District 1	A	A	A	A	A	A																		
<b>Dennis Cook</b>	YC District 2	A	1	1	1	1	1																		
<b>Vacant</b>	YC District 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Vacant</b>	YC District 4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Woody Woods</b>	YC District 5	1	1	1	1	1	1																		
<b>Alexis Bonogofsky</b>	YC District 6	1	1	V	1	V	1																		
<b>Morgan Tuss</b>	YC District 7	A	A	A	A	A	A																		
<b>Vacant</b>	YC Cons. District	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Scott Reiter</b>	Ex-Officio SD2	A	A	A	A	A	A																		

Please note: "A" stands for excused absence, "1" stands for present, "V" stands for Zoom participation, "C" stands for Canceled

**Call the Meeting to Order:** President Gravgaard called the meeting to order at 6:00 p.m.

**Introduction of Planning Board Members and Planning Department Staff**

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

**Attending Staff:** Wyeth Friday, Planning & Community Services Director; Anna Vickers, Planning Division Manager; Dave Green, Planner; Lora Mattox, Transportation Planning Coordinator; Brenda Berns, Planning Clerk; Rusty Logan, MET Transit Manager

**1. Others in Attendance:** Greg McCall, McCall Homes; Gary Owen, Sanbell

**2. Approval of Agenda**

**Motion**

Motion made by Board member Cook, seconded by Board member Staley to approve the agenda as submitted. Motion carried with a unanimous vote.

**3. Approval of Minutes:** March 11, 2025

**Motion**

Motion by Board member Stephenson , seconded by Board member Woods to approve the minutes of March 11, 2025 as submitted. The motion passes.

**4. Public Comment:** As required (3 minutes maximum per person). 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 comments from the public.

**5. Disclosure of Outside (Ex-Parte) Communication –** There was none.

**6. Disclosure of Conflicts of Interest –** There was none.

**7. Old Business**

Board member Staley inquired about the synchronization of the blinking lights at the roundabouts on Shiloh Rd. Lora Mattox, Transportation Planning Coordinator, responded that the matter is being investigated, and the Traffic Engineer will provide further updates as information becomes available.

**a. Public Hearing. Motion. Annafeld Subdivision, 7<sup>th</sup> Filing.** Dave Green, Planner II  
The property is zoned Planned Development, (PD). Legal description being Lots 17-45, Block 18, Lots 13-16, Block 19, Lot 1, Block 28, Lot 1, Block 29, Lots 1-5, Block 30 and Lots 1-11, Block 31 Annafeld Subdivision, 5<sup>th</sup> Filing.

The Annafeld Subdivision, 7th Filing, is a residential development south of Farmstead Avenue and west of St. George Boulevard. It extends the NFL 5th Filing, modifying lot lines and densities. The subdivision includes 92 lots ranging from 1,200 to 87,900 sq. ft., with 2.08 acres of parkland provided (exceeding the 1.9-acre requirement). Streets, utilities, and stormwater management align with existing plans, with all roads paved and ADA-compliant.

A traffic study covers six intersections, including a roundabout and an existing stoplight. Water, sewer, and private utilities will connect to existing infrastructure per regulations. Stormwater management follows the original Annafeld master plan.

The nearest fire station is #5 (605 South 24th). Elysian School serves K-8, with West High School for secondary education. The development provides more parkland than required and includes private parks. A trail runs from Maloney Lane to Elysian School.

The Planning Department recommends conditional approval with three requirements: coordinating with USPS for mail delivery, finalizing documents to standard format, and ensuring compliance with city and state regulations.

### **Recommendation**

Staff recommends conditional approval of the proposed subdivision, subject to the three (3) conditions of approval as presented in the staff report. City Council action on April 28, 2025.

### **Questions**

Board member Woods asked if the donations made for traffic improvements over the years allocated to a separate fund. Mr. Green responded yes, the funds are kept specifically for the area and designated intersections. Any improvements to those intersections will be funded accordingly, with the percentage determined based on costs at the time of the final plat.

President Gravgaard opened the Public Hearing. There were no public comments. President Gravgaard closed the public hearing.

### **Discussion**

President Gravgaard offered the board's appreciation for providing ample parkland.

### **Motion**

Motion made by Board member Staley, seconded by Board member Stephenson to recommend approval with the three (3) conditions. The motion passes.

## **8. New Business**

### **a. Public Hearing. Motion. Grand Avenue Federal Funding Priority.** Lora Mattox presenting.

The Planning Department presented a request to the Montana Department of Transportation (MDT) to designate Grand Avenue (from 41st to 62nd Street West) for federal funding. This initiative, first proposed in April 2023, aims to include this section in the urban system, making it eligible for federal infrastructure funding.

Approval would allow updates to the Transportation Improvement Program (TIP) for 2024-2028, enabling urban funds to support the reconstruction project. The City of Billings has this project listed in its Capital Improvement Plan (CIP) for 2028. The plan includes expanding Grand Avenue to a three-lane arterial road with a center turn lane, sidewalks, a multi-use path, and a traffic signal near Ben Steele Middle School. Stormwater improvements and enhanced pedestrian access for safer school routes are also included.

The Planning Board was asked to conduct a public hearing and recommend the request to the Policy Coordinating Committee (PCC) for approval. A formal letter was submitted for review which will be signed by the members of the PCC at the April 15<sup>th</sup> meeting.

#### **Discussion**

A board member asked whether the grant funding covers sidewalk construction or if it would require a Special Improvement District (SID). The Planning Department clarified that the project is funded through Surface Transportation and Congestion Mitigation Air Quality funds, which cover roadway construction, signals, roundabouts, sidewalks, and multi-use paths. No SIDs will be involved, but the city will need to purchase right-of-way for the project which is an allowable expense under the federal funding.

The current city standard for principal arterials includes two drive lanes with a center turn lane. While right-of-way considerations will be addressed as the project progresses, future traffic volumes will be a key factor in final design decisions. The board also noted that the area is currently dark with limited street lighting, which may need to be considered in the final plans.

President Gravgaard opened the Public Hearing. There were no public comments. President Gravgaard closed the public hearing.

#### **Motion**

Motion made by Board member Stephenson, seconded by Board member Cook to recommend the request to MDT for including the Grand Avenue project in federal funding. The motion passed unanimously.

**b. Public Hearing. Presentation. 2024-2028 Transportation Improvement Program (TIP) Amendment 2.** Lora Mattox presenting.

Ms. Mattox gave a brief overview of the update to the Transportation Improvement Program (TIP), a routine process due to changes in projects, funding sources, and timing. The amendment includes the recently discussed Grand Avenue project, which will reconstruct Grand Avenue from 41st to 62nd using federal funds.

Additionally, MDT has introduced a highway safety project at King Avenue and 48th Street West, funded partly by carbon reduction grants, to construct a roundabout. A placeholder has also been added for the Southern Riverfront Park Trail and educational trail signs, contingent on securing a recreational trail grant. A recent update includes performance measures to ensure projects align with MPO and MDT goals. Other adjustments include using carbon reduction funds for the Zoo Drive Improvement Project and additional funding allocations for fish, wildlife, and parks projects.

Rusty Logan, Transit Manager covered the MET Transit projects. The Federal Transit Administration's 5307 operating funds have been updated to reflect full authorized funding under the bipartisan infrastructure law. The 5339 capital funds have been adjusted based on the city's Capital Improvement Plan (CIP) and planned projects, such as transfer center upgrades, technology improvements, and equipment purchases. Additionally, MET Transit secured nearly \$1 million in competitive funding for replacement paratransit vehicles, which has been incorporated into the budget.

Updates were also made to the 5310 funding, which supports human services transportation, reflecting actual apportionments and projects prioritized by the coordination group. This funding will provide vehicles for Core Enterprises and Big Sky Senior Services, as well as support MET Transit bus stop improvements.

TransAid funding, primarily used for operations and maintenance, has been updated with actual allocation amounts. The updated program of projects tables now accurately reflect these adjustments for the 2025 fiscal year.

Rusty Logan provided an update on the electric buses, which arrived in November but were delayed due to the installation of switch gear for the chargers. The switch gear was installed this week, and the final step is obtaining a transformer from Northwest Energy. While one bus participated in a holiday parade, none were in service due to limited charging availability. The department expects them to be operational by mid-next month.

Decision-making process between traffic signals and roundabouts. Engineering studies evaluate traffic volume, intersection efficiency, and cost feasibility. While roundabouts can enhance traffic flow, they are generally more expensive due to additional right-of-way requirements and extensive concrete work. Traffic signals also incur high costs and have long lead times for materials.

President Gravgaard opened the Public Hearing. There were no public comments. President Gravgaard closed the public hearing.

### **Discussion**

Wyeth Friday mentioned The Planning Department discussed the current two-part approach for transportation projects, such as the Grand Avenue project, which required a hearing and action in separate meetings. They are considering streamlining some projects, like funding amendments or less complex initiatives, into a single-meeting action. More significant plans, such as long-range transportation or neighborhood plans, would still follow the two-meeting process for thorough discussion and follow-up.

The board was invited to provide feedback on this potential change. The department acknowledged that while some projects may benefit from a streamlined process, larger and more complex initiatives would continue with the traditional two-part approach. The next action is scheduled for April 8th.

#### **c. Planning Board Training (Part 1) – Background, Roles and Responsibilities, By-Law Review, Ex-Parte Communication and Conflicts of Interest.**

Mr. Friday outlined a two-part training session for board members. The first session, held at this meeting, focused on board background, bylaws, ex parte communication, conflict of interest, and open meeting procedures. The second session, scheduled for the first meeting in April, will cover the subdivision process, evaluation steps, and the board's role in the MPO (Metropolitan Planning Organization).

The board operates as a County Planning Board with city representation, established through an interlocal agreement. It oversees planning activities for Billings, the town of Broadview, and most of Yellowstone County, excluding Laurel. The board has a unique governance structure, with 15 members representing city wards and county districts, along with non-voting members from the Soil Conservation District and School District 2. Additionally, the board plays a key role in transportation planning, with representation on the Policy Coordinating Committee.

Mr. Friday provided updates on board representation and responsibilities. The board's terms are set for two years and are staggered to ensure continuity, though some positions may be filled outside of this cycle. While city council members had a large turnover last year, the intent remains to stagger terms to maintain consistency.

## Yellowstone County Board of Planning (County Board with City Representation)

- Citizen advisory board to the City Council and County Commissioners
- Designated MPO and holds seat on PCC
- Planning for Billings, Broadview and most of Yellowstone County
- Has its own set of Bylaws per code
- 15 members:
  - 7 members appointed by the County Commissioners; 5 members appointed by the Mayor of Billings; 1 member from the board of the Soil Conservation District and 2 ex-officio, non-voting members from SD2 and the County Superintendent of Schools.
  - 2 year terms that are staggered

Board responsibilities include promoting public health, safety, and efficiency in development. This involves subdivision review, regulatory changes, and making recommendations to the County Commissioners or City Council. The board also plays a key role in long-range planning, including the implementation of the Montana Land Use Planning Act, neighborhood planning, and transportation planning through the Metropolitan Planning Organization (MPO).

Upcoming priorities include:

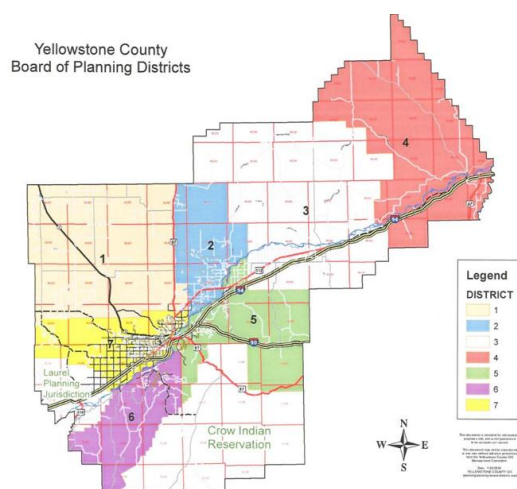
- **Neighborhood Plans:** Two are currently in progress, with more expected as a neighborhood planner joins the team.
- **Transportation Planning:** The board will review the annual work program and updates related to the Transportation Improvement Program (TIP).
- **Urban Planning Area Map Updates:** Federal highways and MDT have directed updates based on census data, which will be incorporated this year.
- **Zoning Code Updates:** The board previously played a significant role in a comprehensive zoning update in 2020-2021 and will continue to be involved in future amendments.
- **Urban Renewal District Expansion:** If the City Council approves expanding the South Billings Urban Renewal District, the board will review its alignment with the city's growth policy, as required by state law.

## Yellowstone County Board of Planning (County Board with City Representation)

- **Role of the Board**
  - Promote public health, safety... for the safe efficiency and economy in the process of community development (Per Statutory criteria)
  - Subdivision review and regulation changes
  - Long Range Planning – MLUPA, Neighborhood Plans, Transportation Planning, MPO processes (TIPs, UPWP, Urban Planning Area Map, etc.)
  - Zoning Code Update process in coordination with Zoning Commissions, elected bodies and staff (Project Recode)
  - Urban Renewal District Growth Policy Conformance
  - With Governing Bodies coordination, direct preparation of a Growth Policy (Changes here with MLUPA)

Mr. Friday updated on the proposed expansion of the South Billings Urban Renewal District, aiming to incorporate the entire South Side triangle and connect it with the downtown district along the railroad corridor. The adjustments would create a more cohesive redevelopment area, linking near Washington Street.

A consultant will be hired for Phase 1, conducting a blight determination study to assess infrastructure deficiencies. The findings will go to the City Council for review. Upon preliminary approval, a public outreach campaign will begin, informing residents and stakeholders, with informational meetings to discuss the project's scope and impact.



Securing representation for districts 3 and 4 has been challenging due to their large geographic size and remote locations. While technology enables participation without physical attendance at every meeting, engagement remains inconsistent. These districts have had representation in the past, but it has not been steady. Development in these areas is minimal, with agriculture dominating the landscape, aside from some subdivisions in places like Huntley. Even when representatives were present, there were often no developments under review.

The county spans a vast area, but most development activity is concentrated in the urban districts—1, 2, 5, 6, and 7. In contrast, rural districts like 3 and 4 have seen less development, with some subdivision activity occurring in Huntley and Warden in the early 2000s. However, growth in these regions has since slowed significantly.

This situation is covered in the municipal code under Section 2-701 and outlined in your bylaws under Article 8, Section 1. These provisions define conflicts of interest, which can stem from financial involvement or personal connections, such as a relative's participation. It is crucial to prevent both actual and perceived conflicts of interest

## By-Laws Review

- First adopted 1985
- Last Updated March 2021 (Dates for Pres. and VP elections)
- All members have copies, review occasionally
- Key Items
  - Annual President and Vice President elections
    - Nominating Committee
    - Elections in December, take office in January annually
  - PCSD Director is Executive Secretary (Helps organize the meetings, Co-signs plats, coordinates with Planning Division staff and Board)
  - Annual Unified Planning Work Program development
  - Board members have attended conferences and events locally or in Montana that pertain to its activities

When facing potential conflicts, it's best to recuse yourself to maintain transparency and public trust. Disclosing conflicts to the board and stepping away from related decisions is good practice, even if sanctions are rare.

## Ex Parte Communication (Agenda Reference)

- A direct or indirect verbal, written, electronic or photographic off-the-record communication between an interested party in a Planning Board proceeding and a Board member outside of a publicly scheduled meeting or hearing.

Regarding Open Meetings Law, it ensures public participation in government board meetings. Agendas must include public hearing notices or future discussion items. While remote participation and streaming add complexity, these practices must align with the law's longstanding intent.

## Open Meeting Law (MCA 2-3-101 and 201 et. seq.)

- Applies to all public or governmental boards
- Public's right to participate (Article II, Sec. 8, MT Constitution)
- Adequate notice
- Public comment included in agenda
- Remote participation guidelines for Board
- Streaming Meetings for public access
- Minutes must be kept and available for inspection
  - Date, time and place
  - Attendance (Critical for formal actions, important for information sharing)
  - Substance of all matters proposed, discussed or decided
  - Record of votes (individual votes if requested)
  - Recordings okay if time stamped

We are also required to keep minutes, attendance records, and summaries of actions from each meeting. This ensures that everything is documented and accessible for future reference. When it comes to zoning or subdivision approvals, ensuring that motions, decisions, and conditions are clearly linked to findings of fact is vital

### **Questions**

Board member Cook asked if favoritism constitutes a conflict of interest. Mr. Friday confirmed that it does. Board member Cook then inquired whether the state legislature is limited in what actions they can take in such cases, to which Mr. Friday responded that sanctions, such as resignation, civil penalties, or criminal penalties, could be imposed.

Anna Vickers, Planning Division Manager clarified that the legislature does not have provisions for such actions in their bylaws and has not historically enforced resignation. The disagreement at the state level revolves around how punishment should be applied, especially when setting a historic precedent.

Board member Cook emphasized that the best approach in potential conflict situations is for board members to recuse themselves, especially if there is a perception of a conflict, as Mr. Friday reiterated the importance of erring on the side of caution. Ms. Vickers offered assistance, encouraging board members to reach out if they're unsure, and mentioned that she would contact the appropriate attorney for clarification.

Board member Staley asked for an update on the Planning and Zoning Commission's consultant. Mr. Friday explained that there was a delay due to an issue with the city's insurance policy, but the process would proceed before the deadline of May 26, 2025.

### **9. Other Business.** There was no Other Business

Wyeth Friday stated there is an open house at the downtown DBA regarding the street conversion on April 10, 2025. There is also an open house on the Zoo drive project on April 2, 2025. There is no Planning Board meeting scheduled for April 22, 2025.

### **10. Future Agenda Items**

- a. **Planning Board Training (Part II)** – Subdivision Review Process, MPO Designation and Involvement, Other Topics as Noted from Part I.

### **ADJOURNMENT: 7:07 PM**

*Brenda J Berns, Planning Clerk--Draft to be approved by motion at the next scheduled meeting.*