

Variance Request – Multi-Use Trail Connection
Yellowstone Club Estates, 8th Filing

Yellowstone Club Estates, 8th Filing (Subdivision) proposes development on land adjacent to existing developed subdivisions including Price Subdivision and Ironwood Subdivision. As part of the City of Billings Subdivision Regulations, **Section 23-406.C.1** requires subdivisions to comply with the Currently adopted Active Transportation Plan, depicting a multi-use trail in the vicinity of Lots 2 and 3 of the proposed Subdivision. This variance request seeks relief from strict application of Section 23-406.C.1 as it relates to providing direct trail connectivity through the site in the location shown on the Active Transportation Plan.

1. The granting of the variance will not be detrimental to the public health, safety, or general welfare or injurious to other adjoining properties.

The granting of this variance will not be detrimental to public health, safety, or general welfare, nor injurious to adjoining properties. The conceptual trail connection identified in the Active Transportation Plan traverses terrain with extreme topographic constraints, including slopes approaching 50% and elevation differences ranging from approximately 18 to 22 feet as can be seen on the included exhibit depicting the surrounding area. Construction of a trail in this location would present safety concerns related to slope stability, user accessibility, and long-term maintenance.

Furthermore, the alignment would require connection through the Price Subdivision, which is already developed and lacks legal access for such a connection. As such, enforcing the connection at this location would not provide a safe or functional public facility and could create conflicts with existing development.

The proposed variance avoids forcing an unsafe or impractical connection while preserving the opportunity for a future trail connection to be constructed in a more appropriate location.

2. Because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, an undue hardship to the owner would result if the strict letter of the regulation was enforced.

Strict application of Section 23-406 would create an undue hardship due to the unique topographical constraints of the property. The site contains steep slopes on the order of 50% and significant vertical elevation changes (18 to 22 feet) across the area where the conceptual trail connection is shown.

These conditions make construction of a compliant and accessible trail infeasible without extensive grading, retaining structures, or other extraordinary engineering measures. Such improvements would result in disproportionate costs and environmental disturbance relative to the benefit provided.

In addition, the required connection as shown on the Active Transportation Plan would extend into the Price Subdivision, which is governed by an existing Subdivision Improvement Agreement (agreement between the City of Billings and Price Subdivision) and Codes of

Covenants and Restrictions that do not provide for this access and disallow further development where legal access for the trail planned in the Active Transportation Plan could be required by the City. The SIA further limits additional development or modification within Price Subdivision under current conditions, making implementation of the connection outside the control of the applicant.

These combined physical and legal constraints constitute a clear hardship specific to this property.

3. The variance will not result in an increase in taxpayer burden.

Approval of this variance will not result in an increased burden to taxpayers. Constructing a trail in this location would require significant grading, structural improvements, and ongoing maintenance due to the steep terrain, all of which could impose long-term public costs if dedicated to the City.

By deferring the connection to a more feasible future location, the City avoids the cost of maintaining a facility that is difficult to construct, potentially unsafe, and inefficient to serve users.

Future development of Agricultural Tract 1, as identified in this Subdivision's Subdivision Improvement Agreement, will be required to provide a trail connection to the existing park in Ironwood Subdivision. This ensures that the intended connectivity is ultimately achieved without premature or inefficient public expenditure.

4. The variance will not in any manner place the subdivision in nonconformance with any adopted zoning regulations or Growth Policy.

The requested variance will not place the subdivision in nonconformance with any adopted zoning regulations or the City of Billings Growth Policy. The subdivision will continue to comply with all applicable zoning requirements, including land use, lot design, and development standards.

While the Active Transportation Plan identifies a conceptual trail connection in this vicinity, the plan allows for flexibility in implementation based on site-specific conditions. Deferring the connection to a more feasible alignment through future development maintains consistency with the overall intent of the plan while recognizing existing constraints.

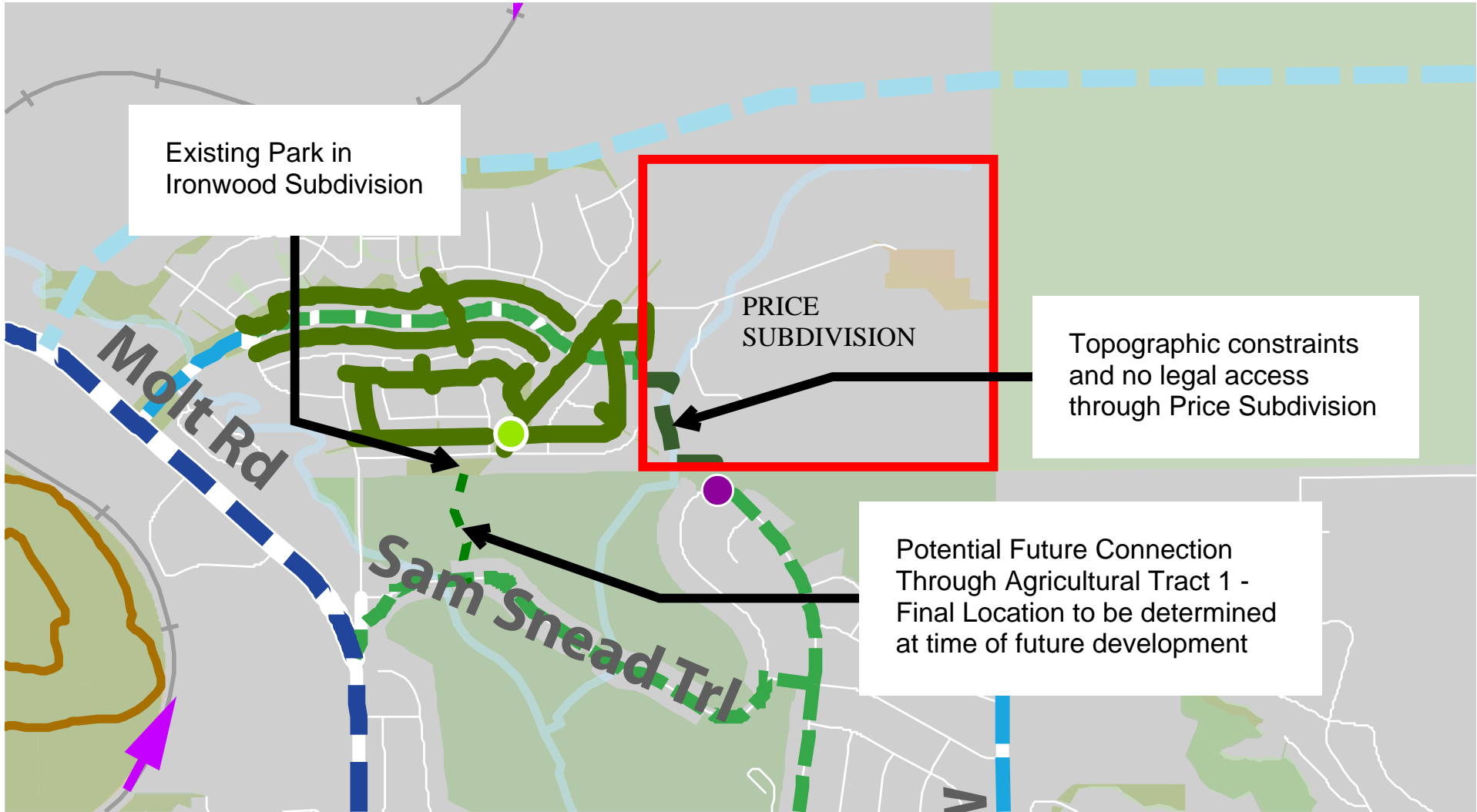
5. The subdivider must prove that the alternative design is equally effective, and the objectives of the improvements are satisfied.

The proposed alternative design is equally effective in meeting the intent of Section 23-406.C.1 and the City's transportation planning objectives. While the immediate construction of the conceptual trail connection is not feasible at this location, the overall goal of providing connectivity to parks and the non-motorized network will still be achieved.

As documented in this Subdivision's Subdivision Improvement Agreement, future development of Agricultural Tract 1 will be required to construct a trail connection to the existing park within Ironwood Subdivision. This alternative ensures that a safe, functional, and accessible trail

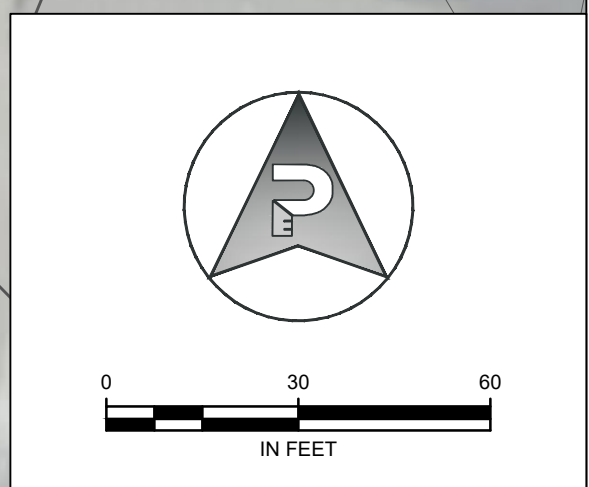
connection is ultimately provided in a location that is better suited for construction and long-term use.

This approach satisfies the objectives of connectivity, safety, and efficient infrastructure development without imposing undue hardship or creating impractical design conditions.





NOTES
 1. CONTOURS AT 1' AND 5' INTERVALS.



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 THESE PRINTS MAY BE REDUCED.
 LINE BELOW MEASURES ONE-INCH ON ORIGINAL DRAWING.

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EXHIBIT

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YELLOWSTONE CLUB ESTATES, 8TH FILING

TRAIL MASTER PLAN CONNECTION POINT

PROJECT NUMBER
2025-002

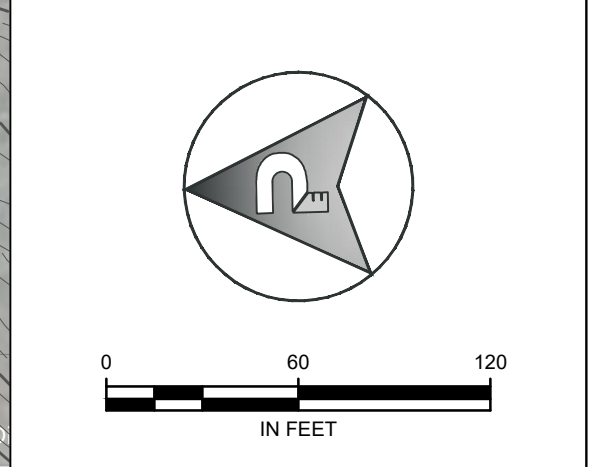
SHEET NUMBER
1 OF 2

DRAWING NUMBER
EX A

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SHEET NUMBER
2 OF 2

DRAWING NUMBER
EX B

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