

Findings of Fact
Lee Manufactured Home Park Subdivision

Planning Division staff has prepared the following Findings of Fact for Lee Manufactured Home Park Subdivision for review and approval by the City Council. These findings are based on the preliminary plan application and supplemental documents and address 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 and surrounding properties are in an urban density residential area of the city. There are no irrigation facilities on or near the property. Redevelopment of the lot for three manufactured home sites will not have an effect on agriculture or agricultural water user facilities.

2. Effect on local services

- a. **Utilities** – Water services will be provided by the County Water District of Billings Heights (CWDBH) from an existing water service meter pit connecting into the water main in Sharron Lane. The owner will install new individual lines to each manufactured home site from the meter pit in accordance with design standards, specifications, rules and regulations of the CWDBH and the Montana Department of Environmental Quality (MDEQ).

Sanitary sewer service will be provided by connecting to a single service from the existing City of Billings' sewer main also in Sharron Lane. The owner will install sewer lines for each unit in accordance with design standards, specifications, rules and regulations of the City of Billings Public Works Department and MDEQ.

MDU provides gas services and Northwestern Energy provides electric services to the subdivision. No additional easements have been requested by these utility providers.

- b. **Storm water** – Storm water runoff from the roof tops and the asphalt parking area is required to be held on-site. The owner has provided a storm water management plan in accordance with the *City of Billings Storm water Management Manual*. The plan proposes to grade the lot to enable all water to drain to a buried storm drain pipe engineered for the proper capacity.

These and all other drainage improvements shall also satisfy the criteria set forth by the *City of Billings Storm water Management Manual* and will be subject to review and approval by the City Engineering Department prior to site development permit approval.

- 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** – The three manufactured home sites will be served by a single drive approach and parking area off of Sharron Lane. Sharron Lane is a local street within a 60-foot right-of-way. No additional right-of-way dedication is necessary with this plan. However, Sharron Lane, being only 23 feet in width, does not meet current City street improvement standards. Since this proposal only contains a small portion (100 feet) of Sharron Lane frontage, City Engineering staff requests delaying any upgrading of the street until the entire street is proposed for future improvement funded by a Special Improvement District. Therefore it is recommended as a condition of approval that a note be added to Section III.A. of the final Subdivision Improvements Agreement (SIA) stating: “Future street improvements to Sharron Lane, including street widening, curb, gutter and sidewalks may be done as a part of a larger Special Improvement District (SID) project and a waiver of right to protest the creation of future SIDs is being filed with this agreement” **Condition #1.**
- e. **Emergency services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The nearest fire station is located less than one mile away at the corner of Wicks Lane and St. Andrews Drive (Station #6). An active fire hydrant is nearby on Sharron Lane.

The Billings Chief of Police noted in comments that “Continued development has adversely affected our ability to deliver service.” The subdivision is located within the ambulance service area of American Medical Response (AMR).

- f. **Schools** –School District #2 provides educational services to elementary through high school students. Schools currently serving students in this area are Beartooth Elementary, Castle Rock Middle, and Skyview High School. Both Beartooth Elementary and Castle Rock Middle are currently “over capacity” with students. However the school district is in the process of building a new middle school on the northeast side of the Heights which is expected to be completed by the fall of 2016. This new school, and the planned shift of middle school grades to 6th -8th grades (currently middle school is only 7th and 8th grades), will alleviate the capacity issues for both of the affected schools.
- g. **Parks and Recreation** – Parkland requirements for this subdivision were previously met with the original platting process. Also, Lake Elmo State Park is very nearby the subject property.

3. Effect on the natural environment

The subject property is in an area that has been developed with urban density housing for many years. The placement of two additional housing units on the property should have limited effects on the natural environment. Any increase in storm water runoff will be mitigated by the required storm water facilities to be installed prior to final approval of the project.

4. Effect on wildlife and wildlife habitat

There are no known endangered or threatened species on the property. There is a note in the SIA that warns future lot owners of the presence of deer in the area, which may cause damage to their landscaping. This development should have a minimal effect on wildlife and wildlife habitat.

5. Effect on the public health, safety and welfare

There are no anticipated effects on public health, safety and welfare resulting from this proposal.

B. Was an Environmental Assessment required? [(MCA 76-3-616 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 Yellowstone County-City of Billings 2008 Growth Policy, the Urban Area Transportation Plan 2009 Update and the Billings Area Bikeways and Trail Master Plan? [BMCC 23-302(H)(4)]

1. Yellowstone County-City of Billings 2008 Growth Policy

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

- a. Goal: More housing and business choices within each neighborhood (p. 6).

The proposal will offer an opportunity for location of two more manufactured homes.

- b. Goal: New developments that are sensitive to and compatible with the character of adjacent City neighborhoods and County townsites (p. 6).

The proposal is zoned for manufactured homes and is surrounded by other lots developed similarly. The proposal will clean up the former "no value" (per land owner) manufactured home on the site and allow for three clean, manufactured homes and a paved parking area.

2. 2014 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2014 Billings Urban Area Long Range Transportation Plan and preserves the street network and street hierarchy specified in the plan.

3. Billings Area Bikeways and Trail Master Plan

The proposed subdivision lies within the jurisdiction of the Billings Area Bikeway and Trail Master Plan but no bikeway or trail improvements are identified on or adjacent to the subject property.

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 property is zoned Residential Manufactured Home (RMH). This zoning district requires an area of 6,000 square feet for each manufactured home. The density and setback requirements shown on the site plan are in compliance with the zoning. It is recommended that approval of the manufactured home park be conditioned that the final layout be in accordance with the site plan received by the Planning Division on January 28, 2015 (**Condition #2**).

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

The utility companies already provide service the subject property and have not requested any further easements at this time.

G. Does the proposed plan 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 development from Sharron Lane.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plan of the Lee Manufactured Home Park does not create any adverse impacts that warrant denial of the subdivision.
- The proposed subdivision conforms to several of the goals and policies of the 2008 Growth Policy Update and does not conflict with the Transportation or Bikeway/Trail Plans.
- The proposed subdivision complies with state and local subdivision regulations, local zoning, and sanitary requirements and provides legal and physical access to each lot.
- Any potential negative or adverse impacts will be mitigated with the proposed conditions of approval.

Approved by the Billings City Council, February 23, 2015.

Thomas W. Hanel, Mayor