

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Ridgeline 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 used for farming. No water rights will be transferred to subdivision property owners. There are no existing ditches near this proposed development. 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 City of Billings. The subdivision will be served extending an existing 24-inch water main along King Avenue West to South 48th Street West. A future water main is proposed to be installed in South 48th Street West as part of a larger project in connection with the West End Reservoir project. Rather than extend a water line up South 48th Street West the applicant will install a new 12-inch water main from King Avenue West through the subdivision up to the intersection of South 48th Street West and Georgina Drive, located within public right of way or a public easement. All water line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings. The City of Billings Engineering Department will review and approve all proposed water lines prior to installation. **(Condition #1)**

Fire hydrants will also be installed as required by the City of Billings Fire Department. The City Fire Department will review and approve all proposed hydrant locations prior to installation. **(Condition #2)**

Sanitary sewer service will be provided by the City of Billings by extending and connecting to an existing 8- inch diameter sewer main located in King Avenue West to South 48th Street West. The subdivider will be required to provide a cash contribution for half of the cost of installation of a 12-inch sanitary sewer main along South 48th Street West. The contribution will be for the distance from King Avenue West to the northern edge of the proposed subdivision. All sewer line construction shall be installed in conformance with the design standards, specification, rules and regulations of the City of Billings Engineering Department. The City of Billings Engineering Department will review and approve all proposed sanitary sewer lines prior to installation. **(Condition #1)**

All telephone, gas, electrical power, and cable television lines that are placed within the public right-of-way shall be installed prior to surface improvements.

- b. Storm water** – Stormwater management for the proposed subdivision will be provided by a combination of surface drainage and curbs and gutters. Storm water will discharge to a stormwater detention facility located in areas located within public easements or on public property. All proposed stormwater management will be reviewed and approved by City of Billings Engineering Department. All drainage improvements shall comply with the provisions of the City of Billings Stormwater Management Manual and Section 23-706, BMCC, a stormwater management plan shall be submitted to the Engineering Division prior to filing of the final plat. **(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 in this proposed subdivision is from King Avenue West and South 48th Street West. All access to individual lots will be from internal streets. All new public streets will be in a 56-foot-wide right of way and will be constructed to 34-foot wide, back of curb to back of curb road. Road construction will include installation of accessible ramps at the intersections.

Sidewalks will be installed throughout the subdivision at the time of individual lot development. All sidewalks will be boulevard type walks with 5-foot wide boulevard sidewalks. The subdivider will install ADA ramps and sidewalk along any public areas within the subdivision.

A 10-foot-wide trail will be installed around the outer edge of the subdivision. The subdivider will install ADA ramps and trail along any public areas within the subdivision. Trails will be constructed on individual lots as the lots are developed.

- 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 1501 54th Street West (Station #7).

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** – School District #2 provides service to students within this subdivision from elementary to high school (Meadowlark Elementary School, Ben Steele Middle School, and West High School). Response from School District #2 shows all schools are above maximum capacity.

- g. Parks and Recreation** – The parkland dedication requirement for this subdivision is 5.310 acres. The applicant is proposing to provide 5.334 acres of parkland/open space. All parkland/open space will be private parks. The parks will be developed by the subdivider and maintained by the Home Owner Association (HOA).
- h. Mail Delivery** - The United States Postal Service will provide postal service to the subdivision. They have requested the installation of centralized mailbox unit (CBUs). The developer will work with the USPS to provide a satisfactory location for a CBU for this filing. **(Condition #3)**
- i. Phasing** - The Subdivision is proposed to be constructed in phases as defined below. Public improvements associated with these phases shall be constructed or monetarily guaranteed prior to opening the phase.
 Phase 1: Lots 3-4, Block 1; Lots 1-2, Block 2; and Lot 1, Block 3.
 Phase 2: Lots 3-8, Block 2 and Lot 1, Block 4.
 Phase 3: Lots 1-2, Block 1

3. Effect on the natural environment

The subject property is relatively level land adjacent to urban development to the east and future proposed development to the south. A geotechnical study was performed for the subdivision and submitted to the City Engineering Division.

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. 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: Planning and construction of safe and affordable interconnected sidewalks and trails are important to the economy and livability of Billings. (p.6)

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods): Neighborhoods that are safe and attractive and provide essential services are much desired. (p.8)

Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels. (p.8)

Home Base (healthy, safe and diverse housing options) Planning and construction of interconnected sidewalks and trails are important to the economy and livability of Billings. (p.9)

2. 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.

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

The proposed subdivision lies within the jurisdiction of the BABTMP. The BABTMP does not show any 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 a Planned Neighborhood Development (PND). The PND has the following zones within it, Commercial Mixed Use 1 (CMU1), Mixed Residential 2 (NX2), Mid-Century Residential (N2), Open Space, Parks, Recreation (P1), and Mixed Residential 3 (NX3). 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 will furnish private utility easements as required by private utility providers.

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 are from King Avenue West and South 48th Street West. New internal streets will provide access to individual lots.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Ridgeline Subdivision does not create any adverse impacts that warrant denial of the subdivision.
- 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

The Planning Board recommend to City Council the preliminary plat of Ridgeline Subdivision be conditionally approved and adopt the Findings of Fact as presented in the staff report.

Approved by the Billings City Council, December 20, 2021

William A. Cole, Mayor