

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Golden Meadows Expansion 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. Water rights will not be transferred to subdivision property owners. Existing ditches near this proposed development will remain in place and will not be altered by the future property owners. 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 extend existing water mains located in Willow Bend Drive South and Willow Bend Drive North. The private water mains will be constructed in private streets to serve each manufactured home unit in this proposed subdivision. The water mains within the subdivision will make looped connections whenever possible. 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. This information is outlined in the SIA under the heading VI Utilities.

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. This information is outlined in the SIA under the heading VI Utilities.

Sanitary sewer service will be provided by the City of Billings by extending existing sewer mains from Willow Bend Drive North and Willow Bend Drive South. The new private sewer main will occur within internal private streets to serve each manufactured home unit in 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. This information is outlined in the SIA under the heading VI Utilities. **(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, drained to storm, new and existing, detention areas to the south of the subdivision. The developer will be required to provide an Operation and Maintenance (O&M) manual. The subdivision HOA will be responsible for the stormwater management system and fees will be collected to cover the cost of O&M. 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 spaces in this proposed subdivision is from South 32nd Street West, to either Willow Bend Drive North and Willow Bend Drive. Access to each individual unit spaces will be from the internal streets that are proposed with this subdivision. All new 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.

A traffic study has been completed for this proposed subdivision and the applicant will be making contributions to the intersections impacted by the additional traffic burden places on them. Those contributions are outlined in the SIA under the heading III Transportation D. and will be made to the City prior to final plat approval.

Sidewalks will be installed at the time of street construction. All sidewalks will be boulevard type walks with 5-foot wide boulevard sidewalks.

- 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 605 South 24th Street West (Station #5).

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** – Elysian School District 23 provides service to students within this subdivision for K through 8. School District #2 provides service to students within this subdivision for high school (West High School). School District #2

responded stating West High School is over capacity at this time. Elysian provided no comments at the time of the writing of this staff report.

- g. Parks and Recreation** – The parkland dedication requirement for this subdivision is 3.11 acres. This parkland will be private park for the residents of the subdivision. The applicant is providing 3.27 acres of private parkland for the proposed subdivision. The SIA does not mention how the private parks will be maintained. Maintenance of the private parks will be the responsibility of the land owner, Golden Meadows II LLC.
- 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) at the intersection of Willow Bend Drive South and Prairie Clover Lane. The developer will work with the USPS to provide enough room for safely delivering the mail and a satisfactory location for a CBU for this subdivision. **(Condition #2)**
- i Phasing** – The subdivision is proposed to construct infrastructure in 2 phases. Because this subdivision does not create lots but pads for Mobile Homes to be placed on, it is not a traditional phasing of lots but phasing of construction of infrastructure. The phasing of infrastructure is outlined in the SIA under the heading X. Phasing of improvements.

3. Effect on the natural environment

The subject property is relatively level land with a mobile home park to the north and east. A geotechnical study was performed for the subdivision by Rimrock Engineering on January 10, 2023. The subdivision should have a minimal effect on the natural environment as this land has been historically used for farming and the natural environment is no longer in place.

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 and adjacent to open farm land areas, therefore conflicts with wildlife may occur. 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:

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

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.

Strong Neighborhoods (livable, safe, sociable and resilient neighborhoods)
Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels.

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 shows a proposed bike lane to the west of this subdivision and one east of the subdivision along the west side of South 32nd Street West.

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 located within Residential Manufactured Home (RMH) zoning. All Manufactured Home placement shall comply with the RMH zoning.

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. MDU has requested utility easements of 8 feet wide. The applicant will coordinate the location with MDU. (**Condition 3**)

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 from South 32nd Street West and Willow Bend Drive North and Willow Bend Drive South. Other new internal streets will provide access to individual spaces. All streets are private as shown on the plan.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Golden Meadows Expansion 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

City staff recommends the Planning Board forward to the City Council, the preliminary plat of Golden Meadows Expansion Subdivision, recommending conditional approval and adopt the Findings of Fact as presented in the staff report.