

FINDINGS OF FACT

The Planning staff has prepared the Findings of Fact for the preliminary plat of Srite Subdivision, Amended Lot 2A. These findings are based on the preliminary plat 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 has two houses on it. One was built in 1940 and the other one in 1949. There are no ditches or drains that run through, or around, this project. There will be no effect on agriculture and agricultural water user facilities.

2. Effect on local services

- a. **Utilities** – Water service is provided by the City of Billings. Service to the subdivision is provided from a 12-inch water main located in Rosewyn Lane. The existing homes are already connected to city water services.

Sanitary sewer service to the subdivision is provided from an existing 30-inch sanitary sewer located in Poly Drive. The existing homes are already connected to the city sanitary sewer system.

Private Utilities already exist for the two homes on the proposed subdivision lots being created.

- b. **Stormwater** – The storm drainage system for Srite Subdivision, Amended Lot 2A, is already in place. Any new development in the future will require complying with the provisions set forth in Chapter 28, BMCC and the Stormwater management manual in place at the time.
- c. **Solid Waste** – The City of Billings will provide solid waste collection and disposal. The City's landfill has adequate capacity for this subdivision.
- d. **Streets** – All streets for this subdivision already exist. Poly Drive to the north and Rosewyn Lane to the east. The are roads already constructed and will require no additional building or expansion.

There is an existing sidewalk on the north of the proposed subdivision. Rosewyn Lane has no sidewalks on either side of the street. The only exception is along the west edge of the Poly Food Basket property. There will be no requirement for sidewalk construction at this time but it is included in the waiver of right to protest.

- e. **Traffic Impact Study Overview** - This subdivision did not require a Traffic Impact Study as it has two existing homes on the proposed lots and no additional traffic will be added.

Street lighting is required for residential subdivisions. Because there is currently no lighting on Poly Drive of Rosewyn Lane at this time, the applicant will not be required to install a light. Street light installation is included in the waiver of right to protest.

- f. **Emergency Services** – The Billings Police and Fire Departments will respond to emergencies within the proposed subdivision. The fire station that provides service for this area is Fire Station #3, it is located at 1928 17th ST W.

The police department comments that this subdivision is within an existing service area and will not be a problem.

The subdivision is located within the ambulance service area of American Medical Response (AMR).

- g. **Schools** – School District #2 provides service to students within this subdivision for elementary through high school. Poly for elementary school, Will James for middle school and West for high school. School District #2 stated they are over capacity at these existing schools.
- h. **Parks and Recreation** – This subdivision is not required to provide parkland, because it is a minor subdivision.
- i. **Mail Delivery** - Mail delivery has already been established with the existing houses in this subdivision.
- j. **Phasing of Development** – This subdivision will not be developed in phases.

3. Effect on the natural environment

The subject property currently has a house on each proposed lot. The natural environment has been changed many years ago when the houses and surround neighborhood was built. Overall, the effect on the natural environment should be minimal.

4. Effect on wildlife and wildlife habitat

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

5. Effect on public health, safety and welfare

There will be no significant impacts to public health, safety and welfare because of this subdivision.

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 City of Billings 2016 Growth Policy, the 2023 Transportation Plan, and the Billings Area Bikeway and Trail Master Plan? [BMCC 23-302.H.4.]

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): the existing homes on the property are important to the economy and livability of Billings.

2. 2023 Billings Urban Area Long Range Transportation Plan

The proposed subdivision adheres to the goals and objectives of the 2023 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 is within the Billings Area Bikeways and Trail Master Plan. The master plan does show a bike lane along Poly Drive, however it is already installed.

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 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 N2-Mid-Century Neighborhood. The lot frontages conform to the requirements of this zone. Building separations comply with the requirements of 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.]

Easement for utilities already exist as there are homes on the proposed lots in the subdivision.

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 to the subdivision will be provided by Rosewyn Lane.

CONCLUSIONS OF FINDINGS OF FACT

- The preliminary plat of Srite Subdivision, Amended Lot 2A, 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 2016 Growth Policy 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.

RECOMMENDATION

Staff recommends to City Council that the preliminary plat of Srite Subdivision, Amended Lot 2A, be conditionally approved and the Findings of Fact adopted as presented in the staff report.

Approved by the Billings City Council, December 15, 2025

William A. Cole, Mayor