

CASCADE COUNTY PLANNING BOARD

PLANNING STAFF: Report and Recommendations

REGARDING: Planning Board Public Hearing on June 25, 2019

SUBJECT: Preliminary plat of An Amended Plat of Lot 1B of The Amended Plat of The Amended Plat of Lot 1, Block 3, Riverwood Villas No.1 subsequent minor subdivision.

GENERAL INFORMATION

Applicant/Owners: Lewis & Sasha Card

Property Location: This proposed subdivision is located in the SW ¼, NW ¼, of Section 2, Township 19 North, Range 3 East, P.M.M. Cascade County, Montana. Parcel Number: 0002019025 and Geocode: 02-2892-02-3-01-27-0000.

Existing Zoning: Suburban Residential 2

Requested Action: Recommendation for the preliminary plat of the Subsequent Minor Subdivision referenced above.

Purpose: To create two (2) lots

Existing Land Use: Single-family residential

Surrounding Use: Single-family residential

SPECIAL INFORMATION

1. The Planning Board is in receipt of an application from Lewis & Sasha Card to recommend approval of a subsequent minor subdivision plat to the Cascade County Commissioners.
2. Attached is a copy of the subsequent minor plat application and supplemental materials, which will subdivide 10.009 acres into two (2) lots. Lot 2 being 5.006 acres and Lot 3 being 5.003 acres.
3. The subdivision is taking place within an active Rural Special Improvement District (RSID).
4. Access to the two (2) proposed lots will be granted via separate approaches off Highwood Dr. The applicant has obtained approach permits for both lots from the Cascade County Road and Bridge Division.
5. Based on trip generation factors available from the Institute of Transportation Engineers, the one (1) additional residential lot will generate approximately 10 trips per day to the County's road system.

6. The parkland requirement is waived due to the land being subdivided into parcels over five (5) acres and only one (1) additional lot being created; pursuant to 76-3-621(3)(a) and (d), Montana Code Annotated.
7. The proposed subdivision will receive law enforcement services from the Cascade County Sheriff's Office and fire protection services from the Gore Hill Volunteer Fire Department. Response time will be dictated by weather and road conditions. The subdivision is in close proximity to the Fox Farm station located at the intersection of Fox Farm Road and Dune Drive.
8. There are no delinquent taxes on this property.
9. An Environmental Assessment was submitted in accordance with Part III, Administrative Materials "A", of the Cascade County Subdivision Regulations.
10. The property is not located in a regulated floodplain.
11. The project is exempt from onsite fire cistern requirements per 10-15(2)(5) of the Cascade County Subdivision Regulations, as fire protection measures are only needed when creating four (4) or more lots, or in subsequent minor subdivisions of three (3) or more lots. This subdivision would only be creating one (1) additional lot.
12. Pursuant to 76-3-605 Montana Code Annotated, a public hearing is required for this subsequent minor subdivision.
13. Legal notice of this proposed subdivision was sent to surrounding property owners on June 7, 2019 and appeared in the Great Falls Tribune June 16, 2019 and June 23, 2019.
14. Interested Agencies were provided with notification letters and a request for comments on June 7, 2019. No comments have been received at the time of writing this report.
15. The project is located within the Wild Land Urban Interface as determined by the *Community Fire Plan Wild Land-Urban Interface for Cascade County*.
16. The project lies outside of the Height Military Overlay District. (MOD)

CONCLUSION

This proposed subdivision meets the requirements of the Cascade County Subdivision Regulations, as well as Montana's Subdivision and Surveying Laws and Regulations.

RECOMMENDATIONS

The following motions are provided for the Board's consideration:

"I move to recommend to the Cascade County Commission, after consideration of the Staff Report and Findings of Fact that the Subsequent Minor Subdivision preliminary plat of An Amended Plat of Lot 1B of The Amended Plat of The Amended Plat of Lot 1, Block 3, Riverwood Villas No.1., be **denied**;

or

"I move to recommend to the Cascade County Commission, after consideration of the Staff Report and Findings of Fact adopt said Staff Report and Findings of Fact and **approve** the Subsequent Minor Subdivision preliminary plat of An Amended Plat of Lot 1B of The Amended Plat of The Amended Plat of Lot 1, Block 3, Riverwood Villas No.1 subject to the following conditions:

1. Having the developer's surveyor correct any errors or omissions on the preliminary plat;
2. Causing to be prepared certificates of title of the land in the subdivision to be recorded in conjunction with the final plat;
3. Submitting with the plat a certificate of a title abstracter showing the names of the owners of record of the land and the names of lien holders or claimants of record against the land (76-3-612 Montana Code Annotated (2017)).
4. Causing to be recorded in conjunction with the final plat the covenants of the Subsequent Minor Plat that contain, at a minimum, a noxious weed control program and an erosion control program.
5. Causing to be recorded in conjunction with the final plat, an agreement requiring property owners of each subdivision tract to take part in any Rural Special Improvement District (RSID) for the reconstruction, improvement or perpetual maintenance of Fox Farm Road, Highwood Drive or any other road that can be used to access these lots as determined by Cascade County, provided that all other property owners served by said road share equitably in such an RSID. This waiver will expire 20 years after the date the final plat is filed with Cascade County. This statement of waiver shall be placed on the final plat.
6. Causing to be recorded on the plat a statement concerning limited public services.
7. Causing to be recorded on the plat an Agricultural Notification Statement.
8. Pursuant to 7-22-2152 Montana Code Annotated (2017), submitting a written plan to the Cascade County Weed and Mosquito Board specifying the methods for weed management procedures with regards to this development.
9. Obtaining approval for the proposed water and sewage disposal systems from state and/or local health departments.
10. Obtaining any necessary approach permits from the Road and Bridge Division of the Cascade County Public Works Department for the new approach onto Highwood Drive.

Attachments: Findings of Fact
Subdivision – Preliminary Plat Application

cc: Lewis and Sasha Card
Kevin May, BSCE