

FINDINGS OF FACT FOR A PRELIMINARY PLAT OF MOUNTAIN VIEW ESTATES NORTH MAJOR SUBDIVISION LOCATED IN THE SE 1/4, SECTION 13, TOWNSHIP 20 N., RANGE 2 E., AND SW 1/4, SECTION 18, TOWNSHIP 20 N., RANGE 3 E., P.M. CASCADE COUNTY, MONTANA

The application requesting preliminary plat approval for Mountain View Estates North major subdivision was received on March 28, 2019. The submittal was determined to contain all required components sufficient for adequate public review on May 7, 2019 and scheduled for public hearing for the Cascade County Planning Board on June 4, 2019 pursuant to statutory requirements. Notice of the public hearing was sent to property owners within 300 feet of the proposed subdivision on May 16, 2019 and published in the Great Falls Tribune on May 19, 2019 and May 26, 2019.

Mark Leo, Big Sky Civil & Environmental (subdivider) and Mike Hagen, Mountain View Estates Development North, LLC (Owner) request preliminary plat approval for Mountain View Estates North major subdivision consisting of seventy-six (76) residential lots ranging in size from 2.38 acres to 5.347 acres, a two (2) parkland lots of 3.766 and 2.080 acres. The total acreage of the project site is 297.85 acres.

I. PRIMARY REVIEW CRITERIA

Effect on Agriculture

The proposed subdivision presently consists of two (2) parcels of land (297.85 acres) within the Rural Residential 5 (RR5) and Suburban Residential 2 (SR2) Zoning District. To the west, north, and east of the project site is fallow farmland in the RR5 and SR2 Zoning District. To the south is Airport Bench Road and more farmland. There are some rural residences in the vicinity and the Tri View Estates subdivision to the southwest. The soil is made up largely of Ernem loam, 0 to 4 percent slopes (52.6%), and Ipano loam, 0 to 4 percent slopes (27.4%), the latter which is considered prime farmland if irrigated. Additionally Azaar fine sandy loam (11.1%), Ticell-Castner complex, 0 to 4 percent slopes (2.9%) and Marmarth clay loam, 0 to 4 percent slopes (6.0%) have been identified on the site. The Azaar and Marmarth soils are recognized as farmland of statewide importance.

Effect on Local Services

The proposed subdivision will receive law enforcement services from the Cascade County Sheriff Department and fire protection services from the Gore Hill Volunteer Fire Department. The developer will be required to install a fire suppression system with a minimum capacity of 48,000 gallons, or 10,000 gallons minimum, plus an additional 500 gallons per residential lot. The developer has proposed to install 50,000 gallons worth of fire suppression water capacity in four 12,500 gallon cisterns spaced through the subdivision.

A letter requesting comments was sent to the Gore Hill Volunteer Fire Department Chief

and any response received from them will be forwarded to the Planning Board and the County Commissioners.

Parkland dedication is required as part of this subdivision. Per the subdivision regulations, 5% of the acreage subdivided for residential lots between one and three acres, and 2.5% of the acreage subdivided for residential lots between three and five acres is required to be dedicated as parkland. The applicant has calculated that 5.497 acres of parkland are required, and have designated 5.846 acres of parkland.

Based on trip generation factors available from the Institute of Transportation Engineers and the Great Falls Area Long Range Transportation Plan, the 76 new residences that feed onto Airport Bench Road will generate an additional 727.32 trips per day. The applicant's Traffic Impact Analysis anticipates that Airport Bench Road, Briggs Road, and the I-15 Frontage Road will be the roads impacted by this development, however the applicant has not identified adverse traffic impacts related to the proposed subdivision.

Letters requesting comments were sent to the Montana Department of Transportation and the Cascade County Road and Bridge Division. Any comment will be forwarded to the Planning Board and the Cascade County Commission.

The Great Falls International Airport Authority has expressed concern that this development is not compatible with future plans for the airport. As of publishing this report the Airport has provided a property map exhibit showing desired areas for future expansion.

Effect on the Natural Environment

Subdivision of the site is not expected to create significant surface run-off problems. The proposed development is outside of any regulated floodplains, will not alter any lakebeds or stream channels, and is approximately three miles north of the Missouri River and a mile and a half south of the Sun River elevated well above the rivers on the Sun River Bench. The Department of Environmental Quality will review the subdivision plan as part of the Sanitation in Subdivisions Act and will include a review of the storm water design to mitigate runoff resulting from development in the subdivision.

The soil is made up mostly of Ernem loam and Ipano loam, the latter of which is classified as farmland of statewide importance if irrigated. Other soils identified on the soil resource report are classified as farmland of statewide importance, however these soils do not reach the 25% threshold to classify this property as a Resource Protection Area. The property does appear to have been put into agricultural production in recent history. The project was sent to the Cascade Conservation District for review, any comments received will be forwarded to the Planning Board and Commissioners.

The subdivision is not expected to adversely affect native vegetation, soils, water quality, or the quantity of surface or ground waters. Disturbed areas during development

will be re-seeded and the weed management plan will be followed to reduce the spread of noxious weeds.

Effect on Wildlife and Wildlife Habitat

This location is in an area that is largely rural in character, however is being steadily developed for residential use. The applicant identified a variety of species that have been known to visit the area. Humans and pets are likely to have a negative impact on wildlife in the area, however landscaping could provide more habitat for wildlife. Letters requesting comment have been submitted to the Department of Fish, Wildlife, and Parks, any comments received will be forwarded to the Planning Board and Commissioners. The subdivision will not result in closure of public access to hunting or fishing areas, nor to public lands.

Effect on Public Health and Safety

Based on available information, this subdivision does not appear to be subject to potential natural hazards such as flooding, rock slides or seismic events; nor potential man-made hazards such as nearby heavy industrial or mining activity. Wildfires are always a possibility in subdivisions adjacent to crop or pasture land, however this subdivision is not considered to be in the wildland urban interface. Fire and emergency services have been addressed. Vehicle access to the subdivision will be from Airport Bench Road.

II. REQUIREMENTS OF MONTANA SUBDIVISION AND PLATTING ACT, UNIFORM STANDARDS FOR MONUMENTATION, AND LOCAL SUBDIVISION REGULATION

The subdivision meets the requirements of the Montana Subdivision and Platting Act and the surveying requirements specified in the Uniform Standards for Monumentation, and conforms 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 subdivision regulations.

III. COMPLIANCE WITH THE CASCADE COUNTY GROWTH POLICY

The proposed subdivision is in general compliance with the Cascade County Growth Policy to preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens and by ensuring that all new roads be built to county specifications, designing subdivisions so as to minimize the risk of fire, promoting adequate ingresses and egresses, adequate water supply systems, requiring local review of subdivisions meet DEQ regulations, and by complying with the weed district's weed management plans. The area is not designated as a designated Resource Protection Area, Prohibitive Development Area or Conditional Development Area; therefore, those standards are not applicable to the proposed subdivision.

SETBACK STANDARDS

The minimum standards must comply with the Cascade County Zoning Regulations.

SLOPE STANDARDS

Development on slopes exceeding twenty five percent is prohibited except where a licensed engineer, with demonstrated experience in the field of slope stabilization certifies that the development will create no slope failure or erosion hazards.

OFF-STREET PARKING STANDARD

All parking in the proposed subdivision will be accommodated on the premises and entirely off street.

RESIDENTIAL DEVELOPMENT STANDARD

The minimum standards must comply with the Cascade County Zoning Regulations.

SOIL EROSION STANDARD

The proposed subdivision should not cause soil erosion or other adverse impacts of runoff on neighboring properties, roads, or watercourses. There is no development taking place on the lots remaining in the county.

SOILS LIMITATIONS STANDARD

Soils that have moderate or severe limitations for the proposed subdivision will be identified and measures to mitigate such limitations will be implemented.

ROAD ACCEPTANCE AND MAINTENANCE POLICY

Legal access, described as public street and utility easement, to the lots will be provided on the final plat. There are two private access roads that will be a privately maintained by the HOA to access the subdivision. The County will not have responsibility for road maintenance until such time as the County accepts the internal roads as County roads.

FIRE PROTECTION STANDARD

This development lies within and receives fire protection services from the Gore Hill Volunteer Fire District. Response time will be dictated by weather and road conditions. A letter has been sent to the Gore Hill Fire Chief asking for comments

on the proposed subdivision. Any comments received will be sent to the Planning Board and the County Commissioners.

SCHOOL SYSTEM'S CAPACITY STANDARD

Letters were sent to the Cascade County Superintendent of Schools and the Great Falls Public Schools Superintendent, and the Ulm Public Schools Principal. Great Falls Public Schools responded on January 21, 2019 that the schools in their district would have the capacity to service students from the proposed subdivision.

IV. EASEMENTS FOR UTILITIES

Any comments received by staff will be forwarded to the Planning Board and County Commissioners. All easements will be shown on the final plat.

V. LEGAL AND PHYSICAL ACCESS

1. Legal access will be provided to all lots through private street easements placed on the final plat. The existing roads in this subdivision will not be county responsibility until such time as the county accepts them.

VI. OPTIONS AND RECOMMENDATIONS

In making their recommendations and decisions, the Cascade County Planning Board and the Cascade County Commission shall consider the following:

- A. relevant evidence relating to the public health, safety, and welfare;
- B. the Summary of Probable Impacts;
- C. the Cascade County Growth Policy; and
- D. the provisions outlined in the Cascade County Subdivision Regulations and the Montana Subdivision and Platting Act.

VII. DECISION ALTERNATIVES

1. Approve the proposed subdivision.
2. Approve the proposed subdivision with conditions.
3. Table the proposed subdivision for further study.
4. Deny the proposed subdivision.