

**CARBON COUNTY**  
**Planning Office**  
**P.O. Box 466, Red Lodge, MT 59068**  
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**PROJECT MEMORANDUM**

TO: Members of the Carbon County Planning Board  
FROM: Forrest J. Mandeville, AICP – Contract Planner  
DATE: February 22, 2019  
RE: Lot 10 Amended, Plat No. 2200 RB 2, Woodlands on Rock Creek Preliminary Plat Application –Staff Report and Findings

REQUIRED PLANNING BOARD ACTION: Review, receive public comment, and recommendation to approve, conditionally approve, or deny the proposed preliminary plat.

RECOMMENDATION: **Approval with Conditions**

RECOMMENDED MOTION: *Having reviewed and considered the application materials, project memorandum, public comments and all of the information presented, I hereby move to recommend **approval** of the Lot 10 Amended, Plat No. 2200 RB 2, Woodlands on Rock Creek, with the findings and conditions included in the project memorandum.*

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**Project/Application Summary:**

Engineering West, on behalf of Richard and Janice Stout (Woodlands on Rock Creek, LLC), have submitted a preliminary plat application for a four-lot subsequent minor subdivision on a 2.47-acre tract. The original tract was created with the platting of Woodlands on Rock Creek Subdivision. Therefore, this subdivision is a subsequent minor subdivision, which is reviewed as a major subdivision. This subdivision will allow for duplex/condominium development on each lot.

The subject property is located on the southeast side of the intersection of Two Mile Bridge Road and Great Blue Way, approximately 1500 feet east of the intersection of Two Mile Bridge Road and Highway 212. The property is legally described as Lot 10 Amended of Plat 2200 RB 2, located in Section 14, Township 7 South, Range 20 East, P.M.M., Carbon County, Montana.

**Required Planning Board Action:**

Following a public hearing, the Planning Board shall make a recommendation to the County Commission to approve, conditionally approve, or deny the preliminary plat. The Planning Board may recommend conditions for approval intended to ensure compliance with the Subdivision Regulations and to mitigate any anticipated impacts of the subdivision.



SCALE 1" = 30'

### PRELIMINARY PLAT

## LOT 10 AMENDED, PLAT NO. 2200 RB 2, WOODLANDS ON ROCK CREEK SUBDIVISION, LOCATED IN THE SW1/4 OF SECTION 14, T.7S, R.20E, P.M.M., CARBON COUNTY, MONTANA

SURVEYED BY RED LODGE SURVEYING LLC  
308 S. GARDNER AVE. TROCKBURN  
RED LODGE, MT 59043

DURING MONTHS OF 2017 AND NOVEMBER 2018  
LANDOWNER: WOODLANDS ON ROCK CREEK, LLC

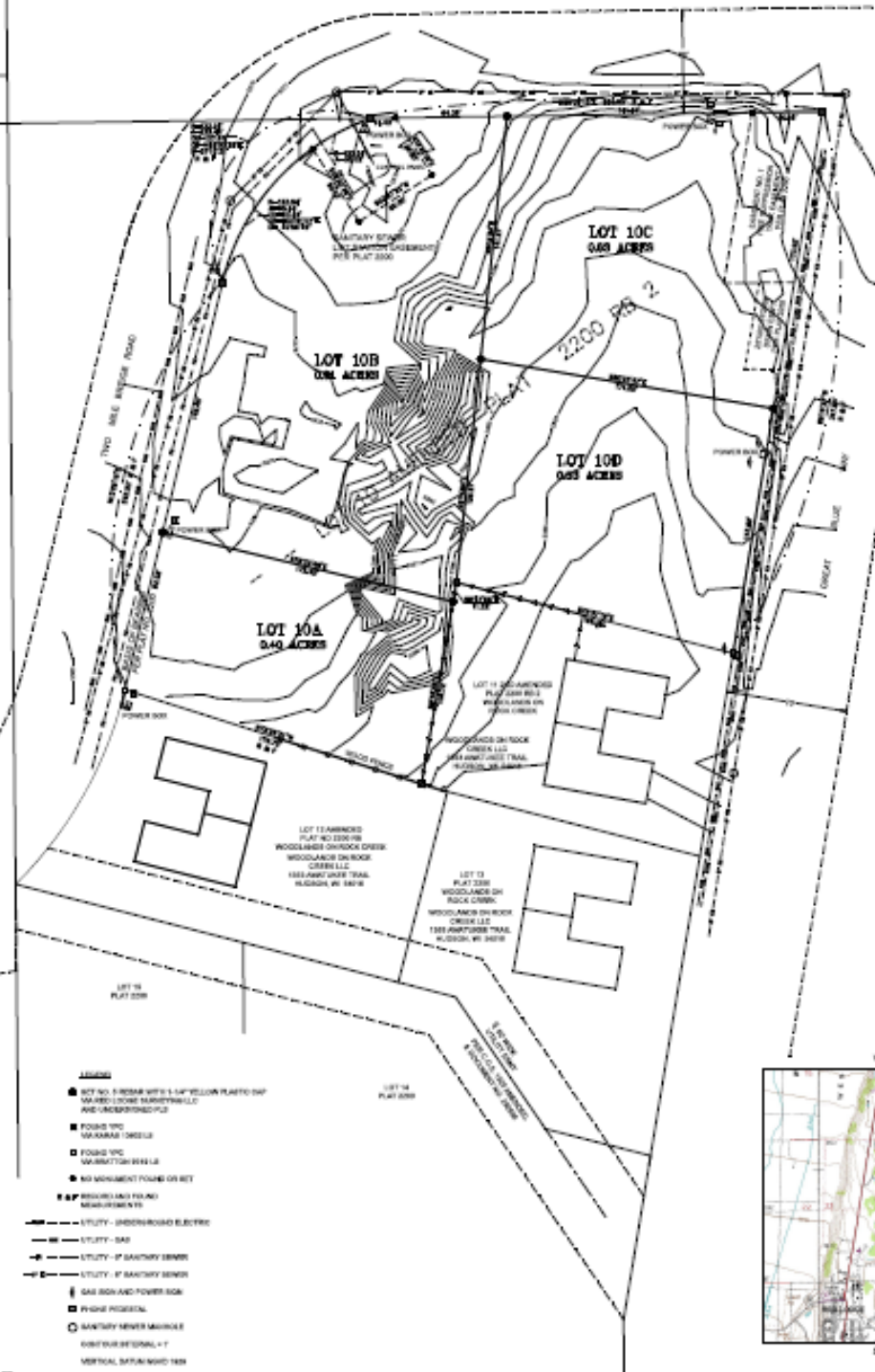
#### LEGAL DESCRIPTION

Lot 10 Amended of Plat No. 2200 RB 2, Document No. 272918, located in Section 14, T.7S, R.20E, P.M.M., Carbon County, Montana. The area being 2.47 acres, more or less, and according to the returned Certificate of Survey Subject to amendments and modifications of record appearing on the ground, and/or hereinafter per this survey.

TRACT 1  
C.D.S. 104  
DORIAN M. OPTONAL  
2885 FUTURE LANE RD  
HAILEY, MT 59012

TRACT 2  
C.D.S. 126  
GRANT PATRICK  
402 DAVIS ST  
HAILEY, MT 59012

PENDING LANCER OF PARCEL 1  
C.D.S. 174 AMENDED  
CITY OF RED LODGE  
PO BOX 9  
RED LODGE, MT 59001



- LEGEND**
- LOT NO. 10 BEARING WITH 1/4" YELLOW PLASTIC CAP MARKED CORNER SURVEY POINTS AND UNDEVELOPED
  - FOUND TPO SHARPER TRAIL
  - FOUND TPO WASHINGTON BEVEL
  - NO MEASUREMENT FOUND ON NET
  - FOUND AND FOUND MEASUREMENTS
  - UTILITY - UNDERGROUND ELECTRIC
  - UTILITY - GAS
  - UTILITY - 1" SANITARY SEWER
  - UTILITY - 4" SANITARY SEWER
  - GAS HIGH AND POWER SIGN
  - PAVING PROJECT
  - SANITARY SEWER MANHOLE
  - SANITARY SEWER T
  - VERTICAL CURVE ROAD 100'



**Subdivision Regulations – Compliance Review/Findings Summary:** (Section references are to the Carbon County Subdivision Regulations unless otherwise noted)

*a. Relevant evidence relating to the public health, safety, and welfare*

Wells are proposed for each lot; connections to Red Lodge municipal sewer are proposed. The subdivision will need to be submitted to and approved by the Montana Department of Environmental Quality (DEQ) and the Carbon County Sanitarian for review and approval (see condition number 1). The City of Red Lodge should also confirm available sewer capacity.

The property is accessed via Two Mile Bridge Road and Great Blue Way. Two Mile Bridge Road is a County owned and maintained road; Great Blue Way is owned and maintained by the Woodlands on Rock Creek Homeowners' Association. There are two turns on Two Mile Bridge Road as it approaches the subdivision, so as the area develops and more traffic is added to the road it may be appropriate to lower the speed limit and/or install signs advising of potential traffic congestion in the area.

*b. Summary of Probable Impacts*

Except where exempt by state law, all subdivisions must be reviewed for the impact on agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety.

- Effect on agriculture: The site (approximately 2.47 acres) is classified by the USDA as farmland of statewide importance. However, the property is not currently in agricultural production, and its location in a platted subdivision makes agricultural production unlikely. The impact to agriculture should be minimal.
- Effect on agricultural water user facilities: There are no irrigation ditches on the property and the subdivision should have no effect on agricultural water user facilities.
- Effect on local services: As this subdivision adds additional lots within an existing subdivision, the impact on local services is anticipated to be minimal.

This subdivision is subject to parkland dedication requirements. Land equal to 0.2 acres or its cash equivalent should be provided to the County prior to final plat. The dedication requirement is calculated as one lot (10A) being less than ½ acre and subject to an 11% cash or land donation, and three lots (10B, 10C, and 10 D) being between ½ acre and 1 acre and being subject to a 7.5% cash or land donation. Historically, Carbon County has required cash donation, which is recommended for this subdivision.

The Carbon County Sheriff's office will provide law enforcement services to the subdivision. Sheriff McQuillan reports the ability to serve the subdivision with existing personnel and a response time of 15-20 minutes.

Bill Bullock, Commissioner for District #3, reports as the density increases a reduction in the speed limit may be warranted, and/or, a sign stating 'congested area ahead' or something similar may need to be considered. Commissioner Bullock also states that "It

is a very narrow area with little to no escape routes. If there was a way to widen the road at no cost to the county, chip it and stripe it, it would be better still.” These comments were in response to both this subdivision and Woodlands on Rock Creek Lots 3-9.

The Red Lodge Fire District provides fire protection in the area. Chief Kuntz reports that the existing improvements within the subdivision are well maintained and are adequate to provide for the increase in lots. There is an existing fire suppression facility located within an easement on the property (proposed Lot 10C). Existing easements will need to be shown on the final plat.

The developer is proposing to utilize the City of Red Lodge sewer facilities. The original subdivision also utilized municipal sewer. However, with the additional lots being created, evidence should be submitted showing the City approves of the plan to utilize its facilities, as well as approval from the State DEQ. There is an existing sanitary sewer lift station located in an existing easement on the property (proposed Lot 10B). New and existing easement will need to be shown on the final plat.

Northwestern Energy reports the ability to serve the site with both electricity and natural gas, and requests easements of at least 8 feet, but a preference of 10 feet, along the front of the lots.



#### **Examples of Possible Signage to Ensure Public Safety on Two Mile Bridge Road**

- Effect on the natural environment: Impacts to the natural environment are expected to be minimal. Review and approval of sewer, well, solid waste, and stormwater drainage is required by the Montana Department of Environmental Quality (DEQ).

The developer should submit evidence that a weed management plan has been reviewed and approved by the Carbon County Weed District.

The developer has submitted a predetermination letter from DNRC indicating that there is 6.16 acre feet/year remaining, which will be divided between the four lots for 1.54 af/year for each lot for future use without a water right permit.

- Effect on wildlife: While wildlife does frequent the area, there are several similar uses on surrounding properties, and the development of this subdivision should not have a significant adverse impact on wildlife.
- Effect on wildlife habitat: The property is located in sage grouse general habitat. The developer has submitted evidence that they have checked with the Montana Sage Grouse Habitat Conservation Program.

Some subdivisions in similar habitat report considerable and on-going problems with deer, elk, or antelope damaging landscaped shrubs, flowers, and gardens.

- Effect on public health and safety: The Carbon County Sheriff's office provides law enforcement service in the area and reports the ability to serve the subdivision.

The subdivision is located within the Red Lodge Fire District. Chief Kuntz reports that existing fire protection measures are sufficient for the additional lots.

DEQ approval of water, wastewater, storm water drainage, and solid waste disposal is required; the City of Red Lodge should also approve of the proposed municipal sewer connections.

c. Whether the application and plat conform to the provisions of the following:

- The Montana Subdivision and Platting Act: The Plat has been prepared and processed in accordance with the Montana Subdivision and Platting Act.
- The Carbon County Subdivision Regulations: The application conforms to the requirement of the adopted Subdivision Regulations.
- Applicable Zoning Regulations: Prior to construction, a Group 1 Development Permit must be obtained for residential construction.
- Other regulations in effect in the area of the proposed subdivision: There is an existing Homeowners' Association for the property.
- Whether DEQ has approved the proposed subdivision for proposed subdivision that will create parcels of less than twenty (20) acres: DEQ approval is required.
- Whether the subdivider has demonstrated that there is an adequate water source and at least one are for a septic system and a replacement drainfield for each lot for a proposed subdivision that will create one or more parcels containing twenty (20) acres or more: There are no proposed lots over 20 acres in the proposed subdivision.

d. Planning Staff Recommendation:

Planning Staff recommends approval of the Lot 10 Amended, Plat No. 2200 RB 2, Woodlands on Rock Creek Subdivision, pursuant to the following conditions:

1. Filing of the final plat shall be subject to the review and approval by the Montana Department of Environmental Quality.
2. Evidence shall be submitted showing the City of Red Lodge approves of the proposed sewer connections to the municipal system.
3. A notation shall be provided on the final plat that legal and physical access is provided per 76-3-608(3)(d), MCA.
4. The developer shall work with the County to install signage on Two Mile Bridge Road warning of possible traffic congestion in the area.
5. Parkland dedication of cash value of 0.2 acres shall be donated prior to final plat.
6. A weed plan approved by the Weed District shall be in place prior to final plat.
7. The final plat shall contain the following statement: “The undersigned hereby grants unto each and every person, firm, or corporation, whether public or private, providing or offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of their lines and other facilities, in, over, under and across each area designated on this plat as ‘Utility Easement’ to have and to hold forever.”
8. The final plat shall be prepared and reviewed in accordance with Section IV-C of the Carbon County Subdivision Regulations and the Uniform Standards for Final Subdivision Plats (24.183.1107, ARM).