



## DEVELOPMENT SERVICES

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX:

### EXHIBIT 2B – CITY MAJOR SUBDIVISION APPLICATION

#### A. GENERAL INFORMATION

1. The subdivider has one year after the pre-application meeting to submit a formal subdivision application. Otherwise, a new subdivision pre-application meeting is required.
2. One submittal packet and full-sized preliminary plat is required for each Element Review submittal. The subdivider is encouraged to schedule a meeting with the case planner to submit the formal application packet for Element Review. If requested the meeting will be scheduled within 10 working days of the case planner and the subdivider's conversation regarding the Element meeting request. The Element Review period starts the day the packet is submitted to Development Services for review and the fee is paid.
3. Once the application packet is deemed complete for Element Review, one submittal packet and full-sized preliminary plat is required for Development Services staff review for each Sufficiency submittal, in addition to packets mailed to agencies identified in the subdivision agency review list. Alternatively, if an electronic packet is submitted meeting the electronic packet submission guidelines, the agency sufficiency packets can be provided electronically.
4. For each Sufficiency submittal via electronic packet, applicants will send agencies a hard copy cover letter and an electronic cover letter notifying them that the project has commenced 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, etc. Sufficiency review. This letter should include a link to the subdivision packet on the DS website, review deadlines, contacts, and other information for the Sufficiency review as indicated by DS.
5. Upon completion of Agency Sufficiency Review, the application packets submitted for Planning Board and City Council review must include any agency comment received during Agency Sufficiency Review as well as any applicant responses to the agency comment, if applicable. In addition, Planning Board and City Council review packets must include the letter declaring the application packet Sufficient, and all Element and Agency Sufficiency Review letters from DS. Except for the addition of these materials, the packets submitted for Planning Board and City Council review must be exactly the same as the packet that was deemed Sufficient.
6. Packets for Planning Board review must be provided as hard copy packets, bound along the left edge via plastic comb, plastic coil, or similar style binding device. Single-corner staple fastening does not constitute binding of the left edge. Each packet shall contain full-sized preliminary plats and supplementary data sheets.
7. Packets for City Council review must be provided in an electronic format per the electronic packet submittal guidelines.
8. Name of proposed subdivision: **Riverfront Trails**
9. Name(s) of Subdivider: **Tollefson Properties, LLC.**  
Mailing Address: **15311 Tyson Way, Frenchtown, MT 59834**  
Telephone Number: **(406) 360-4153**  
Email Address: **njtollefson@q.com**
10. Name(s) of Owner of Record: **Tollefson Properties, LLC.**  
Mailing Address: **15311 Tyson Way, Frenchtown, MT 59834**  
Telephone Number: **(406) 360-4153**  
Email Address: **njtollefson@q.com**
11. Name and Company of Representative: **Kody Swartz; Woith Engineering, Inc.**

Mailing Address: **3860 O'Leary Street, Suite A, Missoula, MT 59808**

Telephone Number: **(406) 203-9548**

Email Address: **kody@woitheng.com**

12. If the applicant is someone other than the property owner, the owner must also sign the application in the space provided below. Certification: I hereby certify that the foregoing information contained or accompanied in this application is true and correct to the best of my knowledge.

<u>Nate Tollefson</u>	<u>6-7-21</u>
Applicant's Signature	Date
<u>Nate Tollefson</u>	<u>6-7-21</u>
Owner's Signature	Date
<u>Kody Smith</u>	<u>6-7-21</u>
Representative's Signature	Date

**B. SUBJECT PROPERTY INFORMATION**

General location of subdivision and address (if address has been assigned): 6525 Miller Creek Road, Missoula, MT 59803

Legal Description - complete and unabbreviated: TRACT 1 OF CERTIFICATE OF SURVEY NO. 6449, LOCATED IN THE NE1/4 OF SECTION 11 AND IN THE S1/2 OF SECTION 2, TOWNSHIP 12 NORTH, RANGE 20 WEST, P.M.M., MISSOULA COUNTY, MONTANA. LESS AND EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT OF LAND:

PARCEL A OF CERTIFICATE OF SURVEY NO. 6568 A TRACT OF LAND BEING A PORTION OF TRACT 1 OF CERTIFICATE OF SURVEY NO. 6449, ON FILE AND OF RECORD IN MISSOULA COUNTY, MONTANA, LOCATED IN THE NE1/4 OF SECTION 11, TOWNSHIP 12 NORTH, RANGE 20 WEST, P.M.M., MISSOULA COUNTY, MONTANA.

Township, Range, Section(s): **Section 2 and Section 11, Township 12 North, Range 20 West**

Subdivision, Lot(s), Block(s): **N/A**

Tract(s), COS#: **Parcel Tract 1, C.O.S. 6449**

Geocode: **04-2092-02-4-03-01-0000**

Number and type of lots proposed: **173 single-family residential lots, one multi-dwelling residential lots, and two lots for a religious assembly development and a senior living facility.**

Average Lot Size: **0.176 acres (7,682.7 square feet)**

Median Lot Size: **0.109 acres (4,737 square feet)**

Total acreage of subdivision: **92.73 acres**

Total net acreage of lots within the proposed subdivision: **31.34 acres**

Total acreage in streets and roads: **16.70 acres**

Total acreage in parks or common area: **44.69 acres**

Gross Density: **3.09 DU/acre**

**5.99 DU/acre excluding proposed OP2 district (based on number of planned residential lots and planned number of senior living residents)**

**C. TYPE OF SUBDIVISION PROJECT (Check all that apply):**

- ☒ Major (6 or more lots)
- ☒ Residential
- ☐ Commercial/Industrial
- ☐ Mobile Home Park
- ☐ RV Park

- ☐ Condominium  
☒ Subdivision PUD

#### D. ZONING AND GROWTH POLICY COMPLIANCE

1. Complete the following table (where applicable, indicate Unzoned):

	Zoning	Current Land Use
Adjacent (North)	<b>C-A3, ZD-18 (County); unzoned</b>	<b>Bitterroot River; mixed commercial and light industrial across river and along Highway 93.</b>
Adjacent (South)	<b>OP3, R20 (City)</b>	<b>Jeannette Rankin Elementary School, residential</b>
Adjacent (East)	<b>R20 (City), C-A3 (County)</b>	<b>Residential</b>
Adjacent (West)	<b>C-A3, C-RR1 (County)</b>	<b>Bitterroot River; mixed commercial and light industrial, as well as residential across the river and along Highway 93.</b>

2. Is the property zoned? **Yes**
- If yes, what is the current zoning of the property? **The northern portion of the property (north of Old Bitterroot Road) is under City jurisdiction and is zoned R215 Residential (1 du/5 acres). The southern portion of the property is currently under County jurisdiction and zoned CRR-1 Residential (1 du/acre).**
  - If yes, provide a zoning map (if available). If the property is split zoned, show the zoning district boundaries on the plat or a Supplemental Data Sheet with the plat as a base map. A map detailing this split in current zoning can be found in Chapter II - Project Background of the submittal package.
  - If yes, provide a copy of the zoning district standards which apply to the proposed subdivision. The zoning district standards that apply to the subject property can be accessed online via both the City and County websites using the following links:  
City - R215 Residential Zoning (Title 20):  
<http://www.ci.missoula.mt.us/DocumentCenter/View/30846/Municipal-Code-Title-20-Zoning-PDF-version?bidId=>  
County - CRR-1 Residential Zoning:  
<https://www.missoulacounty.us/home/showpublisheddocument/25491/636295735570170000>
  - If yes, describe how the project complies with the existing zoning district. **A rezone of the entire property to RT5.4 and OP2 is being requested, along with consideration of a Neighborhood Character Overlay and PUD Subdivision to allow for select deviations in use, lot widths, setbacks, and road building types from Title 20 and the subdivision regulations within the proposed development.**
3. Do you intend to zone the property, or will the property have to be re-zoned to allow for this development? **Yes**
- If yes, what is the proposed zoning for the subject property? **RT5.4 Neighborhood Character Overlay / OP2**
  - If a zoning change is requested concurrently with the proposed subdivision, provide a complete and signed rezoning application and a copy of the proposed zoning district

regulations. Please see application and supporting materials related to the rezone and NC Overlay request included in this application submittal package.

4. Will this property be required to be annexed into the City? **Yes**
  - a. If yes, what zoning district does the City Council intend to apply upon annexation? **RT5.4 Neighborhood Character Overlay and OP2**
  - b. If yes, provide a copy of the Resolution of Intent to Annex approved by City Council. **See attached petition included as Appendix D in the application submittal package.**
5. Is the property within the Urban Growth Area? **Yes**
6. Which comprehensive plan(s) of the Missoula City Growth Policy apply to this property? **The City's growth policy adopted in 2015, "Our Missoula", as well as the Miller Creek Area Comprehensive Plan adopted in 1997. However, given the Miller Creek Plan's age and lack of update, the policies and land use direction provided by "Our Missoula" take precedence. Additional context and narrative on this can be found in Chapter II - Project Background of the submittal package.**
7. What is the current land use designation for this property, as indicated in the applicable comprehensive plan? **The property is split between three City designations - "Open and Resource", "Low Density Residential", and "Medium Density Residential". Additional detail and context can be found in Chapter II - Project Background of the submittal package.** Provide a map of the land use designation and legend from the applicable comprehensive plan / growth policy. A map detailing the current land use designation according to the City (and County) can be found in Chapter II - Project Background of the submittal package.
8. Describe how the project complies with the land use designation and the goals and policies of the Growth Policy. **Reference narrative discussion found in Chapter II - Project Background of the submittal package.**
9. Is a Planned Unit Development proposed? **Yes** If a Planned Unit Development is proposed, provide additional submittal requirements per Section 3-120.2. **This narrative can be found in Chapter III - The Riverfront Trails Community of the submittal package.**

#### **E. CLUSTER AND CONSERVATION DEVELOPMENT**

1. Is Cluster and Conservation Development per Section 3-180 proposed? **No**
  - a. If yes, provide additional submittal requirements described in Section 3-180. **Not applicable - cluster and conservation development is not proposed for this project.**

#### **F. PHASING**

1. Is this subdivision proposed to be developed in phases? **Yes**  
If yes, provide a phasing plan per Section 4-070.2 & 4-070.3 (and optional Phasing Plan Narrative) which indicates the following:
  - a. each phase of the subdivision numbered in the order in which they are proposed to be filed;
  - b. which lots and which improvements will occur in each phase;
  - c. a legend that lists each phase and specific final plat filing deadline for each phase, including the month, day and year that each phase will be submitted for final plat review; and,
  - d. the amount of parkland dedication required for each phase and the amount provided for each phase.
  - e. If the Phasing Plan is in color, also number each phase directly on the platted areas.

Please reference Chapter III - The Riverfront Trails Community of the submittal package for additional information on the proposed phasing of this development.

#### **G. COVENANTS AND/OR HOMEOWNER'S ASSOCIATION**

1. As a separate attachment, provide proposed draft covenants and restrictions to be included in deeds and contracts for sale.
2. Is common property to be deeded to a property owner's association? **Yes**

If common property is to be deeded, provide draft covenants and restrictions per Section 5-020.14K. **Draft covenants and restrictions are included with the subdivision application submittal packet.**

2. Are there existing or proposed covenants and/or a homeowner's association? **No**  
If yes, provide existing covenants, restrictions, and/or property owner's or homeowner's association documents or other documents that outline deed restrictions that apply to the subdivision. **Not applicable - there are no existing covenants, restrictions, or property owner's association documents for the property.**  
If yes, the proposed draft covenants shall specify they apply to the proposed subdivision and are supplemental to the existing covenants and restrictions.

## H. PROJECT SUMMARY

As a separate attachment labeled "*Project Summary*" and included at the beginning of the submittal packet, provide a narrative description of the proposed project and existing site conditions.

Summarize the following information:

- |                                    |  |
|------------------------------------|--|
| ▪ Owner;                           | ▪ Legal description;                   |
| ▪ Developer;                       | ▪ Summary of roads;                    |
| ▪ Representative name and company; | ▪ Summary of non-motorized facilities; |
| ▪ Subdivision name;                | ▪ Variances requested, if any; and     |
| ▪ # of lots proposed;              | ▪ Zoning & growth policy compliance    |
| ▪ # of acres;                      |  |

**This information can all be found in Chapter II - Project Background of the submittal package.**

## I. MAPS, DATA SHEETS, AND MATERIALS

As separate attachments, provide the following Maps and Data Sheets with the site clearly identified. All full-size (24" x 36") Supplemental Maps and Data Sheets shall be folded to a maximum of 9" x 12". Where appropriate, required information may be combined as long as the information is clearly presented. Use the preliminary plat as a base map where practical and feasible. Please check the box if the Supplemental Map or Data Sheet is included in the packet and state where in the packet it is located. If the item is not included in the submittal packet, please note "N/A".

- ☒ **A vicinity map** showing the subject property and the area within 1,000 feet of the subject property. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **A Zoning map** of the subject property and vicinity (showing the existing zoning district), extending at least 300 feet from the property boundaries. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **A Growth Policy/Comprehensive Plan map** of the subject property and vicinity extending at least 300 feet from the property boundaries for the applicable comprehensive plan, clearly showing the land use designation of the subject property and surrounding properties. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **Adjacent properties.** A map showing the relationship of the proposed subdivision to adjacent subdivisions, certificates of survey, and public or private rights of way and any other access. Include the zoning of adjacent properties and the location of any buildings, railroads, power lines, towers, roads, and other land uses on adjacent lands. Show the names of platted subdivisions and numbers of certificates of surveys on the map. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **Adjacent ownership.** A map showing the ownership of adjacent lands, including lands across public and private rights of way. **This information can all be found in Chapter II - Project Background of the submittal package.**

- ☒ **Certificate of survey and/or prior subdivision history** of subject property and adjacent properties. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **An aerial photo** of the subject property and vicinity extending at least 200 feet from the property boundaries. **This information can all be found in Chapter II - Project Background of the submittal package.**
- ☒ **An existing conditions map** per Section 4-010.1B(1) including location, current land use, land cover (such as cultivated areas, paved areas), natural features (such as lakes, streams, riparian vegetation), all existing structures and improvements, and all encumbrances, such as easements. **This information can all be found in Chapter III - The Riverfront Trails Community of the submittal package.**
- ☒ **Landscaping and maintenance plans** for common areas, and boulevard plantings, as may be required. **Reference Appendix R - Preliminary Construction Plans of the submittal package.**
- ☒ **Variance requests.** If the proposed subdivision cannot comply with all subdivision standards, provide an attachment labeled "Variance Request(s)" and identify, for each standard not met, the section of the subdivision regulations for which the variance request is being sought and address the variance criteria (in Section 6-010 of the City of Missoula Subdivision Regulations) for each variance request. **Not applicable - The subdivision project is being proposed as a Planned Unit Development (PUD) Subdivision, so the PUD submittal materials contained in the subdivision application packet contain a summary of variances requested. Please refer to Appendix R for requested variances from the Subdivision Regulations.**
- ☒ An attachment labeled "**Neighborhood Comment and Response**," with minutes from neighborhood meetings and any comments received during the meeting(s). **This information can all be found in Chapter IV - Community Engagement of the submittal package.**

#### **J. WATER AND SANITATION REPORT**

The State of Montana [MCA 76-3-622] requires subdividers to provide the following water and sanitation information for any new subdivision that will include a new water supply system or new wastewater facilities. In compliance with this law, attach a separate document entitled "Water & Sanitation Report" which contains the following:

- ☒ 1. **Map.** A vicinity map or plan that shows:
  - a. The location, within 100 feet outside of the exterior property line of the subdivision and on the proposed lots, of flood plains; surface water features; springs; irrigation ditches;
  - b. Existing, previously approved, and, for parcels fewer than 20 acres, proposed water wells and wastewater treatment systems; for parcels less than 20 acres, mixing zones;
  - c. The representative drain-field site used for the soil profile description; and
  - d. The location, within 500 feet outside of the exterior property line of the subdivision, of public water and sewer facilities.
- ☒ 2. **Description.** A description of the proposed subdivision's water supply systems, storm water systems, solid waste disposal systems, and wastewater treatment systems, including the following:
  - a. Whether the water supply and wastewater treatment systems are individual, shared, multiple user, or public as those systems are defined in rules published by the Montana Department of Environmental Quality (DEQ).
  - b. If the water supply and wastewater treatment systems are shared, multiple user, or public, a statement of whether the systems will be public utilities as defined in 69-3-101, MCA and subject to the jurisdiction of the public service commission or exempt from public service commission jurisdiction and, if exempt, an explanation for the exemption.
  - c. If the water supply is provided by a multiple user water supply system, per Section 3-070, submit the system design prepared by a professional engineer to comply with

design and construction requirements for public water supply systems specified by rules adopted pursuant to MCA Title 75, Chapter 6.

- ☒ 3. **Lot layout.** A drawing of the conceptual lot layout at a scale no smaller than 1 inch equal to 200 feet that shows all information required for a lot layout document in rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 4. **Suitability.** Evidence of suitability for new on-site wastewater treatment systems that, at a minimum, include:
  - a. A soil profile description from a representative drain-field site identified on the vicinity map that complies with standards published by the Montana Department of Environmental Quality;
  - b. Demonstration that the soil profile contains a minimum of 4 feet of vertical separation distance between the bottom of the permeable surface of the proposed wastewater treatment system and a limiting layer; and
  - c. In cases in which the soil profile or other information indicates that ground water is within 7 feet of the natural ground surface, evidence that the ground water will not exceed the minimum vertical separation distance of 4 feet.
- ☒ 5. **Water quantity.** For new water supply systems, unless cisterns are proposed, evidence of adequate water availability:
  - a. obtained from well logs or testing of onsite or nearby wells;
  - b. obtained from information contained in published hydro-geological reports; or
  - c. as otherwise specified by rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 6. **Water quality.** Evidence of sufficient water quality in accordance with rules adopted by the Montana Department of Environmental Quality pursuant to 76-4-104, MCA.
- ☒ 7. **Impacts to groundwater quality.** Preliminary analysis of potential impacts to ground water quality from new wastewater treatment systems, using as guidance rules adopted by the board of environmental review pursuant to 75-5-301, MCA and 75-5-303, MCA related to standard mixing zones for ground water, source specific mixing zones, and non-significant changes in water quality. The preliminary analysis may be based on currently available information and must consider the effects of overlapping mixing zones from proposed and existing wastewater treatment systems within and directly adjacent to the subdivision. Instead of performing the preliminary analysis, the sub-divider may perform a complete non-degradation analysis in the same manner as is required for an application that is reviewed under Title 76, Chapter 4.

#### **K. ENVIRONMENTAL ASSESSMENT, PRIMARY REVIEW CRITERIA REPORT, SUMMARY OF PROBABLE IMPACTS, AND SUBDIVISION REGULATION COMPLIANCE**

Montana Code Annotated (M.C.A. 76-3-603) requires the submittal of an Environmental Assessment for all major subdivision proposals and defines minimum requirements for its contents. The Environmental Assessment must address the requirements of M.C.A. 76-3-603, and clearly demonstrate that the proposed subdivision will have no adverse impacts on agriculture, agricultural water user facilities, local services, natural environment, public health and safety, wildlife and wildlife habitat, or the report must identify the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts. Provide a narrative that addresses each Section of the Environmental Assessment. In addition, respond to the following questions which address the primary review criteria. Where requested, provide maps and data sheets. All maps and data sheets shall be folded to 8½" x 11". Where appropriate, required information may be combined as long as the information is clearly presented. Where a plan is required, use the preliminary plat as a base map if practical and feasible.

Per M.C.A. 76-3-603, an Environmental Assessment must accompany the preliminary plat and must include the following information. For your reference, the bulleted list below summarizes the Environmental Assessment requirements that will be fully satisfied by completing Parts 1 through 6 of this Section.

- **Environmental description.** Provide a narrative that describes:
  - Every body or stream of surface water that may be affected by the proposed subdivision,
  - Available groundwater information,
  - Topography,
  - Vegetation, and
  - Wildlife use within the area of the proposed subdivision.
- **Probable impacts.** A summary of the probable impacts of the proposed subdivision based on the primary review criteria described in M.C.A. 76-3-608;
- **A community impact report** containing a statement of anticipated needs of the proposed subdivision for local services, including education and school bus routes; Mountain Line bus routes, roads and maintenance; water, sewage, and solid waste facilities; and fire and police protection (per MCA 76-3-603(c)); See Section 6;
- **Coordination of roads.** A description that explains how the subdivision provides for coordination of roads within subdivided land with other roads, both existing and planned (per MCA 76-3-603(d) and MCA 76-3-501);
- **Land dedication.** A description of the dedication of land for roadways and for public utility easements (MCA 76-3-501(3));
- **Road improvements.** A description of the proposed improvements of roads (MCA 76-3-501(4));
- **Open space.** A description of how the subdivision provides adequate open space for travel, light, air, and recreation (MCA 76-3-501(5));
- **Sanitation.** A description of sanitary facilities (MCA 76-3-501(7)). The applicant may cross-reference Section J, the Water and Sanitation Report, and other relevant areas of the application;
- **Congestion.** A description of the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); and
- **Avoidance of impacts.** A description of how the proposed subdivision will avoid unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services, or that would necessitate an excessive expenditure of public funds for the supply of services (MCA 76-3-501(9)).

1. **IMPACT ON AGRICULTURE:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to agriculture. Agricultural land includes land used for agriculture or having a soil type defined by the Natural Resources Conservation Service as having agricultural importance, including prime farmland, prime farmland if irrigated, farmland of statewide importance, and farmland of local importance. **The proposed subdivision would directly impact approximately 40 acres of land historically used for the production of grass hay and alfalfa, removing this land from production. There is no land currently or historically used for timber production on the subject parcel. Adjacent parcels "P1" and "P2", as shown on Exhibit D, are presently used for agricultural operations. Adjacent parcels P44, P45, and P46 may have limited seasonal agricultural uses associated with residences located on the properties. Approximately 47.7 acres (45%) of the parcel is classified as Farmland of Local Importance (Grassvalley silty clay loam). The remainder of the parcel is not prime farmland. Fence lines separating the property from adjacent agricultural operations will remain in place, and measures are introduced in the proposed covenant to apprise future**



residents of the adjacent agricultural operations and the potential for noise, dust, and odors.

- a. **Agriculture production.** Is the proposed subdivision located on land currently or previously used for agricultural production? **Yes**

If yes, identify the number of acres in production on a map. Please refer to Exhibit E in the Maps and Exhibits section of the subdivision application packet. The parcel includes approximately 81.48 acres of agricultural land, historically used for the production of grass hay and alfalfa. The proposed subdivision would remove approximately 40 acres of this agricultural land from production. The remaining 44.6 acres, located on the dedicated open space and common space tracts, will remain as open space for public recreational use following treatment for noxious weeds. The land within the open space will no longer be irrigated following the transfer of water rights from the subject property to the City of Missoula, and will be allowed to revert to its natural state.

- b. **Description.**

- i. Describe the productivity of the land and whether the subdivision would remove from production any agricultural or timber land. **The proposed subdivision would directly impact approximately 40 acres of land historically used for the production of grass hay and alfalfa, removing this land from production. The Montana State University (MSU) Extension Office provides the nominal cash rate for leased agricultural properties. According to the Extension Office's database of Montana Cash Lease Rates, the 2019 annual value of an acre of leased property in Missoula County ranges from \$10.50 per acre for pasture land, \$15.00 per acre for non-irrigated cropland, to \$36.00 per acre for irrigated cropland. Using these rates, the annual irrigated leasable value of the land is \$1,440. These values are intended to illustrate the relatively limited agricultural value of the property, given the types of agriculture historically supported and the soils onsite. There is no land currently or historically used for timber production on the subject parcel.**
- ii. Describe agricultural operations and other uses of land on the adjacent property. **Adjacent parcels "P1" and "P2", as shown on Exhibit D, are presently used for agricultural operations, including hay production and livestock grazing. Jeannette Rankin Elementary School is located to the southwest. The parcels along the southern and eastern margins of the property are used for single-family residential - the Sweet Grass Addition, Blue Vista Acreage Tracts, and Linda Vista developments all share boundaries with the proposed subdivision. Adjacent parcels P44, P45, and P46 may have limited seasonal agricultural uses associated with residences located on the properties.**
- iii. Describe what measures will be taken, if any, to control family pets. **The proposed Declaration of Restrictive Covenants, Conditions, and Restrictions will place restrictions on future owners of Lots within the subdivision to control family pets. Please refer to the proposed document, included as an attachment to the subdivision application packet.**
- vi. Describe any existing fence lines around the subdivision boundary, which protect agricultural lands under an ownership other than that of the subdivider, and describe any measures which will be taken to ensure that the owners of the subdivision will share with the owner of the agricultural lands in the continued maintenance of the fence. **Existing fence lines protect the existing agricultural operations on adjacent parcels P1 and P2. The existing fence lines are located on the adjacent parcels, and are further separated from the proposed subdivision by the public storm drainage easement described on Page 1924 of Book 548 of Micro Records. These fence lines will remain in place. Additionally, a fence line is located along the boundary with**

adjacent parcel P46. This fence line is located on the adjacent parcel and will also remain in place. Existing fence lines located on the parcel and separating the property from Lower Miller Creek Road and Old Bitterroot Road will be removed as part of the subdivision project. These fences separate the subject property from public rights-of-way, and will no longer be needed upon construction of the subdivision.

- c. **Soil type.** Is the proposed subdivision located on land with a soil type defined by the Natural Resources Conservation Services (NRCS) as having agricultural importance (Prime, Prime if Irrigated, Statewide or Local Importance)? **Yes**  
If yes, which type(s)? **According to the NRCS Soils Survey Report, included as an attachment to the submittal packet, approximately 47.7 acres (45%) of the parcel is classified as Farmland of Local Importance (Grassvalley silty clay loam). The remainder of the parcel is not prime farmland, and not identified as having significant importance to agriculture.**
- i. **Soils map.** If yes, identify each area on a copy of the preliminary plat and provide a Soils Map and Table from the Soil Survey, published by the U.S. Department of Agriculture, the Natural Resources Conservation Service, and the Forest Service, showing the soil type(s) found within the proposed subdivision. Please refer to the NRCS Soils Survey report, included as an attachment to the submittal packet.
  - ii. **Soils assessment.** Provide a soils assessment per Section 5-020.14M. Please refer to the project geotechnical investigation report, included as an attachment to the submittal packet.
  - iii. **Sewer and zoning.** If the soil type is defined as Prime or Prime if Irrigated, is the subdivision proposing or required to connect to sewer, or is the property unzoned?  
**Yes**
  - iv. **Irrigation.** If the soil type is defined as Prime if Irrigated, is the property served by an existing, developed irrigation system or water right, including wells and adjacent irrigation ditches? **N/A**

2. **IMPACT ON AGRICULTURAL WATER USER FACILITIES:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to agricultural water user facilities.

**The property contains a buried irrigation pipe lateral with risers spaced for attachment of wheel lines. The portion of the lateral pipe across the subdivision property will be removed from operation and the water rights will be transferred to the City of Missoula. The access to irrigation water for adjacent landowners will not be impacted, as the pump station is not located on the subject parcel - it is located on adjacent parcel P46 to the northeast. There are no irrigation ditches located on or adjacent to the property.**

- a. **Location.** Is the subdivision located on land with agricultural water user facilities or adjoining an agricultural water user facility? **Yes**
- i. If yes, describe the facilities (irrigation ditch, well, etc.). **The property contains a buried irrigation pipe lateral with risers spaced for attachment of wheel lines. Please refer to the Existing Conditions sheet of the preliminary construction plans. The buried lateral pipe appears to be fed from a pump station, located on the adjacent parcel P46 to the northeast, which draws irrigation water from the Bitterroot River. The portion of the lateral pipe across the subdivision property will be removed from operation and the water rights will be transferred to the City of Missoula. Please refer to the following sections. The access to irrigation water**

**for adjacent landowners will remain, as the pump station is not located on the subject parcel.**

- b. Ditches.** Are any irrigation ditches located on or adjacent to the property? **No**
- i. If yes, provide the name and contact information for the responsible ditch company.
  - ii. If yes, do you intend to provide access to the irrigation ditch for all lots? **N/A**
    1. If no, if the average lot size in the proposed subdivision will be one acre or less, provide for disclosure notifying potential buyers that lots within the subdivision are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable to the lots. Not applicable - there are no irrigation ditches located on or adjacent to the subdivision property.
- c. Abandonment or transfer of water rights.** Does the subdivision involve the abandonment or transfer of water rights from the property being subdivided? **Yes**
- i. If yes, provide documentation that the water rights have either been removed from the land or that the process has been initiated to remove the water rights from the land. The existing water rights will be transferred to the City of Missoula to offset the annual volume used by the proposed development for domestic purposes. Documentation that the process of transferring the water rights has been initiated is included within the subdivision application packet. Please refer to the Water Distribution Design Report.
  - ii. If yes, the fact the water rights have been or will be removed from the land within the subdivision shall be denoted on the preliminary plat. The fact that water rights will be removed from the land within the subdivision is denoted on the preliminary plat.
  - iii. If no, the subdivider shall, unless otherwise provided under separate written agreement or filed easement, show on the preliminary plat, ditch easements for the unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the proposed subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights. A minimum width of 10 feet is required on each side of irrigation ditch canals and ditches for maintenance purposes, unless a lesser width is agreed to by the owner of the ditch right. Not applicable - the existing water rights will be transferred to the City of Missoula to offset the annual volume used by the proposed development for domestic purposes.
- d. Removal of facilities.** Does the subdivision involve the abandonment or removal of agricultural water user facilities? **Yes**
- e. Maintenance.** Will the proposed subdivision or associated improvements alter access for maintenance of agricultural water user facilities? **No**
- f. Water availability.** Will the proposed subdivision or associated improvements alter the movement or availability of water? **No**
- g. Disturbance.** Will any proposed construction disturb an existing irrigation ditch or well or result in any changes to agricultural water use? **No**

- 3. IMPACT ON NATURAL ENVIRONMENT:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to the natural environment.

**The proposed subdivision is adjacent to the Bitterroot River. The subdivision proposes dedication of a large public open space tract to the City of Missoula, providing new**

public access to the bank of the Bitterroot River. Presently, there is no public access to the Bitterroot River in the vicinity of the proposed subdivision. There are no historic, paleontological, archaeological, or cultural sites or structures on the property or within a half-mile of the proposed subdivision. The Bitterroot River will be located adjacent to the proposed Open Space tract, providing a buffer between the river and residential land uses. The nearest building sites for streets and roads are located approximately 500 feet from the nearest river bank. A riparian management plan and weed management plan are included within the subdivision application packet to address and minimize potentially significant adverse impacts to the natural environment.

**a. Public lands**

- i. Is the subdivision proposal adjacent to public lands? **Yes**
  - 1. If yes, how will the proposed subdivision affect adjacent public land uses? **The proposed subdivision is adjacent to the Bitterroot River. The subdivision proposes parkland dedication and common space totaling approximately 45-acre Open Space. The proposed Open Space will include a parking area and gravel paths providing new public access to the Bitterroot River. Presently, there is no public access to the Bitterroot River in the vicinity of the proposed subdivision.**
  - 2. If yes, describe any applicable land management policies of any public lands adjacent to or near the proposed subdivision. **Planning documents published by Missoula Parks and Recreation will become applicable to the proposed dedicated parkland tract.**
  - 3. If yes, describe how access to public lands will be affected by this subdivision. **The proposed subdivision will provide new public access to the Bitterroot River. Presently, there is no public access to the Bitterroot River in the vicinity of the proposed subdivision.**

**b. Historical features**

- i. Are there are any known historic, paleontological, archaeological or cultural sites, structures or objects on or within a half-mile of the proposed subdivision? **No**
  - 1. If yes, identify any known historical, paleontological, archaeological or cultural sites, structures and/or objects within a half-mile of the proposed subdivision, provide a site map identifying these features which may be affected by the proposed subdivision and describe any plans to protect such sites or properties. **Not applicable - there are no historic, paleontological, archaeological, or cultural sites or structures on the property or within a half-mile of the proposed subdivision.**
  - 2. If yes, discuss the impact of the proposed development on any historic features, and the need for inventory, study and/or preservation with the State Historic Preservation Office (SHPO). Provide a written statement outlining any recommendations of SHPO and any plans for inventory, study and/or preservation and any mitigation planned to overcome any adverse impacts. **Not applicable - there are no historic, paleontological, archaeological, or cultural sites or structures on the property or within a half-mile of the proposed subdivision.**

**c. Water rights**

- i. Have the water rights been severed from the subject property? **No**

**d. Groundwater**

- i. Does high seasonal groundwater rise within 15 feet of the surface of the property?  
**Yes**

1. When evidence of high groundwater or unstable soil is present, provide a groundwater drainage mitigation plan prepared by a licensed professional engineer to mitigate the problem. The plan shall include, but not be limited to, measures to prevent the migration of groundwater through water, sewer and drainage trenches. Please refer to the project geotechnical report, included as an attachment to the subdivision application submittal packet.
- ii. What are the maximum and minimum depths to the water table, and on what dates were those depths determined? **The water table was found approximately twelve to fifteen feet beneath the project site. Please refer to the project geotechnical report, included as an attachment to the subdivision application submittal packet.**
- iii. What is the depth of aquifers and aquifer recharge areas from the surface of the property? **Two nearby water wells associated with the recently constructed Jeanette Rankin Elementary School and databased at the Montana Bureau of Mines and Geology, indicate groundwater table depths of 19 and 35 feet. The two water wells were drilled to depths of 120 and 178 feet, respectively. The water well lithologies were somewhat varied. The shallower well was logged as 15 feet of silty sand and gravel overlying an 8-foot thick moist clay layer, then moving into saturated sand with clay seams. Bedrock was encountered in the shallower well at a depth of 114 feet. The deeper of the two wells was logged as 35 feet of sand and gravel overlying saturated sand with clay seams. Bedrock was logged in the deeper well at a depth of 105 feet. There are no aquifer recharge areas on the subject property.**
- iv. Describe the steps necessary to avoid depletion or degradation of groundwater recharge areas. **Not applicable - There are no aquifer recharge areas on the subject property.**

**e. Surface water**

- i. **Delineated floodplain.** Is any portion of the property within a FEMA-designated 100-year or Shaded Zone X floodplain? **Yes**
  1. If any portion of the property is within a FEMA-designated 100-year or Shaded Zone X floodplain, provide a map with a legend showing the designated areas, and/or areas removed by FEMA through a Letter of Map Amendment. Please refer to Exhibit F, included in the Maps and Exhibits section of the subdivision application packet. The subject parcel is shown on Flood Insurance Rate Map Panel 30063C1455E, which is also included in the Maps and Exhibits section. The base flood elevation was determined from this Rate Map Panel, and applied to the topographic survey for the project to provide an accurate depiction of the 100-year floodplain boundary.
- ii. **Non-delineated floodplain.** Are any proposed building sites within 20 vertical feet and 1,000 horizontal feet of a stream draining an area of 15 square miles or more and in the same drainage basin, in an area where no official floodway delineation or floodway study of the stream has been made (in accordance with 3-010.2A)? **No**
  1. If any proposed building sites are within 20 vertical feet and 1,000 horizontal feet of a stream draining an area of 15 square miles or more and in the same drainage basin, in an area where no official floodway delineation or floodway study of the stream has been made (in accordance with Section 3-010.2A), submit a Flood Hazard Evaluation Report. Not applicable - the proposed subdivision is not in an area where no official floodway delineation or floodway study has been made. The Bitterroot River has a delineated floodway and is shown Flood Insurance Rate Map Panel 30063C1455E is included in the Maps and Exhibits section of the subdivision application packet.

- iii. **Mapping.** Locate on a plat overlay or sketch map all surface water and the delineated floodways that may affect or be affected by the proposed subdivision including natural water systems (streams, lakes, rivers, or marshes), artificial water systems (canals, ditches, aqueducts, reservoirs, irrigation or drainage systems), and land subject to flooding. Please refer to Exhibit F, included in the Maps and Exhibits section of the subdivision application packet. The nearest delineated floodway is located on the northern portion of the parcel, adjacent to the Bitterroot River. The proposed Open Space tract will contain all portions of the delineated floodway and Zone AE floodplain in the proposed subdivision. A large, existing storm drainage swale runs along the western margin of the proposed subdivision. It is located entirely within a public storm drainage easement and will not be disturbed by the project. The areas of the swale to the north of Old Bitterroot Road are within the Zone AE floodplain.
- iv. **Description.** Describe all surface water that may affect or be affected by the proposed subdivision including name, approximate size, present use, and time of year that water is present. Describe the proximity of proposed construction (such as buildings, sewer systems, and roads) to surface waters. **The nearest surface water to the proposed subdivision is the Bitterroot River. The river width varies by season, but is approximately 260 feet wide at the point it is adjacent to the subdivision. Water is present year-round, with a discharge ranging from approximately 1,500 to 3,500 cubic feet per second, depending on the season, with peak flows from 10,000 to 18,000 cubic feet per second during spring snowmelt. The Bitterroot River will be located adjacent to the proposed Open Space tract, which provides a buffer between the river and the nearest proposed residential land uses. The nearest building sites for streets and roads are located approximately 500 feet from the nearest river bank.**
- v. **Wetlands.** If wetlands are present, the subdivider shall provide wetlands investigation completed by a qualified consultant using the U.S. Army Corps of Engineers' Wetlands Delineation Manual Technical Report Y-87-1 (1987 Manual). If the investigation indicates the presence of wetlands, a wetlands delineation shall be shown on the final plat. If any construction or changes are proposed which require a 404 Permit, the subdivider shall provide evidence of such permit to the planning department. Wetlands are not present on the subdivision parcel. According to the National Wetlands Inventory, there may be a 0.88-acre Freshwater Forested/Shrub Wetland located in the Bitterroot River channel adjacent to the subdivision parcel, outside the subdivision property boundary. This area will not be disturbed by construction and will be adjacent to the proposed Open Space tract.
- vi. **Water quality.** Please indicate which if any of the following water quality permits have been applied for and describe the reasons why these permits are required: **Not applicable - none of the listed water quality permits have been applied for in relation to the proposed subdivision. For the purposes of the stormwater wetland and detention basin, as well as the discharge to the Bitterroot River, a 310 Permit, SPA 124 Permit, Floodplain Permit, and 318 Authorization may be necessary. These permits will be applied for at the time of permitting of construction documents.**
1. 310 Permit (Local Conservation District)
  2. SPA 124 Permit (Department of Fish, Wildlife, and Parks)
  3. Floodplain Permit (City Floodplain Administrator)
  4. Section 404 Permit, Section 10 Permit (U.S. Army Corps of Engineers)

5. 318 Authorization (Department of Environmental Quality)
6. Navigable Rivers Land Use License or Easement (Department of Natural Resources and Conservation)

**f. Vegetation and Riparian Resource Areas**

- i. **Plant types.** Describe the vegetative types by plant community, relative age, and condition. **The portion of the parcel to the south of Old Bitterroot Road is dominated by smooth brome pasture grass. No invasive weeds were identified in this portion of the property, and the pasture grass is in excellent condition and will serve as a competitor against invasive weeds. Smooth brome pasture grass also dominates the portion of the parcel north of Old Bitterroot Road and south of the 100-year floodplain boundary. In this area, sporadic groupings of spotted knapweed were identified. Within the floodplain portion of the parcel, significant groupings of leafy spurge were identified, with heavier concentrations occurring along the fenceline that parallels the Bitterroot River. Sporadic patches of common tansy were found in this region as well. Additional weed communities include a patch of knapweed in the northeast corner of the parcel and small, scattered patches of Canada thistle towards the west end of the property. There are communities of mature riparian trees and bushes along the Bitterroot River. These riparian communities are addressed in the Riparian Management Plan, included as an attachment to the subdivision application packet.**
- ii. **Measures to preserve existing vegetation.** Describe any measures that will be taken to preserve trees and other natural vegetation as much as possible (such as locating roads, lot boundaries, and planning of construction to avoid damaging tree cover). **The existing riparian tree and bush communities along the bank of the Bitterroot River will be preserved within the open space. The open space will be treated for noxious weeds, but will not be reseeded, allowing the existing smooth brome pasture grass to become the dominant vegetation across that region of the parcel.**
- iii. **Critical plant communities.** Describe measures that will be taken to protect critical plant communities (such as keeping structural development away from these areas, and setting aside areas for open space). **The most critical plant communities are those associated with the riparian areas along the bank of the Bitterroot River. These areas will be located within the proposed open space tract. They will be located at least 500 feet from the nearest building sites, with the open grassland serving as a buffer between the residential uses and the riparian areas.**
- iv. **Weeds.** Identify areas containing noxious weed growth. Describe proposed means of weed control, especially means to prevent weed growth on areas disturbed by construction. **Areas containing noxious weed growth were identified in section f.i. above. Proposed means of weed control include treatment of existing noxious weed growth and prompt revegetation of areas disturbed by construction. Commercial reseeding mixes containing noxious weeds will be prohibited in the proposed covenant and in the construction plans for public infrastructure. Weed control measures are outlined in the Weed Management Plan, which is included as an attachment to the subdivision application submittal and attached to the proposed Covenants, Conditions, and Restrictions.**
- v. **Wetlands and riparian resource areas.** Are there any wetland and/or riparian resource areas on the property per Section 2-020.102? **Yes**

1. If Riparian Resource Areas are within or adjacent to the proposed subdivision, provide a Riparian Management Plan per the submittal requirements in Sections 3-130.3 and 5-020.14L. Show areas of riparian resource and proposed buffers on a supplemental data sheet.
- vi. **Map.** Provide a map showing the distribution of the vegetation types (such as existing trees, vegetation clusters, marsh, grassland, shrub, coniferous forest, deciduous forest, mixed forest) and critical plant communities such as stream bank or shoreline vegetation, vegetation on steep or unstable slopes, vegetation on soils highly susceptible to wind or water erosion. A map showing the distribution of vegetation types across the parcel is included in the subdivision application packet. Please refer to Exhibit G in the Maps and Exhibits section.

**g. Geology / Hydrology / Soils / Slopes**

- i. **Description.** Describe the geologic, soil, or topographic conditions and any measures that will be taken to address potential problems encountered in the construction of roadways, basements, water supply trenches, sewer supply trenches, septic tank and drainfield installation, and/or underground electrical and telephone lines. **Lorenzen Soil Mechanics, Inc. conducted a subsurface investigation on September 9th and 10th, 2020. In general, silty sand and sandy silt overlie high-quality sand and gravel aggregates. The finer-grained soils overlying the gravels are considered somewhat problematic for the construction of roadways, but they can be addressed with a stabilization geotextile and a sub-base layer within the typical roadway section, or by removing the upper one-foot of topsoil and exposing the aggregate subgrade. The subsurface investigation found areas of A-4 soils, classified as an average subgrade and susceptible to frost heaves and frost boils during the winter months. The California Bearing Ratio (CBR) of 10 will be used to provide a conservative design of the street sections and address the A-4 soils. To mitigate the effects of frost heave, at least nine inches of a base course shall be used beneath exterior flatwork. The building designs within the subdivision should include eaves and roof gutters with downspouts that will carry roof runoff water at least seven feet horizontally away from the buildings. Positive drainage at a minimum slope of 2 percent, extending ten feet horizontally from all buildings, shall be provided. The shallowest depth to groundwater noted during the subsurface investigation was twelve feet. Please refer to the project geotechnical report, included as an attachment to the subdivision application packet, for the complete description of the geologic, soil, and topographic conditions encountered on the site.**
- ii. **Cut and fill.** Describe the location and amount of any cut or fill three (3) or more feet in depth and plans to prevent erosion and promote revegetation of those cuts and fills. **Please refer to the Road Plan and Profiles in the Preliminary Construction Plans section of the subdivision application packet.**
- iii. **U.S.G.S. topographic map.** Provide a detailed current U.S. Geological Survey topographic map with an outline of the subdivision clearly indicated. A detailed current USGS topographic map for southwest Missoula is included in the subdivision application packet. Please refer to the Maps and Exhibits section.
- iv. **Limitations map.** Provide a Geologic / Topographic Limitations Map which locates any unusual geologic, soil, or topographic condition on the property which may limit the



capability for building or excavation using ordinary and reasonable construction techniques. Conditions include, but are not limited to: shallow depths to bedrock, depth to aquifers and aquifer recharge areas (source: Montana Bureau of Mines and Geology Groundwater Information Center - GWIC), basin closures (Source: Department of Natural Resources, Missoula Regional Office), a high groundwater table, unstable or expansive soils, and slopes in excess of 25%. Lot 176 contains a small area with slopes in excess of 25%. It has been marked as a no-build zone on the preliminary plat, and the hillside density adjustment calculation worksheet has been included for this lot. Please refer to Appendix U.

- v. **Geotechnical report.** If the proposed subdivision includes land areas with the potential for landsliding, slope instability, or high ground water, provide a report by a qualified soil or geotechnical engineer indicating the locations, character, and extent of all areas subject to landsliding, slope instability, and high ground water, and prominently designate these areas on the preliminary plat and other records of conveyance. Please refer to the project geotechnical investigation, included as an attachment to the subdivision application packet, for complete descriptions of the soil conditions encountered on site.
  - vi. **Steep Slopes/Slope category map.** Does the subject property have slopes of 25% or greater? **Yes**
    - 1. If yes, designate these areas as "No-Build Zone/Steep Slope" on the plat.
  - vii. **Hillside density adjustment calculation worksheet.** If the subdivision has sites proposed for development located on slopes over fifteen (15) percent, submit a hillside report per the requirements in Section 5-020.14E and a density adjustment calculation worksheet per the requirements in Section 3-140.4. A hillside density adjustment calculation worksheet is available at the Development Services Office. The hillside density adjustment calculation worksheet is included for Lot 176, as mentioned above. Please refer to Appendix U.
- 4. IMPACTS ON WILDLIFE AND WILDLIFE HABITAT:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to wildlife and wildlife habitat. **Please refer to the following sections for identification of potential adverse impacts to wildlife and proposed avoidance and mitigation efforts used to minimize potentially significant adverse impacts to wildlife and wildlife habitat.**
- a. **Species types.** Per Montana Fish, Wildlife, and Parks maps and data, which species of fish and wildlife use the area to be affected by the subdivision? **According to Geographic Information Systems data available from Montana Fish, Wildlife, and Parks, the proposed subdivision is within the known range distribution of grizzly bear, ruffed grouse, pheasant, white-tailed deer, Hungarian partridge, gray wolf, dusky grouse, black bear, mountain lion, spruce grouse, sharptail grouse, and pheasant. However, given its historical agricultural use for livestock grazing and production of hay and alfalfa, the majority of the subdivision property likely only directly serves as habitat for white-tailed deer, small mammals, and some bird species, typical to fringe urban areas of western Montana. Additionally, there are existing residential and civic land uses adjacent to the proposed subdivision to the east and south. However, given the large proposed open space tract and the proximity to the Bitterroot River, use by wildlife in the vicinity is expected to continue, especially in the riparian areas adjacent to the river. The Riparian Management Plan outlines provisions for the protection of this wildlife habitat.**

**b. Wildlife mitigation.**

- i. Describe any proposed measures to protect, enhance, or minimize degradation of wildlife habitat (such as keeping buildings and roads back from shorelines, setting aside marshland as open space, using a cluster development to limit development on sensitive areas). **The large open space tract adjacent to the Bitterroot River will serve to protect wildlife habitat associated with the river. The riparian trees along the riverbank will be preserved, and past agricultural operations within the open space tract will not resume, allowing increased use by wildlife. The nearest proposed roads or building sites will be located at least 500 feet from the Bitterroot River shoreline.**
- ii. Describe any proposed measures to minimize or mitigate conflicts between residents and wildlife (such as covenants that require garbage and pet food to be kept indoors). **Measures will be introduced within the proposed covenant to minimize conflicts between residents and wildlife, including the following:**
  - **Native vegetation shall be planted for landscaping and revegetation.**
  - **No portion of any lot shall be used or maintained as a dumping ground. Any rubbish, trash, or other waste will be stored in sanitary containers and removed on at least a weekly basis.**
  - **Salt blocks and feeding platforms for deer or mineral blocks for horses or other livestock shall not be allowed on any subdivision lot.**
  - **Pet food shall only be stored indoors. Pets shall not be allowed to run freely and potentially harass wildlife. The keeping of animals other than dogs and cats shall not be allowed.**

- c. Map.** Provide a map identifying any known critical or key wildlife areas such as big game winter ranges, grizzly bear linkage corridors, waterfowl nesting areas, habitat for rare or endangered species, and wetlands and riparian resource areas per Montana Fish, Wildlife, and Park's maps and data and other appropriate resources. The nearest known big game winter range habitat is approximately two miles east/southeast of the proposed subdivision, in the Mount Dean Stone area east of Miller Creek Road. The proposed subdivision is not located within a grizzly bear linkage corridor – according to the University of Montana Grizzly Bear Migration Corridor Conservation website, the nearest grizzly bear linkage corridor in Missoula County is well to the east of Missoula, near Clinton. The subdivision property supports riparian areas along the bank of the Bitterroot River; the Riparian Management Plan outlines provisions for the protection of this wildlife habitat.

- 5. IMPACTS ON PUBLIC HEALTH & SAFETY:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to public health and safety. **The proposed subdivision is within the Missoula County Air Stagnation Zone; therefore, notification will be provided within the covenants and the associated rules pertaining to driveways, woodstoves, and outdoor burning will be enforced. The property is not within the airport influence area. The property contains a high-voltage electric transmission line and a gas main within Lower Miller Creek Road. These utilities and their associated easements are described in the following sections. The adjacent agricultural uses will create potential nuisances for future residents of the subdivision. These potential conflicts are addressed through notification within the covenant.**

**a. Air Stagnation Zone.** Is the property within the Air Stagnation Zone? **Yes**

**b. Airport Influence Area.** Is the property within the Airport Influence Area? **No**

- i. If the property is within the Airport Influence Area, provide a map showing the boundaries of the Airport Influence Area with the site identified and other sub-areas (such as Runway Protection Zone (RPZ), Extended Approach and Departure Areas (EADA), and the 65 dnL noise contour).
- c. Avoidance and mitigation of hazards.** Describe avoidance or mitigation measures that are proposed to address identified hazard(s) and provide a map locating the hazards. Examples of health and safety hazards are:
- i. areas containing high pressure gas lines or high voltage lines;
  - ii. land on or adjacent to Superfund or hazardous waste sites;
  - iii. land on or adjacent to abandoned landfills, mines, well, waste sites or sewage treatment plants; and
  - iv. areas identified as a high seismic hazard
- Several electric transmission easements and natural gas line easements were identified within the easement exceptions within the title report and are shown on the Preliminary Plat. They are described as follows:**

**Exception 10.** The Missoula-Hamilton Transmission Line is described in an easement on Page 548 of Book 108 of Deed Records. The easement provides for a single-pole, 44,000-volt transmission line, beginning at the Sub-station in the City of Missoula and traversing 31.52 miles between Missoula and Hamilton. The Missoula-Hamilton Transmission line runs along Lower Miller Creek Road at the eastern boundary of the parcel. The transmission line will be located within the proposed right-of-way of Lower Miller Creek Road. In addition, the Transmission Line is within the easements described in Exceptions 15 and 16 below. In correspondence with Northwestern Energy, the Transmission Line requires 25 feet of right-of-way on each side of the centerline. The existing easements provide a minimum clearance of approximately 28.5 feet from the centerline.

**Exception 11.** Page 443 of Book 176 describes an easement for an electric transmission system and telephone system located near the south boundary line of the southeast quarter of Section 2, Township 12 North, Range 20 West. The easement does not provide enough information to identify its location on the preliminary plat. All known electric transmission lines and natural gas lines are shown on the existing conditions exhibit.

**Exception 12.** Page 264 of Book 197 describes an easement for an electric transmission system consisting of 50 poles. The easement does not provide enough information to identify its location on the preliminary plat. All known electric transmission lines and natural gas lines are shown on the existing conditions exhibit.

**Exception 14.** Page 1381 of Book 22 describes an easement for a natural gas pipe line located in the southern one-half of the southern one-half of the southeastern quadrant of Section 2. The easement agreement does not provide enough information to identify its location on the preliminary plat. Two existing natural gas lines were identified on the parcel – one running in the Lower Miller Creek Road right-of-way and one in the Old Bitterroot Road right-of-way.

**Exception 15.** Page 1430 of Book 39 of Micro Records describes an easement for a 100-KV electric power line and communication system easement. This easement is shown on the preliminary plat, running approximately parallel to the eastern

property boundary. The easement will remain, as it contains the Missoula-Hamilton Transmission Line.

**Exception 16.** Page 1096 of Book 42 of Micro Records describes an easement for a 161-KV electric transmission line and a 100-KV electric transmission line. This easement is shown on the preliminary plat, running approximately parallel to the eastern property boundary. The easement will remain, as it contains the Missoula-Hamilton Transmission Line.

**Exception 20.** Page 1269 of Book 548 of Micro Records describes an easement for a natural gas pipeline, electric power line, and communications system. The easement agreement does not provide enough information to identify its location on the preliminary plat. Two existing natural gas lines were identified on the parcel – one running in the Lower Miller Creek Road right-of-way and one in the Old Bitterroot Road right-of-way.

**Exception 22.** Page 1831 of Book 613 of Micro Records describes an easement for a cathodic protection system for a natural gas pipeline. Two existing natural gas lines were identified on the parcel – one running in the Lower Miller Creek Road right-of-way and one in the Old Bitterroot Road right-of-way.

There are no Superfund sites, hazardous waste sites, landfills, mines, or sewage treatment plants within the vicinity of the subdivision. The property is not located in an area of high seismic hazard.

- d. **Nuisances.** If the proposed subdivision contains on-site or nearby off-site land uses that create a nuisance (such as noise, dust, smoke, or unpleasant odors), identify such nuisances and describe avoidance or mitigation measures that are being proposed to address them. **The proposed subdivision does not contain any on-site land uses that create a nuisance to residents or adjacent landowners. The parcels to the west contain agricultural land uses which could create dust, noise, or unpleasant odors. A section will be included in the Proposed Covenant to apprise future Lot Owners of the potential nuisance and mitigate potential conflicts with nearby agricultural operations.**

**6. COMMUNITY IMPACT REPORT & IMPACT ON LOCAL SERVICES:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to local services. **Please refer to the following sections for identification of adverse impacts and avoidance and mitigation efforts to minimize potentially significant adverse impacts to local services.**

- a. **Transportation facilities – motorized and non-motorized.** Describe the proposed subdivision's mitigation measures to avoid or minimize congestion (MCA 76-3-501(8)); **Please refer to the Traffic Impact Study, prepared by Abelin Traffic Services, included as an attachment to the subdivision application submittal packet, for mitigation measures to avoid or minimize congestion.**
  - i. **Bridges and culverts.** Describe characteristics such as location, name, type, width, design load, and vertical clearance, of any existing or proposed bridges or culverts within the subdivision or on roads providing access to the subdivision. **There are no major bridges or culverts on Lower Miller Creek Road providing access to the**

subdivision. There are existing culverts under Old Bitterroot Road where the drainage easement passes beneath the road. These culverts will need to be replaced when the roadway is reconstructed. The will be sized to ensure that the drainage swale maintains its existing capacity.

- ii. **Non-motorized transportation facilities.** Describe existing and proposed non-motorized transportation facilities that will serve the proposed subdivision, including sidewalks and bike lanes/stripping. **Sidewalks: Each local street within the proposed subdivision will include sidewalks for pedestrian use. Sidewalks will be constructed in accordance with the City of Missoula Public Works Standards and Specifications and will meet Americans with Disabilities Act (ADA) requirements for handicap accessibility. At crosswalk locations, curb bulb-outs will provide traffic calming and an additional layer of safety for crossing pedestrians.**

**Shared Use Paths:** The proposed subdivision will contain a 10-foot-wide asphalt shared-use paths to provide additional routes for bicyclists and pedestrians. A shared-use path will connect Jeannette Rankin Elementary to Old Bitterroot Road, allowing off-street access through the three southern blocks of the subdivision. Please refer to the preliminary construction plans for a visual representation of the location of the shared-use paths.

**Bike Lanes:** The subdivision will include 6' wide bike lanes on each side of Old Bitterroot Road. These bike lanes will connect to those included in the City of Missoula's Lower Miller Creek Road upgrades project, and will connect to the 10' asphalt shared use path at curb jump-offs at the intersection of Old Bitterroot Road and Meyers Way.

- iii. **Bus Routes.** Provide a map showing the locations of any bus stops and turnarounds for school buses and public transit, or provide a narrative description of bus routes in lieu of a map. If the project is located on an existing school bus route, show the route and the nearest bus stop relative to the proposed subdivision. If a bus stop is proposed within the subdivision, indicate the type and location on a Supplemental Data Sheet. **The proposed subdivision is not located on an existing Mountain Line public transit route. Future service provisions in the vicinity are not known. However, Old Bitterroot Road has the potential for bus stops to be added by eliminating portions of the on-street parking if service is provided to the area in the future. A school bus stop serving Chief Charlo Elementary School is located at the intersection of Lower Miller Creek Road and Linda Vista Boulevard, and a stop serving C.S. Porter Middle School is located at the intersection of Helena Drive and Eldora Lane. The subdivision is within the walking boundary of Jeannette Rankin Elementary School. Future school bus service will need to be coordinated with Missoula County Public Schools. Potential school bus stop locations include the following intersections: Old Bitterroot Road/Riverrfront Place, Old Bitterroot Road/Naomi Lane, Drago Lane/Riverfront Place, and Drago Lane/Naomi Lane.**

- iv. **Roads.** Complete the following table to describe current conditions and, if applicable, any proposed improvements to roads serving the subdivision. If necessary, provide information about additional roads on a separate sheet.

<i>Road name</i>	Included as a separate attachment.			
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Onsite or offsite				
Right-of-way type (public/private) If public, state the jurisdiction.				
Right-of-way width				
Surface type (gravel, chip-seal, asphalt)				
Surface width and, if applicable, shoulder width				
Maximum grade				
Road length				
Maintenance responsibility (City, private )				
Road maintenance agreement (if private) (yes, no, or N/A)				
Curbs/gutters Drainage swales				
Sidewalk, trail, and boulevard widths				
Bike Lanes				
Estimated time for completion				
Road Classification (collector, arterial, etc.)				

1. **Year-round access.** If year-round vehicular access to all lots and common facilities within the subdivision is not provided, explain why. **Not applicable - year-round vehicular access to all lots and common facilities within the subdivision is provided.**
2. **Arterial access.** If access to any individual lot is directly from an arterial street or road, explain why access was not provided by means of a road with a lesser classification. **Not applicable - access to all lots will be provided from streets below arterial classifications.**
3. **Private road access.**
  - A. Does access to the property cross any private properties not owned by the subdivider or property owner? **No**
    - i. If access to the subdivision is across private property not owned by the subdivider, provide a list labeled "Legal Access" containing the names and owners of those properties. Include documentation of perpetual legal access (including but not limited to easements, agreements, and access permits or other forms of access permission) or describe how perpetual legal access will be obtained prior to the filing of the final plat. The documentation must be sufficient to demonstrate perpetual legal access. The information must be provided for any access routes required. Not applicable - Access to the subdivision property does not cross any private properties not owned by the subdivider.
  - B. Are private roads proposed? **Yes**  
If private roads are proposed, include a private road maintenance plan in a development agreement or draft covenants. A provision for maintenance of the

short courts is included in the proposed covenant. The short court standards are addressed in the following sections.

C. Are short courts proposed? **Yes**

If short courts are proposed, provide a plan meeting the standards of Section 3-020.6B and a variance request addressing the criteria in Section 6-010. A typical detail for the proposed short courts has been added to the preliminary construction plans. Please refer to Sheet C7.2. The criteria in Section 6-010 are addressed as follows:

(1) Through streets are not possible in the locations proposed for short courts.

(2) A 26 foot wide public access and utility easement is depicted on the preliminary plat for each proposed short court.

(3) The proposed public access and utility easements have a width of 26 feet. A minimum unobstructed driveway width of 21 feet will be provided for each short court.

(4) The proposed short courts all have a length of less than 200 feet.

(5) Please refer to the short court typical detail shown on Sheet C7.2 of the preliminary construction plans.

(6) The short courts will be surfaced in asphalt, with the off-street parking adjacent to the garages surfaced in textured concrete. The textured concrete parking pads will account for approximately 35-45% of each short court, depending on the overall length.

(7) The crosswalks at the vehicle entrance points will be surfaced in concrete.

(8) The lots will accommodate off-street parking for each residence. The lots have sufficient width to provide 20 feet of parking space between the garage doors and public access easement boundary. The 26 foot width of the public access easement will ensure the provision of 26' of backing distance between the end of the driveway and any obstruction.

(9) All dwelling units within the short court developments will be within 150 feet of the entrance of the development.

(10) Each short court includes four dwelling units; two spaces of overflow parking are provided per short court through a combination of street parking and overflow spaces at the end of each access easement. Please refer to the short court exhibit.

(11) (12) The proposed short court developments do not have front yard setbacks along the public access and utility easement. Therefore, a curb, gutter, and sidewalk are not required. The short courts will include a valley gutter in the center of the driveway to convey stormwater runoff to the street.

(13) Please refer to the short court detail on Sheet C7.2 of the preliminary construction plans for the designated snow removal area.

(14) A draft agreement is included with the subdivision submittal packet.

(15) Please refer to the short court detail on Sheet C7.2 of the preliminary construction plans for signage.

D. Are Homezone/Woonerf streets proposed? No

If Homezone/Woonerfs are proposed, provide a plan meeting the standards of Section 3-020.7

E. Are Cul-de-sac/Circle/Loop streets proposed? Yes

If Cul-de-sac/Circle/Loop streets are proposed, provide a plan meeting the standards of Section 3-020.5B and a variance request addressing the criteria in Section 6-010. Please refer to Appendix T - Subdivision Design Variances.

4. **Traffic impact narrative:**

A. What is the expected increase in the number of automobile trips per day that the proposed subdivision will generate? For traffic estimates, please reference the most recent edition of *Trip Generation: An ITE Informational Report*. **Please refer to the Traffic Impact Study, prepared by Abelin Traffic Services, included as an attachment to the subdivision application submittal packet.**

B. Identify all existing transportation corridors, (including bicycle and pedestrian routes) within a quarter-mile radius of the project and provide a summary describing how this project is likely to impact those transportation corridors. **Please refer to the Traffic Impact Study, prepared by Abelin Traffic Services, included as an attachment to the subdivision application submittal packet.**

C. What are the planned improvements to existing public and private access roads to mitigate the impacts anticipated from this subdivision? **Please refer to the Traffic Impact Study, prepared by Abelin Traffic Services, included as an attachment to the subdivision application submittal packet.**

5. **Street and road plans**, including at a minimum, the following information:

A. Using the subdivision plat as a base map show the following:

i. Street names

ii. Right-of-way widths

iii. Surface widths

iv. Street grades

v. Type and location of sidewalks and curbs/gutters

vi. Minimum site distances and curb radii at corners

vii. Locations and characteristics of bridges and culverts

viii. Location of street lights

ix. For cul-de-sac streets, provide the widths of turn-around radii, minimum right-of-way widths at turn-arounds, minimum surface widths at turn-arounds and total length

x. Number and location of on-street parking spaces, if applicable

xi. Bike lanes – existing or proposed.

Please refer to the preliminary construction plans, included as an attachment to the subdivision application submittal packet, for surface infrastructure plans for the proposed subdivision.

B. **Typical cross sections** including pavement and base thickness for each type of proposed road or road improvement proposed within the subdivision and adjacent to the subdivision which serves the subdivision. The cross-section for each proposed road type within the subdivision is shown on Sheet C7.0 of the



preliminary construction plans, included as an attachment to the subdivision application packet. According to the project geotechnical report, the A-1a to A-4 range of AASHTO subgrade classification soils can be expected to have California Bearing Ratio (CBR) values of 45 for the poorly graded gravel and 10 for the silty sand and sandy silt soils. All streets within the proposed subdivision will have a CBR value of 10 as a conservative design. The pavement and base course thicknesses for the proposed roadways are designed in accordance with the project geotechnical report and the City of Missoula Public Works Standards and Specifications Manual. The local residential streets within the subdivision will be constructed per City of Missoula STD-703 for Medium Subgrades. Old Bitterroot Road, given its classification as an Urban Collector, will be constructed per City of Missoula STD-704 for Medium Subgrades. The alleys within the proposed subdivision will be constructed in accordance with City of Missoula STD-706 for invert-graded alleys. Sidewalks within the subdivision will be constructed in accordance with City of Missoula STD-752. All proposed pavement and base course sections are shown on Sheet C7.1 of the preliminary construction plans.

- C. **Road profiles and cross sections** for all proposed streets and roads which have grades exceeding seven (7) % or cuts/fills exceeding three (3) feet. Proposed profiles for all roadways and alleys are included within the preliminary construction plans, included as an appendix to the submittal package. The cross-section for each proposed road type within the subdivision is shown on Sheet C7.0 of the preliminary construction plans.

6. **Grading and drainage plans**, including at a minimum the following information:

- A. Provide a report that addresses the following:
  - i. A description of the proposed storm drainage and calculations for a 10-year frequency 1-hour storm and a 100-year frequency 1-hour storm on site and a method to mitigate adverse impacts for a 100-year frequency 1-hour storm. Please refer to the Storm Drainage Design Report, included as Appendix P in the submittal package.
  - ii. Conveyance, treatment, and disposal of storm water for both on-site and off-site facilities. Please refer to the Storm Drainage Design Report, included as Appendix P in the submittal package.
- B. Using the subdivision plat as a base map, show the following:
  - i. proposed grades of all streets;
  - ii. proposed drainage facilities for all lots, blocks, and other areas (show accurate dimensions, courses and elevations);
  - iii. graded slopes;
  - iv. existing and proposed contours; and
  - v. design for suitable drainage facilities for any surface run-off. If detention or retention areas are proposed, provide cross sections of the facilities and inlet and outlet location and elevations. Please refer to the preliminary construction plans, included as an appendix to the submittal package, for preliminary grading and storm drainage plans for the proposed subdivision.
- C. Provide a storm water pollution prevention plan (SWPP) for all lots, blocks, and other areas (show accurate dimensions, courses and elevations). Please refer to the preliminary construction plans, included as an appendix to the submittal package, for the preliminary Storm Water Pollution Prevention Plan (SWPPP) for the proposed subdivision.
- D. Submit a Slope Category Map showing grades between 5-10%, 10.01%-20%, 20.01%-25%, and over 25%.

7. **Traffic study.** Submit a Traffic Study if the proposed subdivision generates 200 or more average weekday daily trips and the City Engineer requires submittal of a Traffic Study. The Traffic Study must address the current capacities of adjacent roads and nearby intersections and provide an analysis of level of service (LOS) changes that will occur as a result of the development of the proposed subdivision. Identify the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to transportation facilities. If the City Engineer determines that a Traffic Study is not required, submit written documentation indicating so. Please refer to the Traffic Impact Study, prepared by Abelin Traffic Services, included as Appendix N of the submittal package.
8. **Coordination of roads.** Describe how the subdivision provides for coordination of roads within subdivided land with other roads, both existing and planned (per MCA 76-3-603(d) & MCA 76-3-501 and Subdivision Regulations Section 1-030.3B).  
**Lower Miller Creek Road:** The stretch of Lower Miller Creek Road abutting the property is shown on the Metropolitan Planning Organization's Functional Classification Map as a Major Collector. A 80-foot right-of-way will be provided for Lower Miller Creek Road along the eastern boundary of the property. For the portion of Lower Miller Creek Road that splits the subject property, an 80-foot right-of-way will be provided. The City of Missoula is responsible for the design of upgrades to Lower Miller Creek Road in the project vicinity, including mill and overlay, 10' wide travel lanes, parking lanes where applicable, and a concrete sidewalk along the properties fronting the roadway to the east. The developer is responsible for the design and installation of concrete sidewalks and intersection tie-ins along the western frontage of Lower Miller Creek Road, as well as sidewalks on both sides of the portion of Lower Miller Creek Road which splits the subject parcel. In addition, there is a cost-sharing mechanism for the developer to provide funding for the half-street improvements on Lower Miller Creek Road which are included in the City project. Please refer to the proposed site plan for a map of the proposed improvements. The design of the subdivision roads will be coordinated with the design of the improvements to Lower Miller Creek Road, as the design for both projects is ongoing.

**Old Bitterroot Road:** The proposed alignment of Old Bitterroot Road has been provided to the City of Missoula to preliminarily determine the location of a future roundabout at the intersection of Lower Miller Creek Road and Old Bitterroot Road. An easement has been provided for this future roundabout based on the location provided by the City.

**Other Roads:** A provision has been made for the southern internal local street to be extended into the parcel to the west, should that parcel ever be developed. Additionally, a street connection to Jeannette Rankin elementary has been provided, in coordination with the school district and the City of Missoula.

9. **Right-of-way Easements.** Describe the dedication of land for roadways and for public utility easements or the provision for right-of-way easements per MCA 76-3-501(3) and Subdivision Regulations Section 1-030.3C. **All roadways within the proposed subdivision will be located within dedicated public right-of-ways.**

Several utility easements will be provided. A 20'-wide public utility easement will be provided along the boundary of Lot 1 and the school parcel for construction and maintenance of a water transmission main to serve the proposed subdivision.

- b. **Utilities and Services:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to utilities. **The proposed subdivision will be served by electric, telephone, natural gas, cable TV and internet, and solid waste collection utilities. No potentially significant adverse impacts to utilities have been identified with the subdivision proposal.**
- i. **Service providers.** List the following service providers and, if applicable, how the service will be provided:
- Electricity: **Northwestern Energy**
  - Telephone: **Cellular Providers**
  - Natural Gas: **Northwestern Energy**
  - Cable TV: **Spectrum**
  - Solid Waste Collection and Disposal: **Republic Services**
- ii. **Over-head utilities.** If any utilities are proposed to be over-head, explain why. **Not applicable - all proposed utilities will be installed underground.**
- iii. **Street lighting.** Is street lighting proposed? **Yes**  
If yes, who will install and maintain proposed street lighting? **Street lighting meeting the standards of the Missoula Lighting Ordinance (MMC 8.64), and Section 7.3.6 of the City of Missoula Public Works Standards and Specifications Manual will be provided. The subdivision will require the applicant to petition the City of Missoula to create a new street lighting improvement district. The street lights will be installed under the improvement district through installation and maintenance fees assessed to the developer and/or lot owners. The street lighting within the subdivision will be maintained by the City of Missoula.**
- iv. **Utilities Plan,** including at a minimum the following information:
1. Existing and proposed utilities located on and adjacent to the tract, including:
    - a. The approximate location, size and depth of sanitary and storm sewers, or the location of septic tanks, subsurface treatment systems, replacement areas, detention/retention basins, and irrigation and storm drainage ditches.
    - b. Approximate location, size and depth of water mains, water lines, wells, and fire hydrants if within 500 feet.
  2. Approximate location of gas lines, electric, cable TV, and telephone lines and street lights. Please refer to the preliminary construction plans, included as an appendix to the submittal package, for the location of gas lines, electric, cable TV, and telephone lines and street lights, as applicable.

The preliminary construction plans depict the location of identified sanitary and storm sewers and storm drainage ditches. There are no known septic tanks, subsurface treatment systems, drainfield replacement areas, or detention/retention basins located on the subject property. All known water mains, water lines, irrigation pipes, wells, and fire hydrants within 500 feet of the property boundary are depicted on the preliminary construction plans.

- c. **Water supply:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to water supply. **The proposed subdivision will extend the City of Missoula's existing public water distribution system for domestic household use, landscaping irrigation, and water supply for fire protection. Several potentially significant adverse impacts have been identified relating to water rights and water supply. These impacts and their mitigation are discussed in the following sections and the Water Distribution Design Report.**
- i. **Water system.** Identify and describe the type of water supply planned for household use (such as, an existing public or multi-family system, new public or multi-family system or individual system). **The proposed subdivision will extend the City of Missoula's existing public water distribution system to serve the new residences. Please refer to the Water Distribution Design Report for additional information regarding the proposed extension of the water distribution system.**
1. Water supply via wells require well isolation zones. Provide easements for well isolation zones encroaching onto adjoining private property.
- ii. **Nearest public water main.** How far is the proposed subdivision boundary from the nearest public water main? **The boundary of the proposed subdivision is approximately 140 feet from the nearest existing public water main, an 8-inch diameter transmission main located in the intersection of Bigfork Road and Lower Miller Creek Road. In addition, the proposed extension to the water distribution system will connect to an existing 10" transmission main located in Gustuson Road, approximately 265 feet south of the subdivision boundary. Please refer to the Water Distribution Design Report for additional information regarding the proposed extension of the water distribution system.**
- iii. **Description of use.** Describe how water will be provided for household use. **Water for household use will be provided via service connections to the proposed public water mains within the street right-of-way. The service connections will convey water to internal building plumbing.**
- iv. **Capacity.** Indicate the number of gallons per day of water the proposed subdivision will require and whether the water supply is sufficient to meet the needs of the anticipated, final population of the subdivision. Are there any anticipated effects on existing water systems or wells within the area? **Please refer to the attached water distribution design report.**
- v. **State standards.** Indicate whether the plans for water supply meet the standards of MDEQ for quality, quantity and construction criteria. **The plans for water supply will meet the standards of the Montana Department of Environmental Quality (MDEQ) for quality, quantity, and construction criteria. The proposed extensions will require the review and approval of both Missoula Water and MDEQ prior to construction and connection of any new domestic or irrigation water service to the existing system.**
- vi. **Existing public system.** If the subdivider proposes to connect to an existing water system:

1. Identify and describe that system. **The proposed subdivision will connect to the City of Missoula's public, municipal water supply system. (PWS ID: MT0000294)**
  2. Provide written evidence that permission to connect to that system has been obtained. **A letter from Development Services Engineering Division indicating preliminary approval to connect to the City's public water supply system is included within the subdivision application submittal packet.**
  3. State the approximate distance to that system. **The proposed connection point nearest to the boundary of Riverfront Trails is located at the intersection of Bigfork Road and Lower Miller Creek Road, approximately 140 feet from the subdivision boundary.**
  4. State the cost of extending or improving the existing water system to service the proposed development. **The cost to extend and improve the City of Misosula public water supply system to serve the proposed subdivision is preliminarily estimated to be approximately \$1.8 million.**
  5. Show that the existing water system is adequate to serve the proposed subdivision. **A letter from Development Services Engineering Division indicating preliminary approval to connect to the City's public water supply system is included within the subdivision application submittal packet. The City of Missoula has identified mitigation required to allow capacity to serve the proposed subdivision, which is outlined above and in the Water Distribution Design Report.**
- vii. **New public system.** If a separate public water system is to be installed, describe:
1. Who is to install that system and when it will be completed. **Not applicable - the subdivision will be served by extensions of the existing City of Missoula Public Water System (PWS ID: MT0000294)**
  2. Who will administer and maintain the system at the beginning of subdivision development and when subdivision is completed. **Not applicable - the subdivision will be served by extensions of the existing City of Missoula Public Water System (PWS ID: MT0000294)**
  3. Provision of evidence that the water supply is adequate in quantity, quality, and dependability (75-6-102 MCA). **Not applicable - the subdivision will be served by extensions of the existing City of Missoula Public Water System (PWS ID: MT0000294)**
- viii. **Individual system.** If individual water systems are to be provided, describe the adequacy of supply of the ground water for individual wells or cisterns and how this was determined. **Not applicable - the subdivision will be served by extensions of the existing City of Missoula Public Water System (PWS ID: MT0000294)**
- d. **Sewage disposal:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts. **The proposed subdivision will extend the City of Missoula's existing public sanitary sewer system. The proposed extension is discussed in the following sections and the Sanitary Sewer Design Report.**
- i. Identify and describe the type of sewage disposal system planned for the subdivision. **The proposed subdivision will extend the City of Missoula's existing gravity sanitary sewer system to serve the residences. Residences will connect to the**

- public system through sewer service connections to the new and existing sewer mains.
- ii. How far is the proposed development boundary from the nearest public sewage system main? **A 15-inch diameter main of the existing public sanitary sewer system crosses the property, through an easement along the western boundary and the Old Bitterroot Road right-of-way.**
  - iii. Is the property currently wholly within a Wastewater Facility Service Area and eligible to access public sanitary sewer disposal facilities? **Yes**
    1. If yes, provide the approval letter from the City Sewer Service Review Committee certifying the property for connection to and usage of the public sanitary sewer system. **A letter from Development Services Engineering Division indicating preliminary approval to connect to the City's public sanitary sewer system is included within the subdivision application submittal packet.**
    2. If any portion of the property is outside the Wastewater Facility Service Area, provide a copy of the City Council-approved Resolution expanding the Wastewater Facility Service Area to serve the property. **N/A**
- e. **Schools:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to schools. **No potentially significant adverse impacts to schools have been identified.**
- i. Identify the name of the schools and school districts (elementary and secondary) that will serve the proposed subdivision. **The proposed subdivision is located within the Jeannette Rankin (K-5) Elementary School district, the C.S. Porter (6-8) Middle School district, and the Sentinel (9-12) High School district of Missoula County Public Schools.**
  - ii. Estimate the number of school-aged children this subdivision is likely to add to the district. **The proposed subdivision will contain a total of up to 178 single-family and townhome dwelling units - given that the average number of persons per household in Missoula County is 2.33, and an estimated 19.3 percent of the population is below eighteen years of age, it is estimated that the proposed subdivision could add roughly 75 school-aged children to these districts. This is unlikely to have any adverse impacts on the existing facilities or ability to teach existing students.**
- f. **Emergency Services:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to emergency services. **The proposed subdivision is within the emergency services area of the City of Missoula Fire Department, the Missoula Police Department, and Community Medical Center. The property is located within the Wildland Urban Interface (WUI), similar to much of the developed area of the City of Missoula, and the standards related to the WUI as required by the City Subdivision Regulations are included in the proposed covenant. No potentially significant adverse impacts to emergency services were identified.**
- i. Complete the table below:

	Name of service provider	Distance between service provider and proposed subdivision
Fire protection	City of Missoula Fire Department	Approximately 3 miles

Police protection	Missoula Police Department	Approximately 5.2 miles
Ambulance	Community Medical Center	Approximately 3.3 miles

- ii. How will water supply for fire protection be provided? **Water supply for fire protection will be provided via hydrants connected to the City of Missoula's public water supply system. Please reference the utility exhibit on hydrant location included as Appendix Q for additional information.**
  - iii. Is the property, or any portion of the property, located within a Wildland Residential Interface? **Yes**
    1. If yes, include the standards in Exhibit 6 of the Subdivision Regulations in a development agreement between the governing body and the developer or in the covenants, except in those cases when the need to protect areas of riparian resources or habitat for species of special concern outweigh the danger of wildfire. The standards in Exhibit 6 of the Subdivision Regulations have been included in the proposed Covenants and Restrictions (Appendix G) for the proposed subdivision.
    2. If yes, does the subdivision design include more than one access route providing ingress and egress from within the subdivision that meets the standards contained in Section 3-020.4L for providing emergency travel? **Yes**
  - iv. If the proposed subdivision is not within a fire district, provide an application for annexing into the appropriate fire district. Not applicable - the proposed subdivision is within the City of Missoula's Fire District.
- g. Housing:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to housing. **The Riverfront Trails neighborhood offers a unique vision for an integrated, intergenerational community situated adjacent to the Bitterroot River and along Lower Miller Creek Road in Missoula. Mixing traditional single-family residential development with courtyard clusters, townhomes, limited multi-family and senior assisted living, the neighborhood seeks to provide a range of housing style and choice in a desirable location where Missoula's growing population has access to the services and amenities that contribute to a high quality of life in the area. The proposed development will contain a mixture of approximately 174 single-family residential homes, townhomes, and courtyard townhomes on individual lots, a five-unit multi-dwelling building, a 4.99-acre parcel intended for a religious assembly development, and a 5.53-acre parcel intended for a senior living facility. Together, the neighborhood will create approximately 288 new housing units of varying types, including those units within the proposed senior living facility. This project creates a unique, interconnected, accessible and supportive community that expands the City and County's goals to provide additional, attainable housing for all residents. The smaller lot sizes, higher densities, and mixture of housing types will provide lower lot and housing prices to meet a community need for expanded housing options and affordability.**
- i. Describe the total number of dwellings anticipated by type (such as single dwelling, multiple dwelling, or mobile home). **The proposed subdivision will contain approximately 173 single-family, duplex, and triplex dwellings, a five-unit multi-**

- dwelling building, and 110 senior living dwellings, totaling approximately 288 new dwelling units of varying types.**
- ii. Estimate the market cost of the dwellings and rents for rental units in this subdivision. The market cost and rents for rental units within the subdivision are not known at this time.
  - iii. What is the approximate average number of bedrooms per dwelling unit anticipated for the subdivision? **The approximate average number of bedrooms for dwelling unit is two. The number of bedrooms will vary from one-bedroom assisted living units to multiple-bedroom single-family homes.**
  - iv. Is the subdivision planned as a second home? **The subdivision is not planned as a second home.**
  - v. What is the expected date of full development and occupancy for this subdivision? **Full development and occupancy of the proposed subdivision is expected to occur before 2030.**
- i. **Open space and parkland dedication:** Answer the questions below. In addition, provide a narrative that identifies the adverse impacts and describe proposed avoidance and mitigation efforts that will be used to reasonably minimize potentially significant adverse impacts to open space and park land. **No potentially significant adverse impacts to open space and parkland have been identified. The proposed subdivision will create a large, public open space adjacent to the Bitterroot River, creating new recreation access to residents of the subdivision and neighboring developments, in addition to new pedestrian and bicycle access corridors through the neighborhood.**
- i. **Open spaces:** Describe how the subdivision provides adequate open spaces for travel, light, air, and recreation (per MCA 76-3-501(5)). **The proposed subdivision includes the dedication of approximately 24.63 acres of open space adjacent to and along the Bitterroot River, as well as 19.97 acres of common area retained by the HOA. The open space will be dedicated to the City of Missoula and accessible to the public. It will contain the areas of riparian resources along the riverbank as well as natural grasslands serving as a buffer between the riparian zone and the nearest homesites. An off-street parking area containing approximately 8 parking spaces will be constructed at the access to the open space for use by the wider community. In addition, a 10' wide shared use path will connect the open space to Maloney Ranch park and Jeannette Rankin Elementary along Old Bitterroot Road and Lower Miller Creek Road. Pedestrian walkways and crossings will be provided along all public streets within the subdivision.**
  - ii. **Park land:** Complete the table below to calculate the park dedication requirement for the subdivision:

	<b>Lots 0-0.5 acres</b>	<b>Lots 0.51 – 1.0 acres</b>	<b>Lots 1.01 – 3.0 acres</b>	<b>Lots 3.01 - 5.0 acres</b>	<b>Lots &gt;5.0 acres</b>	<b>All Other Lots</b>	<b>Total</b>
No. of dwellings/ acre proposed or allowed by zoning	<b>1 or 2</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>8</b>	
Total acreage in lot category	<b>20.05</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>x 11.36</b>	



Park dedication requirement	x 0.11	x 0.075	x 0.05	x 0.025	x 0	x 0.02	
Park dedication requirement	=2.21	=0	=0	=0	0	=1.82	<u>4.03</u>
Total parkland proposed							<u>24.63</u>

1. How will the parkland requirement be satisfied (such as public parkland dedication, common area deeded to a property owner's association, previous parkland dedication, cash in-lieu, or waiver of dedication)? **Riverfront Trails includes a total of 44.60 acres of open space, consisting of rolling grasslands along the Bitterroot River. The project includes a required parkland dedication of 4.03 acres per section 3-080 of the Subdivision Regulations. Additionally, Riverfront Trails must provide at least 1/9 of the platted area, 10.30 acres, as common open space per section 3-130.7 of the Subdivision Regulations. The required dedications total 14.33 acres. The developer proposes satisfying both requirements through a dedication of public parkland. The proposed open space will be zoned OP-2. To satisfy the required parkland and planned unit development common space dedication of 14.6 acres, two tracts totalling 24.63 acres will be immediately dedicated to the City of Missoula. In addition, 1.02 acres of public trail easements will be dedicated across the adjacent HOA Common Area parcel depicted in the open space. The dedicated City parkland tracts will contain the proposed stormwater wetlands, because Parks and Recreation indicated these will become a wildlife habitat and amenity to the community. However, the 10.99 acres of right-of-way and stormwater easements depicted within the 24.63 acres of dedicated City parkland do not count to satisfy the parkland dedication requirements. So, the parkland dedication is satisfied through the 13.64 unencumbered acres of dedicated City parkland, along with the 1.02 acres of public trail easements. The developer will work with the City's Parks and Recreation Department to minimize construction disturbance to this tract and ensure it is transferred in as close to its current state as possible. After transfer, the City will maintain the land as publicly-accessible open space, which will be managed with a goal of restoration to a more native state. The remaining 19.97 acres of open space will be retained by the HOA as a common area parcel, also zoned OP-2. The developer will be responsible for the construction of a public trailhead access, with parking located along Tolley Lane, with a connection to the woonerf-inspired streets and bicycle corridor within the subdivision providing residents throughout Riverfront Trails with quick, off-street access to the public open space and river. The developer will also be responsible for construction of the 8-foot wide gravel trails depicted throughout the City parkland and HOA common area tracts.**
2. If common area is proposed, provide a description of the proposed park and recreation facilities, maintenance and development schedule. Describe how park and recreation facilities will be installed and maintained. Common areas must be installed, inspected, and approved prior to being turned over to the Homeowners' Association. **The remainder of the open space, totaling 19.97 acres, will be maintained as a common space. The developer is responsible for construction of the 8-foot wide gravel trails across this parcel, which will be in dedicated public trail easements. Parks and Recreation will be responsible for the maintenance of these trails. The HOA will be responsible for maintenance of**

**the remainder of the Common Area tract, including weed treatment, revegetation, and maintenance of the riparian buffer. These requirements are detailed in the Weed Management Plan and Riparian Management Plan.**

3. If cash-in-lieu is proposed, describe the circumstances that make the parkland dedication undesirable. At the time the final plat is filed, an appraisal of the fair market value of the un-subdivided, unimproved amount of land that would have been otherwise dedicated to parkland will be required to be provided by the subdivider.  
**Not applicable - cash-in-lieu of parkland dedication is not proposed for this subdivision project.**
4. If the parkland requirement will be satisfied through a previous dedication, describe the original dedication and demonstrate how the previous dedication meets the requirements for this proposal. **Not applicable - the parkland requirement for this project will not be satisfied through a previous dedication.**
5. If this is a manufactured home community or recreational vehicle park, have plans been made to develop a recreation area? **N/A**
  - a. If yes, provide a proposed preliminary plan with as much applicable information as is required to be shown on a preliminary plat. **Not applicable - the proposed subdivision is not proposed as a manufactured home community or recreational vehicle park.**

**L. PRELIMINARY PLAT REQUIREMENTS:** Preliminary plat submittals must conform to the requirements of the Subdivision Regulations Section 5-010. The following list is provided in order to assist applicants in preparing preliminary plats; however, it is not intended to be an all-encompassing or exclusive list.

1. **Preparation:** The plat must be prepared by a professional land surveyor licensed to practice in the State of Montana.
2. **Format:** The size of the plat must be 24" x 36" with a 1½" margin on the binding side and should be folded to a maximum of 9" x 12". Each sheet shall show the number of that sheet and the total number of sheets included.
3. **Identifying Information:** The following identifying information must be clearly indicated on the plat.

<input type="checkbox"/> Subdivision or development name	<input type="checkbox"/> Names of owner(s) of record and sub-divider(s)
<input type="checkbox"/> Legal description	<input type="checkbox"/> Date plat was drawn
<input type="checkbox"/> North arrow	
<input type="checkbox"/> Scale used on the plat	
4. **Survey Information:** The following survey information shall be shown on the preliminary plat or shall be contained in a written statement or supplementary drawing accompanying the preliminary plat:

<input type="checkbox"/> Exterior boundaries of the platted tracts;
<input type="checkbox"/> Approximate location of all section or legal subdivision corners pertinent to the subdivision boundaries. Township, range, principal meridian, section and quarter section(s) if portion of a section, or other general legal description;
<input type="checkbox"/> Approximate dimensions and area of each lot. Lots and blocks shall be designated by number and area.
<input type="checkbox"/> All streets, alleys, avenues, roads, and highways and the proposed width of each, with existing and proposed street names;
<input type="checkbox"/> The area, locations, boundaries, and dimensions of all parks, common areas, and other areas dedicated for public use;
<input type="checkbox"/> The total gross area of the subdivision and the total net area, exclusive of public areas and rights-of-way;

- ☐ Ground elevations of the tract: elevations and benchmarks. Contour intervals shall be vertical intervals of two (2) feet where the average slope of the subdivision is less than ten (10) percent and at intervals of five (5) feet where the average slope of the subdivision is ten (10) percent or greater;
- ☐ Approximate location and identification of all existing and proposed private and public easements and rights-of-way, including descriptions of their widths and purposes;
- ☐ Existing and/or proposed irrigation ditch easements;
- ☐ Easements for any feature or improvement that encroaches onto adjoining private property;
- ☐ Proposed locations of intersections, other access points and access control lines for any subdivision requiring access to major highways or thoroughfares, including those under state jurisdiction;
- ☐ Identified hazard areas shall be prominently shown on the subdivision plat and in other records of conveyance;
- ☐ Any proposed "No-Build Zones" and "No-Build/No-Alteration Zones";
- ☐ The area of the subdivision within the FEMA-designated floodway and/or flood-fringe, if applicable.