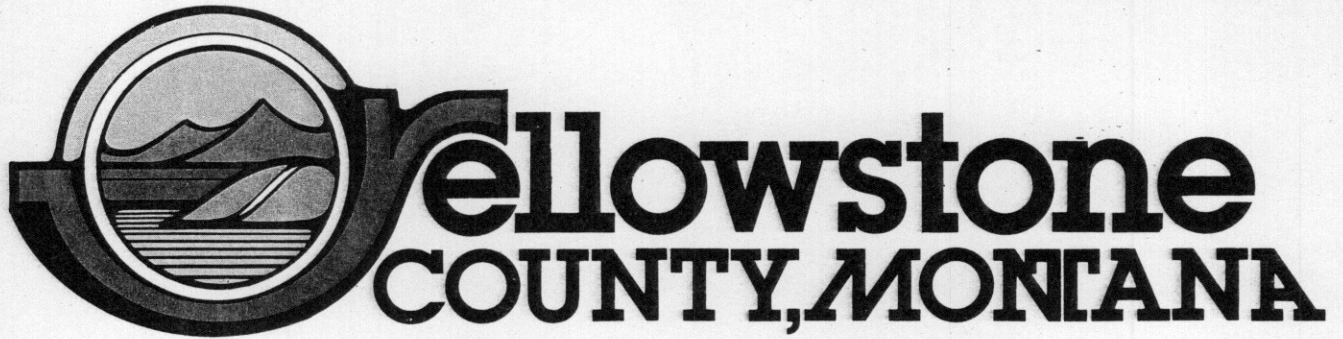


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**Comprehensive
Parks Plan**

NOVEMBER 1984

COMPREHENSIVE PARKS PLAN
YELLOWSTONE COUNTY, MONTANA

for

Yellowstone County Board of Park Commissioners

by

Cumin Associates
in Association with
Fischer Associates and Norman Schoenthal
Billings, Montana
August 1984

adopted by Park Bd 2/18/85

" " Colo

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PARKS ARE:

- a safe PLACE FOR CHILDREN TO PLAY.
- convenient and attractive places to congregate and RECREATE WITH FRIENDS AND NEIGHBORS.
- a mechanism to PRESERVE NATURAL FEATURES, both potentially hazardous areas such as flood plains and resources such as stands of trees and historical sites.
- a system of County BEAUTIFICATION and resulting COMMUNITY PRIDE.
- an opportunity for EXERCISE, especially when the parks are linked to an integrated County community system such as schools, river fronts, highways, and scenic vistas.
- ways of avoiding congestion in communities when used in conjunction with zoning and subdivision regulations to CONTROL DENSITY.
- BUFFERS between different, often incompatible land uses.
- compatible and useful environments when located next to and used to COMPLEMENT SCHOOL SITES.
- an opportunity to be CREATIVE. People are most creative in their leisure time. Whether the park user is taking a quiet, thoughtful walk or is participating in the design and construction of a park near home, he or she is being creative. Children playing on well designed playgrounds have no limits to their imaginations.

TABLE OF CONTENTS

ALPHABETICAL INDEX TO ALL PARKS

INTRODUCTION

Setting	1
Parks Planning-General	4
Goals and Objectives	7
The Yellowstone County Park Planning Program	9
Park Classifications and Standards	16
Neighborhood Park/Playground	23
Neighborhood Mini-Parks	24
Neighborhood Open Space	25
Community Natural Areas/Open Space	26
Community Playfields	27
Community Park-Multiple Use	28
Major Park	29
Regional Park	30
Single/Special Use Facility	31
Recreation Corridor	32
Excess Lands	33

PARK PLANNING DISTRICTS

Introduction	
Billings Northwest	41
Billings West	48
Billings Southwest	52
Billings South	54
Billings Central	58
Billings Southcentral	60
Lockwood and Billings East.	61
Billings Heights	66
South Billings	72
Laurel Area	76
Shepherd	80
Huntley, Ballentine, and Worden	84
Broadview Acton	87
Custer	88

FUTURE PARKS ACQUISITION AND FUNDING

Zoning and Preferential Taxation	90
Easements	92
Design Solution	98
Foundations	100

TABLE OF CONTENTS (CONT.)

Cooperation and Coordination With State and Federal Park and recreation Programs	103
Subdivision Development Parks	104
Neighborhood Development	105
Grants	106
Alternative Methods of Fee Ownership	107
Conservation Bonds and Districts	107
Installment Purchase	108
Options	108
Purchase-Leaseback	109
Life Tenancy	110
Other Park Funding and Assistance Ideas	110
User Fees	111
Concessions	111
Adopt-a-Park	112
Gift Catalogue	112
Volunteer Program	112
Scrounging Warehouse	113
 GENERAL RECOMMENDATIONS	 114
 SOURCE DATA	 117
 APPENDICES	 118
1-Resolution Creating Park Board and Park Fund	
2-Park Board Enabling Legislation (State)	
3-Cash in Lieu of Land	
Pertinent Attorney General's Opinions	
4-Deed of Conservation Easement (Sample)	
5-Criteria for Park Development by Local Neighborhood or Special Interest Groups	
6-Limited Survey Form and Results	
7-Park Information Matrix	
8-Park Design and Construction Standards (Separate Document)	

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ALPHABETICAL INDEX TO PARKS

S	Acton Townsite	85,87
	Afflerbaugh	67
	Agricenter	35,54,55,57
	Alkali Creek (City)	67
	Alkali Creek (County)	67,68,70
	Alphabet	42
	Amend	60
A	Arrowhead	67
	Arrow Island 1st filing	80,82
	Arrow Island 2nd filing	80,81,82
	Athletic	59
	Baptist Church Triangle	60
A	Beartooth School	66,67,68,70
L	Beartooth View	77
	Bel Aire	62,63,64
	Big Sky Island & Josephine	55
L	Birch & East Fourth	77
	BLUEGRASS (W. END YEOMAN RD)	
	Boulder	42
	Brewington	67,68
	Briarwood 1st filing	72,73,75
	Briarwood 2nd filing	72,73,75
	Bridal Moon	67
	Brooksdale	61,62,64

7-1-87

	Burg	59
	Burlington	49
	Burlington Circle	59
	Burnstead	59
	Byrnes Stephens	55,56,57
	Byron Nelson	42,44,45,46,104
	Cameron	42
	Canal	49
	Carla Island	35,54,55
	Castle Rock	67
	Cedar	72,73,75
	Central	59
	Century	77,79
E	C/S 986 (Rush)	42,46
	C/S 1152	
	CS 1261 (NX TO IRONWOOD SUB & YELL CLUB)	35,54
S	C/S 1310	62,63,64
	C/S 2189-2175 (Wells Garden Estate)	49,50,51
	Charles Russel	62,63,64
	Clydesdale	49,50,51
	Commanche	52
	Community	60
	Coulson	35,36,62,64
	Country Club Heights	42
L	Cove Creek	77
L	Cove Lane	77
	Custer Jaycee	85,88

	Custer (Un-named)	85,88
	Cynthia	42,44,45,46
	Daniels	67
L	DeCarlo	77
	Delphinium Circle	59
	Dickie	67
	Dick Logan	67
	Division and Sixth	59
A	Dokken	40,42,46
	Dry Creek	62,64
	Echo Canyon	35,77,79
	Edgerton	67
	Eggebrecht	77,79
	EMERALD HILLS ETHEL TENNY Evergreen	59
	Falcon Heights	73,75
	FARNUM Golden View	67
	Gorham	49
	Grand Acres	49,50,51
	Grandview	42
	Hakert	73,75
	Harris	40,61,62,64
	Harvest	49
A	Hawthorne	67
	Hedge	59
	Heffner	42
	Heritage	49

	Hidden Lake Subdivision	80,81,82
	Highland	55
L	High Point	77
L	High Point (Un-named)	77
	Hillcrest Natural Area	102,103
	Hillner	40,61,62,64
	Holfeld	35,67
	Homestead	49
	Homewood	77,79
	Hultgren	67
A	Hypark Subdivision	35,42,46
	Independence	67
	Indian Cliffs	35,42,46
	Interstate LP#4	77
	Interstate LP#6	77
	IRONWOOD	
	Josephine (and Big Sky Islands)	54,55
	Kimble	35,54,55
	King's Green	55
L	Kiwanis	77
	Kiwanis Durland	42
	Lampman	49,51
L	Laurel Softball Complex	77
	Lillis Meadowlark	49,67
	Lockwood	61,62,64
	Lockwood Junior High	62,64
L	LP#4 Interstate	77

L	LP#6 Interstate	77
A	Lutheran	67
	MacIntyre Triangle	60
	Madsen	35,67,68,79
	Mariposa	42
	McKenzie	62,63,65
A	Meadowlark (Lillis)	49,67
L	Memorial	77
	Miller Property (C/S 1152)	35,54
	Millice	49
L	Montana Meadows North	77
L	Montana Meadows South	77
L	Murray Subdivision	77
	Mustang	80,82,83
L	Naomi	105
	North	59
L	Nutting	77
L	Nutting Brothers	77
	O'Donnell	77,79
	Olympic	49
	Optimist	55
	Oxbow	67,68,70
A	Palisades	42,44,45,46
	Panoramic Heights	42
	Peterson	55,56,57
	PHEASANT BROOKE Pike	77,79

	Pinehill	62,65
	Pineview Silverwood	42
	Pioneer	59
	Plenty Coup	77,79
	Poly Triangle	59
A	Poly Vista	40,42,44,45,46
	Ponderosa	55
	Pow Wow	67
	Prairie	80,82,83
A	Primrose	67
	Pryor Creek Subdivision	84,85
L	Q Park	77
	Quanta	73,75
	Quarterhorse	67,70
	Ramada	42
	Ribs Ridge	42
A	Rim Point	42,46
A	Rimrock West	42,44,45,46
	River Front	35,36,54,55,56
L	Riverside	77
	Riverside Estates	35,54,55
	River Vista	80,81,82
⇒	Robert Trent Jones	42,45,47
	Rock Island	59
	Rocky Elementary	42
	Rocky Village	42

A	Rolling Hills	67
	Rose	49
	Rosebud	59
E	Rosetta	42,45,47
E	Rush (C/S 986)	35,45
L	Russel	77
	Sacajawea	49
	Sahara Sands	67
A	Sally Anne	67
	Sand Cliffs	42
	Sannon	62,65
L	Schauer	77
	S.I.D.'s 2nd and Division	60
	Sharon	73,75
S	Shawnee	62,65
	Shepherd Lions Club	80,82,83
A	Sheri Cleavenger	67
	Sixth and Division	59
	Skyline	42
	Sled	62,65
	Smith Subdivision	42
	Smoky Subdivision	42
	South	55
L	Sportsman's	77
	Spring Creek	59
	Stewart	49

Streeter	55
Summerhill	67
Sun Valley	67,68,70
Swords	66,67
Terrace Estates	67
Terry	59
L Thompson	77
L Traffic Island	77
Triangle	59
L 12th Street and 1st Avenue	77
Two Moon	35,36,66,67,68,70
Valley	73,75
Valley View	42
Veterans	42
Vo Tech	49
Walsh	67
L Washington Avenue	77
Wells Garden Estate	49,50,51
A Western Skies	35,42,47
West	77
Westwood	42
Whitney Subdivision (Un-named)	80,82,83
S William Johnston	51,62
Wilshire	42
Wilson	55,56
Winchester	80,82,83

Windsor Circle Imperial	67
Yellowstone Meadows	42,44,45,47
Zimmerman Acreage Tract	42,44,45,47
A* Zimmerman Public	35,42,47

* PART BELOW RIMS

INTRODUCTION

Setting

Yellowstone County is located in southcentral Montana in the middle latitudes of the country, an area characterized by prevailing westerly winds. Elevations vary from 4,744 feet mean sea level on Dunn Mountain in the north to 2,680 feet where the Yellowstone River exits the County; the area is situated between the Rocky Mountains and the Great Plains. Reflecting the climatic characteristics of each of these regions, the area is semiarid with abundant sunshine, low relative humidity, light rainfall, moderate wind movement, large diurnal temperature changes, and pronounced temperature extremes. The average annual precipitation is slightly more than 14 inches with June the wettest month. The heaviest snows occur during the fall and spring months, but deep accumulations of snowfall are rare. One reason for the latter is the Foehn, or chinook, winds which occur randomly in the winter months bringing warm coastal winds across the winter landscape.

Yellowstone County was organized on February 20, 1883 from part of Custer County; later parts of Sweet Grass, Carbon, Musselshell, and Big Horn Counties were created from Yellowstone County. Prior to the advent of the white man, the area was the domain of the Bannock, Shoshone, Assiniboine, Blackfoot, and then later the Crow Indians. Pictograph Cave (a recreational historic site southeast of Billings administered by the State Fish, Wildlife, and Parks Department) and the Chief Joseph Battlefield

Site in the valley west of Billings are significant historical resource reminders of this early period of the County. The first white men to venture into the Yellowstone County area may have been those with the French expedition led by the Chevalier de la Verendrye looking for the Western Sea as early as 1742-43. The Lewis and Clark Expedition traveled through the County in 1806.¹ In 1882, Billings--the County seat--was platted by the Minnesota and Montana Land Improvement Company, and, in May of that year, a four week period saw 5,000 lots sold for cash.²

Today Yellowstone County contains approximately 114,900 people, 81 percent of them (93,594) living in the Billings urban area, the growth and marketing center for the large region generally bounded by Minneapolis to the east, Portland to the west, and Calgary and Denver to the north and south respectively. The local economy reflects a multi-state area market for diverse wholesale and retail goods and services (including a large medical treatment industry), agriculture, transportation, and energy development. The Yellowstone River extends southwest to northeast through the County providing numerous recreation opportunities and stabilizing and supporting a large agricultural base. Interstate Highway 94 parallels the river and Interstate 90 branches from Billings southeast into Wyoming. Burlington Northern provides rail service to the County and an international airport with full aviation services is located at Billings; a secondary airport facility is located at Laurel, 12 miles west of Billings. Approximately 15 percent of the southeastern part of the County is federal lands of the Crow Indian Reservation. All of the communities of the County are located in the Yellowstone River Valley with the exception of Broadview which sits on the high plains 32 miles northwest of Billings. (Acton, located

between Billings and Broadview, is a locally used, geographic reference point but is no longer a town.)

Parks Planning-General

Park planning is a process that relates the leisure time of people to space. It is an art and science that uses the concepts and methods of many disciplines to provide public and private leisure opportunities. The emerging emphasis of recreation planning is a blend of environmental design and management, social science, and public administration to provide leisure opportunities as part of a human service and environmental management system. Comprehensive park planning deals with the present and the future and develops an information base for rational decisions by the Board of Park Commissioners and the public they represent. Such planning needs to be cognizant of the existing and potential park resources, representative of what people want, imaginative in projecting what might be, and realistic in recognizing what is possible. Change, complexity, and compromise are the characteristics of Yellowstone County's dynamic growth, and planning is a means of trying to anticipate or react to such characteristics.

There are two major types of park and recreation plans: (1) single purpose, or project plans, which have a specific objective such as the development of a neighborhood park, and (2) policy, or system plans, which have many objectives in a given planning area such as Yellowstone County. System or policy plans involve the acquisition and development of facilities in all County parks and provide a framework for decision making, while the project plan is often a specific vehicle for implementing all or a part of a policy plan.

Traditionally, too much effort has been placed on standardizing all parts of the system in time and space when greater diversity is necessary to serve most populations. For example, there is no reason why all

neighborhood parks must be public, flat, square, and contain a conventional mix of facilities. Likewise, there is no reason why parks and the planning information base should not be constantly reviewed and renewed to reflect changing population, technology, or environmental conditions. The concept of standardizing public parks to simplify management or be consistent within the system is arbitrary because it will not accommodate the desires of diverse and changing populations. Even within Yellowstone County, it was found that the same park standards could not be uniformly applied, and different standards were utilized for parks in and around Billings than were used in Custer, for example.

Traditionally, the park planning process attempts to reduce the inherent complexity with arbitrary guidelines or standards to produce uniform spaces or services, and the resulting product is a two-dimensional physical plan that is inflexible, uniform, and unrepresentative of many of the values, needs, or unique characteristics found in the planning area. A newer view of park and recreation planning sees the process as dynamic and incremental. The outcome of the process is not as predictable and the sequence of events may not flow smoothly; the components determine the system instead of the system determining the components. It is also less difficult to change any individual component, rather than the entire system, to respond to rapid or unexpected changes in financing or life-style. The impact of a taxpayer revolt, energy crisis, and aging population suggests this strategy is where the emphasis will be in the future with long range County park planning.

Regardless of orientation, park planning is a continuous process of change in response to new social values, lifestyle patterns, technology, legislation, and the availability of resources.

Most plans conform to the political jurisdiction of the planning unit (such as Yellowstone County), are comprehensive, and are oriented to serve the needs of the entire community area. However, the County community should be considered as a series of social groups or geographic areas with different values and needs. Planning for the mythical "average" person can be a serious mistake. Components of the plan can be devoted to special populations, such as the County's schools, or to special areas such as the extensive and unique high sandstone cliffs adjacent to Billings. This park planning study will combine aspects of user and resource-oriented park recreation planning because the County contains both a large urban user population and extensive, unique, natural open space opportunities.

Goals and Objectives

The overall goal of the Yellowstone County Park Plan is to improve the quality and opportunity of the public park experience commensurate with the resources of the County and its people. Specific objectives and concepts are as follows:

1. Develop an information base on County parkland resources and recreational needs that will be useful to decision makers now and in the future for making decisions on park management, acquisition, development, deposition, and administration.
2. Develop a park classification and standards system that will serve as a basis for future comprehensive and detailed planning efforts.
3. Preserve for present and future generations unique resources and natural park areas in the County.
4. Provide all people with access to diverse opportunities for recreation and park resources regardless of age, sex, income, cultural background, housing environment, or handicap.
5. Provide recreation facilities/experiences compatible with the resources and environments of particular parks.
6. As the opportunities arise, coordinate County park planning with other community, state, and federal recreation opportunities, areas, and programs to avoid duplication, encourage innovation, expand recreational opportunities, and save taxpayer dollars.
7. Integrate, where possible, County park planning with other public services such as education and mass transportation.
8. Provide park facilities adaptable to future requirements.
9. Provide objective, current, and relevant information to County decision makers about quantity and quality of existing or potential park recreation opportunities.
10. Promote communication, cooperation, and coordination between all concerned with community development.
11. Provide overall and long range park recreation perspective in current park planning decisions.
12. Serve the intent of federal, state, and local laws governing the acquisition, use, and development of parks.

13. Promote public understanding and support for more effective recreation planning.

14. Encourage innovation, demonstration, and research to improve the County's park system.

The Yellowstone County Park Planning Program

On April 12, 1983, the Yellowstone County Board of County Commissioners established by resolution the County Board of Park Commissioners. This resolution and the State enabling legislation allowing the creation of such a board, its membership, authority, jurisdiction, funding, and so forth are provided in the Appendix to this Plan. (The statutory provision for giving cash in lieu of park land during the land subdivision process is also included in this Appendix as is a State Attorney General's opinion interpreting some of the park-related statutes.)

The newly created Park Board faced the issue of determining the scope of the task that confronted them; even the number of County parks was unknown at that time, much less the sizes, locations, uses, and general disposition. The first step toward resolving this situation was the hiring of a earth sciences student from Eastern Montana College on a part-time basis to compile a preliminary inventory of all park lands in the County area. A two volume preliminary inventory was prepared consisting of approximately 110 pieces of parkland with photographs, copies of the survey or platting documents and other general information. This initial inventory contains very useful, basic information and should be considered a specific supplement to this Plan; it is located in the Park Board's Office in the County Courthouse.

Following the completion of the basic park land inventory, the Board of Park Commissioners decided, as the next step in their County-wide park planning program, to prepare a park plan that would comply with Section 7-16-2324 of the State codes (see Appendix 2) and further assist in their required decisions making process. To that end this Plan has been prepared.

Besides the initial inventory study, related area park planning studies were limited to general, state-wide recreation plans and related portions of the Billings Comprehensive Plan; in about 1970, Theodore J. Wirth & Associates had also prepared a good Park, Recreation, and Open Space Study for the Billings urban area which is still being used by the city today and which was utilized as a well established, time-tested reference for this Plan.³ Mountain West Research-North, Inc. of Billings also provided invaluable, state of the art, population data for the park planning districts into which the County was divided.⁴ (See Table 1.)

This study does not inventory or attempt to assess the recreation potential of existing private parks, homeowner association facilities, golf courses, tennis clubs, and other similar facilities. A sound, statistically valid sampling of a necessary cross section of the park user public in the County was also not undertaken, and the brief survey taken was designed to receive input from user groups and civic and conservation organizations which have expressed interests in area parks. (See Appendix 6 for survey format and results.) This limited survey was supplemented with public hearings and meetings with major influencers of area park policies such as Laurel and Billings' park and planning agencies; school districts; State Fish, Wildlife, and Parks Department; and the federal Bureau of Land Management.

Because of the lack of an established park planning program and the early stage of development of the Board of Park Commissioners administrative efforts, the organization and thrust of this Plan quickly evolved to that of addressing the mass of diverse, unassimilated park information, the immediate park lands problems already evident, and expressed wishes

of the public already manifested; the major focus is, therefore, on park lands--existing and future. This Plan does not get into the more advanced levels of overall "recreation" planning whereby, for example, linkage constraints are analyzed, manifest demand determined, and so forth. At this early stage of what will hopefully be a long term County park planning program, it was felt that just getting a sound basis from which to start such a program was most critical. This objective, then, coupled with recommendations for generalized future directions and policies provides the major basis of this Plan.

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Finally it should be noted that most local government's park and recreation plans are elements of and integrated into overall county or city planning programs through coordination with the comprehensive or general plan. Yellowstone County as yet does not have an overall general planning program, and the useful and familiar planning tools such as a land use plan, with its reflections of anticipated growth areas, projected roadway and utility service areas, etc., was not available. This lack of published, adopted, planning base information was compensated for by discussions with area planners, County Commissioners, experience with relevant studies (such as Billings annexation studies and Billings South Hills Urban Planning Study), existing plans such as those of Billings and Laurel, and area-wide planning of the type affiliated with agricultural programs; substantial input was provided by Mountain West Research-North with its County population data.

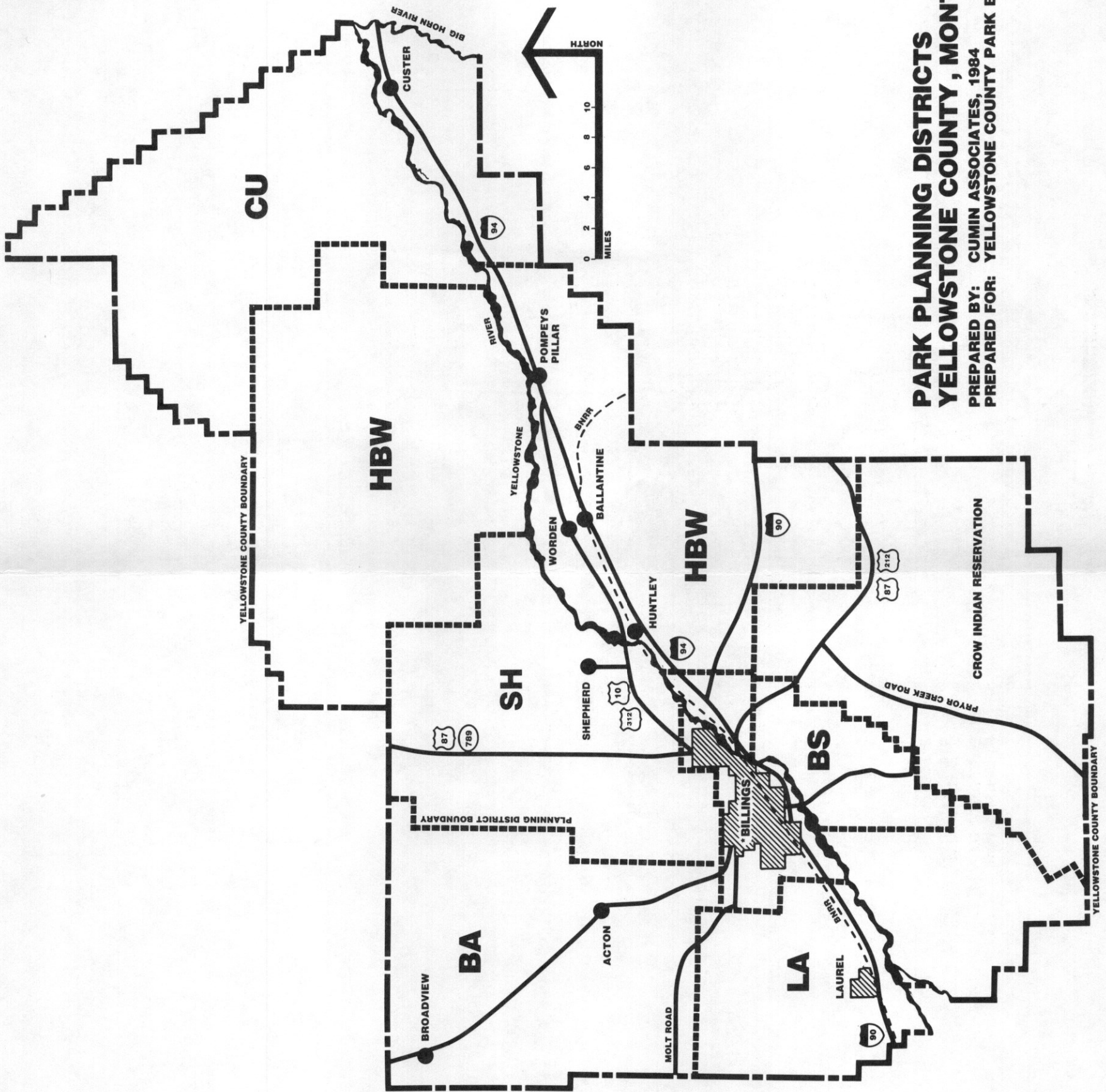
Because of the large geographic area involved and the large and diverse number of parks, the largest part of the time spent preparing this Plan was spent further inventorying the parks and sorting each out as to

Table 1

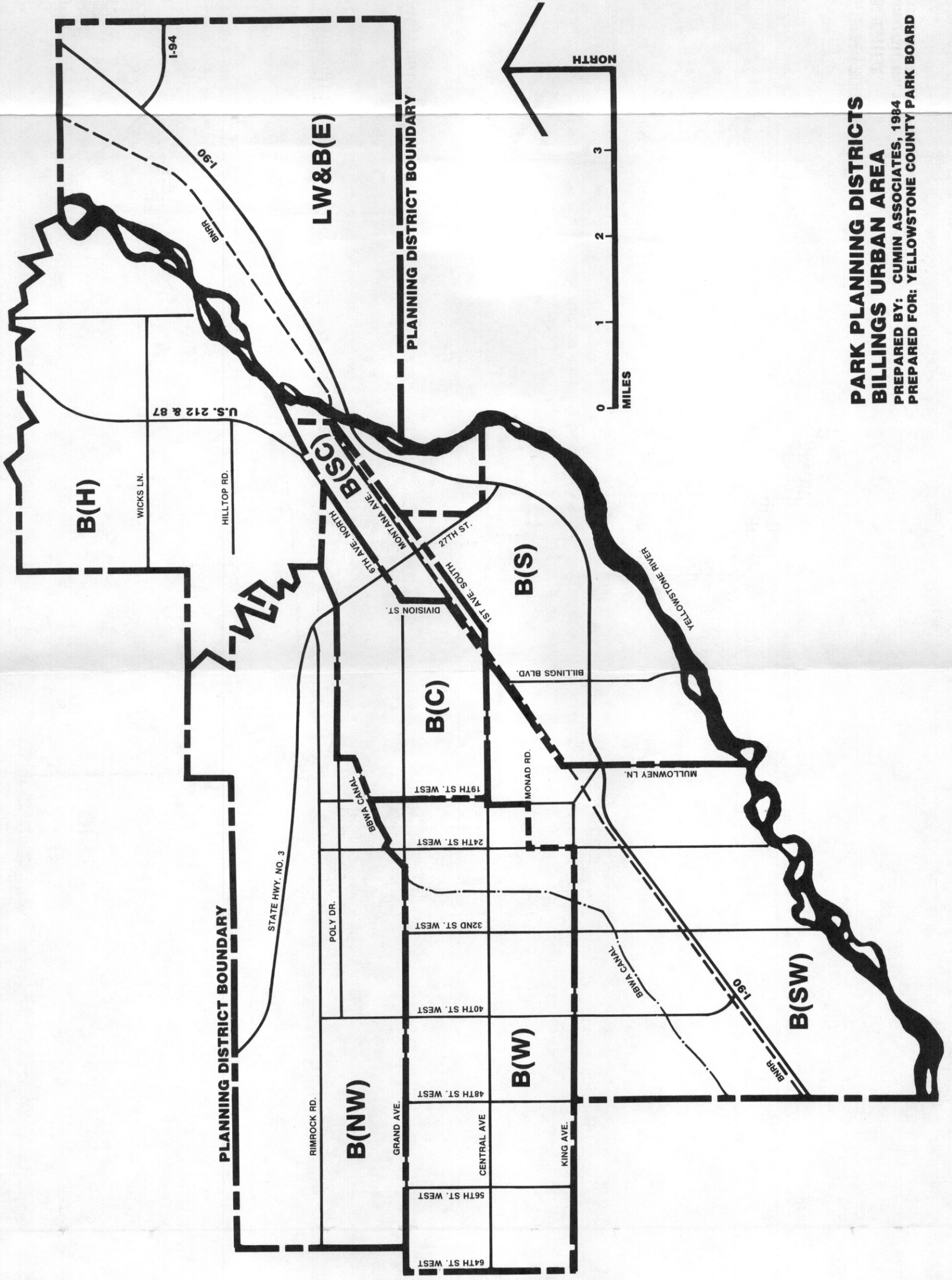
YELLOWSTONE COUNTY PARK PLANNING DISTRICTS

<u>PARK DISTRICT</u>	<u>LOCATION</u>
BNW	Billings Northwest
BW	Billings West
BSW	Billings Southwest
BC	Billings Central
BSC	Billings South Central
BS	Billings South
BH	Billings Heights
LW & BE	Lockwood & Billings East
SB	South of Billings
HBW	Huntley, Ballentine, Worden
SH	Shepherd
LA	Laurel & Area West of Billings
BA	Broadview Acton
CU	Custer

Source: Cumin Associates, Billings, Montana



**PARK PLANNING DISTRICTS
YELLOWSTONE COUNTY, MONTANA**
 PREPARED BY: CUMIN ASSOCIATES, 1984
 PREPARED FOR: YELLOWSTONE COUNTY PARK BOARD



**PARK PLANNING DISTRICTS
BILLINGS URBAN AREA**
 PREPARED BY: CUMIN ASSOCIATES, 1984
 PREPARED FOR: YELLOWSTONE COUNTY PARK BOARD

type, classification, and demand therefore. The parks ranged in size from over 155 acres to 0.1 acre; from islands in the Yellowstone River to isolated buttes; and from man-made bogs to well developed ball field complexes.

To simplify the planning process, the County has been divided into 14 planning districts based on population density and neighborhood or community characteristics. Each district can be described as being urban, suburban, or rural in nature, and each park is coded with the planning district abbreviation it is located within (see Table 1). The urban areas, located near Billings, have the highest population density, greatest projected growth, and the most immediate park needs. These districts are smaller units and are defined by major traffic roadways and natural features; each contain several neighborhoods. The district boundaries generally correspond to the super zones established in Yellowstone County's recently completed Employment, Population, and Housing Forecast For the Billings Urban Area (Mountain West Research-North, Billings, Montana, February 1984).⁵ Suburban areas include Huntley, Ballantine, Worden, and Shepherd and are contained in two districts which generally follow school district boundaries. The out-lying rural areas include the communities of Broadview, Acton, and Custer. These areas are described by two districts which also follow school district boundaries. The Indian Reservation lands are not included in the districts or addressed in this study. The planning districts are delineated on the maps included herein and summarized on Table 1.

Park Classifications and Standards

This Plan establishes standards that will be useful for the assessment, development, acquisition, and disposition of park land within Yellowstone County. Because of the diversity in community composition and geography, it is not feasible to use one park standard for all of the County and still adequately address urban needs and those of the suburban and rural areas. Therefore, three sets of standards were developed using the collective experience of several sources. Standards developed and currently being used by national planning and recreation associations were reviewed, including American Planning Association (APA), Urban Land Institute (ULI), National Recreation and Park Association (NRPA), and Heritage Conservation Resource Fund (HCRS). Standards were also discussed with state and other community planners in the region and their existing park planning programs and plans were reviewed for specific information. Local input was obtained through interviews, informal surveys, and dialogue with school district officials, citizens, local planners, and special interest groups. Review of the City of Billings' Park, Recreation, and Public Lands Department's recreational surveys standards and current park land status was also helpful. From this eclectic background, standards felt to be the most useful to Yellowstone County were established. Table 2 presents the proposed standards for urban and suburban Yellowstone County. The first column lists the various classes of proposed parks recommended to satisfy the County residents' recreational needs. The purpose, characteristics, and administration of each is described in more detail later in this Plan. The types of parks are divided into two categories: those that serve local needs and those that serve area wide needs. Local land

Table 2

PARKLAND STANDARDS FOR YELLOWSTONE COUNTY
(Urban and Suburban Areas) *

<u>Parks</u>	<u>Code</u>	<u>Minimum Standard (Acres/1000 Pop.)</u>	<u>Size (Acres)</u>	<u>Service Radius</u>	<u>User Group</u>	<u>Location</u>
<u>LOCAL OPEN SPACE-PLAN BY DISTRICT</u>						
Neighborhood Mini Park	NMP	None (.5-1.0 rec'd)	2.0	1/8 Mo.	Children	-Higher density sub- divisions -Serve subdivision neighborhoods
Neighborhood Open Space	NOS	None (1.0 Rec'd.)	Varies	Varies	All ages	-Localized natural features -Land use buffers
Neighborhood Park/Playground	HPP	U**2.5 S***3.0	2-8	1/4-1/2 Mi. 1/2-1 Mi.	All ages	-Central to neighbor- hood
Community Playfields	CPF	U 2.5 S 2.5	10+	1 Mi. 2 Mi.	Younger	-In multi-use parks, adjacent to schools or independent
Community Park (Multiple-use)	CMU	U 1.5 S 4.5	15+ 10+	2 Mi. 4 Mi.	All ages	-Land required for passive community recreation. May be associated with play fields, Natural areas, or independent
Community Natural Area/ Open Space	CNA	U 1.0 S no std.	10+	2-4 Mi.	All ages	-Ideally within 2 mile radius -Varies with available resource -Close to schools desirable

Table 2

PARKLAND STANDARDS FOR YELLOWSTONE COUNTY (CONT.)

Parks	Code	Minimum Standard (Acres/1000 Pop.)	AREA WIDE OPEN SPACE		Service Radius	User Group	Location
			Size	(Acres)			
Major Park	MJR	U 2.5 S 0	50+	30-60 Mi.	All ages	-Resource based river, rims, historical sites	
Regional Park	R	None (15+ rec'd.)	300+	County wide	All ages	-Series of parks and public lands.	
Recreation Corridor	RC	None	Varies	Urban area	All ages	-Located along signif- icant linear resources river, canals, rims; may use right-of-ways and easements to link to parks and other community facilities	
Special Use	SU	None	Varies	Varies	Varies	-Located in other community, regional, or major parks; could also be independent	

*Does not include Custer, Broadview, and Acton areas.

**Urban

***Suburban

- NMP-Mini Park
- NOS-Neighborhood Open Space
- NPP-Neighborhood Park/Playground
- CNA-Community Natural Area/Open space
- CPF-Community Playfields
- CMU-Community Multiple Use
- MJR-Major Park
- R-Regional Park
- SU-Special Use
- RC-Recreation Corridor
- EX-Excess Lands

needs should be planned for and projected by district to assure an even distribution of needed community and neighborhood park facilities. On the other hand, major parks, regional parks, recreation corridors, and special use parks can serve the entire County population (although use would be primarily from the major population center area) and should be located based on needs and resources. In some instances, no standard has been established for a particular park use, and development of these facilities should be based on need and opportunity.

Standards for suburban and urban areas vary slightly. People living in suburban areas tend to be more active in their recreational pursuits. Generally, the suburbanite can be expected to take advantage of varied indoor and outdoor programs at the neighborhood and community level, hence the location of parks near other community buildings such as schools. Residential subdivisions with large lot sizes tend to decrease the need for small parks which often merely duplicate facilities provided at home. The larger Neighborhood Park/Playground located within walking distance of user residents will provide active and passive recreation for the entire family. Community Multiple-Use Parks will best accommodate the community-wide recreational needs, and additional playfields on school sites will provide further areas for organized sports. Suburban areas in Yellowstone County are not of sufficient population to warrant consideration of a Major Park in the usually accepted sense.

The urban dweller tends to be less active and takes advantage of facilities closer at hand than does his suburban neighbor. In areas of high density and low income, the need for more smaller-sized recreation spaces increases; this includes development of more small neighborhood parks.

Neighborhood Open Space will also become more important in urban areas, and, properly located and landscaped, such Neighborhood Open Space will enhance the overall living environment of a city. Community Natural Area/Open Space also becomes more important to the people and the living-working environment in higher density areas as shown by the high interest expressed in such areas in the limited user group survey prepared as a part of this Plan (see Appendix 6).

The park needs of rural areas cannot be adequately expressed in the usual standards ratio of land to population. While the ten acres per 1000 population is a good starting point, it is also important that the space requirements of various needed facilities be considered to assure that adequate land is acquired. The State's Comprehensive Outdoor Recreation Plan proposes that each community is entitled to one of each type of facility. Rural residents tend to be the least active of the three population categories considered here, and their interests generally involve fishing, hiking, hunting, and similar activities. Rural residents also seem to prefer longer outings and tend to utilize regional, state, and national recreational opportunities. The need for playgrounds and neighborhood parks is less evident in rural areas, if it exists at all. Automobile-oriented parks--particularly community parks--are the type of areas most used by this group. Long-term recommendations for park planning in these outlying areas of the County are based on expressed need, adequate facilities, and knowledge of the community rather than an applied set of standards.

It is important that the County have a number of different types of parks. A common planning mistake is to "meet the standard" in terms of acreage but through the provision of one large park or a series of undersized

parcels. The end result is a failure to provide the desired variety of recreational experiences. The classification system presented in this section uses the terminology most common to the park and recreation profession.⁶ The described system consists of ten recreational or conservation oriented classifications and one administrative classification (Excess Lands).

Most of the lands in the County are acquired through the subdivision land dedication laws. Historically, it has been difficult for City/County Planning to acquire large parcels of land. As a result of the land acquisition difficulties, facilities commonly and ideally found in a larger community multiple use park of 25 acres plus have been developed in smaller, independent community parks. To respond to this reality, three community park classifications are included in the outlined system. These being Community Natural Areas, Community Park Multiple Use, and Community Playfields. Ideally, the County should strive to develop larger multiple purpose parks incorporating a variety of uses. However, if large parcels of contiguous land cannot be acquired, the community facilities should be developed to avoid conflicts between active and passive uses and to provide a variety of experiences. Too often the focus is on developing active facilities with natural quiet areas provided as a secondary use. The community natural area classification is included, because many of the parks in Yellowstone County are too small to accommodate both active and passive uses on the same site without conflict. The informal survey of County residents described earlier indicated a need for more natural areas.

Another unconventional classification included in this Plan is the non-recreation oriented category, Excess Lands. This classification was developed to identify lands with little recreation or conservation value.

Too often these lands fall into an open space classification and are held by park departments indefinitely. Retaining these lands is costly, and sales or leasing of excess land will provide revenue for future land acquisition or park development.

All of the park lands in Yellowstone County have been classified according to the described system. These classifications are based on present physical characteristics, site suitabilities, and use potentials. This information is used in the Parkland Standards Table (see page 17) of this document to project future park land needs.

CLASS OF PARKLAND: NEIGHBORHOOD PARK/PLAYGROUND (NPP)

SIZE: 2-8 acres

PURPOSE: Day use parks of limited size providing close to home opportunities for a variety of unstructured active and passive recreation activities. Parks will serve all ages with an emphasis on ages 5-18.

LOCATION: Adjacent to elementary school sites or central to residential neighborhoods of medium to high density.

ACCESS: Bicycles and pedestrians off public streets or utility R.O.W.'s.

ENVIRONMENTAL QUALITY: Low to moderate. Ecological sensitivity, moderate to high scenic value.

SITE SUITABILITY: Picnicking, informal playfields, multiple recreation uses. Irrigation potential.

LEVEL OF DEVELOPMENT: Moderate with an emphasis on retaining landscaped open space for picnicking and informal fields sports. Improvements may include play equipment, multi-use paved areas for court games, limited off street parking and picnic shelters.

CLASS OF PARKLAND: Neighborhood Mini-Park (NMP)

SIZE: .25-2.0 acres

PURPOSE: Small day use parks retained to accommodate various activities desired and developed by neighborhood or special interest groups. These parks are most viable in urban areas or in the context of small lot, multiple family or mobile home residential developments.

LOCATION: Varies, usually in residential neighborhoods. If accepted as part of subdivision land dedication requirement, should be located with potential to add land or locate with residential street frontage for future sale as residential lot.

ACCESS: Pedestrian required, vehicular recommended

ENVIRONMENTAL QUALITY: Varies, no significant detriments to development.

SITE SUITABILITY: Suitable for expansion or sale for alternate land use.

LEVEL OF DEVELOPMENT: Varies from low to intense depending on the facility. These small parks will accommodate a broad range of activities or facilities including play apparatus, court games, memorials, and gardens. Any use or development must be compatible with adjacent land uses and must comply with County Park Board management policies.

CLASS OF PARKLAND: NEIGHBORHOOD OPEN SPACE (NOS)

SIZE: Variable

PURPOSE: To preserve or enhance the environmental quality of the neighborhood. Parks may preserve natural features, act as buffers and provide limited recreational opportunities.

LOCATION: In or adjacent to medium to high density residential neighborhoods.

ACCESS: Primary accessibility is visual. Trails or walks are accessible to the public off traffic or utility corridors.

ENVIRONMENTAL
QUALITY: Varies, areas of high ecological sensitivity or scenic significance will be maintained in present state. Areas of low diversity or scenic significance should be developed to enhance the neighborhood environment.

SITE SUITABILITY: Land should be capable of enhancing the neighborhood environment through development of recreation resources, development of land use buffers, or preservation of a natural feature.

LEVEL OF
DEVELOPMENT: Low to moderate. Parks may be landscaped or left in a natural state. Improvements may include sidewalks, bikepaths, hiking or nature trails.

CLASS OF PARKLAND: COMMUNITY NATURAL AREAS/OPEN SPACE (CNA)

SIZE: Variable-no standard

PURPOSE: Parks preserve areas of high natural resource value or special natural or environmental features. They provide opportunities for passive recreation and study of the natural environment or conserve features of community significance (i.e., rims, river)

ACCESS: Visual access to enhance open space value. Pedestrian and non-motorized vehicle trails as well as limited/controlled vehicle access may be permitted within the environmental limitations of each site.

ENVIRONMENTAL
QUALITY: Sites containing significant scenic or natural resources, or ecological diversity.

SITE SUITABILITY: Community resource and environmental conservation value.

LEVEL OF
DEVELOPMENT: None to moderate. Emphasis is on preservation of community environmental resources. Passive recreation and environmental education opportunities may be incorporated if the site can support them without adverse impact. Improvements might include nature trails, rustic picnic areas, interpretive displays, controlled parking areas, nature center, and bike paths.

CLASS OF PARKLAND: COMMUNITY PLAYFIELDS (CPF)

SIZE: 10-20 acres

PURPOSE: A large outdoor recreation area developed primarily to serve the active recreational needs of the junior and senior high school ages and adults of the community. Playfields provide specialized facilities for daytime and evening programmed activities.

LOCATION: Central to community. In rural and suburban areas it is desirable to locate playfields adjacent to high school sites. Community Playfields may be part of a Major or Multiple Use Community Park.

ACCESS: Pedestrian and bicycle access. Vehicular access of non-residential street.

ENVIRONMENTAL QUALITY: Low ecological diversity and sensitivity.

SITE SUITABILITY: Ability to develop adequate on site parking, properly oriented sports fields, sanitary facilities, and lighting. Potential for drinking water and irrigation water supply is desirable.

LEVEL OF DEVELOPMENT: Intense development of specialized athletic facilities for organized competition. The athletic complex may include baseball, soccer and football fields, tennis courts, swimming pool, and track improvements. May include lighting, spectator seating, concession, rest-room, and storage buildings. Picnic and playground facilities may be provided as a secondary use.

CLASS OF PARKLAND: COMMUNITY PARK-MULTIPLE USE (CMU)

SIZE: 20+ acres

PURPOSE: Multiple use community parks are designed to provide a wide variety of recreational opportunities. Parks provide for day and evening use by all segments of the population. Ideally, these parks incorporate elements of community natural areas and playfields as well as less structured activities within an ornamental landscape setting. The larger size community park allows for a variety of non-conflicting uses.

LOCATION: Located central to several neighborhoods, may often be located in close proximity to a high school or junior high school site.

ACCESS: Pedestrian access and vehicular access off non-residential street.

ENVIRONMENTAL
QUALITY: Environmental diversity is desirable. Ideally, site will provide areas of ecological diversity to remain as natural areas and less sensitive areas to be developed into multiple use playfields and landscaped picnic areas.

SITE SUITABILITY: The site should have access to utilities and be capable of providing parking, sanitary facilities, and water for irrigation and drinking.

LEVEL OF
DEVELOPMENT: Moderate to high; park will be developed to provide as many non-conflicting uses as possible facilities. May include elements of Community Natural Areas and Playfields with additional emphasis placed on unstructured, open space for group picnicking and informal lawn games, walks, and bikeways. Structures may include shelters, community center, storage facilities, concession building, comfort station, and amphitheatre. Playfields should be developed to provide for a variety of uses.

CLASS OF PARKLAND: MAJOR PARK (MJR)

SIZE: 50-100 acres

PURPOSE: A large resource based park, designed to provide large numbers of people with a wide variety of recreational day and evening uses. Major Parks provide for both intensive uses and passive pursuits within a natural setting or landscape setting. Facilities are provided to serve all segments of the population.

LOCATION: Generally located within a 45-minute drive of major population center. Billings is the only city in Yellowstone County that has the population base to support a park of this type.

ACCESS: Vehicular access off major arterial street. Pedestrian and vehicular access off of recreation corridors is desirable.

ENVIRONMENTAL
QUALITY: Site diversity is desirable. Parks often contain areas of high natural resource or scenic value.

SITE SUITABILITY: On site parking, sanitary facilities, year round access, ability to develop a variety of facilities.

LEVEL OF
DEVELOPMENT: Moderate to high. Park will be developed with regard for the resource and environment. Park will be developed to provide high quality recreation experience while preserving areas of outstanding resource value. Facilities include swimming, boating, picnicking, court games, gardens, and natural areas, ice skating, trail systems. Structures may include pavilion, amphitheatre, concession, storage, community center, and restrooms. The park may also contain special use facilities such as golf courses or historic sites.

CLASS OF PARKLAND: REGIONAL PARK (R)

SIZE: Varies, minimum 500 acres

PURPOSE: Regional parks serve multi-governmental units and are usually administered by a regional body. Parks provide a wide range of day and overnight uses. Regional parks are usually natural resource based and are developed to serve the entire population. Often large portions of the land area remain undeveloped for the purpose of preserving significant areas of the natural landscape or to provide extensive open space or green belt areas.

LOCATION: Generally associated with areas of significant natural, cultural, or historical resource value.

ACCESS: Good access off arterial road system. Service area within a one hour drive. Parkway system is often part of a Regional Park.

ENVIRONMENTAL
QUALITY: Areas of high scenic and natural resource value; ecological diversity desirable; often preserves areas of unique geologic, historic, archeologic, or cultural significance.

SITE SUITABILITY: Varies. Will be determined by the level of development intended. This should only be developed to an extent which will not compromise the existing resource.

LEVEL OF
DEVELOPMENT: Varies. Will be based on the resource carrying capacity. May include roads, parking areas, sanitary facilities, as well as elements of Community Natural Areas, Multiple Use and Major Parks. Regional Park land often serves as an integral part of a trail system or green belt linking several community facilities and parks.

There are currently no developed or undeveloped parks in Yellowstone County conforming to the conceptual model of a Regional Park. However, a number of park sites centered around a single resource such as the Yellowstone River could be viewed as a Regional Park complex. This concept is proposed by Wirth Associates in Park, Recreation and Open Space Study for the Billings, Montana Urban Area and in the Bicentennial Study.

Implementation of this concept should be pursued as a cooperative effort between the City, County and state and federal public agencies. Riverfront Park, as developed, is more appropriately defined as a Major Community Park.

CLASS OF PARKLAND: SINGLE/SPECIAL USE FACILITY (SU)

SIZE: Varies

PURPOSE: Parks provides unique recreational opportunities to a variety of age groups. Central feature may be a golf course, zoo, historic site, festivals, amphitheatre or ski areas. Special facilities often serve the entire region or state and may attract population from a larger base.

LOCATION: Usually located near urban areas or significant resource which is basis for development.

ACCESS: Generally accessible to entire population off of major arterial street.

ENVIRONMENTAL
QUALITY: Varies, generally of significant historical, natural or scenic value.

SITE SUITABILITY: On site parking, sanitary facilities.

LEVEL OF
DEVELOPMENT: Varies with facility.

CLASS OF PARKLAND: RECREATION CORRIDOR (RC)

SIZE:

PURPOSE: Linear parks establish extensive and continuous strips of land and water dedicated to recreational travel including hiking, biking, horseback riding, cross country skiing and canoeing. Parks serve the entire community population.

LOCATION: Corridors may be located adjacent to or independent of vehicular routes and may utilize utility easements, ditch and railroad right-of-ways, and easements through private and public lanes.

ACCESS: Parks should connect and be accessible from community parks and recreation centers.

ENVIRONMENTAL
QUALITY: High scenic value, lands should be adequately buffered from traffic and congestion to provide a pleasureable travel experience.

SITE SUITABILITY: Topography and soils suitable for developing trails and pathways.

LEVEL OF
DEVELOPMENT: Low to moderate.

CLASS OF PARKLAND: EXCESS LANDS (EX)

SIZE: Varies, often small parcels may include larger parcels with limited recreational conservation value.

PURPOSE: Excess land classification qualifies lands with limited or no recreational potential for disposition or sale. Revenues generated will be used to maintain and develop existing County parks or to acquire additional, needed parklands.

LOCATION: Varies, often land is located in areas not accessible to the public or in subdivisions where the lot size precludes the need for a park. Extremely small parcels, located with no possibility for expansion, are classified as excess lands unless there has been expressed interest for neighborhood groups to develop or manage the property.

ACCESS: Lands often inaccessible to the public.

ENVIRONMENTAL
QUALITY: Varies.

SITE SUITABILITY: Recreational potential is limited due to location, size, or detrimental off or on-site characteristics.

LEVEL OF
DEVELOPMENT: None. If interest in managing or developing the parklands is expressed, and plan submitted, the Park Board will consider reclassification.

PARK PLANNING DISTRICTS

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list,
districts*

Introduction

As described earlier herein, the County has been divided into 14 park planning districts which represent geographical areas of the County; each district has present and projected population estimates to the year 2010.

Prior to recommendations and decisions being made regarding County parks, a review of the parks status in the relevant districts should be made. For example, if a land subdivision is proposed in the northwest Billings area (BNW), a review of that district in this Plan will provide information as to amount of park land in the district, anticipated population, type of parks available or needed, etc. Although recommendations are made elsewhere in this Plan, the breakdown in this section by geographic areas is the parks planning management approach felt to be most efficacious given the areas and amount of data being analyzed.

Standards may be used as a general guide for estimating future needs and demands, however, they should not be rigorously applied. Each planning district must be considered in its own context, taking into consideration unique resources, geographic relationships, existing facilities, future growth potential, etc. Tables for each of the planning districts following describe the projected municipal parkland requirements for Yellowstone County urban and suburban areas, and acreage requirements are projected by planning districts for the years 1985 and 2010 using a ratio of 10 acres per 1000 population and the delineated parklands standards discussed earlier

Table 1

PARKS WITH REGIONAL PARK SYSTEM POTENTIAL

	<u>Park</u>	<u>Map #</u>	<u>Size</u>
1.	Rims Regional Park:		
	Echo Canyon	128	15.5
	Holfeld	99	0.3
	Hypark Subdivision	162	26.0
	Indian Cliffs	125	24.2
	Western Skies	124	2.4
	Zimmerman	11	71.9
2.	Riverfront Regional Park		
	<i>RIVERFRONT PARK</i>		<i>350.0</i>
	Agricenter	116	2.2
	<i>JOSEPHINE & BLUE SKY ISLANDS</i>	<i>12</i>	<i>60.0</i>
	Carla Island	117	25.0
	Kimble	167	0.7
	C/S 1152 (<i>part of Riverfront</i>)	118	54.0
	Riverside Estates	120	6.8
	Two Moon	29	150.6
	Coulson	48	60.0
3.	BBWA Regional Recreation Corridor		
	Madsen	33	1.4

Source: Cumin Associates, Billings, Montana

in this Plan. As can be noted, the distribution of acreage in urban and suburban areas varies based on the described standards and the rationale therefore. Parklands can accommodate several specific functions including recreation, open space preservation, and resource conservation. The projected needs tables for each district describe the minimum lands needed to accommodate community active and passive recreation needs. For rural parks guidelines--although 10 acres per 1000 population is a good reference standard--better local park planning may be accomplished by reflecting the specific needs and desires of the people who live in such areas. This type of specific user survey is easy to obtain because of the small populations involved and by the area sense of community inherent in small rural towns--a community sense that can be determined by representatives of the local citizen group or civic organization which is the political and social focal point of the community.

An additional 15 acres per 1000 population is recommended for regional parkland. It is not realistic to assume that the County can acquire or manage this amount of land with its limited and traditional taxing resources. Regional Park needs are best met through the cooperative efforts of federal, state, and local governments. The County park program can contribute, through appropriate land areas, to a Regional Park system such as with Riverfront, Two Moon, and Coulson Parks. The projected Regional Park need for Yellowstone County in 1985 is 1,717 acres. This will increase to 2,803 by 2010 (based on 15 acres per/1000 population, the minimum recommended by such usual standards as those of the National Recreation and Parks Association. This figure should be adjusted upwards if existing, significant natural resources, such as Yellowstone River frontage, the Billings rims, etc., are not protected and integrated into the area's parks resource.

Table 2

PARKS/POPULATION STANDARD

Acres of Park/1000 Population

<u>Class of Park</u>	<u>Urban Standard</u>	<u>Suburban Standard</u>
Neighborhood Park/Playground (NPP)	2.5	3.0
Community Playfield (CPF)	2.5	2.5
Community Multi-Use (CMU)	1.5	4.5
Community Natural Area (CNA)	1.0	*
Major (MJR)	2.5	*

*No Standard determined; emphasize specific characteristics and needs of the local community.

Source: Cumin Associates, Billings, Montana

At the end of each Planning District section is a Park Recommendation Table which outlines specific recommendations relating to the management of parks in that district. The first three columns list the individual park, map number and size. The fourth column indicates the present park classification and column five indicates a future classification--a classification based on park potential, anticipated land use characteristics, and future park needs as described in the Parklands Standards section of this Plan. Generally a classification change will require additional land, or will be the result of a lack of interest in developing the park; it may also indicate alternative uses based on user input from the public. The sixth column, "Action", outlines immediate recommendations to be taken by the County. The recommendations fall into one of three categories: excess, retain, or lease. The following column (seven) comments on more specific issues and objectives of the recommended action. The final column briefly discusses criteria for the proposed action. The terms "excess", "retain", or "lease", when used as recommendations are defined as follows:

Excess Lands:

Parks recommended for classification as excess lands are lands that currently provide no recreation opportunities and whose future park value is questionable; ultimately the County should sell all excess lands. In some instances there is no immediate market and an interim solution would be to lease the lands for any use that will not impair future sales. A few of the parks have undesirable physiographic or use characteristics which will make them unmarketable. For example, marshlands and lands with no access or lands with extreme slopes or severe soils limitation problems have limited value for recreation or any other land use, for that matter. The County will probably be burdened with the management of these land indefinitely. Parks recommended for the excess lands classification have one or more of the following characteristics:

1. Parks are located in a developed neighborhood where there has been no interest expressed by residents in developing or maintaining the park. (These parks are indicated with a N--for potential neighborhood development--following "excess".) The County will need to verify that these lands are excess prior to disposing of them. A procedure for neighborhood and special interest groups to follow in developing parks is included in Appendix 5 of this Plan.
2. Parks are of limited recreation or conservation value. The recreation and conservation value of each park has been assessed by evaluating several factors including ecological sensitivity and diversity, recreational facility, suitability, access and parking, current and projected land use characteristics, and the availability of other recreation opportunities in the vicinity.
3. Parkland that is currently undeveloped and in a deteriorating condition as a result of dumping, misuse, or other abuse.
4. Parklands that are located or developed in a manner that they would be better administered by another agency or group such as homeowners, schools, or special interest groups.
5. Lands located in areas of the County where current and projected park needs indicate an excess of that particular type of park. This recommendation is most common to small parks that are less than two acres in size.

Leasable Lands:

Leasing of County parkland is a management technique with the advantages of preserving lands for future development, generating revenues allocable to the County Park Board fund, and minimizing maintenance problems and costs associated with vacant land. In order for land leasing to be an effective management technique, the County will need to establish a program to actively pursue acquiring leases of fair market value on all leasable lands. Perhaps other County departments or communities would be interested in participating in a land leasing program as a means of managing all unused government lands. This concept needs to be explored further to analyze the costs and benefits, and ideally the cost of implementing the program would be covered by the revenues generated and the cost savings resulting from reduced maintenance.

Parks recommended for leasing have one or more of the following characteristics.

1. Excess lands with no immediate market value.
2. Parks currently used for non-recreational purposes.
3. Parks held as kind of landbanks (undeveloped park lands being retained by the County in anticipation of future needs).
4. Lands suitable for grazing or agriculture and located in growing areas where the land and park values are expected to increase with time.
5. Park land in as yet unoccupied subdivisions where neighborhood interest cannot be established.

Retained Lands:

The previously discussed management recommendations of leasing or classifying as excess are presented with the goal of reducing the County Park Board's administrative responsibilities. However, there are several

parks whose present condition and use suggests that they be retained and that the County take an active role in administering the maintenance, use, and development. It will be possible for the County to reduce the amount of neighborhood park land that they are responsible for maintaining by placing stricter requirements on subdividers as part of the subdivision improvement agreements.

Parks recommended to be retained by the County have one or more of the following characteristics:

1. Parks with current or future potential for providing community recreation opportunities.
2. Neighborhood parks that are currently developed and are being maintained by the County (i.e., Harris Park).
3. Developed parks being maintained by agreements with special interest groups (i.e., Poly Vista, Hillner, Dokken).
4. Neighborhood parks where the residents have expressed interest in developing the park and abuse or deterioration is not currently a problem.
5. Park land located in areas where future need for a neighborhood park is projected but the level of subdivision occupancy makes it difficult to determine the neighborhood residents' interest.
6. Significant natural areas and areas that may be part of a Regional Park system.

Billings Northwest (BNW) Parks Planning District

The area bounded generally by 64th Street West, Grand Avenue on the south, just east of the airport on the east, and north to include Indian Cliffs and land atop the rims is delineated in this Plan as the Billings Northwest Park Planning District. As with most of the districts discussed herein it is coterminous with a population and housing district from a recent Billings study. In 1985 it is expected that 15,784 people will live in this area, a figure increasing to 23,588 by 2010. Table 3 shows the parks in this district at the present time by map reference number (keyed to large County maps in the County Park Board Office), park name, class of park, and the amount of developed or undeveloped acres therein. As with the rest of the park planning district herein, both County and city administered parks are included on this list because of the inability to determine park needs by population increment without considering total park opportunity available--both in city and out. As can be seen, there is a total of 54.9 acres developed and 213.7 acres undeveloped in the BNW District.

Table 4 shows the existing park lands and the amount of park land needs by type or class of park facility for urban and suburban park lands based on the standards of population previously discussed (which will apply for all of the similar park status tables that follow). Each of the planning district tables herein provide for the potential demand for a Major Park. This has been separated out because the standard service area of such a park is larger than the planning districts used herein (having a service radius of one hour and serving a population of 80 to 100,000). The Major Park, therefore, overlaps all of the planning districts,

Table 3

PARKS-BILLINGS NORTHWEST PARK PLANNING DISTRICT

<u>Map #'s</u>	<u>County Parks</u>	<u>Class</u>	<u>Acres Developed</u>	<u>Acres Undeveloped</u>	<u>Total Acres</u>
61	Byron Nelson	NPP		4.0	4.0
82	C/S 986	NOS		0.2	0.2
43	Cynthia	NPP		2.0	2.0
59	Dokken	NMP	0.8		0.8
162	Hypark Sub. Un-named	CNA(R)*		26.0	26.0
125	Indian Cliffs	CNA(R)		24.2	24.2
62	Palisades	NPP		4.0	4.0
35	Poly Vista	CPF	24.3		24.3
52	Rim Point	NPP		7.3	7.3
103	Rimrock West	NMP		1.5	1.5
71	Robert Trent Jones	NOS		4.0	4.0
106	Rosetta	NMP		0.8	0.8
124	Western Skies	CNA(R)		2.4	2.4
86	Yellowstone Meadows	NMP		1.6	1.6
81	Zimmerman Acreage Tr.	NMP		1.0	1.0
11	Zimmerman Public	MJR(R)		71.9	71.9
	Subtotal		25.1	150.9	176.0
	<u>City Parks</u>				
8	Alphabet Parks	NOS	1.3		1.3
70	Boulder	NPP	5.0		5.0
22	Cameron	CNA(R)		5.0	5.0
178	Country Club Hts.	CNA		5.0	5.0
4	Grandview	NOS	5.0		5.0
88	Heffner	CNA(R)		0.4	0.4
42	Kiwanis Durland	NPP	3.0		3.0
21	Mariposa	NMP		1.6	1.6
13	Panoramic Heights	CNA		5.5	5.5
80	Pineview-Silverwood	NOS		1.1	1.1
186	Ramada	NMP		1	1
93	Rib's Ridge	CNA(R)		1.5	1.5
104	Rocky Elementary	NMP		0.1	0.1
105	Rocky Village	NMP	1.5		1.5
122	Sand Cliffs	CNA(R)		4.5	4.5
83	Skyline	CNA		25.0	25.0
20	Smith Sub.	NMP		.3	.3
108	Smoky Subdivision	CNA(R)		.1	.1
25	Valleyview	CNA(R)		3.7	3.7
30	Veterans	CMU	11.0		11.0
46	Westwood	NPP	3.0		3.0
122	Wilshire	CNA(R)		8.0	8.0
	Subtotal		29.8	62.8	92.6
	Total		54.9	213.7	268.6

*(R) Potential Regional Parks

Source: Cumin Associates, Billings, Montana

but the potential demand from each district is included in each of the tables. In each of the tables, also, is a total existing acreage for Neighborhood Mini-Parks and Neighborhood Open Space for each district; these two park types do not have useful, established standards of demand but do contribute to an area's park opportunities and experience.

Table 4

BILLINGS NORTHWEST-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 15,784)		2010 (Population: 23,588)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	26.4	39.5	59.0
Community Playfields (CPF)	24.3	39.5	59.0
Community Multi-Use (CMU)	11.0	23.7	35.4
Community Natural Area (CNA)	112.2	15.8	23.6
Total Local Parks	173.9	118.5	177.0
Major Park (MJR)	71.9	39.5	59.0
 Total	 245.8	 158.0	 236.0
Total when Mini-Parks and Open Space included	267.6	-----	-----

Source: Cumin Associates, Billings, Montana

Parklands in this, the Billings Northwest District are abundant and well distributed; however, the lack of development, limited size, and natural characteristics of many of the parks fail to provide present residents in this district a full range of recreation opportunities. A large percentage of the lands in this district are Community Natural Areas/Open Space. The major natural resource-based park lands comprising

the Eagle Sandstone rimrock formations should be protected and maintained as part of a Regional Park system.

Opportunities for active recreational pursuits in a Community Park and Playground setting (see earlier Parkland Standards Table) are limited, although there are private recreation facilities such as the Yellowstone Country Club with its golf, tennis, and swimming facilities and the Yellowstone Racquet Club with its indoor and outdoor courts and facilities which will mitigate, somewhat, the lack of active, public recreational opportunities. Acquisition of more level 10-acre pieces of land adjacent to the rims would allow the County to develop a Community Multiple Use Park in a spectacular setting. Development of additional community facilities should be part of the master plan of continued improvements for Poly Vista Park. The Arrowhead School's proximity to Poly Vista provides opportunities for use as community center.

Neighborhood park land is abundant in northwest Billings, however, the development potential is hindered by the limited size of many parcels. The County should pursue disposition of Rosetta, Rush, and Robert T. Jones Parks, as these lands offer limited recreational opportunities. Future Neighborhood Park/Playground needs will best be met by acquiring additional land adjacent to Cynthia, Zimmerman Acreage Tract, Yellowstone Meadows, and Rimrock West Parks. These existing parks are all located in growth areas, less than two acres in size, and can be added to through future subdivision land dedication. Byron Nelson and Palisades Parks should be the first priorities for Neighborhood Park/Playground.

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*extraneous
park
page*

Table 5

BNW PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria For Recommendation</u>
Byron Nelson (61)	4.1	NPP	NPP or Excess	Retain	Homeowner's Plan Pending	Good park potential, located in developed residential subdivision, no sign of deterioration, expressed interest by home owners. (IN YCC AREA)
C/S 986(82) (ROSH PK)	17	NOS	Excess	Excess	Lease or sell	Very limited recreational value, agricultural potential
Cynthia (43)	2.0	NPP	NPP	Lease	Lease until park need is identified	Located in undeveloped small lot subdivision with potential to add additional park land, agricultural suitability, minimal development in area.
<i>annexed</i> Dokken (59)	.8	NMP	NMP	Retain	Homeowners are maintaining	Park is located in a developed subdivision. The park is landscaped and well maintained.
<i>annexed</i> Hypark Sub. Un-named (162)	26	CNA(R)*	CNA(R)	Retain	Monitor use & budget for maintenance.	Part of Rims Regional Park
Indian Cliffs (125)	24.16	CNA(R)	CNA(R)	Retain	Monitor use & budget for maintenance	Part of Rims Regional Park
<i>annexed</i> Palisades (62)	4.02	NPP	NPP or Excess	Excess(N)**	Sell unless neighborhood assumes responsibility	Located in well developed neighborhood, is presently used as a dump site.
<i>annexed</i> Poly Vista (35)	24.33	CPF	CPF	Retain	Continue to work with ball leagues on management	Heavily used playfield, current development and management is by ball leagues.
<i>annexed</i> Rim Point (52)	7.33	NPP	NPP or Excess	Excess(N)	Sell unless neighborhood assumes responsibility	Located in well developed residential neighborhood. Park shows some kind of use by children.
<i>annexed</i> Rimrock West (103)	1.54	NMP	NPP or Excess	Lease	Monitor development and park needs of area.	Currently farmed; future residential lot potential. Located in large lot subdivision with some development.

Table 5, BNW PARK RECOMMENDATIONS AND COMMENTS (CONT.)

Robert Trent Jones (71)	4.02	NOS	Excess	Excess	Check with con- servations groups located in well developed subdivision.	Park is marsh with limited recreation potential. Park is					
Rosetta (106)	.76	NMP	NPP or Excess	Lease	Monitor growth & park needs of area.	Currently farmed. Future residential lot potential. Ability					
Western Skies (124)	2.42	CNA(R)	CNA(R)	Retain	Monitor use & management needs	to add land with future subdivision.					
Yellowstone Meadows (86)	1.64	NMP	NPP or Excess	Lease or sell	Monitor devel- ment & park needs of area	Part of Rims Regional Park.					
Zimmerman Acreage Tr. (81) <i>at medical Soc.</i>	1.01	NMP	NPP or Excess	Lease	Monitor growth and park needs of area.	Currently farmed. Located off 50th Street West adjacent to unplatted land.					
Zimmerman Public (11)	71.85	MJR(R)	MJR(R)	Retain	Monitor use & management needs.	Small parcel in undeveloped area, currently farmed.					

*(R) Potential Regional Park

** (N) Possible development by neighborhood residents if there is any interest
Source: Cumin Associates, Billings, Montana

Billings West (BW) Parks Planning District

Billings West is a park planning district bounded by about 64th Street West on the west, Grand and King Avenues on the north and south respectively, and approximately 19th Street West on the east; the whole area is generally flat topographically. The 1985 population is projected to be 15,738, growing to 25,587 by the year 2010, a 63 percent increase. Table 6 shows the present number of parks in this district--both City of Billings and Yellowstone County parks--and the amount developed and undeveloped. As indicated, of the 243.9 total acres of parks in this district, 183.1 acres are developed and the rest, 60.8 acres, are undeveloped. City parks take up 88 percent of the total park land area.

Parklands in this Billings West District are abundant but unevenly distributed, and the location and development potential of future parklands should be given primary consideration in planning for this district.

The majority of lands in this district are smaller parcels suitable for neighborhood facilities which will be valuable in accommodating future Neighborhood Park/Playground needs in this high growth area. (There are actually no excess neighborhood park lands in the County's jurisdictional area.) The County should continue to add Neighborhood Park/Playground lands as part of the subdivision land dedication process. As discussed elsewhere in this Plan, however, all park requirements in new subdivisions cannot be as land for neighborhood parks and playgrounds. Larger park land areas accommodating other types of parks are needed and can usually not be gotten through land dedication requirements (except through large subdivisions). Consequently, the cash in lieu of land provision in park dedication requirements allows land to be improved elsewhere than just in

Table 6

PARKS-BILLINGS WEST PARK PLANNING DISTRICT

<u>Map #'s</u>	<u>County Parks</u>	<u>Class</u>	<u>Acres Developed</u>	<u>Acres Undeveloped</u>	<u>Total Acres</u>
45	Canal	NOS(R)*		3.4	3.4
96	Clydesdale	NPP		6.3	6.3
56	Grand Acres	NMP		0.3	0.3
44	Lampman	NPP		9.5	9.5
155	Un-named C/S 2189-2175 (Wells Garden Estates)	NPP		3.0	3.0
	Subtotal		0.0	22.5	22.5
	<u>City Parks</u>				
55	Burlington	NPP	5.0		5.0
27	Gorham	NPP	7.0		7.0
136	Harvest	NOS & NPP SERIES**	23.8		23.8
89	Heritage	NPP		7.0	7.0
47	Homestead	CPF		28.9	28.9
38	Lillis	NOS(R)	26.0		26.0
69	Millice	NPP	4.4		4.4
187	Olympic	NOS & NMP SERIES**	21.0		21.0
31	Rose	CMU	25.9		25.9
37	Sacajawea	CPF	10.0		10.0
92	Stewart	MJR	60.0		60.0
110	Vo Tech	NOS		2.4	2.4
	Subtotal		183.1	38.3	221.4
	Total		183.1	60.8	243.9

*Potential Regional Park

**Series of small lineal parks

Source: Cumin Associates, Billings, Montana

the land area being subdivided. Land should be added to Wells Garden Estates and Grand Acres as surrounding lands are platted. Clydesdale Park is a good-sized Neighborhood Park/Playground with future community park potential if additional lands can be acquired; it presently has good arterial roadway access and adjacent land can be added to it via land subdivision dedication as the area develops.

At the present time, the County does not own or control any lands of adequate size to develop community parks or playfields in this district. Consequently, high priority should be to acquire land in or development rights to a 10-20 acre parcel on the west end of this district for future development as the urban area extends westward.

Table 7
BILLINGS WEST-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 15,738)		2010 (Population: 25,587)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	67.8	39.4	64.0
Community Playfields (CPF)	30.0	39.4	64.0
Community Multi-Use (CMU)	25.9	23.6	38.4
Community Natural Area (CNA)	0.0	15.7	25.6
Total Local Parks	123.7	118.1	192.0
Major Park (MJR)	<u>16.0</u>	<u>39.4</u>	<u>64.0</u>
Total	263.4	157.5	256.0
Total when Mini-Parks and Open Space included	186.1		

Source: Cumin Associates, Billings, Montana

Table 8

BW PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria For Recommendation</u>
Clydsdale (96)	6.33	NPP	CPF	Lease	Landbank, add lands.	Located in undeveloped area. Platted for small lots. Good excess and ability to add lands through platting.
Grand Acres (56)	.29	NMP	NPP or Excess	Lease	Consider future sale or expansion	Too small for recreational use, located in undeveloped area, currently farmed, access off Broadwater.
Lampman (44)	9.5	NPP	NPP	Excess	Transfer to City	Land is located within city limits and would be best administered by city. Located in new developed residential neighborhood.
Wells Gardens Estate C/S 2189-2175 (155)	3.0	NPP	NPP or Excess	Lease	Verify access to park	Located in undeveloped subdivision, land could be added through future plats, currently farmed.
William Johnston (79)	1.08	NMP	NMP or Excess	Excess (N)*	Sell if no neighborhood interest.	Located in large lot subdivision, no possibility of adding land. Residential lot potential.

Lockwood PK

*(N) Possible development by neighborhood residents if interest expressed
Source: Cumin Associates, Billings, Montana

Billings Southwest (BSW) Parks Planning District

The southwest area of Billings from the Yellowstone River to King Avenue--including the interstate highway area--and extending generally from the central part of Billings southwestward to 40th Street West is the Billings Southwest Park Planning District. A notable characteristic of this district is that it contains large commercial and industrial development parks and general light industrial land uses that like the interstate highway exposure; this non-residential land use can be seen reflected in the low resident population figures for the district. The 1985 population is projected at 2,740, growing 181 percent to 7,708 people by 2010. The only park in this area is a city park, Comanche Park (Map number 49) a developed Neighborhood Park/Playfield of three acres.

Table 9

BILLINGS SOUTHWEST-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 2,740)		2010 (Population: 7,708)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	3.0	6.8	19.3
Community Playfields (CPF)	0.0	6.8	19.3
Community Multi-Use (CMU)	0.0	4.0	11.6
Community Natural Area (CNA)	0.0	2.7	7.7
Total Local Parks	3.0	20.3	57.9
Major Park (MJR)	0.0	6.8	19.3
Total	<u>3.0</u>	<u>27.1</u>	<u>77.2</u>
Total when Mini-Parks and Open Space included	3.0	-----	-----

Source: Cumin Associates, Billings, Montana

As with other districts in west Billings, this southwest area is a prime growth area, although--because of the intermix of commercial and industrial land uses which will logically continue here--the resident population is not expected to increase to the density found in the Billings West and Northwest Planning Districts. State enabling legislation does not provide for the public donation of land in non-residential subdivisions, however, the provision of open space is an important design factor in well planned commercial/industrial parks, such as The Homestead which is located in this district. Most developers of such business parks are aware of the need for quality design with open space and well landscaped parkways, but future subdivision development proposals need continued encouragement by local government during the review and approval process.

Park planning and provision for this district--with only one three-acre park in existence--are in their initial stages, and new residential subdivisions park proposals can be reviewed not only as each relates to the park experience of the proposed development but also as it contributes to the larger park facility needs of this district. A portion of Canyon Creek runs through this area and the entire district is bounded on the south by the Yellowstone River--both features which can contribute to exciting future park development.

Billings South (BS) Parks Planning District

This Planning District is also bounded on its south side by the Yellowstone River and has Interstate Highway 94 looping through it; most of the area in the district south of the interstate is County and most of the land north thereof is in Billings. The district's west boundary is Mallowney Lane, the north boundary extending southwest-northeast is, generally, the Montana Avenue-Burlington Northern Railroad line, and the east (more specifically northeast) is the present city limits line along the area of 27th Street. The Billings South District contains some large tracts of prime development land and is the area containing Riverfront and Josephine Parks. As shown in Table 10, this district contains 216.8 acres of Billings and County parks, 180.6 acres of which are administered by Billings. As discussed earlier, the major parks which are included in this planning district provide a park opportunity far beyond the limits of the district. The 1985 projected population is 11,372 which is anticipated to grow to 21,164 people by 2010. Table 11 shows park land needs by type of park for both 1985 and 2010.

A large amount of the County park land in this district, which contains more park land than any other district in the County, is potentially part of the Yellowstone River Regional Park system concept. As such, further and continued cooperation, planning and administration between the County, Billings, federal agencies, and the State Fish, Wildlife, and Parks Department needs to be maintained and encouraged. Billings presently administers Carla Island and Riverside Estates Parks as well as Riverfront Park while the County administers Agricenter and Kimble parks and the park in C/S 1152. Attention needs to be given to

*no C.S. 1152
is part of
Riverfront!*

Table 10

PARKS-BILLINGS SOUTH PARK PLANNING DISTRICT

Map #'s	County Parks	Class	Acres Developed	Acres Undeveloped	Total Acres
116	Agricenter	CNA		2.2	2.2
77	Byrnes Stephens	NOS		0.5	0.5
117	Carla Island	MJR(R) *		25.0	25.0
167	Kimble Park	CNA(R)		0.7	0.7
101	Peterson	NMP		1.0	1.0
120	Riverside Estates	CNA(R)		6.8	6.8
	Subtotal		0.0	36.2	36.2
	<u>City Parks</u>				
12	Big Sky Islands + Josephine	MJR(R)		60.0	60.0
64	Highland	NPP	5.0		5.0
185	Kings Green	NPP		4.0	4.0
36	Optimist	CMU	20.0		20.0
26	Ponderosa	NPP	5.0		5.0
119	Riverfront	MJR(R)	30.0	51.6 295.	51.6 325
2	South	CMU	17.0		17.0
18	Streeter	NPP	3.0		3.0
114	Wilson	CPF		15.0	15.0
	Subtotal		50.0 80.0	130.6 374.0	180.6 454.0
	Total		50.0 80.0	166.8 410.2	216.8 490.2

Correction: Mike
Hank 7-27-87.

*(R) Potential Regional Park

Source: Cumin Associates, Billings, Montana

developing some parks in the future in this area--or planning therefore-- as none of the County park land in this district is developed. For example, Peterson Park is the only piece of County park land south of the overpass (and not part of the riverside park environment), and consideration should be given to adding land to this parcel and developing a Neighborhood Park/Playground facility. There are no developed sports-fields in this district, and Billings should be encouraged to develop Wilson Park. Byrnes-Stephens Park has very limited recreation potential and should be disposed of. Further development of Riverfront Park will meet most of the needs for a community park in this district. The 1985 Neighborhood Park/Playground shortage noted in Table 11 is about ten acres; this can be easily obtained through future land subdivision park dedication requirements.

Table 11

BILLINGS SOUTH-PARKS AVAILABILITY AND NEEDS PROJECTION

Class of Park	1985 (Population: 11,372)		2010 (Population: 21,164)
	Existing Acreage	Needed Acreage	Needed Acreage
Neighborhood Park/Playground (NPP)	17.0	28.5	53.0
Community Playfields (CPF)	15.0	28.5	53.0
Community Multi-Use (CMU)	37.0	17.1	31.8
Community Natural Area (CNA)	9.6	11.4	21.2
Total Local Parks	70.6 78.7	85.5	159.0
Major Parks (MJR)	415.0 410.0	28.5	53.0
Total	493.6	488.7	212.0
Total when Mini-Parks and Open Space included	573.7	490.2	

Source: Cumin Associates, Billings, Montana

*Correction
made 7-27-87*

Table 12

BILLINGS SOUTH (BS) PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Agricenter (116)	2.19	CNA(R)*	CNA(R)	Retain	Consider joint administration with City	Part of Riverfront Regional Park
Byrnes Stephens (77)	.52	NOS	Excess	Excess	Sell	Located in undeveloped platted subdivision, park needs maintenance and is currently used for vehicle storage.
Peterson (101)	.98	NMP	NMP or Excess	Excess(N)	Lease potential	Located in small lot residential neighborhood, current use is pasture

*(R) Potential Regional Park
Source: Cumin Associates, Billings, Montana

Billings Central (BC) Parks Planning District

This Park Planning District is wholly within the City of Billings municipal limits. It is included here in this County Plan to provide the relevant park lands per population information to complete the overall County needs analysis and projection. To this end Tables 13 and 14 are here included.

Table 13

PARKS-BILLINGS CENTRAL PARK PLANNING DISTRICT

<u>Map #'s</u>	<u>City Parks</u>	<u>Class</u>	<u>Acres Developed</u>	<u>Acres Undeveloped</u>	<u>Total Acres</u>
7	6th & Division Triangle	NOS	.25		.25
28	Athletic	MJR	10		10
23	Burg	NPP	4		4
174	Burlington Circle	NOS	.20		.20
175	Burnstead	CNA		6	6
65	Central	CMU	12		12
179	Delphinium Circle	NOS	.25		.25
19	Evergreen	NPP	6		6
182	Hedge	NOS	1		1
1	North	CMU	16.5		16.5
6	Pioneer	CMU	34		34
188	Poly Triangle	NOS	.33		.33
189	Rock Island	NOS	.75		.75
190	Rosebud	NPP		3	3
66	Spring Creek	NPP	2.5		2.5
9	Terry	NPP	3.8		3.8
192	Triangle	NOS	.5		.5
	Total		91.68	9	100.68

Source: Cumin Associates, Billings, Montana

Table 14

BILLINGS CENTRAL-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985	2010
	(Population: 23,935)	(Population: 30,286)
	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	59.8	75.8
Community Playfields (CPF)	59.8	75.8
Community Multi-Use (CMU)	35.9	45.5
Community Natural Area (CNA)	23.9	30.3
Total Local Parks	179.4	227.4
Total when Mini-Parks and Open Space included		

Source: Cumin Associates, Billings, Montana

Billings Southcentral (BSC) Parks Planning District

As with Billings Central, this Park Planning District is also wholly within the municipal limits of Billings. The discussion, again, is therefore limited to Tables 15 and 16 here included.

Table 15

PARKS-BILLINGS SOUTHCENTRAL PARK PLANNING DISTRICT
(CITY)

<u>Map #'s</u>	<u>City Parks</u>	<u>Class</u>	<u>Acres Developed</u>	<u>Acres Undeveloped</u>	<u>Total Acres</u>
				60.0	60.0
121	Amend	CMU	0.25		0.25
171	Baptist Church	NMP	2.0		2.0
3	Community	NOS	0.3		0.3
192	MacIntyre Triangle	NOS	<u>1.0</u>		<u>1.0</u>
193	S.I.D.'s 2nd & Division	NMP			
	Total		3.55	60.0	63.55

Source: Cumin Associates, Billings, Montana

Table 16

BILLINGS SOUTHCENTRAL-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985	2010
	<u>(Population: 1,766)</u>	<u>(Population: 1,353)</u>
	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	4.5	3.5
Community Playfields (CPF)	4.5	3.5
Community Multi-Use (CMU)	2.7	2.1
Community Natural Area (CNA)	1.8	1.4
Total Local Parks	13.5	10.5
Major Parks (MJR)	4.5	3.5
Total	18.0	14.0
Total when Mini-Parks and Open Space included	----	----

Source: Cumin Associates, Billings, Montana

Lockwood and Billings East (LW & BE) Parks Planning District

Lockwood and Billings East Park Planning Districts are two separate geographic areas connected by the East Bridge of the interstate highway over the Yellowstone River; both are characterized by mixed land uses adjacent to both sides of an interstate highway. Such land uses extend from pleasant and expensive homes on large wooded tracts in Emerald Hills to large oil refineries and agricultural stockyards; a dominant influence of the sprawling Lockwood area is the lack of a central sewage treatment system. A new interstate interchange access to be built in this area (at the Johnson Lane site) will spur further land development of all types as will a roadway link from Billings Heights spanning the Yellowstone River (still in the long range plans at this time). All of this district is out of the municipal limits of Billings.

The area has a population estimated to be 4,996 by 1985, increasing 34 percent to 6,702 by 2010. The inventory of park lands is shown in Table 17 ; twenty-four of the 139.3 acres of parks in the district are developed. Table 18 shows the parks by type and projected need for 1985 and 2010.

There is a good balance of lands, parks, and park uses relative to the present population in this planning district. Although there are several developed or partially developed parks, many of the developed parks suffer from a lack of maintenance. Developed parks include Harris, Hillner, Brooksdale, and Lockwood.

Long range park planning should focus on developing more community-class recreation facilities; playfields are a high priority. The County should discourage building permanent ballfields in small neighborhood

Table 17

PARKS-LOCKWOOD & BILLINGS EAST PARK PLANNING DISTRICT

<u>Map #'s</u>	<u>County Parks</u>	<u>Class</u>	<u>Acres Developed</u>	<u>Acres Undeveloped</u>	<u>Total Acres</u>
73	Bel Aire	NMP		1.5	1.5
24	Brookdale	NPP	1.8		1.8
SOLD 68	C/S 1310	NOS		1.9	1.9
34	Charles Russel	NOS		3.8	3.8
48	Coulson	MJR		60.0	60.0
75	Dry Creek	NPP		1.9	1.9
84	Harris	NPP	2.5		2.5
14	Hillner	NPP	7.1		7.1
51	Lockwood	CPF	10		10
115	Lockwood Jr. High	CMU		16.3	16.3
74	McKenzie	NOS		10.0	10.0
17	Pinehill	NOS		8.9	8.9
168	Sannon	NPP	2.6		2.6
97	Sled	NOS		8.7	8.7
SOLD 87	Shawnee	NMP		1.4	1.4
SOLD 79	William Johnston	NMP		1.1	1.1
	Total		24.0	115.5	139.5

*at Spotted Jack
& Noblewood*

Source: Cumin Associates, Billings, Montana

parcs as excessive fencing in these small parks limits their desirable multiple use potential. Consideration should be given to developing the junior high school site as a multiple use community park and/or expanding Lockwood Park for this purpose. Future, less structured, and passive community park needs will be accommodated by developing Coulson Park. Yellowstone County should carefully evaluate the recreation suitability of any lands proposed as dedications for parks in future subdivisions, as large-lot subdivisions often dedicate open space land with very limited recreational potential. A cash donation may be more appropriate.

Further consideration include:

- Bel Aire Park: Lands could be added; pasture potential (for lease)
- C/S 1310 Park: Only 1.9 acres in large-lot subdivision; pasture potential but no access; sell to adjacent land owner.
- McKenzie Park: Open space, good for cross-country skiing and trails; try to acquire access in future plat (it has none now).
- Charles Russell Park: Retain as open space and neighborhood natural area.

Table 18

LOCKWOOD AND BILLINGS EAST-PARK AVAILABILITY AND NEEDS PROJECTION

Class of Park	1985 (Population: 4,996)		2010 (Population: 6,702)
	Existing Acreage	Needed Acreage	Needed Acreage
Neighborhood Park/Playground (NPP)	14.0	12.5	16.8
Community Playfield (CPF)	10.0	12.5	16.8
Community Milti-Use (CMU)	16.3	7.5	10.1
Community Natural Area (CNA)		5.0	6.7
Total Local Parks	40.3	37.5	50.4
Major Park (MJR)		12.5	16.8
Total	40.3	50.0	67.2
Total when Mini-Parks and Open Space included	126.6	-----	-----

Source: Cumin Associates, Billings, Montana

Table 19

LW PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Bel Aire (73)	1.25	NMP	NPP or Excess	Excess(N)*	Sell if no interest by neighborhood	Located in developed small lot residential subdivision, add land to south if kept.
Brooksdale (24)	1.82	NPP	NPP	Retain	Needs maintenance	Currently used for sports fields.
G/S 1310 (68)	1.9	NOS	NOS	Excess	Sell, verify size & location	Located in undeveloped large lot subdivision, no platted access
Charles Russel (34)	3.83	NOS	NOS	Retain	County administered, Monitor use & needs	Aesthetically pleasing, natural area, located in area with limited development.
<i>Two Moon Coulson (48)</i>	60	MJR(R)**	MJR(R)	Retain	County administered, Monitor use & needs.	Part of Riverfront Regional Park. <i>already listed as Two Moon</i>
Dry Creek (75)	1.88	NPP	NPP or Excess	Excess(N)	Sell if no interest by neighborhood	Park is small relative to lots and is of limited recreational value.
Harris (84)	2.48	NPP	NPP	Retain	Acquire, add land	Existing partially developed park, acquire additional land in future subdivision.
Hillner (14)	7.12	NPP	NPP	Retain/county administered	Budget for maintenance	Existing partially developed park.
Lockwood (51)	10	CPF	CPF	Retain	Budget for maintenance	Located in well developed residential neighborhood, land grant to County for park.
Lockwood Jr. High (115)	16.25	CMU	CMU or Excess	Excess	Negotiate with school district	Land would be better administered and developed by school district.

SOLD

64

HTS PPD

Table 19 LW PARK RECOMMENDATIONS AND COMMENTS (CONT.)

		NOS	NOS or Excess	Excess(N)	Sell if no interest by neighborhood	Land is deteriorating, located in partially developed residential neighborhood.
Pinehill (17)	8.92	NOS	NPP	Retain	Budget for maintenance	Land is being used as dump and ORV trails, located in partially developed residential neighborhood, existing ball fields.
Sannon (168)	2.61	NPP	CMU	Lease	Landbank	Located in developing residential neighborhood, all land with future plats.
Sied (97)	8.74	NOS	NMP	Excess	Sell	Too small and of limited recreational value, dry, close to highway.
Shawnee (87)	.34	NMP	CNA	Retain	Landbank acquire access	Located in partially developed subdivision, good potential for natural area.
McKenzie (74)	9.99	NOS				

SOLD →
65

SOLD → WILLIAM JOHNSTON

*(N) Possible development by neighborhood residents if interest expressed
 **(R) Potential Regional Park
 Source: Cumin Associates, Billings, Montana

This was not there

Billings Heights (BH) Parks Planning District

This Park Planning District extends northeast of the airport and north of the Yellowstone River and is bounded, generally, on the north by Five Mile Creek; this area experienced the highest residential growth rate of any part of Yellowstone County in the 1970's, and its primary traffic thoroughfare, Main Street, is one of the busiest streets in the State. The south end of Main Street, where it enters central Billings, is also a major traffic bottleneck as it is the only access for this whole area into Billings proper. With current expansion, extension, and creation of Billings municipal sewer collection and treatment service into large areas of the Heights which previously had no such service, the area will continue to be a high growth area for residential subdivisions.

In 1985, the Heights is projected to have a population of 16,060, expanding to 24,661 people by the year 2010--a 54 percent increase. The district is the location of one of the first natural area park lands in Yellowstone County, Two Moon Park. This park, along with Billings Swords Park (184.2 acres) contributes to the large amount of park land in this district and both parks are prime components of Major/Regional Park systems--Two Moon along the Yellowstone River and Swords along the Billings rimrocks. As shown on Table 20, the Heights district contains 559.2 acres of parkland, 90 percent of which is undeveloped; 32 percent of the park lands are County of which all but 0.8 acres at Beartooth School are undeveloped.

Park lands in this district are abundant but are, for the most part, undeveloped, of limited size, and located in developed areas. Most of the excess lands are within the Billings city limits. The County's focus in

Table 20

PARKS-BILLINGS HEIGHTS PARK PLANNING DISTRICT

Map #'s	County Parks	Class	Acres Developed	Acres Undeveloped	Total Acres
166	Alkali Creek (CAVE? 2.22.12)	NMP		0.7	0.7
126	Beartooth School	NPP	0.8		0.8
99	Holfeld	NOS(R)*		.54	.54
33	Madsen	NMP		1.4	1.4
135	Oxbow	NOS		10.3	10.3
153	Quarterhorse	NPP		4.7	4.7
40	Sun Valley	NPP		8.9	8.9
29	Two Moons	MJR(R)		150.6	150.6
	Subtotal		0.8	176.94	177.74
	<u>City Parks</u>				
58	Afflerbaugh	CNA		3.0	3.0
210	Alkali Creek	CNA		26.0	26.0
15	Arrowhead	NPP	2.9		2.9
133	Brewington	NOS		1.7	1.7
41	Bridle Moon	MJR(R)		23.0	23.0
112	Castle Rock	CMU	8.0	20.0	28.0
154	Daniels - STILL CO	NPP		6.1	6.1
67	Dickie 2 PARCELS	NPP		4.0	4.0
50	Dick Logan TX CODES:	NOS		6.2	6.2
91	Edgerton 1) A 26224	NPP	6.0		6.0
181	Golden View 3.98 AC	NOS		2.5	2.5
32	Hawthorne 2) A 24654A	NPP	3.7		3.7
183	Hultgren	NMP		2.0	2.0
113	Independence 2.05 AC	NPP		2.1	2.1
76	Lutheran	NMP	1.0		1.0
16	Meadowlark	NPP	13.7		13.7
39	Pow Wow	NPP		16.0	16.0
102	Primrose	NMP		0.9	0.9
78	Rolling Hills	NMP		1.1	1.1
107	Sahara Sands	NPP		17.0	17.0
72	Sally Anne	NPP		2.9	2.9
60	Sheri Cleavenger	NPP	11.6		11.6
134	Summerhill	NPP	2.6		2.6
5	Swords	MJR(R)		184.2	184.2
138	Terrace Estates	NOS(R)		5.6	5.6
90	Walsh	NPP	6.0		6.0
111	Windsor Circle Imperial	NPP		2.0	2.0
	Subtotal		55.5	326.3	381.8
	Total		56.3	502.9	559.2

*(R) Potential Regional Park

Source: Cumin Associates, Billings, Montana

this high growth area should be to acquire lands for specific, as indicated, future needs. Lands acquired through future subdivision land dedication should be carefully evaluated based on physical park development potential, as many of the parcels the County has accepted to date have limited park value.

There are presently no community parks or lands suitable for community parks in the County's jurisdiction in this district, and the future focus should be on acquiring lands for community parks in the north and northwest areas of the district. Throughout the area, there is a shortage of developed parks. Development of Lake Elmo State Park would provide area residents with active and passive community facilities. Sun Valley Park has the potential to be developed as a community park if additional lands can be acquired to the north. Brewington, Oxbow, and Alkali Creek Parks are small parks with limited recreational potential because of size, location, or physical character. Beartooth School Park is a small parcel located next to a school and an attempt to transfer administration of this park to the school district should be made. Madsen Park is a small neighborhood park located adjacent to the BBWA Canal.

The access and parking area for Two Moon Park should be improved for more picnicking and fishing access opportunities; there should be no infringement, however, of the protected and pedestrian-only, natural area of this park. Consideration should be given installing drain tile along the uphill side of the access road to channel some of the hillside seepage away from the roadway which, because of the constant seepage, is in constant need of repair. The much larger issue of hillside seepage and its cumulative effect along the entire length of the park will also need

attention soon. The County should also consider raising the lease fee on the mobile home park at the entrance to the park. Because Two Moon does contain a small amount of protected vegetative wilderness, it will be a sort of haven for wildlife including white tail and mule deer, ducks, foxes, etc. very close to the city, and such wildlife will orient to the area. At the same time, the mere presence of such animals will attract that very small element of the population who just wants to kill some game animals irregardless of the park sanctuary. This same type of mentality can be seen in those who operate off road vehicles (ORV) in the park; both the animal killing and the ORV use occur now. This unfortunate situation is also not limited to just Two Moon but occurs wherever opportunity and a certain amount of seclusion combine. Although the County Sheriffs' Department and State Department of Fish, Wildlife, and Parks are concerned with such wildlife and park abuse, they need assistance of a caring and watchful park user public who can provide usable descriptions of vandals and their license numbers.

Table 21

BH PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Alkali Creek (166)	.69	NMP	Excess	Excess	Sell as resident lot division, close to large city open space/natural area.	
ANNEXED Beartooth School (126)	.78	NPP	NPP or Excess	Excess	Negotiate school district, admin-istration	Currently used by adjacent school for recreation too small to be of value to county parks system.
Madsen (33)	1.37	NMP	NPP or Excess	Excess(N)*	Sell unless neighborhood assumes responsibility	Located in partially developed neighborhood, no signs of use.
70 Oxbow (155)	10.286	NOS	NOS or Excess	Excess(N)		Hills covenants provide agreement to use/improve. Located in partially developed small lot residential subdivision.
Quarterhorse (153)	4.67	NOS	NOS or Excess	Excess(N)	Sell if no interest by neighborhood	Limited recreation potential, no ability to add land by platting, potential for residential lot sales adjacent to railroad tracks.
Sun Valley (40)	8.924	NOS	CMU	Lease	Landbank, add land	Park contains quality natural area, additional land could be used to develop facilities and create pleasant multiple use community park.
Two Moons (29)	150.55	MJR(R)	MJR(R)	Retain	Monitor use & maintenance needs	Part of Riverfront Regional Park System.

*(N) Possible development by neighborhood residents if interest expressed
Source: Cumin Associates, Billings, Montana

Table 22

BILLINGS HEIGHTS-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985	2010	
	(Population: 16,060)	(Population: 24,661)	
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	117.0	40.3	61.8
Community Playfields (CPF)	0.0	40.3	61.8
Community Multi-Use (CMU)	28.0	24.2	37.1
Community Natural Area (CNA)	29.0	16.1	24.7
Total Local Parks	174.0	120.9	185.4
Major Parks (MJR)	357.7	40.3	61.8
Total	531.7	161.2	247.2
Total when Mini-Parks and Open Space included	558.8		

Source: Cumin Associates, Billings, Montana

South Billings (SB) Parks Planning District

The South Billings Park Planning District is located in the area generally south of the Yellowstone River and north of the Crow Indian Reservation. The area also includes the area of the high cliffs east of Billings, where the television towers are located, and the adjacent Horse-shoe Hills residential tracts. The chief characteristics of the district are that it is sparsely populated (14,173 people estimated for 1985), and the terrain is mostly high, dry hills and juniper covered gullies; there are some exceptionally beautiful natural areas to be found near the high cliffs. (Cedar Park, just across the south Yellowstone River Bridge, is a prime and very attractive example of the latter.) The large (950 acres) Briarwood Planned Unit Development which contains an 18-hole golf course and planned park area as well as about 1,500 housing units is located in this district. Unlike the rest of this South Billings area, Briarwood has both a central water and central sewer system. Long range development, which is expected to grow to 14,173 residents by 2010, is also affected by the limited access of only one bridge to the area across the Yellowstone River. The parks in the area are shown in Table 23; all of the 33.5 acres of park land are County and all are undeveloped. Park planning in this district needs to concentrate on actual development of some parks. As most of the area is still in large tracts, future land subdivision (probably mostly residential) can contribute both land and money to such needed development, and the County Parks Board needs to be a part of the subdivision plat review process. This is a prime area where the County Commissioners can perhaps encourage actual development of some new subdivision parks through reduced land area requirements (for parks), allowing higher densities, etc.

Table 25

PARKS-SOUTH BILLINGS PARK PLANNING DISTRICT

<u>Map #'s</u>	<u>County Parks</u>	<u>Class</u>	<u>Total Acres*</u>
147	Briarwood 1st	NOS	1.9
208	Briarwood 2nd	NOS	8.5
57	Cedar Park	NOS	3.8
137	Falcon Heights	CMU	10.0
85	Hakert	NOS	0.8
94	Quonta	NOS	2.1
53	Sharon	NOS	4.0
54	Valley	NOS	<u>2.4</u>
	Total		33.5

*All undeveloped at the present time
 Source: Cumin Associates, Billings, Montana

Table 24

SOUTH BILLINGS-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 2,689)		2010 (Population: 14,173)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)		6.8	35.5
Community Playfields (CPF)		6.8	35.5
Community Multi-Use (CMU)	10.0	4.1	21.3
Community Natural Area (CNA)		2.7	14.2
Total Local Parks	10.0	20.4	106.5
Major Park (MJR)		6.8	35.5
 Total	 10.0	 27.2	 142.0
Total when Mini-Parks and Open Space included	55.5	----	----

Source: Cumin Associates, Billings, Montana

(See Subdivision Development Parks section of Future Parks Acquisition Chapter of this Plan.) The South Billings District also contains the south side of the Yellowstone River and the potential Major/Regional Park implications thereof need to be kept in mind. In addition, this area also contains extensive federal lands administered by the Bureau of Land Management (BLM) which suggests continued coordination and cooperation with that agency in addressing the park and long range recreation needs of this area. BLM has been involved in providing off road vehicle use areas and, recently, in the coordination of the creation of a park buffer natural area adjacent to the large Billings landfill operation. Further exploration of possible local-federal coordination which will help fulfill the park and recreation needs of the area populace needs to be undertaken and promoted.

Table 25

SB PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Briarwood Park 1st Filing (147)	1.86	NOS	NOS	Retain	Part of subdivision open space plan	Located in developing master planned community
Briarwood Park 2nd Filing (208)	8.54	NOS	NOS	Retain	Part of subdivision open space plan	Located in developing master planned community
Cedar Park (57)	3.8	NOS	NOS	Retain	Monitor use & management needs.	Located in small lot residential, partially developed subdivision, good neighborhood, natural area, drainage.
Falcon Heights (137)	9.96	CMU	CMU	Lease	Landbank, add land	Current use as trailer park, adjacent to school, some develop in area, site diversity
Hakert (85)	.77	NOS	NOS or Excess	Excess(N)*	Needs maintenance	Land is surrounded by undeveloped large lots, site is currently used for dumping, Blue Creek runs through lots, good large lot potential.
Quanta (94)	2.12	NOS	NOS or CNA	Retain	Needs maintenance, add land	Some dumping occurring, part of flood plain, limited development potential, conservation value to neighborhood.
Sharon (53)	3.99	NOS	NOS or Excess	Excess	Sell, trade or lease	Hillside with limited recreation or conservation value, no access.
Valley (54)	2.43	NOS	NOS or Excess	Retain Excess(N)	Parcel 3 Parcel 1 & 2	Three pieces of land, two of which could be sold as residential lots, a portion is in flood plain, third provides good buffer from highway and lots.

*(N) Possible development by neighborhood residents if interest expressed
Source: Cumin Associates, Billings, Montana

Laurel Area (LA) Parks Planning District

The Laurel Area Park Planning District takes up the southwestern part of Yellowstone County and includes the City of Laurel. The Laurel area is unique in that it has a City-County Parks Board which not only administers the parks within that city but also in a 4.5-mile jurisdictional planning area around the city. This Park Planning District includes sandstone hills and flat sugar beet farmland, considerable frontage of the Yellowstone River including the confluence therewith of the Clarks Fork of the Yellowstone, a reliever airport (to Billings), a large oil refinery and railroad complex, and the myriad other land uses of small dynamic communities. The 1985 population is estimated to be at 11,554 growing to 19,600 people by the year 2010. The inventory of the district's parks is shown in Table 26. Those parks indicated as "County Parks" are those County park lands outside of the jurisdiction of the Laurel 4.5-mile planning area. The City of Laurel has prepared and adopted a Laurel Parks Plan.

Table 26 shows the 55.7 acres of County jurisdictional area parks are all undeveloped. Of the total of 213.4 acres of parks in this district, 60.7 acres are developed. Table 27 shows the projection of park land needs by type of park. Of interest to this Plan are the seven parks shown as "County Parks" and the future park developments in this district outside of the Laurel 4.5-mile planning area. Most of the parks are under utilized now due to the large-lot, low density character of the residential development; consideration should be given to leasing such parks until more residential growth occurs. This County area is not a high growth district (except for its northeastern most corner), and proposed subdivisions will probably be large acreage tracts for at least another ten years. As with many of the

...one, my taxes - and the count
of the property - had been reduced. The appraisal value
very close to what I (we - she) should be able to get on the mark.

Oh yes, no need to ask for a refund of the excess taxes you've been
paying all these years if you do find errors. These will be very accom-
modating people you'll meet in the appraiser's office, but you're still
dealing with the U.S. Government.

•••••

For those of you who have questioned our ability to correctly spell
the name of the city's largest park, read on.

**THERE IS NO "P" IN THE WORD "THOMSON" - AS IN THOM-
SON PARK. NEVER HAS BEEN - NEVER WILL BE.** Maps hanging
all over this town are wrong. It is not "Thompson" Park!

The late Peter D. Thomson, long-time mayor of Laurel, is our final
authority on the matter.

•••••

calls

Laurel Volunteer Fire Department
Darrell L. McGillen, fire chief
Annual aid to Park City Volunteer Fire Depart-
ment

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Table 26

PARKS-LAUREL AREA PARK PLANNING DISTRICT

*should be BWW
PK PLNG DIST
(Need city whole
map tho)*

Map #'s	County Parks	Class	Acres Developed	Acres Undeveloped	Total Acres
157	✓ Century	NPP		5.6	5.6
128	Echo	CNA		15.5	15.5
129	✓ Eggebrecht	NPP		4.5	4.5
127	✓ Homewood	NPP		7.7	7.7
132	✓ O'Donnell (C/S 1233)	NPP		3.8	3.8
130	✓ Pike	NPP		5.3	5.3
131	✓ Plenty Coup	NPP		13.3	13.3
	Subtotal		0.0	55.7	55.7
	<u>City Parks</u>				
150	Beartooth View	NMP		1.0	1.0
206	Birch & E. Fourth	NMP		0.2	0.2
164	Cove Creek (L)	NMP		1.6	1.6
196	Cove Lane Park	NOS		1.8	1.8
161	DeCarlo	NMP		1.5	1.5
158	High Point	CMP		9.5	9.5
198	Kiwanis	NMP	1.0		1.0
? 160	Laurel Softball Complex	CPF	10.0		10.0
173	LP #4 Interstate	CMU		19.6	19.6
177	LP #6 Interstate	CMU		20.0	20.0
? 200	Memorial	NMP	1.0		1.0
165	Montana Meadows North	CMU		3.5	3.5
63	Montana Meadows South			7.5	7.5
195	Murray Sub Park	NPP	1.0		1.0
151	Nutting Bros. 3rd	NPP		3.3	3.3
✓ 205	Nutting	NPP	2.1		2.1
152	"Q" Park <i>SE V LAUREL</i>	NMP		1.5	1.5
207	Riverside <i>TX CODE D02789</i>	CMU	20.0		20.0
201	Russel <i>1.54 AC</i>	NPP		2.1	2.1
169	Schaur	NMP		1.9	1.9
194	Sportsman Park	CMU	10.1		10.1
199	Thompson	CPF	8.0		8.0
203	Traffic Island (17)	NMP		0.2	0.2
197	12th Street and First	NMP	0.8		0.8
95	Un-named part of High Point	NMP		0.5	0.5
✓ 204	Washington Ave.	NMP		0.7	0.7
159	West Park	NPP	6.7		6.7
109	Naomi	CNA		16.7	16.7
? 149	Village Subdivision	NPP		3.9	3.9
	Subtotal		60.7	97.0	157.7
	Total		60.7	152.7	213.4

*"BIRCH PARK"
(KLOTZ 1.23.02)*

*TRANS to
Sch vol 2005*

Source: Cumin Associates, Billings, Montana

other Park Planning Districts, the area needs to concentrate on providing and developing more community scale parks.

Table 27

LAUREL AREA-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 11,554)		2010 (Population: 19,600)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)	53.3	29.0	49.3
Community Playfields (CPF)	18.0	29.0	49.3
Community Multi-Use (CMU)	73.2	17.4	29.6
Community Natural Area (CNA)	15.5	11.6	19.7
Total Local Parks	160.0	87.0	147.9
Major Parks (MJR)	0.0	29.0	49.3
 Total	 160.0	 116.0	 197.2
Total when Mini-Parks and Open Space included	191.8		

Source: Cumin Associates, Billings, Montana

Table 28

LA PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Century (157)	5.58	NPP	Excess	Excess	Lease	Located in large lot residential subdivision, off both street west. Parcel is small and land cannot be added by platting.
Echo Canyon (128)	15.51	CNA	CNA	Retain	Protect, monitor use and management needs	Part of Rims Regional Park
7 Eggebrecht (129)	4.49	NPP	NPP or Excess	Excess	Sell as residential lots.	Located in partially developed subdivision adjacent to Plenty Coup, Park is of limited recreation or scenic value.
Homewood (127)	7.65	NPP	NPP or Excess	Lease	Future sale or development	Located adjacent to platted, undeveloped small lot subdivision access on Grand, adjacent to commercial, currently is a horse pasture.
O'Donnell (152)	3.77	NPP	NPP or Excess	Lease	Future sale unless neighborhood ex-presses interest.	Located in partially developed large lot subdivision.
Pike (130)	5.31	NPP	NPP or Excess	Lease	Lease until development need is established	Located in undeveloped subdivision platted for small lots.
Plenty Coup (131)	13.26	NPP	CPF	Lease	Landbank	Located in partly developed large lot subdivision, currently used for grazing.

Source: Cumin Associates, Billings, Montana

Shepherd (SH) Parks Planning District

The Shepherd Park Planning District is the mid-northern area of Yellowstone County and includes, in addition to the community of Shepherd, School Districts 37, 52, and 41. The topography varies from low lying hills to the flat valley land of the Yellowstone River. The area does not have central water or sewer systems and will probably continue to grow in large acreage tracts subdivisions. The estimated 1985 population is 3,371, and the 2010 population is projected at 5,520. Table 29 shows the 91.7 acres of parks by type in the Shepherd District; all are undeveloped.

Table 29

PARKS-SHEPHERD PLANNING DISTRICT

<u>Map #'s</u>	<u>County Parks</u>	<u>Class</u>	<u>Acres*</u>
156	Arrow Island 1st Filing	CNA	15.3
209	Arrow Island 2nd Filing	CMU	24.2
140	Hidden Lake Sub. Park	NMP & NPP	16.0
163	Mustang Un-named	NPP	3.4
180	Prairie	NPP	7.0
145	River Vista	NPP	13.6
146	Shepherd Lions	CPF	0.5
170	Un-named Whitney Sub.	NOS	8.5
144	Winchester	NPP	<u>3.2</u>
	Total		91.7

*All undeveloped

Source: Cumin Associates, Billings, Montana

Park lands in this district are more than adequate to meet recreational needs of the resident population. Park planning focus should be on developing and managing existing lands.

The park referred to as Arrow Island 2nd Filing is located on the Yellowstone River and has good potential for developing a multiple use community park based on resources and access. Hidden Lakes Park is currently used for dryland farming. This park is made up of several small parcels which limit the recreation potential. Some of the Hidden Lakes parcels may be able to be sold as future residential lots, but the market does not exist presently; the County should lease this land for the time being and consider selling it in the future.

Table 30
SHEPHERD-PARK AVAILABILITY AND NEEDS PROJECTION

Class of Park	1985 (Population: 3,371)		2010 (Population: 5,520)
	Existing Acreage	Needed Acreage	Needed Acreage
Neighborhood Park/Playground (NPP)	27.3	10.2	16.5
Community Playfields (CPF)	0.5	8.5	13.8
Community Multi-Use (CMU)	24.2	15.3	24.8
Community Natural Area (CNA)	0.0	0.0	0.0
Total Local Parks	52.0	34.0	55.1
Major Park (MJR)	0.0	0.0	0.0
Total	52.0	34.0	55.1
Total when Mini-Parks and Open Space included	91.7	----	----

Source: Cumin Associates, Billings, Montana

A portion of River Vista Park is currently being used as a horse pasture as a continuation of a former lease. The neighbors have expressed

Table 31

SH PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Arrow Island 1st Filing (156)	15.27	CNA	CNA	Retain	Budget for administration monitor use & management needs.	Flood plain, surrounded by large lots, ecological diversity, sensitivity, some signs of use for hiking.
Arrow Island 2nd Filing (209)	24.22	CMU	CMU	Retain		Located on Yellowstone River, diversity of landscape, good access, signs of use.
Hidden Lake Sub. Park (140)	16	NPP NPP	NMP & NPP or excess	Lease	Evaluate future sales as lots if no neighborhood development.	Used for dry land farming, several patches located in undeveloped subdivision.
Mustang Un-named (163)	3.41	NPP	NPP or Excess	Lease	Landbank, add land	Located in partially developed small lot subdivision. some signs of use, pasture potential.
Prairie (180)	7.01	NPP	NPP or Excess	Lease	Lease until need is established.	Located in small lot residential subdivision, with some development, good potential for traditional park.
River Vista (145)	13.62	NPP	NPP or CMU	Lease	Landbank	Located in partially developed large lot subdivision, currently leased.
Shepherd Lions (146)	.47	CPF	CPF or Excess	Excess	Consolidate with Shepherd Lions	Part of large non county park sports field complex
Un-named Whitney Sub (170)	8.5	NOS	CMU	Lease	Monitor growth enforce development agreement	Master plan is for 26 acres, acquire additional lands in future
Winchester (144)	3.22	NPP	NPP or Excess	Lease	Lease until future need established	Located in undeveloped small lot subdivision, future excess limited by drainage district easement, formerly a pasture, no access at present.

Source: Cumin Associates, Billings, Montana

an interest in developing the park, and it appears that both uses can be accommodated at the present time as the parcel is larger than what is needed by neighborhood residents for a neighborhood park. Small neighborhood parks like Winchester and Prairie should be held for future development but leased until development plans initiated by interested neighborhood groups are a reality.

Whitney Park may be excess, however, the County will need to hold the land until terms of the subdivision improvements agreement are met. Mustang Park shows some signs of being used. The small area of County park land adjacent to the Shepherd Lions Park should be donated to the latter.

In summary, 1985 required NPP acreage is 10.2 with existing amounts at 27.3 acres. 1985 required park land is 34.0 acres; existing community park land amounts to 52.0 acres. All of the park land in these two categories is undeveloped.

Huntley, Ballentine, and Worden (HBW) Parks Planning District

This district can be described as middle-eastern Yellowstone County, extending east from Huntley Project to the Pompey's Pillar area and including School District 24. Central to the district is the Yellowstone River with its broad fertile valley reaching up into the adjacent hills to the County's edge both north and south. The Planning District is all unincorporated, largely agriculturally oriented, and mainly affected by the growth dynamics of Billings. The 1985 projected population is estimated at 2,875, increasing to 4,170 by the year 2010. The only piece of parkland in the district is the undeveloped park in Pryor Creek Subdivision (map number 142), classed as Neighborhood Open Space, and containing 1.8 acres. Although

Table 32

HUNTLEY, BALLENTINE, AND WORDEN-PARK AVAILABILITY AND NEEDS PROJECTION

<u>Class of Park</u>	1985 (Population: 2,875)		2010 (Population: 4,170)
	<u>Existing Acreage</u>	<u>Needed Acreage</u>	<u>Needed Acreage</u>
Neighborhood Park/Playground (NPP)		8.7	12.6
Community Playfields (CPF)		8.7	10.5
Community Multi-Use (CMU)		7.3	18.9
Community Natural Area (CNA)		13.1	
Total Local Parks		29.0	42.0
Total		29.0	42.0
Total when Mini-Parks and Open Space included	1.8	----	----

Source: Cumin Associates, Billings, Montana

Table 33

HBW PARK RECOMMENDATIONS AND COMMENTS

<u>Park/Map #</u>	<u>Acres</u>	<u>Present Class</u>	<u>Future Class</u>	<u>Recommended Action</u>	<u>Comment</u>	<u>Criteria for Recommendation</u>
Pryor Creek Subdivision (142)	1.79	NOS	NOS or Excess	Excess	Sell or Trade	Located in developing large lot subdivision. Size and physiography limit park and recreation value.

Table 34

BA PARK RECOMMENDATIONS AND COMMENTS

Acton Townsite (143)	1.5	NOS	NOS or Excess	Excess	Sell or Trade	Alkali bog with no recreational, scenic or conservation value.
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Table 35

CU PARK RECOMMENDATIONS AND COMMENTS

Custer Jaycee (141)	4	NPP	CMU	Retain	Add lands is community is interested	Neighborhood development expressed interest in developing or expansion has been expressed by community.
Custer Un-named (139)	.51	NMP	NMP or Excess	Lease		Currently used by fire department.

Source: Cumin Associates, Billings, Montana

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Other BUREC PKS IN HUNTLEY (see file)

standards can be used to determine acceptable park land types and needs, it is--as stated elsewhere in this Plan--probably more useful to plan with the populace of these small, rural areas, thereby more exactly representing specific needs for park and recreation programs. Support should also be maintained for cooperation and coordination with the State Fish, Wildlife, and Parks Department for optimum recreational utilization of the Yellowstone River. This is also the district in which the U.S. Bureau of Reclamation's Anita Reservoir is located. This reservoir contains 32 surface acres of water on 148 acres of land, all undeveloped. The Bureau of Reclamation has queried Yellowstone County as to its interest in taking over responsibility for Anita, but the County needs to further study the program while leaving the door open to future cooperation with the Bureau.

Broadview Acton (BA) Parks Planning District

This Park Planning District covers the large open spaces of the northwestern part of Yellowstone County and includes the community of Broadview, School Districts 21 and 12, and what used to be the townsite of Acton; the main transportation route through the area is State Highway 3 which parallels a branch line of the Burlington Northern Railroad. The district is largely flat with large, shallow alkali lakes in its northwestern areas. The population, estimated at 1,200 for 1985, is projected to reach 1,740 by 2010. The only County park land in the district is that of the now abandoned Acton Townsite--what would constitute a Neighborhood Mini-Park (NMP) comprising 1.5 undeveloped acres. The County should try and dispose of this site. Broadview is the only area of the district where a park might be useful and utilized, and, as with other small rural areas, such a park should reflect the specific needs of the local populace when the latter determines such needs exist. The Park Board should also cooperate with the Fish, Wildlife, and Parks Department in any recreation development of the shallow lakes in the area which are heavily used by waterfowl.

Custer (CU) Parks Planning District

The far eastern end of Yellowstone County is used in this Plan to represent the Custer Park Planning District. This district, which is the same general area as School District 15, is geographically similar to adjacent Huntley, Ballentine, and Worden District--the Yellowstone River Valley bounded by hills on either side. Growth in this Custer District will probably be limited to natural population increase. The 1985 population is estimated at 450 and the 2010 population is projected at 580.

The district contains two parks--both in the Town of Custer; the Custer J.C. Park (map reference 141) is a Neighborhood Park/Playground containing four developed acres, and an un-named Mini-Park which contains a half acre and is undeveloped. The latter is leased to the Custer Volunteer Fire Department, and their building sits on a small part of park land. New parks in the area should reflect specific, expressed park and recreation needs of the local population who have the interest and ability to develop and care for a facility. Coordination of park land development opportunities with the Fish, Wildlife, and Parks Department should also be encouraged.

FUTURE PARKS ACQUISITION AND FUNDING

The concept of park lands as discussed in this section of the County Parks Study is not limited to just specific parcels of land dedicated to and used by the public for recreational enjoyment. Rather this section addresses the broader context of those land areas of Yellowstone County which have values to the public ranging from active recreational lands to beautiful scenery as viewed from public roadways--included is the idea of the conservation of natural resource areas.

Today's park and recreation administrator must not only have expertise as a recreation resource manager he must also have considerable resources as a financial entrepreneur. As the cost of providing the utilitarian necessities of water, sewer, fire, and police services continue to escalate, the amount of the tax dollar available for acquisition, development, and operation of recreation facilities will decrease--concomitant with increasing costs of what economists refer to as the factors of production (property, labor, and physical materials, facilities, and equipment). The park administrator is faced with not only reducing costs but also increasing revenues. To do this he must adopt the dynamic financial management tactics of the private businessman. More and more, the successful park agency is the one that is vigorous and financially innovative, and seen by the public as such. The era of being provided a parks budget and operating within such budget is gone. Today park administration programs must look at the budgeted park fund as merely seed money from which total expenditures must be created. Consequently the contemporary park manager must consider such opportunities as obtaining desired park lands at the very least public cost and the financing of needed improvement through such programs as having a local service group "adopt a park".

This section of the County Parks Plan discusses some of the alternatives the Park Board should be aware of in the acquisition and development of its park lands program. It should be kept in mind that one of the best tools the County has is what might be called "the power to deal". The County often finds itself with the opportunity to bargain with individuals and negotiate variations in plans or proposals as a condition for necessary approval. Except when no other recourse is available, most developers will avoid litigation over such matters as plan approvals, zoning changes, etc. with the attendant delays in construction. As long as the conditions imposed upon them are not unreasonable, arbitrary, or capricious, most developers will accede to requests for modifications in proposals that will make them more environmentally sound. In some instances the County may be able to bargain because development is contingent upon the extension or use of some governmentally controlled service or services, where such extension by the County is not clearly obligatory. The right to "bargain" is clearly implied by statute, as for example when the Planning Board must review and determine whether a proposed development has satisfied environmental criteria. The County Park Board needs to capitalize on such opportunities as much as possible.

Zoning and Preferential Taxation

Zoning is an exercise of the County's police power, the power used to protect the public health, safety, and welfare. In a far-reaching decision the U.S. Supreme Court in Berman vs. Parker (348 U.S. 26 (1954)) broadened the definition of the public welfare (purpose). In that decision Justice Douglas wrote:

"The concept of the public welfare is broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislature to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully patrolled."

Zoning for park lands has the advantage of no acquisition costs and the disadvantage of inherent instability; in other words, zoning can and is changed as areas grow and develop. Especially in Montana and Yellowstone County, zoning for open space or agriculture is seen as more of a holding zone--until more intense uses are economically feasible--than as an end in themselves. The greatest weakness in such zoning is related to its tax aspects. Where land is assessed at fair market value, owners of open, developable land on the urban fringe are subjected to increasing tax burdens. Typically, such land is in agricultural holding zone categories. Requests for rezoning to more intensive uses are inevitable and zoning boards have no other course but to grant them or face court action on the basis of inverse condemnation proceedings, i.e., the taking of private property by strict regulation without just compensation. Once it becomes uneconomical for a landowner to realize a return on his investment when subject to low intensity zoning and urban tax rates, the zoning must fall.

The most commonly used tax device for preserving land in open space is the preferential assessment. Land given a preferential status, such as in Montana's greenbelt legislation, is taxed at its use value--agricultural, horticultural, silviculture, etc.--rather than at the fair market value at which other property is taxed. Presumably such use valuation of land affords the landowner on the urban fringe an opportunity to escape inexorable pressure to sell when he is caught between a low return on the productivity of his land and a high property tax based on its development potential.

Easements

Deserving of a bigger role in the provision of County park lands is the acquisition of rights to desired lands at less than full fee simple. Ownership of property involves ownership of a bundle of property rights, and, for park purposes, it can serve the park and recreation interest of the County area to only purchase some of the rights to property. The most common method of such partial purchase of rights is through easements. Essentially an easement is a right (deed) purchased by or given to the holder by the landowner to prevent certain uses of the land or to use the land for specified purposes, without conveying the title or right of possession thereto. The landowner retains all the incidents of ownership not transferred by the easement, and he may use, enjoy, sell, lease, or otherwise convey the land, subject--of course--to the terms of the easement.

For example, the County could purchase the right to develop or build on a piece of property, thereby preventing its development by the present and future land owner while still allowing its owner to farm or graze the land. Another example is the purchase of scenic easements placing in public ownership the right to view across property, and thereby ensuring that a view from a public way of the mountains, river valley, or other scenic vista is preserved.

The acquisition or granting of such a nonfreehold estate can also be for a set period of time, or estate for years. Such acquisition allows control for the set period of years and can be used in preserving natural areas, such as the rimrocks at Billings, through a period of stress of demand for use; the protection is not, however, perpetual.

There are two types of easements that are of interest here--positive (or affirmative) and negative. A positive or affirmative easement gives the owner of the easement certain rights to do something on the land covered by the easement. A public agency may buy easements to establish hiking or bicycling trails; it may buy public access rights to permit fishing, hunting, picnicking, and drainage and flood easements. A negative easement, on the other hand, purchases the landowner's right to do certain things with his land. With conservation and scenic easements the public can acquire the owner's right to erect billboards, remove vegetation, do major construction or excavation, or dike and fill marshland, etc. One of the purposes of a negative easement is to ensure that the owner continues to use the land exactly as he has been.

The easement tool is an extension of the power of eminent domain, and, as such, statutes governing this power also apply to the purchase of lesser interests in land. In general, a governing body with the authority to purchase or condemn the full rights in land also has the authority to purchase or condemn less than full rights in land, i.e., an easement.

It is important to note that easements can be both purchased by the County or given by a private property owner--or a combination of both. (In fact, combinations of purchase, gift, devise, bequest, or grant can be used.) Montana's Open-Space Land and Conservation Act of 1972 (Title 76, Chapter 6, MCA) enables Montana Landowners to voluntarily enter into conservation easements with public bodies, and this has been done throughout the state for purposes of protection from subdivision, provision of public access for hiking and fishing, or just providing a scenic view. The landowner retains his land and his use of the land, gets a monetary

benefit (through taxes and purchase values), and the public benefits through acquired expanded park, recreation, or open space opportunity. Montana law stipulates that non-perpetual term conservation easements must be for at least 15 years. The easements run with the land but are assignable by the easement holder unless expressly prohibited in the agreement (for example, a scenic easement acquired by the County could be assigned to the City of Billings). Local easements are subordinate to the eminent domain powers of the state--not, however, if the local easement has been made to the federal government (which suggests supporting continued cooperation with federal land agencies such as BLM). The fair market value of an easement is determined as the difference between the appraised fair market value of the property before and after the granting/obtaining of an easement.

The tax consequences of a private landowner donating easements for park-related activities are both positive and quite numerous, affecting his adjusted gross income, estate taxes, federal capital gains taxes, property taxes, etc.--both state and federal as applicable. The higher the income bracket of the landowner, the more attractive the donation of an easement. A parcel of land on which there exists a binding conservation easement is not available for subdivision and, therefore, cannot be taxed as such. It must be taxed according to the ad valorem principle on its fair market value, which in this case is its open space value. Thus the landowner, by giving an easement, protects himself from rapidly rising tax assessments based on the development potential of his land. Furthermore, the value of the interest held by the easement holder (not grantor) is exempt from property taxes. In dealing with the acquisition of open space easements, the land needs to be examined on a parcel by parcel basis as broad generalizations regarding

easement values are not valid. The Miscellaneous Revenue Act of 1980 (Public Law 96-541) specifies four categories for which a conservation easement may be granted: significant open space, public recreation, natural ecosystems, and areas of historical significance; to be eligible, the landowner need have only one of these values. Whole ranches in Montana, containing such areas as prime feeding habitat for wildlife, have given easements--greatly benefiting both the public and the landowner. It should be noted that the preparation and adoption of county land use plans (of which Park Plans are an element) specifying lands with important public values, i.e., river frontage and the rimrocks, has greatly supported the further qualification of such lands in the eyes of the Internal Revenue Service as lands which meet the requisite tax requirements for conservation easements.

In pursuing the concept of park lands acquisition at less than fee simple, the probable types of land the County Park Board will be considering will be those with a definite recreation or open space value, natural resource or ecological value, and historic value--all areas with defined compatibilities delineated in federal and state tax laws such as the Montana Tax Treatment Extension Act of 1980 and other related statutes already referenced herein. In order to appropriately qualify for beneficial tax treatment through easements, private lands must yield significant public benefit as demonstrated by:

1. the scenic or other unique quality of the property that makes it unusual or important;
2. the intensity of present and projected land development activity in the area of the property; and,
3. the consistency of the proposed open space/park use with on-going public conservation program in the County (such as for Soil Conservation District programs and approved comprehensive plans).

Public access to open space lands can be visual only; federal law considers scenic open space to be those areas which can be appreciated from a public roadway, water body, park, nature preserve, historic site, etc. and which also may provide a visual buffer around an important existing open space area. This concept is especially applicable in Yellowstone County in the long range development of its regional park system such as that along the river; the latter provides myriad opportunities for open space appreciation from existing public access points, highways, bridges, and the river itself. This concept may also have potential applicability for other areas such as the lake at Broadview and Anita Reservoir in the Huntley, Ballentine, and Worden Park Planning District--especially when the concept of compatibility with on-going conservation-related programs is considered, such as waterfowl nesting area protection, flood plain management, and cropland improvement (irrigation).

The virtues of a conservation easement program may be enumerated as follows:

1. The land remains in private ownership and thus on the tax rolls, albeit at a lower rate.
2. Maintenance of the open land is provided by the owner without further public expense.
3. The land may remain in productive use if such use is compatible with the easement.
4. Open space is obtained at a cost generally less than that for fee simple acquisition.
5. Surrounding property values are often increased, offsetting the tax loss on the restricted property.
6. Open space funds can be spread further and protect much more open land than with outright acquisition.

7. Land use options are provided for the future. Projection techniques, not matter how sophisticated, are still unable to fully predict growth patterns. By conserving key open spaces through easements now, the County is assured of having land use options in the future.

Finally, conservation easements can be given to or obtained by private, nonprofit organizations which appropriately qualify under Internal Revenue Service guidelines, and the benefits of such a private group are the same as a unit of government. From the standpoint of obtaining park lands, there are advantages to using private groups because the latter are often better funded for such activity and able to move and make decisions much more quickly than governmental units inhibited by--for one thing--the established budgetary process. An open space easement could be dedicated by the homeowners' association in a Planned Unit Development to the local government with maintenance responsibilities still vested in the homeowners' association. This provides neighborhood park and open space land at virtually no cost to the community at large. Use of the open space, however, can be restricted to the residents only, since they paid for the land in the purchase price of their homes and continue to pay for its upkeep. Easements obtained by or given to qualified private groups can contain "gift-over" clauses that automatically transfers the easement to another group or unit of government in case the original organization ceases to exist. Three of the most well known private organizations involved in acquiring or preserving park lands are The Nature Conservancy, The Trust for Public Lands, and--in Montana--The Montana Land Reliance.⁷ (A sample easement format is shown in Appendix 4.)⁸

The terms, conditions, and implications of conservation easements are relatively complicated and the expertise of an attorney is advised--especially during the first uses of such instruments by the County Park Board. Also, the existing tax laws regarding easements are currently being reviewed,

and the administrators of the County park lands program need to be aware of any changes therein and the reasons therefore. The purpose of the discussions here of easements and related tax consequences is to initiate the concept into the County's arsenal of tools used to more fully provide for the present and future park and recreation needs of area residents.

Design Solution

Sometimes, where a landowner can not or will not provide an easement on lands with high park-related value potential, the possibility of using what one Montana county conservation plan refers to as a "design solution" may occur.⁹ For example in areas of the County where a single piece of property may contain important park land values, the Park Board--with the consent of the landowner--may prepare or have prepared a land development plan similar in nature to a larger area comprehensive plan; the intent is to prepare analysis of the resource and development potential of the site which will clearly define the specific park land areas, how they can be preserved, and how the landowner could pursue other options--such as limited development--in a manner compatible to the preservation of the park land's attractive characteristics. The concept is to determine a plan for the specific property which will both protect the potential park lands area as well as provide for real estate development. The design process is similar to what a real estate developer goes through in master planning a development; however, the emphasis in "design solution" planning is on enhancing the potential park land features rather than optimum number of housing units or commercial square footage. Successfully accomplished, a design solution will provide the basis for an agreement between the County and a private landowner whereby desired

park lands are preserved while the landowner receives tax benefits as well as the right to develop an appropriate amount of real estate.

This same concept can be expanded to cover a larger area of the County rather than just one landowner.¹⁰ Again, a detailed land planning analysis would be made of the area with emphasis on enhancing or preserving potential park lands. Additionally, all landowners in the district must agree to the program, and all landowners would be partners in or have an interest in the corporation developing that portion of the area being actually developed. Often landowners in such a situation are reluctant to grant easements because they have no guarantee the rest of the landowners in the district will also grant easements. A solution to this problem is to place the easements in escrow--not to be activated until all landowners have similarly placed easements on their property. The whole area is developed according to the master land use plan, the approval of which would form the basis of the agreement between the County and the landowners. As can be seen, the fewer landowners involved, the easier the implementation of the program. The combination of land development in a limited area combined with the donated easement-related tax deductions would, hopefully, combine to maximize return to the landowners, minimize the area of development, and enhance the County park lands program.

In addition to the economic advantages of design solutions, their use over a larger area enables the participating landowners to influence the land use development pattern of their area as well as the actual quality thereof. Also, in the case of a largely agricultural area, the landowners can minimize land use conflicts between new development and established farming operations--reducing potential litigation and making life easier for all residents of the area.

Setting up a program for procuring, promoting, and coordinating various aspects of a park easement program in Yellowstone County will require the development of procedures and guidelines for landowner application, staff investigation of proposals, recommendations, easement design, monitoring, enforcement and so on. Assistance for this kind of a program may be able to be obtained during coordination meetings with interested state and federal agencies. Probably the best resource, initially, is the Yellowstone County Conservation District which has access to the expertise in land conservation issues of the U.S. Department of Agriculture. An on-going County-wide land evaluation and planning program will also contribute to the process by enabling individual land parcel proposals to be evaluated in light of the total County land status.

Foundations

A trust or foundation is a non-governmental, non-profit organization managed by its own trustees, which does not solicit funds from the general public, and which has been established to maintain or aid activities which are of benefit to the general public; basically such organizations are a medium through which private wealth is channelled to public purpose. One study listed five attributes which emphasize and establish the role of trusts and foundations in the acquisition of park and recreational resources.¹¹

First, many people who do not like to donate to a government agency will donate to a trust because it is independent and free of political pressures. Trusts and foundations rely on endowments and are not required to raise money, so they do not have to satisfy the demands of voters, customers, or advertisers. In cases where landowners may be persuaded to sell their land often at bargain sale rather than fair market values, they sometimes prefer to deal with a private foundation. The foundations can on occasions provide immediate cash if this is needed, confidentiality or publicity when desired, timing advantages, and solutions to various technical and legal problems.

Second, they can become involved in controversial issues more readily than government agencies. Foundations may be prepared to provide funds to start the project and if it is successful, it is possible that public funds may then be forthcoming.

Third, a trust or foundation can act quickly. It is able to cut through red tape which hampers public agencies, to acquire resources which might otherwise be lost pending government action. Flexibility in timing of a purchase, method of payment, and terms can be offered. The cumbersome operation of government at all levels puts it at a competitive disadvantage, particularly in the real estate market where flexibility and speed are often essential to success. Governmental agencies usually have to await appropriations and public input before purchasing land. Even if delays do not lead to lost opportunities, they are likely to translate into substantial increases in cost because of inflation. In addition, the advance notice and publicity provide ample opportunity for speculators to step in, purchase part or all of the land in question and realize a profit at the taxpayer's expense. Frequently, a resource becomes available which a public agency would like to purchase, but the funds are not available for it to do so. In these circumstances, a trust or foundation is able to take the initiative and act with speed to acquire the desirable resource, sometimes with advance governmental cooperation and sometimes entirely on its own. Subsequently, it may resell it to the public agency when time-consuming government procedures have been completed and public funds become available.

Fourth, the foundation sometimes fulfills a valuable function in aiding the synchronization of budgets. For example, a public agency can acquire a matching grant from the Land and Water Conservation Fund equal to the value of any land donation which it may secure. However, the agency is eligible for matching funds only during the remaining portion of the fiscal year in which the donation is made, and one additional financial year. If the land is donated to a foundation, the foundation can hold it until the public agency is assured of matching funds, and at that time it is able to pass it along to the agency.

Finally, trusts and foundations are more willing and legally able to accept donations with "strings attached". This attribute has two dimensions. First, they are able to offer more protection to a potential donor than a public agency. If land is transferred to a trust the donor of the land is able to specify the manner in which it is to be managed and preserved. The trust provides control which an outright transfer or donation to a public agency may not be able to enforce. Land holdings by public bodies are subject to the vagaries of the political process. Over the years public agencies have sometimes been ineffective guardians even over areas entrusted by legislation to their protection. Donation

to a trust or foundation guarantees against such use changes occurring. At the same time, if it is impossible to carry out the original charitable intent of the donor, the trust often has the power to modify the terms of the donation, providing it is in accordance with the general charitable purposes for which the trust was formed.

The second advantage of being able to accept donations with "strings attached" relates to the greater freedom of the foundation to manipulate its resources. The trust or foundation can exchange and sell land or property in pursuit of its goals, provided it is in accordance with the terms of the donation. For example, it can accept small parcels of land and hold them until the opportunity arises when it can trade them for a tract worthy of preservation. A good example is The Nature Conservancy's "Trade Lands" program. They will accept gifts of property which are not environmentally significant, sell the land on the open market, and apply the proceeds toward their general land preservation program. However, a foundation or trust can only do this to a limited extent. If it engages in significant development activities or otherwise acts as a "real estate dealer", it will lose its tax exempt status.*

A recent example of this type of non-profit organization in Yellowstone County was the foundation formed by landowners adjacent to the Billings landfill. This group formed The Hillcrest Natural Area Foundation and worked with the Bureau of Land Management and the City of Billings which resulted in the coordination of the desires of all three parties involved and the creation of a 90-acre public natural area adjacent to Billings.

Most trusts and foundations are formed with a much broader purpose than the Hillcrest Foundation, however, it is a provocative example of what can be accomplished. The County Park Board may want to encourage the formation of an organization akin to a Yellowstone County Park Lands Foundation with which it can work on a continual basis. Assistance in forming such an organization can be obtained from groups like The Trust for Public Lands and The Nature Conservancy mentioned earlier.

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Cooperation and Coordination With State and Federal Park and Recreation Programs

Both the state and federal governments have extensive interests in park and recreation-related programs, and each has an established and funded agency or department specifically for park and recreation management. Cooperation around the common interest of parks and recreation helps all three levels of government accomplish their goals and benefit the recreating public.

The potential availability of funds from federal and state levels, such as revenue sharing and the Montana Coal Board, are relatively familiar programs. These programs do change, however, and the Park Board needs to be always aware of new funds, programs, and qualifying criteria.

There are also programs, such as that authorized by the Federal Recreation and Public Purposes Act, whereby certain public lands can be conveyed to the County or other qualifying organization to be used for public purpose. The Hillcrest Natural Area Foundation, for example, utilized this program. Under this act, also, the BLM can acquire less than fee interests in real property which, once acquired, can be transferred to the County or other qualifying organization.

Under the Federal Land Policy and Management Act, the County can acquire certain public lands if such transfers "will serve important public objectives". Once acquired, such lands could be used as part of a parks program or could be used for the acquisition (by sale or exchange) of fee interests, less than fee interests, or conservation easements in other lands.

Subdivision Development Parks

The Montana Subdivision and Platting Act of 1973 requires that all residential subdivision of land into tracts of less than five acres in size have at least one ninth of the net area in park land. This has become a common and accepted practice in area subdivision development. Recently, the City of Billings has been attempting to not only require the one ninth land area but also to require the land developer actually build the improvements in the park, and provide for their continued maintenance; this triple load on the private sector will probably not withstand a court test. However, an alternative would be to require less total area of land with partial cash-in-lieu payment--the latter which could then be applied to park improvements. The requirement of complete maintenance of a park facility by the subdivision neighborhood can raise the issue of whether the park is really a public park or whether the local residents actually paying for the park's maintenance can exclude the general public from using the park. A twist to the idea could occur in areas like Byron Nelson Park where the residents of the Yellowstone Club neighborhood may be willing to pay for, develop, and maintain this park if they can have some say in excluding potentially undesirable elements--motorcycle gangs, trailer caravans, etc. The County may be able to support such a proposal by written agreement whereby the neighborhood develops the park and leases it from the County for 20 years for a dollar.

The County can also enter into an agreement with a subdivision's homeowners association whereby the latter develops and maintains a subdivision's park land--which can be either public or private, although the access to the park must be open to the public to meet the statutory intent. Another

variation is where park land, especially natural area, is accepted through the subdivision process by the County but actually administered by a conservation organization; this arrangement was recently made between the County and the local Audubon Society with Naomi Park in the Laurel planning area. All of these alternatives--and more--fall under the County's "power to deal" discussed earlier herein.

Neighborhood Development

One of the more pressing issues in the management of the County's park lands is the desire of some residential neighborhoods in the County to have their local park developed; the key issue in this expressed need by the local residents is their interest and willingness to support such development through time, organization, and money. This kind of interest has also been expressed from certain recreational groups--most notably the supporters of bicycle motocross racing. In the past, the main request from such neighborhoods and groups has been for guidance and direction.

Because the County does not want to get into budgeting a large park development fund, it needs to cultivate neighborhood-initiated park development programs as much as possible. The County does have funds for assisting in developing County park lands, but, to get the maximum benefit from the limited budget, the County Park Board will be looking to supporting those park development programs which are best organized and publically expressed.

Appendix 5 to this Plan contains an outline to assist local neighborhoods and special interest groups in getting a park or recreation project developed with the support of the County Park Board. Because County park lands are public areas, the improvements that the Park Board allows in the

parks have to meet acceptable standards for materials and construction for reasons of safety. The second major influencing factor regarding privately initiated park improvements is not only the original costs but the long term maintenance. These two factors--safety and costs--are primary motivators behind the criteria for development shown in Appendix 5. Very often, a neighborhood will get excited about developing their local park when many of the families have kids of a certain age; after the kids get older, interest in the park diminishes and the maintenance thereof deteriorates. One of the most difficult issues facing the County is long term maintenance of park improvements. Although the developers of new subdivisions can be persuaded to provide for park maintenance in some instances, parks in older, established neighborhoods are a different situation. The problem suggests requiring interested neighborhood or recreation groups to prepare a maintenance improvement district which the County could escrow and activate only if the promised maintenance eventually failed. (This concept requires further study.)

Grants

One of the traditional methods of park and recreation facility acquisition and development is through various grants--both governmental as well as private individuals, groups, and foundations. The process of being aware of grants, proper preparation therefore, and the appropriate administration and follow through of such aid is a profession in itself. The Park Board should consider negotiating with a private firm or consultant experienced with such programs or work with a centralized County Grantsman.

Potential assistance programs that are worth investigating at the present time are those administered by the Montana Historic Preservation Office; various land conservation and improvement programs overseen by the State Department of Natural Resources and Conservation such as Conservation District Revenue Funds and Water Development and Renewable Resources Grants; and Land and Water Conservation Funds administered by the State Department of Fish, Wildlife, and Parks. Traditional sources of funds, such as from the Land and Water Conservation Fund, the National Park Service, and the Federal Highway Administration (bikeways), have largely dried up.

Alternative Methods of Fee Ownership

Fee simple ownership of park lands is the final alternative in trying to obtain open space and all other methods of such acquisition fail. The amount of monies the County has for outright purchase, however, will always be minimal. This situation requires that more funds for such purposes be obtained and that all existing monies be maximized.

Conservation Bonds and Districts:

Local governments in Montana have the authority to initiate bond issues to raise capital for purchasing conservation (park) lands, the bond can be approved, however, only by a majority vote of the County public. The County can also create park and open space districts of which the specific purpose would be to define park and recreation needs within each district and then provide therefore. Such districts are similar to the larger design solution planning areas discussed earlier but are initiated by the County. Each district would be planned to show the needed and appropriate park areas, and subdivision development occurring in such districts would have to reflect such park lands designation in the donation of park lands.

Subdivision developers may also be required to purchase land in the designated park areas as a substitute for land donations in their particular development. The County could also support such district park planning by exchanging, trading, consolidating County lands to locate, as much as possible, the County land inventory in the appropriately designated areas. Lands unable to be traded, used, or consolidated may be able to be sold and the monies therefrom deposited in a conservation acquisition trust fund. Combining a bond issue with each district could establish an initial trust fund from which monies could be provided and then eventually reimbursed by such activities as cash in lieu of land donations. The park districts also provide a vehicle for coordination with state and federal park-related programs.

Installment Purchase:

In order to eliminate the interest payments on debt service, land could be purchased on an installment basis. The County government places itself in an improved bargaining position by acquiring land in this fashion because certain benefits accrue to landowners who agree to sell their property under such an arrangement. First, the tax on capital gains is spread over several years instead of one; and second, since the community takes title to the land immediately, the landowner does not have to pay property taxes on the parcel even though he is permitted to farm or otherwise use the land until the final payment is made.

Options:

Another potential method for securing land for open space purposes is the negotiated option. With this method the County would negotiate a purchase option with an owner of property needed for future open space

purposes. The property owner can only sell his land to the holder of the option during a certain time period, with the owner being compensated for this privilege. In the interim between the execution of the agreement and the exercise of the option, the owner of the land may use it as he sees fit. Since the final purchase price of the land was established when the option was purchased, it is unlikely that the land will be developed to any extent because such development would not be subject to compensation and therefore the loss of any additional improvements would be at the owner's expense. The major advantage of this method is that the land remains on the tax rolls and continues in a more productive use than if the parcel was purchased outright years in advance of its need. The option device also holds the final purchase price constant regardless of speculative pressures on surrounding land that may develop in the future.

Purchase-Leaseback:

The purchase and leaseback technique is a method of securing open space whereby the County acquires sites that will be needed for future open space uses and then leases them back to either the original owners or new owners to continue the pre-existing use until they are needed for public parkland. This technique is useful in urban fringe areas where the next title exchange of any large landholding will probably be with a developer or a real estate speculator. Even though the County may not presently need a park in a particular area, it may anticipate that the need will exist in the foreseeable future. The purchase and leaseback technique can also preserve natural resource areas not needed for intensive public use. In these cases the land remains in its present use and some of the cost of the land can be regained through lease payments. In addition, the County may save

considerable money if the land can be purchased before land prices started to soar. Leasing land also applies to presently unused park lands the County already owns, as shown in the Park Recommendations and Comments Tables for each Park Planning District in this Plan.

Life Tenancy:

A life tenancy agreement is a variant of fee simple acquisition. Using this method the County obtains a person's land with the provision that he continue to live in his house with use of a reasonable area surrounding the residence as long as he lives. The remaining land would be available for recreation or conservation purposes. The principal advantage to this approach is that the land becomes available before the death of an owner who would not be willing to sell due to his desire to remain in his long-time residence. From the landowner's standpoint, it also avoids the problems of estate settlement and negotiations with heirs.¹²

Other Park Funding and Assistance Ideas

In keeping with the concept of park administration requiring a dynamic economic aptitude approach, the following suggestions are provided to stimulate ideas and are not meant to be all inclusive. For example, to pay for its new Pioneer Courthouse Square, the City of Portland "sold" the bricks that would be used to pave the floor to private citizens at \$50 apiece; the bricks were then inscribed with the purchaser's name and put in place.

In furthering any of its programs, the Park Board should keep in mind the Federal Communications Commission requirement that local television and radio stations provide free public service air time.

User Fees:

User fees, as the name implies, is a fee charged to users of a particular recreation facility. The recent controversy surrounding the user fees at Riverfront Park emphasises the political sensitivity of such fees; however, the failure of the City to finally adopt such fees does not mean the concept is not viable. User fees are common sources of income at active recreation sites such as the County Fairgrounds and Metra facilities and are now accepted practice for passive recreation facilities such as national park campgrounds.

The idea supporting user fees is based on the estimated value of a visit to a recreation facility; such visits are valued at from \$0.75 to \$2.25 of primary economic benefit per visitor day on a nationwide scale. User fee financing usually only accounts for a small percent of a park and recreation budget, but, as discussed earlier, all financing possibilities help.

Negative characteristics often attributed to user fees, such as discriminating against lower income groups, can be overcome by administrative procedures providing for reduced fees, free passes, special programs, etc.

Concessions:

Concession programs in park facilities can range from canoe rentals to food establishments. Such facilities need to be operated by private sector concessionaires, but the County can charge a percentage of the gross revenues for the right to operate on public lands. The County Park Board needs to establish advertising, application, and bidding procedures for concession rights to make such a program easily administered, competitive, and beneficial to the public.

Adopt-a-Park:

Adopt-a-park programs involve the promoting of individual parks by local clubs, civic organizations, and even youth groups like the Girl Scouts. The development of lands and facilities in a particular park through the proprietary sponsorship of such groups serves both the public recreation program and the publicity and public service needs of the various organizations. Examples of such adopt-a-park concepts can be seen in parks with service organization names such as "Optimists Park" and "Lions Park", and, recently, the Yellowstone Valley Audubon Society adopted the C.M. Russell Wildlife Refuge in an adopt-a-refuge program.

Gift Catalogues:

Park programs can utilize gift catalogues as a method of describing and distributing a wish list of needed facilities for parks; such facilities could range from the simple, like seating benches, to the more complex, such as a meeting or dance hall. An attractive brochure or catalogue is prepared describing the program, the various items, and the tax and publicity advantages of the program to potential donors. The latter could range from neighborhood groups to large corporations like Burlington Northern. The wish list could resemble a mail order catalogue or could be as simple as a flyer inserted and distributed with the County tax statement.

Volunteer Program:

The use of volunteers in improving and maintaining park lands has been utilized as an excellent supplement to area park and recreation administration programs. The concept is self explanatory, however, to be successful there are definite guidelines. Volunteer programs cannot be just a drop-in-anytime program; to work well, such voluntarism must be carefully structured:

1. Generally volunteers must meet same standards (except for education) that apply to seasonal employees.

2. Volunteers may not replace fulltime permanent, seasonal, or part time employees.

3. Volunteers can't work in maintenance or law enforcement capacities.

4. Each volunteer is considered a County employee only for purposes of accidental death, dismemberment, and liability.

5. Each volunteer has a personnel file with time card, medical records, parental consent, etc.

Scrounging Warehouse:

Some park and recreation programs have been able to take advantage of an excess public land area or warehouse to use as a collection, sorting, and storage facility for used or surplus materials that could be utilized in park lands improvements. Such materials usually are related--but not limited--to building supplies such as lumber, timbers, pipe, and so forth. Private businesses which are the most likely to have materials of potential park value include utility companies, building and construction contractors, industrial hardware dealers, nurseries, sand-gravel-cement suppliers, etc. Scrounging involves locating and soliciting such materials and storing them for long or short term use or trade.

GENERAL RECOMMENDATIONS

Specific recommendations affecting each park are contained in the Park Planning Districts section of this Plan. The following recommendations are made to supplement the Goals and Objectives of this Plan and to help create and administer Park Board policy as the County park planning program becomes more mature.

1. Support cooperation and coordination with park, recreation, and open space programs of the Billings and Laurel Park Boards; the State Department of Fish, Wildlife, and Parks; the Yellowstone County Conservation District; the Department of State Lands; the U.S. Bureau of Land Management; and other similar agencies. Such coordination and cooperation could include mutual exchange of board/agency meeting minutes, once a year joint meetings, mutual exchange of membership, or the formation of a advisory board made up of a representative of each group.

2. Establish standard forms for park lands lease, use by private and non-profit groups, development by private groups, and so forth. Such forms can be prepared from information in this Plan, City of Billings' format, or other accepted standards. Copies should then be made and filed with the Park Board Office for ready and easy dispersion to interested parties.

3. Support the ownership, development, and administration of park and recreation facilities for public use by private and private non-profit organizations.

4. Support the concept of treating the County provision of public park and recreation opportunity as a business operation; this involves supporting, nurturing, and creating sources of income for park and recreation programs and the application of professional business standards to

the operation of the parks program.

5. The County should require that a copy of all proposed subdivision plats be sent to the Park Board for review and comments. All new park land-related proposals should conform to the Comprehensive Park Plan.

6. All new subdivision development parks in excess of two acres should have a preliminary park plan submitted by the developer showing planned improvements drawn to scale.

7. Provide for access and use by handicapped persons in all park facilities.

8. Support the development of park and recreation opportunities in river front, rims, powerline, abandoned railroad, and canal corridors. Interest needs to be expressed and supported for seeing public use of potential recreation corridors for pedestrian, bicycle, and equestrian use. Planning and design opportunities exist along Canyon Creek west of Billings; along the numerous ditch and canal right-of-ways throughout the County; along the rims east, west, and north of Billings proper; and along existing rail lines and abandoned rail lines such as in Billings Heights and the railroad to Red Lodge. There also exists the possibility of a unified park corridor system in the south hills area of Billings with parks extending up from the Yellowstone River across public lands, nature preserves, landfill (eventual park?), and subdivision parks in the scenic canyons that interlace the area; such parks could eventually lead back to Billings via Bitter Creek which provides a further corridor opportunity itself.

9. Support the identification, development for public benefit, and protection of historic and archeologic sites in the County.

10. Support multiple use of existing and future County park and

recreation facilities such as the Fairgrounds, Metra, Youth Soccer Facility, etc.

11. Support the identification and protection of unique natural resource areas of the County such as areas for rare or endangered wildlife and vegetative species.

12. Develop a usable system of County-wide parks mapping by Parks Planning District, township and range, or other manageable system.

13. Retain a staff member or consultant on a part-time basis to provide professional advice and program coordination and continuity. Such position should be partially self-funding through better management of County lands (improved leases, sales, etc.) and grants-in-aid.

SOURCE DATA

1. South Hills Urban Planning Study, Billings, Montana, August 1979; prepared by Cumin Associates, RSWA-Denver, and Sanderson/Stewart/Gaston Engineering, Inc., in cooperation with Billings-Yellowstone City-County Planning Staff; Technical Appendix B by William B. Vincent.
2. The Montana Almanac, 1959-60 Edition, Montana State University Press, Missoula, Montana; p. 421.
3. A Park, Recreation, and Open Space Study for the Billings, Montana, Urban Area, prepared by Theodore J. Wirth & Associates, Billings, Montana, 1970.
4. Employment, Population, and Housing Forecast for Billings Urban Area, 1980 through 2010, Mountain West Research-North, Inc., Billings, Montana, February 1984, prepared for Billings-Yellowstone County City-County Planning Board; and Memorandum Letter Regarding Yellowstone County Population Forecasts, Mountain West Research-North, Inc., Billings, Montana, June 18, 1984.
5. Ibid.
6. Recreation, Park, and Open Space Standards and Guidelines, Edited by Roger A. Lancaster (Director of Research), National Recreation and Parks Association, Alexandria, Virginia, 1983; p. 56; and Recreation Planning and Design, Seymour M. Gold, McGraw-Hill Book Company, San Francisco, 1980; pg. 179-186.
7. The Trust for Public Land, 82 Second Street, San Francisco, California 94105, (415) 495-4014; The Nature Conservancy, P.O.B. 259, Helena, Montana 59624; and Montana Land Reliance, P.O.B. 355, Helena, Montana 59624.
8. Conservation Easements in Montana, Montana Department of Fish and Game, and the V.S. Department of Interior, Helena, Montana.
9. Lewis and Clark County Voluntary Agricultural Land Conservation Program, 1984, prepared for Lewis and Clark County Board of County Commissioners by Lisa Bay Consulting and Bruce A. Bugbee and Associates under the Renewable Resource Development Program of the Montana Department of Natural Resources and Conservation.
10. Conservation Easements Discussed by Montana Planners/Landowners, Western Planner, Huntley, Montana, December 1983, p.1.
11. Financing, Managing, and Marketing Recreation and Park Resources, Dennis R. Howard and John L. Crompton (Co-senior Authors), Wm. C. Brown Company Publishers, Dubuque, Iowa, 1980; pg. 52-3.
12. Open Space Controls for the Protection of Water Resources in the Christina River Basin, Discussion Paper No. 11, by H. Benjamin Coston and Joachim Tourbier, Wilmington Metropolitan Area Planning Coordinating Council, November 1972, pg. 29-34.

APPENDICES

- 1-Resolution Creating Park Board and Park Fund
- 2-Park Board Enabling Legislation (State)
- 3-Cash in Lieu of Land
Pertinent Attorney General's Opinions
- 4-Deed of Conservation Easement (Sample)
- 5-Criteria for Park Development by Local Neighborhood or Special
Interest Groups
- 6-Limited Survey Form and Results
- 7-Park Information Matrix
- 8-Park Design and Construction Standards

Commissioner MacKay introduced the following and moved for its adoption, Commissioner _____ Straw seconded the motion, and it was unanimously adopted:

RESOLUTION CREATING PARK BOARD AND
PARK FUND

WHEREAS Yellowstone County may create a Board of Park Commissioners pursuant to Section 7-16-2301, Montana Code Annotated 1981, and

WHEREAS such Board shall constitute a department of the County government with the powers set forth in Title 7, Chapter 16, Part 23 of the Montana Code Annotated 1981, and

WHEREAS any revenue realized by the County from the sale, exchange, or disposal of lands dedicated to public use for park or playground purposes shall be paid into a "park fund", and

WHEREAS all money raised by tax for park purposes or received by the Board of Park Commissioners from the sale of hay, trees, or plants or from the use of or leasing of lands and facilities shall be paid into the County Treasury and kept in a separate fund to be known as a "park fund", and

WHEREAS the County Commissioners intend to create a "Board of Park Commissioners" and a "park fund",

NOW THEREFORE, BE IT RESOLVED:

1. That Yellowstone County, Montana, by Resolution of its Board of County Commissioners hereby creates a "Board of Park Commissioners" pursuant to Title 7, Chapter 16, Part 23 of the Montana Code Annotated 1981.

STATE PARK BOARD ENABLING LEGISLATION

Part 23

County Board of Park Commissioners

7-16-2301. Authorization for county board of park commissioners. (1) There may be created in all counties a board of park commissioners.

(2) Such board shall constitute a department of the county government with the powers provided in this part.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2302. Composition of park board. The board of park commissioners shall be composed of the county commissioners and six other persons appointed by the county commissioners.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2303. Qualifications of park commissioners. The six persons to be so appointed shall have the same qualifications for the office of park commissioner as are required by 7-4-2201, for the office of county commissioner.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2304. Term of office. (1) Except as provided in subsection (2), the term of office of each park commissioner shall be 3 years with and after the first Monday of May of the year in which he is appointed and until his successor is appointed and qualified.

(2) Two of the commissioners first appointed shall hold office for the period of 1 year, two for 2 years, and two for 3 years with and after the first Monday of May and until their successors are appointed and qualified.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2305. Automatic vacation of office. Any park commissioner who shall refuse or neglect for a period of 3 consecutive months to attend the meetings of said board without leave of absence from said board or who shall fail for a period of 20 days from and after his appointment to qualify as provided in this part shall be deemed to have vacated his office, and thereupon, his successor may be appointed.

History: En. Sec. 4, Ch. 306, L. 1967; amd. Sec. 3, Ch. 290, L. 1971; R.C.M. 1947, 16-4804(part).

7-16-2306. Compensation of park commissioners. No park commissioner shall receive compensation for his services rendered under the provisions of this part, but the actual and necessary expense incurred by any member of the board while acting under the orders of the board in the transaction of any business in its behalf may be paid upon being allowed and audited by the board.

History: En. Sec. 4, Ch. 306, L. 1967; amd. Sec. 3, Ch. 290, L. 1971; R.C.M. 1947, 16-4804(part).

7-16-2307. Oath of office. Before entering upon the discharge of his duties, each park commissioner shall take and subscribe to the oath provided by 2-16-211. The oath shall be filed in the office of the county clerk and recorder.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2308. Organization of park board. On the first Monday of May in each year, said board of park commissioners shall meet and organize by electing one of their number president and one of their number vice-president, who shall hold their offices, respectively, for the term of 1 year.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

*repealed!
1991*

7-16-2309. Duties of board officers. The president and, in his absence, the vice-president shall preside at all meetings of the board and shall countersign all warrants issued by the board.

History: En. Sec. 1, Ch. 306, L. 1967; amd. Sec. 1, Ch. 290, L. 1971; R.C.M. 1947, 16-4801(part).

7-16-2310. Clerk of board of park commissioners. (1) The board of park commissioners shall have the power to employ a secretary, not a member of the board, who shall be the clerk of the board of park commissioners and attend all meetings of said board and keep correct minutes of all proceedings of said board in a book to be provided by it for that purpose, to be called proceedings of the board of park commissioners of (entitled) county.

(2) It shall be the duty of the secretary to keep an accurate account of all transactions of said board and to make and submit in writing to said board at its first meeting in May in each year a report under oath showing in detail all the receipts and disbursements made by the board during the previous calendar year. The report shall be in duplicate, and after being approved by said board, one of said duplicates shall be filed in the office of the county clerk and recorder and one in the office of the county treasurer. The secretary shall perform such other services as the board from time to time shall require.

(3) In the absence of the secretary at any meeting held by the board, it shall designate one of its members as clerk pro tem to keep the minutes of said meeting, which minutes shall be delivered to the secretary to be transcribed into the record book of said board.

History: En. Sec. 5, Ch. 290, L. 1971; R.C.M. 1947, 16-4801.(part).

7-16-2311. Evidentiary effect of park board minutes. The minutes of said meeting in said record book, when approved by the board, shall be prima facie evidence of the matters and things there recited in any court in this state.

History: En. Sec. 5, Ch. 290, L. 1971; R.C.M. 1947, 16-4801.(part).

7-16-2312. County park superintendent. The board of park commissioners shall have the power to employ a park superintendent, who may also be the secretary of the park board and who shall attend each regular meeting of the said board and report, either in writing or orally as the board may require, as to the activities, functions, and progress of whatever nature pertaining to the park lands and facilities over which he has supervision. The duties of the park superintendent shall be of a managerial capacity.

History: En. Sec. 5, Ch. 290, L. 1971; R.C.M. 1947, 16-4801.(2).

7-16-2313. Conduct of park board business. (1) The board of park commissioners shall hold an annual meeting on the first Monday of May and a meeting at least once in each month in each year at such times as the board shall by rule prescribe. Special meetings may also be held at the call of the president or, in his absence, the vice-president, upon giving to each member of said board at least 24 hours' notice in writing of the time and place of holding such meeting. A member of the board by his appearance at a special meeting shall waive the requirement of written notice.

(2) A majority of the entire board shall be necessary to constitute a quorum for the transaction of the business of said board.

History: Ap. p. Sec. 4, Ch. 306, L. 1967; amd. Sec. 3, Ch. 290, L. 1971; Sec. 16-4804, R.C.M. 1947; Ap. p. Sec. 2, Ch. 306, L. 1967; Sec. 16-4802, R.C.M. 1947; R.C.M. 1947, 16-4802(part), 16-4804(part).

7-16-2314. Control of conflict of interest and nepotism. (1) No park commissioner, directly or indirectly, shall be interested in or benefit by any contract made by the board or by its authority or in the furnishing of any supplies for the use of the board.

County of Yellowstone

BILLINGS, MONTANA 59101

COUNTY ATTORNEY'S OFFICE, YELLOWSTONE COUNTY COURTHOUSE, ROOM 508
HAROLD F. HANSEN, COUNTY ATTORNEY
(406) 256-2760 2870



A

- Criminal Division
- Civil Division
- Deferred Prosecution

- Victim/Witness Assistance
- Child Support Enforcement

YELLOWSTONE COUNTY
COMMISSIONERS
RECEIVED

January 20, 1986

JAN 21 1986
[Handwritten signatures]

Board of County Commissioners
Yellowstone County Courthouse
Billings, MT

Re: Use of RSID for Park Improvements

Dear Sirs:

The 1985 legislature amended Section 7-12-2102 of the Montana Code Annotated. Pursuant to that statute, a county may now use an R.S.I.D. for any purpose that a city uses S.I.D.'s for. One of those purposes is to construct swimming pools and other recreation facilities.

Therefore, in my opinion, Rural Special Improvement Districts may be used for the purpose of improving public parks within the county.

I am also enclosing a copy of Porch v. Powder River Board of County Commissioners, 43 State Reporter 1936, in which the Montana Supreme Court stated that the Board of County Commissioners could create an R.S.I.D. for the purpose of building a swimming pool.

Sincerely,

[Handwritten signature]
David W. Hoefer,
Deputy County Attorney

DWH/cr
Encl.

7-8-2709. Grazing and agricultural uses of county lands. (1) The board may cooperate with boards of county commissioners in establishing grazing districts or entering into agreements with other landowners for the establishment of grazing districts whereby county lands may be leased either on a per-head or per-acre basis.

(2). The board may act in an advisory capacity in fixing the fees, terms, and conditions of grazing and agricultural leases.

History: (1)En. Sec. 7, Ch. 67, L. 1933; re-en. Sec. 4573.7, R.C.M. 1935; Sec. 16-1507, R.C.M. 1947; (2)En. Sec. 8, Ch. 67, L. 1933; re-en. Sec. 4573.8, R.C.M. 1947; Sec. 16-1508, R.C.M. 1947; R.C.M. 1947, 16-1507, 16-1508.

Parts 28 through 40 reserved

Part 41

Municipal Buildings

7-8-4101. Construction, lease, and management of municipal buildings. The city or town council has power to build or hire all necessary buildings for the use of the city or town and to heat and light the same.

History: En. Subd. 5, Sec. 5039, R.C.M. 1921; amd. Sec. 1, Ch. 115, L. 1925; amd. Sec. 1, Ch. 20, L. 1927; re-en. Sec. 5039.4, R.C.M. 1935; R.C.M. 1947, 11-905.

Part 42

Disposal and Lease of Municipal Property

7-8-4201. Disposal or lease of municipal property. (1) Subject to the provisions of subsection (2), the city or town council has power to sell, dispose of, or lease any property belonging to a city or town.

(2) (a) Such lease or transfer shall be made by ordinance or resolution passed by a two-thirds vote of all the members of the council.

(b) If such property is held in trust for a specific purpose, such sale or lease thereof must be approved by a majority vote of taxpayers of such municipality voting at an election called for that purpose.

(3) Nothing contained herein shall be construed to abrogate the power of the board of park commissioners to lease all lands owned by the city heretofore acquired for parks within the limitations prescribed by 7-16-4223.

History: En. Subd. 62, Sec. 5039, R.C.M. 1921; amd. Sec. 1, Ch. 115, L. 1925; amd. Sec. 1, Ch. 20, L. 1927; re-en. Sec. 5039.61, R.C.M. 1935; amd. Sec. 1, Ch. 35, L. 1937; R.C.M. 1947, 11-964.

CHAPTERS 9 AND 10

RESERVED

7-1-2121. Publication and content of notice. Unless otherwise specifically provided, whenever a local government unit other than a municipality is required to give notice by publication, the following applies:

(1) Publication must be in a newspaper meeting the qualifications of subsections (2) and (3), except that in a county where no newspaper meets these qualifications, publication must be made in a qualified newspaper in an adjacent county. If there is no qualified newspaper in an adjacent county, publication must be made by posting the notice in three public places in the county, designated by resolution of the governing body.

(2) The newspaper must be:

(a) of general paid circulation with a second-class mailing permit;

(b) published at least once a week; and

(c) published in the county where the hearing or other action will take place.

(3) In the case of a contract award, the newspaper must have been published continuously in the county for the 12 months preceding the awarding of the contract.

(4) If a person is required by law or ordinance to pay for publication, the payment must be received before the publication may be made.

(5) The notice must be published twice, with at least 6 days separating publication. The first publication must be no more than 21 days prior to the action and the last no less than 3 days prior to the action.

(6) The published notice must contain:

(a) the date, time, and place of the hearing or other action;

(b) a brief statement of the action to be taken;

(c) the address and telephone number of the person who may be contacted for further information on the action to be taken; and

(d) any other information required by the specific section requiring notice by publication.

(7) A published notice required by law may be supplemented by a radio or television broadcast of the notice in the manner prescribed in 2-3-105.

History: En. Sec. 1, Ch. 349, L. 1985.

7-1-2122. Mail notice. (1) Unless otherwise specifically provided, whenever a local government unit other than a municipality is required to give notice of a hearing or other official act by mail, the requirement may be met by:

(a) deposit of the notice, properly addressed, in the United States mail with postage paid at the first-class rate;

(b) sending the notice by certified mail rather than first class; or

(c) mailing the notice at the bulk rate instead of first class if notice is to be given by mail to all electors or residents of the affected local government unit.

(2) The notice shall contain:

(a) the date, time, and place of the hearing or other action;

(b) a brief statement of the action to be taken;

(c) the address and telephone number of the person who may be contacted for further information on the action to be taken; and

(d) any other information required by the specific section requiring mail notice.

(3) When notice by mail is required, the requirement applies only to persons whose addresses are known.

History: En. Sec. 2, Ch. 349, L. 1985.

(2) The laws of nepotism shall apply to employment under this part.
History: (1) En. Sec. 4, Ch. 306, L. 1967; amd. Sec. 3, Ch. 290, L. 1971; Sec. 16-4804, R.C.M. 1947; (2) En. Sec. 2, Ch. 306, L. 1967; Sec. 16-4802, R.C.M. 1947; R.C.M. 1947, 16-4802(part), 16-4804(part).

7-16-2315 through 7-16-2320 reserved.

7-16-2321. Powers and duties of park board. A county park board, in addition to powers and duties now given under law, shall have the following powers and duties:

(1) to acquire by gift, grant, purchase, lease, or condemnation lands or facilities within or without the limits of corporate municipalities for parks, playgrounds, recreation areas, swimming pools, athletic fields, skating rinks, museums, zoos, golf courses, camps, multipurpose buildings for civic centers, fieldhouses, gymnasiums, youth centers, libraries, reading and meeting rooms, or combinations thereof;

(2) to furnish and equip and manage and control the same, including establishment by resolution of reasonable and uniform charges for the privilege of using the same;

(3) to lay out, establish, improve, and maintain grounds, parkways, drives, and walks in the parks and recreation areas of the county, make plats thereof and file the same in the office of the county clerk, and determine when and what parks and recreation areas shall be opened to the public;

(4) to pay all obligations authorized to be incurred by the provisions of this part;

(5) to exercise all other powers incident to the duties enjoined by the provisions of this part.

History: En. Sec. 2, Ch. 306, L. 1967; R.C.M. 1947, 16-4802(part).

7-16-2322. Rules to implement part. (1) A county park board, in addition to powers and duties now given under law, shall have the following powers and duties:

(a) to make all rules necessary or convenient to protect and promote the improvement of land and facilities under the care and control of said board and for the protection of birds and animals inhabiting or frequenting land and facilities in parks and public places;

(b) to make all rules for the use of land and facilities by the public; and

(c) to provide penalties for the violation of such rules.

(2) The rules authorized by this section shall have the force of resolutions of the county commissioners.

History: En. Sec. 2, Ch. 306, L. 1967; R.C.M. 1947, 16-4802(part).

7-16-2323. Leasing of county land for nonpark purposes. A county park board, in addition to powers and duties now given under law, shall have the power and duty to lease lands owned by the county, heretofore acquired for parks, which, in the judgment of the board, it shall not be advisable to improve as parks, upon such terms and conditions as the board shall deem to be for the best interests of the county. Such lands shall not be leased for a longer time than 5 years and not for a longer time than 1 year without the concurrence of two-thirds of the entire board of park commissioners.

History: En. Sec. 2, Ch. 306, L. 1967; R.C.M. 1947, 16-4802(part).

7-16-2324. Sale, lease, or exchange of dedicated park lands. (1) For the purposes of this section and part 25 of chapter 8, lands dedicated to the public use for park or playground purposes under 76-3-606 and 76-3-607 or a similar statute or pursuant to any instrument not specifically conveying land to a governmental unit other than a county are considered county lands.

(2) A county may not sell, lease, or exchange lands dedicated for park or playground purposes except as provided under this section and part 25 of chapter 8.

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(3) Prior to selling, leasing, or exchanging any county land dedicated to public use for park or playground purposes, a county shall:

(a) compile an inventory of all public parks and playgrounds within the county;

(b) prepare a comprehensive plan for the provision of outdoor recreation and open space within the county;

(c) determine that the proposed sale, lease, or exchange furthers or is consistent with the county's outdoor recreation and open space comprehensive plan;

(d) publish notice of intention to sell, lease, or dispose of such lands, giving the people of the county opportunity to be heard regarding such action;

(e) if the land is within an incorporated city or town, secure the approval of the governing body thereof for the action; and

(f) comply with any other applicable requirements under part 25 of chapter 8.

(4) Any revenue realized by a county from the sale, exchange, or disposal of lands dedicated to public use for park or playground purposes shall be paid into the park fund and used in the manner prescribed in 76-3-606 and 76-3-607 for cash received in lieu of dedication.

History: En. 16-4808 by Sec. 5, Ch. 540, L. 1975; R.C.M. 1947, 16-4808; amd. Sec. 25, Ch. 253, L. 1979.

7-16-2325. Power of park board to employ persons and to make contracts. (1) A county park board, in addition to powers and duties now given under law, shall have the following powers and duties:

(a) to employ and discharge workmen, laborers, engineers, foresters, and others and to fix their compensation;

(b) to make all contracts necessary or convenient for carrying out any and all of the powers conferred and duties enjoined upon said board by this part.

(2) All contracts made by said board shall be in the name of the county and shall be signed by the president or, in his absence, by the vice-president of said board, or upon approval by a majority of the members of the board of park commissioners at a regular meeting of the board at which a quorum is in attendance and voting and with due notice and report being made to the board of county commissioners, such contracts may be signed by the chairman of the board of county commissioners and attested by the county clerk and recorder.

(3) No order or resolution authorizing the making of any contract shall be passed or adopted except by a yea and nay vote, which vote shall be recorded in full in the minutes of the secretary.

History: (1)En. Sec. 2, Ch. 306, L. 1967; Sec. 16-4802, R.C.M. 1947; (2)En. Sec. 4, Ch. 306, L. 1967; amd. Sec. 3, Ch. 290, L. 1971; Sec. 16-4804, R.C.M. 1947; (3)En. Sec. 5, Ch. 306, L. 1967; amd. Sec. 4, Ch. 290, L. 1971; Sec. 16-4805, R.C.M. 1947; R.C.M. 1947, 16-4802(part), 16-4804(part), 16-4805(part).

7-16-2326. Discrimination in employment prohibited. No contract of employment may be entered into except in compliance with federal and state statutes, orders, and rules providing that there may be no discrimination in employment.

History: En. Sec. 6, Ch. 306, L. 1967; amd. Sec. 3, Ch. 38, L. 1977; R.C.M. 1947, 16-4806; amd. Sec. 26, Ch. 253, L. 1979.

7-16-2327. Indebtedness for park purposes. (1) Subject to the provisions of subsection (2), a county park board, in addition to powers and duties now given under law, shall have the power and duty to contract an indebtedness in behalf of a county, upon the credit thereof, for the purposes of 7-16-2321(1) and (2).

(2) (a) The total amount of indebtedness authorized to be contracted in any form, including the then-existing indebtedness, must not at any time exceed 3% of the value of the taxable property of the county ascertained by the last assessment for state and county taxes previous to the incurring of such indebtedness.

(b) No money must be borrowed on bonds issued for the purchase of lands and improving same for any such purpose until the proposition has been submitted to the vote of those qualified under the provisions of the state constitution to vote at such election in the county affected thereby and a majority vote is cast in favor thereof.

History: En. Sec. 2, Ch. 306, L. 1967; R.C.M. 1947, 16-4802(part).

7-16-2328. Park fund to be maintained. All money raised by tax for park purposes or received by the board of park commissioners from the sale of hay, trees, or plants or from the use of or leasing of lands and facilities shall be paid into the county treasury. The county treasurer shall keep all such money in a separate fund to be known as the park fund.

History: En. Sec. 3, Ch. 306, L. 1967; amd. Sec. 2, Ch. 290, L. 1971; R.C.M. 1947, 16-4803(part).

7-16-2329. Limitation on incurred liability. The board of park commissioners shall have no power to incur liability on behalf of the county in excess of money on hand in or taxes actually levied for said park fund.

History: En. Sec. 3, Ch. 306, L. 1967; amd. Sec. 2, Ch. 290, L. 1971; R.C.M. 1947, 16-4803(part).

7-16-2330. Allowance of claims. (1) Subject to the provisions of subsection (2), the board of park commissioners shall, at its first regular meeting in each month, audit and allow all just claims against the county, liability for which shall have been incurred by said board.

(2) No claim shall be audited or paid until an itemized account of such claim, in writing and signed by the claimant or his or its authorized agent, shall have been filed in the office of the secretary of said board.

(3) No order or resolution providing for the payment or expenditure of money or creating an obligation in excess of the sum of \$25 shall be passed or adopted except by a yea and nay vote, which vote shall be recorded in full in the minutes of the secretary.

History: En. Sec. 5, Ch. 306, L. 1967; amd. Sec. 4, Ch. 290, L. 1971; R.C.M. 1947, 16-4805(part).

7-16-2331. Disbursement of money. All money paid out by the park commissioners under the provisions of this part shall be by warrant drawn upon the county treasury, which may be signed by the secretary and countersigned by the president or, in his absence, by the vice-president of the board of park commissioners. Upon approval by a majority of the members of the board of park commissioners at a regular meeting of the board at which a quorum is in attendance and voting and with due notice and report being made to the board of county commissioners, payments so authorized may be made by warrant drawn upon the county treasury, signed by the chairman of the board of county commissioners and countersigned by the county clerk and recorder.

History: En. Sec. 3, Ch. 306, L. 1967; amd. Sec. 2, Ch. 290, L. 1971; R.C.M. 1947, 16-4803(part); amd. Sec. 27, Ch. 253, L. 1979.

7-16-2332. Acceptance of federal aid authorized. The park commissioners shall have authority to accept grants or loans from the United States government, subject to agreements in conformance to federal laws and regulations relating thereto, notwithstanding any provision of this part or other state statutes to the contrary.

History: En. Sec. 7, Ch. 306, L. 1967; R.C.M. 1947, 16-4807.

76-3-607. Waiver of land dedication and cash donation requirements. (1) If the proposed plat provides for a planned unit development with land permanently set aside for park and recreational uses sufficient to meet the needs of the persons who will ultimately reside therein, the governing body may issue an order waiving land dedication and cash donation requirements.

(2) If a tract of land is being developed under single ownership as a part of an overall plan and part of the tract has been subdivided and sufficient park lands have been dedicated to the public from the area that has been subdivided to meet the requirements of 76-3-606 for the entire tract being developed, the governing body shall issue an order waiving the land dedication and cash donation requirements for the subsequently platted area.

(3) The local governing body may waive dedication and cash donation requirements:

(a) where all of the parcels in a subdivision are 5 acres or more in size and where the subdivider enters a covenant to run with the land and enforceable only by mutual consent of the governing body and the property owners that the parcels in the subdivision will never be subdivided into parcels less than 5 acres and that all parcels in the subdivision will be used for single family dwellings;

(b) when the subdivider agrees to create a property owners' association for the proposed subdivision and to deed to the association land to be held in perpetuity for use as parks or playgrounds, and the area of land to be deeded to the association shall equal the amount that would otherwise have been dedicated to public use;

(c) for subdivision to be created by rent or lease where the subdivider agrees to develop parks or playgrounds within the subdivision for the common use of the residents of the subdivision, and the area of land to be reserved for this purpose shall equal the amount that would otherwise have been dedicated to the public.

History: En. Sec. 6, Ch. 500, L. 1973; amd. Sec. 4, Ch. 334, L. 1974; R.C.M. 1947, 11-3 thru (7).

The provision for the donating of cash in lieu of park land:

76-3-606. Dedication of land to public — cash donations. (1) A plat of a residential subdivision shall show that one-ninth of the combined area of lots 5 acres or less in size and one-twelfth of the combined area of lots greater than 5 acres in size, exclusive of all other dedications, is forever dedicated to the public for parks or playgrounds. No dedication may be required for the combined area of those lots in the subdivision which are larger than 10 acres exclusive of all other dedications. The governing body, in consultation with the planning board having jurisdiction, may determine suitable locations for such parks and playgrounds.

(2) Where the dedication of land for parks or playgrounds is undesirable because of size, topography, shape, location, or other circumstances, the governing body may, for good cause shown, make an order to be endorsed and certified on the plat accepting a cash donation in lieu of the dedication of land and equal to the fair market value of the amount of land that would have been dedicated. For the purpose of this section, the fair market value is the value of the unsubdivided, unimproved land. Such cash donation shall be paid into the park fund to be used for the purchase of additional lands or for the initial development of parks and playgrounds.

(3) The park dedication and cash in lieu requirements of subsections (1) and (2) do not apply to any division that creates only one additional lot.

History: En. Sec. 6, Ch. 500, L. 1973; amd. Sec. 4, Ch. 334, L. 1974; R.C.M. 1947, 11-386411, (2); amd. Sec. 1, Ch. 703, L. 1979.

*606 & 607
repealed.*

← 76-3-607

An April 25, 1984, State Attorney General's opinion provided clarification and reiteration of parts of the statutes. A summary of this opinion held the following:

1. A county park board does not have the authority to levy a special tax for park purposes.
2. The funding for the county park board's obligations is derived from the county general fund as well as from other specific sources as enumerated by sections 7-16-2328, 7-16-2324 and 76-3-606, MCA.
3. Revenues from sale of lands and cash donations are unrestricted revenues within the park fund through acceptable accounting procedures.
4. Interest earned from the deposit or investment of the park fund must be credited to the county general fund.

DEED OF CONSERVATION EASEMENT
(Sample)

This DEED OF EASEMENT, made this _____ day of _____
198____, under the laws of the State of Montana, by and between _____
_____, hereinafter called the Grantor and
_____, hereinafter called the Grantee.

WITNESSETH:

WHEREAS, Grantor is the owner in fee simple of the real property hereinafter described, situated in the County of Yellowstone. State of Montana.

WHEREAS, said property has aesthetic, scientific, and ecological value in its present state as a natural area which has not been subject to development or exploitation;

WHEREAS, the Grantor is willing to grant a Conservation Easement over said property, thereby restricting and limiting the use of the water and land areas of said property, on the terms and conditions and for the purposes hereinafter set forth, and the Grantee is willing to accept such easement.

WHEREAS, the Grantor and Grantee recognize the aesthetic, scientific and ecological value of the property in its present natural state, and have, by the conveyance of a Conservation Easement to the Grantee, the common purpose of conserving the natural value of the said property preserving the natural character of the property, and preventing the use or development of said property for any purpose or in any manner which would conflict with the maintenance of the said property in its scenic and natural condition.

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00) to the Grantor is hand paid, the receipt of which is hereby acknowledged, and in further consideration of the mutual covenants, terms, conditions, and restrictions hereinafter set forth, Grantor hereby grants and conveys unto the Grantee and its successors forever and in perpetuity an interest and Conservation Easement of the nature and character and to the extent hereinafter set forth in respect to the lands of the Grantor situated in the County of Yellowstone, State of Montana, more particularly described as follows:

(Legal Description of Land)

The terms, conditions, and restrictions of the Conservation Easement are as hereinafter set forth:

1. There shall be no erection of buildings, billboards, fences, or any other structures, excepting maintenance and repairs of the existing irrigation facilities and except as may be otherwise provided herein.

2. There shall be no mining, drilling, filling, excavating, dredging, removing of top soil, sand, gravel, rocks, or minerals above a plane 200 feet below the existing land surface, building of roads, placement of pilings, or pile-supported structures or changing the topography of the land in any manner except as provided herein.

3. There shall be no dumping of trash, rubbish, or waste materials of any type.

4. There shall be no pollution of surface or subsurface waters or springs with biocides, pesticides, or insecticides or disturbing or changing the existing natural habitat in any manner without the express written consent of the Grantee.

5. There shall be no activities or uses which result in erosion of which have a detrimental effect upon fish or wildlife, their natural habitat or on the natural ecosystems and their processes.

6. The Grantee reserves the right to enter the property at all reasonable times for the purpose of inspecting said property to determine if the Grantor is complying with the requirements hereunder.

7. In the event a violation of these restrictions is found to exist, the Grantee, or its successor or assign, may, after a 30 day notice to the Grantor, or his successor or assign, institute a suit to enjoin by ex parte, temporary and/or permanent injunction such violation, to require the restoration of the premises to their prior condition, or for damages for breach of covenant.

8. The Grantor reserves for himself, his successors and assigns, the right to continue the use of the property for all purposes not inconsistent with this Conservation Easement.

(Additional terms and conditions, including specific rights reserved to the Grantor, will, of course, be mandated by the individual characteristics and needs of the subject land.)

TO HAVE AND TO HOLD the easement hereby granted unto the Grantee, its successors and assigns forever. This grant shall be binding upon the heirs, successors and assigns of Grantor and shall constitute a servitude upon the easement area.

IN WITNESS WHEREOF, Grantor and Grantee have hereunto set their hands on the day and year above written.

(Signatures and notarization)

CRITERIA FOR PARK DEVELOPMENT BY LOCAL NEIGHBORHOODS
OR SPECIAL INTEREST GROUPS

The Yellowstone County Park Board will consider applications for development of or in County Parks at their regularly scheduled public meetings; an application must be placed on the Park Board Agenda at least one week in advance of the meeting.

The Park Board will accept an application for park development only if all of the following items are addressed:

1. REQUIREMENTS FOR PARK BOARD APPROVAL

A. Site Development Plan:

1. Provide a legible layout of the park development proposal plan with name, size, and location and with dimensions drawn to scale.
2. Show surrounding land use and on-site topography, vegetation, irrigation ditches, etc.
3. Show existing and planned facilities such as buildings; playground equipment; water, sewer, and electrical services; trails and sidewalks; pedestrian and vehicular access and planned parking; grading plan; landscaping; and other appropriate plans.
4. Improvements must meet Park Board construction standards and specifications which are available for review from the Park Board Office. Inspection of on-going construction of approved facilities will be made by a representative of the Park Board.

B. Project Construction Timeframe, Funding, and Maintenance:

1. Provide a yearly timeframe of planned improvements for one to five years.
2. Show estimated cost of planned facilities by item and the source of the estimate.
3. Provide an estimate of operation and maintenance costs for the planned improvements and a plan for funding of same.
4. Provide the name, address, and phone number for the person representing the neighborhood organization proposing the park development.

C. Neighborhood Involvement:

1. Provide the name, address, telephone number, and indication of support (yes/no/no opinion) of the proposed park development plan of all neighborhood families within two blocks (approximately 600 feet) surrounding the park.
2. Provide an estimate of the number of expected users.

II. CRITERIA FOR PARK BOARD APPROVAL

- A. The Park Board's decision shall be based upon whether the proposed park plan is in the public interest. To determine public interest, the Park Board shall evaluate:
 1. Basis of need for the proposed facility.
 2. Expressed public opinion.
 3. Effects on the natural environment.
 4. Effects on public health and safety.
 5. Effects on wildlife and agriculture.
 6. The relationship of the proposal to other County parks as described in the County's Comprehensive Park Plan.
- B. The Park Board shall also evaluate the proposed park plan construction, operation, and maintenance financing, the feasibility and soundness thereof, and the availability of County or other funds to assist the project.
- C. The County Park Board shall then make a recommendation for approval, conditional approval, or denial of the proposed park development plan to the County Commissioners within the month following submittal of the plan to the Park Board.
- D. Applicants are encouraged to meet with the Park Board or its representatives prior to submitting a park development proposal to insure a proper awareness of Park Board procedures, desires, and requirements.
- E. The Park Board encourages the proper development of County parks by local neighborhood groups and will assist and support such activities as much as possible.

LIMITED USER SURVEY

At the beginning of the Yellowstone County Comprehensive Parks Plan project a survey form was prepared and sent out to 80 groups, organizations, and clubs in the County with a perceived interest in parks and recreation. The list included all of the organized sports groups, such as youth soccer and softball organizations; civic clubs, such as Junior League and Rotary; all of the school districts; conservation organizations such as the Yellowstone Valley Audubon Society; and representatives from real estate and land development. Of the 80 forms sent out, 25 were returned, a response rate of 31 percent.

The survey form is here enclosed with the results for each question shown in prioritized order. The findings of the survey are not conclusive nor does it represent a statistically sound sampling of County residents. The return was informative, however, and was used to stimulate ideas and support concepts in the Park Plan. At some future time the Park Board may want to undertake a statistically valid opinion survey of Yellowstone County residents to ascertain park and recreation use preferences or similar information. At the present time, however, there are higher priorities for the park budget.

County of Yellowstone



COMMISSIONERS

PARK BOARD

4/27/84

BILLINGS, MONTANA

POB 35000, Billings, MT 59107

Dear Yellowstone County Organization:

The Board of Park Commissioners of Yellowstone County is in the process of preparing a Comprehensive Park Plan for the County. The purpose of this Plan is to establish an administration, management, and development system for the existing 110-plus County parks as well as future parks.

The taxpayers of Yellowstone County cannot afford to pay for the development and long-term continuous maintenance of improvements in all of its many parks. Which parks to develop and which to possibly dispose of; what facilities are needed by the people who use the parks; and how can parks that are to be improved and maintained be done so in a cost effective manner; all are questions the Park Commissioners are currently trying to address.

As an organization with an interest in County park and recreation programs, we would like your assistance in preparing the County Park Plan. In the five lines below, list in order of priority the kinds of park experience you feel are most important, i.e., picnicking, nature enjoyment, organized team sports, open air gatherings, etc.

1. Nature enjoyment _____
2. Organized team sports _____
3. Unorganized open air park lands _____
4. Picnicking _____
5. Clean and safe play area for children with equipment _____

As explained earlier, the County cannot afford to build and maintain improvements in all its parks. Do you have any suggestions for handling the construction of County park facilities where needed and their long-term maintenance?

1. Volunteer labor _____
2. Use of non-profit organizations, service, and civic clubs _____
3. Tax levy _____
4. User fees _____
5. Sell unused land and apply proceeds _____

Do you feel there is a need for more parks such as small, close-by parks for children; large central community parks such as Pioneer Park in Billings; large regional parks such as Riverfront park south of Billings; or other types? Please list below in order of priority:

1. Regional park
2. Large central park
3. Neighborhood multiple use park
4. Close-by parks for children
5. Nature parks

As an important organization in Yellowstone County interested in participating in the County Park program, do you have any resources which you would be willing to contribute to building and maintaining a park program in which you are involved and benefit from? Such resources could include expertise, money, labor, materials, etc. Please indicate:

1. Labor
2. Expertise
3. Money
4. Materials
5. Other

Organization: _____

Number of Members in Yellowstone County: _____

Contact Person: _____ Telephone: _____

Address: _____

Additional comments: _____

Please return your response to the address shown below within 30 days. Thank you very much for your time and concern.

Park Plan
Board of Park Commissioners
Yellowstone County Courthouse
POB 35000
Billings, MT 59107

A draft of the County Park Plan is due for completion in September of this year, and advertised public hearings will be held concerning its findings and proposals.

PARK INFORMATION MATRIX

PARK	CODE	ACRE SIZE	SCENIC RESOURCES	NATURAL RESOURCES	ECOLOGICAL DIVERSITY	ECOLOGICAL SENSITIVITY	SEPTIC SUITABILITY	IRRIGATION	DRINKING WATER AVAILABILITY	ACCESS	PARKING	SPORTS FIELD SUITABILITY	PICNIC AREA SUITABILITY	SURROUNDING LAND USE	SURROUNDING DEVELOPMENT	ABILITY TO ADD LAND DEVELOPMENT	PRESSURE
Acton Townsite	143-BA	1.5	5	4	4	4	N	N	4	1	5	5	5	1	5	2	3
Agricenter	116-BS	2.19	1	1	1	2	N	D	4	1	4	4	4	4	4	4	3
Arrow Island 1st	156-SH	15+	3	1	1	2	N	D	4	1	2	2	2	5-P	3	1	3
Arrow Island 2nd	209-SH	24.22	1	1	1	2	N	D	4	1	2	2	2	2	4	4	3
Beartooth School	126-BH	.78	1	1	1	2	N	D	4	1	2	2	2	2	4	4	3
Bel Aire	73-LW & BE	1.25	5	3	3	1	Y	Y	2	1	3	4	4	5-S	3	1	3
Briarwood 1st	147-SB	1.86	1	2	2	2	Y	Y	2	1	5	5	2	1	2	1	1
Briarwood 2nd	208-SB	8.54	1	2	2	2	Y	Y	2	1	4	4	2	1	3	3	3
Brooksdale	24-CN	1.82	5	5	5	5	Y	D	2	1	1	2	1	1	3	2	1
Byrnes Stephens	77-BS	.52	5	5	5	5	Y	D	2	1	1	2	2	1	3	2	1
Byrnes Neilson	61-BNW	4.01	3	3	3	4	Y	Y	2	1	2	5	2	1	5	3	5
Cedar Park	57-SB	3.8	5	1	1	1	Y	N	5	2	3	5	2	1	3	1	1
Century	157-LA	5.58	5	5	5	5	Y	D	3	3	2	2	2	1	5	1	4
C/S 986	82-BNW	.17	5	5	5	5	Y	D	3	3	2	2	3	3	5	1	3
C/S 1152	149-BS	50+	1	1	1	2	N	D	1	1	1	5	1	5-P	3	4	4
C/S 1310	68-LW & BE	24.73	5	5	5	2	Y	N	5	3	3	5	2	4	4	1	3
Charles Russel	34-LW & BE	3.83	2	3	3	1	Y	N	5	1	3	5	3	1	3	5	3
Clydesdale	96-BW	6.33	5	5	5	5	Y	D	2	1	2	2	3	1	4	1	1
Custer J.C.	141-CU	4+	5	5	5	5	Y	D	1	1	1	1	1	1	2	2	4
Custer Un-named	139-CU	.51	5	5	5	5	Y	D	1	1	2	5	2	1	1	3	4
Cynthia	43-BNW	2.0	3	4	5	3	Y	N	4	3	2	2	3	4	4	1	1
Dokken	59-BNW	.8	3	D	D	2	Y	N	4	3	2	2	3	4	4	1	1
Dry Creek	75-LW & BE	1.88	5	3	2	2	Y	Y	2	1	5	5	1	1	1	3	1
Echo	128-LA	4.49	2	2	2	1	Y	Y	2	1	2	2	2	1	1	1	2
Eggebrecht	129-LA	4.49	5	5	5	5	Y	N	5	1	3	5	2	4	4	1	2
Falcon Heights	137-SB	9.76	1	3	4	2	N	D	5	1	2	2	4	1	3	1	1
Grand Acres	56-BW	.29	3	5	5	5	Y	D	1	1	1	2	2	5S	5	1	4
Hakert	85-SB	.77	1	1	4	2	Y	D	2	3	2	5	5	4	4	1	4
Harris	84-LW & BE	2.48	5	3	5	3	Y	Y	2	1	2	5	2	1	4	1	5
Hidden Lake Sub. Park	140-SH	16±	5	5	5	3	Y	Y	2	1	1	1	1	1	2	1	1
Hillner	14-LW & BE	7.12	5	5	5	3	Y	N	5	1	2	3	3	1	4?	2	4
Homewood	127-LA	7.65	5	4	4	5	Y	D	1	1	1	1	1	1	2	1	1
Hypark Sub-Un-named	162-BNW	26+	3	2	2	1	N	N	5	1	5	5	3	1	2	2	4
Indian Cliffs	125-BNW	24.16	3	2	2	1	Y	N	5	1	2	5	5	1	2	4	4

PARK (CONT)	CODE	ACRES	SR	NR	ED	ES	SS	I	DWA	A	P	SFS	PAS	SLU	SD	ATAL	DP
Lampman	44-BW	9.5	5	5	5	5	Y	D	2	1	2	2	3	1	1	3	
Lockwood	51-LW & BE	10.0	5	5	5	5	Y	D	1	1	1	1	3	1	1	1	1
Lockwood Jr. High	115-LW & BE	16.25	2	4	3	3	Y	D	2	1	2	2	2	5	2	1	3
Lutheran	76-BH	.95	5	3	5	5	Y	Y	1	1	1	5	1	1	1	3	3
Madsen	53-BH	1.37	3	3	3	3	Y	D	2	1	2	5	3	1	2	4	
McKenzie	74-LW & BE	9.99	2	1	4	1	Y	Y	2	3	3	5	2	1	3	3	3
Mustang	163-SH	3.41	4	4	4	5	Y	N	5	1	2	3	2	1	3	1	
O'Donnell C/S 1233	132-LA	3.77	5	5	5	5	Y	D	2	2	2	2	3	1	4	1	4
Oxbow	135-BH	10.29	3	5	5	5	Y	N	5	2	3	5	2	1	2	3	3
Palisades	62-BNW	4.02	4	3	4	1	Y	Y	2	1	2	2	3	1	1	2	5
Peterson	101-BN	0.98	5	5	5	5	Y	D	3	1	2	5	3	1	2	2	4
Pike	130-LA		5	4	4	4	Y	D	3	1	2	2	3	1	5	1	4
Pinehill	17-LW & BE	8.92	4	4	2	1	Y	N	5	1	3	5	2	1	3	4	
Plenty Coup	131-LA	13.26	5	4	4	3	Y	D	5	1	2	3	2	2	2	1	4
Poly Vista	35-BNW	24.33	3	4	4	4	Y	D	1	1	1	1	2	4	2	1	1
Prairie	180-SH	7.01	5	5	5	5	Y	D	3	1	2	5	3	1	3	1	1
Pryor Creek Sub Park	142-HBW	1.79	5	4	4	4	Y	D	3	1	2	5	3	1	3	1	1
Quanta	94-SB	2.13	1	1	1	2	Y	D	3	1	2	5	2	4	5	1	1
Quarterhorse	153-BH	4.67	3	4	4	5	Y	D	3	1	2	2	2	1	2	1	2
Rim Point	52-BNW	7.33	3	4	4	2	Y	Y	2	1	2	3	3	1	3	2	2
Rimrock West	103-BNW	1.54	3	5	5	3	Y	Y	2	1	2	3	2	1	2	3	3
River Vista	145-SH	13.62	4	1	1	2	Y	Y	3	1	2	2	3	2	3	1	4
Robert T. Jones	71-BNW	4.02	3	4	4	4	N	Swamp	5	1	3	4	3	1	2	2	4
Rosetta	106-BNW	0.76	3	5	5	5	Y	D	3	3	2	4	3	2	5	1	4
Sannon	168LW & BE	2.61	5	5	5	5	Y	Y	2	1	1	5	3	3	4	1	4
Sharon	53-SB	3.99	5	5	5	5	N	N	5	4	5	1	5	1	2	1	1
Shawnee	87-LW & BE	.34	5	4	4	4	Y	N	5	1	2	5	3	1	3	2	3
Shepherd Lions	146-SH	.47	5	5	5	5	Y	D	3	1	2	2	2	4	4	1	1
Sled	97-LW & BE	8.75	4	2	4	1	Y	N	5	1	3	5	2	1	3	1	5
Sun Valley	40-BH	8.92	1	4	3	3	Y	Y	2	1	2	2	2	1	4	3	3
Two Moon	29-BH	150.55	1	1	1	2	N	D	3	1	1	2	1	1	3	2	2
Valley	54-SB	2.43	1	1	4	2	N	D	3	1	2	2	2	1	4	3	3
Un-named Wells Garder																	
C/S 2189-2175 Sub	155-BW	3.0	5	5	5	5	Y	D	3	1	2	2	3	3	5	1	1
West Park	159-LA	6.74	5	4	4	4	Y	Y	2	1	2	2	3	2	4	3	3
Western Skies	124-BNW	2.42	2	2	2	1	N	N	5	1	5	5	5	1	2	4	
Whitney Sub.	170-SH	8.5	5	5	5	5	Y	D	3	1	2	2	3	1	5	1	1
Winchester	144-SH	3.22	5	5	5	4	Y	D	3	1	2	2	3	1	5	1	1
W.M. Johnston	79-LW & BE	1.08	5	4	4	4	Y	D	2	1	2	5	3	2	2	3	3
Yellowstone Meadows	86-BNW	1.64	5	5	5	5	N	D	3	3	2	5	5	3	3	1	1
Zimmerman Acreage Tr.	81-BNW	1.01	3	3	5	4	Y	D	3	3	2	5	3	3	5	1	1
Zimmerman Public Park	11-BNW	71.85	3	2	2	1	Y	Y	5	1	2	2	2	1	3	4	4

INDEX TO PARK INFORMATION MATRIX

DRINKING WATER AVAILABILITY

1. Available on site
2. Water line adjacent to property
3. Uncertain
4. Potential for well
5. No potential

IRRIGATION

- D. Yes, on site irrigation ditch or ditch adjacent to site
- Y. Yes, water line adjacent to site or well potential
- N. No known water source

NATURAL RESOURCES

1. Rims or riparian setting, good views, diversity
2. Rims or sloping site with good views and diversity
3. Flat site with good views and moderate diversity
4. Flat site with no view and low diversity
5. Flat site with no view and soils limitations.

ECOLOGICAL DIVERSITY

1. High (birds 30+ species)
2. (birds 10-20 species)
3. Moderate (birds 5-10 species)
4. (birds below 5 species)
5. Low (birds below 5 species, agriculture)

ACCESS

1. Exists off major street
2. Existing street R.O.W.
3. Future access possible through presently unplatted land
4. Access not possible

PARKING

1. Existing, on site
2. Good potential
3. Moderate potential
4. Limited potential
5. No potential

PICNIC AREA SUITABILITY

1. Existing facilities
2. Good potential-space and trees available
3. Moderate potential-space but no shade
4. Potential limited by slopes
5. No potential

SPORTS FIELD SUITABILITY

1. Existing facility
2. Existing potential
3. Minor earthwork required
4. Major earthwork required
5. No potential

ECOLOGICAL SENSITIVITY

1. High-35% slope, erodible soils
2. 7-35% slopes, riparian
3. Moderate, less than 7% slope and silt
4. silt, flat
5. Low, clay, flat

SURROUNDING LAND USE (PLATS)

1. Small lot residential
2. Large lot residential
3. Agriculture or pasture
4. Vacant
5. Other, school (S), park or corridor (P)

DEVELOPMENT PRESSURES

1. Existing recreational development
2. Expressed interest by neighborhood residents
3. Signs of recreational use
4. Current non-recreational use
5. Signs of deterioration

ABILITY TO ADD LAND TO EXISTING PARCEL

1. Yes, through platting
2. Yes, through purchase
3. No
4. Park is adjacent to rims, ditch, creek, railroad or river

SEPTIC SUITABILITY

N-no
Y-yes
U-uncertain

SURROUNDING DEVELOPMENT

1. Significant development -small lots
2. Moderate development (more)
3. Moderate development (less)
4. Rural-large lots and scattered
5. No development

SCENIC RESOURCES

1. Flood plain
2. Rimrock formation
3. Exceptional view
4. Deed vegetative draw
5. No significant resources