

## Attachment B

### Zoning Commission Determinations Zone Change #935 – 741 S 24<sup>th</sup> St West

Prior to any recommendation to the City Council, the Zoning Commission shall consider the following:

1. *Is the new zoning designed in accordance with the Growth Policy?*

The proposed zone change is consistent with the following goals of the Growth Policy:

- *Predictable land use decisions that are consistent with neighborhood character and land use patterns. (Land Use Element Goal, page 6)*

The proposed zoning would permit the existing vacant dry cleaner service building to be used for retail, service business or office space. The current zoning does not allow any retail use of the building. The property is located adjacent to a high traffic corridor and can accommodate additional uses without disrupting the neighborhood.

- *More housing and business choices with each neighborhood. (Land Use Element Goal, page 6)*

The existing zoning is restricted to “9 to 5” businesses without retail sales. These use restrictions may be appropriate for some locations where residential uses are directly adjacent. A small retail or service business with retail sales will provide more business choices in the area.

2. *Is the new zoning designed to secure from fire and other dangers?*

The new zoning requires minimum setbacks, open and landscaped areas and building separations. The new zoning, as do all zoning districts, provides adequate building separations and density limits to provide security from fire and other dangers.

3. *Whether the new zoning will promote public health, public safety and general welfare?*

Public health, safety and general welfare will be promoted by the proposed zoning. The overly restrictive zoning discourages re-use of the property.

4. *Will the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?*

Transportation: The proposed zoning should have no impact on transportation.

Water and Sewer: The City provides water and sewer services to the property.

Schools and Parks: There should not be any impact to schools from the proposed zone change.

Fire and Police: The subject property is currently served by the city Public Safety Services.

5. *Will the new zoning provide adequate light and air?*

The proposed zoning provides for sufficient setbacks to allow for adequate separation between structures and adequate light and air.

6. *Will the new zoning effect motorized and non-motorized transportation?*

Traffic generation from the property will be based on the actual re-use of the property. The dry cleaning drop-off service generated approximately 200 vehicle trips per day. Proposed

uses will need to use the existing driveway off Henesta Drive. Potential traffic impacts will be evaluated at the time a change of use permit is submitted to the Building Division.

7. *Will the new zoning will promote compatible urban growth?*

The new zoning does promote compatibility with urban growth. The new zoning will allow re-investment in the property increasing property value over time.

8. *Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?*

The proposed zoning does consider the character of district and the suitability of the property for retail sales, service businesses and office space. The location of the property on a principal arterial and a signalized intersection makes it suitable for these uses.

9. *Will the new zoning conserve the value of buildings?*

The existing dry cleaner building will be conserved by the new zoning.

10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*

The proposed zoning will permit an existing building to be marketed for a wide variety of uses more suitable for its location on a principal arterial street.