

Zoning Commission Determinations
Zone Change #940 – Silver Creek Subdivision

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 allow undeveloped property within the Silver Creek Subdivision to develop in a similar pattern and density consistent with the surrounding property. The zoning district is compatible with the neighborhood character and land use patterns.

- The Infill Policy encourages development of vacant property within the city limits with emphasis on housing choice and efficient use of existing city infrastructure and services. The proposed zoning will allow a wider variety of housing choice, lot size and will make more efficient use of city infrastructure.

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

The new zoning requires minimum setbacks, 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 and public safety will be promoted by the proposed zoning. Development of the vacant land in the city will promote the public health and safety of the adjacent residential neighborhood by providing full development of streets.

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

Transportation: The proposed zoning and subsequent development may have an impact on the surrounding transportation systems. The original subdivision provided a traffic study based on the existing zoning of the property. The City Engineering Division will work closely with the owner to ensure the existing analysis is still applicable given the new zoning on the 7.99 acres.

Water and Sewer: The City will provide water and sewer to the property. There should be no additional impact to the system from the proposed zoning.

Schools and Parks: There may be a limited impact to schools from the proposed zone change. Residential development is an allowed use in both the current zoning and the proposed zoning. The development plan is for primarily single family dwellings as either townhomes or individual lots.

Fire and Police: The subject property will be served by city public safety services. The Police Department had no concerns with the zone change

and the Fire Department will be involved in the future development whether as a subdivision or a Master Site Plan for a unit ownership. Access for emergency services will assured through this process. Fire Station #7 is about 2 driving miles to the south and west.

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?*
The new zoning may have a minor effect on vehicle and pedestrian traffic. Silver Creek Estates first phase has been completed and includes sidewalks and roads. The original subdivision approval included a traffic study to determine the appropriate level of traffic management and control. The proposed zoning will allow a slight increase in housing density and the traffic study may need to be updated to include the potential for additional dwelling units.
7. *Will the new zoning will promote compatible urban growth?*
The new zoning does promote compatibility with urban growth. The proposed zoning will allow residential uses with an efficient density.
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 the district and the suitability of the property for a mix of housing types in the neighborhood.
9. *Will the new zoning conserve the value of buildings?*
The property is currently vacant. The value of existing buildings should increase when the property is developed.
10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*
The proposed zoning will permit residential dwellings of similar type and density as the surrounding neighborhood and is the most appropriate use of land at this location.