

Zoning Commission Determinations
Zone Change #942 – 5640 Grand Avenue

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)*

The proposed zoning would permit the School District to proceed with plans to develop a new middle school on the property. The School District has owned this property since 2000 and the voters approved the bond issue for its construction. Public zoning is consistent with the intended uses of the School District and is consistent with the continued residential development in the area.

- *Promote excellence in education and safe and healthy school facilities. (Economic Development Element Goal)*

The existing zoning is restricted to agricultural uses in the County. The default zoning for annexation is Residential 9,600 (R-96). Public schools are not allowed uses with the standard residential zones. The proposed zoning will allow the School District to use the land in conformance with the zoning.

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. The City Fire Department will ensure safe access to the site and provision for minimum fire flow to the new buildings.

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. The new middle school will provide the required landscaping and attention to the outdoor recreation facilities for the students and will be an amenity for the adjacent neighborhood. This will improve public health and safety and the general welfare of the adjacent neighbors.

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

Transportation: The proposed zoning will have an impact on the surrounding streets. The applicant is working with the City Traffic Engineer to ensure safe access to and exiting from the new school. Improvements to the adjacent streets and intersections will be required to ensure this traffic safety. Specific improvements will be determined by the City Traffic Engineer.

Water and Sewer: The City will provide sewer and water service to the property by extension of those utilities from Grand Avenue and 56th Street West.

Schools and Parks: There should be a positive impact to the School District. The district will be able to accommodate additional students and relieve over-crowding at other schools.

Fire and Police: The subject property will be served by the city Public Safety Services. The School District will work with the Fire Department through the Building Permit process to ensure building safety and safe access for responders.

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 a new middle school will affect the surrounding street network. The City Traffic Engineer and the Transportation Planners are working with the School District to ensure safe access for vehicles, pedestrians and bicyclists.
7. *Will the new zoning will promote compatible urban growth?*
The new zoning does promote compatibility with urban growth. The proposed zoning will provide an area to locate new school facilities and outdoor recreation facilities in an area where none currently exist.
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 school facilities. There are existing and planned developments in the area that will continue to increase students in the district.
9. *Will the new zoning conserve the value of buildings?*
The lot is currently vacant land near developing city subdivisions and adjacent to other property still outside the city limits. Development of a new school facility should conserve the value of adjacent homes and increase property value in the area.
10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*
The proposed zoning will encourage additional urban development in the area that already has some City services and will fill the need of the School District to provide expanded middle school facilities.