

## PROPOSED ZONING COMMISSION DETERMINATIONS

The Yellowstone County Zoning Commission, prior to any recommendation, shall consider the following:

1. *Is the new zoning designed in accordance with the Yellowstone County and City of Billings 2008 Growth Policy?*

The proposed zoning does comply with the following goals of the Yellowstone County and City of Billings 2008 Growth Policy and area plans:

- Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in the growth policy. (Land Use Element, page 6).

*This zone change would allow for residential development in an area of the county that is directly adjacent to the City of Billings. Smaller lots would be more consistent with the size of lots to the east and north and with several lots inside this C/S. The existing zoning of A-1 only allows 10 acre parcels for a single home and would not develop under this zoning. The proposed A-S zoning is the same zoning as some of the tracts developed to the south and west. This zoning will allow a more compact development of this parcel.*

Goal: New developments that sensitive to and compatible with the character of adjacent development. (Land Use Element Goal, page 6).

*This property is directly north to properties zoned A-S and developed as county residential development. Thoughtful design will be required by any future development to minimize any incompatibility between them and existing uses.*

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

The subject property is currently served by the Billings Urban Fire Service. The nearest fire station is located on 54<sup>th</sup> Street West, Station number 7, about 1.63 miles to the west. If the applicant in the future, should the zone change is granted, decide to subdivide the property they would have to meet requirements of the fire department regarding fire suppression apparatus which may include a 10,000 gallon dry hydrant tank. The existing and proposed zoning requires building separations, setbacks and height limits that should provide security from fire or other public safety emergencies.

3. *Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?*

*Transportation:* The new zoning could minimally increase traffic on 43<sup>rd</sup> Street West should any more lots be created after this zone change. Additional development may require upgrades to the existing access road but that would be determined by County Public Works at the time development takes place.

*Water and Sewerage:* The subject property is served by an individual water well and septic system, no public services for water or sewer are provided in this county subdivision. Should future development take place the Montana Department of

Environmental Quality (MDEQ) would require permits for wells and septic systems at the time development is proposed.

*Schools and Parks:* The proposed zoning may impact the student population should the property be developed with additional homes. Arrowhead, Will James and West have the capacity to accommodate the possibility of additional student from possible development.

*Fire and Police:* The subject property is serviced by BUFSA and the Yellowstone County Sheriff's Department. Fire protection will be accommodated with any requirements that may result from any future development. Increased number of homes may require additional firefighting apparatus be installed.

4. *Will the new zoning promote health and general welfare?*  
The new zoning will allow development of property that is adjacent to existing residential uses to the south, east and north. Housing to the east is inside the City of Billings and is a mix of single family and duplexes.
5. *Will the new zoning provide adequate light and air?*  
The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. These requirements should allow adequate light and air to reach the subject property and adjacent properties.
6. *Will the new zoning effect motorized and non-motorized transportation?*  
The proposed zoning itself will not generate more traffic on any of the adjacent streets. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails. More dense residential development is generally located east of the property. Should the property develop in the future 43<sup>rd</sup> Street West provides the primary route to schools and other services in the area. 43<sup>rd</sup> Street West is an unpaved one track road that provides access to Grand Avenue for Tracts 7A, 7B, 8-A-1 and 8-A-2. Careful planning by a developer as well as participation in a street improvement project will be necessary to accommodate new uses.
7. *Will the new zoning be compatible with urban growth in the vicinity?*  
The proposed zoning is compatible with the adjacent zoning and developments. As the proposed zoning is a residential zoning and the subject property is surrounded on all sides by residential zoning.
8. *Does the new zoning consider the character of the district and the suitability of the property for particular uses?*  
The subject property is in an area that is a mix of farming and residential uses. The property is suitable for A-S uses and any future site development will be in character with the adjacent uses.
9. *Will the new zoning conserve the value of buildings?*

The new zoning will allow the development of lots that are 1 acre minimum, if the CCR's allow. The proposed zoning allows 1 acre lots similar to some 1 acre lots that already exist in this C/S. This would be consistent with other parcels in the C/S and would preserve the large lots with single family homes on them and conserve existing values.

10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?  
The property is suitable for the uses allowed in the A-S zoning district. It is next to existing residential and will not introduce conflicting zoning with other uses in the area.
11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?  
The proposed zoning is next to the City of Billings and is surrounded by other residentially zoned property. The request to rezone from A-1 to A-S will be compatible with its surrounding zoning and uses. This zoning would allow for smaller lots than what is currently allowed by zoning. One acre lots would be closer to Residential 9600 zoning lot sizes than A-1 zoning of 10 acre lots.

- Attachment A: Zoning Map
- Attachment B: Applicant Letter & Pre-application neighborhood meeting minutes
- Attachment C: Site Photographs
- Attachment D: Additional Communication