

## REVIEW CRITERIA – ZC 663 – 1011 Brandywine Lane

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 the property owner to continue the use of the property for a detached shop and occasional agricultural uses. The applicants intend to build dwellings on the property at some time in the future. The current zoning does not allow detached shops without a primary use – a dwelling – on the property or under construction at the same time. The surrounding property is zoned R-96 and CC and these lots were intended to “buffer” the existing neighborhoods from the personal storage warehouses to the south. The proposed zoning will allow existing uses to continue and will serve to buffer the existing neighborhoods. The property will retain the ability to use land for agricultural production and will be consistent with the goals and policies of the 2008 Growth Policy.*

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

*This property is directly adjacent to R-96 zoning to the north, west and east. Property to the north is used for agriculture and livestock production. Property to the south is zoned CC and is developed for personal warehouse. The proposed zoning is sensitive to and compatible with the adjacent development.*

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 and will be continue to be served by BUFSA. The nearest fire station is located at the intersection of Wicks Lane and St Andrews Drive about 3 miles to the south and west. BUFSA will be involved in the review of any future subdivision and may require special construction or site protection measures. 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 and the existing zoning should not increase traffic in the area. Any future subdivision will have to provide proof of adequate access for the predicted level of traffic generation.

*Water and Sewerage:* The property will not be served by public water and sewer systems unless it is annexed to the city. Surrounding neighborhoods are within the Billings Heights Water District and have access to this public water system. The property could be annexed to the Billings Heights Water District. The property is not yet within the limits of annexation for Billings. If it is developed in the county, no City of Billings public services for water or sewer will be provided.

*Schools and Parks:* The proposed zoning should not any significant impact on the student population.

*Fire and Police:* The subject property is serviced by BUFSA and the Yellowstone County Sheriff's Department. Fire protection will be evaluated at the time of a development plan. If the property is annexed city, public safety services will be provided by the City Police Department.

4. *Will the new zoning promote health and general welfare?*  
The new zoning will allow development of property for detached shops and similar agricultural uses of the land with possible future dwellings. Any new subdivision will need to meet or exceed requirements for safe access, water and waste water disposal and other development standards. This will help promote the health and general welfare of the area.
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. Brandywine Lane is a short dead-end street off Saratoga Trail. Saratoga Trail is within a fully developed subdivision with access of Highway 87 N.
7. *Will the new zoning be compatible with urban growth in the vicinity?*  
The proposed zoning is compatible with the adjacent zoning and developments. The urban growth is primarily to the south and west of this location. The proposed A-S zoning is compatible with the existing and potential urban growth in the area.
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 still an active agricultural production but has suburban density residential development as well as commercial development to the south and west. The property is suitable for A-S uses and the 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 property owner to provide future building sites and constructed detached shops on the property for storage. The existing buildings on the site will be conforming to the new zoning.
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.
11. *Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?*  
The proposed zoning is on land not directly adjacent to Billings. The proposed zoning of A-S however is compatible with the closest city zoning districts – residential zones R-70 and R-96. The property is not within the limits of annexation for Billings at this time.