

REVIEW CRITERIA – ZC 664 – 5840 Titan Avenue

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 not 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).
Zoning this property to CI zoning would not be consistent with the neighborhood character and land use patterns in the area. This area of the County includes zoning for commercial and residential uses in close proximity to each other. CI zoning allows more intense uses than is allowed in any of the zoning districts adjacent to the subject property.
- Goal: New developments that are sensitive to and compatible with the character of adjacent development. (Land Use Element Goal, page 6).
This property is adjacent to HC zoning in the subdivision and south across Elysian Road. There are a wide variety of commercial developments throughout the area including service businesses and cold storage warehousing. The potential for manufacturing in the proposed CI zone is not compatible with these uses.
- Goal: Coordinated economic development efforts (Economic Development Element, page 7)
The proposed immediate use of the property is allowed in the HC zone. The proposed future manufacturing shop for farm equipment may have some additional economic benefit but the primary development of a small repair service shop with the ability to provide higher paying skilled labor job opportunities for local residents can be accomplished with the existing zoning.

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 served by the Billings Fire Department if it is annexed to the city. The nearest fire station is located on S 24th Street West about 2 miles to the north and west. The Fire Department or BUFSA may require special construction or site protection measures depending on the specific uses in any development. 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 proposed zoning and the existing zoning should not have a measurable effect on traffic generation. Traffic type in the CI zoning would be different from the HC due to potential manufacturing uses in this zone. If the property is annexed

and re-developed, the City Traffic Engineer may require a traffic impact analysis to determine the appropriate mitigation or street development to accommodate the new uses.

Water and Sewerage: The property will not be served by public water and sewer systems unless it is annexed to the city.

Schools and Parks: The proposed zoning should not impact the student population. The proposed zoning does not allow residential uses by right.

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 any re-development of the site. If the property is annexed to the city, public safety services will be provided by the City Police Department.

4. *Will the new zoning promote health and general welfare?*

The proposed zoning may not promote the health and general welfare. The potential to allow manufacturing next to service type businesses and a higher density residential development south of Elysian Road may not 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. Residential development is generally located east and west of the property. There are many other commercial uses in the Titan Subdivision and the paved streets in the subdivision may be able to handle any additional traffic. The proposed higher density residential development south across Elysian Road and other residential developments in the area may be adversely affected by adding industrial type traffic on Elysian Road.

7. *Will the new zoning be compatible with urban growth in the vicinity?*

The proposed zoning is not compatible with the adjacent zoning and existing and planned residential developments along Elysian Road.

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 county commercial and residential uses, either existing or planned. The property is not suitable for CI uses given the character and planned development of the area.

9. *Will the new zoning conserve the value of buildings?*
The new zoning is not expected to alter the value of the existing commercial buildings in the area. It is not known if its proximity to residential property in the area may affect the value of residential buildings.
10. *Will the new zoning encourage the most appropriate use of land in Yellowstone County?*
The proposed zoning does not encourage the most appropriate use of land in this area of the County. All the surrounding property is zoned HC or a less intense commercial zoning as well as residential zoning.
11. *Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?*
The proposed zoning is a zoning that is also present in the City of Billings but not in the immediate area of this subdivision. CI zoning could allow more intense uses than currently allowed in adjacent zoning districts.