

Zoning Commission Determinations
Zone Change #945 – 2512 Shiloh Road

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 permit small office uses on the property adjacent to existing and developing residential areas. The arterial street, Shiloh Road, would allow any traffic to be accommodated. Section 27-612(e) of the zoning code requires special treatment of site development so conflicts are reduced or eliminated between businesses and residences. The North Shiloh Corridor Overlay District requirements would also apply to any new or significant changes to the property. The proposed zoning is compatible with the existing uses.

- *More housing and business choices with each neighborhood. (Land Use Element Goal, page 6)*

The existing zoning is restricted to residential uses. The proposed zoning will allow office uses and limited service businesses. No retail businesses would be allowed.

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 any new structures.

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 North Shiloh Overlay District requires compatibility between structures and abundant landscaping. Section 27-612(e) of the zoning regulations requires mitigation of any potential incompatible activities between commercial uses and residential uses. 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 should have a minimal impact on the surrounding streets.

Water and Sewer: The City provides sewer and water service to the property by extension of those utilities from Shiloh Road.

Schools and Parks: There should not be any impact to schools from the proposed zone change.

Fire and Police: The subject property is currently served by the city Public Safety Services. Commercial development of the site should not

increase calls for service or change the nature of those calls for service.

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 commercial property is dependent on the specific uses within the development. In general, the proposed development of an office generates little additional daily traffic. The re-construction of Shiloh Road included a 10-foot wide multi-use path on the east side of the street and curb walk on the west side. There are currently 2 drive approaches installed to the property.

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 offices and small service businesses 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 office and limited commercial uses. The level of existing traffic along with the number of existing and planned residential developments in the area makes the current zoning of R-96 not sustainable for this property.

9. *Will the new zoning conserve the value of buildings?*

The lot is currently developed with a single family dwelling. Remodeling of the structure for a small professional office and maintaining living space will conserve and increase the value of this building and the surrounding home.

10. *Will the new zoning encourage the most appropriate use of land throughout the City of Billings?*

The proposed zoning will permit a greater variety of uses on the property and is the most appropriate use of the property.