

Zone Change 671 – Josephine Landing PD

The County Zoning Commission, prior to making a recommendation to the County Commissioners, 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).

*The potential uses within the proposed PD for Josephine Landing will be consistent with the adjacent subdivisions planned for future annexation to the city. The phasing of the development for Josephine Landing will allow agricultural uses to continue and will be compatible as the development grows. The proposed zoning and use is consistent with character of the area and the preferred land use patterns. This area of the County includes zoning for commercial and residential uses in close proximity to each other.*

- 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 NC zoning to the north and CC and RMF-R zoning to the east. These properties are planned for annexation and development in the future. Property to the west is in the Viking PD, Public zoning for Elysian Elementary School and CI zoning for some larger lot rural industrial uses. The property to the north is zoned NC along Elysian Road and may develop as multi-family are as a mixed use neighborhood. There are a wide variety of commercial developments throughout the area including service businesses and cold storage warehousing. The proposed PD is 142 acres and will be sensitive to and compatible with existing and planned 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 and will be served by the Billings Fire Department if it is annexed to the city. The nearest fire station is located on S 24<sup>th</sup> 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 PD zoning will be different from the A-1 zone due additional residential and mixed uses. When the property is annexed and developed, the City Traffic Engineer will require a traffic impact analysis to determine the appropriate mitigation or street development to accommodate the new uses.

*Water and Sewerage:* The property will be served by public water and sewer systems when it is annexed to the city.

*Schools and Parks:* The proposed zoning will impact the student population and is providing neighborhood parks and open space. The Elysian School district (District #23) will need to closely monitor residential development and school enrollment.

*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 annexation, subdivision and development in the city. When the property is annexed to the city, public safety services will be provided by the City Police Department and Fire Department.

4. *Will the new zoning promote health and general welfare?*  
The proposed zoning may promote the health and general welfare. The predictability of a PD zone will enhance adjacent property owner's value in future growth and land sales.
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 northwest of the property. The development of the PD in the city will require street improvement to accommodate both vehicles and pedestrians as well as bicycles. This will enhance safety for all users of the adjacent roads.
7. *Will the new zoning be compatible with urban growth in the vicinity?*  
The proposed zoning is compatible with the adjacent zoning and existing urban growth in the vicinity.
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 142-acre property considered the character of the area and suitability of this site for residential and mixed use residential development.
9. *Will the new zoning conserve the value of buildings?*  
The new zoning is not expected to alter the value of the existing residential buildings in the area.

10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?  
The proposed zoning does encourage the most appropriate use of land in this area of the County.

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. The surrounding property within the city limits is either commercial or multi-family residential. While those properties could develop with residential uses or mixed uses, it is likely those developments will be more segregated for uses and homogenous throughout. The proposed Josephine Landing PD is as compatible as possible with these adjacent zoning districts.