

Zone Change #955 – 301 – 317 Covert Lane

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 guidelines of the 2016 Growth Policy:

- Home Base: A mix of housing types that meet the needs of a diverse population is important; Common to all types of housing choices is the desire to live in surroundings that are affordable, healthy and safe;

The proposed zoning would allow the applicant to re-build three 4-plex dwellings that will conform to zoning. The existing structure was constructed in the mid 1960's prior to the current zoning code and is at the end of its building life cycle. The current zoning discourages investment in the property for regular maintenance or improvements since the structures could not be re-built. Financing improvements or sale of the property is unnecessarily complicated by the current zoning. The property provides a desirable and needed housing choice in the area dominated by single family and two-family dwellings.

- Strong Neighborhoods: Zoning regulations that allow a mixture of housing types provide housing options for all age groups and income levels; Walkable neighborhoods that permit convenient destinations such as neighborhood services, open space, parks, schools and public gathering spaces foster health, good will and social interaction; Neighborhoods that are safe and attractive and provide essential services are much desired.

The proposed zoning will allow the reconstruction of three 4-plexes to be re-built. The zone change does not allow the owner to add additional multi-family dwellings on the property without special review approval. The applicant has submitted a concurrent special review application to expand the multi-family units. The owner could add single family or 2-family dwellings on the property with or without a zone change approval.

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.

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 current zoning of the parcel does not provide certainty for future re-construction of the three 4-plexes and encourages the property owner to not invest in regular maintenance or upgrades of the property. This tends to have a negative effect on the surrounding properties and neighborhood. Ensuring the zoning is conforming to the development will promote the public health, safety and general welfare of the area.

4. *Will the new zoning will facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirement?*

Transportation: The proposed zoning will not have any effect on the existing transportation system as there are already three 4-plexes existing on this property.

Water and Sewer: The City provides water and sewer to the property. There will be no additional impacts to the system from the proposed zoning.
Schools and Parks: Schools and parks should not be affected by the proposed zoning.
Fire and Police: The subject property is served by city public safety services. The Police and Fire Departments had no concerns with the zone change.

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?*

The new zoning will have no effect on transportation systems.

7. *Will the new zoning will promote compatible urban growth?*

The new zoning does promote compatibility with urban growth. The proposed zoning will allow this parcel to continue at this location and the use is compatible with the existing neighborhood.

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 the proposed use. This area is a mix of single-family, duplex and multi-family dwellings. The proposed zoning is identical to the zoning southwest of the subject property and is an appropriate zone with the adjacent zoning of single and duplex residential neighborhoods to the north, east and south.

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

The property is currently developed with three 4-plex dwellings, a nonconforming use in the existing R-70 zone. Approval of the zone change will make the current development conforming to zoning and will allow for reconstruction of multi-family dwellings. The value of existing buildings and the parcel will be improved and conserved by the proposed zoning.

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

The proposed zoning will allow the existing development to continue and to be reconstructed if necessary in the future. This is the most appropriate use of the land at this location.