

## PROPOSED COUNTY ZONING COMMISSION DETERMINATIONS

Prior to making a decision the Board of County Commissioners shall consider the following:

1. *Is the new zoning designed in accordance with the Yellowstone County 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 with an EGC zone are consistent with the adjoining property to the south in the same ownership as the subject property. Any new development on the property will likely occur within the city limits after annexation of this property. The property is within the City Annexation Area. The proposed zoning is consistent with the character of the area and the preferred land use patterns for the Optimist Park area identified in the SBBURA Master Plan. The property to the south was zoned EGC in 2008. Careful site planning will be needed to provide screening and buffering the neighborhoods to the north and east where and when necessary.*

- 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 EGC zoning to the south and west across Calhoun Lane. The zoning to the north and east is R-70. Development within the city limits will require screening and buffering for the adjacent residential zones.*

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 Area and pays a small assessment based on the dwelling at 743 Calhoun Lane. Any new structures would trigger additional fees to the fire service district. The closest fire station is Fire Station 4 at Terry Park about 1.25 miles directly north. 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 may have a measurable effect on traffic generation when the property is developed. It is likely a traffic impact study or a traffic accessibility study would be required when a final development plan is proposed. The current single family dwelling has 1 drive approach off Calhoun Lane. It is likely this lot will be consolidated with the adjacent 4.25 acre parcel for a larger overall development. The lot to the south has 3 access points – 2 on King Avenue East and 1 off Calhoun Lane.

*Water and Sewerage:* The property is currently served by city water and sewer services although not annexed to the city limits. The property is currently within the City Annexation Petition Area. New commercial development will need additional water and sewer services. This should not impact the existing infrastructure capacity.

*Schools and Parks:* The proposed zoning should not impact the student population. Residential uses are not planned for the property.

*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 development of the site. If the property is annexed to the City, public safety services will be provided by the City Police Department and City Fire Department.

4. *Will the new zoning promote health and general welfare?*  
The proposed zoning may promote the health and general welfare. The proposed EGC zoning will allow the owner to ensure future development is consistent with the adjacent EGC and with the neighborhoods to the north and east.
5. *Will the new zoning provide adequate light and air?*  
The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. If annexed the property will need to adhere to the requirements in Section 27-615(e) – the neighborhood manners section of the zoning code. The requirements include standards for site lighting, location of solid waste storage, screening of mechanical units and buffering of adjacent residential uses. 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 has been improved by the complete re-construction of Calhoun Lane in 2015. Residential development is generally located north and east of the property and there is now safe pedestrian travel in the area including along King Avenue East.
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. The SBBURA Master Plan envisioned additional neighborhood services in the area and the proposed allows this possibility as well as more intense commercial development. This area is within the City Annexation Petition 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 adjacent to a 4.25 acre property already annexed to the city and zoned EGC. The subject property and the adjacent property are in common ownership. The current and proposed zoning is compatible with the character of the area is suitable for the allowed uses within the EGC district.
9. *Will the new zoning conserve the value of buildings?*  
The new zoning is not expected to alter the value of any buildings in the area. It is not known if its proximity to residential property in the area will affect the value of residential buildings. Any development of the property will need to meet the site

development requirements in the zoning code, including landscaping, screening, building heights and setbacks.

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 given it is adjacency to the city limits.
  
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 and immediately adjacent to the property.