

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 proposed zoning would allow a greater variety of dwellings on this property including 2-family and multi-family apartments. The current zoning of RMH only allows single family dwellings. The proposed zoning is consistent with the zoning to the north west in Harmony Meadows Subdivision and is compatible with the surrounding land uses and neighborhoods. 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.

- 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 a variety of zoning districts and land uses including a cemetery, some low density shops and service buildings as well as agricultural uses. The proposed zoning will allow the existing manufactured home park to continue until annexation is requested. At the time of annexation, a development agreement will require improvements to the adjacent city right of ways and connection to city utility services. This will likely result in a complete re-development of the property for a variety of housing options including single family. Two-family and multi-family dwellings either for rent or for sale.

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 accessory buildings. The assessment is not based on the number of manufactured homes in the park. Any new structures would trigger additional fees to the fire service district. The closest fire station is Fire Station 5 on S 24th St West about 2.2 miles north and west. 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 re-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 manufactured home park has 1 access from Mallowney Lane. All 53 dwellings are located off this access road

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

Schools and Parks: The proposed zoning may impact the student population when re-development occurs.

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 RMF-R zoning will allow the owner to ensure future development after annexation to the city includes a wide variety of housing options, and will replace the out-of-date manufactured homes on the property.
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 minimal due to the lack of pedestrian facilities. Developments to the east, north and west will be installing pedestrian facilities and when this property is annexed and re-developed these facilities will also be required. For any re-development, the city will likely require a traffic analysis to determine the potential improvements necessary to accommodate new residents.
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. 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 Public zoning, CI zoning to the north and A-1 and RMF-R zoning to the north west. The current and proposed zoning is compatible with the character of the area and is suitable for the allowed uses within the RMF-R 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 the CI property in the area will affect the value of residential buildings. Any re-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 adjacent to the property.