

## 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 A-1 zone are consistent with the property and in line with the surrounding rural nature of the area. The proposed zoning is consistent with the character of the area and the preferred land use patterns along Garden Avenue.*

- 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 open large parcel rural development. The proposed use fits with the area and will continue the current use of the land and grazing area for horses.*

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. Any new structures would trigger fees to the fire service district. The closest fire station is Fire Station 1 at 2305 8<sup>th</sup> Avenue North about 2.47 miles to the 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 will have minimal effect on traffic generation when the property is developed. It is likely to produce a minimum amount of traffic to the site.

*Water and Sewerage:* The property is in the county and will be required to get MDEQ approval for water and sewer systems. New commercial development will need water and sewer services. This will need to be done so as not to impact the existing systems in the area.

*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.

4. *Will the new zoning promote health and general welfare?*

The proposed zoning may promote the health and general welfare. The proposed A-1 zoning will allow the owner to ensure future development is consistent with the surrounding neighborhood.

5. *Will the new zoning provide adequate light and air?*  
The proposed zoning would require minimum setbacks, maximum building heights and maximum lot coverage. 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. Traffic to this proposed development will be minimal in comparison to the tire store north of the subject property. The impacts to motorized traffic from this proposed development will be minimal.
7. *Will the new zoning be compatible with urban growth in the vicinity?*  
The proposed zoning is compatible with the adjacent zoning and existing rural 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 of Yellowstone County that is a rural setting with many large properties with grazing land behind a house. Also a large mix of land and land use that do not meet the regulations outlined in current zoning. The proposed zoning is compatible with the character of the area and is suitable for the allowed uses within an A-1 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 the rural nature of the area.
11. *Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?*  
The proposed zoning is compatible with the uses of the land in the area and would be a use that could be part of the City of Billings fabric.