

PROPOSED ZONING COMMISSION DETERMINATIONS – Zone Change 687

The Yellowstone County Zoning Commission, prior to any recommendation, shall consider the following:

1. *Is the new zoning designed in accordance with the Yellowstone County 2008 Growth Policy?*

The proposed zoning is consistent with the following goals of the Yellowstone County 2008 Growth Policy and 2006 Billings Heights Plan:

- Goal: Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in the growth policy. (2008 Growth Policy - Land Use Element, page 6).

This zone change would allow for an overall zoning plan that is consistent and should remain consistent with the adjacent neighborhood character. The existing developments surrounding the property include low density neighborhoods to the north across Barrett Road and agricultural uses south and east. The agricultural uses will diminish over time as these properties are slated for conversion to residential developments. The PD has requirements for landscaping and building designs that will be consistent and compatible.

In 2006, the City and County adopted the Billings Heights Neighborhood Plan. This area was designated as an area for future medium density residential development. The medium density designates a range of 6 to 10 dwelling units per acre. The proposed PD limits the number of dwelling units to 100 on this 10.77 acre parcel of land. This is in conformance with the Billings Heights Neighborhood Plan. There has been concern with the style and lack of architectural detail in some of the developer's previous projects. The PD has been amended to require architectural elements that will add visual interest to the buildings, sets maximum height limits well below the allowable height in the existing R-70 zone to match existing and future surrounding developments, and requires a mix of colors and building materials on each structure. The proposed PD is explicit in the types of uses that will be prohibited, making this zoning predictable. The number of attached dwelling units is limited to 6 for each building.

- Goal: New developments that sensitive to and compatible with the character of adjacent development. (2008 Growth Policy - Land Use Element Goal, page 6). *This property is directly west of the Sartorie Farm, a successful farming operation that will be phasing out over time to accommodate residential development. All adjacent land is zoned R-70 including the low density subdivision north of Barrett Road. The proposed PD has limitations on building height, and unit configurations, required landscaping and a private park area not otherwise required by zoning. The proposed land use restrictions, development requirements and building styles will be sensitive to and compatible with the character of the adjacent developments.*

2016 Billings Growth Policy – The proposed zoning is consistent with the following Guidelines:

Community Fabric: Outdoor public spaces provide casual and relaxing gathering areas for people; Planning and construction of interconnected sidewalks and trails are important to the livability of Billings; Developed parks that provide recreation, special amenities, and active living opportunities are desirable for an attractive and healthy community.

- The development of the private park space for the new neighborhood, the trail connection along the Barrett Road frontage and the “dog park” area will provide an outdoor space for people and their pets.

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; Safe and livable neighborhoods can be achieved through subdivision design that focuses on complete streets, pedestrian-scale street lights, street trees and walkable access to public spaces.

- The proposed zoning will provide for a housing choice – attached dwellings or apartments - not readily available in this area of Billings Heights. The PD requirements for landscaping, site lighting, connection to adjacent amenities, and street trees is consistent with this guideline.

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 will help provide housing choice that is affordable in this area of Billings Heights.

2. *Is the new zoning designed to secure from fire and other danger?*

The subject property does not pay a service fee to the Billings Urban Fire Service Area (BUFSA). The service charges are based on the square footage on buildings on the property plus a base fee. There are no structures on the property at this time, but BUFSA would provide response for a grass or wildland fire on the property. The nearest fire station is located at Wicks Lane and St. Andrews Drive (FS #6), about 1.8 driving miles to the west. The existing and proposed zoning requires building separations, setbacks, and height limits that should provide security from fire or other public safety emergencies. The Fire Marshal, Mike Spini, has stated two full access points to the development will be required.

3. *Will the new zoning facilitate the provision of transportation, water, sewerage, schools, parks and other public requirements?*

Transportation: The proposed zoning will not modify the existing traffic unless new development occurs. Any development will increase traffic on the adjacent county and city street network. It is estimated – based on the intended number of 100 dwellings – traffic will increase by 600 to 800 new trips per day. The applicant has stated the

intention to annex the property to access city services. Existing traffic patterns on surrounding streets has become difficult and potentially hazardous due to the opening of a new middle school at the intersection of Barrett and Bench Boulevard to the west of this property. The City and County have met with the area residents (2017) but have not proposed a solution to these continuing problems.

Water and Sewerage: The subject property is served by irrigation water. Upon annexation, the property will have access to city sewer services. Water will be provided by Billings Heights Water Service. The developer will need to make accommodations for the irrigation ditches and drains on the property.

Schools and Parks: The proposed zoning may have an impact on area schools. The proposed zoning envisions development of attached dwellings or apartments. Dwellings could be rented to families with school-age children. This may increase the enrollment expected in the nearby schools.

Fire and Police: The subject property is served by BUFSA for grass or wildland fires. Yellowstone County Sheriff's Department currently provides public safety response. If the property is annexed, the City Fire Department and Police Department will provide public safety services.

4. *Will the new zoning promote health and general welfare?*
The new zoning will allow development of property that is adjacent to existing low-density residential uses, and agricultural uses. New development tends to increase property value for adjacent property. The proposed PD requirements for landscaping and a private park will promote the health and general welfare of the development residents.
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. The PD also proposes to limit the height of all buildings so this will improve lighting in the new neighborhood.
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 County roads. Development of the property for 100 new dwellings will increase traffic on Barrett Road and the adjacent street network. A Traffic Accessibility Study will be required at the time a subdivision or Master Site Plan is submitted for review.
7. *Will the new zoning be compatible with urban growth in the vicinity?*
The proposed zoning is compatible with the adjacent zoning and developments. As the proposed zoning has requirements not otherwise required in the R-70 zone or the RMF_R zone including maximum building heights less than standard zoning districts, architectural variations, site lighting, private park development, and a master landscaping plan.

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 adjacent to the city limits but has existing agricultural land uses to the south and east and a low density county subdivision to the north. The proposed PD has built in some requirements and features that make the proposed zoning suitable for this location and for the proposed uses.

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

There are no structures on the property at this time.

10. Will the new zoning encourage the most appropriate use of land in Yellowstone County?

The property is suitable for the uses allowed in the proposed PD-RMF-R zone. The property is located south of a collector street – Barrett Road. Barrett Road connects to the west with Bench Boulevard, a principal arterial street. It is appropriate to provide a variety of housing choices in every area of Yellowstone County and Billings. The current zoning only allows 2 housing choices – single family dwelling or a two-family dwelling.

11. Will the new zoning be as compatible as possible with adjacent zoning in the City of Billings?

The property is adjacent to R-70 zoning in the city to the east (Sartorie Farm). The new zoning is as compatible as possible with the adjacent R-70 zoning.