

PROPOSED ZONING COMMISSION DETERMINATIONS

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 Growth Policy and Lockwood Growth Policy?*

The proposed zoning does comply with the following goals of the Yellowstone County and City of Billings 2008 Growth Policy and the 2017 Lockwood Growth Policy and area plans:

- Predictable land use decision that are consistent with neighborhood character and preferred land use patterns identified in neighborhood plans. (Land Use Element, page 6).
This zone change would allow for additional area for commercial uses in an area with a mix of agricultural, commercial and industrial uses. This is consistent with the Lockwood Community Plan and the neighborhood character.
- Goal: New developments that sensitive to and compatible with the character of adjacent development. (Land Use Element Goal, page 6).
This property is directly adjacent to the interchange of I-90 and I-94 as well as agricultural uses. There is prevalent commercial truck traffic on North Frontage Road. The lots to the north and west are also zoned Heavy Industrial and the proposed zoning and use is compatible with the surrounding uses.
- Lockwood Growth Policy States this area may be appropriate for a Targeted Economic Development District and suitable for industrial uses (Page 4, Page 23)

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

The subject property is currently served by the Lockwood Fire Department with mutual aid from the Billings Fire Department. The nearest fire station is located on Driftwood Lane 2 miles to the south. Billings Fire Station #1 is 5 miles to the west. Depending on the specific uses, the Lockwood Fire Department may require specific development characteristics to prevent structure fires.

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

Transportation: The new zoning will increase traffic on North Frontage Road when the property is developed. The County will require any new development that adds 500 new vehicle trips per day to analyze the impact of the additional traffic. Without a specific use, the traffic impacts cannot be assessed in particular. The existing residential use will continue to use the existing drive approach.

Water and Sewerage: The property will not be served by public water and sewer systems so all water and sewer will need to be provided on site.

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 the Lockwood Fire Department and the Yellowstone County Sheriff's Department. Fire protection will be evaluated at the time of a development plan.

4. *Will the new zoning promote health and general welfare?*
The new zoning will allow development of property that is near existing commercial and industrial uses to the west. Commercial development should not have a negative impact on the agricultural uses to the north, east and west. The proposed CI zoning will allow the owner to use and market the property for commercial uses. The zoning will promote the health and general welfare of the area.
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 the adjacent streets. Pedestrian traffic in the area is limited due to the lack of sidewalks and trails. Agricultural traffic and commercial truck traffic uses North Frontage Road under current development patterns. There is a small component of residential traffic. The additional traffic generated if the property is developed should not affect any mode of transportation on the adjacent streets.
7. *Will the new zoning be compatible with urban growth in the vicinity?*
The proposed zoning is compatible with nearby urban development. The proposed zoning and development is consistent with the 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 in an area that is a mix of agricultural, residential and commercial. The area is also part of the Targeted Economic Development District. Appropriate zoning districts within TEDD include Controlled Industrial. The property is suitable for CI uses and traffic will have access to the interstate 1-mile to the west from Johnson Lane. The property is suitable for the proposed uses.
9. *Will the new zoning conserve the value of buildings?*
The new zoning will allow the development of new commercial uses adjacent to similarly zoned property. The existing home on the property will remain and continue to be occupied. The home will not become a nonconforming use although its marketability to future owners may be difficult. The CI zoning will not affect the value of the existing buildings on the site and should not have an effect on the surrounding properties.
10. *Will the new zoning encourage the most appropriate use of land in Yellowstone County?*
The property is suitable for some of the uses allowed in the CI zoning district. This is the most appropriate use for the land.

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

The proposed zoning is not close to the City of Billings and but is compatible with the typical urban development near arterial intersections.