

**County Zone Change Application Packet**  
**Clock Tower Johnson Lane**

**Summary:**

The applicant is requesting a rezoning for the property located at 547 Johnson Lane. The property is currently zoned Agriculture. The proposed zoning is C3, General Commercial on the portion of the property adjacent to Johnson Lane. We are proposing the zoning of NX1, Mixed Residential 1, on the rest of the property. We have the C3 zoning indicated as plus or minus 4 acres, and the NX1 as plus or minus 9 acres. We want to emphasize that this could increase or decrease for both zonings. Right now, the rezoning is the first step in development. The goal for the C3 is to align with the future subdivision lot that will be used for commercial.

**11 Statutory Zone Change Criteria:**

Below is a list of the 11 Statutory Zone Change requirements in *italics*. Responses to each criteria is provided below.

*1. Is the new zoning is designed in accordance with the growth policy?*

The site is designated as Town Center - Multi-Use Zone and Residential - 4-6 dwelling units per acre within the 2016 Lockwood Growth Policy. The proposed new zonings are C3, General Commercial and NX1, Mixed Residential. Both zonings comply and designed in accordance with the growth policy designations.

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

Yes, the new zoning is designed to secure from fire and other damages. The zoning has been designed with setbacks, access requirements, build-to zones, maximum building coverage, etc. These regulations of building design ensure that the zoning is secure from fire and other damages.

*3. Will the new zoning promote public health, public safety and general welfare?*

The proposed new zonings for the site are selected in correlation with the area's growth policy. The selection of C3 for the portion of the property that is adjacent to Johnson Lane aligns with the existing zonings of CMU1 and CMU2 on Johnson Lane. When comparing the allowable uses between the three districts there are more similarities than differences. Additionally, the selection of NX1 for the portion of the property that is adjacent to Enfield Street is similar to N3 zoning to the north. NX1 allows for duplexes, three and four-plexes which facilitates patio homes and row homes. N3 only allows for single family homes. NX1 will allow for variations of housing to address the County's "missing middle". The property is within Lockwood Water and Sewer District with mains located within Johnson Lane, Mauser Street, and Enfield Street. The proximity to existing infrastructure further encourages the use of zoning that allows duplexes, three and four-plexes. Additionally, NX1 has a height restriction of 27' while neighboring residential of N3, N4, and RR3 have height restrictions of 34'. Zoning Regulations and Growth Policies are written to promote public health, safety, and general welfare. The proposed zoning of C3 and NX1 will be followed by a subdivision, if approved. Addressing public health, safety and general welfare will continue to be a forefront of the development and provide better insight to the site use as the subdivision regulations are followed.

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

The property is currently within the Lockwood Water and Sewer District. Water and Sewer mains exist within Johnson Lane, Mauser Street, and Enfield Street. The mains within Enfield Street end at the intersection of Enfield Street and Alaskan Avenue. Johnson Lane, Mauser Street, and Enfield Street are all County roads that about the property. The property is within the Lockwood School District. There are bus stops for the school district for the neighboring subdivisions. The proposed zoning facilitates adequate provision of transportation, water, sewerage, schools, parks, and other public requirements. If the proposed zoning is approved the property will undergo subdivision. The subdivision process will further address, transportation, water and sewer design, schools, parks, etc. The proximity of the property to the existing infrastructure encourages infill development as opposed to sprawl into rural areas. The division of the proposed zoning of C3 and NX1 by use of Mauser Street also encourages separation of commercial and residential development. Additionally, the zoning regulations address landscaping and buffering when residential and commercial are adjacent.

*5. Will the new zoning provide enough adequate light and air?*

Yes, the new zoning is designed to provide adequate light and air. The zoning has been designed with setbacks, access requirements, build-to zones, maximum building coverage, etc. These regulations of building design ensure that the zoning provides adequate light and air. The zoning regulations are designed to require landscaping, buffering to promote adequate light and air.

*6. How will the new zoning effect motorized and non-motorized transportation?*

Any development has an affect on transportation when the lot was vacant in prior. The zoning selection of C3 and NX1 allows for uses that will have an effect on motorized and non-motorized transportation. The developer's goal is to undergo subdivision which will further address the impacts on transportation. Additionally, the creation of NX1, even if only rentals would ultimately undergo the review process of buildings for lease or rent when three buildings are placed on the property. (Please note, buildings for lease or rent are not the current developer's plans, a subdivision is planned as stated.)

*7. Will the new zoning be compatible with urban growth in the vicinity of cities or towns?*

Yes, the new zoning is compatible with urban growth in the vicinity of cities or towns. The new zoning has many similarities to adjacent existing zoning in the area. It also further promotes infill development. The allowance of duplexes, three and four-plexes within NX1 is compatible with urban growth but is not large-scale apartments as would be done in an urban development.

*8. Does the new zoning consider the character of the district and the peculiar suitability of the property for particular uses?*

The selection of C3 for the portion of the property that is adjacent to Johnson Lane aligns with the existing zonings of CMU1 and CMU2 on Johnson Lane. Additionally, the selection of NX1 for the portion of the property that is adjacent to Enfield Street is similar to N3 zoning to the north. These align with the character of the district. Additionally, the property's proximity to infrastructure substantiates the suitability of the property for the proposed zonings.

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

The new zonings alignment with adjacent uses should continue to conserve the value of buildings in proximity. The full design of the subdivision remains unknown and the value of the buildings in proximity are also largely unknown.

*10. Does the new zoning encourage the most appropriate use of land throughout Yellowstone County?*

The new zoning does encourage the most appropriate use of the land due to the proximity to existing infrastructure. When a development can tie into a municipal water or sewer this encourages the use of land that is already within a developed area to avoid impact to large scale agriculture or open space land further in the County. The requested zonings similarity to adjacent uses and alignment with the growth policy also encourages these proposed zonings for appropriate use.

*11. Will the new zoning, as nearly as possible, be compatible with the zoning of nearby cities and town?*

Yes, the new zoning is compatible, as nearly as possible, with zonings of nearby cities and towns. The new zoning has many similarities to adjacent existing zoning in the area, as mentioned in prior. It also encourages infill and growth to accommodate missing middle, and development in proximity to infrastructure.