

RESOLUTION REZONING LAND IN SECTIONS 9, 10, 15, and 16, T13N, R20W, (EL-MAR ESTATES).

WHEREAS, the Board of County Commissioners of Missoula County, Montana passed Resolution 78-74 on May 31, 1978, expressing an intention to rezone Phases II, IV, V, VI, VII, VIII, IX, X and Supplement I of Phase II, El-Mar Estates, from C-RR3 (Residential) and C-RR1 (Residential) to C-PUD (Planned Unit Development); and,

WHEREAS, a protest period was advertised and held during the period from June 4, 1978 to July 3, 1978; and,

WHEREAS, no petition of protest to the proposed rezoning were received by the Board of County Commissioners.

NOW, THEREFORE, BE IT RESOLVED, that the following area is hereby rezoned:

Phases III, IV, V, VI, VII, VIII, IX, X and Supplement I of Phase II, El-Mar Estates from C-RR3 (Residential) and C-RR1 (Residential) to C-PUD (Planned Unit Development).

PASSED AND ADOPTED THIS 5 DAY OF JULY, 1978

BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY, MONTANA

Ludvig G. Browman
Ludvig G. Browman, Chairman

Wilfred V. Thibodeau
Wilfred V. Thibodeau, Commissioner

Jim Waltermire
Jim Waltermire, Commissioner

427258 ✓



ATTEST:

I received and filed this instrument for record on the 13 day of July 1978 at 11:00 o'clock A. M. and it is recorded in Vol. 1220 Micro Records of the County of Missoula, State of Montana, on page 265 see Notes
Paid _____ Return to _____ Witness my hand, Roberta Frank, County Recorder
Address Res + zoning file By Danna Cote Deputy

Roberta Frank
Clerk and Recorder

1. The PUD boundary shall be presented in the developer's PUD site plan, and shall also include the proposed school site.
2. All future phases will be platted through the subdivision process. Major deviations from the schedule shall require the approval of the Planning Board and County Commissioners.
3. PUD zoning will be an extension of the PUD zoning which now exists for Phases I, I West and II. Conditions herein set forth shall also apply to the existing PUD.
4. In accordance with Section 5.02 C.11 of the Zoning Regulations, the over-all density of the development shall be two units per acre.
5. The restrictions for commercial lots in Phase VIII, as set forth in the developer's letter of March 8, 1978, shall be incorporated into the covenants for El-Mar Estates and such lots shall be confined to uses and space/bulk requirements set forth in Section 2.15 (Neighborhood Commercial) of the Zoning Regulations. Commercial lots shall also meet applicable development standards set forth in Chapter 3 of the Zoning Regulations.
6. Maximum building height for commercial and multiple-family development in Phase VIII shall be twenty-four (24) feet.
7. Multiple family development in Phase VIII shall be treated as a conditional use under the Zoning Regulation and subject to applicable design standards of Chapter 4 and off-street parking standards of Chapter 3. Space and bulk requirements shall be as set forth in Section 2.12 (C-R2 District) of the regulations. The developer shall incorporate appropriate design controls for multiple family housing into the covenants and make such development subject to the review and approval of the Homeowner's Review Committee.
8. Covenants now applicable to Phases I, I West, and II and III shall also apply to all future phases.
9. The addition of any mobile home, multiple family or commercial lots beyond the numbers shown in the P.U.D. site plan shall, in accordance with Section 5.02.D.2 of the Zoning Regulations, be treated as a major change requiring the review and approval of the Planning Board and County Commissioners.
10. Yard standards shall be as set forth in the covenants.
11. Community and Environmental assessments as submitted by the developer (attached) shall eliminate the requirement to submit these documents with future subdivision applications.
12. The school site shall be reserved until such time as the School District makes determination as to its suitability. Such a determination shall be presented to the County upon developer's submittal of the preliminary plat of Phase X.
13. The County shall set the development schedule after an evaluation of information submitted by the developer and School District. The development schedule will be finalized prior to preliminary plat approval of Phase VI.

re-recording

427602 ✓

- Of *[Signature]*, Zoni
Office
June 1, 1978.