

RESOLUTION NO. 93-015

A RESOLUTION TO ZONE UNZONED PROPERTY TO A SPECIFIC ZONING DISTRICT ENTITLED "MILLER CREEK DISTRICT - LAND SENSITIVE ZONING". THE PROPERTY SUBJECT TO THIS REQUEST CONSISTS OF APPROXIMATELY 298 ACRES LOCATED SOUTH OF MILLER CREEK ROAD IN THE WEST 1/2 OF SECTION 19, T.12N., R.19W., P.M.M., THE NORTHWEST 1/4 OF SECTION 30, T.12N., R.19W., AND TRACT A OF CERTIFICATE OF SURVEY NO. 4039 IN THE NORTHEAST 1/4 OF SECTION 25, T.12N., R.20W., P.M.M. SEE ATTACHED REGULATIONS FOR DETAILED LEGAL DESCRIPTION.

WHEREAS, the Missoula Board of County Commissioners adopted Resolution No. 93-008 on January 28, 1993, stating their intention to zone the above described property to a specific zoning district entitled "Miller Creek District - Land Sensitive Zoning"; and

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent on January 31, 1993; and,

WHEREAS, no protest petitions were filed by district freeholders;

NOW, THEREFORE, BE IT RESOLVED, that the property located South of Miller Creek Road in the West 1/2 of Section 19, T.12N., R.19W., P.M.M., the Northwest 1/4 of Section 30, T.12N., R.19W., and Tract A of Certificate of Survey No. 4039 in the Northeast 1/4 of Section 25, T.12N., R.20W., P.M.M., further described in the attached regulations, is hereby zoned "Miller Creek District - Land Sensitive Zoning" as described in Attachment A (regulations) and illustrated in attached map exhibits.

PASSED AND ADOPTED THIS 8th DAY OF MARCH, 1993.

ATTEST:

Wendy Cromwell
Wendy Cromwell
Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
Missoula County, Montana

Ann Mary Dussault
Ann Mary Dussault, Chair

Barbara Evans
Barbara Evans, Commissioner

Fern Hart
Fern Hart, Commissioner

APPROVED AS TO FORM AND CONTENT:

Martina E. Nee
County Attorney

MILLER CREEK DISTRICT -- LAND SENSITIVE ZONING

A. Intent

This district was designed to protect designated floodplain, maintain an open and resource corridor along Miller Creek, identify areas inappropriate to development based on slope and health risks, maintain the open space character of the area and neighboring hillsides, and preserve wildlife habitat. Further, limitations on land division under (twenty) 20 acres are included in this zoning district.

B. District Description

Standards of this district are applicable to approximately 298 acres of land described as follows:

Township 12 North, Range 19 West, Principal Meridian, Montana (P.M.M.), Missoula County, Montana

Section 19

Northwest 1/4, lying South and West of Miller Creek Road

Except:

- That tract of land described on the document recorded in Book 105 at page 695, Micro Records of Missoula County
- That tract of land shown on Deed Exhibit No. 2444
- That tract of land shown on Deed Exhibit No. 2528
- That tract of land shown on Certificate of Survey No. 3711

Southwest 1/4

Except:

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Township 12 North, Range 19 West, P.M.M., Missoula County, Montana

Section 30

GLO Lot 1

Except:

- That tract of land shown on Deed Exhibit No. 2444

Township 12 North, Range 20 West, P.M.M., Missoula County, Montana

Section 25

Tract A, Certificate of Survey No. 4039

ATTACHMENT A

Exhibit 1A and 1B illustrate the district boundaries and identify Zones within the district which are subject to specific regulations outlined in Section C of this District: Space and Bulk requirements. Exhibit 1A is at a scale of one inch equaling one hundred feet (1"=100'): Exhibit 1B has a scale of one inch equals four hundred feet (1"=400").

C. Space and Bulk Requirements

Maximum residential density:

Residential units shall be limited to particular areas (Zones) and shall not exceed the number of units within each Zone as identified in Exhibit A as follows:

- Zone A..... 16 units
- Zone B..... 27 units
- Zone C..... 12 units
- Zone D..... 6 units

No-Build Areas:

Areas within this zoning district are specifically designated as no-build zones. These areas are depicted in Exhibit A1 and A2. The intent of this section is to keep these areas as open space, free of structures. For the purposes of this district, Structure is defined as:

"Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Structures include all buildings, mobile homes, walls, signs, billboards, carports etc."

The following uses are expressly permitted in the no-build areas:

Fences, roads, utilities, water wells, land rehabilitation, weed control, recreational uses and agriculture.

Minimum lot widths.....Onethird (1/3) of its average depth.

Minimum required yards

- Front.....Twenty-five (25) feet
- Side.....Seven and a half (7 1/2) feet
- Rear.....Twenty-five (25) feet

Maximum building height.....Thirty (30) feet

D. General Standards

Any division of land creating tracts of twenty (20) acre or less must be reviewed through the subdivision review process.

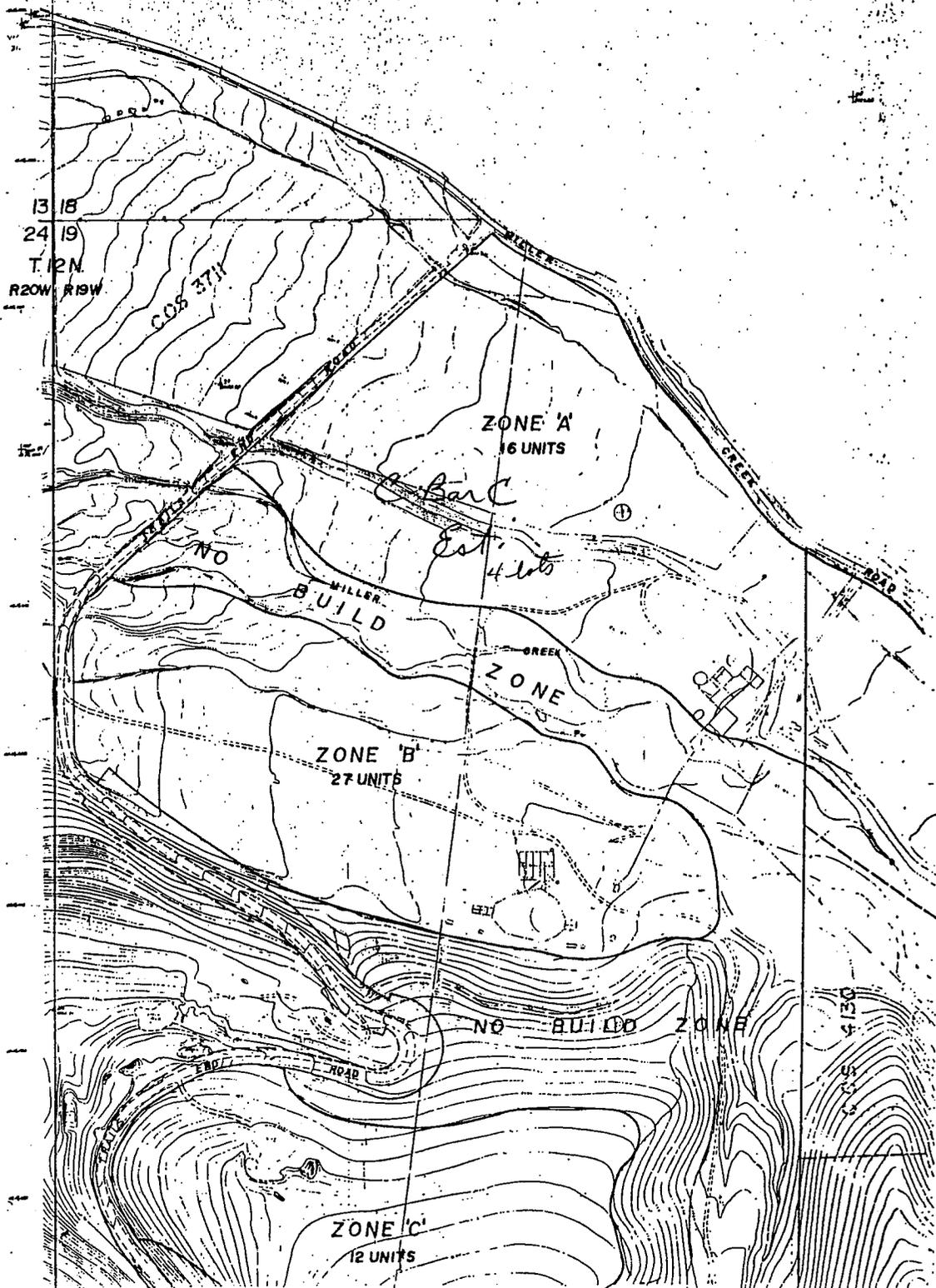
~~Supplementary Regulations - Chapter III, County Zoning Resolution, apply.~~

E. Permitted Uses within Zone A, B, C or D

1. Single Family Dwellings.
2. Manufactured housing, 1976 or newer, provided they are placed on a permanent foundation.
3. Accessory buildings and uses.
4. Day Care Homes with twelve or fewer children.
5. Community Residential facilities serving eight or fewer residents.

F. Conditional Uses

1. Home occupation.



Section 19
 Township 12N
 Range 19W

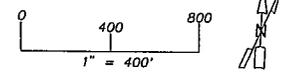
Legend

- Zoning Lines ———
- Ownership ———
- Subdivision Lot Lines ———
- Lot Numbers ———
- Easement or Survey ———

Sections in a Township

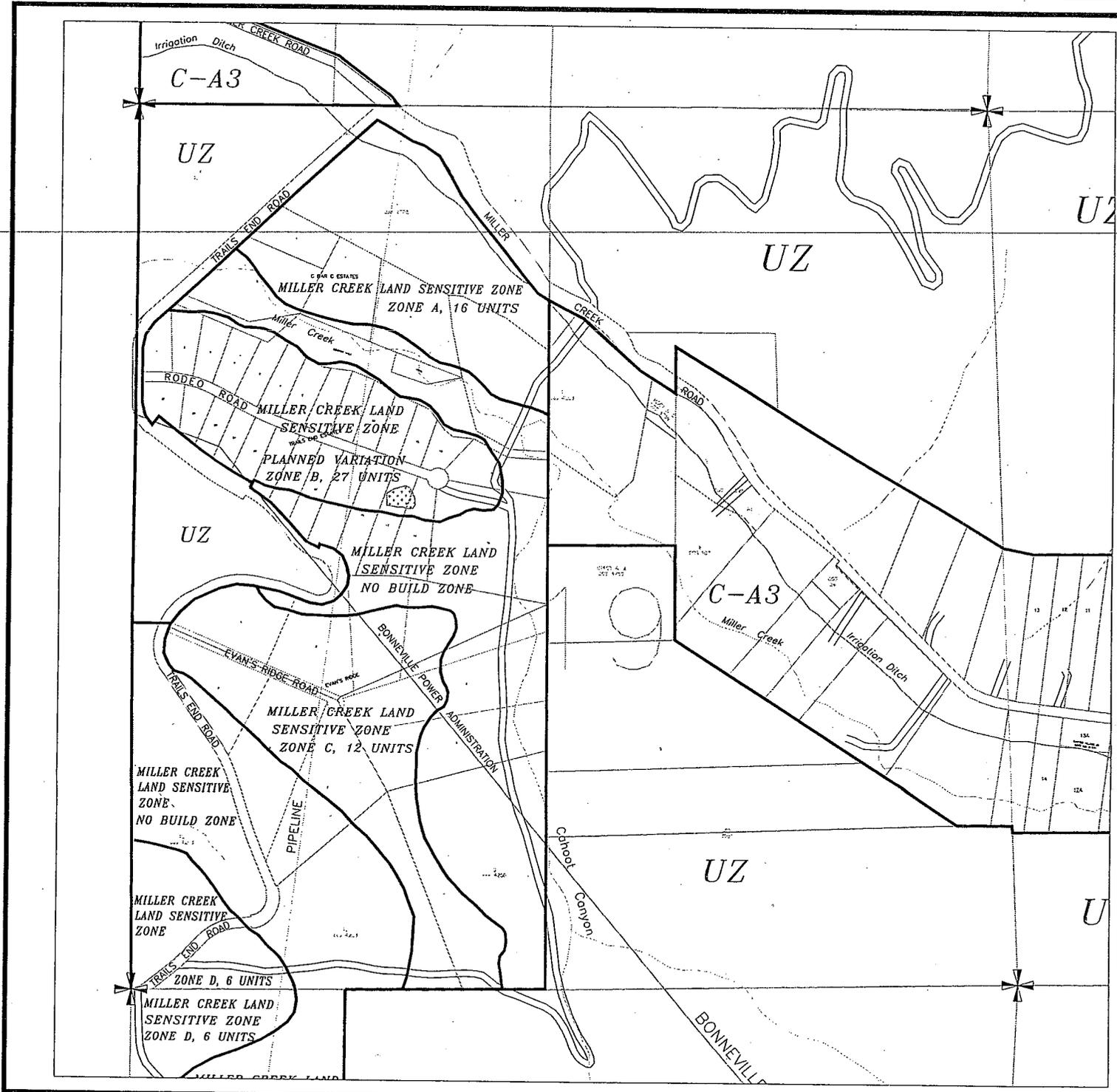
6	5	4	3	2	1
7	8	9	10	11	12
18	17	16	15	14	13
19	20	21	22	23	24
30	29	28	27	26	25
31	32	33	34	35	36

For detailed descriptions of county and city zoning designations, see County Zoning Resolution 76-113 and City Zoning Ordinance Title 19 available at the Office of Planning and Grants.



The data that is represented here is the property of Missoula County. The base map information is furnished by the Missoula County Surveyors Mapping Department. Zoning information was compiled from mylars of the scale of 1" = 400', and descriptions from resolutions and ordinances. If there is a discrepancy in information displayed, please contact the Office of Planning & Grants Mapping Department at 523-4628 or 523-4708.

MISSOULA COUNTY OFFICE OF PLANNING & GRANTS
 MISSOULA, MONTANA
 AUGUST 21, 1998
 CARTOGRAPHY DEPARTMENT



MILLER CREEK DISTRICT -- LAND SENSITIVE ZONING

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Township 12 North, Range 20 West, P.M.M., Missoula County, Montana

Section 25

Tract A, Certificate of Survey No. 4039

ATTACHMENT A