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Missoula County Vickie M Zeier RES

RESOLUTION NUMBER 2005-079

A RESOLUTION TO REZONE LAND ZONED C-RR1 IN SECTIONS 26 AND 35, TOWNSHIP 13 NORTH, RANGE 20 WEST, P.M.M., MISSOULA COUNTY, MONTANA, TO THE "TARGET RANGE-WEST END RURAL ZONING DISTRICT," SECTION 6.12 OF THE MISSOULA COUNTY ZONING RESOLUTION, AS SHOWN IN THE BOUNDARY MAP BELOW.

WHEREAS, 76-2-201 M.C.A. authorizes the Board of County Commissioners to adopt zoning regulations; and,

WHEREAS, the Board of County Commissioners did adopt zoning regulations for Missoula County through passage of County Resolution 76-113, as amended; and,

WHEREAS, 76-2-202 M.C.A. provides for the establishment and revision of zoning districts and regulations; and,

WHEREAS, the Missoula Consolidated Planning Board held a public hearing on June 7, 2005, and recommended approval of the rezoning; and,

WHEREAS, the Board of Missoula County Commissioners held a public hearing on June 29, 2005, and adopted Resolution No. 2005-062 on July 6, 2005, stating its intention to create the "Target Range-West End Rural Zoning District" as Section 6.12 of the Missoula County Zoning Resolution and apply it to the area shown in the map above.

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent on July 10, 2005; and,

WHEREAS, no protest petitions were filed by persons who own real property within the area proposed for zoning regulation amendment (district freeholders);

NOW, THEREFORE, BE IT RESOLVED, that Section 6.12 of the Missoula County Zoning Resolution, the "Target Range-West End Rural Zoning District" is adopted and applied to the area shown above and in Attachment A, included as part of this resolution.

ATTACHMENTS:
A. Section 6.12, Missoula County Zoning Resolution, "Target Range-West End Rural Zoning District."

PASSED AND ADOPTED THIS 18th DAY OF AUGUST, 2005.

ATTEST:

Vickie Zeier, Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY

Jean Curtiss, Chair

Bill Carey, Commissioner

Barbara Evans, Commissioner

APPROVED AS TO FORM AND CONTENT:

by Michael Sehestedt, Deputy County Attorney

Section 6.12 Missoula County Zoning Resolution

"TARGET RANGE-WEST END" RURAL ZONING DISTRICT

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SECTION I - PURPOSE:

This County Rural Zoning District ("Target Range-West End") in Target Range is established to promote the public health, safety and general welfare of the citizens and to recognize its citizens' desire to maintain the area's rural and low density pattern of development (See Section 6.12 Missoula County Zoning Resolution 76-113, as amended).

This district is part of the greater Target Range community, which offers easy accessibility to the City and the rural County. This district offers the unique opportunity to enjoy a rural setting and such facilities that are only available in an area that is not overcrowded. This district is being expressly created to perpetuate these characteristics and its rural design. Planned Unit Developments, Planned Variations, and Cluster Developments are neither encouraged nor deemed necessary to meet the intent of this district.

The purpose of this district is to retain the area's unique rural character. This area is a transition zone between the open space of McCauley Butte and the Bitterroot River, and the more densely developed areas of Target Range to the north and east of the district.

The regulations are strongly prescriptive so that citizens will know exactly what is expected of them. The district emphasizes low-density housing consistent with the area's historical and current level of development.

SECTION II- APPLICABLE:

The boundaries of District are from the center point of the intersection of North Avenue and Humble Avenue, then south along the centerline of Humble Avenue to the intersection of South Avenue, then east along the centerline of South Avenue to the western boundary of Target Range School. The boundary will then follow the private property boundaries shown on the attached map to the intersection with the Bitterroot River. Then the District boundary follows the Bitterroot River downstream along the centerline of the Bitterroot River to the point where the Maclay Bridge crosses the Bitterroot River, excluding Certificate of Survey #5680, then east along the centerline of North Avenue to the intersection with Humble Avenue, the beginning point. The District includes all streets and properties within these boundaries located in Sections 26 and 35, Township 13 North, Range 20 West, P.M.M., Missoula County, Montana. **(Please see attached Map)**

SECTION III - SPACE AND BULK REQUIREMENTS:

Minimum lot size:	One (1) acre including adjacent County right-of-way.	
Setbacks:	Front and Rear:	Twenty-five (25) feet.
	Side:	Fifteen (15) feet.
Height:	Maximum of Thirty (30) feet, as defined by Missoula County Zoning Resolution 76-113 (as amended).	

SECTION IV - USES:

A. <u>Permitted Uses:</u>

1. One single residential dwelling unit, including manufactured homes and mobile homes on permanent foundations.

2. Residential Accessory Uses.

3. Accessory Buildings.

4. Agricultural activities as defined in M.C.A. 76-2-902.

B. Conditional Uses: Conditional uses require permits issued according to Section 8.09 of Missoula County Zoning Resolution 76-113 (as amended)

1. Home Occupations.

2. Community residential facility serving less than nine (9) persons.

C. Special Exception Uses: Special exception uses require permits issued according to Section 8.10 of Missoula County Zoning Resolution 76-113 (as amended)

1. Nursing home

2. Child day care center

SECTION V - GENERAL REGULATIONS:

A. No building, sign or other structure shall be constructed, moved, enlarged, rebuilt, added to, or structurally altered without having received a Zoning Compliance Permit issued by the Office of Planning and Grants in compliance with these regulations and other applicable codes and regulations.

B. Minimum lot size in this district may not be decreased by density bonuses as defined in Section 3.06 (M) or cluster developments as defined in Section 3.06 (O), both are sections of Missoula County Zoning Resolution 76-113 (as amended).

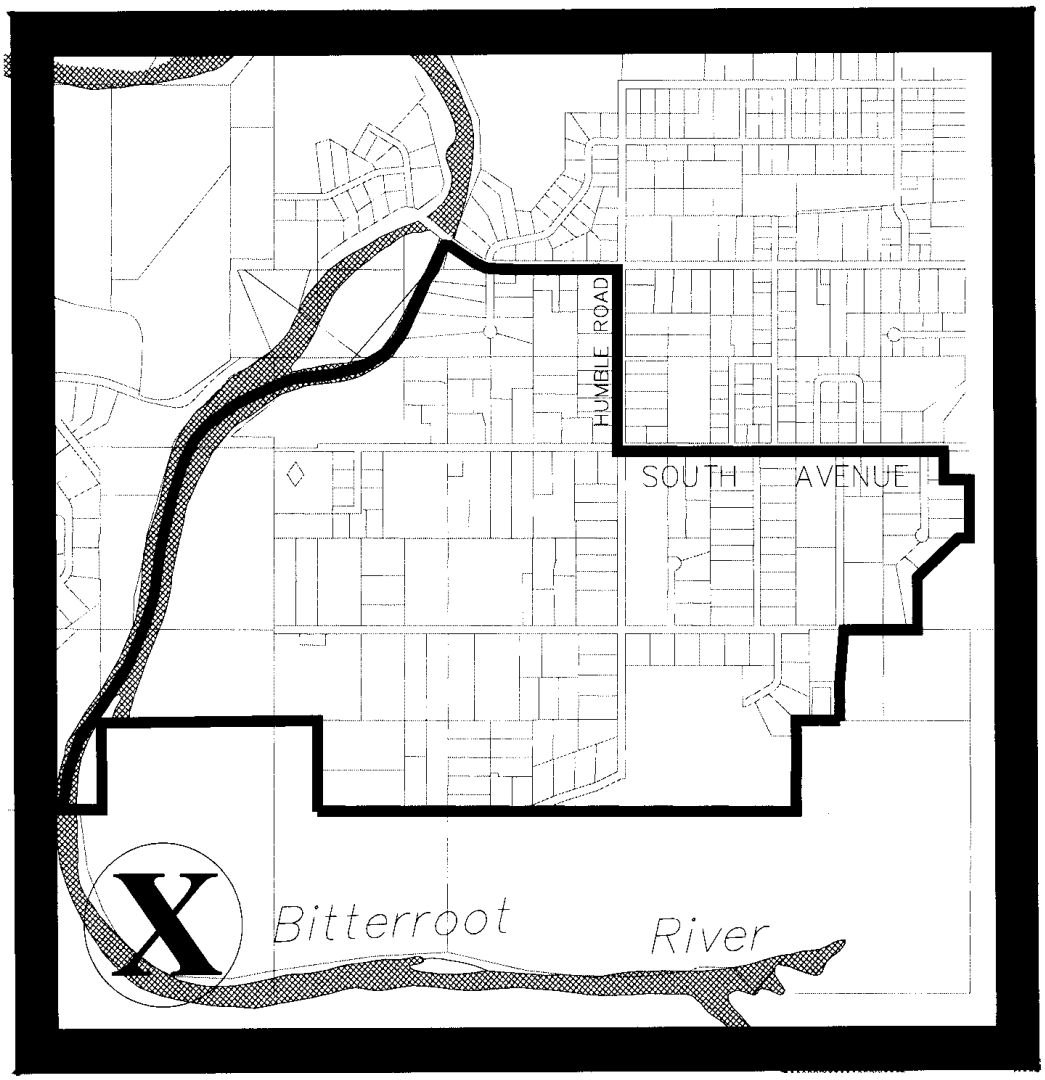
C. Any single lot on record at the County Clerk and Recorder on the date of adoption of this rural zoning district will be deemed a conforming lot and the provisions of Chapter 7 of the Missoula County Zoning Resolution will not apply as to lot size.

Additional General Regulations are stated in Missoula County Zoning Resolution 76-113 (as amended)

SECTION VI – VARIANCES:

Variances can have an effect on the community welfare beyond adjoining property owners. For that reason, in addition to the public notice procedure specified in Missoula County Zoning Resolution 76-113 (as amended), the Target Range Homeowner's Association shall be notified by first class mail at least fifteen (15) days prior to the public hearing for a variance request. It is the responsibility of the Target Range Homeowner's Association to keep the Office of Planning and Grants informed of the current address for the Association.

MAP of Target Range-West End Rural Zoning District



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