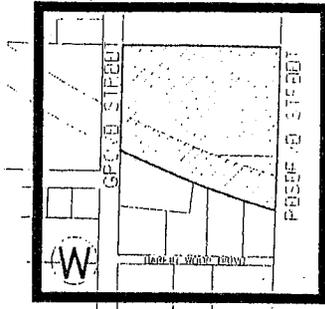


A RESOLUTION TO REZONE PROPERTY DESCRIBED AS THAT PORTION OF CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY'S 100 FOOT WIDE RIGHT-OF-WAY ACROSS LOTS 43 AND 44, COBBAN AND DINSMORE'S ORCHARD HOMES ADDITION, AND ALL OF LOTS 43 AND 44 OF COBBAN AND DINSMORE'S ORCHARD HOMES ADDITION LYING NORTHERLY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILWAY RIGHT-OF-WAY, EXCEPTING THEREFROM THE PUBLIC RIGHT-OF-WAY CONSISTING OF RESERVE STREET IN MISSOULA COUNTY, MONTANA, LOCATED IN THE NE ¼ OF SECTION 19, T13N, R19W, P.M.M. FROM C-RR3 (RESIDENTIAL-4 DWELLING UNITS PER ACRE) TO GROVE STREET SPECIAL ZONING DISTRICT (RESIDENTIAL). (SEE MAP W)



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 the 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 Board of Missoula County Commissioners adopted Resolution No. 2004-035 on March 10, 2004, stating their intention to re-zone the property described above from "C-RR3" to "Grove Street Special District" and,

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent to Rezone on March 14, 2004; and,

WHEREAS, a petition of protest of the proposed Grove Street Rezoning was presented to the Board of County Commissioners; the protest failed in that it did not have the valid signatures of 40% of the freeholders within the district whose names appear on the last completed Assessment Roll, as certified by the Assistant Chief Deputy Clerk & Recorder on May 12, 2004 (Attachment A).

NOW, THEREFORE, BE IT RESOLVED, that the property described above is hereby rezoned from "C-RR3" to "Grove Street Special District," subject to the Grove Street Special Zoning District Standards contained in Attachment B.

PASSED AND ADOPTED THIS 25<sup>th</sup> DAY OF MAY, 2004.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MISSOULA COUNTY

Vickie Zeier  
Vickie Zeier, Clerk and Recorder

Barbara Evans  
Barbara Evans, Chairman

APPROVED AS TO FORM AND CONTENT:

Jean Curtiss  
Jean Curtiss, Commissioner

Michael Sehestedt  
Michael Sehestedt, Deputy County Attorney

Bill Carey  
Bill Carey, Commissioner



RESOLUTION NUMBER 2004- 076  
ATTACHMENT A

### CERTIFICATION

I, Kim Cox, Assistant Chief Deputy for Missoula County, Montana, hereby certify that the attached petition for the Protest of Proposed Grove Street Rezoning does not contain the necessary valid signatures of 40 % of the freeholders of the district on the last completed Assessment Roll.

The enclosed map shows the district involved.

Signed this 12<sup>th</sup> day of May 2004

Kim Cox

Assistant Chief Deputy

Grove Street Special Zoning District Standards

- A. Intent: This district is intended to provide standards which promote the creation of affordable multifamily housing integrated with small scale agricultural use. Set in the Orchard Homes area at the edge of urban services the district establishes a new model of development with affordability coincident with the preservation of a rural context; higher intensity of land use coincident with open space, trail development, and landscape buffers. With Reserve Street on its eastern edge the district intends design with noise and dust mitigation through site design measures. The district also creates an internal sense of community for its residents. Finally the district models sustainable practices of development through the use of creative site planning, careful choice of systems for buildings, and careful choices of materials that focus on durability, recycled content, and the ability for the material selected to be recycled at the end of its useful life.
  
- B. Development and design standards for the district are as defined below. The improvements should reflect the design found in Attachment A "Site Plan", and Attachment B "Building Elevations". These drawings represent the character and basic layout of the site and buildings but the standards for the district are found in this section. Minor adjustments may be approved by the Zoning Officer that may affect the precise dimensions of buildings and the siting of buildings, courtyard areas, and open space functions, but not the basic character or arrangement of buildings, setbacks, the density of the development, the open space layout, or driveway layout.
  
- C. Space and Bulk Requirements:
  - 1. Building Location and Size:
    - a. Set back:
      - Front – 40 feet
      - Side – 15 feet
      - Rear – 20 feet
    - b. Building footprint:
      - Rowhouses: 4,000 sf
      - Farmhouse: 4,000 sf
      - Community Barn: 3,000 sf
      - Main Building: 9,000 sf
      - Accessory structures: 250 sf
  
  - 2. Building Height:
    - a. Farmhouse – 30 feet
    - b. Main Building – 40 feet
    - c. Rowhouses – 30 feet
    - d. Community Barn – 30 feet
    - e. Accessory structure – 16 feet

RESOLUTION NUMBER 2004- 076  
ATTACHMENT B

D. Access Drive and Trails

- Access Drives shall comply with Missoula County Zoning Resolution No. 76-113 Section 3.02.
- Trails shall meet the requirements of the Missoula County Subdivision Regulations for width and improvements.

E. Parking

- Parking shall comply with Missoula County Zoning Resolution No. 76-113 Section 3.02, with the exception of tandem parking described below.  
Tandem parking: A maximum of 8 parking spaces are permitted located such that access to them requires passing through another parking space (tandem parking). Tandem parking spaces must be located in the area of the Rowhouses. Tandem spaces will count fully towards parking requirements
- Bicycle parking facilities:
  - a. Each residential building shall have Class II bicycle facilities to accommodate residents and guests at a ratio of one (1) bicycle space per dwelling unit. (Class II bicycle-parking facilities are defined as stationary racks to which the user can lock the bicycle frame and both wheels with a U-shaped or cable lock.)
  - b. Bicycle parking facilities shall be clearly designated, safe, and convenient locations and shall not impede pedestrian access. The bicycle parking facilities shall be no more than twenty feet (20') from an entrance to the building for which the bicycle parking spaces are intended.

F. Permitted Uses

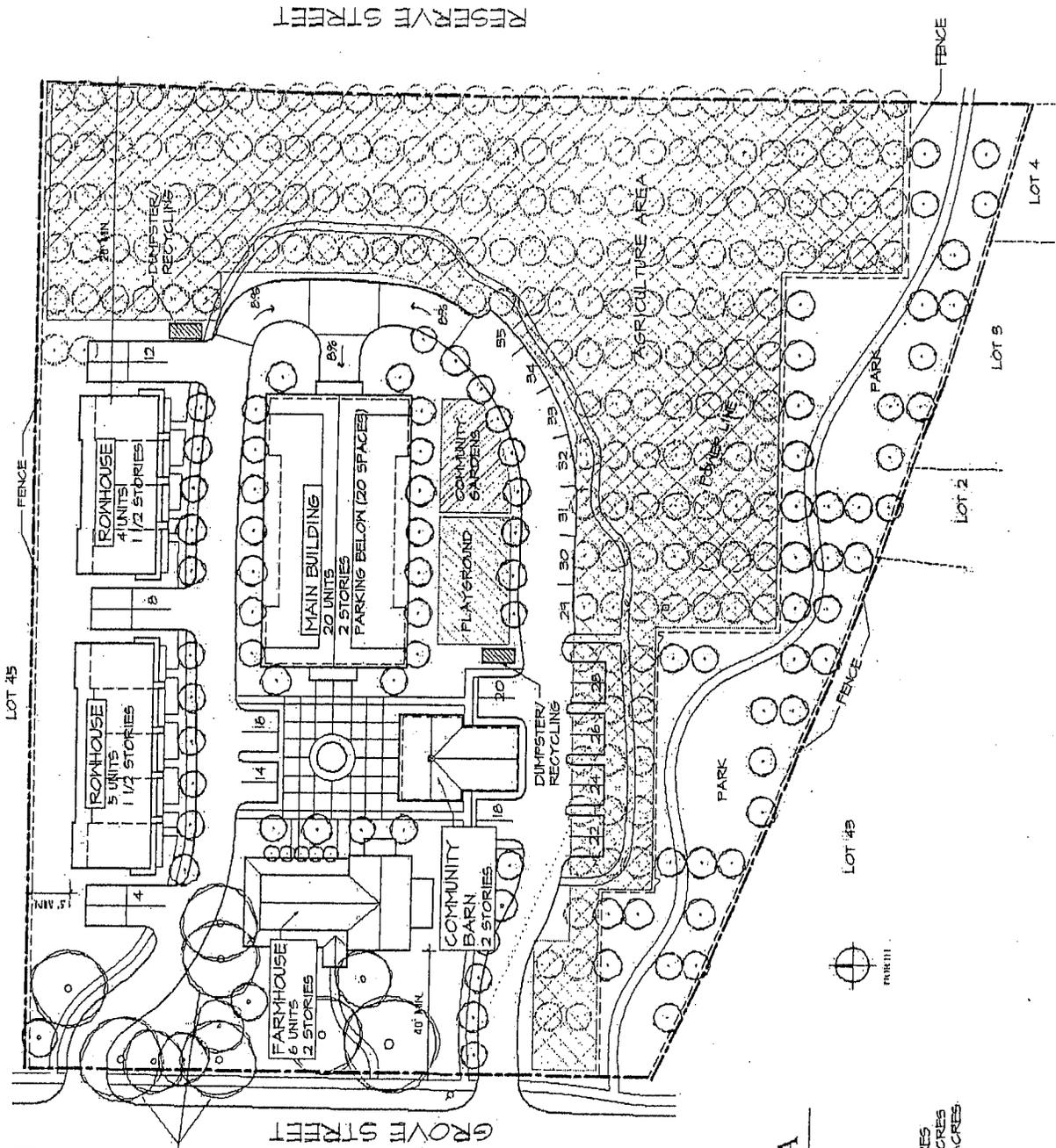
- Multifamily housing in substantial compliance with Attachment A "Site Plan"
- Community space associated with multifamily housing in substantial compliance with Attachment A
- Agricultural use of the parcel as indicated on Attachment A
- Home Occupations as allowed in Missoula County Zoning Resolution section 4.03(D) and Missoula City Zoning Ordinance Chapter 19.61
- Accessory Structures

G. Conditional Uses (as described in Missoula County Zoning Resolution Section 8.09 and Missoula City Zoning Ordinance Chapter 19.68)

- Future accessory structures for agricultural uses not indicated on Attachment A that don't comply with the space and bulk requirements of this zoning district.

H. Additional Development Standards

- Landscaping: Areas on Attachment A not developed with buildings, courtyard, access drive, parking, walkways, trail, or agricultural area shall be landscaped
  - a. Trash enclosures and adjoining private property shall be screened with visual buffers consisting of plantings, or a combination of plantings and fencing, and shall provide at least fifty percent (50%) effective screening at the time of planting.
- Site Lighting: all site lighting shall comply with Missoula County Zoning Resolution No. 76-113 Section 3.02.



EXISTING TREES TO REMAIN



SITE PLAN  
 ATTACHMENT A

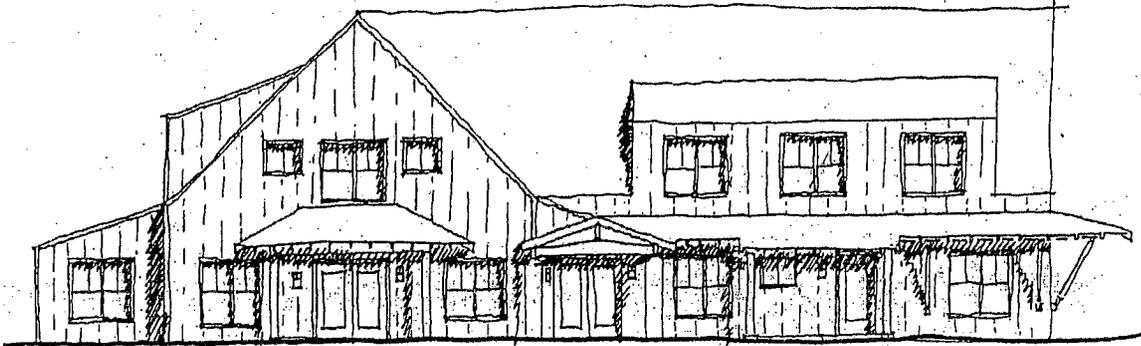
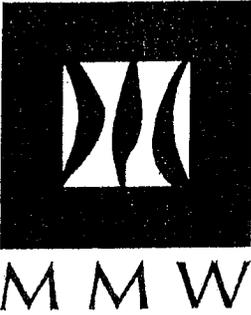
SCALE: 1" = 50'  
 PAGE 1 OF 1

AGRICULTURE AREA: 1.55 ACRES  
 TRAIL & PARK AREA: 0.63 ACRES  
 BUILDING FOOTPRINTS: 0.57 ACRES  
 ROAD: 0.43 ACRES  
 OTHER: 1.56 ACRES  
 TOTAL: 4.54 ACRES

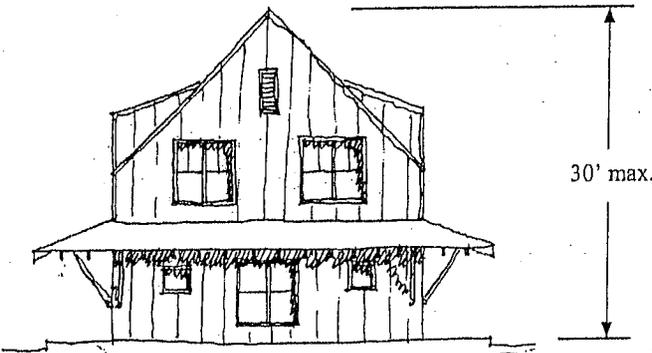
Grove Street Special District Zoning Standards  
Attachment B

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Architect's Project #: 03.029



**Farmhouse**  
East Elevation (West Elevation similar)  
Not to Scale



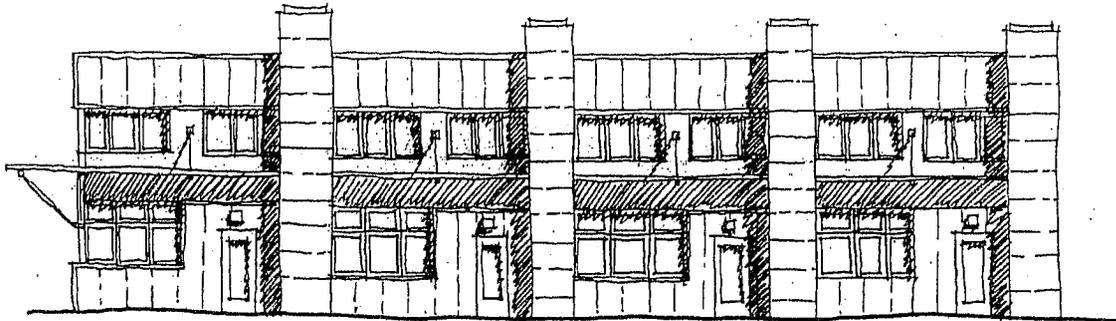
**Farmhouse**  
North Elevation  
Not to Scale

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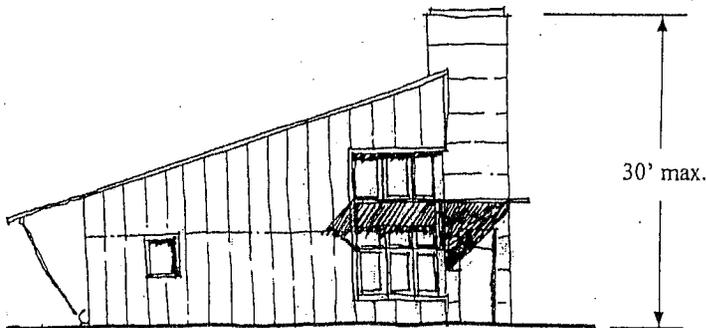
Grove Street Special District Zoning Standards  
Attachment B

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Architect's Project #: 03.029



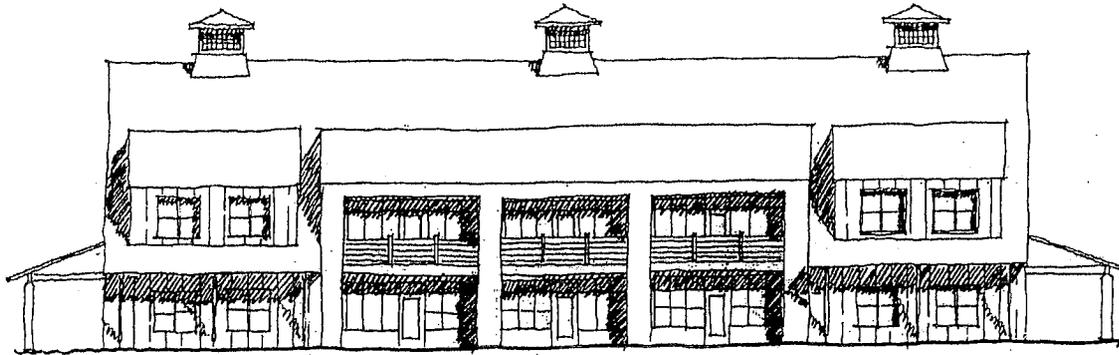
**Rowhouse**  
South Elevation  
Not to Scale



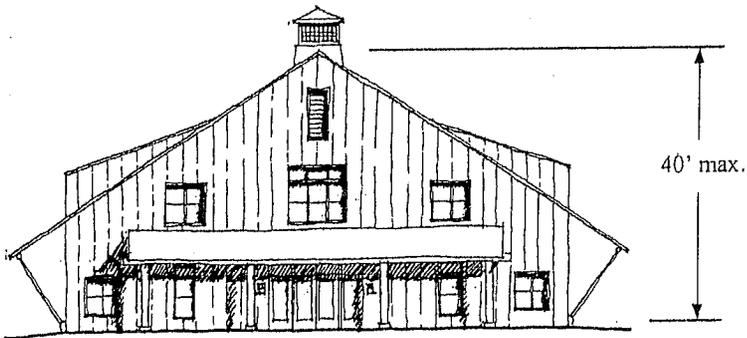
**Rowhouse**  
West Elevation (East Elevation similar)  
Not to Scale

Grove Street Special District Zoning Standards  
Attachment B

Architect's Project #: 03.029



**Main Building**  
South Elevation (North Elevation Similar)  
Not to Scale



**Main Building**  
West Elevation  
Not to Scale