RESOLUTION NUMBER 2008-052

A RESOLUTION TO REZONE PROPERTY LEGALLY DESCRIBED AS TRACTS 4 & 5, COS #5298, IN SECTIONS 18 & 19, T13N, R18W, P.M.M., AND SECTIONS 13 & 14, T13N, R19W, P.M.M., ALSO KNOWN AS THE WATER'S EDGE SUBDIVISION, FROM C-RR3 (RESIDENTIAL) TO *THE WATER'S EDGE SPECIAL ZONING DISTRICT*.

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,

WHEREAS, a notice of public hearing was advertised in the Missoulian on January 20 and 27, 2008, and,

WHEREAS, a request to rezone the property legally described above was reviewed by the Missoula Consolidated Planning Board at a public hearing held February 5, 2008; and,

WHEREAS, a hearing was held by the County Commissioners of Missoula County on February 27, 2008, in order to give the public an opportunity to be heard regarding the proposed amendments to the zoning district; and,

WHEREAS, the Board of County Commissioners of Missoula County adopted Resolution of Intent No. 2008 – 027 to rezone the property legally described above.

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent on March 3, 2008; and,

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

NOW, THEREFORE, BE IT RESOLVED that the property legally described above is rezoned from "C-RR3" (Residential) to *The Water's Edge Special Zoning District*, subject to the standards as shown in the attached regulations for this zoning district.

PASSED AND ADOPTED THIS 2nd **DAY OF** April, **2008**

ATTEST:

Vickie Zeier, Clerk and Recorder

APPROVED AS TO FORM AND CONTENT:

Michael Sehestedt, Deputy County Attorney

BOARD OF COUNTY COMMISSIONERS
MISSOULA COUNTY

NOT AVAILABLE FOR SIGNATURE

Jean Curtiss, Chair

Bill Carey, Commissioner

Larry Anderson, Commissioner

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Vickie M Zeier, Missoula County Clerk & Recorder

Resolution No. 2008-052

WATER'S EDGE SPECIAL ZONING DISTRICT
ZONING DISTRICT STANDARDS

INTENT

This District recognizes that not all lands in Missoula County are the same, and that lands with unusual and/or unique attributes often times require a different or "special" set of standards that may not fit into the mold of conventional zoning within the County. This District also recognizes that clustering of housing and allowing attached housing can offer opportunities to protect valuable community resources such as open space, wildlife habitat, riparian resources, etc.

A. Space and Bulk Requirements

Maximum Residential Density		Not to exceed 20 dwelling units
Minimum Lot Area for Attached Single Family Dwellings		None
Minimum Lot Area for Detached Single Family Dwellings		5,000 square feet
Minimum Lot Width		Thirty six (36) Feet
Minimum Required Yard Setbacks	Front	Zero (0) feet
	Side	Zero (0) feet
	Rear	Zero (0) feet
Perimeter Setback		Seven and on-half (7.5) feet from the boundary for all structures.
Maximum Building Height		Thirty (30) feet, as measured within a building envelope parallel to finished grade.

B. General Standards

1. See Supplementary Regulations - Chapter III (Resolution 76-113 As Amended), except Section 6.06(N) Hillside Design Standards, Subsections 2, 4 and 6 (b) & (d) shall not apply to this District.

2. Current standards provided in Section 3.05, Landscaping & Buffering, as in existence at the time of adoption of this Special District, shall remain in effect even if they are revised at a later date. The site shall be developed in accordance with the attached landscape plan scheme, with variations allowed which will enhance the natural landscape and setting.

C. Permitted Uses

1. Single Family Attached Dwellings
2. Single Family Detached Dwellings
3. Home Occupations

LANDSCAPE DESIGN CONCEPT: QUIET PINES & DRAMATIC BOULDERS

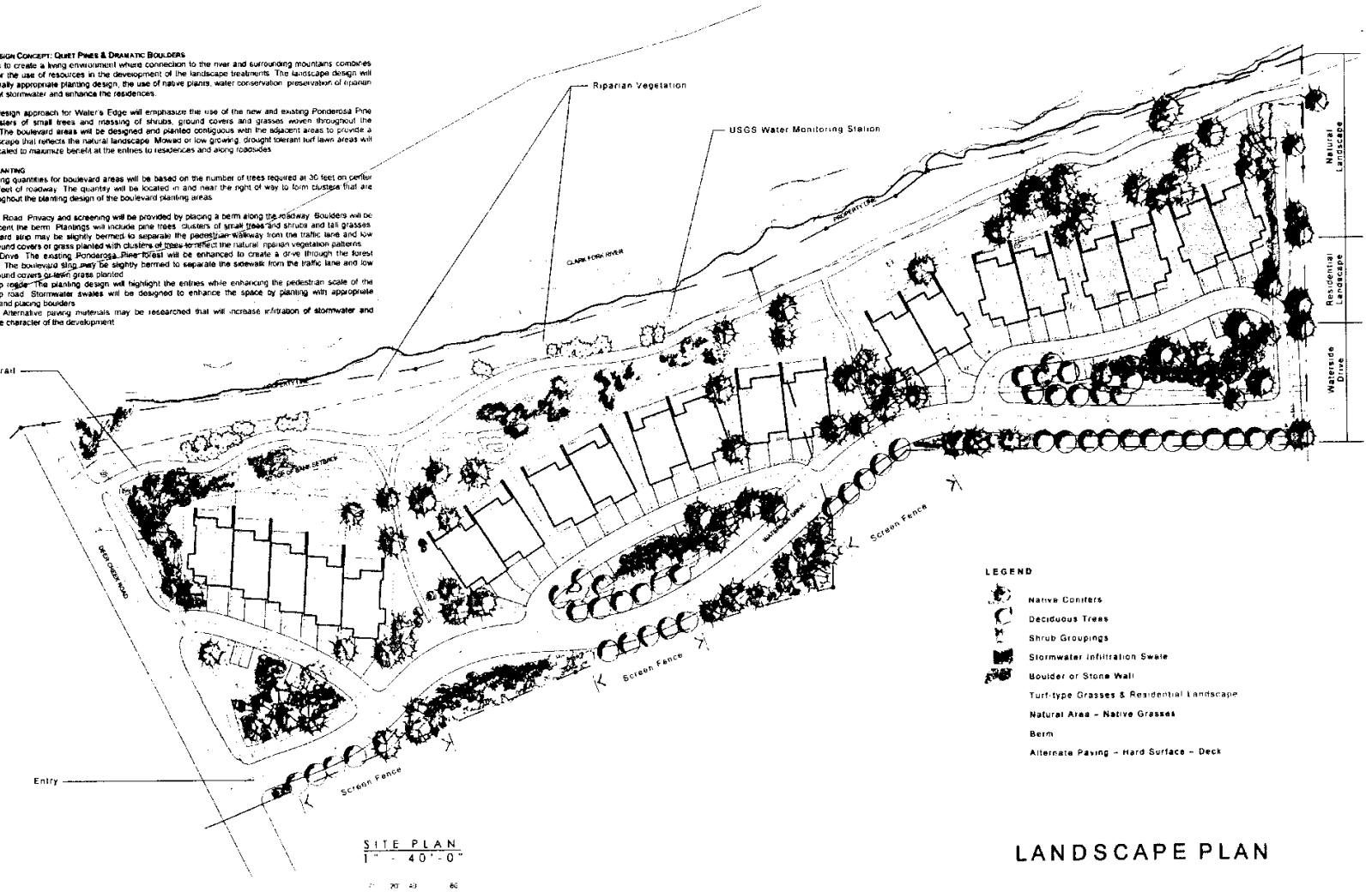
The concept is to create a living environment where connection to the river and surrounding mountains combines with respect for the use of resources in the development of the landscape treatments. The landscape design will promote regionally appropriate planting design, the use of native plants, water conservation, preservation of riparian vegetation, limit stormwater and enhance the residences.

The planting design approach for Water's Edge will emphasize the use of the new and existing Ponderosa Pine trees with clusters of small trees and massing of shrubs, ground covers and grasses woven throughout the development. The boulevard areas will be designed and planted contiguous with the adjacent areas to provide a cohesive landscape that reflects the natural landscape. Mowed or low growing, drought tolerant turf lawn areas will be carefully located to maximize benefit at the entries to residences and along roadsides.

BOULEVARD PLANTING

The tree planting quantities for boulevard areas will be based on the number of trees required at 30 feet on center for the linear feet of roadway. The quantity will be located in and near the right of way to form clusters that are balanced throughout the planting design of the boulevard planting areas.

- Deer Creek Road: Privacy and screening will be provided by placing a berm along the roadway. Boulders will be used to accent the berm. Plantings will include pine trees, clusters of small trees and shrubs and tall grasses. The boulevard strip may be slightly bermed to separate the pedestrian walkway from the traffic lane and low growing ground covers or grass planted with clusters of trees to reflect the natural riparian vegetation patterns.
- Waterside Drive: The existing Ponderosa Pine forest will be enhanced to create a drive through the forest experience. The boulevard strip may be slightly bermed to separate the sidewalk from the traffic lane and low growing ground covers or lawn grass planted.
- Private loop roads: The planting design will highlight the entries while enhancing the pedestrian scale of the private loop road. Stormwater swales will be designed to enhance the space by planting with appropriate vegetation and placing boulders.
- Driveways: Alternative paving materials may be researched that will increase infiltration of stormwater and enhance the character of the development.



SITE PLAN
1" = 40'-0"

LANDSCAPE PLAN

MMW

ROCKING M DESIGN

WATER'S EDGE

EAST MISSOULA MONTANA

NORTH

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