



RESOLUTION NUMBER 2001-073

A RESOLUTION TO AMEND SECTION 6.05, THE EAST BUTLER CREEK  
FOOTHILLS DISTRICT REGULATIONS.

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 Board of County Commissioners did adopt Section 6.05 East Butler Creek Foothills District through the passage of County Resolution 95-012; and,

WHEREAS, the Board of Missoula County Commissioners adopted Resolution No. 2001-047 on May 30, 2001, stating their intention to amend the "East Butler Creek Foothills District" to the "East Butler Creek Foothills District, Modified," subject to conditions.

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent on June 3, 2001; 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 6.05 of the Missoula County Zoning Resolution, the "East Butler Creek Foothills District," is amended to the "East Butler Creek Foothills District, Modified," subject to the following conditions and the attachments listed below and included as part of this resolution:

1. Development in "Area C: Attached Housing" shall be consistent with the character of the revised site development plan, example building elevations and the zoning district standards. The applicant shall provide a reproducible exhibit showing the East Butler Creek Foothills Rural Zoning District, Modified, prior to the Board of County Commissioners signing the Resolution of Adoption for this zoning district.
2. The covenants shall be amended to address fencing in the walkway easement. Fencing within this easement is limited to a maximum of 30 inches in height and shall be constructed of decorative wood, stone or other materials as approved by OPG, with a maximum 60% opacity.
3. The developer of each lot shall show plans for physical access to the trail system prior to issuance of a zoning compliance permit, subject to review and approval by OPG.

4. Lots 1-6 and 23-28 on the northern end of MacArthur Drive and all the lots on Patton Court shall be limited to a 20 foot height limitation, subject to review and approval by OPG at the time of zoning compliance permit issuance.

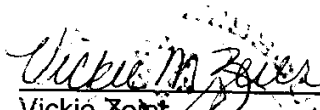

ATTACHMENTS:

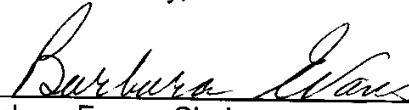
- A. East Butler Creek Foothills District, Modified, Zoning District Map
- B. East Butler Creek Foothills District, Modified, Standards
- C. Circle H Ranch Master Plan
- D. Area C: Attached Housing Site Plan
- E. Example Building Elevations

PASSED AND ADOPTED THIS 10<sup>th</sup> DAY OF <sup>AUGUST</sup> ~~JULY~~, 2001.

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
Missoula County, Montana


  
Vickie Zeier  
Clerk and Recorder  


  
Barbara Evans, Chairman

  
Bill Carey, Commissioner

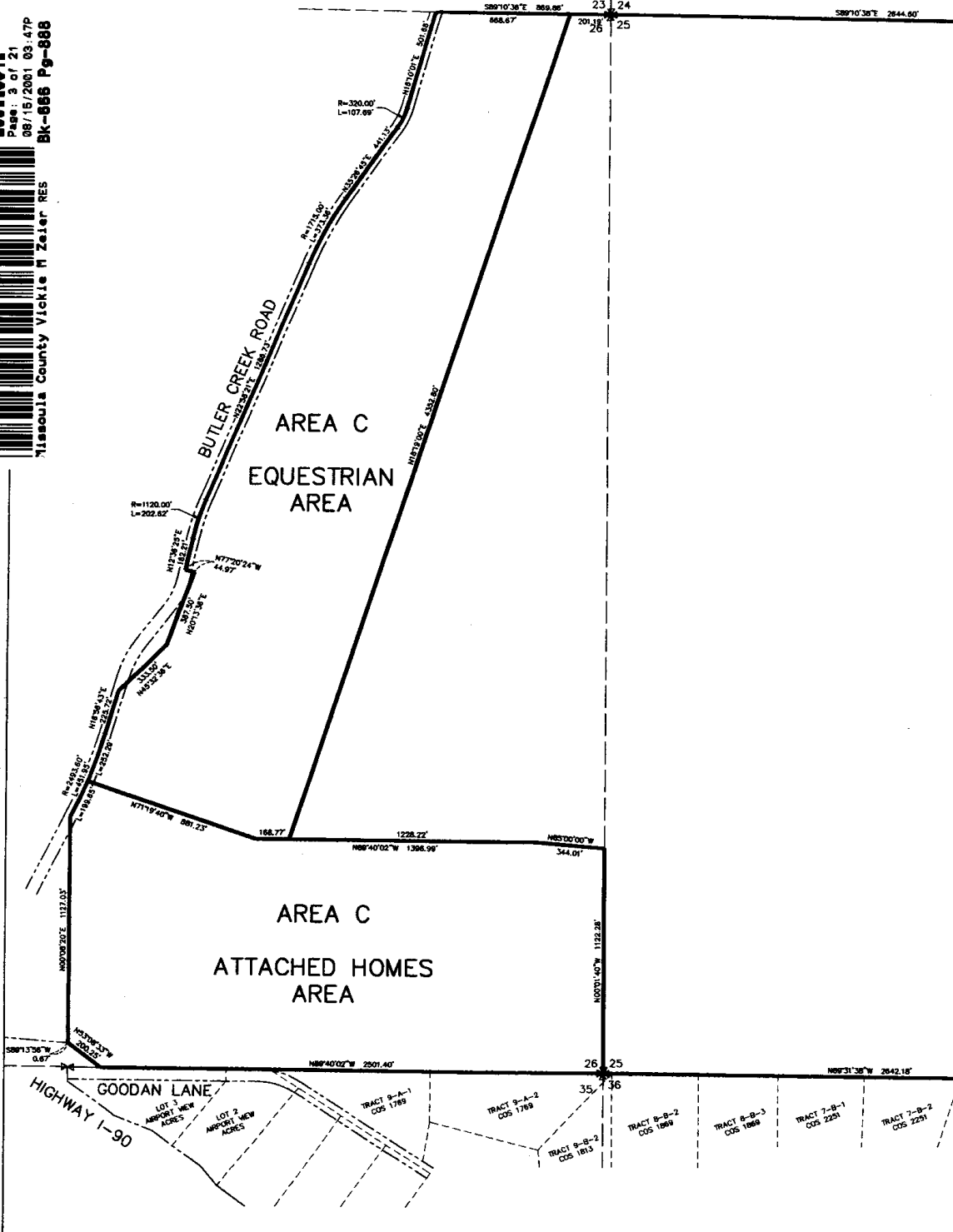
  
Jean Curtiss, Commissioner

APPROVED AS TO FORM AND CONTENT:

  
County Attorney

[illegible]

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## SECTION 6.05: EAST BUTLER CREEK FOOTHILLS RURAL ZONING DISTRICT, MODIFIED ZONING DISTRICT STANDARDS

### INTENT

This district recognizes the need for an alternative to traditional large lot rural zoning. Traditional zoning that promoted the creation of large acreage lots for ranchettes has diminished the rural character and natural setting it was intended to preserve. Specifically, it is noted that large acreage tracts promote the following situations:

- Intensive grazing on tracts too small to be properly managed. This leads to over grazing, soil erosion, stream sedimentation, contamination of surface and ground water and weed infestation.
- Fencing of individual tracts which diminishes the feeling of openness characteristic of rural areas and restricts wildlife movement.
- Displaces viable agricultural operations with a series of highly visible suburban style homes.
- Free roaming dogs deplete the wildlife resource and severely limit the usable winter range. These same free roaming dogs prey upon and harass domestic livestock further threatening the viability of agricultural operations.
- Cause more intensive and less well managed use of irrigation water to the detriment of the other users and contributing to the de-watering of our rivers and streams.
- Create multiple access points onto rural roads adding to congestion and increased road maintenance costs as well as over-burdening other infrastructure such as bridges.
- Create a demand for increased bussing on the part of rural school districts.
- In the situation of wildland fires, emergency resources are diverted to structure protection rather than overall fire suppression.

This district further recognizes the need for close major transportation routes, schools and infrastructure.

Stabling of horses is recognized as an important part of the rural lifestyle. This district allows for the pasturing, stabling and riding of horses in a separate facility designed specifically for this purpose.

Diversity in housing types and price range is recognized as an important community goal. This district allows for the placement of attached housing within the site.

### AREA A: CLUSTERED RURAL RESIDENTIAL AREA

#### A. Space and Bulk Requirements

- |                               |  |
|-------------------------------|--|
| • Maximum Residential Density | One Dwelling Unit Per Ten (10) Acres   |
| • Minimum Lot Width           | One Hundred and Eighty (180) Feet  |
| • Maximum Lot Width           | Two Hundred Feet (200) Feet  |
| • Maximum Lot Size            | Thirty-One Thousand Square Feet (31,000 sq. ft.)   |
| • Minimum Required Yard       | There are no minimum setbacks for yard area. Buildings may be up to the property line.   |
| • Lot Location                | No area other than a residential lot as shown on the final plat for Circle H Ranch shall be used for any residential structure or any residential accessory use of any kind. |

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- Maximum Building Height

Thirty-Five (35) Feet. The building height shall be measured from the top of the lowest finished floor of a daylight basement to the eave for homes with a daylight basement. For homes without daylight basements, the height shall be measured from the top of the first floor above grade to the eave.

## B. General Standards

- See Supplementary Regulations - Chapter III (Resolution 76-113 As Amended)

## C. Permitted Uses

1. Single Family Dwelling
2. Accessory Building and Uses
  - Prohibited Uses: RV storage, stables or horse shelters
3. Recreational Uses Accessory To A Residential Cluster

## D. Conditional Uses

1. Home Occupation

## AREA B: EQUESTRIAN AREA LOT 1

### A. Space and Bulk Requirements

- Minimum Lot Size Eighty (80) acres
- Minimum Required Yard Fifty (50) feet for all buildings
- Maximum Building Height Forty (40) Feet

### B. General Standards

- See Supplemental Regulations – Chapter III (Resolution 76-113 As Amended)

### C. Permitted Uses

1. Professional Horse Boarding
2. Professional Horse Training
3. Riding Arena
4. Concessions Accessory to the Riding Arena
5. Single Family Residence Accessory To The Riding Arena
6. Temporary Sales Office for Circle H Ranch
7. Accessory Buildings and Uses
8. Ranch Headquarters Building

## AREA C: ATTACHED HOUSING LOT 2

### A. Space and Bulk Requirements

- Maximum Residential Density Not to exceed 240 dwelling units
- Minimum Lot Area for Detached Single Family Dwellings Three Thousand Four Hundred (3,400) Square Feet
- Minimum Lot Area for Attached Single Family Dwellings None
- Minimum Lot Width Twenty-Eight (28) Feet



## ATTACHMENT B

- Minimum Required Yard Setback
  - Front Fifteen (15) Feet. If a sidewalk crosses the front yard a minimum front yard setback of Twenty (20) Feet is required.
  - Side Five (5) Feet. For townhouses/attached single family dwellings, there shall be no required side yard between units, only between structures.
  - Rear Twenty (20) Feet for detached dwelling units. Fifteen (15) Feet for attached dwelling units.
- Perimeter Setback One Hundred (100) Feet from the boundary of Area B for all structures.
- Maximum Building Height Thirty-six (36) Feet

### B. General Standards

- Lots adjacent to a walkway easement shall prohibit fences nine (9) feet from either side of the center line of the easement. Fences within the walkway easement shall be no taller than thirty (30) inches tall and constructed of decorative wood, stone or other materials as approved by the zoning officer, with a maximum opacity of sixty percent (60%).
- Grading plans for each lot shall be reviewed and approved by the County or the appropriate jurisdiction, prior to zoning compliance permit issuance.
- See Supplementary Regulations – Chapter III. (Resolution 76-113 As Amended), with the following exception: In Section 3.06(N) only numbers 1, 3, 4, 5, 6(a-c and e) and 7 shall apply.

### C. Permitted Uses

1. Detached Single Family Dwelling
2. Townhouse or Attached Single Family Dwelling
3. Accessory Buildings and Uses

### D. Conditional Uses

1. Home Occupation
2. Child Day Care Home

### E. Special Exceptions

1. Child Day Care Center



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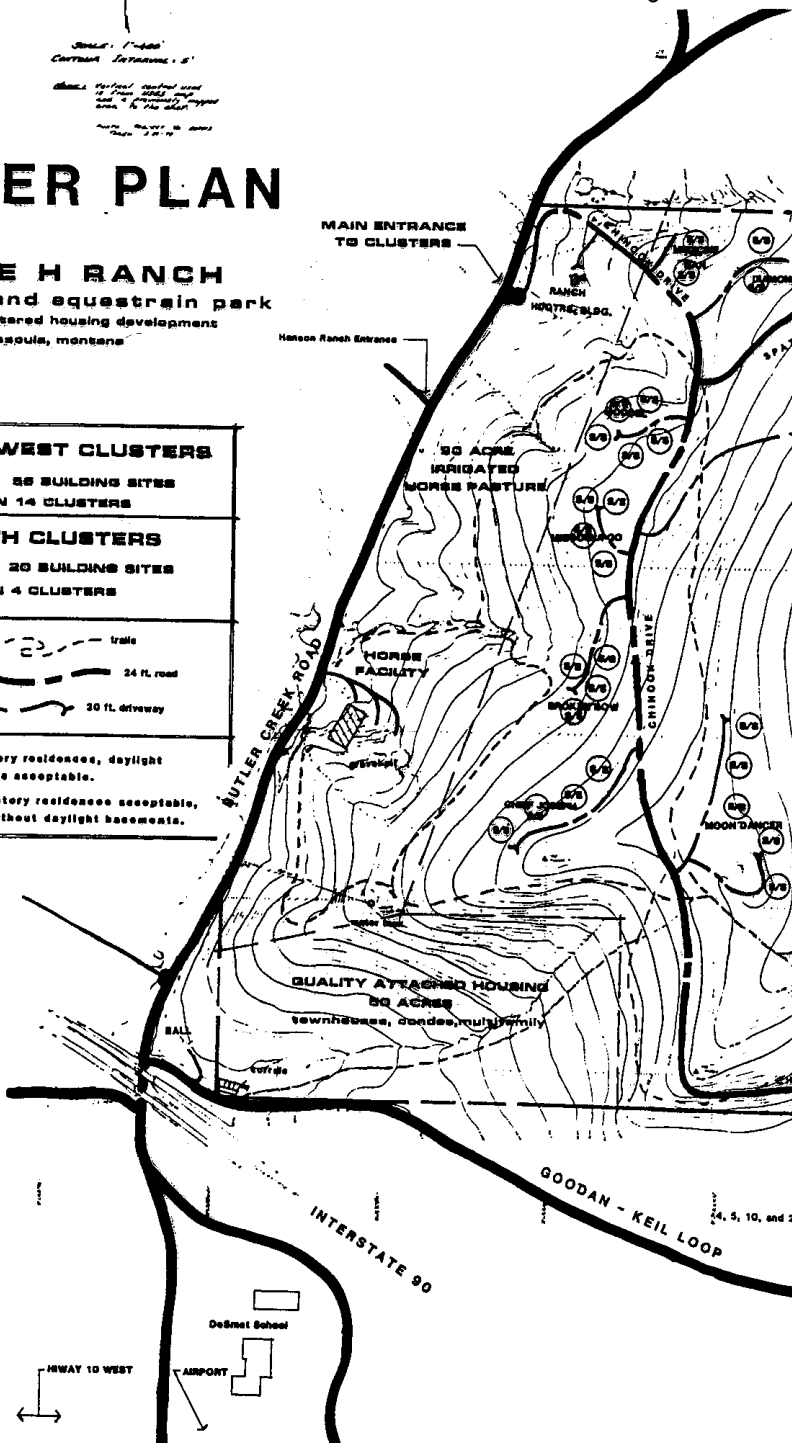
Note: Master Plan was attached to the original East Bu Resolution. See Attachment A for the new Zonir D for the Area C: Attached Housing Site Plan.

# MASTER PLAN

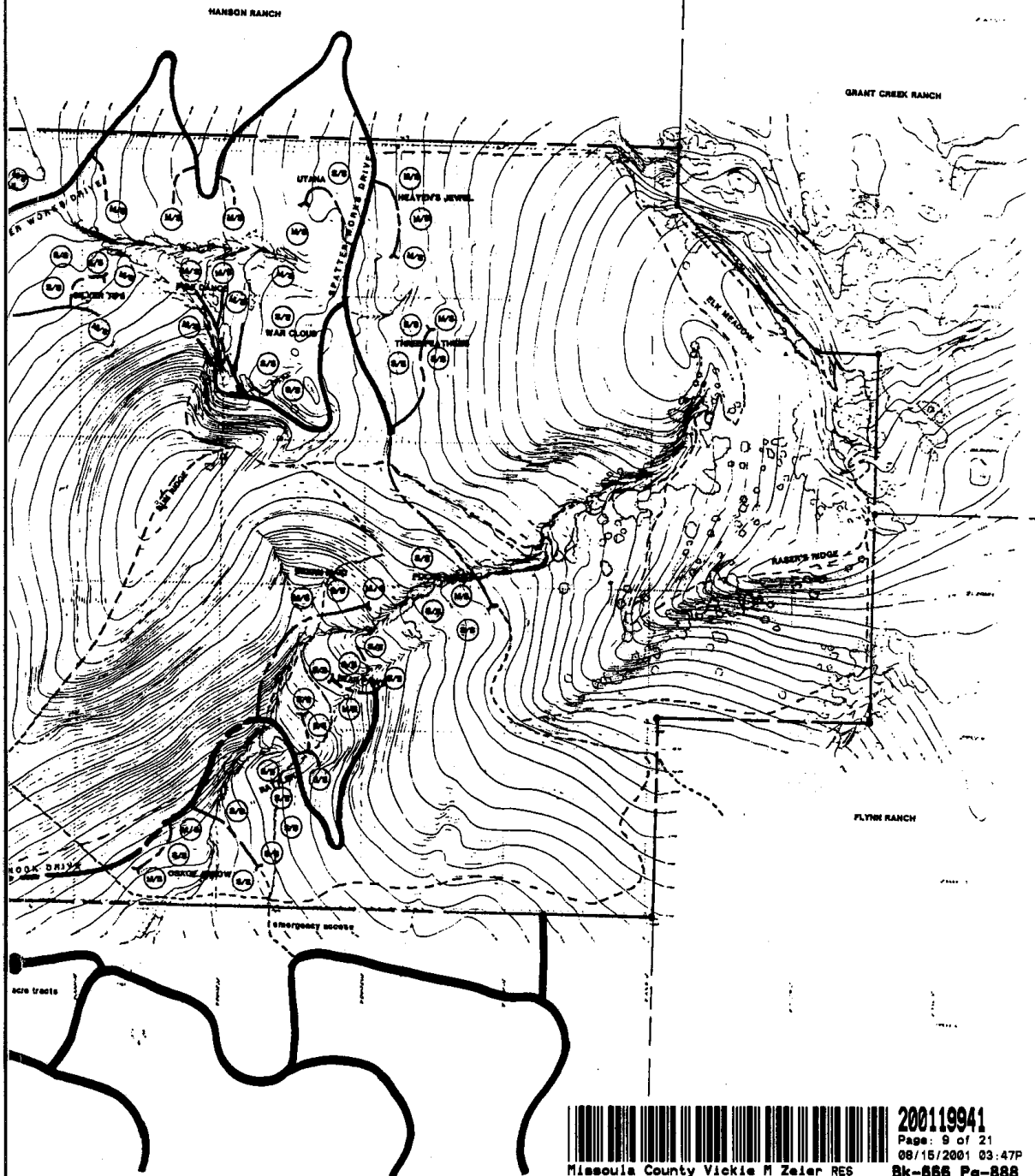
**CIRCLE H RANCH**  
home sites and equestrian park  
975 acre clustered housing development  
missoula, montana

<b>NORTHWEST CLUSTERS</b>	
○	25 BUILDING SITES IN 14 CLUSTERS
<b>SOUTH CLUSTERS</b>	
○	20 BUILDING SITES IN 4 CLUSTERS
---	trails
---	24 ft. road
---	20 ft. driveway
○ S/S	Single story residences, daylight basements acceptable.
○ M/S	Multiple story residences acceptable, with or without daylight basements.

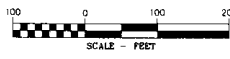
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AGRICULTURE

PAUL A. HANSON  
 NATALIE L. HANSON  
 MARGARET W. HANSON

EQUESTRIAN  
 PASTURES

PRELIMINARY PLAN  
**WEST PO**  
 A SUBDIVISION OF THE COUNTY OF  
 LOCATED IN THE SE 1/4 OF  
 T. 14 N., R. 20 W., PRINCIPAL 1

**BASIS OF BEARINGS**

CIRCLE H RANCH, PHASE I



1/4	SEC.	T.	R.
	26	14N.	20W.

REVISION: FEBRUARY 9, 2001  
 SHEET 1 OF 3  
 DRAWING DATE: JANUARY 30, 2001  
 DRAFT: CEG  
 PROJECT NO.: 00-02-14  
 FILE NO.: 000214PP.DWG

**AREAS**

LOT AREA = 24.30 ACRES  
 COMMON AREA = 35.58 ACRES  
 STREET AREA = 13.07 ACRES  
 TOTAL AREA = 72.95 ACRES

**WGM** Group, Inc.

ENGINEERING · SURVEYING · PLANNING  
 3021 Palmer · (406) 728-4611  
 P.O. Box 16027 · Missoula, MT 59808

OF  
NTE  
MISSOULA, MONTANA  
SECTION 26,  
BRIDIAN, MONTANA

**LEGAL DESCRIPTION**

LOT 2 AND A PORTION OF LOT 1 OF CIRCLE H  
RANCH, PHASE 1 AND A PORTION OF TRACT A  
OF CERTIFICATE OF SURVEY NO. 2814

**COMPREHENSIVE PLAN**

RESIDENTIAL

**TYPE OF SUBDIVISION**

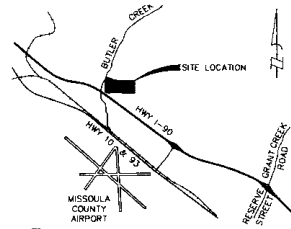
RESIDENTIAL

**ZONING**

EAST BUTLER CREEK FOOTHILLS

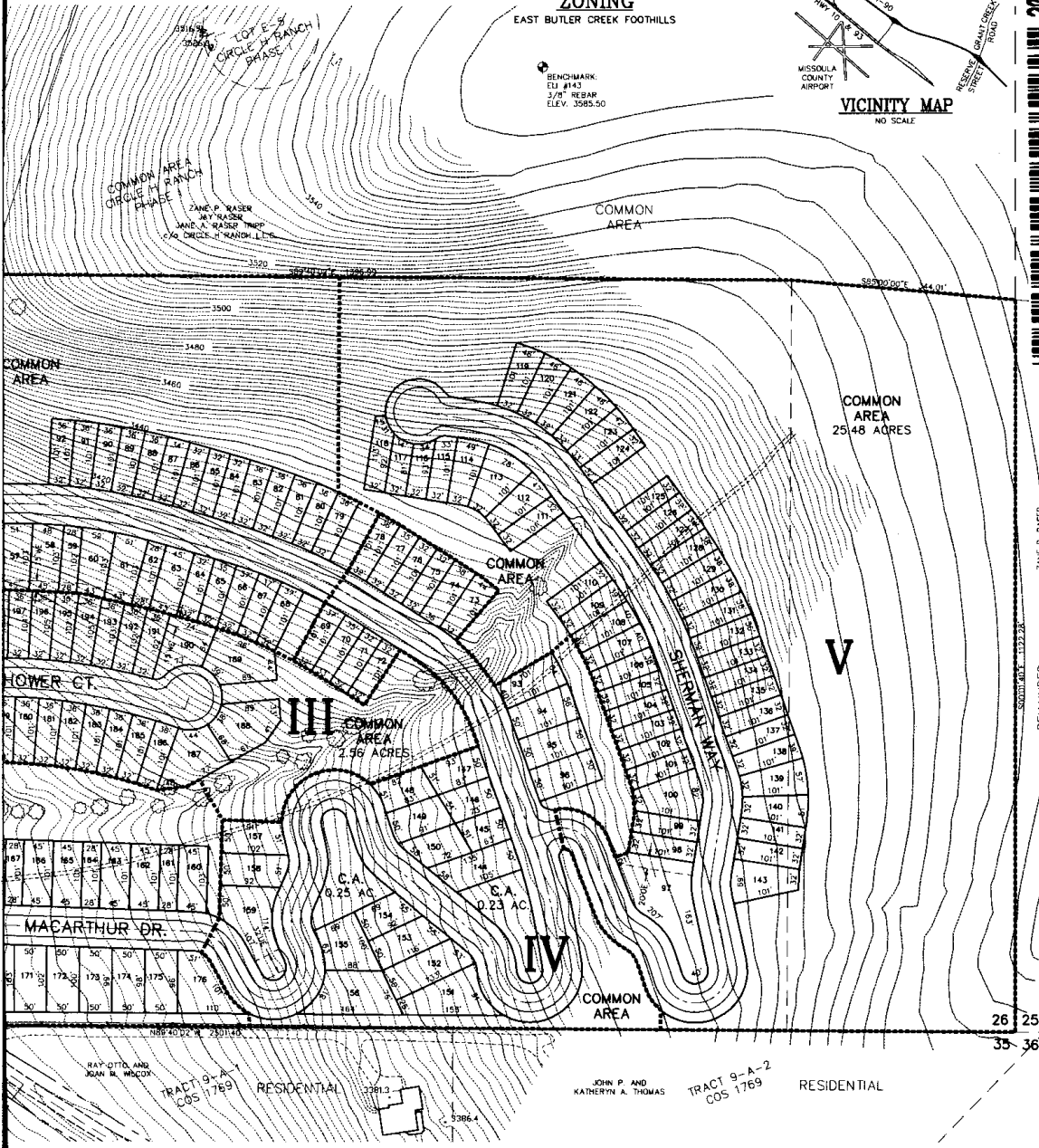
BENCHMARK:  
EJ 8143  
3/8" REBAR  
ELEV. 3585.50

**ATTACHMENT D**



**VICINITY MAP**  
NO SCALE

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**OWNER/DEVELOPER**  
CIRCLE H RANCH L.L.C.

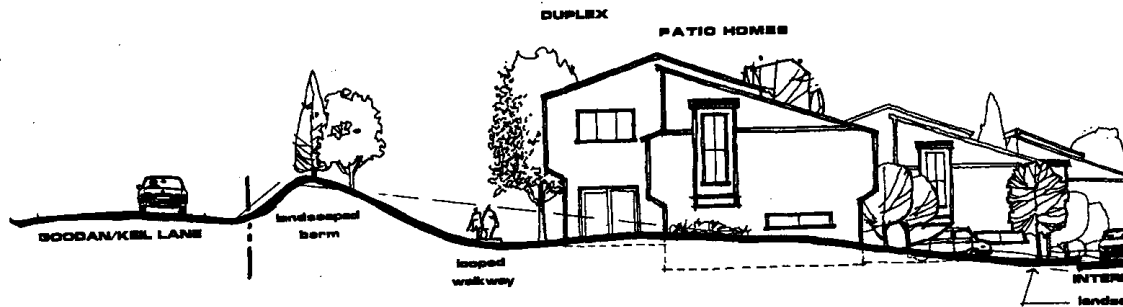
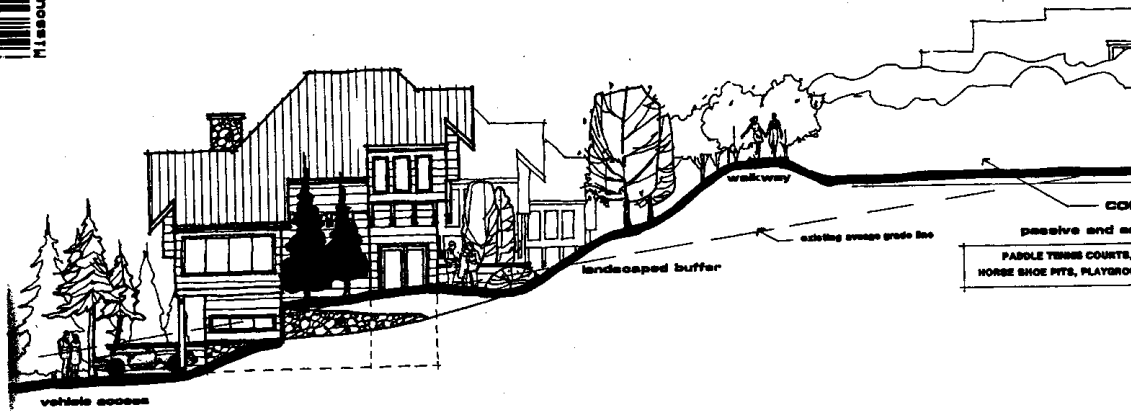
**CERTIFICATE OF ENGINEER**

I HEREBY CERTIFY THAT THE STREET, STORM DRAINAGE,  
SEWER, AND WATER PLANS WERE PREPARED UNDER MY  
SUPERVISION.

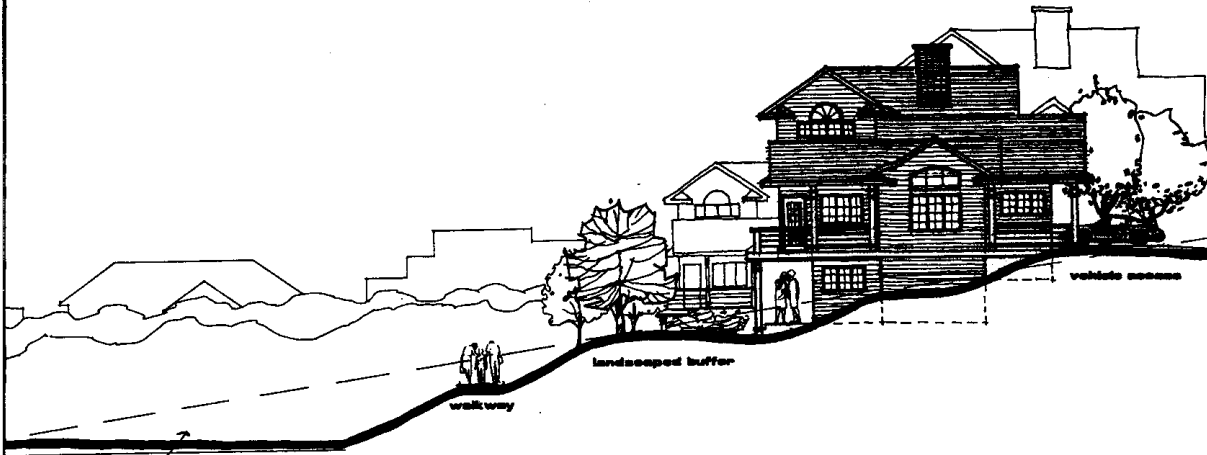
**CERTIFICATE OF SURVEYOR**

I HEREBY CERTIFY THAT THE BOUNDARY AND LOT DESIGNS  
OF THIS PROPOSED SUBDIVISION WERE PREPARED UNDER  
MY SUPERVISION.

# QUALITY ATTACHED DESIGN



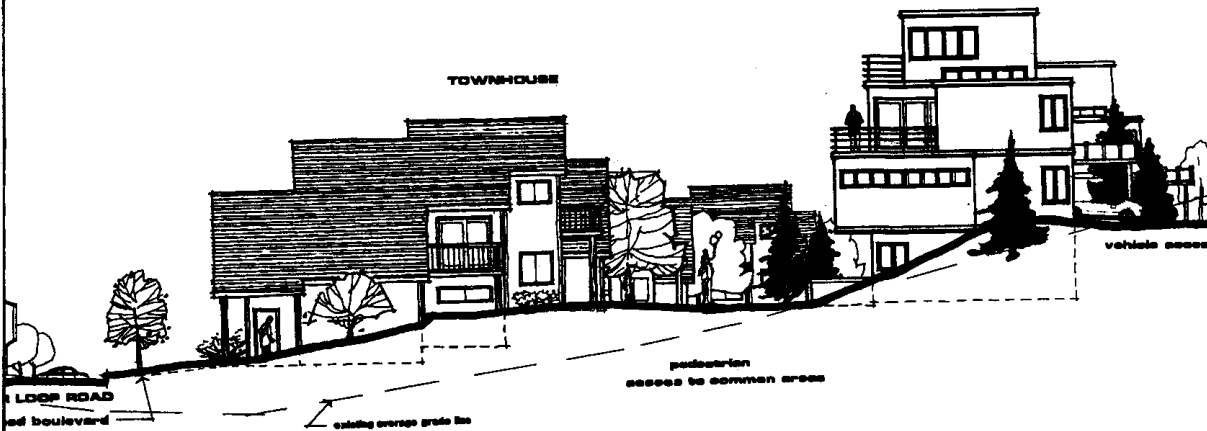
# HOUSING COMPONENT CONCEPT



COMMON AREA  
for recreation areas  
such as courts, swimming pool,  
equipment and picnic facilities.

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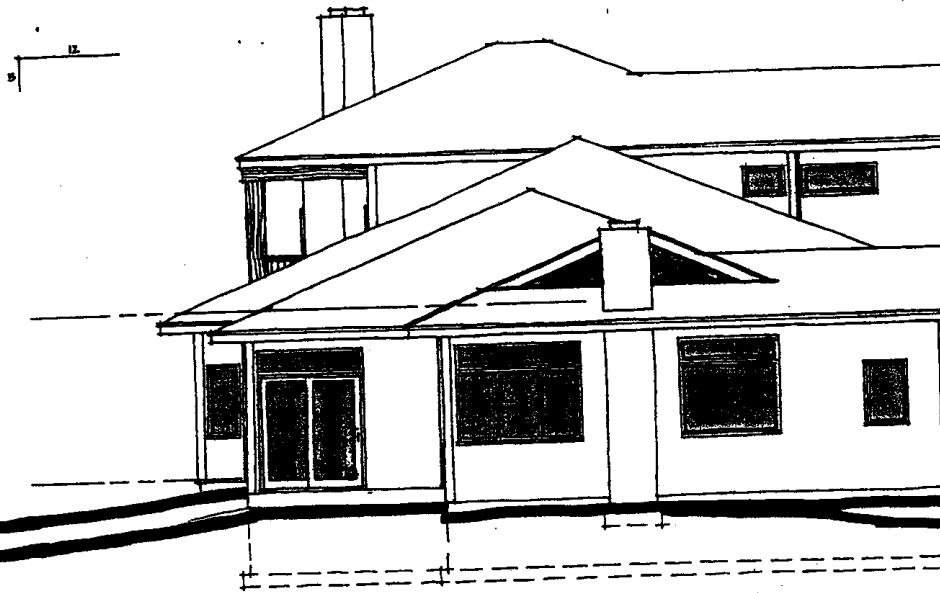
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CIRCLE H  
J.C. ROSE - VANCE

00-02-14



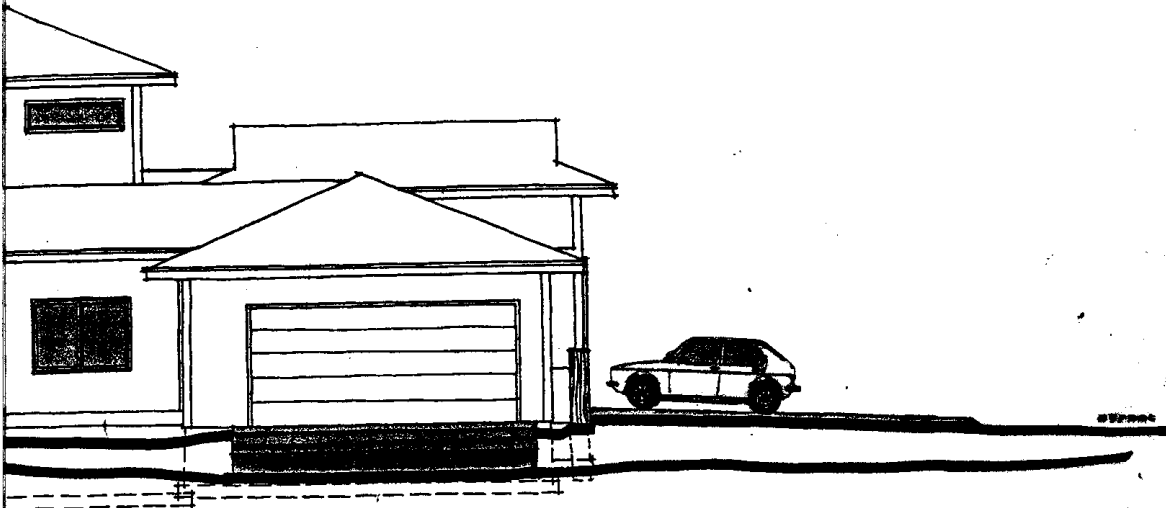


TOWNHOUSE S



TOWNHOUSE R

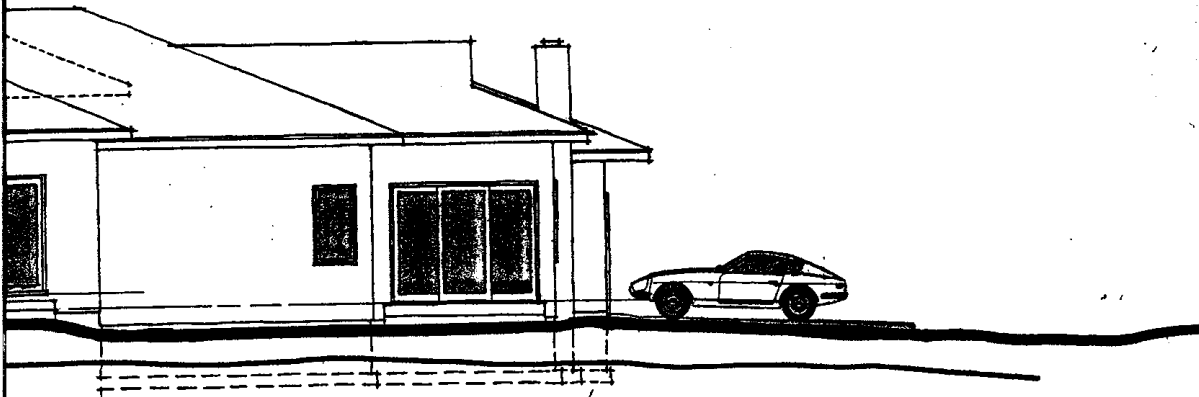
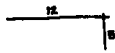
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E ELEVATION



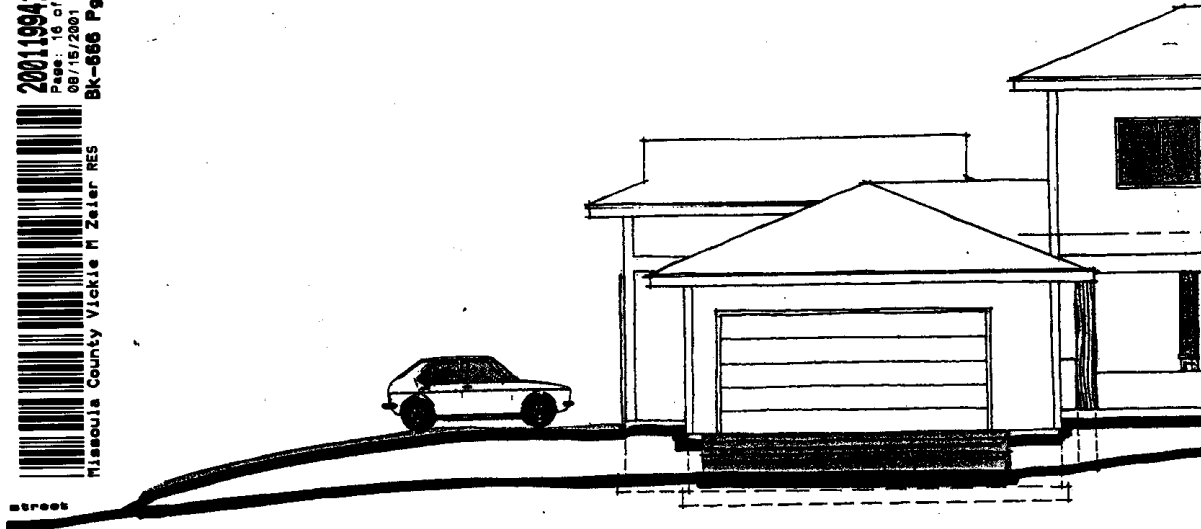
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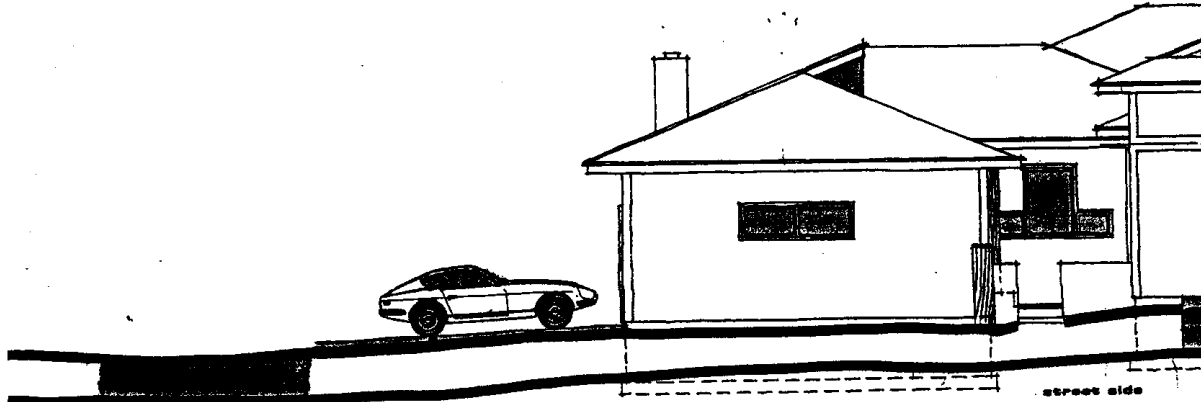
R ELEVATION



12  
9

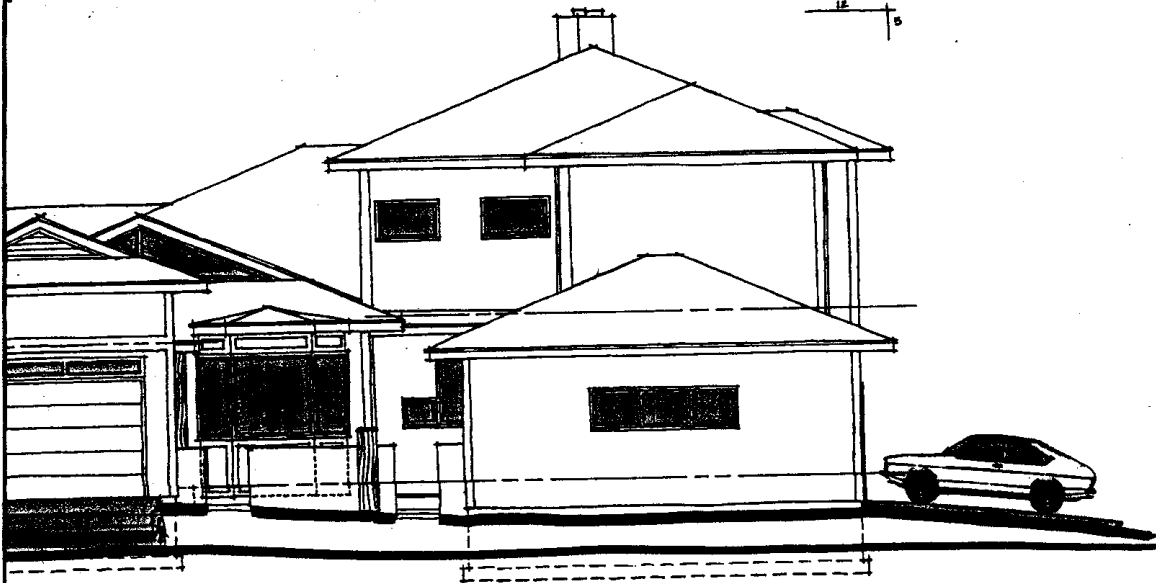
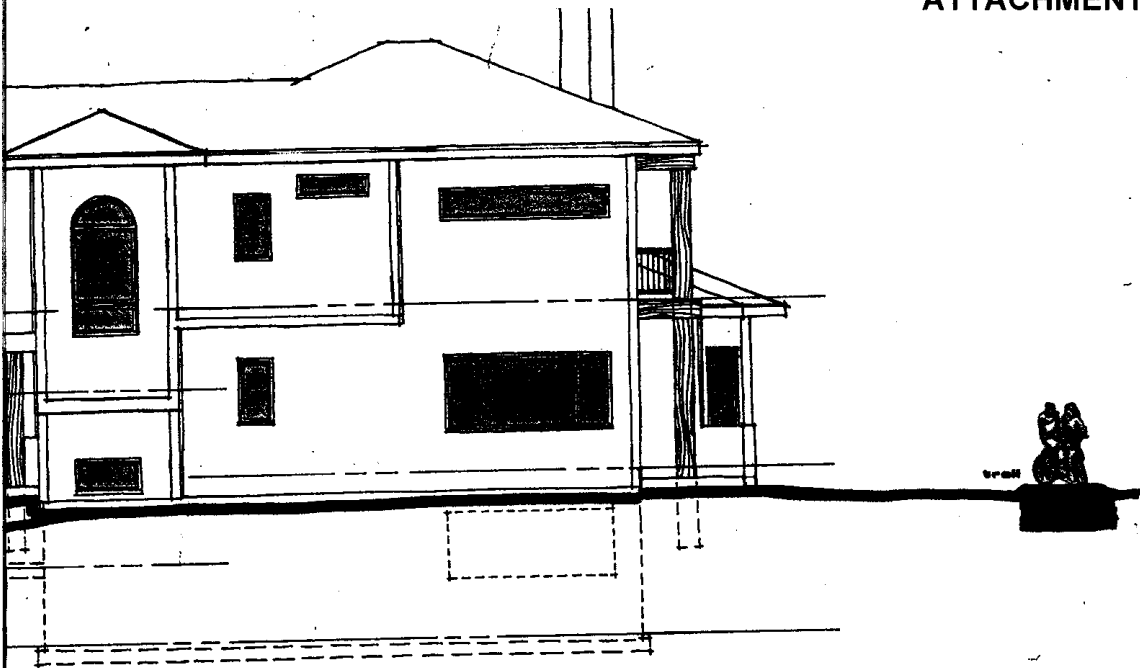


TOWNHOUSE SIDE ELEVATION



TOWNHOUSE





FRONT ELEVATION



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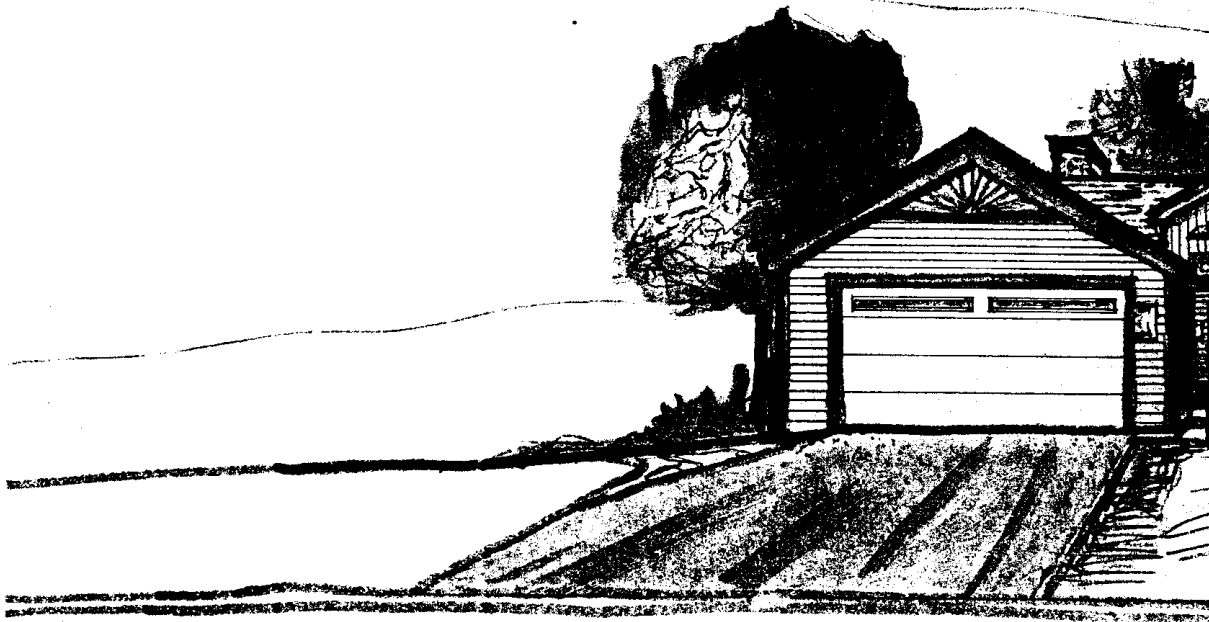


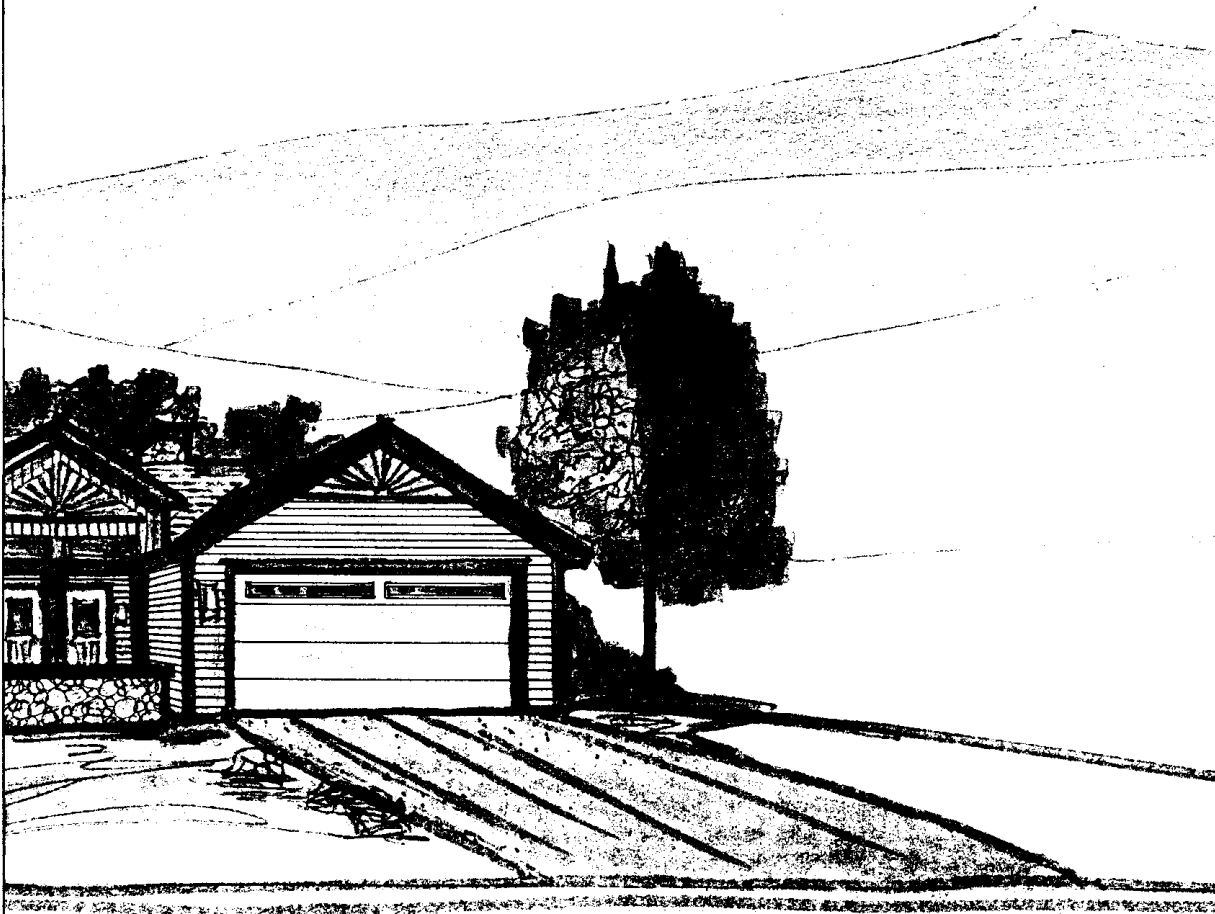
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## WEST POINTE





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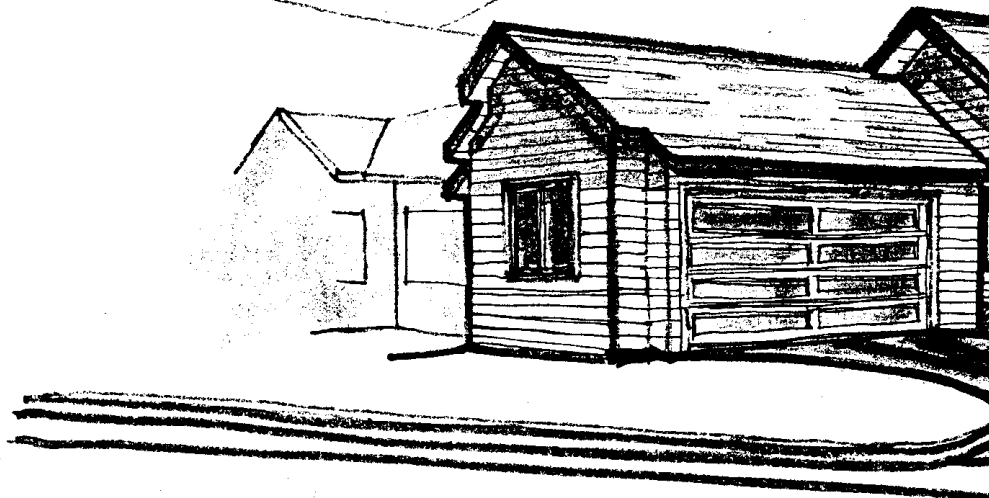
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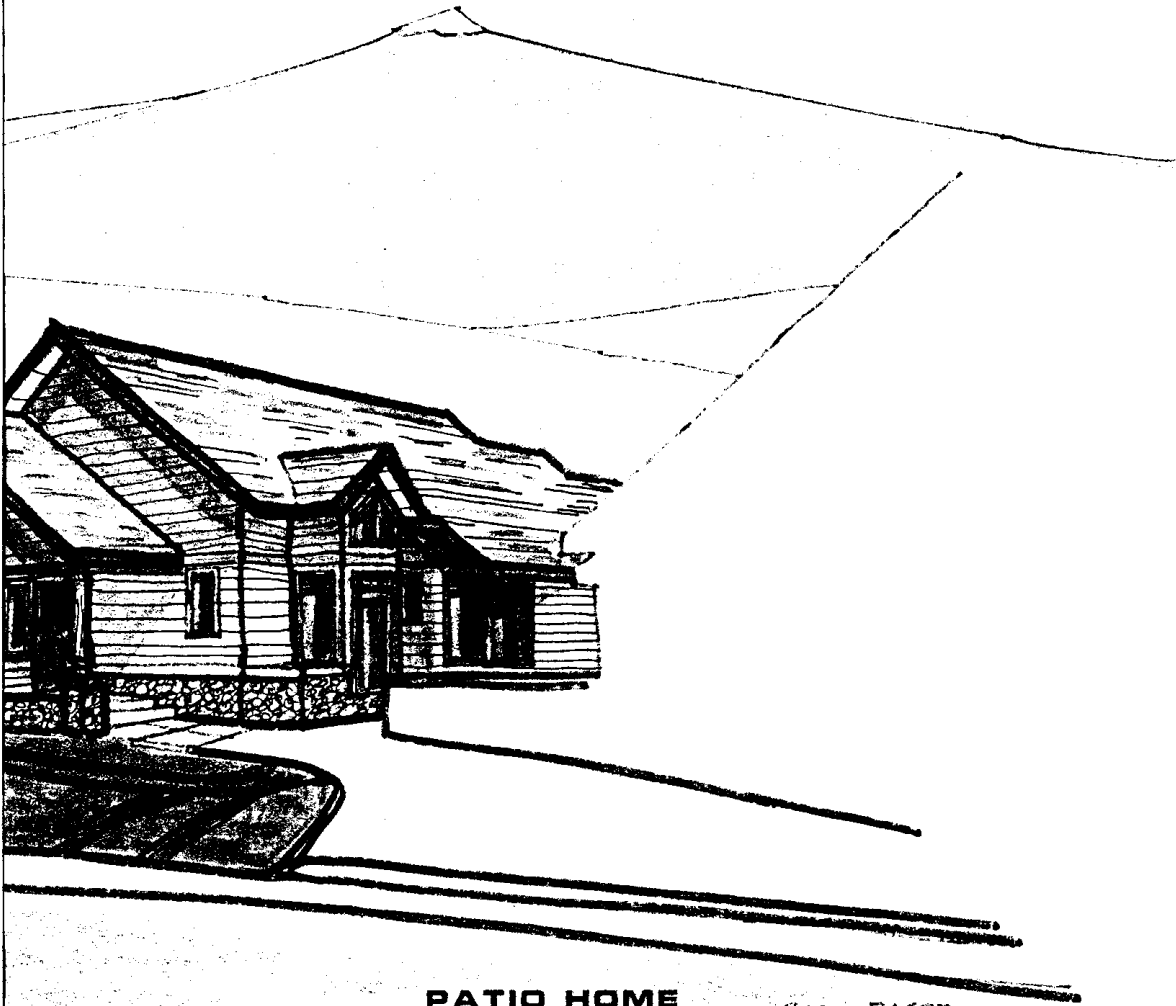
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## WEST POINTE





PATIO HOME

2000 - RACER



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