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RESOLUTION NO. 99-019

A RESOLUTION TO ZONE UNZONED PROPERTY AND REZONE PROPERTY FROM "C-A3" (RESIDENTIAL) TO THE PRIMROSE HEIGHTS RURAL ZONING DISTRICT, SUBJECT TO CONDITIONS. THE PROPERTY IS DESCRIBED AS TRACTS 1 AND 2 OF COS 4835 AND THE NORTH 1/2 NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 14 NORTH, RANGE 20 WEST, P.M.M., EXCLUDING MONTANA RAIL LINK PROPERTY.

WHEREAS, the Board of Missoula County Commissioners adopted Resolution No. 99-012 on March 11, 1999, stating their intention to zone and rezone the property described above from unzoned and "C-A3" (Residential) to the Primrose Heights Rural Zoning District, subject to conditions.

WHEREAS, a protest period was held for thirty (30) days after the first publication of the Resolution of Intent on March 14, 1999; and,

WHEREAS, no protest petitions were filed by district freeholders;

NOW, THEREFORE, BE IT RESOLVED, that the property described above is hereby zoned from unzoned and "C-A3" (Residential) to the Primrose Heights Rural Zoning District, subject to the following conditions:

1. Section 6.10 PRIMROSE HEIGHTS RURAL ZONING DISTRICT shall apply as shown in Attachment A.

PASSED AND ADOPTED THIS 13th DAY OF APRIL, 1999.

ATTEST: VICKIE M. ZETTER

By [Signature]
Clerk and Recorder

BOARD OF COUNTY COMMISSIONERS
Missoula County, Montana

[Signature]
Michael Kennedy, Chair

APPROVED AS TO FORM AND CONTENT:

[Signature]
County Attorney

[Signature]
Barbara Evans, Commissioner

[Signature]
Bill Carey, Commissioner

SECTION 6.10 PRIMROSE HEIGHTS RURAL ZONING DISTRICT**A. Intent**

This district recognizes the need for an alternative to traditional large lot rural zoning. This district is intended to provide standards which promote a rural residential/ agricultural lifestyle through designation of areas for agriculture and open space and areas for quality, moderately-priced clustered housing.

Exhibit A shows the boundaries of three distinct areas within the district as described below.

AREA 1: ADLER ACRES SUBDIVISION

The intent of the district for this area is to provide single family residential lots of a manageable size for those interested in a semi-rural lifestyle.

1B. Space and Bulk Requirements

Maximum Residential Density	One Dwelling Unit per 3 acres
Minimum Lot Size	3.0 acres
Minimum Lot Width	One third (1/3) average depth
Minimum Required Yard - Front	50 feet
- Side	50 feet
- Rear	50 feet
Maximum Building Height	30 feet

1C. General Standards

See Supplementary Regulations - Chapter III

All development shall comply with a Noxious Weed Management Plan for the District.

1D. Permitted Uses

1. Single Family Dwelling.
2. Accessory Buildings and Uses.

AREA 2: AGRICULTURAL AND OPEN SPACE PARCEL

The intent of the district for this area is to provide a relatively large, contiguous, and agriculturally viable parcel of land chiefly for continuation of agricultural use. One single family home may be permitted on the parcel.

2B. Space and Bulk Requirements

Maximum Residential Density	One Dwelling Unit per 125 acres
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Minimum Lot Size 125 acres

This lot is not divisible for development purposes.

Minimum Required Yard - Front 50 feet
- Side 50 feet
- Rear 50 feet

Maximum Building Height 30 feet

Any accessory building used for raising and housing livestock shall not be nearer than:

One hundred (100) feet to any place of human habitation under separate ownership or on a separate lot.

One hundred (100) feet from any draw or watercourse.

Fifty (50) feet to any property line.

2C. General Standards

See Supplementary Regulations - Chapter III

All use shall comply with a Noxious Weed Management Plan for the District.

2D. Permitted Uses

1. Agriculture and Open Space.
2. Single Family Dwelling.
3. Accessory Buildings and Uses.

AREA 3: CLUSTERED HOUSING, 80-ACRE PARCEL

The intent of the district for this area is to provide for single family homes in a clustered manner so as to make efficient use of infrastructure, to preserve the main draw in the central area for wildlife habitat, to preserve natural drainage systems, to allow for aggregate agricultural use of the remaining land in the area and the district as a whole, and to allow housing to be concentrated on sites that are outside of sensitive land areas.

3B. Space and Bulk Requirements

Maximum Residential Density One Dwelling Unit per 2.2 acres
Minimum Lot Size One half (1/2) acre
Minimum Lot Width One third (1/3) average depth

Minimum Required Yard - Front	25 feet
- Side	15 feet
- Rear	25 feet

Maximum Building Height 30 feet

All buildings shall be set back 50 feet from draws or watercourses.

3C. General Standards

See Supplementary Regulations - Chapter III

In addition, the following development standards shall apply:

1. No building in Area 3 shall occur in the floodplain, the central draw, the southeast draw, or the area along the Grass Valley irrigation ditch as shown in Exhibit A. Road construction may occur in the southeast draw.
2. Primary and accessory buildings shall be constructed only on land with an existing slope of less than 25%.
3. Disturbed slopes greater than 10% shall be graded to accomplish the following:
 - a. Cut and fill slopes shall have continuous slopes that reflect the forms and shape of surrounding topography.
 - b. At the intersections of manufactured and natural slopes, contours shall be curved to blend with the natural slope.
 - c. Man-made slopes may exceed a ratio of 3:1 only if significant environmental characteristics of a site are preserved or the need for extensive cut and fill is substantially reduced.
 - d. All graded or disturbed areas shall be permanently revegetated with native plants, fire-resistant vegetation, or other plantings in accordance with a Noxious Weed Management Plan.
4. All development shall comply with a Noxious Weed Management Plan for the District.
5. In order to protect water quality, development may be required by the Health Department or governing body to use wastewater nutrient removal technology.

3D. Permitted Uses

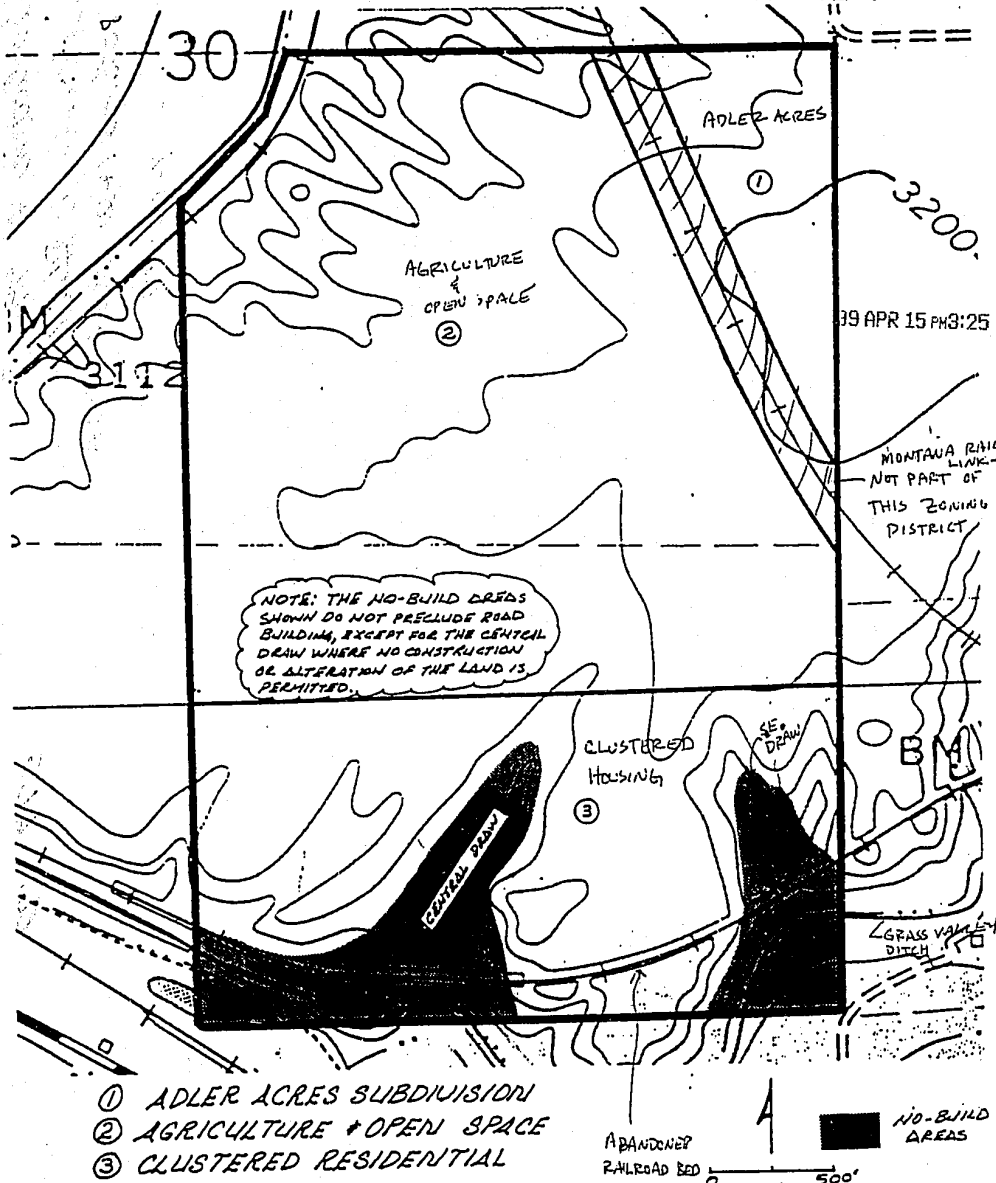
1. Single Family Dwelling.
2. Accessory Buildings and Uses.

PRIMROSE HEIGHTS ZONING DISTRICT

NO-BUILD AREAS

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EXHIBIT A



199910096

I RECEIVED AND FILED THIS INSTRUMENT FOR RECORD ON THE 15 DAY OF JUN. 99 AT 3:25 O'CLOCK P. M. AND IT IS RECORDED IN VOL. 579 OF MICRO RECORDS OF THE COUNTY OF MISSOULA, STATE OF MONTANA, ON PAGE 172 FEE 8 PAID 8

RETURN TO ADDRESS Devolution Title BY Randy W. Hall WITNESS MY HAND, VICKIE M. ZEIER, COUNTY RECORDER DEPUTY DOC RES

SUB-STANDARD QUALITY WHEN FILMED