

10/13/83

RESOLUTION NO. 83-121

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A RESOLUTION TO AMEND THE DEVELOPMENT STANDARDS OF PLANNING AND ZONING DISTRICT NO. 6

WHEREAS, On March 17, 1958, the Missoula County Planning and Zoning Commission created Planning and Zoning District No. 6 and adopted development standards governing the use of land and structures within this district; and,

WHEREAS, 76-2-106 M.C.A. authorizes the Planning and Zoning Commission to make changes in districts; and,

WHEREAS, Notices of public hearing were posted in three (3) public places more than fifteen (15) days prior to the public hearing; and,

WHEREAS, The Planning and Zoning Commission conducted a public hearing on October 12, 1983, to receive comment on proposed revisions to the development standards governing the use of land and structures within Planning and Zoning District No. 6;

NOW, THEREFORE, BE IT RESOLVED by the Missoula County Board of County Commissioners that the following shall govern the use of lands and structures within Missoula County Planning and Zoning District No. 6:

SECTION I--PERMITTED USES

Any use not listed as a prohibited use.

SECTION II--PROHIBITED USES

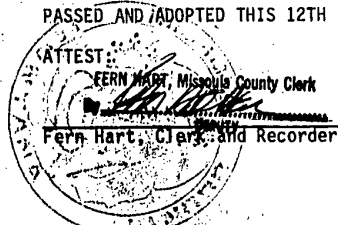
1. Bars or establishments selling alcoholic beverages
2. Night clubs and dance halls
3. Restaurants, except on properties having direct access to Russell Street
4. Adult and/or pornographic shops
5. Game rooms
6. New and/or used car lots, except on properties having direct access to Russell Street
7. Auto body shops and/or automobile service stations, except on properties having direct access to Russell Street and on Lots 14, 15, 16, and 17 of Block 5, Eddy Addition.
8. Wrecking yards
9. Kennels
10. Rescue missions or halfway houses which do not conform with the provisions of Section 76-2-314, M.C.A.

SECTION III--GENERAL REGULATIONS AND VARIANCES

1. A legal nonconforming use shall be defined as a use of land which was an actual and lawful use at the time of adoption of the current Zoning District No. 6 development regulations, but which use because of such adoption or subsequent changes in district boundaries or regulations, does not conform to the existing regulations.
2. A legal nonconforming use shall not be enlarged or increased or extended to occupy a greater area of land than was occupied at the effective date of the Zoning District No. 6 Regulations.
3. No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of the Zoning District No. 6 Regulations.
4. If any such nonconforming use of land or structure ceases for any reason for a period of ninety (90) days, any subsequent use of land shall conform to the Planning and Zoning District No. 6 Regulations.
5. The Board of County Commissioners may authorize variances which will not be contrary to the public interest where, owing to special conditions, literal enforcement would result in unnecessary hardship.

FURTHER, copies of the regulations governing Planning and Zoning District No. 6 shall be available for inspection at the Missoula Planning Office.

PASSED AND ADOPTED THIS 12TH DAY OF OCTOBER, 1983



BOARD OF COUNTY COMMISSIONERS
Missoula County, Montana

NOT AVAILABLE FOR SIGNATURE
Bob Palmer, Chairman

Barbara Evans
Barbara Evans, Commissioner

APPROVED AS TO FORM AND CONTENT:

Jean Wilcox
Jean Wilcox, Deputy County Attorney

Ann Mary Dussault
Ann Mary Dussault, Commissioner

SIGNED THIS 13th DAY OF OCTOBER, 1983

8317002

I received and filed this instrument for record on the 17 day of Oct, 1983, at 9:32 AM, and it is recorded in Vol. 195, on Page 2339. My commission expires on the 17 day of Oct, 1984. Witness my hand, Fern Hart, County Recorder, by Barbara Evans, Deputy. Doc. Fee Pd. Return: filed

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