



**RESOLUTION 2018 - 79**

**A RESOLUTION CREATING THE BOUNDARIES OF  
A PART I SPECIAL ZONING DISTRICT  
(EAST OF FERRY DRIVE AND SOUTH OF TEA ROAD)**

**WHEREAS**, a petition and a map were received requesting the creation of boundaries for a proposed Part I Special Zoning District (Tea Road on its north side, Ferry Drive on its west side, and property boundaries on its south and east sides); and

**WHEREAS**, legal notice of the public meeting for the proposed District boundaries was given on June 10, 2018 and June 17, 2018 in the Independent Record and three (3) signs were posted in the proposed District; and

**WHEREAS**, three (3) public meetings regarding the creation of District boundaries for the proposed District were duly held by the Lewis and Clark Board of County Commissioners (Board of County Commissioners) on June 26, 2018; July 10, 2018; and July 24, 2018; and

**WHEREAS**, the Board of County Commissioners reviewed the Staff report, and the comments given at the public meeting; and

**WHEREAS**, the Board of County Commissioners voted unanimously (3-0) to create the boundaries as proposed by the petitioners for the Part I District on July 24, 2018; and

**WHEREAS**, legal notice of the 30-day protest period for the creation of the District boundaries was given on July 29, 2018 and August 5, 2018 in the Independent Record; and

**WHEREAS**, protests were received within the 30-day protest period, which ended on August 23, 2018 at 5:00 p.m.; and

**WHEREAS**, if real property owners representing 50% of the titled property ownership in the District protest the establishment of the District within 30 days of its creation, the Board of County Commissioners may not create the District; and

**WHEREAS**, no protests from real property owners within the District were received within the 30-day protest period.

**NOW, THEREFORE, BE IT RESOLVED** by Board of County Commissioners:

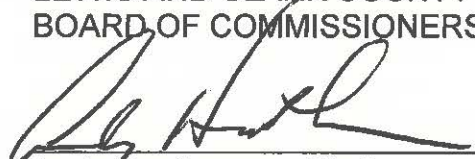
1. That the map of the Part I Special Zoning District be created as shown on Exhibit "A", attached hereto and made a part hereof.
2. That the existing Lewis and Clark County Planning and Zoning Commission be appointed to administer the District in accordance with 76-2-101 through 111 and 76-2-113, M.C.A.
3. That Staff be directed to move forward with the process for adopting a neighborhood plan/development pattern for the District in accordance with 76-2-101 through 111 and 76-2-113, M.C.A. and the Lewis and Clark County Growth Policy.

4. That Staff, following the adoption of a neighborhood plan/development pattern for the District, be directed to move forward with the process for adopting regulations for the District in accordance with 76-2-101 through 111 and 76-2-113, M.C.A. and the Lewis and Clark County Growth Policy.

**INTRODUCED** at a Regular meeting of the Board of County Commissioners on September 6, 2018 by Commission Member Andy Hunthausen.

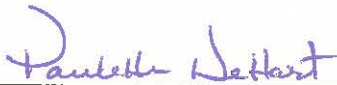
**PASSED AND APPROVED BY LEWIS AND CLARK Board of County Commissioners on this 6th Day of September, 2018.**

LEWIS AND CLARK COUNTY  
BOARD OF COMMISSIONERS



Andy Hunthausen, Chair

ATTEST:



Paulette DeHart, Clerk to the Board

Attachment: Exhibit "A"



# EXHIBIT "A"



Legend  
District Boundaries