

RESOLUTION 2014 - 13

**A RESOLUTION CREATING THE BOUNDARIES OF  
A PART I SPECIAL ZONING DISTRICT  
(EAST OF I-15 AND NORTH OF LINCOLN ROAD)**

WHEREAS, a petition and a map were received requesting the creation of boundaries for a proposed Part I Special Zoning District (Fantasy Road – south boundary, Collins Drive – west boundary, Snowdrift Road – north boundary, Ferry Drive – east boundary); and

WHEREAS, legal notice of the public meeting for the proposed District boundaries was given on December 1, 2013 and December 8, 2013 in the Independent Record and three (3) signs were posted in the proposed District; and

WHEREAS, two (2) public meetings regarding the creation of District boundaries for the proposed District were duly held by the Lewis and Clark County Board of Commissioners on December 17, 2013 and December 19, 2013; 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 December 19, 2013; and

WHEREAS, legal notice of the 30-day protest period for the creation of the District boundaries was given on December 29, 2013 and January 5, 2014 in the Independent Record; and

WHEREAS, protests were received within the 30-day protest period, which ended on January 20, 2014 at 5:00 p.m. (due to federal holiday, protest period extended until January 21, 2014 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, real property owners representing 47% of the titled property ownership within the District protested the establishment of the District within the 30-day protest period.

NOW, THEREFORE, BE IT RESOLVED by the Lewis and Clark County Board of Commissioners that the map of the Part I Special Zoning District be created as shown on Exhibit "A", attached hereto and made a part hereof; and

BE IT FURTHER RESOLVED 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.; and

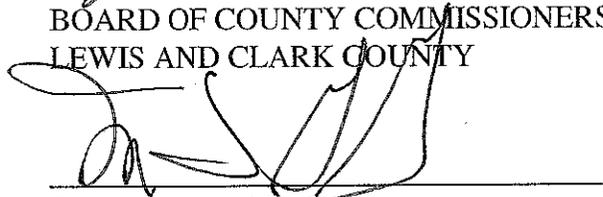
BE IT FURTHER RESOLVED that Staff be directed to move forward with the process for adopting a neighborhood plan/development pattern for the District in accordance with 76-2-101 through 111 and 76-2-113, M.C.A. and the Lewis and Clark County Growth Policy; and

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Paulette DeHart Clerk & Recorder, Lewis & Clark Co.

BE IT FURTHER RESOLVED 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.

DATED this 28<sup>th</sup> day of January, 2014

BOARD OF COUNTY COMMISSIONERS  
LEWIS AND CLARK COUNTY



Susan Good Geise, Chair

ATTEST:



Paulette DeHart  
Paulette DeHart, Clerk of the Board

EXHIBIT "A"



 Legend  
Zoning District



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