



COMMUNITY PLANNING, DEVELOPMENT & INNOVATION

Development Services Division

435 RYMAN | MISSOULA, MT 59802-4297 | 406.552.6630 | FAX 406.552.6053

MISSOULA CITY PUBLIC FORUM APPLICATION

Date: 4/3/24 5/8/24

Meeting Date: _____

Applicant Name: Shannon Therriault, Missoula Public Health Interim Director

Address: 301 West Alder, Missoula, MT 59802 Phone: 406-258-4988

Agent Name: OZ Architects

Address: 531 N. Higgins Ave. Missoula, MT. Phone: (406) 880-7112

Project Address/Location: 6700 Butler Creek Road, Missoula, MT. 59808

Request Type: Public Forum for the Expansion of the Missoula City-County Animal Control Center that does not meet Zoning Requirements

The following items must be submitted as part of the application:

Legal Description

Lot(s): _____; Block(s): _____; Subdivision: _____

Section: S35; Township: T14; Range: R20

COS#: 3858 Parcel 2, in NE4, NE4, NW4

Zoning: M1-2

PACKETS MUST CONTAIN THE FOLLOWING ITEMS

Provide the following information as pdf's emailed to the Zoning desk staff at ZoningDesk@ci.missoula.mt.us Staff will review the application for completeness and provide any corrections. Once a complete application and the fee is received staff will provide a schedule for the public hearing date.

- a. **Application**
- b. **Cover Letter**
- c. **Site Plan & Landscaping Plan (to scale)**
- d. **Elevation Drawings (to scale)**
- e. **Topography Map, if applicable (to scale)**
- f. **Floor Plan**



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APPLICANT'S RESPONSIBILITY

The burden of proof for an applicable hardship and justification of proposal lies with the applicant. The applicant or the applicant's agent must be present at the meeting. Failure to appear at the meeting is grounds for denial of the variance request.

STATUTORY AUTHORITY

A public forum process is established as authorized by §76-2-402 MCA. Whenever an agency proposes to use public land contrary to local zoning regulations, a public hearing must be held and the agency shall attend the public hearing. The City Council is responsible for conducting public hearings.

TITLE 20, SECTION 20.85.095 PUBLIC FORUM

Title 20, Section 20.85.095 includes the process to implement the Public Forum provisions in state law. An "agency" means a means a board, bureau, commission, department, district, an authority, or other entity of state or local government.

The City Council shall hold a hearing within 30 days of the date the agency gives notice of its intent to develop land contrary to local zoning regulations and pays the application fee. The City Council shall hold the public hearing as a public forum and shall have no power to deny or condition the proposed use, but shall act only to allow a public forum for comment on the proposed use.

I hereby attest that the information on this application form is accurate and complete.

Property Owner's Signature Shannon Therriault Date 4/3/24

I, Shannon Therriault, owner of the said property authorize OZ Architects

to act as my agent in this application.



City of Missoula Development
Services Planning, Zoning & Land
Use 435 Ryman St.
Missoula, MT 59802
ZoningDesk@ci.missoula.mt.us

April 08, 2024 (R1)

RE: Missoula City-County Animal Control Center

To whom it may concern:

The Missoula City – County Animal Control Center is expanding their facility at 6700 Butler Creek Road, Missoula, Mt. The current facility is approximately 3,900 sf. We will be adding approximately 4,300 sf. of office and kennel spaces, along with remodeling portions of the existing facility. Fire Suppression will be added to the entire building to create a safer space for both the staff and animals. When built, the facility met (to the best of our knowledge) all zoning requirements. Since its launch, zoning for the area has been updated.

This project does not meet the following section of Missoula City Zoning:

Title 20, Section 20.25.075 / NC-MDP, Missoula Development Park Overlay
-F.1 (M1-2 Limited Industrial Districts) only allows for Business Support Service, Office, Research Service and Retail Sales in the Commercial Group use. Animal Services Shelter / Boarding is not permitted. We will be increasing the building footprint to an existing non-conforming use facility.

Title 20, Section 20.25.075 / NC-MDP, Missoula Development Park Overlay
-L.2 States that Except for security or screening use, fence shall not exceed five feet in height. Due to the safety and security of penned large animals, fences will be 7' tall. We would consider this a security fence that is less than the maximum 8' tall requirement.

Title 20, Section 20.25.075.I - MD Overlay Boulevard Landscaping Standards states that boulevard landscaping consisting of grass and trees shall be provided along streets. Due to the existing trees and lawn adjacent to Butler Creek Road, the requirement to implement additional trees (10' setback, 30' on center per City of Missoula Urban Forestry) adjacent to Butler Creek Road has not been provided.

Title 20, Section 20.25.075.H.1.a – Missoula Development Park Overlay Landscaping standards are not met for natural grasses within the front yard. A maximum of 20% of the front yard can be natural grasses, but 69% of the front yard will be natural grasses.

Title 20, Section 20.25.075.L – Fences. 2 fenced areas will be installed on the site. The first is a 7' tall (approximate) dog run that will be relocated due to the addition. This is located to the east of the building and abuts the rear and side yards.

The second fence is installed as a holding pen / dog run for larger animals that are being temporarily cared for. This fence is also 7' tall and is located central to the building as a whole and faces a side / rear yard.

Both fences will be chain link and 7' tall or less. Neither fence will have screen slats as visibility is vital to the safety and security of the animals being cared for.

Title 20, Section 20.65.060 – Buffers. This requirement states that buffers are required when nonresidential development occurs on parcels that abut R zoning districts or residential uses and are triggered when existing nonresidential uses or buildings are expanded by more than ten percent of their existing gross floor area. The nature of the building expansion and the southern property line of the site abutting a parcel of land with residential use will therefore trigger the buffer requirements listed in this section. There is currently an existing grassy hill along the southern property line of the site which will help mitigate possible adverse effects, however, the buffer requirement will not be provided on this site.

Enclosed is the application for a public forum and drawings for your reference.

Regards,



Rex Thompson
Principal Owner
OZ Architects, p.c.

cc: File, Shannon Therriault, Ethan Redfern, Jason Hauser and Sean Chandler