



**Stevensville Board of Adjustment Meeting/  
Public Hearing  
Agenda for  
THURSDAY, FEBRUARY 06, 2020  
7:00 PM**

1. Call to Order and Roll Call
2. Discussion on the Following Items
  - a. [Agency](#) Exemption of Stevensville Municipal Code Chapter 10 § 10-166 – Landscaping; for Stevensville School District
3. Public Comment
4. Adjournment

**Guidelines for Public Comment**

Public Comment ensures an opportunity for citizens to meaningfully participate in the decisions of its elected officials. It is one of several ways your voice is heard by your local government. During public comment we ask that all participants respect the right of others to make their comment uninterrupted. The council's goal is to receive as much comment as time reasonably allows. All public comment should be directed to the chair (Mayor or designee). Comment made to the audience or individual council members may be ruled out of order. Public comment must remain on topic, and free from abusive language or unsupported allegations.

During any council meeting you have two opportunities to comment:

1. During the public comment period near the beginning of a meeting.
2. Before any decision-making vote of the council on an agenda item.

Comment made outside of these times may not be allowed.

Citizens wishing to speak during the official public comment period should come forward to the podium and state their name and address for the record. Comment during this time maybe time limited, as determined by the chair, to allow as many people as possible to comment. Citizens wishing to comment on a motion for decision before any vote can come forward or stand in place as they wish. Comment must remain on the motion before the council.

# NOTICE OF PUBLIC HEARING

## TOWN OF STEVENSVILLE BOARD OF ADJUSTMENTS

NOTICE IS HEREBY GIVEN that the Town of Stevensville Board of Adjustments will hold a public hearing on Thursday, February 6, 2020 at 7:00 p.m. in the Town Council Chambers of Stevensville Town Hall, located at 206 Buck Street.

The Board of Adjustments has been given notice of intent to use or develop land contrary to local zoning regulations by the Stevensville School District, an entity of state or local government. The Stevensville School District's notice provides that it will use land inconsistent with the following local zoning regulations for reasons of financial burden:

Stevensville Municipal Code Chapter 10 § 10-166 – Landscaping

(a) *Screening.* Where landscaping is required for screening purposes, the landscaping shall be appropriate to the location and compatible with surrounding properties. It may include berms, shrubs, trees and fencing.

(b) *Parking lot.* To provide visual relief and shade in parking areas, the developer must provide at least one deciduous tree or shrub for each six parking spaces. Trees and shrubs shall be planted in landscaping beds with a minimum of four feet in width and protected by curbing.

(c) At least 50 percent of the required landscaping shall consist of trees.

(Res. No. 168, § 16.20.180, 3-26-2001; Ord. No. 154, § 3, 1-8-2015)

The public hearing will be held to provide a venue to receive public input and comment on the matter. The Board of Adjustments shall have no power to deny the proposed use but shall act only to allow a public forum of comment of the proposed use. All interested persons will be given the opportunity to ask questions and to express their opinions regarding the proposed agency exemption. Comments may be given orally at the hearing, emailed to [clerk@townofstevensville.com](mailto:clerk@townofstevensville.com) or submitted in writing mailed to Town Clerk, P.O. Box 30, Stevensville, MT 59870 before 3:00 pm February 6, 2020. Questions, comments or more information may be obtained by contacting Town Hall at 406-777-5271.

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Attest: Monica Hoffman, Town Clerk

BS 1-29-2020, 2-5-2020

# Stevensville Public Schools

Superintendent  
Dr. Robert Moore  
Ext. 136



300 Park Avenue  
Stevensville, MT 59870  
Phone: 406-777-5481  
Fax: 406-777-1381



Business Manager  
Bill Schiele  
Ext. 139

January 10, 2020

**Brandon Dewey**  
MAYOR  
Town of Stevensville  
206 Buck St.  
Stevensville, MT 59870

Re: Town of Stevensville Landscaping Requirements

Dear Mayor Dewey,

Stevensville Public Schools is currently working with MMW Architects to design an expansion to the elementary and high school facilities. The Town Code includes the following requirements:

***Sec. 10-166. - Landscaping.***

- (a) *Screening. Where landscaping is required for screening purposes, the landscaping shall be appropriate to the location and compatible with surrounding properties. It may include berms, shrubs, trees and fencing.*
- (b) *Parking lot. To provide visual relief and shade in parking areas, the developer must provide at least one deciduous tree or shrub for each six parking spaces. Trees and shrubs shall be planted in landscaping beds with a minimum of four feet in width and protected by curbing.*
- (c) *At least 50 percent of the required landscaping shall consist of trees.*

*(Res. No. 168, § 16.20.180, 3-26-2001; Ord. No. 154, § 3, 1-8-2015)*

As the additional landscaping requirements for the parking lot areas will create a financial burden, Stevensville Public Schools would like to apply an agency exemption to the Town's requirements through the Montana Code Annotated (MCA) 76-2-402:

*Local Zoning Regulations -- Application To Agencies*

**76-2-402. Local zoning regulations -- application to agencies.** *Whenever an agency proposes to use public land contrary to local zoning regulations, a public hearing, as defined below, shall be held.*

- (1) *The local board of adjustments, as provided in this chapter, shall hold a hearing within 30 days of the date the agency gives notice to the board of its intent to develop land contrary to local zoning regulations.*
- (2) *The board shall have no power to deny the proposed use but shall act only to allow a public forum for comment on the proposed use.*

Agency and local zoning regulations are defined as:

**76-2-401. Definitions.** *As used in 76-2-402, the following definitions apply:*

- (1) *"Agency" means a board, bureau, commission, department, an authority, or other entity of state or local government.*
- (2) *"Local zoning regulations" means zoning regulations adopted pursuant to Title 76, chapter 2.*

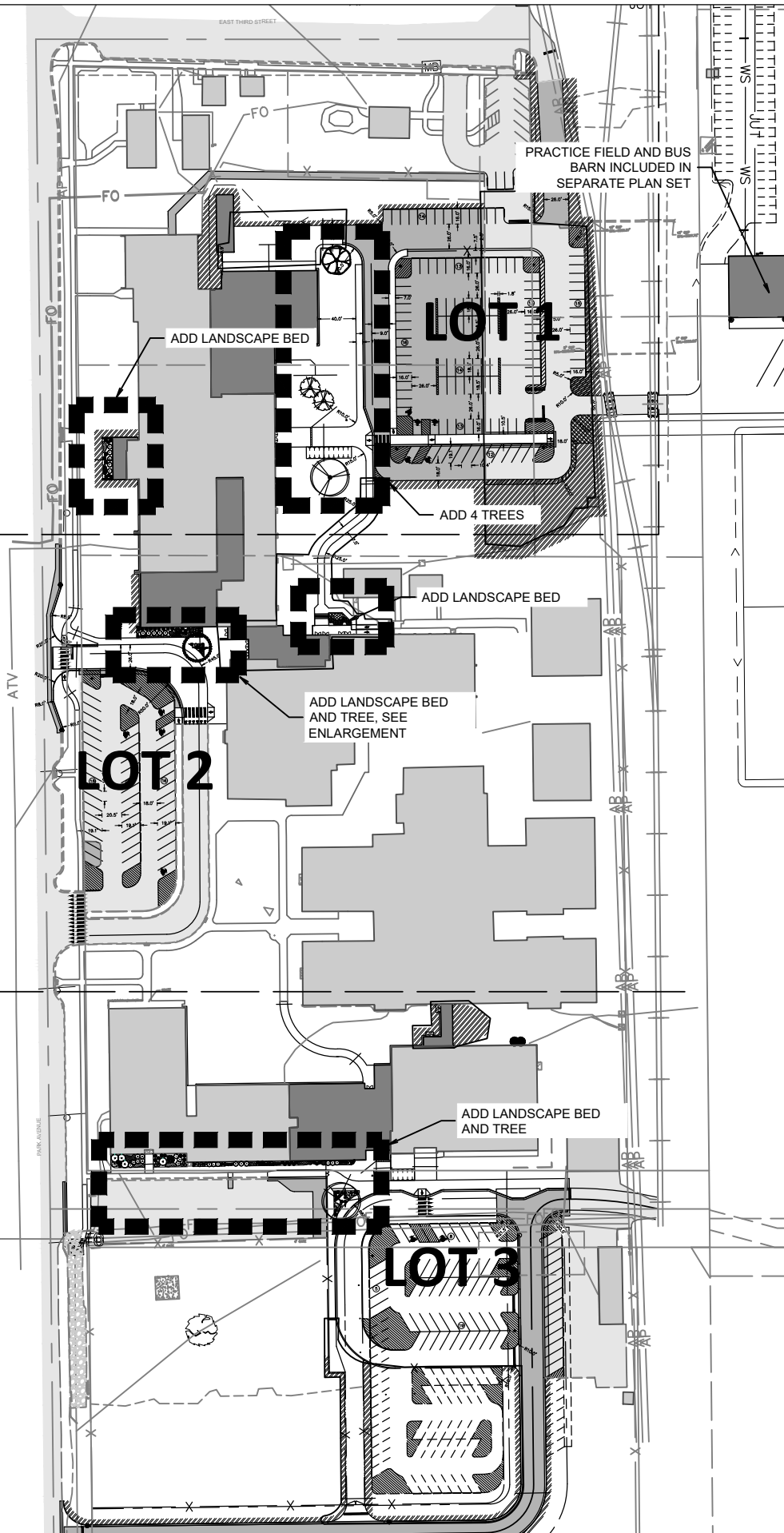
Please let us know the schedule for the Board of Adjustment meeting and if anything else is needed prior to the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Moore'.

Robert Moore Ed.D.  
Superintendent  
Stevensville Public Schools

cc: Shane Morrissey, MMW Architects  
Kevin Bilant, WGM Group



**TOWN OF STEVENSVILLE LANDSCAPE ORDINANCE REQUIREMENTS:**

SEC. 10-166. - LANDSCAPING.

A) SCREENING. WHERE LANDSCAPING IS REQUIRED FOR SCREENING PURPOSES, THE LANDSCAPING SHALL BE APPROPRIATE TO THE LOCATION AND COMPATIBLE WITH SURROUNDING PROPERTIES. IT MAY INCLUDE BERMS, SHRUBS, TREES AND FENCING.

B) PARKING LOT. TO PROVIDE VISUAL RELIEF AND SHADE IN PARKING AREAS, THE DEVELOPER MUST PROVIDE AT LEAST ONE DECIDUOUS TREE OR SHRUB FOR EACH SIX PARKING SPACES. TREES AND SHRUBS SHALL BE PLANTED IN LANDSCAPING BEDS WITH A MINIMUM OF FOUR FEET IN WIDTH AND PROTECTED BY CURBING.

(C) AT LEAST 50 PERCENT OF THE REQUIRED LANDSCAPING SHALL CONSIST OF TREES.

**AGENCY EXEMPTION:**

STEVENSVILLE PUBLIC SCHOOLS WOULD LIKE TO APPLY AN AGENCY EXEMPTION TO THE TOWN'S REQUIREMENTS THROUGH MONTANA CODE ANNOTATED (MCA) 76-2-402:

*LOCAL ZONING REGULATIONS -- APPLICATION TO AGENCIES 76-2-402.*

*LOCAL ZONING REGULATIONS -- APPLICATION TO AGENCIES. WHENEVER AN AGENCY PROPOSES TO USE PUBLIC LAND CONTRARY TO LOCAL ZONING REGULATIONS, A PUBLIC HEARING, AS DEFINED BELOW, SHALL BE HELD.*

- (1) THE LOCAL BOARD OF ADJUSTMENTS, AS PROVIDED IN THIS CHAPTER, SHALL HOLD A HEARING WITHIN 30 DAYS OF THE DATE THE AGENCY GIVES NOTICE TO THE BOARD OF ITS INTENT TO DEVELOP LAND CONTRARY TO LOCAL ZONING REGULATIONS.
- (2) THE BOARD SHALL HAVE NO POWER TO DENY THE PROPOSED USE BUT SHALL ACT ONLY TO ALLOW A PUBLIC FORUM FOR COMMENT ON THE PROPOSED USE.

AGENCY AND LOCAL ZONING REGULATIONS ARE DEFINED AS:

**76-2-401. DEFINITIONS.** AS USED IN 76-2-402, THE FOLLOWING DEFINITIONS APPLY:

- (1) "AGENCY" MEANS A BOARD, BUREAU, COMMISSION, DEPARTMENT, AN AUTHORITY, OR OTHER ENTITY OF STATE OR LOCAL GOVERNMENT.
- (2) "LOCAL ZONING REGULATIONS" MEANS ZONING REGULATIONS ADOPTED PURSUANT TO TITLE 76, CHAPTER 2.

THE PROPOSED PLANTING DESIGN INCLUDES LANDSCAPE BEDS ALONG BUILDING FOUNDATIONS AS SHOWN ON THE PLAN. INSTEAD OF PROVIDING ONLY TREES IN THE PARKING LOTS, THE LANDSCAPE IS FOCUSED IN KEY VISUAL AREAS TO HIGHLIGHT THE ARCHITECTURE AND CREATE APPEALING ENTRANCES AND SHADED GRASSY AREAS TO SIT.

ADDITIONALLY, THE INTENT OF THE PARKING LOT LANDSCAPING REQUIREMENTS IS TO SCREEN AND PROVIDE VISUAL RELIEF. LOT #1 IS LOCATED BEHIND THE FACILITY AND NOT VISIBLE FROM PARK AVE. LOT #2 WILL NOT BE CHANGED FROM WHAT IS EXISTING. LOT #3 IS LOCATED 289' FROM PARK AVE., WHICH REDUCES THE VISUAL IMPACT BY DISTANCE.

FOUR TREES ARE LOCATED BETWEEN LOT #1 AND THE BUILDING TO PROVIDE SHADE IN A GRASSY AREA RATHER THAN IN PARKING LOT ISLANDS.



**REQUIRED PARKING LOT LANDSCAPING PER ORDINANCE:**

LOT 1:  
TOTAL PARKING SPACES EXISTING = 117  
TOTAL PARKING SPACES PROPOSED = 139  
139/6 = 24  
12 TREES, 12 SHRUBS REQUIRED

LOT 2:  
NO PROPOSED CHANGES

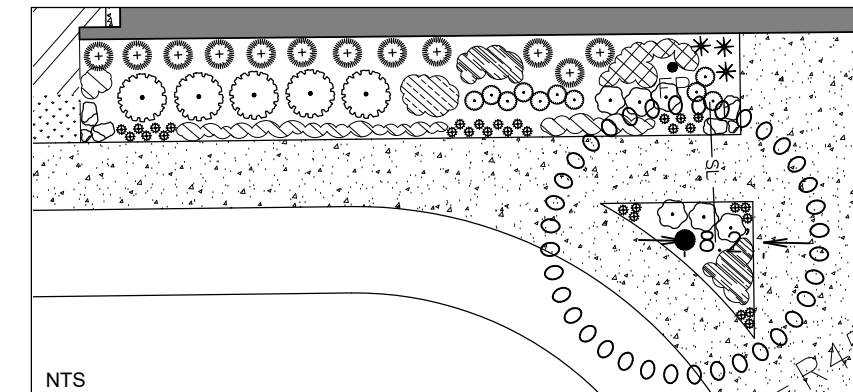
LOT 3:  
PARKING SPACES PROPOSED = 63  
(GRAVEL LOT IS AN ALTERNATE BID)  
63/6 = 11  
6 TREES, 5 SHRUBS REQUIRED

TOTAL LANDSCAPING REQUIRED =  
18 TREES, 17 SHRUBS

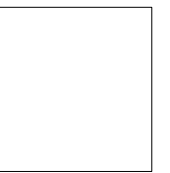
**PROPOSED LANDSCAPING:**

TOTAL TREES PROPOSED = 6  
TOTAL SHRUBS PROPOSED = 187  
ADDITIONAL FLOWERING PERENNIAL GROUNDCOVERS AND TURF

**ENLARGEMENT OF TYPICAL PLANTING AREA:**  
TREE, LANDSCAPE BED WITH SHRUBS, FLOWERING PERENNIALS, AND BARK MULCH IN PLANTING BEDS.



NOT FOR BID OR CONSTRUCTION



**MMW**  
MMW Architects, P.C.

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Missoula, MT 59802  
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mmw@mmwarchitects.com

A PROFESSIONAL CORPORATION



**WGM GROUP**

WWW.WGMGROUP.COM  
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**STEVENSVILLE SCHOOL  
IMPROVEMENTS  
STEVENSVILLE, MONTANA**

JOB # 170104  
DATE: JANUARY 27, 2019

LANDSCAPE  
EXHIBIT

1 OF 1

