



MISSOULA COUNTY CONSOLIDATED LAND USE BOARD

Meeting Minutes

Missoula County
Planning, Development & Sustainability
(406) 258-4657

Date: February 18, 2026, 6:00 p.m.

Location: Missoula County Courthouse, Sophie Moiese Room (in person) or TEAMS (virtually)

Members in Attendance: Danny Oberweiser (County Appt), Josh Schroeder (Conservation District), Jennifer Schultz (County App), Barbara Raible (County Appt), Bing Matt (CSKT Representative), Michael Settevendemie (County Appt), Chris Saale (County Appt), and Rick Hall (County Appt)

Members Absent: Andy Mefford (County Appt)

1. CALL TO ORDER [Time stamp – 0:15]

Rick Hall called the meeting to order at 6:02 p.m.

2. LAND ACKNOWLEDGMENT [Time stamp – 8:38]

Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.

3. ROLL CALL [Time stamp – 0:40]

Analeshia Rodriguez called the roll. Six regular members and two alternates were present. First Alternate, Michael Settevendemie, was promoted to voting member for the evening. A quorum was met.

4. APPROVAL OF MINUTES [Time stamp – 2:22]

Jennifer Schultz moved, and Danny Oberweiser seconded approval of the corrected February 4, 2026 minutes. The motion passed unanimously.

5. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 4:14]

There were no public comments on non-agenda items.

6. STAFF ANNOUNCEMENTS [Time stamp – 6:30]

Staff noted that the Consolidated Land Use Board – Helpful Links 2026 document was provided to Board members as a reference and was included in the agenda packet.

7. PUBLIC HEARING [Time stamp – 8:56]

- A. 1815 Clements Road — Special Exception — Patrick Swart, Planner II, Missoula County Planning Development & Sustainability
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STAFF PRESENTATION

Patrick Swart (Patrick), Planner II with Missoula County Planning Development & Sustainability presented a Special Exception request for 1815 Clements Road. The applicants, June Dvorak and Larry Dvorak, represented by Professional Consultants, Inc., requested approval to add a modular home to the property. The Board acted as the Board of Adjustment and was assigned to approve, approve with conditions, or deny the request.

Staff provided background information and reviewed existing site conditions on the subject property. The property is zoned Rural Residential Small Agriculture (RRS .5) and is located within the Target Range Overlay District. It is subject to the 2019 Missoula Area Land Use Element and the amended 2016 Missoula County Growth Policy. Patrick noted that each residential use is considered a separate principal use under the zoning regulations. The applicants are requesting approval of a third residential structure, which would be considered an additional principal use on the property.

It was explained that in 2025 the property owners received approval from the Board of County Commissioners to use the Family Transfer Subdivision exemption to create a 0.68-acre lot for the proposed modular home. The subdivision remained under review by the Montana Department of Environmental Quality (DEQ) for sanitation approval, and the final survey had not yet been filed. Patrick stated that once the survey is recorded and the lot is created, the residence could be reviewed independently for zoning compliance without requiring a Special Exception. The applicants were seeking approval at this time in order to get the structure on the property sooner.

An overview of the review criteria used to evaluate Special Exception requests under the Missoula County Zoning Regulations was provided. It was noted that the specific sub-criteria contained in Section 11.6.D.1 (a) through (m) were addressed specifically within the staff report and included in the agenda packet.

Patrick summarized staff's findings and conclusions. He stated that staff evaluated the request against the Special Exception criteria and found that the proposal was compatible with surrounding properties and would not substantially injure the value of adjoining property. He noted that the proposed use preserved the character of the zoning district and that the property was suitable for the requested use. The proposal is compliant with zoning density and is consistent with neighboring density and uses. Staff reviewed the submitted plans and determined that the project preserved and protected the architectural and aesthetic qualities of the area. No additional design requirements were recommended. It was further stated that, if approved, the applicant would be required to obtain a Zoning Compliance Permit and comply with the building type, building element, and off-street parking requirements of the zoning district.

Staff presented agency comments received for the project. Missoula Public Health noted that septic permits were in place for both the existing and proposed dwelling units. The Missoula Valley Water Quality District stated that groundwater impacts would be evaluated through the Sanitation in Subdivision review process. The Missoula County Public Works and Building Division reported that the approach permit had since been approved and that foundation plans and State Building Code review for the manufactured home were in process. It was further noted that two written comments were received prior to the hearing, both in opposition. One comment cited concerns about high groundwater and septic impacts. The second opposed the proposal due to the resulting three dwelling units on a 1.5-acre parcel.

Patrick concluded the staff presentation by stating that staff recommended approval of the Special Exception request with one condition, requiring the applicants to obtain all applicable permits, including building, zoning compliance, electrical, mechanical, approach, and sanitation permits.

See PowerPoint presentation slides.

REPRESENTATIVE PRESENTATION [Time stamp – 20:15]

Hannah Ruble, Engineer with Professional Consultants, Inc., spoke on behalf of the applicants, Larry Dvorak and June Dvorak. She added that the septic system has been installed and the well has been drilled for the property. She explained that the Missoula County Health Department reviewed mixing zones, downgradient impacts, well impacts, and required isolation zones as part of the permitting process.

BOARD QUESTIONS [Time stamp – 21:05]

Josh asked how water rights would be allocated among the three dwelling units and whether they would operate under a single exempt well allowance of 35 gallons per minute and 10 acre-feet. Hannah responded that all wells will operate under beneficial use for 35 gallons per minute and 10 acre-feet. The newest well was drilled prior to the January 1, 2026 regulatory changes. She confirmed that the 10 acre-feet allocation applies to the whole property. Barbara asked whether the Target Range area is primarily served by septic systems. Patrick responded that majority of the area relies on individual wells and septic systems, with City sewer service extending along a portion of South Avenue.

PUBLIC COMMENT [Time stamp – 23:36]

There was no public comment.

RECOMMENDED MOTION [Time stamp – 24:12]

Danny Oberweiser made the following motion to approve the request, and Jennifer Schultz seconded the motion:

I move to **approve** the Special Exception request to allow for an additional principal use as presented in the Special Exception Application on property located at 1815 Clements Road and legally described in Book 1113 of Micro Records Page 989 in the records of Missoula County. This approval is based on the findings of facts and conclusions of law found in the staff report and is subject to one condition of approval.

BOARD DISCUSSION [Time stamp – 25:28]

Barbara inquired whether DEQ approval was guaranteed. Patrick responded that DEQ approval is not guaranteed and clarified that, regardless of DEQ's approval, there is no requirement for the applicants to file the Family Transfer exemption. Josh stated his intent to support the motion. He noted that three dwelling units on 1.5 acres complies with the maximum density of two units per acre under the zoning district. He further stated that septic approval has been issued and the well is installed. Danny echoed Josh's comments and stated his intent to support the motion as well. He addressed concerns raised in public comment regarding high groundwater, stating that those concerns are mitigated by Missoula Public Health's approval and installation of the septic system and well. Rick stated for the record that his primary concern had been the three septic systems on the property. He stated after reviewing the size of the lot surrounding the property, and considering that permits have been issued, he felt the concern was addressed. He expressed support for enabling family members to live on shared property and stated his intent to vote in favor of the motion.

VOTE

With no further discussion, the board voted by roll call, and the motion passed unanimously.

AYES: (7): Danny Oberweiser, Josh Schroeder, Jennifer Schultz, Barbara Raible, Bing Matt, Michael Settevendemie, Rick Hall

NAYS: (0):

8. COMMUNICATIONS & SPECIAL PRESENTATIONS [Time stamp – 31:06]

There were no communications or special presentations.

9. COMMITTEE REPORTS [Time stamp – 31:26]

There were no committee reports.

10. OLD BUSINESS [Time stamp – 31:31]

No old business was reported.

11. NEW BUSINESS [Time stamp – 31:36]

Staff provided an overview on how to navigate CivicClerk, the County's official meeting portal.

[Time stamp – 34:52]

The Board discussed topics for future informational training. Members expressed interest in inviting Jim Nave, Regional Manager with the Montana Department of Natural Resources and Conservation (DNRC), to provide a presentation on exempt wells, including their use and development, as well as recent changes to the rules governing exempt wells. The Board also indicated interest in a presentation from DEQ regarding drain field and septic system requirements within Missoula County.

[Time stamp – 37:51]

Board members discussed the appointment of a Consolidated Land Use Board representative to the Transportation Policy Coordinating Committee (TPCC). Josh Schroeder made a motion, and Barbara Raible seconded to appoint Danny Oberweiser as representative of the TPCC. The motion passed unanimously.

12. COMMENTS FROM BOARD MEMBERS [Time stamp – 41:55]

There were no comments from Board members.

13. ADJOURNMENT [Time stamp – 43:00]

The meeting was adjourned at 6:45 p.m.

Missoula Consolidated Land Use Board February 18, 2026 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting at this link:

<https://missoulacomt.portal.civicclerk.com/event/9963/media>

Missoula County Consolidated Land Use Board February 18, 2026 - Meeting Recording

RH

Richard Hall 24:06

Welcome to the Wednesday, February 18th meeting of the Missoula County Consolidated Land use Board meeting.

It is now 602 and I'd like to call the meeting order. I want to remind everyone attending in person to speak clearly and directly into the room mic so that those attending virtually get here.

Can we have a roll call please?

AR

Analeshia Rodriguez 24:33

Roll call. Danny oberweiser. Present Josh Ritter.

JS

Joshua Schroeder 24:39

Here.

AR

Analeshia Rodriguez 24:40

Jennifer Schultz.

Barbara rabel.

BR

Barbara Raible 24:46

Here.

AR

Analeshia Rodriguez 24:48

Bing, Matt.

Andy Mefford Andy is absent.

Michael Ceraven Demi.

Chris Soleil.

CS

Chris Saale 25:01

Here.

AR **Analeshia Rodriguez** 25:03
Recall.

RH **Richard Hall** 25:06
Here.

AR **Analeshia Rodriguez** 25:07
Mr. Chair, we have six regular members present and one alternate present.
Would you like to appoint the first alternate, Chris or Michael set of endemi as
regular voting member for the evening?

RH **Richard Hall** 25:21
I would please.

AR **Analeshia Rodriguez** 25:23
Thank you. And I would just like to point out as a reminder that only seven Members
constitute the MC club, one hearing and acting on an item.
So if an alternate is present, they are welcome to participate in the discussion.
They just can't make a motion or vote unless they are seated as a regular voting
member, so alternates will be called on to serve as a regular member in the order of
their appointment.
So first alternate then second alternate.

RH **Richard Hall** 25:52
OK.
So which, which alternates are appointed if both.

AR **Analeshia Rodriguez** 25:59
Michael Ceravendemi is our first alternate and Chris Soleil is our second alternate.
So tonight we have Michael Sedavendemi as voting member for the evening.

RH **Richard Hall** 26:09

OK, great.

Let's go on with the first item on the agenda, which will be approval of minutes from February 4th of 2026.

And would we have them?

Is there any corrections or additions to the minutes?

If not, could we have a motion to go ahead?

JS Joshua Schroeder 26:31

I.

I. Hi, Rick. Sorry.

AR Analeshia Rodriguez 26:31

We.

RH Richard Hall 26:35

No, go ahead.

JS Joshua Schroeder 26:37

Yeah, I noticed there was just a spelling error on my name in section 12.

Josh Schroeder, it's Roeder on the motion.

To appoint Rick Chair Rick Paul as chair.

I don't want to leave.

Allow him to get out of this on any technicality.

He.

RH Richard Hall 27:02

That's what we're here for.

Corrections are made.

And then we would have a motion to approve the corrected minutes.

JS Jennifer Schultz 27:17

I would move to correct or I would move to approve the corrected.

Draft of the minutes.

RH **Richard Hall** 27:25
And it's a motion by Jennifer Schultz.
And do we have a second?

AR **Analeshia Rodriguez** 27:30
2nd.

RH **Richard Hall** 27:31
Second invite, I did not see who.

AR **Analeshia Rodriguez** 27:34
That was me, Danny. Rick.

RH **Richard Hall** 27:36
OK, Danny, I'm online, so I can't see the people in the room.
Until we get back in the room or I get back in the room, it would help us online if the people in the room would identify themselves when they vote or comment.
So it's been moved and seconded. All in favor signify by.
A aye.

BR **Barbara Raible** 27:58
Hi. Hi.

AR **Analeshia Rodriguez** 27:58
Bye bye.

JS **Jennifer Schultz** 27:59
Aye.

RH **Richard Hall** 28:00
Any opposed?
It looks like it is unanimous.

The next item on the agenda is public comment on non agenda items for anyone who may be watching the meeting or virtually or attending virtually the meeting link in the call in number are included on the posted meeting agenda on the county website and also on the screen.

As you see it.

This is for items that we are not discussing tonight, not on the agenda. If you're a member of the public attending the meeting, using the teams app, please use the hand raising function.

During the public comment period to indicate you wish to speak. If you're attending by phone, use *5 to raise your hand and *6 to mute and unmute. When in the meeting, we ask that you please remain muted until called upon.

This helps reduce feedback and echo the chair or meeting administrator will call upon you.

Ask that you ask that you identify yourself for the record, and then you can make your comments.

We'll be observing a speaking limit of three minutes so we can hear from anyone in the room or on.

Let's see if we have anyone.

And on the screen it has a link to attend a meeting.

It's HTTP colon back slash back slash missoula.co/MC club meetings and to access the meeting via telephone call 406-272-4824.

And the conference ID is 115-0754 O 4 LB.

So we'll give it a minute or two.

OK.

I think we've had enough time.

No one in the room and no one online.

The next item on the agenda.

Did we miss approving the agenda or did we need to?

AR **Analeshia Rodriguez** 30:15

We no longer have that on the agenda, so we.

RH **Richard Hall** 30:19

OK, good.

Great. Then the next time on the Agenda B staff staff announcements, are there any?

AR **Analeshia Rodriguez** 30:27

Just of note of the consolidated Land use Board, it's a helpful links document that's just provided as a resource and reference for board members.

So it was sent out in your e-mail and it was also attached to the agenda packet.

So if you do have any questions, let us know.

RH **Richard Hall** 30:46

I'm looking at my script. If you all think I know this by heart, you were sorely mistaken.

I don't see the acknowledgement of tribal land on it.

AR **Analeshia Rodriguez** 31:04

The land acknowledgment is actually after the call to order.

It's that second item.

RH **Richard Hall** 31:18

It's not in my.

It's not in my script.

Maybe if you could put it on the screen I can do it.

AR **Analeshia Rodriguez** 31:30

We'll put it on the screen for you, Rick.

RH **Richard Hall** 31:32

Thank you.

Because I am looking what you at what you sent me.

AR **Analeshia Rodriguez** 32:23

You may be muted, Rick.

RH **Richard Hall** 32:25

I am muted.

I apologize to all for not doing it in the right order.

Plan acknowledgement Missoula County acknowledges that this event takes place in the Aboriginal territories of the Salish and Kalispell people.

Thank you so much and I'm glad you. I remembered you didn't have to prompt me.

Next item on the agenda will be our public hearing for the night.

That is one item on 1815 Clements Rd.

This special exception, Patrick Schwartz Planner 2 will be presenting and this is a zoning board of adjustment type.

Project before us, so I'll shut up and let you guys take over.

AR **Analeshia Rodriguez** 33:17

Thank you.

Good evening.

For the record, my name is Patrick Swart.

I'm a planner with the office of Planning, Development and Sustainability.

I'm just gonna get my PowerPoint presentation pulled up here real quick.

All right.

Tonight I'll be presenting the staff report for a special exception request for 1815 Clements Rd.

The applicants here are June and Larry Dvorak, and they're represented by Professional Consultants Inc.

And as the chair mentioned, this is a special exception item, so the board is acting as a decision body here. Essentially, as the Board of adjustment.

So tonight we're tasked with making a decision to either approve, approve with conditions, or deny the request.

Based upon the findings and conclusions that we hear tonight and public testimony.

The subject property is outlined here on the screen in black and green.

We're in the target range area.

It's falls right on the corner of North Avenue West and Clements Rd.

The application came in under the 1815 Clements Rd. address.

Since then, it looks like there's been a new approval for 4110 N Avenue West, a new address and approach permit on the property, and I believe that's intended to accommodate this new structure if approved.

So the applicants are requesting the special exception to allow for multiple principal uses on their property, and this area is zoned rural residential small agriculture .5. That's a density designation, noting that this subset of RRS zoning allows for two dwelling units per acre as a maximum D.

And it's also located within the Target Range Overlay District.

Uh, specifics of the proposal they're looking to add a modular home to the property.

So section 2.3, point E .3 of the Missoula County Zoning regulations, state that multiple dwelling units on a property are considered multiple principal uses in this district, and only one principal use is permitted per lot.

But the Missoula County consolidated Land use Board may approve additional Principal uses as a special exception.

A little bit of background on the property here. As I mentioned, it zoned RRS .5 and is located in that target Range Overlay District. It is also part subject to the 2019 Missoula area land use element and amendment to the 2016 Missoula County Growth Policy.

The land use designation for the plan is consistent with the zoning rural residential small agriculture.

And the goal here in the Ames are to preserve the rural and semi rural characteristics of this land.

Designation in zone.

Next we have a look at the existing and proposed conditions on the property here.

As you can see, there's a fair bit of existing development, so we have towards the what would be the southeast corner of the property and existing.

An existing detached home with an attached garage, and there's a separate mobile home on the property already. Both of these existing permitted uses on the property.

There's also a separate detached garage barn, a couple of small sheds.

And the gazebo on the property. So as I mentioned, each residential use is considered its own principle use per the zoning.

So they're asking to allow for this third residential structure to be placed on the property as an additional principle use.

This next site plan here shows potential future boundary.

In 2025, the property owners received approval from the board of County Commissioners to use the Family Transfer Subdivision exemption to create a 0.68 acre parcel intended to accommodate this new home.

They have that preliminary approval from the Commissioners, but it is still going through DEQ Department of Environmental Quality Review for Sanitation and subdivision, which is necessitated as well.

So because of that, they can't file their survey to create the slot.

In the context of that survey being filed and creating this new lot, this structure would be on its own lot without any other residences and could be theoretically reviewed and approved compliant with zoning independent of a special exception review.

But they're looking to get the structure on the property sooner.

So here I just wanted to give a brief overview of the review criteria in the zoning regulations that we evaluate special exception requests against the first criteria.

Is that the proposed use slash development will be compatible with and will not substantially injure the value of adjoining properties.

Then we look at the proposed use preserves the character of the district, and the property is suitable for the proposed use.

We evaluate if substantial or if substitute or additional design standards.

Standards will preserve and protect the area's architectural and aesthetic qualities.

And then lastly, we ensure that due consideration has been given to the review criteria in section 11.6, point D, point 1A through M all of those sub criteria in a through M are addressed specifically in the staff report attached to the agenda I didn't include.

Them in the PowerPoint presentation for tonight, just to not make you have to listen through that again as well.

But I'm happy to discuss any of those.

Criteria as well, if there's any questions.

A brief summary of our findings and conclusions staff evaluated the project here and found that the proposal is compatible with and will not substantially injure value of adjoining property, and we found that the proposed use preserves the character of the district and the property is suitable for that.

Use a lot of this was based just upon zoning evaluation of the proposal here.

As I mentioned, the zoning density allows for a maximum density of two dwellings.

Units per acre or one per half acre?

The lot itself is 1.5 acres with two existing dwellings, so adding that third would put it right at that maximum allowable density per the zoning district, and evaluating adjacent properties which fall within the same zoning classification. We can see that development is either consistent with or.

Similar to what is being proposed here, we have lots ranging from.

Just under a quarter acre all the way up to an acre and 1/2.

And the use is almost exclusively residential.

So again, the proposal being consistent with that use and density levels that we're seeing in this neighborhood, the one other shade you'll see in this image on the right is a legacy district.

And that's on the parcel that has the through old dairy property.

It's kind of a island of existing commercial use within this target range overlay and. Rural residential zoning district.

We evaluated the plans as well and found that the plans preserve and protect the area's architectural and aesthetic qualities.

Staff's evaluation didn't feel and we aren't recommending any additional design requirements to preserve architectural or aesthetic qualities.

The use as I mentioned is consistent with what we see here and when they if approved, come in for a zoning compliance permit, they'll need to meet the building type and building element required.

As well as off street parking requirements that's required of all residential uses in the zoning district.

And then lastly, in evaluating the review criteria in 11.6 point D .1 subparts a through M, We found that all of those criteria have been given due consideration in the application and that the proposal is consistent with those requirements.

We sent the request out for agency comment and we did receive a few agency comments back.

The first came from Missoula Public Health, which noted that the parcel currently has septic permits for the existing and proposed living units.

So as I mentioned earlier, the subdivision exemption family transfer necessitates DEQ

sanitation and subdivision review, but independent of that they have received. The necessary permits for septic system to serve the proposed unit, even if. That family transfer doesn't end up getting filed for one reason or another. We received a comment from the Water Quality District just noting that groundwater impacts are evaluated through the sanitation and subdivision reprocess. And we received comments from the Public Works Building department noting that current they are currently working on an address and approach permit. Since the comment was received, it appears that that's already been approved and they also notice that they're working on getting complete foundation plans and that the. Manufactured home itself. Will be reviewed through State Building code review. Prior to the hearing, we have received two public comments on the proposed special exception. Both comments were against it. The first one stated that the area has extremely high groundwater and they have concerns about new septic systems going in, and the second comment stated there against the proposal because it would result in three dwelling units on the 1.5 acre lots. Staff is only recommending a single condition of approval with this request, and it's the language specifically is on the screen here, but it's just a requirement that if approved, they would also need to obtain permits from not only our office, but all other offices, including, but not limited. To building zoning compliance, electrical, mechanical approach and sanitation permits. With that board, we are recommending approval on this and I do have recommended motion language when the time is ready. But that concludes my presentation for now. Thank you.



Richard Hall 43:44

Thank you for your presentation. We would now ask if the applicant or the applicant's representative would like to make any comments or presentation regarding this. Believe I heard they were in the room.

AR **Analeshia Rodriguez** 44:06

They press the button.

Good evening.

I'm Hannah ruble.

I'm an engineer with PCI here in Missoula.

We're representing Larry and June Dvorak.

Patrick gave a pretty thorough overview of the project and.

I think the only thing to add was that we did install the septic system and drill the well, the County Health Department reviewed mixing zones down. Gradient impacts well impacts isolation zones.

And our DEQ review is just kind of a double check of all of our regulations at the state level.

I'm happy to answer any questions or concerns anyone has or provide clarifications.

But I think that's it.

Patrick basically covered it all.

RH **Richard Hall** 44:54

That sounds great.

We would now ask if there are any initial questions from board members. Please raise your hand or.

Unmute to be recognized. Josh, you have raised your hand. Is there anyone in the room first?

I believe is the order I'm supposed to follow.

AR **Analeshia Rodriguez** 45:17

We have no one in the room currently.

RH **Richard Hall** 45:19

OK.

Then that would be to charge it.

JS **Joshua Schroeder** 45:27

Thanks, Mr. Chair.

I was just curious how the water rights and well allocation will be structured across the three units.

Are they all operating under the assumption that it's a a single exempt well with 35 gallons a minute and 10 acre feet?

AR **Analeshia Rodriguez** 45:57

Hi Hannah rubel.

Yes, they all the wells are under the beneficial use. The 35 gallons per minute, 10 acre feet.

The well is drilled prior to the new regulations in January 1st of 2026, so they just have to do a letter of completion for it and they don't have to go through the whole new NOI process.

JS **Joshua Schroeder** 46:21

OK. But the combined use the combined allocation will be the 10 acre feet, not each well doesn't have that per.

Is that right?

AR **Analeshia Rodriguez** 46:29

Correct. 10 acre feet for the property.

JS **Joshua Schroeder** 46:32

OK.

For the property. Thank you. OK.

RH **Richard Hall** 46:38

Any other questions from the board?

BR **Barbara Raible** 46:44

I just have a question.

RH **Richard Hall** 46:46
OK.

BR **Barbara Raible** 46:47
So is all the target range area on septic systems?

AR **Analeshia Rodriguez** 46:56
My understanding is the majority, if not all of it, I know.
The city sewer may start to go down South Avenue a short way, but my understanding is most if not all, is on individual well in septix.

BR **Barbara Raible** 47:14
Seems like a lot but.
Someday, it'll probably have to be changed.

RH **Richard Hall** 47:23
All right.
Any other questions?
If we don't, we will now move to public comment.
There any public comment online or in the room?
I'm liking this first meeting so far.
Well, if we have no public questions or comments.
And we have no need to address those that don't exist.
We would ask if anyone would like to make a motion and then we can discuss the motion prior to our vote.
We can put the motion on the screen.

AR **Analeshia Rodriguez** 48:34
Rick, this is Danny.
I can make a motion.

RH **Richard Hall** 48:38

Great.

AR **Analeshia Rodriguez** 48:39

I move to approve the special exception request to allow for an additional principal use as resented in the special exemption application on the property located at 1815 Clements Rd. And legally described in book 1113 of Micro Records, page 989, and the records of Miss.

County this approval is based on the findings of facts and conclusions of law found in the staff report and is subject to the one condition of approval.

RH **Richard Hall** 49:08

Thank you, Danny.

The most has been made by Danny.

Do we have a second?

JS **Jennifer Schultz** 49:13

I will second that motion.

RH **Richard Hall** 49:15

Motion has been made by Danny and seconded by Jennifer.

Any discussion?

BR **Barbara Raible** 49:27

I I have one other question.

RH **Richard Hall** 49:29

Go ahead.

BR **Barbara Raible** 49:31

It said it's well. DEQ still has to approve and it'll take six to eight months.

Is it guaranteed that DEQ is going to approve it?

AR **Analeshia Rodriguez** 49:44

My understanding is no, it is not guaranteed that DEQ will approve it.
I don't know if the applicants have anything else to add specifically to that, but.
I.

I guess regardless of DEQ approval, if for whatever reason there still is a possibility that there's no requirement for them to ultimately come in and file the family transfer exemption.

So there's a theoretical outcome where the three homes continue to exist on a single.

Whole track of record.

BR **Barbara Raible** 50:15

Oh, OK.

Thanks for the clarification.

RH **Richard Hall** 50:40

Josh, I can't unmute you, but.

JS **Joshua Schroeder** 50:44

Yeah, I was just going to say that I intend to to support the motion.

You know the third dwelling on 1.5 acres is within the two units per acre maximum density, so it doesn't exceed the the zoning intent from my perspective.

I think you know, they've already approved the septic.

It's in.

They've got the well, it's in.

I think this is pretty much a format.

Right, as soon as the family transfer is approved, which I think that it will, they would, you know, this would likely occur anyway.

So.

I don't see why you know this should be denied. I think there's strong legal basis to grant the exception, and I I would vote in favor of the motion.

RH **Richard Hall** 51:40

Thank you.

And Danny Oberweiser has his hand up.

AR **Analeshia Rodriguez** 51:45

Thanks, chair.

Basically, just echo exactly what Josh just said. I intend to support the motion.

Staff report made it really clear the criteria.

As for reviews, been met, any adverse impacts or issues is mitigated.

You know there there was the one public comment about high groundwater.

I feel like that is as well mitigated with the simple fact that the health department.

Has approved a septic system and installed it, including the drilling of a new well.

So I agree it's somewhat of a formality and almost just a timing consideration more than anything. They're just trying to get the house permitted while they work through the final review of DEQ so.

In a few months or at some point in the future, if this Cos is filed for the family transfer, it's as as if this special exemption.

Was never needed in the 1st place, so thank you.

RH **Richard Hall** 52:50

Thank you. And and don't feel that you have to make a comment if you don't wish to.

But if you do now would be the time.

Since I don't see any other hands.

I'll go ahead and go on, get on the record. This is Rick beat chair.

Yeah, my biggest concerns were the septic. Three septic on the property. But seeing the size of the lot surrounding it, knowing that also septic on similar lot sizes to what this would be when subdivided and now that the permits issued, I'm kind of. It renders it as a moot point. I think the conditions of approval kind of cover all that stuff as well.

And I'm a big fan of enabling aging parents.

I don't know if they're aging or not. If you're not, I apologize.

But families to live on family property and have have lots split to enable that to keep families close to each other as parents get older.

So I think I intend to vote for it as well, so.

Well, if there are no further comments, then let's go to a roll call vote.

AR **Analeshia Rodriguez** 54:20

Roll call vote Danny oberweiser.

Josh Schrader.

Jennifer Schultz.

JS **Jennifer Schultz** 54:30

Yes.

AR **Analeshia Rodriguez** 54:32

Barbara rabel.

Bing.

Michael said a bend Emmy. Yes, recall.

RH **Richard Hall** 54:43

Yes.

AR **Analeshia Rodriguez** 54:44

And it is unanimous that motion passes.

RH **Richard Hall** 54:49

Thank you all for your comments and thank you staff, a great presentation.

Next item on our agenda is communications and special presentations.

Do we have one?

See, I don't see anything on the agenda.

Would that be a no from the room?

AR **Analeshia Rodriguez** 55:17

Yes, that's correct.

RH **Richard Hall** 55:19

OK, no.

Committee reports because we don't have one yet, I think that's coming up.

Old business. We're too new to have old business.

New business civic clerk navigation is the first thing on our new business.

AR **Analeshia Rodriguez** 55:36

Yeah. We just wanna do a quick little overview on how to navigate civic clerk.

This is where board members will find agendas.

Staff reports the application materials and agency and public comment so.

This will contain the full official meeting packet.

Jill has a slide, or she's pulling up where you can navigate it.

So if you click on that.

Of the specific meeting.

Date from the list of the upcoming meetings. Once you open up that you open up the agenda page for that specific meeting. We'll wait for that to download.

So it's being a little bit slow today.

RH **Richard Hall** 56:34

I think the county has slower Internet than I have in Mexico.

AR **Analeshia Rodriguez** 56:41

It's exceptionally slow today.

Yep, Yep.

So this is what you'll what?

We'll pull up when you first open that link and then using the Microsoft Teams link.

Join the meeting now.

That's how you'll be able to attend the meeting virtually.

Under meeting files.

You'll find the staff report, application agency comments, public comment and all the attachments.

Under meeting media, you'll find a video recordings, and those are typically posted

within 24 hours after the meeting.

For approved minutes.

You can find those in the meeting files as well.

We don't currently have one for this meeting, but when you go back after these are approved, you'll be able to locate those and those are usually posted after a board approval.

So there's like a 30 day delay.

See and just for a few notes, recommended order for reviewing the materials. You'll usually want to start with the staff report, and then you'll want to review the application.

Read the agency and public comment and then review additional attachments as needed.

For some helpful tips, the agenda packet is typically posted by the Thursday prior to the meeting. If attachments aren't.

If they're not pulling up for you.

Sometimes refreshing your browser is a good tip to do, but if you can't view them, please let us know if you have any trouble accessing the materials and we'll definitely help you out and reach out with any questions about navigating civic clerk or reviewing these packets.

RH **Richard Hall** 58:40

How much the next item on the agenda is future informational training topics. Is this something that we're suggesting or you're telling us about?

AR **Analeshia Rodriguez** 58:52

We just are starting to create a list of topics that you may want information informational presentations on as a scheduling allows. So I believe in our in a previous e-mail we listed possible topics that you may be interested in and one of those may be transportation planning miss.

County's work related to housing.

Shoreline protection in Montana and Missoula County.

And then other areas of interest that's identified by the board.

RH **Richard Hall** 59:28

But anyone like to suggest anything that at this point that's not in there?
All right. The next item on the agenda is appointment of. Oh, go ahead, Josh, raise your hand.

AR **Analeshia Rodriguez** 59:48

I believe he had Josh raise his hand.

RH **Richard Hall** 59:52

I'm sorry I didn't see there.

JS **Joshua Schroeder** 59:52

Sorry, Mr. chair.
Yeah, I was just gonna say it may be helpful if we could get somebody maybe like Jim Nave to come in and talk about exempt wells and their use and development and how the rules around their use are changing.

RH **Richard Hall** 1:00:16

I think that's a great idea.
Thankfully, we have you here.
On the other side, I'd like to.
I'd really like to hear something from DEQ or sanitation about since we're in the county about drain fields and septic requirements and you know, for instance, we have this property that.
Has initially.
Three septic tanks.
Where I am in Bonner, Milltown. We've got all the properties with very small lots. And failing systems and no available sewer hookup. And so and very in my experience, very little community septic in the county so.
That's a subject I'd like to hear more about.
And if there's a way to encourage community, septic and or community wells?
Anyone else have anything?

OK, next would be appointment of Missoula County consolidated land use board to the transportation.

Policy Coordinating Committee or TPCC, which meets.

On leave at 2:00, right?

AR **Analeshia Rodriguez** 1:02:12

The TPC meets the third Tuesday at 1:30 every month.

RH **Richard Hall** 1:02:20

Anyone express any interest in being on TPCC?

AR **Analeshia Rodriguez** 1:02:26

I can add some extra info to Rick some basic info.

RH **Richard Hall** 1:02:29

OK.

AR **Analeshia Rodriguez** 1:02:31

We have Erin Wilson that plans to attend an upcoming meeting to share more, but in the meantime, we do need the club to suck their representative to sit on the TPC committee.

The Missoula Metropolitan Planning Organization MPO is responsible for regional transportation planning in order to create a safe, efficient, and sustainable network for the Missoula area.

It's in collaboration with local and state agencies as well as the public.

The NPO develops transportation plans that support multimodal transportation complies with federal federal requirements. It develops the TPC.

TPCC develops and keeps current transportation planning as part of the comprehensive regional planning for the Missoula Urban area.

So it works closely with the city.

County Missoula Consolidated Plan Board and the state to develop and keep current urban transportation planning in the Missoula area, so it includes a representative of the city's Planning Commission and the county's consolidated Land use board.

RH **Richard Hall** 1:03:49

Can I get there?

We have a hand, Danny.

AR **Analeshia Rodriguez** 1:03:53

Thanks Rick.

Be happy to throw my hat in the ring unless anyone else has passion for that.

With my daily job, it dovetails nicely into my interests already.

I kind of pay attention to that.

Anyway, so I'd be happy and take it serious on behalf of the board if anyone wishes to grant me that spot.

RH **Richard Hall** 1:04:21

Thank you, Danny.

I've attended a couple of those on behalf of the previous board.

And I will say it's very interesting.

It's great to see how transportation funds are distributed, how transportation funds, where they come from, picture plans, all those things.

So right now we have Danny, if no one else.

Do we need a vote to appoint someone?

AR **Analeshia Rodriguez** 1:04:54

How are you able?

RH **Richard Hall** 1:04:57

Voice vote sufficient.

Oh, Josh has its hand up.

AR **Analeshia Rodriguez** 1:05:01

That should be sufficient.

We can do a up and down vote.

JS Joshua Schroeder 1:05:04

I was.

I was just gonna move that. The board appoints Danny Oberweiser as our representative on the TPCC.

RH Richard Hall 1:05:14

Do we have a second?

BR Barbara Raible 1:05:17

I'll second that.

AR Analessia Rodriguez 1:05:17

I'll 2nd.

JS Jennifer Schultz 1:05:17

OK.

RH Richard Hall 1:05:19

Most of them made by Josh and seconded by Barbara.

To appoint Danny Oberweiser as our representative on TPCC.

All in favor signify. Aye, aye. Anyone opposed?

BR Barbara Raible 1:05:31

Aye.

JS Jennifer Schultz 1:05:32

Aye.

JS Joshua Schroeder 1:05:32

Aye.

RH **Richard Hall** 1:05:38
Danny, congratulations. We look forward to your reports.

AR **Analeshia Rodriguez** 1:05:42
Thank you, Mr. Chair.

RH **Richard Hall** 1:05:46
OK. The next thing on the item is comments from board members.
Well, if none.
We would welcome a motion to adjourn.

AR **Analeshia Rodriguez** 1:06:11
I move to adjourn.
This is Danny, Rick.

RH **Richard Hall** 1:06:13
OK, Tammy.
I don't think we need a second on this, right?
All in favor?

AR **Analeshia Rodriguez** 1:06:25
No, no.

RH **Richard Hall** 1:06:26
Hi we are adjourned.

BR **Barbara Raible** 1:06:26
Hi.

JS **Jennifer Schultz** 1:06:28
OK.

RH **Richard Hall** 1:06:29

I will start one next month and I'll be back in Montana.

I saw.

I saw heavy coat.

It looks like it might be cold.

BR **Barbara Raible** 1:06:38

Yes.

RH **Richard Hall** 1:06:41

All right.

Thank you everyone.

JS **Jennifer Schultz** 1:06:43

Thanks Rick.

RH **Richard Hall** 1:06:44

For our inaugural meeting, doing something.

BR **Barbara Raible** 1:06:45

Thanks.

RH **Richard Hall** 1:06:47

Thank you.

JS **Joshua Schroeder** 1:06:49

Everyone.

□ stopped transcription



Missoula
C O U N T Y

1815 Clements Rd. Special Exception Request

Date: February 18, 2026

Applicant: June & Larry Dvorak

Planner: Patrick Swart

**1815 Clements Rd &
4110 North Ave. W.**





Special Exception Request

The applicants request special exception approval from the Consolidated Land Use Board to allow multiple principal uses on their property in the RRS .5/Target Range Overlay District.



Proposal

- Add a modular home to the property
 - 2.3.E.3
 - Multiple dwelling units on a property are considered multiple principal uses
 - Only one principal use is permitted per lot
 - MCCLUB may approve as a Special Exception

Background

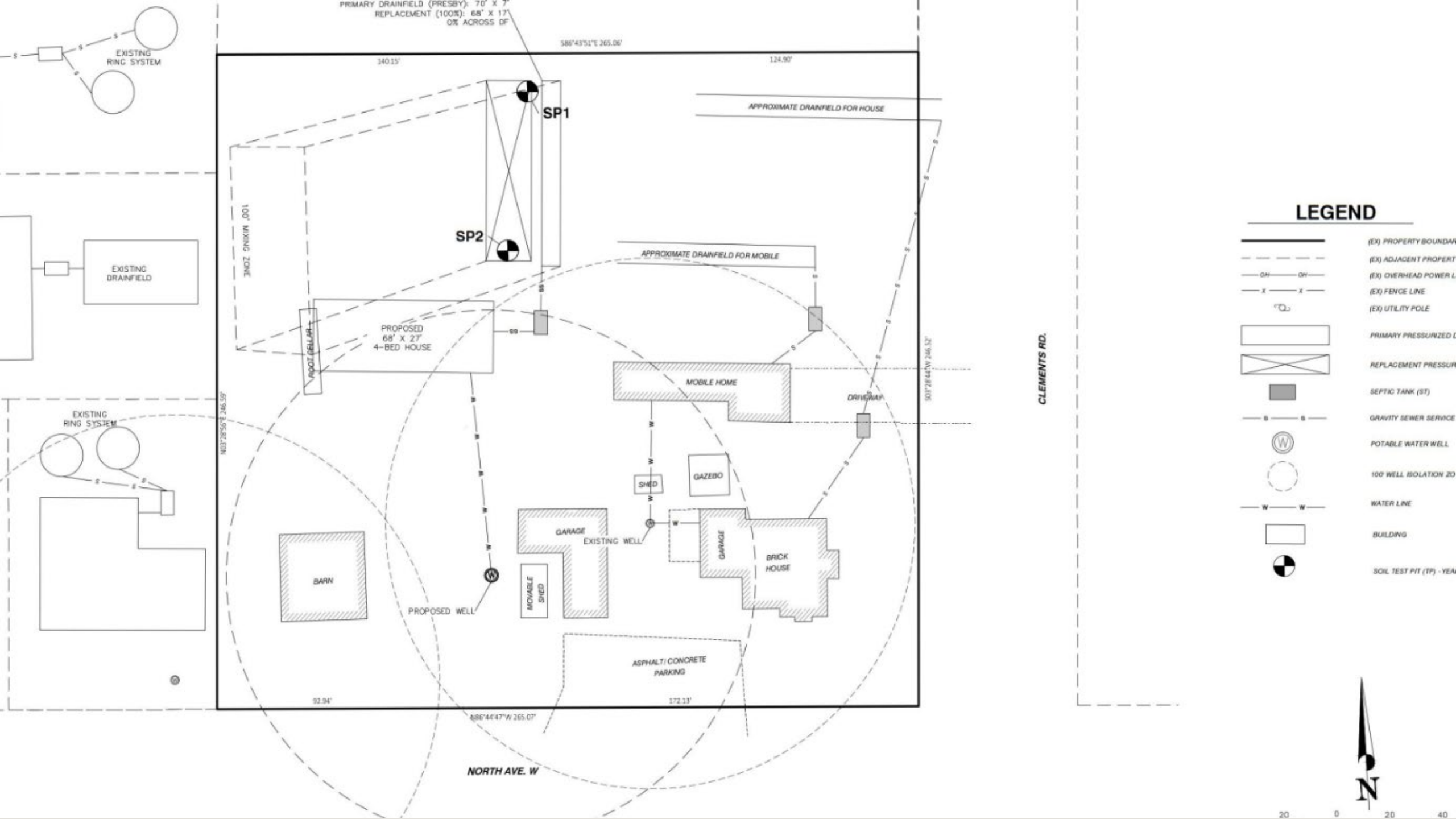
Zoning

- Rural Residential, Small Agriculture (RRS .5)
- Target Range Overlay

Growth Policy/Land Use Designation

- 2019 Missoula Land Use Element, 2016 Comp Plan
- Rural Residential, Small Agriculture
- Aims to preserve rural and semi-rural characteristics



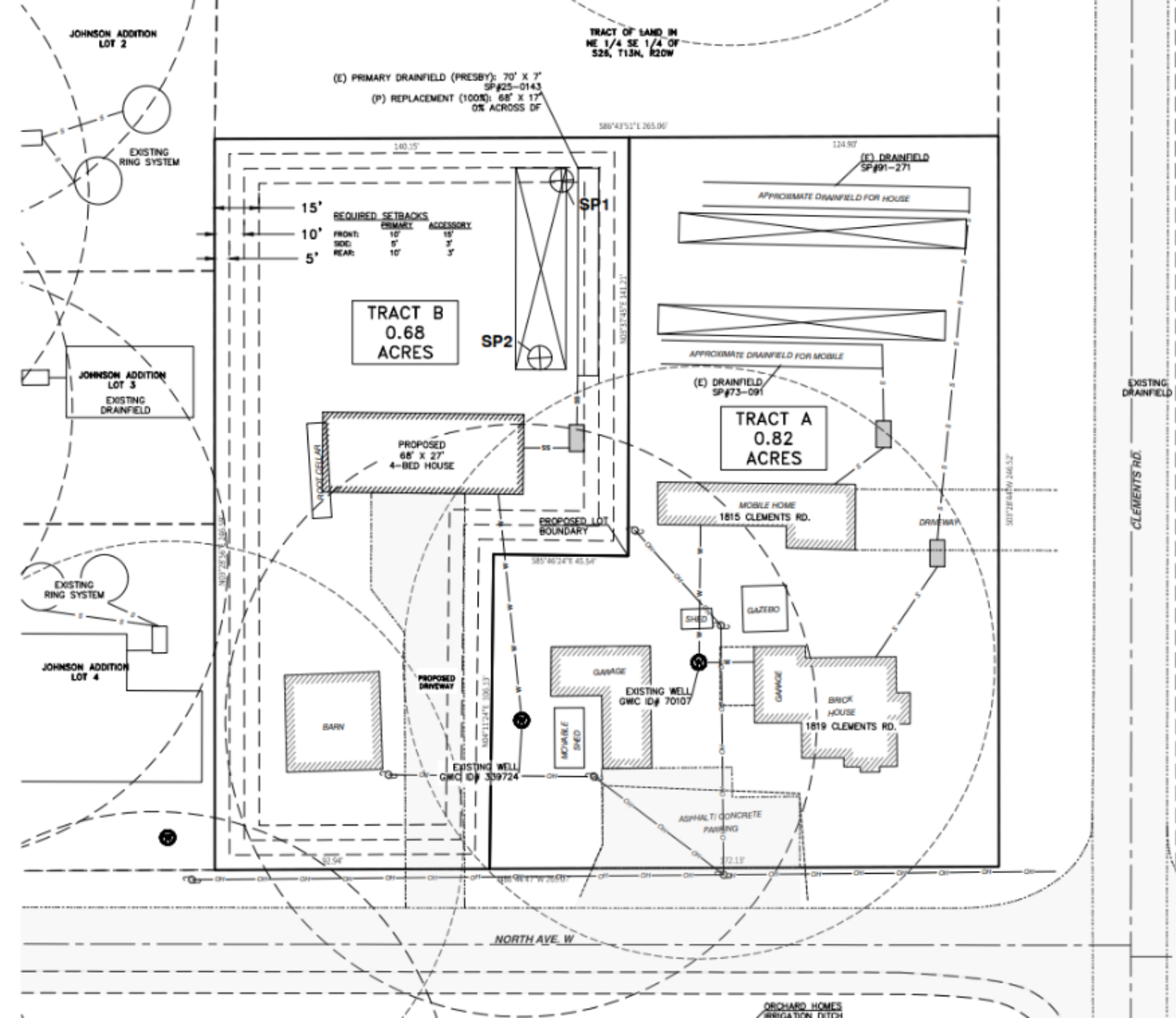


LEGEND

	EXISTING PRIMARY ADVANCED ENVIRO-SEPTIC DRAINFIELD
	PROPOSED REPLACEMENT DRAINFIELD
	EXISTING SEPTIC TANK (S)
	EXISTING MIXING ZONE
	EXISTING SEWER SERVICE LINE
	SOIL TEST PIT (SP)
	EXISTING ROAD OR UTILITY EASEMENT
	PROPOSED STORMWATER RETENTION POND
	STORMWATER FLOW DIRECTION
	EXISTING POTABLE WATER WELL
	EXISTING 100' WELL ISOLATION ZONE
	EXISTING WATER LINE
	EXISTING ASPHALT ROAD OR DRIVEWAY
	EXISTING BUILDING
	GROUNDWATER FLOW DIRECTION

MDEQ LOT LAYOUT NOTES:

- KNOWN EXISTING, PREVIOUSLY APPROVED, OR PROPOSED WELLS, WASTEWATER SYSTEMS AND MIXING ZONES ON OR WITHIN 100' OF THE SUBDIVISION HAVE BEEN SHOWN ON THIS LOT LAYOUT.
- ALL SETBACKS PURSUANT TO ARM 17.36.323 ARE MET.
- NO KNOWN SOURCES OF CONTAMINATION WITHIN 500' OF THE PROPOSED WATER SOURCE.
- LAKES, STREAMS, IRRIGATION DITCHES, WETLANDS AND SPRINGS PRESENT WITHIN 100' OF THE SUBDIVISION PERIMETER ARE SHOWN ON THIS LOT LAYOUT.



Review Criteria



The proposed use/development will be compatible with and will not substantially injure the value of adjoining property



The proposed use preserves the character of the district, and the property is suitable for the use proposed.



Substitute or additional design standards will preserve and protect the area's architectural and aesthetic qualities.



The review criteria listed in section 11.6.D.1.a-m of the Missoula County Zoning Regulations have been given due consideration.

Staff Findings

The proposal is compatible with and will not substantially injure the value of adjoining property

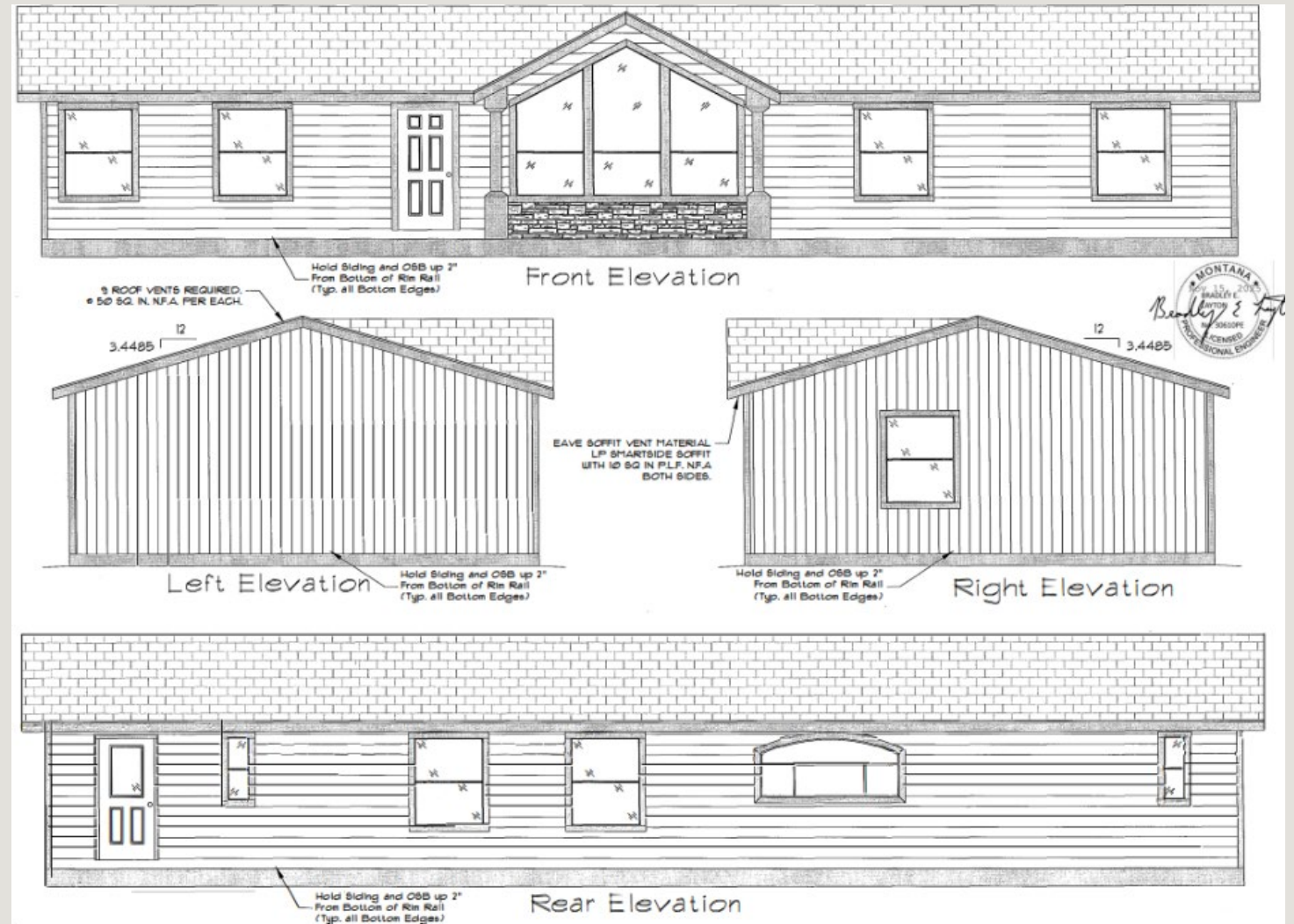
The proposed use preserves the character of the district, and the property is suitable for the use proposed.

- Compliant with Zoning Density
- Consistent with neighboring density and uses



Staff Findings

- The proposed plans preserve and protect the area's architectural and aesthetic qualities.
 - Section 3.2 building type
 - Section 3.4 building elements
 - Section 6.3.C.2 off-street parking
- The review criteria listed in Section 11.6.D.1.a-m have been given due consideration.



Agency Comment

- **Missoula Public Health**

- The parcel has septic permits for the existing and proposed living units.

- **Water Quality District**

- Groundwater impacts will be evaluated through Sanitation in Subdivision Review.

- **Public Works Building Dept.**

- Currently working on address and approach permits
- Working on getting complete foundation plans
- The Manufactured home will be reviewed through State Building Code Review

Public Comment

- 2/6/2026

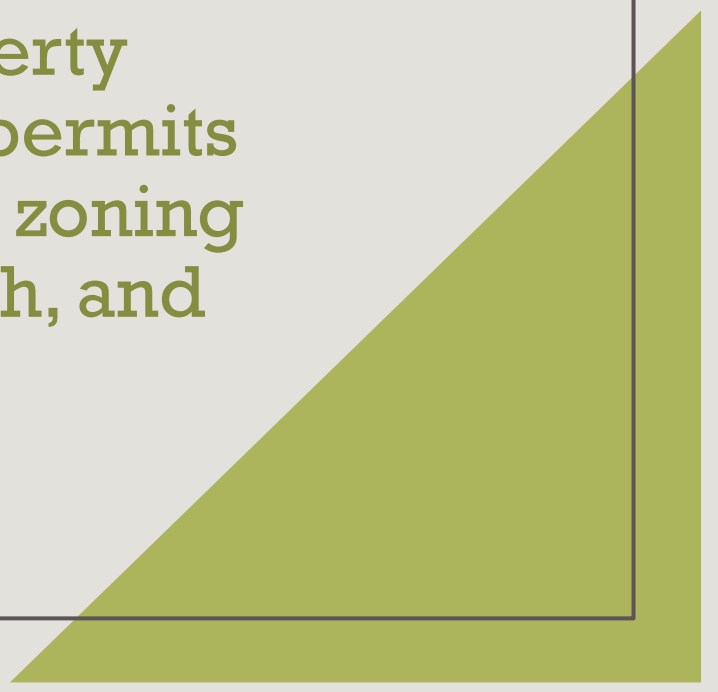
- Against the proposed project
- Extremely high groundwater
- Concerned about new septic systems

- 2/5/2026

- Against the proposed project because it would result in 3 dwelling units on the 1.5-acre lot.

Recommended Condition of Approval

All other necessary permits administered by agencies other than Planning, Development, and Sustainability shall be obtained by the property owner or designated representative. These permits may include, but are not limited to, building, zoning compliance, electrical, mechanical, approach, and sanitation permits.



Recommended Motion

I move to **approve** the Special Exception request to allow for an additional principal use as presented in the Special Exception Application on property located at 1815 Clements Road and legally described in Book 1113 of Micro Records Page 989 in the records of Missoula County. This approval is based on the findings of facts and conclusions of law found in the staff report and is subject to one condition of approval.

