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PETITION FOR CREATION OF SPECIAL ZONING DISTRICT

21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road- MAY 2026

Please sign and return this petition in the enclosed self-addressed, stamped envelope no later than May 28th,2026.

Every recorded real property owner within the proposed Highway 3 and Buffalo Trail Road Special Zoning District as

shown on the attached map will receive this petition.

The City-County Planning Department will certify with the County Clerk and Recorder each signature as an owner of

real property in the proposed district after petitions are returned.

I, the undersigned, being an owner of real property within the proposed 21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road Special Zoning District,

am **IN FAVOR** of the establishment of this special zoning district.

X	Jim J WIPF	5-28-26
Print Name	Signature	Date
Jim J Wipf		

I, the undersigned, being an owner of real property within the proposed 21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road Special Zoning District,

am **OPPOSED** to the establishment of this special zoning district.

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Print Name

Signature

Date

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PATRICIA G. FREY 5/10/26
Print Name Signature Date

Patricia G. Frey

I, the undersigned, being an owner of real property within the proposed 21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road Special Zoning District,

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Print Name

Signature

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X MARK FREY  5-3-26
Print Name Signature Date

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X Herbert Reintsma	5-3-26	
Print Name	Signature	Date
Herbert Reintsma	Herbert Reintsma	

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Signature

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X Robert E Lee Robert E Lee 5/3/2026

Print Name Signature Date

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Signature

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X Arthur Berntson 5-3-22
Print Name Signature Date

I, the undersigned, being an owner of real property within the proposed 21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road Special Zoning District,

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X

Print Name

Signature

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X Suzanne Wegner Suzanne Wegner 5/7/2026
Print Name Signature Date

I, the undersigned, being an owner of real property within the proposed 21 Mile-Oswald Road- Hwy 3- Buffalo Trail Road Special Zoning District,

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Signature

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X	<i>Chad Lipper</i>	<i>Chad Lipper</i>	<i>5/7/2026</i>
Print Name	Signature	Date	

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X Bob Green [Signature] 5-7-26
Print Name Signature Date

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am **OPPOSED** to the establishment of this special zoning district.

X

Print Name

Signature

Date

SPECIAL ZONING DISTRICT 21
NAME -21 MILE ROAD-OSWALD ROAD-HWY3-BUFFALO TRAIL ROAD

Article I. GENERAL PROVISIONS

A. Title

This resolution and maps shall be known and cited as zoning regulations for Planning and Zoning District Number _____ as created in Yellowstone County, Montana.

B. Boundaries of District

Metes and Bounds OR
Subdivision (Lots & Blocks) OR
Certificates of Survey OR
Any combination of the above

C. Purpose

The zoning regulations, classification, and the districts are herein set forth in accordance with Title 76, Chapter 2 of the Montana Code Annotated.

The regulations and development pattern adopted herein are for the purpose of protecting and furthering the health, safety and general welfare of the people living in the District and in Yellowstone County, Montana.

The development pattern, with the accompanying maps, plats, charts and descriptive matter, shall show the Planning and Zoning Commission's recommendations for the development of the district within some of which it shall be lawful and within others of which it shall be unlawful to erect, construct, alter or maintain certain buildings, or to carry on certain businesses and the future uses of the land or buildings shall be limited.

Existing nonconforming uses may be continued, although not in conformity with these zoning regulations, but may not be expanded, altered, or continued after once being suspended or abandoned for more than _____ consecutive months.

D. Scope

This chapter applies to all lands within the boundaries of the Special Zoning District described above and shown on the Official Zoning Map.

In their interpretation and application, the provisions of this Zoning Code may be regarded as the minimum requirements for the protection of the public health, safety, comfort, prosperity, and welfare.

The regulations shall apply uniformly to each class or kind of structure or land throughout the district.

Whenever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions or covenants, the most restrictive or that imposing the higher standards shall govern.

E. Separability Clause

If any provision of this Resolution or its application to any person or circumstances is held invalid,

by the Montana Building Codes Bureau.

- h. Home Occupations – see list of Use Standards
- i. Open Space for conservation purposes
- j. Recreational facilities for use by landowner (boat launches, fishing ponds, etc.)

B. _____ ZONE

All described lands as follows: List specific parcels – e.g. Subdivision Lots & Blocks, Certificates of Survey, metes and bounds or any combination thereof

Copy above format for each Zone District named

ARTICLE _____. SUPPLEMENTAL USE STANDARDS FOR ALL DISTRICTS

A. PROHIBITED USES. The following uses are prohibited in all zone districts:

- 1) Industrial Complexes
- 2) AI DATA CENTERS
- 3) Wind / Solar arrays
- 4) Wrecking Yard or Junk Yard
- 5) Battery Storage facilities
- 6) Gas plants
- 7) Pipelines for gas or transmission lines

B. USES REQUIRING CONDITIONAL USE PERMITS

- 1) none
- 2)
- 3)
- 4)
- 5)

C. TEMPORARY USES

- 1) none
- 2)
- 3)
- 4)
- 5)

D. ACCESSORY USES

1) Accessory Dwelling(s): An owner or the owners of real property wishing to establish and maintain an accessory dwelling unit (ADU) for rent or lease, or separate occupancy, shall apply for a Zoning Compliance Permit from the Zoning Coordinator within the City/County Planning Department. The lot must have sufficient lot area for each dwelling unit. For example, a lot of 20,000 square feet may only have one dwelling unit whereas a lot of 1 acre may have a principal dwelling and an accessory dwelling or two principal dwellings. The following standards shall apply to every Accessory Dwelling:

- a. Location. Accessory Dwellings are allowed on properties where there is only one principal single-family dwelling unit. Only one accessory dwelling unit may be created per site. The accessory dwelling unit may be located within a detached single-family dwelling, above a detached garage, or as a separate guest cottage.
- b. Size. The gross floor area of the Accessory Dwelling may be up to 800 square feet and shall have no more than one bedroom.

c. Parking. One off-street parking space shall be provided for the ADU, in addition to the parking for the primary dwelling.

d. Other. All other requirements outlined in this chapter, including but not limited to yard setback and height requirements for dwellings. The owner will be responsible for compliance with all other applicable local and state regulations for dwelling units including but not limited to driveway openings, water and wastewater disposal and state building codes.

2) Domestic Animals: Common household pets shall be permitted in the district. Dogs shall be limited to no more than four (10) adult dogs per single-family household. No commercial boarding of household pets is allowed. Female dogs bred for the sole purpose of the sale of puppies for profit, and female dogs numbering more than three (10) constitute a commercial kennel and is not an allowed use within the district. The occasional raising of a litter of puppies or kittens at the household and the occasional sale of puppies or kittens by the household should in no way change the character of the residential property.

3) Home Occupations: Home Occupations are allowed as an accessory use so long as they are conducted by the occupant of the dwelling and are accessory to the residential use of the premises and meet all of the following criteria:

- a. Agriculture
- b. Mechanical
- c. Commercial livestock sales
- d. Farmstands
- e. Plant Nurseries
- f. Community Gardens
- g. Commercial Farming
- h. Sawmill and other Carpentry related occupations
- i. Home Occupations specifically prohibited:
 - a) Profit or non-profit marijuana cultivation, manufacturing or sales. This is not intended to restrict a resident of a parcel within the district from growing or manufacturing marijuana for their own use and in compliance with state laws and regulations.
 - b)
 - c)
 - d)

4) Livestock and Fowl: all species allowed. Good stewardship and hygienic husbandry expected.

ARTICLE ____ ADMINISTRATION AND ENFORCEMENT

A. Within the zoning districts herein defined and as indicated on the Official Zoning Map and subject to the requirements of ARTICLES _____, no building or structure shall be erected, reconstructed, or structurally altered, nor shall any land, building, or structure be used for any purpose except in conformity with the district regulations in which such building, land or use is located.

B. Nonconforming Uses and Structures

Where, at the effective date of this Resolution a lawful use of land exists that is not permitted under this Resolution, the following shall apply:

- 1) No such nonconforming use shall be enlarged or increased to occupy a greater area of land.
- 2) No such nonconforming use shall be moved to another location upon the same property.

3) If any nonconforming uses ceases for any reason for a period of _____ consecutive months or longer, any subsequent use of the land shall conform to the regulations specified by this Resolution.

4) Should a nonconforming structure be destroyed by any means to an extent of more than 50% of its replacement cost at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this Resolution.

C. Board of Adjustment

1) Organization, Powers and Duties

The County Planning and Zoning Commission shall act as the Board of Adjustment for Special Zoning District Number _____. The Board of Adjustment shall hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by an administrative official in the enforcement or interpretation of these regulations or of any resolution adopted pursuant thereto. The Board of Adjustment is authorized upon appeal in specific cases to grant a variance from the terms of these regulations as will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of these regulations chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed, and substantial justice done.

In exercising the above mentioned powers, the board of adjustment may, in conformity with the provisions of these regulations, reverse or affirm, wholly or partly, or modify the order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the office from whom the appeal is taken.

The concurring vote of four (4) members of the board shall be necessary to reverse any order, requirement, decision or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under these regulations or to affect any variation in the application of this chapter.

Any person aggrieved by any decision of the board of adjustment, or any affected taxpayer, or any officer, department, board, or bureau of the county may appeal the decision by presenting a petition to a court of record. The petition must set forth that the decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition shall be presented to the court within thirty (30) calendar days after the filing of the decision of the board.

If the board of adjustment fails to act on a matter that is before it or scheduled to be before it for any reason other than on motion duly continuing the matter, the applicant may deem the matter be denied and may immediately proceed by appeal as provided above.

If an application for an administrative review or variance is denied by the board of adjustment, another application shall not be filed within a period one (1) year from the date of denial.

2) Procedures

a) Before any variance may be granted or the consideration of an appeal, the board of adjustment shall hold a public hearing. No less than fifteen (15) days before the public hearing the subject property shall be posted with a sign, contiguous property owners shall be notified by mail and a legal notice of the variance request or appeal shall be placed in a newspaper of general circulation. The application shall be presented on forms and at such times as provided by the board of

Adjustment.

b) The board of adjustment shall have ten (10) days after the public hearing within which to make a decision. The board of adjustment, if necessary, may request additional information at the public hearing.

c) No variance from the uses allowed, prohibited or limited as provided within the district regulations is allowed under this procedure. Changes to allowed, prohibited or limited uses must be considered as an amendment to the text of the regulations and the Official Zoning Map.

D. Amendment to the Text or Official Zoning Map

1) The regulations, restrictions and boundaries set forth in this Resolution may, from time to time, be amended, supplemented, changed or repealed by the board of county commissioners provided, however, that no action on any application for amendment, change or repeal may be taken until the application has first been processed and advertised in accordance with the provisions of this Resolution.

2) Application for Official Zoning Map Amendment

Unless initiated by the Board of County Commissioners or the County Planning and Zoning Commission, all applications for an amendment to the official map, or to the text of this chapter must be submitted in person and signed by the record property owner. An application for an amendment affecting the same property shall not be submitted more than once every twelve (12) months.

3) Each application for an amendment to the Official Zoning Map must be submitted under the following conditions:

a) The application must be accompanied by a legal description of the tract(s) proposed to be reclassified, a map showing the dimensions, acreage and location of the tract(s) and adjacent uses, the present and proposed classification for the tract(s), a list certified by the County Clerk and Recorder of the names and addresses of owners of property contiguous to the exterior boundaries of tract(s) and payment of all applicable fees;

b) Any application for an amendment to the Official Zoning Map must be submitted with all applicable fees and documents to the Board of County Commissioners at least thirty (30) days prior to the date of the public hearing before the Planning and Zoning Commission.

c) Fifteen (15) days prior to the public hearing before the Planning and Zoning Commission the Board of County Commissioners shall advertise notice of the application in a newspaper of general circulation. The notice shall contain: the classification sought, the location of the property and the date, time and place of the public hearing. In addition, the Board of County Commissioners shall post the property with a sign in a conspicuous location and on at least two (2) other public places within the district. The notice shall indicate that a change in zoning classification has been applied for and the date, time and location of the public hearing on the application. In addition, the Board of County Commissioners shall notify by mail the owners of property contiguous to the exterior boundaries of the property subject to reclassification. Such notice shall contain a

description of the property, the classification applied for and the time, date and place of the public hearing. The Board of County Commission may notify property owners not contiguous if it is determined the proposed change would likely have a substantial impact on surrounding land uses.

d) An application for zone change may not be withdrawn or amended after the legal advertising as required by this section. An applicant may be allowed to withdraw at the time of the Planning and Zoning Commission hearing by a majority vote of the members present without prejudice with respect to the twelve (12) month period after the application shall have first been submitted. The notice of withdrawal and reasons must be submitted in writing to the Chairman of the Planning and Zoning Commission twenty-four (24) hours in advance of the public hearing.

4) County Planning and Zoning Commission Action

The County Planning and Zoning Commission shall make a recommendation to the Board of County Commissioners to either grant or deny the application for amendment to the Official Zoning Map. The County Planning and Zoning Commission shall also have the authority to delay action on the application for a period not to exceed sixty (60) days. The County Planning and Zoning Commission shall submit its recommendations in writing along with a statement indicating its reasons and findings of fact for granting or denying the amendment within twenty (20) days following the close of the public hearing on the application.

In no case shall the Planning and Zoning Commission make a recommendation that a reclassification be granted for a zone change that was not advertised.

5) Board of County Commissioners Action

Before taking any action on an application for an amendment to the Official Map, or amendment to the text of this Resolution, the Board of County Commissioners shall first hold a public hearing on the application or amendment. The Board of County Commissioners may approve, deny or delay action on the application for a period not to exceed thirty (30) days. In no case shall the Board approve an amendment for a classification other than the one advertised.

E. Application for Conditional Use

1) Each zoning district is primarily intended for a predominant type of use as identified in Articles ___ above. There are also a limited number of specific uses that may or may not be appropriate in a particular district, depending upon all the circumstances of the individual use on the site and in context with surrounding development. Consideration of these uses includes examination of the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, and whether specific conditions can be applied to mitigate the potential negative impacts of the use. Conditional uses are special exceptions to the general terms of this Zoning Code.

2) It is the intent of this section to provide a system of review of such uses so that the community is assured that the uses are compatible with their locations and with surrounding land uses and will further the purpose of this Zoning Code and the objectives of the County growth policies. Only those uses identified as conditional uses in Article ___ above may be approved pursuant to these procedures.

3) All applications for a conditional use must be submitted in person and signed by the record property owner or an authorized agent for the owner.

4) Each application for a conditional use must be submitted under the following conditions:

a) The application must be accompanied by a legal description of the tract(s) proposed for the conditional use, a map showing the dimensions, acreage and location of the tract(s) and adjacent uses, the present use of the parcel, the proposed conditional use, a list certified by the County Clerk and Recorder of the names and addresses of owners of property contiguous to the exterior boundaries of tract(s) and payment of all applicable fees;

b) Any application for a conditional use must be submitted with all applicable fees and documents to the Board of County Commissioners at least thirty (30) days prior to the date of the public hearing before the Planning and Zoning Commission.

c) Fifteen (15) days prior to the public hearing before the County Planning and Zoning Commission, the Planning Division shall advertise notice of the application in a newspaper of general circulation. The notice shall contain: the conditional use proposed, the location of the property and the date, time and place of the public hearing. In addition, the Planning Division shall notify by mail the owners of property contiguous to the exterior boundaries of the property subject to the proposed conditional use. Such notice shall contain the same information as the legal advertisement in addition to any site plan or development plan submitted with the application. The Zoning Coordinator notify property owners not contiguous if it is determined the proposed use would likely have a substantial impact on surrounding land uses.

d) An application for conditional use may not be withdrawn or amended after the legal advertising as required by this section. An applicant may be allowed to withdraw at the time of the County Planning and Zoning Commission hearing by a majority vote of the members present. The notice of withdrawal and reasons must be submitted in writing to the Chairman of the County Planning and Zoning Commission twenty-four (24) hours in advance of the public hearing.

5) County Planning and Zoning Commission Action

The County Planning and Zoning Commission shall make a recommendation to the Board of County Commissioners to either approve, conditional approve or deny the requested conditional use. The County Planning and Zoning Commission shall submit its recommendations in writing along with a statement indicating its reasons and findings of fact for approval, conditional approval or denial of the request conditional use. The Planning and Zoning Commission shall consider each of the following criteria:

a) The conditional use is consistent with the County's growth policy and applicable neighborhood plans, if any;

b) The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;

c) The site for the proposed use is adequate in size and topography to accommodate the use while meeting the other requirements of this Zoning Code, including zone district dimensions, landscaping requirements, and parking.

- d) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
- e) The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district;
- f) Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided;
- g) Adequate measures have been or will be taken to provide ingress and egress to minimize traffic congestion in public streets; and
- h) The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the County Commission.

Conditions necessary to protect the public health, safety, and general welfare can be established, including but not limited to conditions on:

- i. Regulation of the use;
- ii. Special setbacks, buffers, or screening;
- iii. Surfacing of parking areas;
- iv. Street, alley, or service road dedications, improvements, or bonds;
- v. Regulation of points of vehicular ingress and egress;
- vi. Regulation of signs;
- vii. Regulation on the performance of the site, including noise, vibration, and odors;
- viii. Regulation of the hours of activities;
- ix. Timeframe for development
- x. Duration of use; and
- xi. Other relevant conditions that will ensure the orderly development of the site.

6) Board of County Commissioners Action

Before taking any action on an application for a conditional use, the Board of County Commissioners shall first hold a public hearing on the application. The Board of County Commissioners may approve, conditionally approve or deny the requested conditional use. The Board of County Commissioners decision shall be based on findings of fact that include the criteria above.

F. Enforcement

It is the intent of this code to provide for the efficient, reasonable and impartial enforcement of this code by authorizing an enforcement officer, the basic procedure for complying with the regulations and the penalties for violations.

1) Zoning Enforcement Officer

It shall be the duty of the Code Enforcement Officer for Yellowstone County to be the enforcement officer for Special Zoning District Number _____. The enforcement officer is hereby given the authority to enforce the provisions of this Resolution. The Zoning Coordinator in the City/County Planning Department is hereby given authority to administer the provisions of this Resolution.

The Zoning Coordinator in the City/County Planning Department shall supervise and effectuate the processing of applications for amendment to the Resolution, requests for variances and appeals to the Board of Adjustment and the issuance of Zoning Compliance Permits.

It shall further be the responsibility of the Zoning Coordinator to aid the various boards, commissions and departments in transmitting appeal records to the Board of County Commissioners and to otherwise promote procedural regularity in the administration of this Resolution.

2) Remedies

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this act, or of any resolution made under authority conferred hereby, the proper authorities of the county, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use to restrain, correct, or abate such violation to prevent the occupancy of such building, structure, or land to prevent any illegal act, conduct business, or use in or about such premises.

3) Zoning Compliance Permit

A Zoning Compliance Permit is required for properties that are located within Planning and Zoning District _____. No change of land use may be made; or no building or other structure shall be erected, moved, enlarged, rebuilt, added to, or structurally altered without first having received a Zoning Compliance Permit issued by the Zoning Coordinator or his/her designee, who shall determine that the permit is issued in compliance with the regulations set forth in this Resolution. The review of a Zoning Compliance Permit application shall be limited only to a review of the applicable zoning regulations and shall not constitute a review of compliance with any applicable building codes.

Each application for a Zoning Compliance Permit shall be accompanied by a site plan, building elevations and any other information requested by the Zoning Coordinator to adequately review the proposed project. The Board of County Commissioners may set an application fee by Resolution for review of a Zoning Compliance Permit. The Zoning Coordinator or his/her designee may waive the submittal requirements for some of the above mentioned plans. Zoning Compliance Permits are valid for a period of six (6) months from the date of approval and may be extended for an additional six (6) months with written approval from the Zoning Coordinator.

4) Penalty for Violation

Violation of the provisions of this Resolution or failure to comply with any of its requirements shall constitute a misdemeanor. Each violation and each day such violation continues shall be considered a separate offense. This Resolution shall be enforceable by Yellowstone County by injunctive action in addition to other remedies at law or in equity.

ARTICLE ____. DEFINITIONS

A. *Term inclusions.*

- 1) The term "person" includes a firm, association, organization, partnership, trust, company or corporation, as well as, an individual.
- 2) The term "used" or "occupied" includes the words "intended, designated, or arranged to be used or occupied."
- 3) The term "lot" includes the words "plot," "tract," or "parcel."
- 4) The term "building" includes the term "structure."
- 5) The term zone means zone or zoning district.
- 6) The term county means Yellowstone County, Montana.

B. *Rules of construction.* The following words, terms and phrases, when used in this zoning code, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning.

1. *Meanings and intent.* All provisions, terms, phrases, and expressions contained in this zoning code shall be construed according to this zoning code's stated purpose and intent. All provisions, terms, phrases, and expressions contained in this zoning code shall be construed according to the general and specific purpose statements set forth throughout this zoning code. When, in a specific section of this zoning code, a different meaning is given for a term defined for general purposes in this chapter, the specific section's meaning and application of the term shall control.

2. *Headings, illustrations, and text.* In the event of a conflict or inconsistency between the text of this zoning code and any heading, caption, figure, illustration, table, or map, the text shall control.

3. *Lists and examples.* Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and shall not be interpreted as exhaustive lists of all possibilities.

4. *Computation of time.* The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the county, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, or holiday observed by the county. References to days are calendar days unless otherwise stated.

5. *References to other regulations/publications.* Whenever reference is made to a resolution, ordinance, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, ordinance, statute, regulation, or document, unless otherwise specifically stated.

6. *Delegation of authority.* Any act authorized by this zoning code to be carried out by a specific county official or staff member may be carried out by a designee of such official. For example, the planning director may delegate the preparation of a staff report to a member of the planning division staff.

7. *Technical and nontechnical terms.* Words and phrases not otherwise defined in this zoning code shall be construed according to the common and approved usage of the language, but technical words and phrases not otherwise defined in this zoning code that may have acquired a particular and appropriate meaning in law shall be construed and understood according to such meaning.

C. *Rules of interpretation.*

1. *Mandatory and discretionary terms.* The words "shall," "must," or "will" are always mandatory, and the words "may" or "should" are always discretionary.

2. *Conjunctions.* Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- (a) "And" indicates that all connected items, conditions, provisions, or events shall apply; and
- (b) "Or" indicates that one or more of the connected items, conditions, provisions, or events shall apply.

3. *Tenses and plurals.* Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

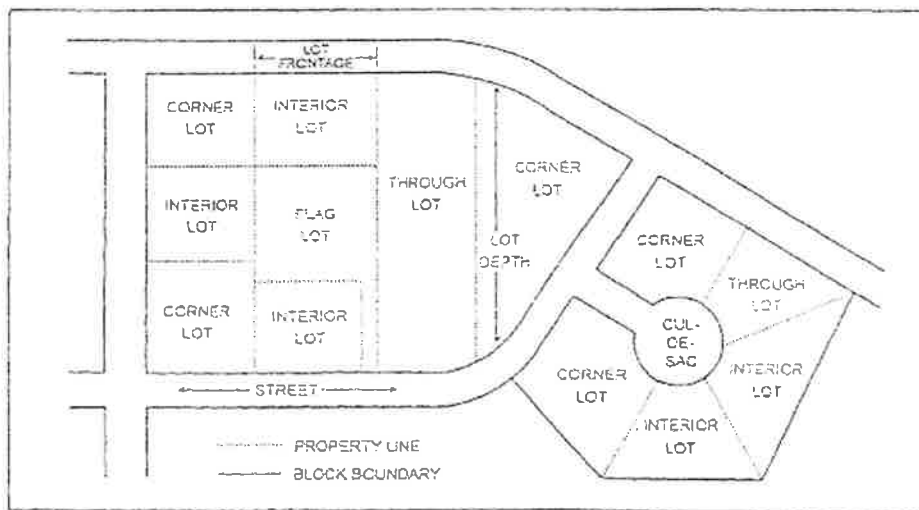
4. *Interpretation.* The zoning coordinator has authority to determine the interpretation or usage of terms used in this zoning code. Appeal of an interpretation made by the zoning coordinator shall be to the County Planning and Zoning Commission.

5. *Undefined terms.* The zoning coordinator has the authority to provide the definition for a term where it is not defined in this zoning code. Appeal of a definition provided by the zoning coordinator shall be to the County Planning and Zoning Commission.

D. Measurements

1. Lot and street measurements and terms.

- a. *Lot.* A tract of land, no matter how legally described whether by metes and bounds, certificate of survey and/or by lots and block designation as in a recorded plat.
- b. *Lot area.* The total area circumscribed by the boundaries of a lot, except that when the legal description creating a lot extends into a street right-of-way and/or easement, then the lot boundary for purposes of computing the lot area shall be the interior boundary of the street right-of-way or easement.
- c. *Lot line.* A line of record bounding a lot that divides one lot from another lot or from a public or private street, alley or other public space.
 - 1. *Front lot line.* The lot line abutting a public or private front street.
 - 2. *Rear lot line.* The lot line not intersecting a front lot line that is most distant from and most clearly parallel to the front lot line.
 - 3. *Side lot line.* Any lot line that is not a front, street-side, or a rear lot line abutting an interior lot.
 - 4. *Street-side lot line.* The lot line abutting a public or private side or non-front street.
- d. *Lot types.*
 - 1. *Corner lot.* A lot located at the intersection of two (2) or more streets.
 - 2. *Interior lot.* A lot, other than a corner lot, with only one frontage on a street other than an alley.
 - 3. *Through lot or double frontage lot.* A lot other than a corner lot with frontage on more than one street other than an alley.



- e. *Lot width.* Lot widths are measured along the minimum setback or minimum build-to line.
- f. *Street.* A dedicated public or a private right-of-way (or portion thereof) intended for general public use to provide access through the area and to buildings and sites within the area. For the purposes of this zoning code, an alley is not a street.
1. *Street, front.* On interior lots, the street abutting the lot; on corner lots, the street with more front doors and/or buildings fronting the street. Front streets are typically the streets along the longer faces of a block with multiple front entrances. Front streets receive priority over other streets in terms of setting front lot lines and locating building entrances.
 2. *Street, side or non-front.* The street abutting a lot that is not considered a front street.
- g. *Yard.* An open space about a building, other than a courtyard, unoccupied and unobstructed from the ground to the sky, except as otherwise specifically provided in this zoning code.
1. *Front yard.* A yard extending along the full length of the front lot line or lines and which is situated between a principal building and the front lot line or lines.
 2. *Rear yard.* A yard extending from the rear-building facade to the rear lot line between the side yards or, on a corner lot, the street-side and side yards.
 3. *Side yard.* A yard extending from the side-building facade along a side lot line between the front lot line and rear lot line. Also called an interior side yard.
 4. *Yard, street-side.* A yard extending from the building facade along a side street lot line between the front yard and rear lot line.
- h. *Setback.*
1. *Definition.* That distance measured from the lot or property line to the closest supporting point(s) or wall(s) of a structure or building.
 2. *Encroachment or projection.* The distance any part of a structure extends beyond a building setback or a build-to zone. See section 27-303 for a list of permitted encroachments in neighborhood districts.
- i. *Separation between buildings.* Building separation is measured as the horizontal distance between buildings, measured along the shortest line that can be drawn between the exterior walls.

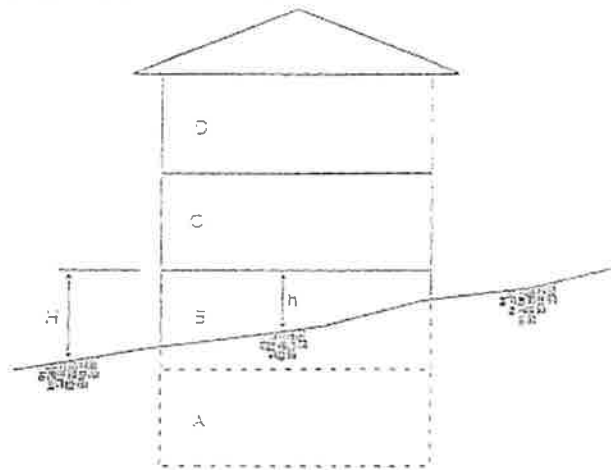
2. Building height measurements and terms.

General terms.

- a. *Grade (adjacent ground elevation).* The lowest point of elevation of the finished surface of the ground, or the lowest point of elevation of the finished surface of the ground between the exterior wall of the building and the property line, if the property line is less than five

(5) feet distance from the wall. In cases where walls are parallel to and within twenty (20) feet of a public sidewalk, alley or other public way, the grade shall be the elevation of the sidewalk, alley, or public way.

- b. *Story*. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above.
1. *Story, ground*. Also referred to as ground floor. The first floor of a building that is a full story typically level to or elevated above the finished grade on the front and corner facades and excluding basements and half stories.
 2. *Story, half*. An occupied story either in a visible basement of the building or an occupied story fully within the roof structure.
 3. *Story, upper*. Also referred to as upper floor. The floors located above the ground story of a building.
- c. *Basement*. If the finished floor level directly above a basement, cellar or unused under-floor space is more than six (6) feet above grade as defined herein for more than fifty (50) percent of the total perimeter or is more than twelve (12) feet above grade as defined herein at any point, such basement, cellar or unused under-floor space shall be considered a story. Refer to Figure _____ below.
- d. *Visible basement*. A basement that is between three and one-half (3½) feet and six (6) feet exposed above adjacent finished grade along any street facade. Windows are required for visible basements on street facades. With more than six (6) feet exposed, the space shall be considered a story per subsection (c), above.



IF H > 12' (AT ANY POINT), OR
IF h > 6' FOR 50 PERCENT OF PERIMETER,
THEN B IS A STORY

E. Definitions

Accessory Dwelling Unit: A residential unit that is located on the same lot as a primary residential dwelling unit, either internal to or attached to the primary residential dwelling unit or in a detached structure.

Accessory Structure - A building or structure, whether part of a building or other structure, which is subordinate to, and the use of which is incidental to that of the main building, structure or use on the same lot, including a private garage. Accessory structures may be attached to the principal dwelling or be a detached structure.

a. Attached accessory structure: Any structure or building which has any roof or wall in common with the principal structure. For purposes of zoning, an attached accessory structure is considered part of the principal structure.

b. Detached accessory structure: Any structure or building which does not have any roof or wall in common with any principal structure or building. For purposes of zoning, a detached accessory structure must maintain a minimum distance of six feet from any other building or structure.

Accessory Use: A use which is subordinate to the principal use on the same lot. An accessory use may not be established unless a principal use is established on the same lot.

Agricultural Use: The use of a tract of land for the production of plants, animals or horticultural products for commercial purposes, including but not limited to: forages; grains and feed crops; dairy animals and dairy products; poultry and poultry products; beef cattle, sheep and swine; bees and apiary products; trees and forest products; fruits, nuts and berries; vegetables; or nursery, floral, ornamental and greenhouse products. Agricultural use shall not include lands that are used for recreational purposes, suburban residential acreages, rural home sites and yard plots whose primary function is for residential or recreational purposes even though such properties may produce or maintain some of those plants or animals listed in the foregoing definition. This definition shall include equipment and/or facilities necessary to prepare agricultural products for transport to market but shall not include equipment and/or facilities for the processing of a raw agricultural product into a value-added agricultural product.

Auction house: An establishment where the real or personal property of others is sold by a broker or auctioneer to persons who attend scheduled sales or events.

Automobile or vehicle salvage or wrecking yard: The dismantling or wrecking of motor vehicles or trailers, or the storage, sale or dumping of dismantled, or partially dismantled, obsolete, or wrecked vehicles or their parts or any establishment or place of business which is maintained or used for the storage, keeping, buying or selling of wrecked, scrapped or dismantled motor vehicles or motor parts. The presence on any lot or parcel of land of ___ or more motor vehicles, which, for a period exceeding thirty (30) days, have not been capable of operating under their own power and from which parts have been removed for reuse or sale, shall constitute a salvage or wrecking yard.

Bed and breakfast inn: A private, owner- or manager-occupied residence that is used as a private residence but in which: (a) breakfast is served and is included in the charge for a guest room; and (b) the number of daily guests served does not exceed eighteen (18).

Boarding, animal: The feeding, housing, and exercising of animals not owned by the owner of the property and for which the property owner may receive compensation.

Building: Any structure having a roof but excluding all forms of vehicles or shipping containers even though immobilized. When a use is required to be within a building, or where special authority granted pursuant to this chapter requires that a use shall be within an entirely enclosed building then the term "building" means one so designed and constructed from the ground to the roof line, and shall contain no openings except for windows and doors which are designed so that they may be closed.

Building, principal: The primary building(s) on a lot that accommodates the principal use(s) to which the premises are devoted.

Campground, public and private: Any area or tract of land used or designed to accommodate two (2) or more camping parties, including cabins, tents, travel trailers, recreational vehicles, and other camping outfits.

Carport: A structure to house or to protect motor vehicles owned or operated by the occupants of the main building and is open on at least one side.

Conditional Use: A use subject to review by the County Planning and Zoning Commission that may or may not be appropriate in a particular district. A Conditional Use permit may be granted depending upon all the circumstances of the individual use on the site and in context with surrounding development. Consideration of these uses includes examination of the location, nature of the proposed use, the character of the surrounding development, traffic capacities of adjacent streets, and potential environmental effects, and whether specific conditions can be applied to mitigate the potential negative impacts of the use. Conditional uses are special exceptions to the general terms of this zoning code.

Conforming: A structure, use, or site feature that, when originally constructed, was in full compliance with all applicable zoning regulations.

Day care (or "child care"): Care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular or irregular basis, as applicable, for daily periods of less than twenty-four (24) hours, whether that care is for daytime or nighttime hours. The term does not include a place where day care is provided if a parent of a child for whom day care is provided remains on the premises.

Family day-care home: A private residence in which day care is provided to three (3) to six (6) children on a regular basis. Such day care home shall be licensed by the Montana Department of Public Health and Human Services.

Group day-care home: A private residence or other structure in which day care is provided to seven (7) to twelve (12) children on a regular basis and which is licensed by the Montana Department of Public Health and Human Services.

Dwelling: A building designed exclusively for residential purposes, including single-unit, two-unit, and multiple-unit dwellings, but not including hotels or motel units, bed and breakfast guest rooms, boarding or lodging houses, tourist homes, or travel trailers and/or vehicles.

Dwelling, attached: A structure where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway.

Dwelling, detached: A dwelling that is free of any shared walls and stands alone.

Dwelling, single-unit: A building constructed and designed for one dwelling unit that is detached from any other dwelling unit.

Dwelling, two-unit (duplex): A building constructed and designed for two (2) attached dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway.

Dwelling, multiple-unit: A building constructed and designed for three (3) or more dwelling units, where the dwelling units share a common separation such as a ceiling, wall, etc. (including, without limitation, the wall of an attached garage or porch) and where access cannot be gained between the units through an internal doorway, excluding common hallways.

Dwelling, townhouse: A series of two (2) or more attached dwelling units held in individual ownership.

Dwelling unit: One or more rooms designed for or occupied exclusively by one household.

Enclosed structure: A building that protects the contents thereof from the elements, including sight obscuring walls on all sides and a roof.

Farm stand: A temporary structure not permanently affixed to the ground and is readily removable in its entirety, which is used solely for the display or sale of agricultural products.

Fence: A barrier composed of posts connected by boards, rails, panels or wire for the purpose of enclosing space to separate parcels of land. This term also includes a masonry wall.

Garage, residential: An accessory building or an accessory portion of the main building, enclosed on more than three (3) sides and designed or primarily used only for the shelter or storage of vehicles owned and operated by the occupants of the buildings.

Fireworks: Those substances and/or articles which are more specifically defined in M.C.A. 50-37-101 through 50-37-103.

Fireworks stand: A structure from which fireworks are sold, displayed or offered for sale. A fireworks stand is specifically limited to an approved temporary structure, as regulated in Section__

Fireworks storage building: A structure used for the storage of fireworks.

Grain elevator: A building for elevating, storing, discharging, and sometimes processing grain.

Greenhouse: A building or structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of fragile or out-of-season plants for subsequent sale or for personal enjoyment.

Guest: A person or persons using a short-term rental for only a short period of time or a brief stay, such as the traveling public.

Guest home, owner-occupied: For the purposes of this section, a residence that is lived in by the owner or a long-term tenant for the majority of a calendar year (180 days or more), that is also used for part-time short-term rentals.

Hobby farm: A small holding or farm maintained without expectation of profit or as a primary source of income. For purposes of these regulations, this definition shall exclude residential structures.

Home occupation: An occupation carried on by an occupant of a dwelling, which is located in a residential zoning district, as an accessory and incidental activity to the main residential use of the building.

Household:

1. A family, including any foster children, plus any number of unrelated persons living together in a single, not-for-profit housekeeping unit sharing one common kitchen facility; or
2. One or more persons occupying a dwelling unit as a single housekeeping unit, subject to a limit of not more than two (2) adult persons per bedroom; or
3. Any group of individuals and caretakers recognized as a household by Montana law.

Inoperable or junk vehicle: Any vehicle incapable of immediate operation under its own power safely and in concurrence with governing and applicable traffic ordinances and statutes or any vehicle not having

current license plates lawfully affixed thereto or any dismantled or inoperable vehicle or parts thereof including any other type of machinery.

Junk: Any worn out cast off or discarded article or material that is ready for destruction or has been collected or stored as salvage, for conversion to some other use or for reduction into components. Junk includes but is not limited to, old or scrap brass, rope, rags, batteries, paper, tires, rubber debris or waste, iron, steel and other old or scrap ferrous or non-ferrous material.

Junkyard: An open area where wastes, or used or secondhand materials are bought, sold, exchanged, stored, processed or handled, which are not intended to be recycled. Materials shall include, but are not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles.

Kennel, commercial: Any lot, building, structure or premises where more than two (2) dogs or cats over the age of six (6) months, other than those owned by the kennel owner are kept or maintained for boarding, training, breeding or selling, exclusive of medical care or for quarantine purposes in excess of twenty-four (24) hours. Female dogs bred for the sole purpose of the sale of puppies for profit, and female dogs numbering more than three (3) constitute a commercial kennel.

Kennel, noncommercial: A kennel at, in, or adjoining a private residence where more than two (2) dogs or cats are kept for the hobby of the householder in using them in shows or obedience trials, personal pleasure or for the guarding or protecting of the householder's property. The occasional raising of a litter of puppies or kittens at the kennel and the occasional sale of puppies or kittens by the keeper of a noncommercial kennel should in no way change the character of the residential property.

Livestock and fowl: Livestock shall include all animals of the equine, bovine and swine class, including goats, sheep, mules, horses, hogs, cattle and other grazing animals. Fowl shall include chickens, geese, ducks, turkeys and other poultry.

Long-Term Tenant: A person who occupies land or property rented from a property owner for 30 days or longer.

Manufactured home: (See MCA 15-1-101(m)) A home built on a non-removable steel chassis or frame. Each transportable unit of a manufactured home has a red certification label on the exterior section and is built according to the Manufactured Home Construction and Safety Standards (HUD Code). A manufactured home does not include a mobile home or house-trailer constructed before the federal Manufactured Home Construction and Safety Standards went into effect on June 15, 1976. Manufactured homes are classified as Type 1, homes that were certified on or after January 1, 1990; and Type 2, homes that were certified prior to January 1, 1990.

Manufactured home park: A residential use in which more than one manufactured home is located on a single lot. This term does not include a parcel composed of individually platted lots, each lot of which is filed with the Yellowstone County clerk and recorder, which contain only one manufactured home per lot.

Marijuana: All plant material from the genus Cannabis containing tetrahydrocannabinol (THC) or seeds of the genus capable of germination.

Mobile home: (See MCA 15-1-101(o)) Forms of housing known as "trailers", "house-trailers", or "trailer coaches" exceeding eight (8) feet in width or forty-five (45) feet in length, designed to be moved from one

place to another by an independent power connected to them, or any trailer, house-trailer, or trailer coach up to eight (8) feet in width or forty-five (45) feet in length used as a principal residence.

Modular home: (See ARM 42.4.201(14)) A home built in a factory setting in units, transported to the home site, placed on a permanent foundation, and joined. Modular homes are required to meet the Building Code adopted by the State of Montana.

Motor vehicle: A two or more wheeled or track vehicle designed to transport one or more persons or properties from one location to another including without limitation: trucks, buses, cars, motorcycles, scooters, farm and industrial equipment.

Nonconforming lot: A lot that was lawful prior to the adoption, revision, or amendment of this zoning code, but that fails by reason of such adoption, revision, or amendment, to conform with the present lot requirements for the zone district in which the lot is located.

Nonconforming structure: A structure or building that was lawful prior to the adoption, revision, or amendment of this zoning code, but which fails by reason of such adoption, revision, or amendment, to conform to the present requirements for a conforming structure in the zone district in which such structure or building is located.

Nonconforming use: A use or activity that was lawful prior to the adoption, revision, or amendment of this zoning code, but which by reason of such adoption, revision, or amendment, is no longer permitted in the zone district in which such use or activity is located.

Office, business and professional: A category of establishments in which services are performed involving administrative, professional, business, or clerical operations. This use includes contractors and others who perform services off-site only if major equipment and materials are not stored at the site and fabrication or similar work is not carried out on the site.

Open storage: The storage for a period of five (5) consecutive days or more of junk, salvage, trash, inoperable vehicles and/or merchandise outside of an enclosed structure.

Owner: A person recorded as such on official records and including duly authorized agent.

Owner-occupied: For the purposes of short-term rentals, a residence that is lived in by the owner or a long-term tenant for the majority of a calendar year.

Parcel: A single tract or parcel of land, no matter how legally described whether by metes and bounds, certificate of survey, and/or by lot or lots and block designation as in a recorded plat, which at the time of applying for a land use is designated by its owner or developer as the tract to be used, developed or built upon as a unit of land under single ownership or control and assigned to the particular use for which the land use approval is being secured and having frontage on or legal access to a public street.

Personal service: A use category for establishments providing non-medical services to individuals as a primary use.

Personal self-service storage: Real property designed and used for the purpose of renting or leasing individual storage space to tenants with access to such spaces for the purpose of storing and removing personal property.

Premises: An area of land with its appurtenances and buildings, which, because of its unity of use, may be regarded as the smallest conveyable unit of real estate.

Principal building: A structure accommodating the principal use to which the property is devoted. Lots with multiple principal uses may have multiple principal buildings, but storage buildings, garages, and other clearly accessory uses shall not be considered principal buildings. A campus may also have more than one principal building or principal use. Campuses may include buildings or uses that would be principal if located off-campus, but which are accessory to the principal use of the campus.

Principal Use: The primary or predominant use to which the property is or may be devoted, and to which all other uses on the premises are accessory.

Project Animal: An animal that is raised exclusively for educational purposes and/or for participation in programs such as F.F.A., 4-H, or other similar types of youth educational programs. This may include any livestock animal of the equine or bovine class.

Public: In reference to a building, structure, utility, facility, or use, "public" means owned and/or operated by a unit of government or an agency of a unit of government, unless the context clearly indicates that "public" is being used in the broader sense of something available to the general populace.

Public recreation facility: Facilities or equipment that are used for public recreational or natural resource purposes that have a relatively low flood damage potential, and do not involve a structure. This includes, without limitation: bicycle, equestrian or pedestrian trails and paths, benches, ball fields, tennis and basketball courts, interpretive facilities, and golf courses.

Public right-of-way width: The perpendicular distance across a public street measured from property line to property line. When property lines on opposite sides of the public street are not parallel, the public right-of-way width shall be determined by the County Public Works Director.

Ranch: A ranch is an area of land that usually serves as a place to raise grazing livestock including sheep, cattle, and lesser-known livestock such as ostrich, elk, American bison, or emu.

Recreational vehicle: A motor home, travel trailer, or camper, all as defined in MCA 61-1-101.

Recreational vehicle park: Any area or tract of land designed or used that contains two (2) or more spaces that are available for rent to the general public for parking or placement of temporary recreational vehicles. This term does not include a parcel composed of individually platted lots.

Salvage yard: A lot or portion of a lot where junk, waste, discarded or salvaged materials are bought, sold, exchanged, baled, stored, packed, disassembled or handled, including auto wrecking activities, building wrecking activities, used lumber places and places for storage of salvaged building materials and equipment; but not including such places where such uses are conducted entirely within a completely enclosed building. This definition includes junkyard.

School: An institution of learning which offers instruction in the several branches of learning and study required to be taught in the schools by the Montana State Board of Education; includes public, private and parochial schools.

Shelter, animal: A facility that is used to house or contain animals and is owned, operated, or maintained by a nonprofit corporation for the purpose of providing temporary kenneling and care for the animals and finding permanent adoptive homes for them.

Short-term rental: The renting or offer to make available (by way of a rental agreement, lease, license or any other means, whether oral or written), for compensation or consideration, of residential property, a dwelling unit, or a portion thereof, for a period of less than thirty (30) consecutive days to a transient guest or guests. See also Tourist home.

Short-term rental unit: A residential dwelling unit, or portion of such a unit, that is rented for compensation or consideration for less than thirty (30) days at a time; does not include dwelling units owned by the federal government, state, or city, or any of their agencies, or facilities licensed by the state as health care facilities.

Stable, private: A detached accessory building in which horses or other beasts of burden owned by the occupant of the premises are kept, and in which no such animals are kept for hire, remuneration or sale, and are kept for the owner's private use only.

Stable, commercial: A stable other than a private stable.

Structure: Anything constructed, erected, or placed with a more or less fixed location on the ground or attached or resting on something having a fixed location on the ground.

Structure, principal: A structure accommodating the principal use to which the property is devoted.

Studio or instruction service: A small-scale facility for the production of or education in a fine art, dance, fitness, or performance program. Examples of these facilities include individual and group instruction and training in the arts and production rehearsal, photography and the processing of photographs produced only by users of the studio facilities, martial arts training studios, and gymnastics instruction and fitness centers. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

Swale: A shallow channel with gently sloping sides that can be used to manage water runoff, filter pollutants, and increase storm water infiltration.

Temporary structure: A structure established for a fixed period of time as established by this code.

Temporary use: A use established for a fixed period of time as established by this code.

Tourist home: A residential dwelling unit, or portion of such a unit, that is rented for compensation or consideration for less than thirty (30) days at a time; does not include dwelling units owned by the federal government, state, city, or any of their agencies, or facilities licensed by the state as health care facilities.

Townhome or townhouse: Property that is owned subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and facilities as provided in MCA Title 70.

Towing service and storage yard: Any lot, structure, or the use of any portion of such lot or structure for the temporary outdoor storage of towed vehicles that are to be claimed by the titleholders or their agents.

Transient guest: A guest for only a brief stay, such as the traveling public.

Trash: Something worth little or nothing.

Travel trailer: See Recreational vehicle.

Travel trailer park: See Recreational vehicle park.

Use: The purpose for which a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained.

Variance: A variance is permission granted by the Planning and Zoning Commission from the numeric or location limitation terms of this zoning code. Variances may be granted in specific cases where it is found that the granting of the variance will not be contrary to the public interest and where, because of special conditions, a literal enforcement of the provisions of the code would result in unnecessary hardship.

Veterinary services: A facility, including an animal hospital for the diagnosis and treatment of pets and other large or small animals including, but not limited to, dogs, cats, birds, and horses; incidental grooming, boarding, or breeding of animals may also be provided.

Zoning Compliance Permit: A permit issued by the Zoning Coordinator for the establishment of a land use, alteration or expansion of a land use or for a building constructed, enlarged, rebuilt, added to or structurally altered after determination the application is in compliance with the regulations set forth in this code.

Zoning coordinator: The person designated by the planning director to oversee the administration of this zoning code, and the zoning coordinator's designee.

ARTICLE _____. OFFICIAL ZONING MAP

A. The Official Zoning Map shall be identified by the signature of the Board of County Commissioners attested by the County Clerk and Recorder and shall bear the words, "Map of Special Planning and Zoning District ____"

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Map shall be located in the office of County Clerk and Recorder and such map shall be the final authority as to the current zoning status of land inside the Planning and Zoning District.

Changes made in district boundaries shall be promptly entered on the Official Zoning Map after amendment by the County Commissioners. Amendments to the Official Map shall not become effective until entered on the map.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the provisions set forth in this Resolution. In the event the Official Map is damaged or destroyed, the Planning and Zoning commission may adopt a new Official Zoning Map. No such map shall have the effect of amending the Original Official Zoning Map or any subsequent amendment thereof.

B. Rules for Interpretation of District Boundaries

1. Boundaries indicated as appearing to follow the centerline of streets, highways or alleys shall be construed to follow such centerlines;
2. Boundaries indicated as appearing to follow platted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as appearing to follow Planning and Zoning District boundaries shall be construed as following Planning and Zoning District boundaries;
4. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
5. Boundaries indicated as following shore lines shall be construed to follow such shore lines. In the event of change in the shore line, they shall be construed as moving with the actual shore line. Boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines. In the event of change in the location of streams, rivers, canals, lakes or other bodies of water, the boundaries shall be construed as moving with the actual body of water and following the centerlines; and
6. Boundaries indicated as parallel to or extensions of features indicated in above Subsections a. through e. above shall be so construed. Distances not specifically indicated on the Official Zoning Map shall be determined by the scale of the map or by specific distances enumerated in a Resolution amending the Official Zoning Map.

C.

Section 4 Effective Date

This Zoning Resolution for the Planning and Zoning District Number 21 shall become effective on the _____ day of _____, 20__.

DATED this _____ day of _____, 20__.

PLANNING AND ZONING DISTRICT 20
PLANNING AND ZONING COMMISSION

Mark Morse
County Commissioner

John Ostlund
County Commissioner

Donald Jones
County Commissioner

Tim Miller
Director, County Public Works

Jeff Martin
County Surveyor, Clerk & Recorder

Doug Clark
Planning and Zoning District #16

Robert Adler
Planning and Zoning District #14

ATTEST:
