

SECTION 15 GENERAL DEVELOPMENT STANDARDS PROVISIONS

~~15.1 Utility Uses. Domestic Wireless Equipment and public utility distribution and transmission lines, both overhead and underground, shall be permitted in all districts without the necessity of first obtaining a land use permit.~~

15.1 Guest Ranches Facilities.

a. The following regulations shall apply to all Guest Ranches:

- (1) Individual Guest Ranch Quarters shall not contain kitchen or cooking facilities. This shall not exclude the provision and use of a central kitchen and ~~cooking~~ dining facilities.
- (2) Each individual guest room will be counted as a Guest Ranch unit as set forth in the Bridger Canyon General Plan.
- (3) Guest ranches shall provide or have direct access to riding trails or other recreational facilities, which ~~will tend to~~ limits off-site automobile travel.
- (4) Guest Ranches shall be on a Parcel or contiguous Parcels of 40 acres or more.
- (5) The number of guests shall be limited to one guest per acre but no more than 80 guests at any one time.

~~b. Guest houses shall not contain kitchen or cooking facilities and shall not be offered for rent or sale as an individual dwelling unit.~~

15.2 Accessory Dwelling Unit.

- a. Only one Accessory Dwelling Unit per parcel of record is permitted (Development Right not required.)
- b. An Accessory Dwelling Unit may be an independent living facility (kitchen and dining are allowed) located within the principal Single-family Dwelling Unit or within a standalone Accessory Building.
- c. Square footage of the Accessory Dwelling Unit shall not exceed 1,200 square feet of livable Floor Area.
- d. The location of any portion of a standalone Accessory Dwelling Unit shall not exceed 150 feet from the principal Single-family Dwelling Unit.
- e. The Accessory Dwelling Unit shall have a shared electrical meter with the principal Single-family Dwelling Unit.
- f. The Accessory Dwelling Unit may not be rented, or sold separately from the principal Single-family Dwelling Unit.
- g. Driveway access to the Accessory Dwelling Unit shall be the same as the principal Single-family Dwelling Unit.

- h. Nothing herein precludes the construction of the principal Single-family Dwelling Unit after an Accessory Dwelling Unit is built provided all applicable regulations are met.
- i. Accessory Dwelling Units are subject to all restrictions in the Regulations applicable to principal Dwelling Units or other Structures including but not limited to setbacks and heights restrictions.
- j. Conversion of Existing Approved Guest Houses or Caretaker's Residences:
 - 1. Any approved Guest House or Caretaker's Residence may continue to be used, subject to continued compliance with conditions attached to the CUP authorizing such use
 - 2. If an approved Guest House or Caretaker's Residence meets all of the above standards for an Accessory Dwelling Unit it will automatically be deemed as such and can be upgraded to an independent living facility (kitchen and dining).
 - 3. If an existing Guest House or Caretaker's Residence does not meet the above standards, for an Accessory Dwelling Unit, a Conditional Use Permit may be requested to convert a Guest House or Caretaker's Residence to an Accessory Dwelling Unit.
- k. With the exception of the process as described above to convert an existing Guest House or Caretaker's Residence to an Accessory Dwelling Unit any property with an existing Guest House or Caretaker's Residence shall not be entitled to an Accessory Dwelling Unit.

15.3 Accessory Buildings and Structures.

- a. Individual Accessory Buildings allowed as a Permitted Use are limited to 2,400 square feet of general Floor Area regardless of the size of the property.
- b. Conditional Use Permit approval is required for any Accessory Building greater than 2,400 square feet of general Floor Area.
- c. Accessory Buildings equal to or less than 200 square feet of general Floor Area are not required to obtain a Land Use Permit.
- d. Structures may include but are not limited to, flagpoles, playground equipment, bird feeders and other similar structures are not required to obtain a land use permit.
- e. Temporary buildings and structures with no permanent foundation that is removed after a specific period of no greater than 90 days, are not required to obtain a land use permit.
- f. All Buildings and Structures shall meet all required regulations including but not limited to setbacks, height, and buildable area, regardless of size or permitting requirements.
- g. Portals and Accessory Solar Energy Systems require Land Use Permits, regardless of minimum size.
- h. Accessory Solar Energy Systems Standards.
 - (1) Height. Accessory Solar Energy Systems are subject to the following height requirements:
 - i. Building or roof-mounted Solar Energy Systems solar energy collections shall meet the maximum Building Height.

ii. Ground or pole-mounted Accessory Solar Energy Systems shall not exceed fifteen (15) feet in height when oriented at maximum tilt.

(2) Setbacks. Accessory Solar Energy Systems shall meet all required setbacks for Structures

15.4 Hillside Standards.

- a. Driveways and roads shall not be located on cross slopes that exceed 30 percent.
- b. No Buildings shall be located on portions of a lot in excess of 30 percent slope.
- c. No part of any Building shall break the silhouette created by the ridgeline and the sky as viewed from any point along an Arterial Road. For the purpose of these guidelines, a canopy of existing trees located on the top of a ridgeline shall be considered a part of the ridgeline.

15.5 Temporary Occupancy. The intent of this Subsection is to provide for temporary occupancy during the construction of a Principal Dwelling Unit, and to accommodate temporary visitors. A temporary Dwelling Unit may be a Recreational Vehicle, Mobile Home, tepee, tent, or yurt. A Temporary Dwelling Unit is required to obtain a Land Use Permit and is subject to the following requirements. Temporary occupancy is a conditional use in all districts and is subject to the following requirements. State Department of Health and Environmental Sciences permits must be obtained when required.

a. Mobile Homes/Tepees.

(1) A property owner may reside in a temporary Dwelling Unit while a Principal Dwelling Unit is under construction, for a maximum of one year, provided: Temporary mobile home or tepee occupancy may be permitted with a special permit issued upon application by the Bridger Canyon Planning and Zoning Commission. Such occupancy shall be limited for a period not to exceed 1 year where all the following conditions exist:

- (a) A Land Use Permit has been approved for a permanent Single-family Dwelling Unit, with a removal date. has been issued;
- (b) Said mobile home or tepee does not violate any valid existing deed restrictions;
- (c) Temporary Dwelling Unit must comply with all siting requirements outlined in the Regulation;
- (d) The temporary site shall be bear-proof;

- (e) Temporary Dwelling Units shall not be moved on site nor utilized for occupancy until sewage disposal and water supply systems are installed that meet all State and County Health Department regulations.

(2) Temporary visitor occupancy of a temporary Dwelling Unit is permitted provided:

(a) Only one (1) temporary Dwelling Unit may be occupied on a residential Lot at any one time.

(b) The temporary Dwelling Unit may not occupy any Lot for a period longer than three (3) weeks in any 90 day time period except for storage purposes of a Recreational Vehicle.

(c) No fire source shall be allowed for any soft wall temporary Dwelling Unit.

b. Work Camps:

~~(1) Highway or Temporary Construction. Occupancy in connection with highway or other temporary construction work may be permitted where all of the following conditions are found to apply:~~

~~(a) When construction work takes place outside urban areas, permanent housing is unfeasible and trailer courts unavailable;~~

~~(b) Temporary housing occupants are bona fide employees of the construction contractor.~~

~~(2) Lumber Camps. Occupancy for lumbering purposes may be permitted provided all the following conditions are found to apply:~~

~~(a) The location of said property is in an area where permanent housing is unfeasible;~~

~~(b) Trailer occupants are bona fide employees of a logging enterprise.~~

~~(3) Mining Camps. Occupancy for mining purposes may be permitted on or near the property where any mine is located, provided the temporary housing is occupied for mining purposes.~~

~~15.4 Site Distance at Intersecting Streets. All intersections shall be free of visual obstruction for a distance of fifty (50) feet in any direction from the intersection.~~

15.6 Bed and Breakfast Inns. All Bed and Breakfast Inns shall be subject to the following supplementary regulations.

- a. The Bed and Breakfast Inn must be the operator's or manager's ~~proprietor's~~ actual residence.
- b. Breakfast shall be the only meal served and shall only be served to registered guests.
- c. There shall be no alteration to the exterior of the ~~structure~~ Building which would change the character thereof. Any alteration to the exterior of the ~~structure~~ Building, which is for the purpose of increasing the number of guest rooms shall be reviewed as a Conditional Use.
- d. The number of guest rooms shall be limited to seven (7).
- e. One parking space per guest room shall be provided, in addition to the two parking spaces required for a Single-family Dwelling Unit. All parking shall be off-street.
- f. Signs shall meet all requirements of Section 16. ~~be of rustic wood with recessed lettering, illuminated by hooded spot lights directed at the sign. Signs shall be mounted or hung on wooden posts, and only one sign per establishment shall be permitted. Moving signs and flashing oscillating lights shall be prohibited. Maximum area of the sign shall be twelve (12) square feet.~~

15.7 Exterior Lighting. All exterior lighting fixtures shall be designed, constructed, and placed in such a manner to ensure that:

- a. Direct or reflected light is not to be directed off the property.
- b. All light sources are shielded. Lighting fixtures shall be downward facing having one hundred percent (100%) cutoff. The light rays may not be emitted by the installed fixture at angles above the horizontal plane, as may be certified by photometric test.
- c. There shall be no lighting of a blinking, flashing, or fluttering nature, included changes in light intensity, brightness or color. The sole exception to this requirement is temporary holiday lights with no commercial message.
- d. Beacon lights are not permitted.
- e. Exterior lights may not be left on all night. Motion, heat, or similar detecting switches may be used.
- f. No lights may be placed at an elevation higher than the tallest Building on the property.

~~Any exterior lighting for any use shall be arranged and shielded so that the light source cannot be seen from adjacent roads or property and so that no direct beams fall upon other private property.~~

- ~~g. All existing lights must be in compliance with the terms of this Regulation within one (1) year of the date of its adoption.~~

15.7 Exterior Appearance.

~~— All single family homes, (except those that are approved through the conditional use permit process to house persons who labor on the same land unit on which such buildings are situated) in the Bridger Canyon Zoning District shall meet the following standards:~~

- ~~— a. No residential building shall exceed thirty five (35) feet in height.~~
- ~~— b. Minimum width of the main portion of any dwelling unit shall be twenty (20) feet.~~
- ~~— c. For structures having a roof pitch of 3:12 or greater the maximum building height shall be 35 feet; Roof pitches of 1:12 or greater and less than 3:12 shall have a height limitation of 30 feet; Roof pitches of less than 1:12 shall have a height limitation of 25 feet.~~

15.8 Dwelling Unit Foundations. All Dwelling Units shall be built on ~~mortared block or concrete~~ permanent foundations (mortar or concrete), including mobile homes and pre-fabricated structures. Tie downs, cinderblocks and other products (hay or wooden platforms) do not constitute a permanent foundation. ~~Adequate openings for access and ventilation shall be provided in each foundation.~~

- ~~e. Metal siding shall run in a horizontal direction and shall be lapped. Wood siding may run in either a horizontal, vertical or diagonal direction.~~
- ~~g. All dwelling units manufactured substantially or entirely off site shall meet current Department of Housing and Urban Development guidelines.~~

15.9 Watercourse and Wetland Vegetative Buffer. Areas of native vegetation within 100 feet of an Ordinary High Water Mary of a Watercourse and/or a delineated Wetland boundary shall be retained. The control and maintenance of noxious weeds, deadfall, and selective pruning may be allowed within the 100-foot area.

15.10 Watercourse/Wetlands Mitigation Plan.

(1) An Applicant may deviate from the 150-foot Watercourse/Wetland setback by submitting a plan proposing measures to mitigate the impacts of the proposed development on the Watercourse/Wetland. A Watercourse/Wetlands Mitigation Plan must be approved by the Planning and Zoning Commission as a Conditional Use in accordance with the Administrative Regulations. A Watercourse/Wetland mitigation plan shall include the following:

- ~~— a. A written explanation of the existing characteristics of the Watercourse/Wetland (e.g. drainage area, average channel width and depth during both peak annual flow and base-flow conditions, slope of streambed,~~

riparian vegetation, flooding history, channel migration history, and erosion problems), fish and wildlife habitat, storm water management, and water quality. It is recommended that the descriptions be supplemented with photographs.

- b. A written explanation of the anticipated impacts of the proposed development on the existing characteristics described above.
- c. A detailed plan describing the proposed protective measures, which may include, but are not limited to: Watercourse/Wetland setbacks, Building Envelopes, vegetated buffers or other appropriate landscaping, stream restoration, the type and/or location of septic systems, stormwater management, etc.
- d. A written explanation of how proposed protective measures will be implemented and enforced.
- e. A written explanation of how proposed protective measures are expected to provide equivalent or better protection of the Watercourse/Wetland-associated resources that the Watercourse/Wetland setback described in these Regulations.
- f. A written explanation of the impact, if any, that the protective measures are expected to have on flood and erosion risks experienced by the subject property and upstream and downstream properties.

(2) Watercourse/Wetland Mitigation Plan Approval. To approve a Watercourse/Wetland mitigation plan, the Zoning Commission shall make the following findings at a public hearing:

- a. The mitigation proposed by the plan is expected to provide equivalent or greater protection of the existing Watercourse/Wetland – associated resources (e.g. fish and wildlife habitat, water quality, riparian vegetation, and overall Watercourse health) than the setbacks described in this Regulation.
- b. The plan includes appropriate and adequate provisions for implementation and enforcement of protective measures.
- c. Implementation of the plan is not expected to adversely impact flood and erosion risks experienced by the subject property and upstream and downstream properties.

15.11 Home Occupation. A Home Occupation is a use that is considered accessory to a Dwelling Unit, and conducted such that the average neighbor, under normal circumstances, would not be aware of its existence. The standards

for Home Occupations included in this section are intended to insure compatibility with other permitted uses and with the residential character of the neighborhood. Unless the Home Occupation requires a CUP, all property owners wishing to carry on a Home Occupation shall obtain written permission from the Gallatin County Planning Department. Conducting a Home Occupation without approval of the Gallatin County Planning Department shall be considered a violation of this Regulation and be subject to the enforcement procedures contained herein.

The following steps shall be followed:

1. The property owner shall request in writing a review of the proposed Home Occupation with an explanation of the Home Occupation addressing all of the standards listed below, and submit this request to the zoning enforcement agent or their designee.
2. The Home Occupation application shall be used.
3. The Planning Department shall approve the written request if the proposed Home Occupation complies with the standards for Home Occupations below.

The following standards apply to Home Occupations:

1. Home Occupation activities shall not be visible or audible beyond the property lines of the dwelling unit in which such Home Occupation is located.
2. Home Occupations shall not include uses involving outside storage, garages or accessory building and storage areas.
3. There shall be no demand for parking beyond that which is required for a single dwelling unit.

Home Occupations Requiring a Conditional Use Permit. Home Occupations, not meeting the above standards, may be approved as a conditional use permit by the Planning & Zoning Commission in residential zoning districts, provided findings in support of such use are approved.

Factors to be included in such review shall include, but are not limited to, the following potential residential neighborhood impacts:

1. Residential neighborhood character
2. Time of operation
3. Type of waste generated and disposal system
4. Adequate water and waste water facilities
5. Excessive noise, dust, vibrations, glares
6. Environmental contamination
7. Substantially increased off-street parking
8. Any other significant or unusual non-residential neighborhood impacts

15.12 Refuse Storage.

- a. All refuse shall be stored in animal-proof containers or made unavailable to all domestic and wild animals. Refuse containers shall be stored on the property out of sight except within 24 hours of the pickup.
- b. Community refuse containers (dumpsters) shall not be visible from a height of five feet (5') above grade from any adjacent road or property. To screen visibility of a refuse container a solid fence may be constructed at a sufficient height to conceal a refuse container.

15.13 Parking Requirements for AE and RF Zoning Districts.

- a. Two (2) off-street Parking spaces shall be provided for each Dwelling Unit.
- b. One (1) off-street Parking space shall be provided for each three hundred (300) square feet in any private fishing or hunting Club Building.
- c. One (1) off-street Parking space shall be provided for each one hundred (100) square feet in any stand for the sale of products produced on the premises.
- d. One (1) off-street Parking space shall be provided for each classroom and administrative office in any school together with one (1) off-street Parking space for each ten (10) seats in any Building designed for public assembly.
- e. Parking required for other Uses shall be set forth by the Gallatin County Zoning Enforcement Agent subject to appeal as outlined in the Regulation.

15.8 Bridger Bowl Base Area Employee Housing

~~Intent: Employee housing is intended to serve as a residence for seasonal Bridger Bowl Base Area employees. All employee housing in the Bridger Bowl Base Area shall be subject to the following supplementary regulations. Plans and renderings required by this section shall be submitted as part of the conditional use permit process.~~

- ~~a. All employers of ten or more full time equivalent employees are required to provide housing for a minimum of 10% of their employees. Calculation of the total number of employees that will be generated shall be based on the following:~~

Retail	2 emp. units/1,000 sq. ft.
Service	2 emp. units/1,000 sq. ft.
Restaurants/Bars	1 emp. unit/500 sq. ft.
Offices	2 emp. units/1,000 sq. ft.

Overnight Accommodations	1 emp. unit/5 rooms
Ski Lift	1 emp. unit/60 persons of lift capacity per hour

For uses not listed, the provisions of Section 4.5 shall apply.

- ~~b. The table provided in (a) is based on peak seasonal use. Subject to approval by the Zoning Commission, employers may enter into written agreements to share employee units on a seasonal basis. Written agreements shall be filed in the office of the Gallatin County Clerk and Recorder.~~
- ~~c. Employee housing shall contribute to the image of a cohesive development by incorporating consistent design elements, including building scale and form. Employee housing shall be subject to the design review criteria set forth in Sections 10.9 and 11.9.~~
- ~~d. There shall be a minimum of 150 net livable square feet of living area per person. Net livable square footage does not include interior or exterior hallways, parking, patios, decks, common lounges, laundry rooms, mechanical areas and storage.~~
- ~~e. Bathrooms shall be shared by no more than four persons, contain one toilet, one lavatory, one bathtub with a shower and a total area of at least 60 square feet.~~
- ~~f. Efficiency and studio employee housing units kitchen facilities shall contain a sink, stove and refrigerator, shall be shared by no more than four persons and shall contain at least 60 square feet.~~
- ~~g. Twenty square feet of enclosed storage per employee shall be provided either within or adjacent to the unit.~~
- ~~h. Employee housing shall be located within walking distance of the job site or shuttle service shall be provided.~~
- ~~i. Employee housing units are excluded from the limitation of 800 density rights as set forth in the Bridger Bowl Base Area Plan.~~
- ~~j. For phased developments, employee housing can also be completed in phases. For each phase, employee housing must be provided in accordance with the number of employees generated.~~
- ~~k. Employee housing shall be owned by employers or by an employers consortium and shall be leased or included as wages. Employee housing shall be occupied only by persons who work in the Base Area and their families.~~