

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.~~

~~15.12 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 limit 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.~~

~~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.~~

~~a. Only one Accessory Dwelling per parcel of record is permitted (Development Right not required.)~~

~~b. An Accessory Dwelling may be either an independent living facility located within the principal dwelling, within another Accessory Building or a standalone Building.~~

~~c. Maximum square footage of the Accessory Dwelling shall not exceed 1,200 square feet of Livable Floor Area.~~

~~d. The location of the standalone Accessory Dwelling shall not exceed 150 feet from the Principal Dwelling Unit.~~

~~e. The Accessory Dwelling shall have a shared electrical meter with the Principal Dwelling.~~

~~f. The Accessory Dwelling cannot be rented, or sold separately from the Principal Dwelling Unit.~~

~~g. Driveway access to the Accessory Building shall be the same as the Principal Dwelling Unit.~~

~~h. Nothing herein precludes the construction of the Principal Dwelling Unit after an Accessory Dwelling is built provided all applicable regulations are met.~~

15.3 Accessory Buildings and Structures.

- a. A CUP is required for any Accessory Structure with Greater than 2,400 square feet or more of general. Floor Area Accessory Structure—CUP required.
- b. Structures excluded from obtaining a Land Use Permit to include roads, driveways, and Structures equal to or less than 120 square feet on a non-permanent foundation. All Structures still must meet all required regulations (i.e. setbacks, height, and buildable area).
- c. Structures requiring minor Land Use Permits include: Portals and Accessory Solar Energy Systems.
- d. Accessory Solar Energy Systems Standards.
 - (1) Height. Active Accessory Solar Energy Systems are subject to the following height requirements:
 - i. Building or roof-mounted Solar Energy Systems solar energy collectors 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 Buildable Area. Aggregate buildable area for all Buildings on a lot shall be based upon the following:

<u>LOT SIZE</u> <u>(ACRES)</u>	<u>BUILDABLE AREA</u> <u>ALLOWED</u>
<u>Greater than or equal</u> <u>to 10 acres</u>	<u>1 acre</u>
<u>Less than 10 acres</u>	<u>10% of Lot Size</u>

15.4 Hillside Standards.

- a. Driveways and rRoads shall not be located on cross slopes that exceed 30 percent.
- b. No Building 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 the designated major roadway corridors of Bridger Canyon Road (Hwy 86), Jackson Creek Road, and Kelly Canyon 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, and to accommodate temporary visitors. A temporary Dwelling Unit may include be a rRecreational vVehicle, Mobile Home, tepee, tent, or yurt. Temporary occupancy in accordance with this Section 15.6 shall not be deemed a Short Term Rental. 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 pPrincipal Dwelling Unit is under construction, 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 H and U use P permit has been approved for a permanent D dwelling Unit .has been issued;

(b) The temporary occupancy shall not exceed one (1) year. The Zoning Enforcement Agent may approve a six (6) month extension provided all exterior work on the pPrincipal Dwelling Unit has been completed. Only one (1) extension may be granted. Said mobile home or tepee does not violate any valid existing deed restrictions;

(c) The T temporary Structure dwelling must compliesy with all siting setback requirements. outlined in the Regulation;

~~(d) The temporary site shall be bear proof;~~

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

(a) Only one (1) tTemporary 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 rRecreational vVehicle.

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

~~(d) (e) Temporary dwellings 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.~~

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.~~

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

15.7 Bed and Breakfast Inns. All ~~B~~bed and ~~B~~breakfast ~~I~~inns shall be subject to the following supplementary regulations.

a. The ~~B~~bed and ~~B~~breakfast ~~I~~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 ~~D~~wellling 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.~~

15.8 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 confined to the area needing it and that it is not directed off the property.~~
- b. ~~All light sources are shielded. Lighting fixtures shall be down-type having one hundred (100) percent 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, including changes in light intensity, brightness or color. The 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~~ shall be in compliance with the terms of this Regulation within one (1) year of the date of its adoption.~~

15.9 Exterior Appearance. ~~All Buildings and Structures 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. Maximum Building Height shall be 35 feet for Buildings with a roof pitch equal to or greater than 1:4. Maximum Building Height shall be 25 feet for Buildings with a roof pitch less than 1:4. Multiple pitch roofs would need to meet the height limit for that portion of roof dependent on type of pitch. Architecture features such as belfries, cupolas, chimneys, and parapet walls shall be allowed to extend no more than 3 feet above the maximum Building Height.~~
- b. Minimum width of the main portion of any pPrincipal Dwelling Unit ~~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.~~
- d. ~~All Dwellings Units shall be built on mortared block or concrete permanent foundations. 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.~~

- ~~fd.~~ All ~~pPrincipal Dwelling Units~~ ~~units~~ manufactured substantially or entirely off-site shall meet current Department of Housing and Urban Development guidelines.

15.10 Setbacks. Minimum setbacks for Buildings and Structures shall be:

- a. Fifty (50) feet from any property line.
- b. One hundred ~~and~~ twenty-five (125) feet from any public right-of-way or public road easement.
- c. One hundred ~~and~~ fifty (150) feet from any Watercourse measured from the Ordinary High Water Mark.
- d. One hundred ~~and~~ Fifty (150) feet from any Wetland measured from the delineated Wetland boundary.

15.11 Watercourse and Wetland Vegetative Buffer. Areas of native vegetation within 100 feet of an Ordinary High Water Mark 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.

15.12 Watercourse Mitigation Plan.

(1) An Applicant may submit a deviation from the 150-foot Watercourse setback by submitting a plan proposing measures to mitigate the impacts of the proposed development on the Watercourse. A Watercourse mitigation plan shall include the following:

- a. A written explanation of the existing characteristics of the ~~W~~watercourse (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, erosion problems, etc), fish and wildlife habitat, ~~W~~wetlands, 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 setbacks, ~~B~~building ~~E~~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-associated resources that the ~~W~~watercourse 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 Mitigation Plan Approval. To approve a Watercourse mitigation plan, the Planning and 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 existing Watercourse – associated resources (e.g. fish and wildlife habitat, water quality, riparian vegetation, and overall Watercourse health) than the setbacks described in the Regulations.

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.

15.13 Home Occupation. All Home Occupations in the Bridger Canyon Zoning District shall meet the following standards:

a. All Home Occupations shall be conducted entirely within the Dwelling Unit or an Accessory Building.

b. No Home Occupation shall occupy more than 20 percent of the general gross floor area occupied by Structures on the land.

c. Generation of more than five (5) additional daily round trips by any Home Occupation is prohibited.

d. There shall be no display or evidence apparent from the exterior of the principal Dwelling Unit or Accessory Building that a Home Occupation is being conducted, with the exception of signs.

e. Employees shall be limited to residents of the principal Dwelling Unit and one additional employee.

f. The storage of any materials and/or solid waste associated with a Home Occupation shall be within an enclosed Building or effectively screened from view from neighboring homes and public ways by its location on the property, a fence or wall, or a year around densely planted landscape buffer.

g. Home Occupation shall not create noise of a type, duration, or intensity which, measured at the property line, exceeds 60 dBA between the hours of 7 am and 7 pm. No noise shall be created by the Home Occupation between the hours 7 pm and 7 am that is detectable to normal sensory perception at the property line.

h. Home Occupations shall not solicit or attract walk-in customers.

i. See signs regulations in accordance with Section 16.

15.14 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 site 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.

15.15 Parking Requirements for AE and RF Zoning Districts.

- a. Two (2) off-street 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.

15.16 Short Term Rentals:

- a. Restrictions. Short Term Rentals are prohibited within the RF and AE zoning Districts except of guest rooms at Bed & Breakfast Inns or Guest Ranch.
- b. Advertisement. Advertising of Short Term Rentals, or availability of a Dwelling Unit, Accessory Building, or portion of either of them, for a Short Term Rental, other than Short Term Rentals located in zoning districts where allowed, shall be considered presumptive evidence of the owner's or agent's intent to lease or operate Short Term Rentals. Advertisement of Short Term Rentals may subject owners or agents to enforcement action under this 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:

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

- ~~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.~~

|

DRAFT