

## LAUREL/YELLOWSTONE COUNTY APPROVED USES

**Chapter 17.16****RESIDENTIAL DISTRICTS****Sections:****17.16.010 List of uses.****17.16.020 Zoning classified in districts.****17.16.010 List of uses.**

Table 17.16.010 designates the special review (SR) and allowed uses (A) in residential districts. (Ord. 04-1 (part), 2004; Ord. 01-4 (part), 2001; Ord. 99-22, 1999; Ord.

96-5 (part), 1996; Ord. 1049, 1992; Ord. 1026, 1992; Ord. 997, 1991; prior code § 17.28.010)

**17.16.020 Zoning classified in districts.**

Zoning for residential districts is classified in and subject to the requirements of Table 17.16.020. (Ord. 06-12 (part), 2006; Ord. 06-06 (part), 2006; Ord. 05-13, 2005; Ord. 99-23, 1999; Ord. 96-5 (part), 1996; Ord. 94-5, 1994; Ord. 1068, 1993; Ord. 1065, 1993; Ord. 820, 1985; prior code § 17.28.020)

**Table 17.16.010**

	<b>RE 22,000</b>	<b>R 7,500</b>	<b>R 6,000</b>	<b>RLMF</b>	<b>RMF</b>	<b>RMH</b>	<b>PUD</b>	<b>SR</b>	<b>RT</b>
Accessory building or use incidental to any permitted residential use customarily in connection with the principal building and located on the same land parcel as the permitted use		A	A	A	A	A	A	A	A
Animals (see zoning district description for specifics)								A	
Automobile parking in connection with a permitted residential use		A	A	A	A	A	A	A	A
Bed and breakfast inn		SR	SR	SR	SR	SR	SR	SR	SR
Boarding and lodging houses		SR	SR	SR	SR	SR	SR	SR	SR
Cell towers (see Sections 17.21.020—17.21.040)									
Cemetery		SR	SR	SR	SR	SR	SR	SR	
Child care facilities									
Family day care home		A	A	A	A	A	A	A	A
Group day care home		A	A	A	A	A	A	A	A
Day care center		SR	SR	SR	SR	SR	SR	SR	SR
Churches and other places of worship including parish house and Sunday school buildings		SR	SR	SR	SR	SR	SR	A	SR
Communication towers (see Sections 17.21.020—17.21.040)									
Community residential facilities serving eight or fewer persons		A	A	A	A	A	A	A	A
Community residential facilities serving nine or more persons		SR	SR	SR	SR	SR	SR	SR	SR
Orphanages and charitable institutions		SR	SR	SR	SR	SR	SR	A	SR
Convents and rectories		SR	SR	SR	SR	SR	SR	A	SR
Crop and tree farming, greenhouses and truck gardening									
Day care facilities		SR	SR	SR	SR	SR	SR	SR	SR
Kennels (noncommercial)		A	A	A	A	A	A	A	A
Dwellings Single-family		A	A	A	A	A	A	A	A
Two-family			A	A	A		A		
Multifamily				A	A		A		

	<b>RE 22,000</b>	<b>R 7,500</b>	<b>R 6,000</b>	<b>RLMF</b>	<b>RMF</b>	<b>RMH</b>	<b>PUD</b>	<b>SR</b>	<b>RT</b>
Manufactured homes									
Class A						A			
Class B						A			
Class C						A			
Row Housing				SR	SR		A		
Family day care homes		A	A	A	A	A	A	A	A
Greenhouses for domestic uses		A	A	A	A	A	A	A	A
Group day care homes		A	A	A	A	A	A	A	A
Home occupations		A	A	A	A	A	A	A	A
Parking, public		SR	SR	SR	SR	SR	SR	SR	SR
Parks, playgrounds, playfields, and golf courses community center buildings—operated by public agency, neighborhood or homeowners' associations		A	A	A	A	A	A	A	A
Planned developments							A		
Post-secondary school		A	A	A	A	A	A	A	A
Preschool		SR	SR	SR	SR	SR	SR	SR	SR
Public service installations		SR	SR	SR	SR	SR	SR	SR	SR
Schools, commercial		SR	SR	SR	SR	SR	SR	SR	SR
Schools, public elementary, junior and senior high schools		A	A	A	A	A	A	A	A
Towers (see Sections 17.21.020— 17.21.040)									

**Table 17.16.020**

<b>Zoning Requirements</b>	<b>R 7,500</b>	<b>R 6,000</b>	<b>RLMF</b>	<b>RMF</b>	<b>RMH</b>	<b>PUD</b>	<b>SR</b>	<b>RT</b>
Minimum lot area per dwelling unit in square feet								
One unit	7,500	6,000	6,000 <sup>1</sup>	6,000 <sup>1</sup>	6,000 <sup>3</sup>	See	5 acres	1 acre
Two units		7,500	7,500	7,500		Chapter		
Three units		8,500	8,500	8,500		17.32		
Four units			10,000	10,000				
Five units				11,500				
Six units and more				Add 1,500 each additional unit				
Minimum yard—setback requirements (expressed in feet) and measured from public right-of-way								
Front	20	20	20	20	10		25 <sup>5</sup>	25
Side	5	5 <sup>4</sup>	5 <sup>4</sup>	5 <sup>4</sup>	5		5 <sup>5</sup>	5
Side adjacent to street	20	20	20	20	20		10 <sup>5</sup>	10
Rear	5	5	5	5	5		25 <sup>5</sup>	25
Maximum height for all buildings	30	35	35	NA <sup>2</sup>	30		30	30
Maximum lot coverage (percentage)	30	30	40	55	40		15	30
Minimum district size (expressed in acres)	2.07	2.07	2.07	2.07	2.07		20	5

<sup>1</sup> Row housing may be permitted to be constructed on 3,000 square foot lots if approved through the special review process.

<sup>2</sup> NA means not applicable.

<sup>3</sup> The requirements for the mobile homes contained herein relate only to a mobile home subdivision; see Chapter 17.44 of this code for the requirements for a mobile home park.

<sup>4</sup> Zero side setbacks may be permitted if approved through the special review process.

<sup>5</sup> All pens, coops, barns, stables, or permanent corrals shall be set back not less than 50 feet from any residence, public road, or water course, and any property line.

**Chapter 17.20****COMMERCIAL—INDUSTRIAL USE  
REGULATIONS****Sections:****17.20.010 List of uses.****17.20.020 Zoning classified in  
districts.****17.20.010 List of uses.**

Table 17.20.010 designates the special review (SR) and allowed (A) uses as gov-

erned by commercial — industrial use regulations. (Ord. 04-1 (part), 2004; Ord. 01-4 (part), 2001; Ord. 96-5 (part), 1996; Ord. 998, 1991; Ord. 923, 1987; Ord. 922, 1987; Ord. 917, 1987; prior code § 17.32.010)

**17.20.020 Zoning classified in districts.**

Zoning for commercial — industrial use is classified in and subject to the requirements of Table 17.20.020. (Prior code § 17.32.020)

Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Accessory buildings or uses incidental and customary to a permitted residential use and located on the same parcel as the permitted residential use	A	A	A	A	A	A	A	A	A
Airports	A								A
Alcoholic beverages manufacturing and bottling (except below):							A	A	
1,500 to 5,000 31-gallon barrels per year				SR	SR	SR	A	A	
Less than 1,500 gallon barrels per year				A	A	A	A	A	
Ambulance service			A	A	A	A	A	A	
Antique store				A	A	A	A		
Appliance - (household) sales and service			A	A	A	A	A		
Assembly halls and stadium					SR	SR	SR		SR
Assembly of machines and appliances from previously prepared parts					SR	SR	SR		SR
Auction house, excluding livestock				SR	SR	A	A	A	
Auction, livestock	SR								
Automobile sales (new and used)				A	A	A	A		
Automobile - commercial parking enterprise				A	A	A	A	A	
Automobile and truck repair garage				A	A	A	A	A	
Automobile service station			A	A	A	A	A	A	
Automobile wrecking yard								SR	
Bakery products manufacturing					SR	A	A	A	
Bakery shops and confectioneries			A	A	A	A	A		
Banks, savings and loan, commercial credit unions			A	A	A	A	A		
Barber and beauty shops			A	A	A	A	A		
Bed and breakfast inns	A		A		A	A			
Bicycle sales and repair			A	A	A	A	A		
Blueprinting and photostating			A	A	A	A	A		
Boarding and lodging houses	A		A		A	A			
Boat building and repair						A	A	A	
Boat sales new and used					A	A	A	A	
Boiler works (manufacturing servicing)								A	
Boiler works (repair and servicing)							A	A	
Book and stationery store			A	A	A	A	A		
Bottling works							A	A	
Bowling alleys				A	A	A	A		
Brick, tile or terra cotta manufacture								A	
Bus passenger terminal buildings local and cross country				A	A	A	A		
Bus repair and storage terminals						A	A	A	

Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Camera supply stores			A	A	A	A	A		
Camps, public					SR	A			A
Car washing and waxing					A	A	A		
Car wash - coin operated			A	A	A	A	A		
Cement, lime and plastic manufacture								A	
Ceramics shop		SR	A	A	A	A	A		
Chemical and allied products manufacture								A	
Child care facilities	A		A		A	A			
Churches and other places of worship including parish houses and Sunday school building	A	SR	A	A	A	A	A	A	
Clinic, animal	A		A	A	A	A	A		
Clinics, medical and dental		SR	A	A	A	A	A		
Clothing and apparel stores			A	A	A	A	A		
Coal or coke yard								A	
Cold storage					A	A	A		
Colleges or universities			A	A	A	A			A
Commercial recreation areas			SR	A	A				A
Commercial food products, storage and packaging						SR	A	A	
Communication towers (commercial)	A	A	A	A	A	A	A	A	SR
Concrete mixing plants and manufacturing of concrete products							A	A	
Construction contractors:									
Office			A	A	A	A	A	A	
Open storage of construction materials or equipment						SR	A	A	
Community residential facilities									
Adult foster family care home	A		A		A	A			
Community group home	A		A		A	A			
Halfway house	A		A		A	A			
Youth foster home	A		A		A	A			
Youth group home	A		A		A	A			
Nursing, homes, convalescent homes, orphanages, and charitable institutions	A		A		A	A			
Crematorium						SR	A	A	SR
Creameries, dairy products manufacturing							A	A	
Creosote manufacturing or treatment plants								A	

Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Department stores				A	A	A	A		
Drug stores			A	A	A	A	A		
Dry kiln								A	
Dwellings: single-family manufactured home	A	A	A	A	A				
Class A									
Class B									
Class C									
two family			A	A	A				
multiple family			A	A	A				
row housing			SR	SR	SR				
Eating and drinking establishments:									
Cocktail lounge, restaurants, bars and taverns				SR	SR	SR	SR		
Restaurants (without the sale of alcoholic beverages)				A	A	A	AA		
Drive-in restaurants					SR	SR	SR		
Extractive industries - excavations of sand and gravel		SR					SR		
Farm implements, sales and service						A	A	A	
Fat rendering or production of fats and oils								SR	
Feedlots - livestock	A							SR	
Feed and seed processing and cleaning for retail purposes									
Feed and seed - farm and garden retail sales					A	A	A		
Fertilizer manufacturing								SR	
Fertilizer wholesale sales						SR	SR	A	
Fertilizer - retail sales					A	A	A		
Florist, wholesale sales	SR				A	A	A		
Florist, retail sales			A	A	A	A	A		
Flour mills							SR	SR	
Food products manufacturing, storage and processing						SR	SR	A	
Food stores (retail only)				A	A	A	A		
Food stores (retail only) - 3000 sq. ft.			A	A	A	A	A		
Foundry								A	
Frozen food lockers					A	A	A		

Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Fuel oil, gasoline and petroleum products bulk storage or sale						A	A	A	
Furnace repair and cleaning					A	A	A	A	
Furniture and home furnishings, retail sales			A	A	A	A	A		
Furriers, retail sales and storage			A	A	A	A	A		
Gambling establishments				A	A	A	A		
Garbage, offal and animal reduction or processing							SR		
Garbage and waste incineration								SR	
Gas storage								SR	
Gases or liquified petroleum gases in approved portable metal containers for storage or sale						A	A	A	
Grain elevators	A					SR	SR	A	
Greenhouses	A				A	A	A	A	
Hardware, appliance and electrical supplies, retail sales				A	A	A	A		
Hatcheries	A						SR	SR	
Heliports				SR		SR	SR	SR	SR
Hobby and toy stores			A	A	A	A	A		
Hospitals (for the care of human patients)			A	A	A	A		A	
Hospital, animal		A		SR	SR	A	A	A	
Hotels				A	A	A			
Industrial chemical manufacture except highly corrosive, flammable or toxic materials								SR	
Irrigation equipment sales and service					A	A	A	A	
Jails and penal institutes									A
Janitor service				A	A	A	A		
Jewelry and watch sales			A	A	A	A	A		
Kennels - commercial	A				SR	A	A		
Laboratories for research and testing						SR	A	A	
Landfills - reclamation or sanitary									A
Laundries, steam and drycleaning plants							A	A	
Laundries, steam pressing, drycleaning and dyeing establishments in conjunction with a retail service counter under 2500 sq. ft. in size			A	A	A	A	A		
Laundries, pick up stations			A	A	A	A	A		
Laundries, self-service coin operated			A	A	A	A	A		
Libraries, museums, and art galleries			A	A	A	A	A		A
Lock and gunsmiths			A	A	A	A	A		
Lodges, clubs, fraternal and social organizations provided that any such club establishment shall not be conducted primarily for gain				A	A	A			
Lumber yards, building materials, storage and sales						A	A	A	
Machine shops						SR	A	A	
Manufacturing - light manufacturing not otherwise mentioned in which no excessive fumes, odors, smoke, noise or dust is created						SR	A	A	
Heavy manufacturing not otherwise mentioned or blending or mixing plants						SR	SR		
Meat processing - excluding slaughter plants						SR	A		
Meat processing, packing and slaughter								SR	
Medical marijuana cultivation facility or cultivation facility							A	A	
Medical marijuana dispensary or dispensary							A		
Metal fabrication						SR	SR	A	
Motorcycle sales and repair				A	A	A	A		
Mortuary			A	A	A	A	A		
Motels and motor courts				A	A	A	A		
Music stores			A	A	A	A	A		



Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Office building, professional government and private office buildings in which no activity is carried on catering to retail trade and no stock of goods is maintained for sale	SR	SR	A	A	A	A	A	A	SR
Office equipment, supplies and service			A	A	A	A	A		
Optician and optical supplies and sales			A	A	A	A	A		
Oxygen manufacturing and/or storage								A	
Paint and body shops				A	A	A	A	A	
Paint and retail sales			A	A	A	A	A		
Parking, public		SR	A	A	A	A	A	A	A
Parks, playgrounds, playfields and golf courses, community center buildings - operated by public agency, neighborhood or homeowner's association	A	SR							A
Pawn shops				A	A	A	A		
Pet shops			A	A	A	A	A		
Photographic studios		SR	A	A	A	A	A		
Planing or saw mills								A	
Post-secondary school	A	A	A	A	A	A			A
Prefabricated building materials assembly and manufactures						SR	A	A	
Preschool	A	SR	SR	SR					
Printing, publishing, reproduction and lithography				A	A	A	A	A	
Processing of previously slaughtered meats, including cutting, wrapping, and freezing by freezer and locker provisioners					A	A	A	A	
Public utilities service installations	SR	SR	SR	A	A	A	A	A	SR
Public utilities storage yard						A	A	A	SR
Radio and TV broadcasting stations				A	A	A	A	A	
Radio and TV tower						A	A	A	SR
Railroad yard							A	A	
Real estate office			A	A	A	A	A		
Rental service store and yard					A	A	A		
Repair and servicing of industrial equipment and machinery						A	A	A	
School, commercial			A	A	A	A			A
Scrap yards - storage and processing								A	
Secondhand stores and/or antique store				A	A	A	A		
Sheet metal shops and processing							A	A	
Shoe repair				A	A	A	A	A	
Sign manufacturing, painting and maintenance						A	A	A	
Sign									
Billboards	SR					SR	SR	SR	
On premises	A	SR	A	A	A	A	A	A	
Off premises	SR			SR	SR	SR	SR	SR	
Slaughterhouse	SR							SR	
Sporting goods sales				A	A	A	A		
Storage, compartmentalized storage for commercial rent			SR		A	A	A	A	
Storage and warehouse and yards						A	A	A	
Stone cutting, monuments manufacturing and sales						A	A	A	
Sugar and sugar beet refining								SR	
Swimming pools or beaches, public									A
Taxi stands				A	A	A	A		
Theaters, cinema, opera houses				A	A	A			
Drive-in theaters						SR			
Tire recapping and retreading						A	A	A	
Trailer and recreational vehicle sales area					A	A	A		
Travel trailer park (transient)						SR			
Truck terminals, repair shops, hauling and storage yards						A	A	A	
Water and sewage treatment plant	A								A
Wholesale and jobbing establishments						SR	A	A	

Table 17.20.010									
	AG	RP	NC	CBD	CC	HC	LI	HI	P
Woodworking shops, millwork						SR	A	A	
Zoo, arboretum	SR								A

(Ord. No. 009-01, 3-17-09; Ord. No. 009-07, 7-7-09; Ord. No. 011-01, 2-15-2011)

Table 17.20.020									
Zoning Requirements	A	RP*	NC*	CBD*	CC*	HC	LI	HI	P
Lot area requirements in square feet, except as noted, 20 acres	20 acres	NA	NA	NA	NA	NA	NA	NA	NA
Minimum yard requirements:									
Front <sup>(a)</sup>	NA	20	20	NA	20	20	20	20	20
Side <sup>(b)</sup>		0	0		0	0	0	0	0
Side adjacent to street		10	10		10	10	10	10	10
Rear <sup>(b)</sup>		0	0		0	0	0	0	0
Maximum height for all buildings <sup>(c)</sup>	NA	25	25	NA	25	45	70	NA	NA
Maximum lot coverage in percent	NA	50	50	NA	50	75	75	75	50
Minimum district size (expressed in acres)	20 acres	2.07	2.07	2.07	2.07	2.07	2.07	2.07	NA
(NA means not applicable)									
*The lot area, yard and lot coverage requirements for dwellings in commercial zoning districts shall be the same as those in the RLMF residential zoning district.									
(a) Arterial setbacks									
(b) Side and rear yards									
(c) Except as provided in the airport zone									

## POWELL COUNTY APPROVED RESIDENTIAL USES

## **V-E. District No. 4 (40-acre minimum residential lot size)**

**V-E-1. General location** – Nevada Creek Reservoir area, within sections 13, 14, and 24 of T12N, R10W; that area along US 12, from Garrison to MacDonald Pass, from a line 1/2 mile north of the north right-of-way boundary to 1/2 mile south of the south right-of-way boundary, excluding District No. 2 (Dana Ranch area), and any Rural Community Districts; also that area west of I-90, excluding the I-90 Strip district, and south of District No. 2 (the Dana Ranch area), from the southeast boundary 7 miles, then east 3 miles, south 1 mile and then continuing south along the National Forest boundary to the county's border, going west to the District No. 1 boundary, then north along District No. 1 to the southwest boundary of District No. 2, all as more specifically depicted on the official map in the Planning Department.

**V-E-2. Characteristics** – A land use district in which the dominant uses are of agricultural and timber operations and other related activities. This district emphasizes protection of open spaces, watersheds, grazing lands, fish and wildlife resources, soil and water resources, and its agricultural lifestyle and economy. Permitted outdoor recreational activities include accessory non-residential uses and on-site resource-oriented industrial uses including agricultural, mineral- and timber-related operations.

**V-E-3. Specific standards** – Residential developments that are not consistent with agricultural or timber operations are discouraged. Rural residential developments at a very low density that do not have negative consequences to agricultural and timber operations and other related activities are allowed. In order to provide flexibility and allow creativity in subdivision design, clustering of residences and seasonal homes through the use of PUDs as authorized by these regulations and approved by a CUP, and other innovative concepts are encouraged when they are located in areas suitable for such developments.

a. Permitted Land Uses (No Development Certificate required)

- i. Agricultural uses.
- ii. Residential accessory structures and agricultural accessory structures.
- iii. Home occupation.

b. Permitted Land Uses (Development Certificate required)

- i. Single family residential structures.
- ii. Expansion of existing non-residential uses by less than 1/2 larger than the original permitted use.

c. Conditional Land Uses (CUP required)

- i. New non residential structures or uses.
- ii. Expansion of existing non-residential structures or uses by more than 1/2 except for agricultural accessory structures.
- iii. Multi-family dwelling units.
- iv. More than one residential structure on one parcel. A permit may be denied if it appears to be an attempt to evade the Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision Regulations.
- v. Manufactured or mobile home parks.
- vi. RV parks.
- vii. Commercial feed lots, pig farms or chicken farms.

d. Minimum Specifications

- i. New lots created for single family residential use must be at least 40 acres in size or be able to be described as a 1/16 aliquot part of a U.S. Government section. A survey may be required.
- ii. Lots for non-residential uses shall be large enough to accommodate structural and traffic circulation needs, and to accommodate a water and sewer/septic system.
- iii. Any subdivision containing lots smaller than 40 acres must be part of a PUD, have an average density of not more than one residence per 40 acres except as otherwise authorized by these regulations, and be authorized by a CUP. Such developments must address impacts on natural and cultural resources as well as social values and existing uses. PUDs or other developments that would result in strip development along highways will not be allowed.
- iv. Family transfers as listed in the Montana Subdivision and Platting Act are allowed provided they are not an attempt to evade the Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision Regulations. New lots created under the family transfer exemption from subdivision review must not be smaller than the minimum sizes required for Tri-county Sanitarian or DEQ water and sewer/septic approval.
- v. Boundary relocations as listed in the Montana Subdivision and Platting Act are allowed, provided they are not an attempt to evade Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision

Regulations. Resulting lots must not be smaller than the minimum sizes required for Tri-county Sanitarian or DEQ water and sewer/septic approval.

## **V-C. District No. 2 (20-acre minimum residential lot size)**

**V-C-1. General location – Cooper’s Lake** area, Sections 6 and 7 of T15N, R10W; also, the district east of the **Nevada Creek Reservoir** area, north of State Hwy. 141, Sections 18 and 19 of T12N, R09W; also, the **Hoover Creek** area, Sections 27, 28, 29, 32, 33 and 34 of T12N, R11W, and Sections 1, 3, 4, 5, 9, 10, 11 and 12 of T11N, R11W; also, the **Dana Ranch** area, south of District No. 4 along U.S. 12, Sections 12, 13 and 14, T09N, R09W, all as more specifically depicted on the official map in the Planning Department.

**V-C-2. Characteristics** – A land use district offering a rural living environment with no urban services. Permits residential developments in a rural setting at a moderately low density. Encourages agricultural related uses and outdoor or seasonal recreational and related commercial uses. Industrial or institutional or public uses having a special need to locate in this rural area may be permitted subject to review.

### **V-C-3. Specific standards**

- a. Permitted Land Uses (No Development Certificate required)
  - i. Agricultural uses.
  - ii. Residential accessory structures and agricultural accessory structures.
  - iii. Home occupation.
- b. Permitted Land Uses (Development Certificate required)
  - i. Single family residential structures.
  - ii. Expansion of existing non-residential uses by less than 1/2 larger than the original permitted use.
- c. Conditional Land Uses (CUP required)
  - i. New non residential structures or uses.
  - ii. Expansion of existing non-residential structures or uses by more than 1/2 except for agricultural accessory structures.
  - iii. Multi-family dwelling units.
  - iv. More than one residential structure on one parcel. A permit may be denied if it appears to be an attempt to evade the Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision Regulations.

- v. Manufactured or mobile home parks.
  - vi. RV parks.
  - vii. Commercial feed lots, pig farms and chicken farms. It is a rebuttable presumption that uses such as commercial feedlots, pig farms or chicken farms, and junkyards or recycling yards are unacceptable.
- d. Minimum Specifications
- i. New lots created for single family residential use shall be 20 acres or larger, or be able to be described as a 1/32 aliquot part of a U.S. Government section.
  - ii. Lots for non-residential uses shall be large enough to accommodate structural and traffic circulation needs, and to accommodate a water and sewer/septic system.
  - iii. Any subdivision containing lots smaller than 20 acres must be part of a PUD, have an average density of not more than one residence per 20 acres except as otherwise authorized by these regulations, and be authorized by a CUP. Such developments must address impacts on natural and cultural resources as well as social values and existing uses. PUDs or other developments that would result in strip development along highways will not be allowed.
  - iv. Family transfers as listed in the Montana Subdivision and Platting Act are allowed provided they are not an attempt to evade the Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision Regulations. New lots created under the family transfer exemption from subdivision review must not be smaller than the minimum sizes required for Tri-county Sanitarian or DEQ water and sewer/septic approval.
  - v. Boundary relocations as listed in the Montana Subdivision and Platting Act are allowed, provided they are not an attempt to evade Powell County Subdivision Regulations. Evasion criteria may be found in the Powell County Subdivision Regulations. Resulting lots must not be smaller than the minimum sizes required for Tri-county Sanitarian or DEQ water and sewer/septic approval.



## ANACONDA-DEER LODGE APPROVED RESIDENTIAL USES

### CHAPTER III: Establishment of Development Districts and Treatment of Nonconforming Uses, Lots, and Structures

#### A. Purpose and Intent.

This chapter creates a system of development districts, each with its own unique set of regulations based upon the type and density of existing development, the desired scale, character, and qualities of the area, and any recommendations for preservation, conservation, or growth management provided for the area in the Anaconda-Deer Lodge County Growth Policy.

#### B. Development Districts Established. The following development districts are hereby established:

1. Anaconda Urban Planning Area development districts
  - a. Anaconda Residential Estate District (ARED)
  - b. Low Density Residential Development District (LDRD)
  - c. Medium Density Residential Development District (MDRD)
  - d. High Density Residential Development District (HDRD)
  - e. Goosetown Neighborhood Conservation District (GNRD)
  - f. Neighborhood Commercial Revitalization District (NCRD)
  - g. Central Business Development District (CBDD)
  - h. Highway Commercial Development District (HCDD)
  - i. Light Industrial Development District (LIDD)
  - j. Heavy Industrial Development District (HIDD)
  - k. Planned Industrial Districts (PID-1 and PID-2)
  - l. Railroad Transition Development District (RRTD)
  - m. Open Space Review Development District (ORDD)
  - n. Public/Semi-Public Development District (P/SPD)
2. Rural development districts
  - a. Georgetown Lake Development District (GLDD)
  - b. Spring Hill Development District (SHDD)
  - c. West Valley Development District (WVDD)
  - d. Big Hole Development District (BHDD)
  - e. Aspen Hill/Clear Creek Development District (AHCCDD)
  - f. Opportunity Triangle/Mill Creek Industrial District (OTMCID)
  - g. Opportunity Development District (ODD)
  - h. East Valley Development District (EVDD)
  - i. Lost Creek Development District (LCDD)
  - j. Airport Industrial Development District (AIDD)

#### C. Overlays. The following development district overlays (overlay districts) are hereby established:

1. Adult Use Overlay (AUO)
2. Airport Safety Overlay District (ASOD)
3. Superfund Overlay (SO)

**CHAPTER XVII: Public/Semi-Public District (P/SPD)**

- (A) **Purpose:** The purpose of the Public/Semi Public District is to recognize and designate land for governmental and other public and semi-public facilities and services.
- (B) **Permitted Uses:** Uses permitted in the P/SP District include all governmental functions and facilities, including but not necessarily limited to the following.
1. Public schools
  2. Federal, state, and local government buildings and offices
  3. Utilities and public facilities such as water and wastewater treatment plants
  4. Shop and maintenance yards, county and state highway maintenance work stations, and material storage facilities.
  5. Public libraries and auditoriums
  6. Hospitals and publicly operated clinics
  7. Public recreational facilities such as parks and golf courses
- (C) **Development Standards:** The development standards in each separate P/SP District shall be established by the governmental or semi-public entity developing the site. Anaconda-Deer Lodge County invites and encourages cooperation with all government agencies and semi-public entities and organizations to develop public sites and facilities in a manner that respects the character, qualities, and scale of the host neighborhood. Facility master plans that are developed through community involvement are encouraged. Adherence to the landscaping, parking, fencing, architectural, and other site development standards is also encouraged.
- (D) **Review Process:** Development Permits are required for development on property designated P/SPD and the same review procedures that apply to all other districts also apply in P/SPD. The Administrator shall determine whether a proposed development shall be reviewed as an Administrative Development Permit (ADP) or a Major Development Permit. As general guidance, additions to buildings or minor alterations to the site may be reviewed as ADPs provided that no adverse impacts to surrounding public and private properties are expected. All other improvements, such as new buildings or facilities, significant changes to the site (parking, access, open space, etc), or changes in the use(s) of the site, should be reviewed as MDPs.
- (E) **Change of Ownership:** Should any land within a P/SP District be transferred to private ownership, the County will entertain an Official Development District Map amendment request to the appropriate development district. Such an application shall be filed and reviewed in conformance with state law and the applicable provisions of these regulations as set forth in Chapter II.

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