

CHAPTER VI - LOW DENSITY RESIDENTIAL ZONING DISTRICT

A. What This Chapter Does. This chapter creates a **Low Density Residential Zoning District (LRZD)** for neighborhoods of single-family dwellings that are connected to municipal utilities. Areas in the LRZD will generally be buffered from commercial or industrial uses, or arterial roads by areas of the Medium Density Residential or Transitional zoning districts.

B. Land Use. The permitted and special uses allowed in the LRZD shall be as shown in Table VI.1. All uses not explicitly permitted are prohibited.

Table VI.1. LRZD Land Use (Ord. #546, 9/2/97)

<i>permitted uses</i>	<i>special permit uses</i>
single-family dwellings excluding all manufactured homes – manufactured homes of any type are prohibited; system built housing is allowed (Ord #589, 9/15/03)	churches
accessory uses customarily associated with the permitted and special permit uses	day care centers and elementary schools
home occupations in compliance with Appendix D	parks and other public recreation areas
minor utility installations - see II.D.6.	
limited livestock outside City limits (see VI.F for criteria, and XXI.V and XXI.CC for definitions)	

C. Specification Standards. The specification standards for the LRZD appear in Table VI.2. Where previous development has resulted in setbacks less than those specified by Table VI.2., the administrator may permit building in conformance with the existing pattern, if:

1. covenants recorded prior to the effective date of these regulations dictate setbacks less than those specified by these regulations, and a. the subdivision was not vacant on the effective date of these regulations, and b. the developer submits drawings or similar evidence to demonstrate that existing dwellings have been built in compliance with the setbacks provided by the covenants; or
2. covenants do not dictate setbacks, or such covenants have not been enforced, but the developer submits drawings demonstrating that the proposed setbacks are consistent with, or greater than, those on at least 50% of the adjoining lots.
3. Conformance with covenants or the setbacks on adjoining properties shall not be used to permit development that fails to comply with the city's fire and building codes.

D. Performance Standards. All developments shall comply with the performance standards of Chapter XVIII, as applicable, and the following additional performance standards.

1. **Outdoor Storage.** See also XVIII.W.6. Outdoor storage shall be permitted anywhere it is fully screened from

public view and adjoining properties. Outdoor storage that is not fully screened shall be permitted in rear yards, but not in front or required side yards (this permits storage to the side of a dwelling that has a larger than required side yard), except that:

a. construction equipment and materials may be stored in front and required side yards during the course of work for which a permit has been approved in compliance with these regulations. This exception expires with the permit or upon issuance of a certificate of compliance.

b. Vehicles and watercraft with current registrations may be parked in front and required side yards. Parked vehicles or watercraft shall not block vision at intersections or where driveways enter public streets.

c. Notwithstanding any other provision of these codes, system built homes built and installed in conformance with Uniform Building Codes and International Building Codes and any applicable building code provisions of the City of Polson or the State of Montana, and otherwise in conformance with the mandates of this code, shall be permitted in this zoning district. (Ord. # 589, 9/15/03)

2. Accessory Buildings. Accessory buildings shall be permitted in rear yards, but not in front or required side yards (this permits accessory buildings in side yards that are larger than required), (Ord. # 567, 8/16/99).

3. Day Care Centers. Day care centers shall:

a. be registered with the Montana Department of Family Services;

b. provide off-street parking and loading areas in compliance with Appendix E;

c. retain a residential appearance, or the appearance of special permit use (like a church); and

d. provide a minimum six foot high opaque wood or masonry fence or a 20 foot basic landscaped buffer (as provided in Appendix F) between all outdoor play areas and adjoining dwellings.

e. Day care centers may display a single non-illuminated wall sign of no more than six square feet.

E. Overlay Districts. All developments shall comply with the additional requirements imposed by overlay districts.

F. Livestock. (applies to County Planning Area, outside City limits) LRZD, Permitted Uses (County Res #02-26, 4/4/02) Livestock as permitted within LRZD outside the Polson City limits. The keeping or raising of domestic livestock for show, breeding or other purposes incidental to the principle use of the premises is permitted, subject to the following:

1. Livestock or fowl shall not be permitted on a lot less than five acres in area.
2. Domestic animals and livestock, except pigs, buffalo, llama, alpacas, emu, rheas geese, and ostrich, may be kept on a lot provided they are not bred or maintained for any commercial purpose.
3. Not more than two head of cattle, or one horse, or one mule, or four goats, or four sheep, or four lambs or 20 fowl, or a reasonable combination shall be permitted per five acres of lot area unless a qualified person (extension agent or similar person) can substantiate that the land and management practices can support more livestock.
4. No permanent structure or fixed facility for housing livestock shall be kept within 50 feet of a property line.
5. Livestock areas shall be adequately fenced.
6. Manure shall be removed from corrals and other areas in which livestock are confined at least twice each

year, and more frequently where the administrator determines that its accumulation constitutes a nuisance because odor, flies, etc. are adversely effecting neighboring properties.

7. The property owners shall create and maintain a process to direct and filter surface runoff from corrals and other areas in which livestock are kept. The diverted surface water shall be retained on the property.
8. Common area within a subdivision, that meets the minimum acreage for the keeping of livestock, may be utilized as defined in the zoning, if livestock use is addressed in the covenants so residents are aware of such potential use.
9. See XXI.C and XXI.VV for definitions of livestock and fowl, per County Res #02-26, 4/4/02.

Table VI.2. LRZD Specification Standards

standards	specifications	standards	Specifications
Minimum lot size (square feet)	7000	Minimum lot width, at front setback line (feet)	50
Minimum front yard Setback (feet)	30	Minimum rear yard setback (feet)	15
Minimum side yard setback (feet)	5	Maximum height (feet)	30*
Maximum lot coverage	35%**	Parking spaces	See Appendix E

* Building height may be affected by performance standards protecting views to Flathead Lake. ** Maximum lot coverage is affected by slope. The maximum lot coverage given here is for slopes of 0-8%. See XVIII.D. for the maximum lot coverage permitted on steeper slopes.