



## Zone Text or Map Amendment Application

**1. For Zone Map Amendment (ZMA):**

Address: \_\_\_\_\_ Subdivision/COS: \_\_\_\_\_  
 Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Land area (*acres or square feet*): \_\_\_\_\_  
 Other legal description: \_\_\_\_\_  
 Geocode/DOR#: 06 \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Zoning District: \_\_\_\_\_ Sub-district: \_\_\_\_\_  
 General location: \_\_\_\_\_  
 Current use of property: \_\_\_\_\_

Brief description of requested change:

\_\_\_\_\_  
\_\_\_\_\_

**2. For Zone Text Amendment (ZTA):**

Zoning District: \_\_\_\_\_  
 Sub-district(s): \_\_\_\_\_

Brief description of requested change:

\_\_\_\_\_  
\_\_\_\_\_

**3. Required attachments:**

- Application narrative addressing all applicable zoning amendment evaluation criteria
- Maps and other supporting materials
- Application fee
- Digital copy of application materials (no file bigger than 20MB) emailed to [planning@gallatin.mt.gov](mailto:planning@gallatin.mt.gov)
- ZMA Only: Mailing labels (3 per address), certified property owners form, and certified mail fee

**Please note:** After an initial review for completeness, Planning staff will reach out with the number of additional hard copies of the application needed for the public meeting/hearing(s).

**4. Contact Information**

**Property Owner**

Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**Representative/Applicant** *(If different than property owner)*

Name: \_\_\_\_\_ Email: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

**AGREEMENT**

The property owner and/or authorized agent hereby certifies that the information submitted in this application is true and correct and understand that application fees are nonrefundable.



\_\_\_\_\_  
Property owner signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Applicant/representative signature

\_\_\_\_\_  
Date

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*Amendments Proposed*

-- The proposed changes appear in red in the sections excerpted below. --

**SECTION 3 DEFINITIONS**

3.xx Long Term Rental: Rental of a Dwelling Unit or portion thereof for residential use for a period of more than 30 consecutive nights to one and the same Family for the entire rental period.

3.xx Short Term Rental: Rental of a Dwelling Unit or portion thereof for residential use for a period of 30 or fewer consecutive nights, to one and the same Family for the entire rental period.

**SECTION 4 AGRICULTURE EXCLUSIVE DISTRICT (AE)**

4.2 Permitted Uses:

- a. Agriculture, as defined under [Section 76-2-902, MCA](#).
  - (1) The sale on the premises of agricultural products produced thereon.
  - (2) The packing, storing, and processing of produce grown on the land, together with Accessory Buildings and Structures required for agricultural production.
- b. One Principal Single-Family Dwelling Unit on each parcel created in conformance with the Zoning Regulation or in existence at the time of its original adoption.
- c. One Accessory Dwelling Unit in accordance with [Section 12.2](#).
- d. Accessory Buildings, where each Accessory Building is equal to or less than 2,400 square feet of General Floor Area.
- e. Essential Services, Type I.
- f. Domestic Wireless Equipment.
- g. Signs, in accordance with [Section 13](#).
- h. Home Occupations.
- i. Accessory Solar Energy Systems.
- j. Long Term Rental.
- k. Short Term Rental, subject to the provisions of Section 12.14.

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**SECTION 5 RECREATION AND FORESTRY (RF)**

5.2 Permitted Uses:

- a. One Principal Single-Family Dwelling Unit on each parcel created in conformance with the Zoning Regulation or in existence at the time of its original adoption.
- a. Personal milling of lumber not for commercial purposes.
- b. Agriculture, as defined under [Section 76-2-902, MCA](#).
  - (1) The sale on the premises of agricultural products produced thereon.
  - (2) The packing, storing, and processing of produce grown on the land, together with Accessory Buildings and Structures required for agricultural production.
- c. Accessory Building(s), where each Accessory Building is equal to or less than 2,400-square-feet of General Floor Area.
- e. Essential Services, Type I.
- f. Domestic Wireless Equipment.
- g. Signs, in accordance with [Section 13](#).
- h. Home Occupations.
- i. Accessory Solar Energy Systems.
- j. Long Term Rental.
- k. Short Term Rental, subject to the provisions of Section 12.14.

**SECTION 12 GENERAL DEVELOPMENT STANDARDS**

12.2 Accessory Dwelling Unit:

- ~~e. The Accessory Dwelling Unit shall have a shared electrical meter with the Principal Single-family Dwelling Unit.~~
- e. The Accessory Dwelling Unit may not be ~~rented or~~ sold separately from the Principal Single-family Dwelling Unit. Short Term Rental Use of an Accessory Dwelling Unit must comply with Section 12.14.

12.14 Short Term Rental Requirements: Any property owner planning to offer a Short Term Rental shall acknowledge by signature that they understand and will adhere to the following requirements and conditions:

- a. Prior to commencement of renting, the property owner or authorized representative shall apply for written approval from the Gallatin County Planning Department.

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- b. Approval may be revoked upon violation of the Short Term Rental standards set forth in this Section 12.14.
  
- c. Offering a Short Term Rental without written approval from the Gallatin County Planning Department, or after approval is revoked, shall be considered a violation of this regulation and subject to the enforcement procedures contained within the Gallatin County “Part 1” Zoning Administrative Regulations.
  
- d. The Planning Department shall review and approve Short Term Rental Use so long as it complies with the following standards:
  - (1) Documentation is provided to the County that all required state and local permits and licenses for the Short Term Rental Use, including, if applicable, pursuant to § 50-51-201, MCA; Title 70, chapters 24, 25, and 33, or otherwise, have been obtained.
  
  - (2) The applicant agrees in writing to:
    - A. To keep taxes, permits, and licenses up-to-date;
  
    - B. Allow only one Short Term Rental per parcel, which could be the Principal Single-Family Dwelling Unit or a portion thereof, an Accessory Dwelling Unit, or the entire parcel and Dwelling Units together;
  
    - C. Limit lodging to inside Dwelling Units;
  
    - D. Maintain documentation on the premises that informs occupants of rules and regulations that affect the property, such as information about property lines, trespassing laws, speed limits, proper garbage disposal, wildlife etiquette, bans on burning, smoking restrictions, quiet hours, parking, dark sky lighting, and neighbor requests. Additional Emergency Services information should recommend local sources for current fire danger conditions and corresponding health and safety advisories.
  
    - E. Provide to occupants, as well as to adjacent neighbors, contact information for at least two people responsible for addressing issues that arise at the rental property.
  
    - F. A Short Term Rental will not be used as a Special Events Facility. Use of a Short Term Rental for purposes other than lodging and normal residential use is prohibited.

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Bridger Canyon Property Rights Coalition  
PO Box 10972  
Bozeman, MT 59719  
[propertyrights@bridgercanyon.org](mailto:propertyrights@bridgercanyon.org)

April 29, 2024

Gallatin County Department of Planning & Community Development  
311 West Main Street, Room 108  
Bozeman, MT 59715

**RE: Bridger Canyon Property Rights Coalition Request for a Zone Text Amendment to the Bridger Canyon Zoning Regulation**

In accordance with the Bridger Canyon Zoning Regulations (Zoning Regulation) and the Gallatin County "Part 1" Zoning Administrative Regulation (Administrative Regulation), and on behalf of the Bridger Canyon Property Rights Coalition (the "Coalition"), the following narrative is being provided in support of the request and approval criteria for a Zone Text Amendment (ZTA) to the Zoning Regulation.

**A. Summary of the Request**

The ZTA request pertains to the Agriculture Exclusive (AE) and Recreation and Forestry (RF) Sub-districts of the Bridger Canyon Zoning District (Zoning District). Those are the only Sub-districts in Bridger Canyon that do not already have explicit language imposing specific requirements on rentals. Specifically, the Coalition is proposing additions and modifications to Section 3 Definitions, and Section 12 General Development Standards. Current zoning text prohibits renting an Accessory Dwelling Unit separately (12.2f), but it does not contain text pertaining to renting a Principal Single Family Dwelling, for any duration.

For the purpose of clarifying the historic practice and rental use in the Canyon and previously recognized property rights, the Coalition (applicant and property rights organization of property owners within the Zoning district) requests a Zone Text Amendment (ZTA) to add definitions, Permitted Uses, and General Development Standards regulations for renting Dwelling Units in the AE and RF Sub-districts of the Bridger Canyon Zoning regulation.

This amendment will create specific rules pertaining to rentals in order to further the "health, safety, and general welfare" of Bridger Canyon, *see* § 76-2-104(1), MCA, and Part 1 Zoning Regulations, § 14.3.a.i. and a.iii, to afford homeowners financial flexibility, and to promote continuity of ownership for a more cohesive community. The proposed amendment will also allow homeowners to provide much needed housing options for both visitors and local residents in a popular recreation area with no hotel accommodations, apartments, or employee housing.

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Specifically, in Section 3 (Definitions), the Coalition requests adding definitions for Long Term Rentals and Short Term Rentals. In Section 4 and 5 (AE and RF Sub-districts), the Coalition requests adding Long Term Rental and Short Term Rental to Permitted Uses. In Section 12 (General Development Standards), the Coalition requests modifying the Standards for an Accessory Dwelling Unit (ADU) to delete the requirement for the same electric meter for an ADU and to allow an ADU to be rented, but not sold separately.

Finally, the Coalition requests adding to Section 12 (General Development Standards) rules for Short Term Rentals (STR) as Section 12.14, requiring that Short Term Rental property owners acknowledge by signature that they will adhere to the standards and conditions in Section 12.14. These standards encompass obtaining written approval from the Planning Department for a Short Term Rental, demonstrating compliance with necessary licenses and permits, and agreeing to adhere to additional regulatory guidelines. Owners commit to fulfill tax obligations and maintain current licenses and permits. Additionally, they must agree to permit only one STR per parcel, confine lodging to indoor Dwelling Units, educate occupants on relevant protocols, and furnish contact information for both tenants and neighbors to address potential property-related issues. Furthermore, owners shall prohibit the use of the STR for special events and restrict its usage solely to residential uses.

These specific proposed amendments are reflected on the attached Zone Text Amendments Proposed document that accompanies this application and cover letter.

**B. Analysis of How This Proposed Zone Text Amendment Meets All Applicable Criteria**

This proposed Zone Text Amendment meets the criteria set forth in the Zoning Amendments Information and Instructions Form (the “Instructions”) provided by Gallatin County. The Instructions require Zone Text Amendments for the Bridger Canyon Zoning District (1)(a) to meet the criteria found in § 76-2-104, MCA; (1)(b) to fill the criteria explained in the Part 1 Administrative Zoning Regulations, § 14.3.a; (2) to follow the provisions of the Bridger Canyon Zoning District; and (3) to ensure that the proposed amendments are not the equivalent of “spot zoning.”

***1. This ZTA Meets the Statutory Criteria Provided in § 76-2-104, MCA, and the Guidelines of the Part 1 Administrative Zoning Regulations.***

- a. This ZTA Will Facilitate the County’s Development Pattern and Promote the Health, Safety, and General Welfare of Gallatin County, as Required By § 76-2-104, MCA.

Mont. Code Ann. § 76-2-104(1) requires the County to create a “Development Pattern,” “for the purpose of furthering the health, safety, and general welfare of the people of the county, the county planning and zoning commission hereby is empowered and it shall be its duty to make and adopt a development pattern for the physical and economic development of the planning and zoning district.”

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The requested ZTA will not require an amendment to the Plan, nor will the ZTA result in any change in the development pattern for the physical and economic development of the Zoning District, as the ZTA will simply expand the explicitly listed conditions of habitation for already permitted dwellings as a lawful use within the AE and RF Sub-districts.

Mont. Code Ann. § 76-2-104(2) provides that the County’s “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 districts, 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 trades, industries, or callings or within which the height and bulk of future buildings and the area of the yards, courts, and other open spaces and the future uses of the land or buildings shall be limited and future building setback lines shall be established.”

The request before the Bridger Canyon Planning and Zoning Commission is to add an explicit reference to Short Term Rentals and Long Term Rentals as Permitted Uses, within the AE and RF Sub-districts. The proposed ZTA will not result in any change in the development pattern as habitational use because both principal and accessory dwellings are established uses in the Zoning District. As stated in Section 15 of the Part 1 Zoning Regulation, “the intent of the zoning regulations is not to prevent particular activities, but rather to regulate and promote the orderly development of the area.”

The AE and RF Sub-districts already allocate the number of dwellings, both primary and accessory, existing and potential, that may exist on parcels. The district is a rural residential and agricultural district in close proximity to the neighboring recreational centers, such that there is an important need to provide full time and short term accommodations for employees and visitors of these recreational attractions and to ensure that these existing options are allowed to continue.

b. The Part 1 Administrative Zoning Regulations, Section 14, Criteria Are Satisfied by This ZTA.

Section 14.3 of the Part 1 Administrative Zoning Regulations sets forth five factors that the County should consider when reviewing proposed zone text amendments. All five of these factors are satisfied by this proposal.

i. *The public necessity, convenience, and general welfare require such amendment.*

The public necessity and general welfare will be positively impacted by the requested ZTA as a much needed financial option for homeowners struggling to make ends meet in Bridger Canyon. It will help aid continuity of ownership as well as help ensure that existing much needed accommodations for both employees and visitors integral to the local tourist economy are allowed to remain in the Zoning District. Traffic will likely stay the same or be reduced by the ZTA because the ZTA would ensure that only one Family could rent a Dwelling Unit at a time, and short term renters who are visiting the area generally drive less than full time residents. Clarifying that Short Term Rentals and Long Term Rentals

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are Permitted Uses will provide the public a greater level of regulatory certainty, and will ensure the supply of more economic housing options to assist owners, residents, workers, and visitors vital to the local economy.

- ii. The proposed amendment does not authorize potential Uses that are significantly different from prevailing Uses in the Sub-district or vicinity in which the subject property is located.*

Rental residential uses of dwellings, proposed to be clarified by the ZTA, do not authorize potential uses that are significantly different from prevailing residential uses already listed as permitted for principal or accessory dwellings. Residential uses of dwellings will simply remain as a lawful use within the AE and RF Sub-districts and will continue to be subject to review and compliance with adopted design standards of the Zoning Regulations.

- iii. The proposed amendment will benefit the surrounding neighborhood, community, and the general public and not just benefit a small area and only one or few landowners.*

The proposed ZTA applies to all landowners having property within the AE and RF Sub-districts. Clarifying that Short Term and Long Term Rentals are Permitted Uses will benefit the Zoning District and the general public by providing a greater level of regulatory certainty and a greater variety of resident and visitor housing options for the betterment of the surrounding neighborhoods, community, general public, and local economy. Moreover, many homes within this Zoning District are already used as Short Term and Long Term Rentals, such that explicit reference in the Zoning Regulations will help provide certainty to mortgage lenders and owners alike.

- iv. The proposed amendment is consistent with the District Regulation and applicable growth policy or neighborhood plan and is not special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public.*

Because residential use of dwellings, both principal and accessory, are currently established as a lawful use within the AE and RF Sub-districts, the proposed ZTA's clarification that residential use includes rental use, no matter the duration, is consistent with the purposes of the Zoning Regulation and the intent of the AE and RF Sub-districts and maintains conformance with the Plan. The requested ZTA is not special legislation aimed to benefit one landowner, since protecting rental rights as a Permitted Use benefits all landowners having property within the AE and RF Sub-districts.

- v. The procedural requirements of §76-2-101 et seq., MCA have been followed.*

By adhering to the regulatory and procedural requirements adopted by Gallatin County, the procedural requirements of Section 76-2-101 et seq., MCA have been followed in connection with this ZTA proposal.

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***2. This ZTA Comports with the Existing Bridger Canyon Zoning Regulations.***

The Bridger Canyon Zoning Regulations for the AE Sub-district and the RF Sub-district contain similar provisions regarding their intent:

**SECTION 4 AGRICULTURE EXCLUSIVE DISTRICT (AE) *(clauses relevant to ZTA proposed)***

4.1 Intent: It is the intent of this District to protect and preserve the existing rural character of Bridger Canyon and to preserve existing developed and undeveloped farmlands from unplanned residential, commercial, and industrial development. It is further the intent of this Regulation to encourage agriculture as one of the occupational pursuits and an economic endeavor in Bridger Canyon. The purpose of the Agricultural Exclusive District is, when applied to particular land, to encourage the following land uses:

- a. Residential uses that do not impair the rural character of Bridger Canyon;
- d. Incidental uses that are customarily and necessarily related to and included within an agricultural pursuit; and,
- e. Incidental unrelated uses that are necessary to protect and promote the health, safety, welfare, and convenience of rural residential citizens.

**SECTION 5 RECREATION AND FORESTRY (RF) *(clauses relevant to ZTA proposed)***

5.1 Intent: Recreation and forestry, grazing as occupational pursuits, and wildlife habitat as leisure time are important to the aesthetics and economy of Bridger Canyon. Because the amount of land suitable for recreation and forestry is limited due to the Canyon's geographical location, climate, and topography, it is the intent of this section to preserve existing developed and undeveloped recreation and forest lands from unplanned residential, commercial, and industrial development by enacting this District. The purpose of the Recreation and Forestry (RF) District is, when applied to particular land, to encourage the following land uses:

- a. Residential uses that do not impair the rural character of Bridger Canyon;
- f. Incidental unrelated Uses that are necessary to protect and promote the health, safety, welfare and convenience of rural residential citizens.

This ZTA comports with the intent of the County Commission in establishing both of these Sub-districts. The Bridger Canyon Zoning District was originally created in October 1971. Its regulations were last amended February 8, 2024. It contains approximately 80 square miles with 22.5 miles of rural main roads (Bridger Canyon Road, Jackson Creek Road and Kelly Canyon Road) with a

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population of about 900 residents and approximately 400 occupied homes. Although a few areas have semi clustered housing with lots of 3 acres or less, most homes are on larger parcels of 10 or more acres so that activity within dwellings has little or no impact on neighbors because of the distance between residences, the mountain topography, and natural screening of trees and foliage. Therefore, the stated Intent and purposes of the AE and RF Sub-districts (Section 4.1 and 5.1) “to encourage residential uses that do not impair the rural character of Bridger Canyon” will not be impaired by this ZTA.

First, the residential use will continue to be the same – both the same as renters have been using properties and the same as owners have been using properties. The intended and practical use of a dwelling, whether owner occupied or renter occupied, is for eating, sleeping and sanitation, no matter the relationship of the occupant to the property or the duration of habitation. Standards in Section 12.14 for Short Term Rentals also aim to preserve Bridger Canyon's rural character by ensuring that owners understand and adhere to regulations through written approval. To promote compliance and responsible use, Short Term Rental owners must obtain appropriate licenses and permits, agree to pay taxes, maintain licenses, confine lodging, inform occupants, provide neighbors with contact details, and prohibit non-residential uses. Violating regulation standards may lead to approval revocation, and conducting a Short Term Rental without Planning Department approval could result in enforcement procedures. All of these standards encourage responsible ownership that will help insure that Permitted Uses clarified in the ZTA “do not impair the rural Character of Bridger Canyon.”

Second, density, as defined in zoning, will not be effected by this ZTA. Bridger Canyon Zoning defines Density as “the number of Development Rights per unit of land area.” (3.19) Since the number of Development Rights is unchanged by the ZTA, by definition, Density is unchanged. Also, because the ZTA regulates that each Dwelling Unit is occupied by only one Family at any one time, relative population is also not increased by this ZTA. Indeed, this may ensure that traffic stays the same or decreases. Since most vacation renters arrive with only one car per family, with driving destinations more likely to be nearby recreation areas, traffic is likely less from Short Term Rentals than for full time residents. By comparison, full time residents, both renters and owners are more likely to have a vehicle for every licensed driver and more obligations to go back and forth to Bozeman for work, school, and entertainment instead of just recreational localities like skiing and hiking in Bridger Canyon. Therefore, because property use would continue to be the same, density is not increased, relative population is unchanged and traffic is likely to be the same or less, as such, the rural character of the community is not impaired by the requested ZTA.

Another stated intent of AE and RF Sub-districts is to “encourage land uses that are incidental unrelated Uses that are necessary to protect and promote the health, safety, welfare and convenience of rural residential citizens.” Since “residential use” is essentially the same for whomever is “in residence” no matter the duration of stay or relationship of the occupant to the property, the proposed amendments do not change the general use already permitted for a dwelling whether an Accessory Dwelling or Principle Single Family Dwelling, so that renting is incidental.

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Most importantly, the ZTA will help protect and promote the health, safety, and welfare of individual owners in the Zoning District as well as the rural community as a whole.

First, financial freedom is increased. By clarifying that owners can rent their properties for added income, even if owners choose not to rent, the right to do so affords every property owner greater financial opportunity and flexibility to weather hard times or afford safety measures necessary for physical and financial security. Clarifying that rentals are a Permitted Use, both long and short term, offers potential revenue for self-determination and well-being vital for individual Bridger Canyon property owners.

Second, as noted above, financial insecurity is decreased. The possibility of alternate revenue from rental income will diminish financial stress and provide options to “help promote and protect the health, safety and welfare” of rural owners from unforeseen financial hardships including higher taxes, health expenditures and increased cost of living over time. The best way to preserve the rural character of Bridger Canyon is to sustain the economic prospects of individual owners to continue to afford their property, including current residents, part-time residents and remote owners who aspire to become residents. Therefore, the ZTA proposed will galvanize financial options that increase stable ownership and decreases owner vulnerability “to protect and promote the health, safety, welfare and convenience of rural residential citizens”

Third, community cohesiveness and stability is enhanced by the proposed ZTA. Maintaining affordability options for current residents and owners looking to relocate or move back to Bridger Canyon, enhances the probability of owner residency. Economic prospects that help increase household income and cost effectiveness of continued ownership, decreases a moderate-income homeowner’s necessity to sell or move away. Whereas, land use restrictions that diminish economic options are more likely to accelerate property turnover and the exodus of perennial rural residents, decreasing the likelihood of sustained or multigenerational ownership. Less property turnover helps sustain individual and inherited ownership for a more stable rural community that benefits and aids the preservation of “the rural character of Bridger Canyon.”

Fourth, Section 4.1d states, “The purpose of the Agricultural Exclusive District is, when applied to particular land, to encourage land uses incidental that are customarily and necessarily related to and included within an agricultural pursuit.” This clause echoes an original founding document, the Bridger Canyon General Plan and Development Guide (April 1971) that directly supports the ZTA proposed. Commissioned by Bridger Canyon property owners, this plan and guide was the blueprint for Bridger Canyon Zoning regulation adopted in October 1971, establishing one of the first non-municipal zoning districts in the State of Montana. To paraphrase, this document recognized the community goal of promoting agricultural pursuits in order to maintain the rural character and aesthetic appeal of Bridger Canyon, but also noted agricultural pursuits were economically challenging. “One must conclude that most owners here may maintain their land in agricultural production only if they have outside incomes,” an option for which is stated to be “rental housing ... to augment income.” (see appendix A). Therefore, ensuring the protection of the right to rent as a necessary and inherent property right, as integral to the intent and purpose of promoting agricultural land use, and as consistent with the

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rural character of Bridger Canyon, is consistent with the original intent of establishing the Bridger Canyon Zoning District.

Regarding the Zoning District’s purposes, the regulations provide:

2.1 Purposes: To promote health, safety, and general welfare and to: *(clauses relevant to ZTA proposed)*

- c. conserve property values commensurate with use;
- i. to promote business, residences, tourism and recreational uses but not to the point that they destroy the character of the area or threaten water quality, traffic, or fire safety;
- j. to encourage innovations in residential developments so that growing demands for housing may be met by greater variety in type, design and layout of tracts and by conservation and more efficient use of open space ancillary to said housing;

The proposed ZTA also clearly advances the Purposes (Section 2.1) of Bridger Canyon Zoning by promoting “residences, tourism and recreational uses, but not to the point that they destroy the character of the area or threaten water quality, traffic or safety.” As explained previously, rental residential use is essentially the same as owner residential use and therefore does not destroy the character of the area or threaten water quality, traffic, or safety any more than owner residential use. However, owner flexibility to rent to vacationers and employees, by protecting Long Term Rental and Short Term Rentals, will obviously and significantly promote local businesses that support residents and owners, tourism, and recreation, as well as “encourage innovation in residential developments so that growing demands for housing may be met by a greater variety in type.” The potential for supplemental rental income also helps owners maintain and improve structures and land which leads to greater conservation of “property values commensurate with use.” Additional income can also supply essential funds to cover the costs of mitigating fire hazards and managing invasive weeds, thereby strengthening the overall resilience of the area against these persistent threats. Also, rental income that leads to a better standard of living will increase property values, which adds value to nearby properties and helps improve the overall quality of the community.

Finally, by enlarging the terms under which rentals are permitted to include Accessory Dwelling Units, the proposed ZTA may encourage owners to offer otherwise vacant living space for much needed housing options to accommodate both visitors and local residents in a popular recreation area with tourist destinations and accompanying businesses vital to the local economy like Bridger Bowl and Crosscut, which do not currently offer hotel accommodations, apartments, or employee housing.

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***3. This ZTA Does Not Consist of Spot Zoning.***

To demonstrate that the ZTA will not result in “spot zoning,” the following questions must be addressed:

- a. Are the requested zoning designation(s) amendments (text or map), and potential uses significantly different from the prevailing uses in the area?

They are not. First, rental use has been common in the District for decades. Second, because residential use is the same for a dwelling no matter the duration of the stay or relationship of the occupant to the property, the proposed text amendment does not alter the habitational uses of a dwelling from the prevailing residential uses permitted within the AE and RF Sub-districts.

- b. Does the requested zoning designation (s) amendment (text or map) benefit a small area and only one or a few landowners, or does the requested zoning designation (s) benefit the surrounding neighborhood, community and the general public?

The proposed ZTA applies to all landowners within the AE and RF Sub-districts. Ensuring that Short Term and Long Term Rentals are allowed as a Permitted Use of a dwelling, will benefit neighborhoods, the community, and the general public by providing a greater level of regulatory certainty and more efficient implementation of housing options.

- c. Is the requested zoning designation(s), text or map, compatible with the zoning district's Plan, or is it special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public?

Because habitation of both principal and accessory dwelling units are currently listed as a lawful use within the AE and RF Sub-districts, the proposed ZTA remains consistent with, and supportive of the comprehensive goals and strategies in the District’s Plan. The requested ZTA is not special legislation aimed to benefit a few landowners.

By listing Long Term Rentals and Short Term Rentals expressly amongst the Permitted Uses, the proposed regulations will provide options that are available to all landowners having property within the AE and RF Sub-districts, will benefit the overall community and economy, and will likely reduce congestion on arterial roadways. The proposed text amendment clarifies historic definitions compatible with traditional uses and the intent of the Bridger Canyon Zoning District, which is not to prevent particular uses for the sake of regulation, but to regulate and promote orderly development for the benefit of the community.

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**Appendix A**

Excerpt from Bridger Canyon General Plan and Development Guide:

Prepared By: Murray & McCormick, Inc., Engineers – Planners, Sacramento, California

For: Bridger Canyon Property Owners Association, Bozeman, Montana, APRIL 1971

Pg 44 & 45 of Archived document

Economic Factors

Agricultural Values: Income from the pursuit of agriculture in Bridger Canyon is minimal. One must conclude that most owners here may maintain their land in agricultural production only if they have outside incomes. No change in this situation is expected in the foreseeable future. One could conclude that agricultural uses which contribute so much to the appearance of the valley are in jeopardy. This in turn jeopardizes the valley itself.

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There are alternatives open to the owners of agricultural lands as follows:

1. Sell portions of their land each year to gain income until the property is completely disposed of.
2. Continue subsidizing agricultural pursuits from outside income.
3. Build rental housing on portions of the property to augment income.