

Appendix F LAND USE DEFINITIONS

For the purpose of this Title, certain land uses are defined below for ease of use, and shall have the following meanings ascribed to them.

For ease of reference and use, these definitions have been separated by type of land use (i.e., Residential, General Sales, Temporary Uses, etc.) under this Appendix. These same definitions can also be found in strict alphabetical format in Chapter 8 of this Title.

AGRICULTURAL USES

“Agriculture, horticulture, nursery” means a place and/or building, or portion thereof, that is used or is intended for growing fruit, vegetables, flowers, and other plants typically grown on farming operations in the region. (Ord. 2950, 2007)

RESIDENTIAL USES

“Mobile home park” means a place providing 2 or more mobile home lots for lease or rent to the general public. (Source: 50-52-101 MCA)

“Residence, single-family detached” means a single building that is situated on one lot, contains one dwelling unit, and is not attached to any other dwelling unit by any means. The term includes factory-built homes, manufactured homes, and stick-built homes, but excludes mobile homes.

“Residence, zero lot line” means a single building that is situated on one lot, contains one dwelling unit, and is not attached to any other dwelling unit by any means. The side wall of the building is placed directly on or very close to one of the adjoining side yard property boundary lines. The term includes factory-built homes, manufactured homes, and stick-built homes, but excludes mobile homes.

“Residence, two-family” means a single building that is situated on one lot and that contains 2 dwelling units.

“Residence, multi-family” means a single building situated on one lot and that contains 3 or more separate dwelling units. Entrances to the dwelling units may be separate or combined. The units may be rented or owned as in a condominium.

“Residence, condominiums” means separately owned single-family dwelling units with common elements located on property submitted to the provisions of the Montana Unit Ownership Act, Title 70, Chapter 23, MCA. (Ord. 2950, 2007)

“Residence, townhouse” means a building containing multiple dwelling units where they are adjacent to one another on separate lots each having separate entrances.

“Residence, manufactured/factory-built” means a single-family dwelling unit built in a factory in accordance with the United States Department of Housing and Urban Development code or approved by the Montana Department of Labor and Industry Building Codes Bureau.

“Retirement home” means a place and/or building, or portion thereof, that is used or is intended to provide independent living quarters, either owned or rented, to individuals generally 62 years of age or older.

Limited commercial and medical facilities constructed and used for the exclusive use of residents shall be an accessory use of the retirement home.

SPECIAL CARE FACILITIES

“Community residential facility” means any one of the following as defined:

- a. “Community group home” means a family-oriented residence that is designed to provide residential services for 2 to 8 individuals with severe disabilities and does not provide skilled or intermediate nursing care. The term does not preclude the provision of skilled or intermediate nursing care by third-person providers. (Source: 52-4-202, MCA)
- b. “Youth foster home” means a youth care facility licensed by the State in which one to 6 children or youth other than the foster parents' own children, stepchildren, or wards are given food shelter, security and safety, guidance, direction, and if necessary, treatment. (Source: 52-2-602, MCA)
- c. “Youth group home” means a youth care facility licensed by the State in which 7 to 12 children or youth are given food shelter, security and safety, guidance, direction, and if necessary, treatment. (Source: 52-2-602, MCA)
- d. “Halfway house” means a place and/or building, or portion thereof, that is used or is intended to provide treatment, rehabilitation, and prevention of chemical dependency. (Source: 53-24-103, MCA)
- e. “Adult foster family care home” means a private residence owned by one or more individuals 18 years of age or older which offer light personal care or custodial care to disabled adults who are not related to the owner by blood or marriage or which offer light personal care or custodial care to aged individuals. (Source: 52-3-302 MCA)

“Community residential facility, type I” means a community residential facility with 8 or fewer individuals.

“Community residential facility, type II” means a community residential facility with 9 or more individuals.

“Day care center” means a place and/or building, or portion thereof, that is used or is intended to provide day care to children on a regular basis. (Source: 52-2-703, MCA; Ord. 2950, 2007)

“Emergency shelter” means a place and/or building, or portion thereof, that is used or is intended to provide temporary housing and ancillary services to primarily indigent, needy, homeless, or transient individuals.

“Family day care home” means a private residence in which day care (meaning care is less than 24 hours per day) is provided to 3 to 6 children from separate families on a regular basis. (Source: 52-2-703, MCA)

“Group day care home” means a private residence in which day care (meaning care is less than 24 hours per day) is provided to 7 to 12 children on a regular basis. (Source: 52-2-703, MCA)

“Nursing home” means a place that provides 24-hour services including room and board to unrelated residents who because of their mental or physical condition require nursing care.

OVERNIGHT ACCOMMODATIONS

“Campground” means a place and/or building, or portion thereof, that is used or is intended for public camping, where people can camp, secure tents or cabins, or park trailers, camping trailers, pickup campers,

automobiles, and recreational vehicles for camping and sleeping purposes. The term includes accessory buildings such as a laundromat and retail sales for the convenience of campground guests. (Source: 50-52-101, MCA)

“Hotel/motel” means a building that is used, intended, kept, maintained as, advertised as, or held out to the public to be a hotel, motel, inn, motor court, tourist court, public lodging house, or place where sleeping accommodations are furnished for a fee to transient guests (as defined in State law) with or without meals. (Source: 50-51-102, MCA)

FOOD AND BEVERAGE SALES

“Micro-brewery” means a place and/or building, or portion thereof, that is used or is intended for (1) the manufacture of malt beverages and (2) the sale and on-site consumption of those beverages, along with other beverages and food.

“Restaurant” means a place and/or building, or portion thereof, that is used or is intended for the preparation and sale of food and beverages for consumption on or off site, and where consumption of beer, wine, or other liquors, if any, is clearly secondary and subordinate to the sale of food and beverages. The term does not include a grocery or convenience store with a food service section. Such establishments may include a drive-through window, and may or may not include on-site seating. (Ord. 2950, 2007)

“Tavern” means a place and/or building, or portion thereof, that is used or is intended for retail sales of alcoholic beverages for on-site consumption and where food consumption, if any, is clearly secondary to the sale of alcoholic beverages. The term includes bars and lounges.

GENERAL SALES

“Agriculture sales” means a place and/or building, or portion thereof, that is used or is intended to be used for retail sale of a product(s) unique to and directly related to farm and ranch operations. The term includes feed/seed sales, irrigation equipment sales, farm machinery sales and repair, and the like. The term does not include wholesale sales.

“Auction sales” means a place and/or building, or portion thereof, that is used or is intended to be used for auctioning goods to the general public. The term does not include estate sales and the like. Vehicle auctions are considered as vehicle sales and rentals.

“Construction materials sales” means a place and/or building, or portion thereof, used or is intended for wholesale or retail sales of bulk construction materials such as roofing, lumber, bricks, component parts (trusses), and the like. The term does not include hardware stores, concrete plants, asphalt mixing plants, or any facility that manufactures building materials and offers them for retail sale on the premises.

“Convenience sales” means a place and/or building, or portion thereof, that is used or is intended for personal services or retail sale of a limited product line of frequently needed personal items. The term includes convenience stores, small grocery stores, barber shops, beauty parlors, and the like.

“General sales” means a place and/or building, or portion thereof, that is used or is intended for retail sale of a diverse product line. The term includes grocery stores, warehouse retail outlets, comparison shopping stores, full-line department stores, and the like.

“Manufactured housing sales” means a place and/or building, or portion thereof, that is used or is intended for on-site display and sales of mobile homes, modular homes, or other forms of manufactured housing.

“Off-site liquor sales” means a place and/or building, or portion thereof, that is used or is intended for retail sales of alcoholic beverages for off-site consumption. The term includes package liquor stores.

“Secondhand sales” means a place and/or building, or portion thereof, that is used or is intended for retail sale of goods and merchandise which are not being sold for the first time. The term includes secondhand stores, thrift stores, consignment shops, and the like.

“Shopping center” means more than one sales or service use built on a single site which is planned, developed, owned, and managed as an operating unit.

“Specialty sales” means a place and/or building, or portion thereof, that is used or is intended for retail sale of a limited product line. The term includes antique shops, furniture stores, auto part stores, bookstores, drug stores, clothing boutiques, pet stores, and the like.

GENERAL SERVICES

“Administrative services” means a place and/or building, or portion thereof, that is used or is intended for providing administrative functions where customers are infrequent. The term includes data processing centers, customer service centers via telecommunications, architectural firms, engineering firms, and the like.

“Commercial kennel” means a place and/or building, or portion thereof, that is used or is intended for housing 3 or more dogs, cats or other domesticated animals over 6 months of age or for the purpose of boarding, breeding, training or sale. The term includes boarding kennels, dog motels, and dog training centers. The term does not include animal hospitals, animal grooming parlors, or pet shops.

“Financial services” means a place and/or building, or portion thereof, that is used or is intended for providing financial and banking services. The term includes banks, savings and loan institutions, other lending institutions, and check cashing facilities. The term does not include automated teller machines, which are considered an accessory use to commercial enterprises.

“Funeral home” means a place and/or building, or portion thereof, used or intended for the care and preparation of human dead for burial. The term includes funeral homes and mortuaries.

“General services” means a place and/or building, or portion thereof, that is used or is intended for providing services not otherwise included in any other service type category. The term includes photography studios, weight loss centers, commercial postal services, beauty shops, pet grooming shops, photocopying and printing services, linen services, dry cleaning services, diaper services, and the like.

“Professional services” means a building, or portion thereof, that is used or is intended to house services involving predominantly professional, clerical, or similar operations where customers come on a regular basis. The term includes law offices, real estate offices, insurance offices, travel agencies, and the like.

“Sexually-oriented business” includes the following types of uses: adult arcades, adult book stores/adult video stores, adult cabarets, adult motels, and adult motion picture theaters.

“Veterinary clinic” means a place and/or building, or portion thereof, that is used or is intended for the medical care of animals. A veterinary clinic may include office space, medical labs, appurtenant facilities, and kennels and/or enclosures for animals under the immediate medical care of a veterinarian. The term includes pet clinics, dog and cat hospitals, animal hospitals, and the like.

“Veterinary clinic, large animal” means a veterinary clinic that specializes in the care and treatment of large animals and livestock.

“Veterinary clinic, small animal” means a veterinary clinic that specializes in the care and treatment of small animals including dogs, cats, birds, and other small domesticated and semi-domesticated animals.

RENTAL AND GENERAL REPAIR

“Large equipment rental” means a place and/or building, or portion thereof, that is used or is intended for renting large equipment that is normally stored out of doors. Typical items would include trucks, vertical lifts, fork lifts, back hoes, other types of heavy equipment, and modular buildings.

“Small equipment rental” means a place and/or building, or portion thereof, that is used or is intended for renting small equipment and supplies that typically are stored indoors. Typical rentals include hand tools, party equipment, lawn care and yard equipment.

“General repair” means a place and/or building, or portion thereof, that is used or is intended for the repair of consumer goods such as shoes, bicycles, appliances, business equipment, and the like. The term does not include repair of vehicles or industrial equipment.

VEHICLE TRADE AND SERVICE

“Vehicle fuel sales” means a place and/or building, or portion thereof, that is used or is intended for the retail sale of gasoline, kerosene, diesel, or other petroleum-based motor fuels. The term includes the sale of convenience foods and goods, provided it is ancillary to the sale of fuels, and light maintenance activities, such as engine tune-ups, lubrication, minor repairs, and the like.

“Vehicle repair” means a place and/or building, or portion thereof, that is used or is intended for maintenance, service, and repair of vehicles. Typical services include transmission repair, body work and painting, brake repair, vehicle upholstery, tire shop, engine repair and overhauls, and similar activities.

“Vehicle sales and rental” means a place and/or building, or portion thereof, that is used or is intended for buying, selling, exchanging, taking for consignment, renting, or leasing new or used vehicles, including cars, light trucks, snowmobiles, motorcycles, all-terrain vehicles (ATVs), recreational vehicles, personal water craft.

“Vehicle services” means a place and/or building, or portion thereof, that is used or is intended for servicing vehicles where they typically are not left overnight. Examples include quick lube/oil change, car washes, tire stores, vehicle cleaning including cleaning, washing, polishing, waxing, or similar activities.

GENERAL STORAGE

“Agricultural commodity storage facility” means a place and/or building, or portion thereof, that is used or is intended to store bulk food stuffs prior to shipment and/or processing. The term includes grain elevators and such facilities.

“Fuel tank farm” means a place and/or building, or portion thereof, that is used or is intended for commercial bulk storage of petroleum products or any other fuel.

“Freight terminal” means a place and/or building, or portion thereof, that is used or is intended for unloading, loading or storage of freight for routing or reshipment. (Ord. 2950, 2007)

“Mini-storage facility” means a place and/or building, or portion thereof, that is divided into individual spaces and that is used or is intended as individual storage units that are rented, leased, or owned. The term includes a tract of land used to store vehicles that are not for sale or trade.

“Warehouse” means a place and/or building, or portion thereof, that is used or is intended for the storage of goods and materials, for wholesale sales, temporary storage, and distribution. The term includes moving and storage facilities. The term does not include fuel tank farms.

INDOOR RECREATION / SPORTS / ENTERTAINMENT

“Casino” means any and all establishments that offer legalized gambling authorized under Title 23, Chapter 5, Part 1, et. seq., MCA and where any one of the following characteristics applies:

- a. the establishment is referenced as a “casino” or “gambling establishment”, or makes any reference to legalized gambling by signage, advertisement or by name; and/or
- b. five or more gambling machines are on the premises; and/or
- c. a card table is on the premises.

“Casino, type I” means a casino allowed in certain zoning districts only if specific development and appearance standards are met.

“Casino, type II” means a casino allowed in certain zoning districts without specific development or appearance standards.

“Indoor entertainment” means a place and/or building, or portion thereof, that is used or is intended for indoor entertainment of all types. The term includes theaters, movie theaters, dance halls, theaters for performing arts, and the like.

“Indoor sports and recreation” means a place and/or building, or portion thereof, that is used or is intended for indoor recreation of all types. The term includes bowling alleys, skating rinks, billiard and pool halls, arcades, athletic clubs, indoor racquetball courts, athletic training centers, gyms, and the like.

OUTDOOR RECREATION / SPORTS / ENTERTAINMENT

“Golf course/driving range” means a place, whether organized for profit or not, that is used or is intended for playing golf.

“Miniature golf” means a place and/or building, or portion thereof, that is used or is intended for playing miniature golf.

“Open space” means a vacant, undeveloped or unimproved parcel or area of land that is intended to remain free of development. Such lands typically include undeveloped park lands or other public lands, private lands in high hazard areas or with conservation easements, open water bodies, etc.

“Outdoor entertainment” means a place and/or structure, or portion thereof, that is used or is intended for outdoor, spectator-type uses or events. The term includes race tracks, motocross courses, sports arenas, concerts, religious assemblages, and the like.

“Park” means a place and/or building, or portion thereof, that is used or is intended for recreational activities for use by the general public or by a homeowners' association. The term includes developed and undeveloped areas and neighborhood recreation centers.

“Recreation trail” means a linear path which may be dedicated to a single use or multiple uses. Examples include hiking trails, bike trails, x-country ski trails, and horse trails.

COMMUNITY SERVICES/USES

“Administrative government center” means a place and/or building, or portion thereof, that is used or is intended as a governmental office or administrative facility. The term includes post offices, courthouses, correctional facilities, and the like.

“Animal shelter” means a place and/or building, or portion thereof, that is used or is intended to temporarily house stray pets.

“Cemetery” means a place and/or building, or portion thereof, that is used or is intended for burial purposes. Accessory uses include columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such area.

“Civic use facility” means a place and/or building, or portion thereof, that is used or is intended for large gatherings of people. The term includes zoos, arenas, stadiums, fairgrounds, and the like.

“Community center” means a place and/or building, or portion thereof, that is used or is intended for short-term and intermittent meetings or gatherings of nonresident individuals that are generally open to the public for purposes of recreation, sharing information, entertainment, social service, or similar activities. The term includes fraternal, social, or civic clubs, lodges, union halls, and the like.

“Community cultural facility” means a place and/or building, or portion thereof, that is used or is intended for studying, reading, personal education, or for viewing the visual arts. The term includes libraries, museums, art galleries, observatories, and the like. The term does not include performing arts.

“Community garden” means an outdoor area that is used to grow vegetables, fruits, flowers, and the like by a group of unrelated individuals who primarily use what is grown for their personal use. The community garden can be divided into individual plots of land for the exclusive use of the person assigned each plot, or the entire garden may be a cooperative effort of any number of people, or a combination thereof.

“Public safety facility” means any place and/or building, or portion thereof, whether public or non-public, that is used or is intended for housing public safety services. The term includes ambulance services, fire stations, police stations, and the like.

“Worship facility” means a place and/or building, or portion thereof, that has tax-exempt status and that is used or is intended as a place where people can regularly assemble for religious worship and associated activities. The term includes sanctuaries, chapels, cathedrals, churches, synagogues, and temples and other onsite accessory buildings such as parsonages, friaries, convents, fellowship halls, Sunday schools,

rectories, and day care centers within the same structure. The term does not include, community recreation facilities, dormitories, private educational facilities, emergency shelters, health care facilities, and the like. (Ord. 2950, 2007)

HEALTH CARE

“Health care clinic” means a place and/or building, or portion thereof, that is used or is intended for providing medical services including prevention, diagnosis, treatment, or rehabilitation. The term includes dental clinics, doctor’s offices, and sports medicine facilities. The term does not include those uses as classified as a health care facility. (Ord. 2950, 2007)

“Health care facility” means a place and/or building, or portion thereof, whether public or private, excluding federal facilities, whether organized for profit or not, that is used or is intended to provide health services, medical treatment, or nursing, rehabilitative, or preventative care to any person or individuals. The term does not include offices of private physicians or dentists. The term includes ambulatory surgical facilities, hospitals, kidney treatment centers, long-term care facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day-care centers as defined in State law. (Source: 50-5-101, MCA)

“Health care sales and services” means a place and/or building or portion thereof, that is used or intended to provide for the sale of health care products and services. The term includes pharmacies, vision care facilities, hearing aid facilities, prosthetic facilities, etc. (Ord. 2950, 2007)

EDUCATION

“Commercial educational facility” means an educational facility operated by private institutions or individuals that is used or is intended for preparing students for jobs in trades or professions. The term includes music schools, hair styling schools, real estate schools, and the like.

“Educational facility (K-12)” means a place and/or building, or portion thereof, that is used or is intended for use as a preschool, elementary, junior high, or high school.

“Educational facility (higher education)” means any place and/or building, or portion thereof, that offers or is intended to provide secondary education. The term includes colleges, universities, community colleges, and vocational schools.

“Instructional facility” means any place and/or building, or portion thereof, that is used or is intended to offer instruction, training, or tutelage in such areas as gymnastics, dance, art, music, martial arts, and the like.

SOLID WASTE, RECYCLING, AND COMPOSTING

“Composting facility” means a place and/or building, or portion thereof, that is used or is intended for collecting and processing vegetation (but not food wastes) for composting. The term includes the storage and manipulation of materials prior to, during, and following composting.

“Recycling center” means a place and/or building, or portion thereof, that is used or is intended for collecting and/or processing recoverable materials prior to shipment to others who use those materials to manufacture new products. Typical types of recoverable materials include glass, newspaper, metal, and plastic. The term shall not include a junk yard.

“Solid waste transfer station” means a place and/or building, or portion thereof, that is used or is intended for temporary collection of solid waste prior to transport to a processing plant or to final disposal. (Refer to: 16.14.403, ARM)

TELECOMMUNICATIONS

“Amateur radio station” means a radio station operated by a federally licensed amateur radio operator as part of the Amateur Radio Service.

“Telecommunication facility” means a facility that transmits and/or receives electromagnetic signals. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.

“Telecommunication facility, co-located” means a telecommunication facility comprised of a single telecommunication tower or building supporting one or more antennas, dishes, or similar devices owned or used by more than one public or private entity.

“Telecommunication facility, concealed” means (1) an antenna that a casual observer would consider it a part of the structure to which it is attached or made a part of, or (2) an antennae and tower structure that is camouflaged to blend into the surroundings (e.g., camouflaged trees).

“Telecommunication facility, unconcealed” means an antenna mounted on a tower or mounted on the ground.

UTILITIES

“Utility installation” means a place, building and/or structure, or portion thereof, whether public or private, that is used or is intended for providing basic infrastructure or utility services generally having moderate to high impact on neighboring property. The term includes pipeline pumping stations, sewage treatment plants, electrical substations, water towers, wind turbines and the like. It does not include public water system wells, sewer lift stations, irrigation ditches, or linear electric, communications or natural gas utilities, and the like. (Ord. 2950, 2007)

TRANSPORTATION

“Airport” means a place and/or building, or portion thereof, that is used or is intended for the landing and takeoff of airplanes, helicopters, similar craft, including all necessary facilities for the housing and maintenance of the same. (Ord. 2950, 2007)

“Bus transit terminal” means a place and/or building, or portion thereof, that is used or is intended for loading and unloading of bus passengers along with facilities for ticket sales and food service areas primarily intended for bus passengers.

“Heli-pad” means a place that is used or intended to land helicopters.

“Parking lot, principal use” means an off-street parking facility intended to temporarily store vehicles, not accessory to any principal use. (Ord. 2950, 2007)

“Parking structure” means a multilevel structure that is used or is intended for parking motor vehicles for a short duration. The term does not include underground parking.

“Railroad yard” means a place and/or building, or portion thereof, that is used or is intended for switching train cars, loading and unloading cars, and where train cars and engines are serviced and stored while not in use.

“Taxi cab dispatch terminal” a place and/or building, or portion thereof, that is used or is intended for dispatching taxi cabs and where taxi cabs are kept while not in use.

CONTRACTOR YARDS

“Contractor yard” means a place and/or building, or portion thereof, that is used or is intended to be used by a contractor/builder with one or more of the following: construction material storage, machinery storage or repair, including trucks and heavy equipment, shops, and office space.

“Contractor yard, type I” means a contractor yard that would be compatible in size and scope in a residential setting as defined by performance standards herein described or as may be adopted.

“Contractor yard, type II” means a contractor yard that would be compatible in size and scope with industrial and commercial activities as defined by performance standards herein described or as may be adopted.

INDUSTRIAL

“Artisan shop” means a place and/or building, or portion thereof, that is used or is intended for creating works of art and/or production of handmade craft items on a small-scale. Examples of such items include paintings, sculptures, pottery, jewelry, hand blown glass, small wooden items, candles, soaps, and lotions.

“Industrial, heavy” means a place and/or building, or portion thereof, that is used or is intended for the following or similar uses: processing or manufacture of materials or products predominantly from extracted or raw materials; storage of or manufacturing processes using flammable or explosive materials; or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. The term includes motor vehicle assembly, oil refineries, textile production, sawmills, post and pole plants, log yards, asphalt and concrete operations, primary metal processing, and the like.

“Industrial, light” means a place and/or building, or portion thereof, that is used or is intended for the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing. The term includes furniture production, metal fabrication, apparel manufacturing, printing, publishing, and the like.

“Industrial park” means a planned and coordinated development designed to accommodate a variety of and more than 2 industrial uses.

“Junk yard” means a place and/or building, or portion thereof, that is used or is intended for selling, exchanging, storing, cleaning, packing, processing, or otherwise handling salvage materials.

“Light manufacturing and assembly” means a place and/or building, or portion thereof, that is used or is intended for manufacturing and/or assembly of goods where no air contaminants or potentially offensive

odors are emitted outside of the building or area of manufacture/assembly; no radioactive materials or hazardous substances or hazardous wastes or regulated substances are handled or produced. Such uses do not produce offensive noises outside of the building or area of manufacturing/assembly. Such uses typically have relatively small volumes of products shipped in and out, so as to not adversely impact neighboring uses (such as residential, office or commercial in mixed use zones). Typical uses include assembly of computers; testing, producing and/or packaging software; packaging of pre-made goods; etc. This term does not include any uses specifically listed under the definition of “industrial, light”.

“Motor vehicle graveyard” means a place and/or building, or portion thereof, that is maintained and operated by a county and that is used or is intended as a collection point for junk motor vehicles prior to their disposal. (Source: 75-10-501, MCA)

“Motor vehicle wrecking facility” means a place and/or building, or portion thereof, that is used or is intended for buying, selling, or dealing in 4 or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or a facility that buys or sells component parts, in whole or in part, and deals in secondhand motor vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification. The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard. (Source: 75-10-501, MCA)

ACCESSORY USES

“Agriculture, livestock” means a place and/or building, or portion thereof, that is used or is intended for raising horses and/or cattle, exclusively.

“Automated teller machine (ATM)” means an automated device for conducting financial transactions.

“Automated teller machine (ATM), exterior” means an automated teller machine that is accessed from outside of an enclosed building. (Ord. 2950, 2007)

“Bed and breakfast” means a single family residence that offers overnight accommodations and a meal for a daily charge and which also serves as a primary residence of the operator or owner. (Refer to: 50-51-102, MCA)

“Fences” means a structure around the perimeter of a space that provides privacy, aesthetics, or security.

“Gaming, accessory” means a portion of a hotel, motel, restaurant or tavern with legalized gambling authorized under Title 23, Chapter 5, part 1, et. seq., MCA, permitted with specific development and use standards.

“Garage, private” means a building that is intended to house vehicles and household items belonging to the owner or occupant of the principal residence. (Ord. 2950, 2007)

“Home occupation” means any occupation, profession, enterprise, or similar activity that is conducted on the premises of a single-family residence as an accessory use and that would be compatible in size and scope in an urban residential setting. The term does not include hobbies or similar non-commercial activities or any activity that would meet the definition of heavy industry.

“Private stable/barn” means a place and/or building, or portion thereof, that is used or is intended for noncommercial activities relating to rearing, training, and riding horses or other permitted livestock. This term includes pole barns.

“Residence, accessory” means a place and/or building, or portion thereof, that is used, or is intended to provide housing, as a single family residence for a caretaker, employee or owner of the principal use and the like. This residence is accessory to a principal use. (Ord. 2950, 2007)

“Roadside farmer’s market” means a place and/or building, or portion thereof, that is used or is intended for the retail sale of produce grown exclusively on the premises.

“Storage container” means an enclosed metal container exceeding 90 cubic feet that is typically used to temporarily store merchandise.

TEMPORARY USES

“Garage sales” means the occasional non-business public sale of secondhand household goods and other goods incidental to household uses. The term also includes yard sales, patio sales, and the like. The term does not include any sales defined as itinerant outdoor sales. (Ord. 2950, 2007)

“Itinerant outdoor sales” means a place that is used or is intended for retail sales over a limited duration. The term includes seasonal sales such as fireworks and Christmas trees, flea markets, and the like. The term does not include private yard or garage sales or the sale of agricultural products produced on the premises.

“On-site construction office” means a building placed on a construction site that is used by the contractor as a field office and removed when construction is complete.

“On-site real estate sales office” means a residential dwelling in a residential development that is temporarily used as a sales office for other on-site residential dwellings.

“Outdoor entertainment, temporary” means a short-term outdoor event such as concerts, performances, religious assemblages and the like. The term does not include sporting events such as motocross, auto racing and the like. (Ord. 2950, 2007)

“Sidewalk café” means an outdoor dining area located upon public property, including a sidewalk, and operated as an integral part of an adjacent restaurant where food and beverages are sold or served primarily for consumption on the premises.

“Sidewalk food vendor” means the sale of food and beverage from a mobile cart located on public property or within the public right-of-way.