

- H) **Interpretation of Uses Not Clearly Defined.** Where a use is not specifically listed, its status shall be determined by the Zoning Officer by evaluating the use against those similar in purpose, function, character, and effect to determine its appropriateness based on the overall intent of the district. A formal request shall be submitted for interpretation, and the Zoning Officer's final determination shall be made in writing and kept on file in the Planning, Development and Sustainability Department office as a record of the interpretation.

2.5 OVERLAY DISTRICTS

- A) **Purpose.** The purpose of this section is to provide standards that address special situations where additional standards are necessary in addition to those within the underlying zoning district and other provisions of these regulations. Overlay districts are typically created to address provisions of state law, or unique or special features or circumstances identified in a plan or policy adopted by Missoula County.

B) **Target Range Overlay.**

1. **Intent.**

The Target Range Overlay is designed to implement the provisions in the Target Range Neighborhood Plan by recognizing the existence of rural areas that will come under pressure for residential development. This overlay zone provides for transitional low density residential uses between urbanized areas and agricultural uses; it also provides a zone that may be used to meet residential needs while limiting density to recognize environmental concerns. Land use tools, as defined in Section 2.8 of the Target Range Neighborhood Plan (2010), are encouraged to be used to preserve the resources considered "at risk" in the plan. Those resources are identified as: surface waters, the Missoula aquifer, agricultural soils, riparian areas, wildlife habitat, open space and viewsheds. The total number of dwellings allowed by zoning on a parcel does not change with the use of land use tools (no density bonus or reduction).

2. **Applicability.** The Target Range Overlay is applicable to any zoning district within the boundaries of the Target Range Neighborhood Plan except for Legacy Districts. The standards set within this section are in addition to the standards described in the underlying zoning district. When a standard in this section differs from the underlying district, the standard in this section applies.

3. **General standards.**

- a. For new subdivisions the clustering of lots, when proposed to protect "at risk" resources identified in Section 2.5.B.1., is permitted. When lots are clustered, the minimum lot sizes and building placement requirements in the underlying district are not applicable. The maximum homes per acre still apply.
- b. Additional density permitted in Section 9.3 and Section 9.11 is not allowed within the Target Range Overlay area.
- c. **Setbacks.** The setbacks in the Target Range Overlay are as follows:
 - i. Front – 25 feet



- ii. Side (interior) – 15 feet
 - iii. Side (street) – 15 feet
 - iv. Rear – 25 feet
 - d. **Building height.** The maximum building height in the Target Range Overlay is as follows:
 - i. 30 feet.
4. **Permitted uses.**
- a. Uses as allowed in the underlying district in Section 2.4.G., Table 5: Table of Uses by Zoning District, apply with the following exceptions that are prohibited in this overlay district:
 - i. Animal services, large
 - ii. Animal services, small
 - iii. Animal shelter or boarding kennel
 - iv. Funeral and Interment Services, cemetery
 - v. Funeral and Interment Services, funeral home/mortuary
 - vi. Guest Ranch, outfitting, or guide facility
5. **Procedures.**
- a. Variances can have an effect on the community welfare beyond adjoining property owners. For that reason, in addition to the public notice procedure specified in Chapter 11, the Target Range Homeowner’s Association shall be notified by first class mail at least fifteen (15) days prior to the public hearing for a variance request. It is the responsibility of the Target Range Homeowner’s Association to keep the Planning Office informed of the current address for the Association.