

ORDINANCE NO. 750

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING CHAPTER 18.434 LIVESTOCK OF THE COLUMBIA FALLS MUNICIPAL CODE.

WHEREAS, the City Council desires to amend Chapter 18.434 of the Columbia Falls Municipal Code to provide for horses in the City limits subject to performance standards and approval of a Conditional Use Permit; and

WHEREAS, the Columbia Falls City-County Planning Board and Zoning Commission conducted a public hearing on the proposed text amendment on Tuesday, February 10, 2015 and recommended adoption of the text amendment; and

WHEREAS, the City Council has determined, upon conducting a subsequent hearing on February 17, 2015, that said amendments to the Columbia Falls Municipal Code are in the best interests of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Section Amended: Chapter 18.434 of the Columbia Falls Municipal Code is hereby amended to read as shown on Exhibit "A" attached hereto.

Section Two. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Three. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Four. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 2nd DAY OF MARCH, 2015, THE COUNCIL VOTING AS FOLLOWS:

AYES: Lovering, Petersen, Shepard, Fisher, Karper and Barnhart

NOES: None

ABSENT: Plevel

\_\_\_\_\_  
City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 2nd DAY OF MARCH, 2015.

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Mayor

ATTEST:

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City Clerk

## **EXHIBIT "A"**

### **Chapter 18.434 LIVESTOCK**

#### **18.434.010 Fowl and livestock.**

The keeping of fowl and livestock is allowed in single-family residential areas, outside of the City Limits, provided the following minimum requirements are met:

- A. The lot or tract of land is at least one acre in size.
- B. The number of animals shall be limited to one hundred animal units (A.U.) per acre. Animal unit value shall be as follows:
  - 1. Horse, cow, donkey, etc.-fifty A.U.
  - 2. Sheep, goat, llama, etc.-twenty A.U.
  - 3. Chickens, geese, fowl, etc.-four A.U.
- C. Livestock and fowl in residential (CR) zones are allowed only for domestic use or consumption and shall not be raised for commercial purposes. The keeping or raising of pigs or swine in residential areas is not allowed.
- D. All animals in residential zones shall be kept inside fenced enclosures. Related buildings such as barns and animal pens shall be allowed only in rear and side yards of the tract or lot.  
(Ord. 687 § 1(part), 2007)
- E. The keeping of fowl is allowed in single family residential areas provided the following minimum requirements are met:
  - 1. The lot or tract of land is at least one acre in size except fowl which may be kept in CR zoned lots/tract of less than one acre provided:
    - a. No more than five fowl may be kept on lots less than one acre in size;
    - b. No roosters or male fowl may be kept on lots less than one acre;
    - c. Fowl must be kept in a fenced yard or enclosure.  
(Ord. 728, § 1(part) 2012)
- F. The keeping of horses is allowed in single family residential areas and in any SAG and AG Districts, inside the City Limits, with a Conditional Use Permit provided the following minimum requirements are met:
  - 1. The subject property is a minimum of two acres in size with a minimum of one acre devoted to pasture;
  - 2. The number of horses is limited to two or less per acre of land devoted to pasture;
  - 3. The owner or person responsible for care of the horses must also reside on the property. Keeping of horses is an accessory use to the primary residential use;
  - 4. All structures associated with the horses must meet the setbacks for primary structures and shall be allowed only in rear and side yards of the tract or lot unless otherwise approved by the Planning Board and City Council in the Conditional Use Permit process;
  - 5. All horses shall be kept inside a fenced paddock;
  - 6. Depending on location and neighbor comment received through the CUP process, additional standards may be required, such as, additional fencing to avoid horses damaging neighboring landscaping or a waste management plan.