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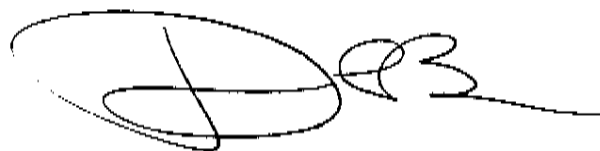
(Describe as being the
"original" Boundary)

However - have now found
original Boundary anywhere - -

PS -

If not correct - I have

Planned off full name - can get
another copy.



**BRIDGER DEVELOPMENT
LEGAL DESCRIPTION**

A tract of land located in the E 1/2 of Section 17, E 1/2 of Section 19, West 1/2 of Section 20, NE 1/4 of Section 29, and NW 1/4 of Section 30, Township 1 North, Range 7 East, P.M.M. of Gallatin County, Montana more particularly described as follows:

Beginning at the SW corner of said Section 17, the true point of beginning. Thence N00°02'57"E along said west line of said Section 17 for a distance of 5277.18' to the NE corner of Section 17; Thence S89°28'E for the intersection of said northline of Section 17 and the west right-of-way line of Highway 87; Thence southerly along said right-of-way line along its curves and tangents to the intersection of said southline of Section 17 and the west right-of-way; Thence S89°05'33"W to the SW corner of said Section 17 and point of beginning. Thence N88°37'53"E along the northline of Section 19 a distance of 2445.59'; Thence S04°56'32"W a distance of 1639.06'; Thence N86°05'29"E a distance of 5.15'; Thence N57°03'34"E a distance of 183.26'; Thence S87°55'48"E a distance of 257.25'; Thence N74°23'30"E a distance of 306.74'; Thence N88°39'24"E a distance of 185.47'; Thence N71°49'18"E a distance of 88.14'; Thence N41°28'04"E a distance of 256.81'; Thence S85°58'58"E a distance of 153.26'; Thence S01°02'25"E a distance of 1320.82'; Thence S00°01'26"W a distance of 1320.82'; To the center of the SE 1/4 of Section 19. Thence S01°00'53"E for a distance of 500.48'; Thence S76°10'50"E for a distance of 206.90'; Thence along a curve to the left with a central angle of 08°08'42" and a radius of 1594.97' for a distance of 226.74'; Thence S84°19'32"E for a distance of 496.42'; Thence along a curve to the left with a central angle of 46°02'10" and a radius of 559.60' for a distance of 449.63'; Thence N49°38'18"E for a distance of 123.85'; Thence S38°43'07"E for a distance of 619.68'; Thence S51°14'48"W for a distance of 513.83'; Thence N64°11'00"W for a distance of 737.40'; Thence S89°13'56"W for a distance of 660.00'; Thence south for a distance of 183.00'; Thence S49°44'W for a distance of 11.5'; Thence S63°26'W for a distance of 112.0'; Thence S36°23'W for a distance of 118.0'; Thence S17°15'W for a distance of 118.0' to the south section line of Section 19; Thence east to the S 1/16, SE 1/4 corner of said Section 19; Thence S01°03'32"E for a distance of 1874.17'; Thence N77°14'51"E for a distance of 172.10'; Thence N85°42'18"E for a distance of 78.87'; Thence N48°28'25"E for a distance of 96.58'; Thence N66°10'45"E for a distance of 76.90'; Thence N77°58'57"E for a distance of 69.90'; Thence N66°52'22"E for a distance of 188.64'; Thence N32°22'06"E for a distance of 128.32'; Thence N71°06'44"E for a distance of 122.41'; Thence N55°23'00"E for a distance of 168.04'; Thence N36°10'26"E for a distance of 154.59'; Thence N63°43'36"E for a distance of 35.27'; Thence N89°47'01"E for a distance of 39.03'; Thence N60°42'51"E for a distance of 185.98'; Thence N87°45'08"E for a distance of 128.04'; Thence N47°40'23"E for a distance of 48.06'; Thence N02°30'26"E for a distance of 44.14'; Thence N51°18'59"E for a distance of 63.29'; Thence N59°26'48"E for a distance of 72.56'; Thence N33°14'40"E for a distance of 32.88'; Thence N89°44'36"E for a distance of 117.91'; Thence N79°06'18"E for a distance of 98.41'; Thence N74°56'08"E for a distance of 137.68'; Thence

N73°58'21"E for a distance of 237.35'; Thence N40°05'27"E for a distance of 266.11'; Thence N44°01'07"E for a distance of 226.48'; Thence N14°39'50"E for a distance of 481.62'; Thence N24°11'35"E for a distance of 210.30'; Thence N53°44'52"E for a distance of 83.55'; Thence N16°06'15"E for a distance of 206.38'; Thence N89°13'13"E for a distance of 552.63'; to a point that intersects the west right-of-way line of Highway 87; Thence northerly along said west right-of-way line of Highway 87 to a point in which the W 1/16 line of the SW 1/4 of Section 20 intersects the said west line of Highway 87 right-of-way. Thence along a curve to the left with a central angle of 11°06'03" and a radius of 1065.92 for a distance of 206.52'; Thence N28°03'34"W for a distance of 209.36'; Thence S80°04'49"W for a distance of 287.70'; Thence N22°58'32"W for a distance of 398.58'; Thence N14°36'13"W for a distance of 623.57'; Thence N84°58'36"E for a distance of 225.13';

Thence along a curve to the right with a central angle of 00°15'01" and a radius of 1512.40', for a distance of 6.61'; Thence S89°10'14"W for a distance of 1322.04' to the center 1/16 of the NW 1/4 of Section 10; Thence S89°10'14"W for a distance of 1330.18'; Thence N01°10'11"W for a distance of 1320.23' to the true point of beginning.



GALLATIN COUNTY

STAFF REPORT

TO: GALLATIN COUNTY COMMISSION AND THE ZONING
COMMISSION FOR THE BRIDGER CANYON ZONING
DISTRICT

FROM: W. RANDALL JOHNSON, SENIOR PLANNER *WJR*

SUBJECT: BASE AREA ASSOCIATES, 360 RANCH CORP. REQUEST
TO AMEND THE BRIDGER CANYON GENERAL PLAN
AND DEVELOPMENT GUIDE, BRIDGER BOWL BASE
AREA PLAN, BRIDGER CANYON ZONING ORDINANCE,
AND THE BRIDGER CANYON ZONING MAP

HEARING

DATE: JANUARY 11, 1996

DATE: JANUARY 8, 1996

Mike Potter and Dick Prugh, on behalf of Base Area Associates, 360 Ranch Corporation, have filed an application proposing amendments to the Bridger Canyon General Plan and Development Guide, Bridger Bowl Base Area Plan, Bridger Canyon Zoning Ordinance, and the Bridger Canyon Zoning Map. The proposed amendments would de-annex approximately 100 acres on the north boundary of the Bridger Bowl Base Area, and the 260 acre parcel of land commonly referred to as the Hammersmark property from the Bridger Bowl Base Area (see Attachment "A"). The amendment application also requests that the de-annexed properties be assigned a zoning designation of Recreation and Forestry (RF).

BACKGROUND:

In December of 1990, the Bridger Canyon Planning and Zoning Commission approved a 100 acre expansion of the Bridger Bowl Base Area. The Commission also assigned Recreation Business (B-3) zoning to the expanded area. In May of 1991, the Bridger Canyon Planning and Zoning Commission approved a 260 acre (Hammersmark property) expansion of the Base Area. This expanded area was assigned Base Area Recreation (B-4) zoning. With the two expansions, the Bridger Bowl Base Area increased from

approximately 400 acres to approximately 760 acres. Total development rights within the Base Area did not change.

In September of 1995, the Bridger Canyon Planning and Zoning Commission granted planned unit development approval for all of the applicant's properties within the Bridger Bowl Base Area. In general, the present PUD approval includes the use of 452 units as overnight accommodations and 90 units as recreational housing.

STAFF FINDINGS:

1. According to the amendment application, the applicants have stated that they have been encumbered from moving forward with their development plans for the Bridger Bowl Base Area. The applicants are therefore withdrawing all Base Area plans, and wish that the described property return to the general canyon zoning.

If approved by the Commission, the proposed amendments would restore the Bridger Bowl Base Area boundary to its original, pre-1990 area and configuration. In addition, amending the Bridger Bowl Base Area boundary would therefore nullify the present PUD approval. The applicants have submitted a letter stating that they will agree to "cancel" their PUD approval provided that the amendment requests are granted by both Commissions (see Attachment "B").

Attachment "C", are the applicant's proposed amendments to the General Plan and Development Guide, Base Area Plan, and Zoning Ordinance. The amendments are necessary to facilitate the change in the Base Area boundary. In addition, the Official Bridger Canyon Zoning Map would also have to be changed to delineate the new boundary of the Bridger Bowl Base Area.

2. The applicants have also requested that the zoning on the de-annexed properties be assigned Recreation and Forestry (RF). Prior to the inclusion of the properties into the Bridger Bowl Base Area, the property was zoned Agricultural Exclusive (AE).

According to the applicants, RF zoning classification would facilitate future winter recreational uses of the property, such as alpine and cross country ski facilities.

3. In reviewing the request for rezoning, the Commission should consider the intent, permitted uses, and conditional uses of the RF District.

The intent of the RF District is...

...to preserve existing developed and undeveloped recreation and forest lands from unplanned residential, commercial and industrial development.

Permitted uses within the RF District include one (1) single-family dwelling on each 40 acre parcel, growing and harvesting of timber and other forest products

and related activities, road building, crop farming and harvesting, forest stations and lookouts, public and private parks, public utility buildings, accessory structures and uses, signs, non-agricultural home occupations and hobbies.

Conditional uses within the RF District include development of natural resources, campgrounds, golf courses, driving ranges, ski lift facilities, pack stations, airports, guest ranches, commercial snowmobile facilities, cross country ski facilities, accessory structures and uses listed herein, home occupations and hobbies, community antennas, relay stations, and transmission lines.

4. Properties adjacent to the north boundary of the present Bridger Bowl Base Area are zoned RF. It appears that the rezoning of the 360 acres to RF would be compatible with the zoning classifications of the area.

5. According to 76-2-106(1) MCA, adoption by the planning and zoning commission of the development district or any change therein may be in whole or in part but must be by the affirmative vote of the majority of the whole commission; provided, however, that prior to any such adoption, a public hearing shall have been held not less than 15 days after notice thereof shall have been posted in at least three public places within the area affected.

6. According to the Amendment Section of the Bridger Bowl Base Area Plan, the Plan may be amended whenever the public interest and the general welfare require such amendment and according to the procedure prescribed by the Plan and state law.

7. According to Section 17.5, the Bridger Canyon Zoning Ordinance may be amended whenever the public necessity and convenience and the general welfare require such amendment and according to the procedure prescribed by law, and this Ordinance.

STAFF RECOMMENDED ACTION:

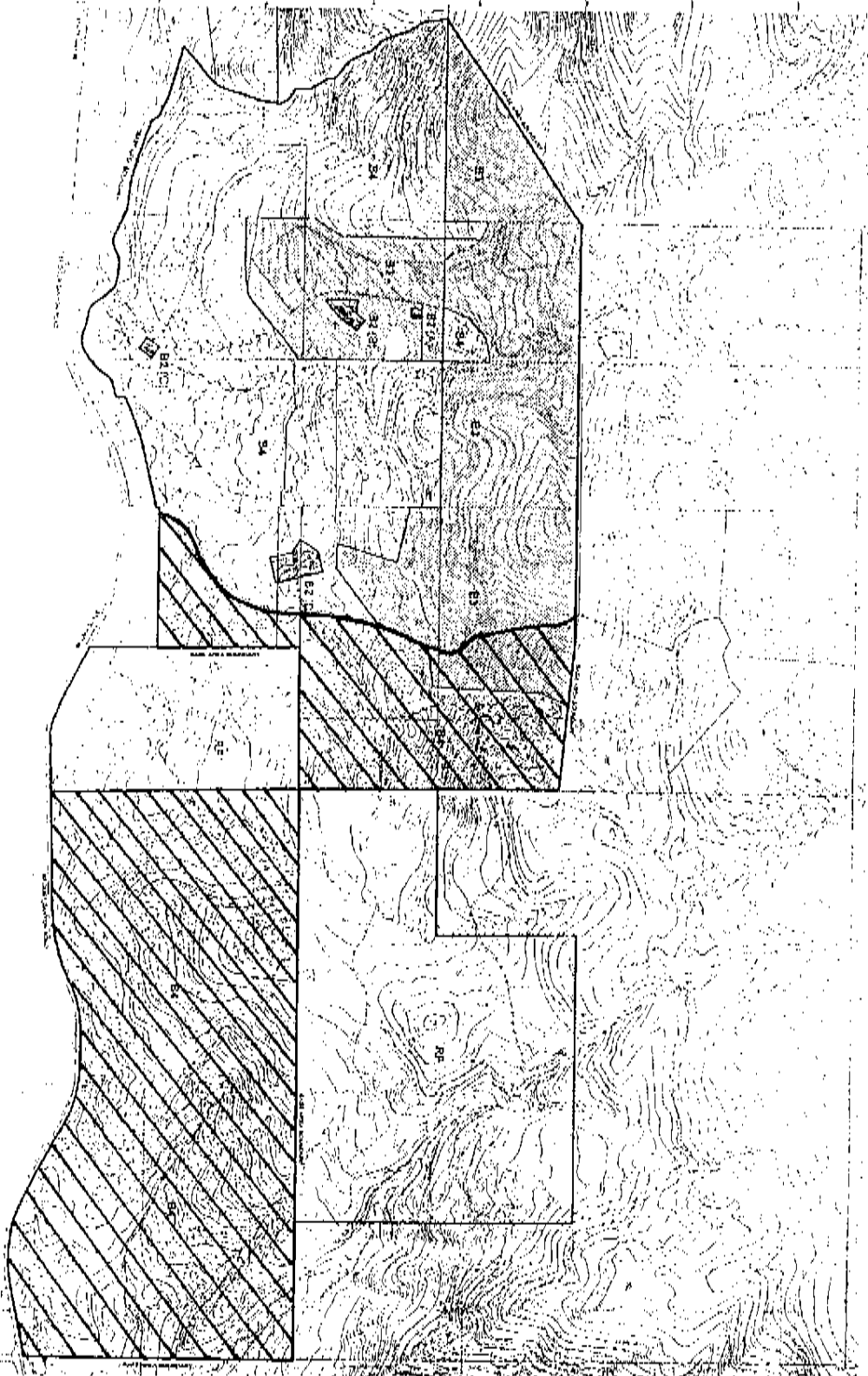
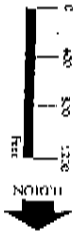
If the Bridger Canyon Planning and Zoning Commission, after hearing and considering all public testimony, determines that the public interest and general welfare require such amendments, and that the amendment requests meet the requirements of Section 76-2-106(1) MCA, the criteria set forth in Section 17.5 of the Bridger Canyon Zoning Ordinance, and the Amendment Section of the Bridger Bowl Base Area Plan, the proposed amendments as described under Attachment "C" should be adopted, and recommended to be adopted by the County Commission.

BRIDGER BOWL
BASE AREA
ZONING
CLASSIFICATIONS

LEGEND

B2

B-1



**BEFORE THE
BRIDGER CANYON PLANNING AND ZONING COMMISSION**

**GALLATIN COUNTY
STATE OF MONTANA**

**IN THE MATTER OF THE APPLICATION OF
BASE AREA ASSOCIATES, 360 RANCH CORP.,
FOR AN AMENDMENT TO THE BRIDGER CANYON
GENERAL PLAN AND DEVELOPMENT GUIDE,
BRIDGER BOWL BASE AREA PLAN, BRIDGER
CANYON ZONING ORDINANCE, AND THE
BRIDGER CANYON ZONING MAP, AND TO
ASSIGN A ZONING DESIGNATION**

**FINDINGS OF FACT
AND
ORDER**

PURSUANT to the Bridger Canyon General Plan and Development Guide, the Bridger Bowl Base Area Plan, and the Bridger Canyon Zoning Ordinance, all having been adopted and amended thereafter, after notice given, a public hearing was held in the Community Room of the Gallatin County Courthouse, Bozeman, Montana, on January 11, 1996. The purpose of the public hearing was to: review required plans, information, exhibits; determine if the information contained in the application met the requirements of the Bridger Canyon General Plan and Development Guide, the Bridger Bowl Base Area Plan, and the Bridger Canyon Zoning Ordinance; and, to listen to public testimony concerning the application and to consider written comments.

THEREFORE, with completion of the review and the receipt of all public input the Bridger Canyon Planning and Zoning Commission, being fully advised of all matters presented to them regarding this application, makes the following Findings of Fact:

FINDINGS OF FACT

I.

The application for amendments to the Bridger Canyon planning and zoning documents was made on December 14, 1995. A hearing was scheduled for January 11, 1996. Notice of the hearing was given twice in the Bozeman Daily Chronicle, on December 27 and 31, 1995. Notice was posted at three public locations within the zoning district, and adjoining property owners were notified by Certified Mail, return receipt requested. A hearing was held on January 11, 1996.

II.

Mike Potter and Dick Prugh, on behalf of Base Area Associates, 360 Ranch Corporation, made application proposing amendments to the Bridger Canyon General Plan and Development Guide, Bridger Bowl Base Area Plan, Bridger Canyon Zoning Ordinance, and the Bridger Canyon Zoning Map. The amendments allowed for the de-annexation of approximately 100 acres on the north boundary of the Bridger Bowl Base Area, and the approximately 260 acre parcel of land commonly referred to as the Hammersmark property from the Bridger Bowl Base Area. The amendment application also requested that the de-annexed properties be assigned a zoning designation of Recreation and Forestry (RF).

III.

The 100 ± acre parcel of the amendment request is located in the West Half (W1/2) of Section Twenty (20), and the North Half (N1/2) of Section Nineteen (19), Township One North (T1N), Range Seven East (R7E), M.P.M., Gallatin County,

Montana. The 260 ± acre parcel is located in the West Half (W1/2) of Section Seventeen (17), Township One North (T1N), Range Seven East (R7E), M.P.M., Gallatin County, Montana.

IV.

The Commission determined that the amendments proposed by the applicants would restore the Bridger Bowl Base Area boundary to its original, pre-1990 area and configuration. In addition, the Commission found that amending the Bridger Bowl Base Area boundary would nullify the present planned unit development proposal within the Base Area, as approved by the Planning and Zoning Commission in September of 1995.

V.

The applicants requested that the de-annexed properties be assigned a zoning designation of Recreation and Forestry (RF). According to the applicants, RF zoning would facilitate future winter recreational uses of the property, such as alpine and cross country ski facilities.

In reviewing the request for rezoning, the Commission considered the intent, permitted uses, and conditional uses of the RF District. The Commission found that RF zoning is the most appropriate zoning classification for the properties, taking into account the present land use of the area and the compatibility with adjacent zoning classifications.

VI.

According to 76-2-106(1) MCA, adoption by the planning and zoning commission of the development district or any change therein may be in whole or in part but must be by the affirmative vote of the majority of the whole commission; provided,

however, that prior to any such adoption, a public hearing shall have been held not less than 15 days after notice thereof shall have been posted in at least three public places within the area affected.

VII.

According to the Amendment Section of the Bridger Bowl Base Area Plan, the Plan may be amended whenever the public interest and the general welfare require such amendment and according to the procedure prescribed by the Plan and state law.

VIII.

According to Section 17.5, the Bridger Canyon Zoning Ordinance may be amended whenever the public necessity and convenience and the general welfare require such amendment and according to the procedure prescribed by law, and this Ordinance.

IX.

The Commission considered the proposed amendments to the planning and zoning documents as submitted by the applicants (attached as Exhibit 1). The Commission determined that the amendments were necessary to facilitate the change in the Bridger Bowl Base Area boundary. The Commission also determined that the Official Bridger Canyon Zoning Map would also have to be changed to delineate the new boundary of the Base Area.

X.

Public testimony was given during the hearing. The majority of the testimony was in support of the application. Testimony in opposition of the application stated that

the property should be rezoned Agricultural Exclusive (AE), not Recreation and Forestry (RF).

XI.

In board discussion, the Commission considered all submitted information and public testimony. The Commission found that the proposed amendments to the Bridger Canyon General Plan and Development Guide, Bridger Bowl Base Area Plan, Bridger Canyon Zoning Ordinance, and the Bridger Canyon Zoning Map met the requirements of Section 76-2-106(1) MCA, the Amendment Section of the Bridger Bowl Base Area Plan, and Section 17.5 of the Bridger Canyon Zoning Ordinance. The Commission also supported a zoning classification of Recreation and Forestry (RF) for the described properties de-annexed from the Bridger Bowl Base Area properties. In conclusion, the Commission found that the amendments and rezoning request will not be a detriment to the health, safety, and general welfare of the County.

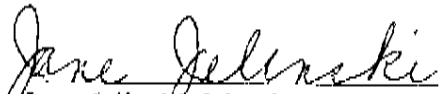
ORDER

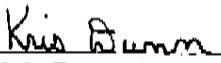
It is hereby ordered that the Base Area Associates, 360 Ranch Corporation requests to amend the Bridger Canyon General Plan and Development Guide, Bridger Bowl Base Area Plan, Bridger Canyon Zoning Ordinance, and the Bridger Canyon Zoning Map, and to rezone the approximately 360 acres removed from the Bridger Bowl Base Area be recommended to be adopted by the Gallatin County Commission.

DATED THIS 11th DAY OF JANUARY, 1996.

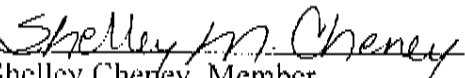
BRIDGER CANYON PLANNING AND ZONING COMMISSION


Stan Hughes, Chairman


Jane Jelinski, Member


Kris Dunn, Member


Phil Olson, Member


Shelley Cheney, Member

RESOLUTION NO. 1996- 4

A RESOLUTION OF THE GALLATIN COUNTY COMMISSION
TO AMEND THE GENERAL PLAN AND DEVELOPMENT GUIDE,
AND BRIDGER BOWL BASE AREA PLAN
OF THE BRIDGER CANYON ZONING DISTRICT

WHEREAS, Mike Potter and Dick Prugh, on behalf of Base Area Associates applied to amend the Bridger Canyon General Plan and Development Guide (General Plan), the Bridger Bowl Base Area Plan (Base Area Plan), Bridger Canyon Zoning Ordinance and Zoning Map to de-annex approximately 100 acres on the north boundary of the Bridger Bowl Base Area and a parcel containing approximately 260 acres commonly referred to as the Hammarsmark property. The parcels are shown on Appendix "A". The application also requested that the de-annexed properties be assigned a zoning designation of Recreation and Forestry (RF); and

WHEREAS, on January 11, 1996, the Planning and Zoning Commission for the Bridger canyon Zoning District (Zoning Commission) and Gallatin County Commission (County Commission) conducted a joint public hearing to consider the proposed amendments to the zoning documents; and

WHEREAS, testimony was received by the Zoning Commission and County Commission on the proposed amendments; and

WHEREAS, following the public hearing the Zoning Commission recommended that the County Commission adopt the amendments proposed by 360 Ranch Corporation; and

WHEREAS, after hearing the public testimony on January 11, 1996, the County Commission considered the recommendation of the Zoning Commission at its regularly scheduled meeting on January 16, 1996.

NOW, THEREFORE BE IT RESOLVED:

1. The County Commission finds as follows:

a. The applicants stated that they have been encumbered from moving forward with their development plans for the Bridger Bowl Base Area. The applicants desire that the described property return to the general canyon zoning.

b. The amendments would restore the Bridger Bowl Base Area boundary to its original pre-1990 area and configuration, which would nullify the present PUD approval obtain by 360 Ranch Corporation. The amendments are necessary to facilitate the change in the Base Area boundary.

c. Prior to the inclusion of the properties into the Base

*changed from
RF zoning*

Area, the property was zoned Agricultural Exclusive (AE). According to the application, RF zoning classification would facilitate future winter recreational uses of the property, such as alpine and cross country ski facilities. Properties adjacent to the north boundary of the present Bridger Bowl base Area are zoned RF. Rezoning the approximate 360 acres to RF would be compatible with the zoning classifications of the area.

d. The public necessity and convenience and general welfare of the Bridger Canyon Zoning District require the amendments.

2. The General Plan is amended in the Section beginning on page 24, Cultural Resources, Existing Zoning, by adding the following at the end of page 26:

In 1996 the expansions of the 1990, 100 ± acre North Base Area and the 1991, 260 ± acre Hammarmark property were de-annexed from the Base Area. The Base Area development rights remain the same as the 1989 development right allocation. This allocation allows 200 development rights for recreational housing (25%) and 600 development rights for overnight accommodations (75%).

3. The Base Area Plan is amended in the Section beginning on page 2, Background, by adding the following at the end of page 4:

In 1996 the expansions of the 1990, 100 ± acre North Base Area and the 1991, 260 ± acre Hammarmark property were de-annexed from the Base Area. The Base Area development rights remain the same as the 1989 development right allocation. This allocation allows 200 development rights for recreational housing (25%) and 600 development rights for overnight accommodations (75%).

4. The chart on pages 8 and 26 of the Base Area Plan are amended by deleting the followed interlined text:

<u>OWNERSHIP</u>	<u>APPROX. ACRES</u>	<u>UNITS UNDER BASIC ZONING</u>	<u>REC. HOUSING</u>	<u>OVERNIGHT UNITS</u>	<u>RESERVE OVERNIGHT</u>
360 Ranch					
Tract 1					
Financial Development Corp.	32.5	1	16	23	26
Tract 2					
Crosscut Ranch	61.5	1	4	5	6
Tract 3					
Simkins & Haggerty	80.0	4	65	90	103
Tract 4					
Montana Blesco North	20.0	1	37	52	59
Tract 5					
Montana Blesco South	65.5	1	29	41	47
North Base Area*	100.0	2	0	0	0
Hammarmark Property*	260.0	6	0	0	0

Bridger Bowl**	87.0	1	16	23	25
Hepburn	3.5	1	2	2	3
Lachenmaier	25.0	1	13	17	20
Bridger Pines***	29.0	1	-	-	-

~~* No separate recreational housing or overnight accommodation rights are allocated to the North Base Area or Hammarmark Property, but may be transferred onto these parcels from other parcels within the Base Area. As provided by the Findings of Fact and Order which included the Hammarmark Property into the Base Area the use of development rights on this property through a planned unit development is limited to 70 units.~~

** Ownership of two separate parcels

*** Previously developed for 60 units

4. The chart on page 41 of the Zoning Ordinance is amended by deleting the followed interlined text:

<u>OWNERSHIP</u>	<u>APPROX. ACRES</u>	<u>UNITS UNDER BASIC ZONING</u>	<u>REC. HOUSING</u>	<u>OVERNIGHT UNITS</u>	<u>RESERVE OVERNIGHT</u>
360 Ranch					
Tract 1					
Financial Development Corp.	32.5	1	16	23	26
Tract 2					
Crosscut Ranch	61.5	1	4	5	6
Tract 3					
Simkins & Haggerty	80.0	4	65	90	103
Tract 4					
Montana Blesco North	20.0	1	37	52	59
Tract 5					
Montana Blesco South	65.5	1	29	41	47
North Base Area*	100.0	2	0	0	0
Hammarmark Property*	260.0	6	0	0	0
Bridger Bowl**	87.0	1	16	23	25
Hepburn	3.5	1	2	2	3
Lachenmaier	25.0	1	13	17	20
Bridger Pines***	29.0	1	-	-	-

~~* No separate recreational housing or overnight accommodation rights are allocated to the North Base Area or Hammarmark Property, but may be transferred onto these parcels from other parcels within the Base Area. As provided by the Findings of Fact and Order which included the Hammarmark Property into the Base Area the use of development rights on this property through a planned unit development is limited to 70 units.~~

** Ownership of two separate parcels

*** Previously developed for 60 units

5. The de-annexed property is zoned Recreational Forestry (RF).

6. The Bridger Bowl Base Area Zoning Classification Map is amended as shown on Appendix "A".

Dated this 16th day of January, 1996.

GALLATIN COUNTY COMMISSION

Jane Jelinski
Jane Jelinski, Chairman

Phil Olson
Phil Olson, Member

Kris Dunn
Kris Dunn, Member

ATTEST:

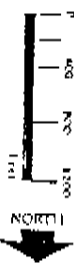
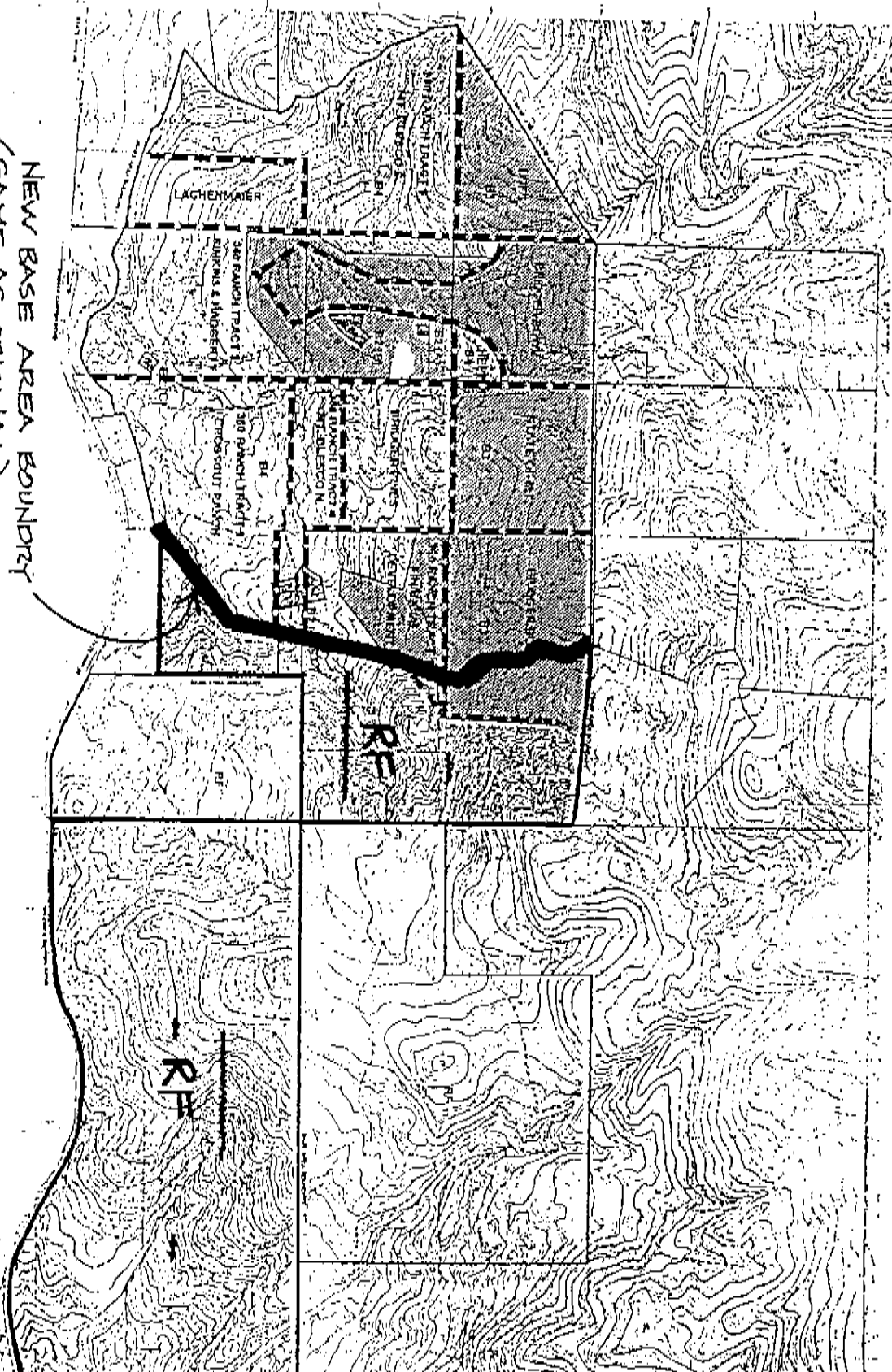
Shelley M. Cheney
Clerk and Recorder

BRIDGER BOWL
BASE AREA

ZONING
CLASSIFICATIONS
AND PARCEL
OR ERSHIP
LEGEND

- B2
- B3
- B4

NEW BASE AREA BOUNDARY
(SAME AS ORIGINAL)



APPENDIX A
PROPOSED
MILLING & PAVING A NORTHERN