Gallatin County

MEMORANDUM

TO:	**Montana Department of Revenue**
FROM:	**Sean O'Callaghan, AICP, CFM, Chief Planning Officer**
RE:	**Gallatin County Regulation of the Cultivation, Processing, or Selling of Marijuana or Marijuana Products**
DATE:	**January 2, 2024**

This memo shall serve as Gallatin County's notice to the Montana Department of Revenue, to the extent that a response is required under §16-12-207 MCA or other applicable statues or administrative rules, concerning the County's regulation of the cultivation, processing, or selling of marijuana or marijuana products. As you know, marijuana licensing and regulation is addressed and approved by the Montana Department of Revenue, Cannabis Control Division.

At the present time, Gallatin County has not adopted any regulations, ordinances, or resolutions that specifically restrict the cultivation, processing, or selling of marijuana or marijuana products in unincorporated Gallatin County.

When such uses are proposed, they are reviewed on a site-specific basis for compliance with any applicable zoning rules in the exact same manner that any other land use is reviewed.

The Gallatin County Department of Planning and Community Development will no longer provide individual letters for applicants to submit to the Department of Revenue. Should they wish to do so, applicants can fill out our standard Property Information Request Form (see attached), specify the specific proposed use and location, and Department of Planning and Community Development Staff can indicate on that form whether any specific requirements or reviews are required for the proposed use of property.

The Department of Planning and Community Development can be reached at (406) 582-3130 or planning@gallatin.mt.gov with any questions.

Sean O'Callaghan
AICP, CFM, Chief Planning Officer

Property Information Request Form

Please note that the GIS Department and the Gallatin County Health Department may require a completed copy of this form prior to issuing an address, license, or permit. Please discuss your proposed project with the Health Department (406) 582-3120, County Road and Bridge Department (406)582-3250 and State Building Codes Bureau (406) 841-2069 to learn about other approvals that may be necessary for your project.

Requester Name _____ **Phone** _____ **Email** _____

Mailing Address _____

Landowner Name _____ **Phone** _____

Address (*if existing*) **/ Road Name Site** _____ **Geocode 06-** _____

Subdivision/COS# _____ **Lot/Tract/Parcel** _____ **Block** _____

Legal Description _____ ¼ _____ ¼ **Section** _____ **Township** _____ **Range** _____

Description of Existing Buildings on Property _____

Number of Structures / units / buildings proposed _____

Check Proposed Project:
☐ **Single-Family** ☐ **Multi-Family** ☐ **Commercial/Industrial** ☐ **Mixed Use**
☐ **Tourist License (Vacation Rental)** ☐ **Septic Replacement Only** ☐ **Address Only** ☐ **Rental Units**

Other (*please describe*) _____

Project will need: ☐ **Address** ☐ **Septic Permit**

BY SIGNING BELOW, THE ABOVE NAMED LANDOWNER OR REQUESTER HEREBY ACKNOWLEDGES THAT COMPLIANCE WITH APPLICABLE COUNTY REGULATIONS, INCLUDING BUT NOT LIMITED TO OBTAINING ANY NECESSARY PERMITS/APPROVALS PRIOR TO COMMENCING THE ACTIVITY FOR WHICH THE PERMIT/APPROVAL IS REQUIRED, IS MANDATORY AND THE RESPONSIBILITY OF THE LANDOWNER.

_____ _____
Landowner or Requester Signature   *Date*

Printed Name

This section to be completed by Planning Department based on regulations in effect on date is completed

A. Other Planning Jurisdiction ☐ **YES** – If Yes, see sections A. & C.   ☐ **NO** – If No, see Sections B. & C.

Prior to construction, the Landowner is required to contact the jurisdiction below to determine whether the project is subject to review under Zoning, Subdivision & Platting Act or Building by Lease or Rent regulations:

☐ **City of Belgrade (388-3783)**   ☐ **Town of Manhattan (284-3235)**   ☐ **Three Forks (285-3431)**
☐ **Other**

B. Zoning

Property is located in a County zoning district and subject to zoning regulations	☐YES	☐NO

If "YES", name of zoning district / subdistrict: _____

Zoning-related permits/approvals are required prior to commencing construction of project	☐YES	☐NO

Subdivision & Platting Act

The above project appears to require review under the Subdivision Regulations	☐YES	☐NO

Building by Lease or Rent

The above project appears to require review under the Building by Lease or Rent Regulations	☐YES	☐NO

C. Floodplain

At least a portion of the above property appears to be located in the 100-year floodplain as mapped by FEMA and is subject to the Floodplain Regulations. Landowner is advised to submit a Floodplain Information Request Form to obtain more detailed information.	☐YES	☐NO

Other Comments:

_____ _____
Planning Department Signature   *Date*

Printed Name

Updated: March 2023