



## Land Use Permit

### Instructions and Information

Land Use Permit (LUP) approval is required prior to construction of most structures in County zoning districts. The primary purpose of an LUP is to ensure that development occurs in accordance with the applicable zoning regulations. Gallatin County contains 22 zoning districts, each with unique regulatory requirements. All zoning regulations can be accessed via the Planning Department [website](#).

The property owner is responsible for obtaining the necessary LUP approvals for their property prior to construction. **Installation of concrete or other permanent improvements without LUP approval is a violation of the zoning regulation.** Do not commence construction until LUP approval has been issued. If you have any questions throughout this process, please contact us.

#### SUBMISSION AND PROCESSING:

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- **Submittal.** All LUP applications must be **submitted online** through the County's MyGov portal. Instructions are available [here](#). Fees are payable by credit card with an additional 3% processing fee. Alternatively, application fees may be paid by check or cash in the Planning Office, or by mail. Checks can be made payable to "Gallatin County Planning Department."
- **Review time.** Application processing times change with seasonal demand. Please account for a **minimum** of four weeks for staff to process applications.
- **Review.** After LUP submittal, a Planner is assigned to review the application materials and ensure completeness. If the application is determined to be incomplete, a Planner will reach out to the applicant to request further documentation/materials.
- **Site inspection.** Submittal of the LUP application gives County Planning staff permission to access the property. Following a determination of completeness, the Planner conducts a site inspection to confirm the location of proposed structures and site plan. Applicants are responsible for ensuring that the address is clearly posted and visible from the roadway and for plowing snow, removing brush, and taking other steps to facilitate vehicular access via a normal, low-clearance passenger vehicle for the inspection. If gates or other obstacles are in place that restrict access to the property, please include gate codes or other written instructions to the Department when submitting your application. If the Department attempts to perform a site inspection and is unable to gain access, or if the project is not staked by the date listed on the application, the applicant will be charged a revisit fee.

- **Notification of approval/denial.** A Planner will reach out to the applicant with an approved permit via email or documentation of the denial.

## **LUP APPLICATION CHECKLIST:**

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**Each structure/use proposed for the property shown on the LUP application form.** For residential projects, multiple structures (example, the main dwelling unit and an accessory dwelling unit, detached garage, etc.) can be applied for on the same LUP application if all questions are answered for each structure and the application is well organized. For commercial projects, please submit one LUP application per structure.

**Address(es).** Must be assigned prior to submittal of the LUP application and shown on the application form *(if you need an address assignment, please contact the Planning Department to learn how to obtain one)*.

**Site plan.** Clearly labeled with:

- All existing and proposed structures
- Property lines, easements, and adjacent roads
- Outdoor amenities (decks, porches, hot tubs, fire pits, etc.)
- Driveways and parking areas/lots
- Setbacks distances labeled:
  - From **outer wall** of all existing and proposed structures to each property line
  - From **eaves/overhangs** of all existing and proposed structures to each property line
  - From all existing and proposed structures to any nearby watercourse, ditch, or other feature identified in the applicable Zoning Regulation
  - Setbacks must match the distances provided in the LUP application materials

**Building elevations.** A profile of **each side** of all proposed structures labeled with:

- Height of each structure on all sides *(see definition of structure/building height in the applicable Zoning Regulation)*
- Roof pitch

**Floor plans.** All finished and unfinished rooms and spaces labeled including bedrooms, bathrooms, living areas, kitchens, bars, garages, basements, etc.

**Wastewater approvals.** For projects utilizing on-site septic, provide an approved septic permit from the [Gallatin City-County Health Department](#) at 215 W. Mendenhall St., Rm. 108, (406) 582-3120. For projects utilizing community sewer systems, provide documentation of approval to connect and Certificate of Subdivision Approval (COSA), if applicable.

**Prepare for site inspection.** All property corners and proposed structure corners clearly marked with flags or stakes including garage, accessory structures, deck/porch, etc. If the corners will be marked after application submittal, provide the date of completion on the LUP application form. If site visit occurs and property is not staked, a revisit fee will be charged, and the review will be delayed.

**Other attachments, If applicable:**

- Proof that conditions of approval have been met for projects with a Buildings for Lease or Rent, Variance, or Conditional Use Permit approval.
- Floodplain permit.
- For Gallatin Canyon/Big Sky Zoning District:
  - [Big Sky Fire District Land Use Permit Form](#). This form is available on the Big Sky Fire Department website.
  - Copy of soils report/geotechnical survey if property slope is greater than 15%.
  - Landscaping plans may be required, see applicable zoning regulation.

**Application fee.** Please refer to the [fee schedule](#) on the Planning website for required fees due at the time of application submittal. If construction commences prior to LUP approval, the **application fee is doubled for after-the-fact permit processing and additional corrective action may be required.**

**ADDITIONAL NOTES:**

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Property owners may need to obtain approvals from other federal, state, or local government agencies for their project which may include:

- *Public access or public right-of-way improvements required by the Gallatin County Road & Bridge Department or the Montana Department of Transportation.*
- *Approvals from the local fire district pertaining to their adopted fire code.*
- *Building, plumbing, and electrical permit requirements administered by the Montana Department of Labor & Industry - Building Codes Bureau.*
- *Water rights from Montana Department of Natural Resource Conservation; or*
- *A General Permit for Storm Water Discharges Associated with Construction Activity from Montana Department of Environmental Quality.*
- *Regulations found in Covenants and any necessary Homeowners' Association approvals*