



Zoning Amendments

Information and Instructions

Gallatin County Zoning District Regulations may be amended in two ways:

1. **Zone Text Amendments (ZTA)** change the text of a zoning regulation.
2. **Zone Map Amendments (ZMA)** change the zoning classification of an existing parcel(s). For example, adopt zoning in an unzoned area, or changing a sub-district from residential to mixed-use.

PROCESS

- Applicant prepares application materials (see instructions below).
- Planning staff determines whether the submission is complete and asks for further materials as needed.
- Applicant provides required number of hard copies of the application for the hearing body or bodies.
- Planning staff distributes application to relevant departments/agencies for review and comment.
- Planning staff schedules public hearing.
- Planning staff publishes notice in appropriate newspaper(s), sends notice (by certified mail) to adjacent property owners (ZMA only), posts notice in affected locations, and submits a certified statement verifying that such posting has been completed (ZMA & ZTA).
- Planning staff analyzes the application materials and comments from other departments/agencies and prepares a staff report that evaluates the proposal and submits it to the hearing body or bodies.
- In a meeting, an advisory board considers the staff report and public comments. The advisory board develops a recommendation which is forwarded to the County Commission.
- In a public hearing, the County Commission considers the advisory board's recommendation, the application, the staff report and public comments and votes on whether to approve or deny a Resolution of Intent to Amend.
- The decision on the Resolution of Intent to Amend may be appealed within 30 days. After the 30-day comment period, the County Planning Department schedules the Resolution of Adoption hearing.
- In a regular public meeting, the County Commission approves or denies the Resolution of Adoption for the proposed amendment.
- If you have any questions regarding the application or need any assistance filling out any part of the application form, please contact us.

APPLICATION SUBMISSION

1. Contact the Planning Department to set up a pre-submittal meeting.
2. Draft a cover letter describing the basis for the proposed amendment, include an explanation of how the proposed change meets each of the applicable Evaluation Criteria described below. A discussion on the evaluation criteria is *the most important part* of the application submittal, please complete a thorough narrative that discusses each criterion.
3. Prepare the application packet, completing the “text amendment” and/or “map amendment” sections as appropriate.
 - **For Proposed Zone Text Amendment (ZTA).** Copy and paste the existing Zoning text into a separate document and demonstrate the proposed changes. The proposed text amendment should show deletions of existing text with a ~~strikethrough~~, and new or additional text underlined.
 - **For Proposed Zone Map Amendment (ZMA).** Prepare a map, drawn to scale, adequate and legible, showing the property(s) proposed for re-zoning and all other surrounding property within a 300-foot radius.
 - **Certified List of Adjacent Property Owners (ZMA).** Prepare a certified list of the names, mailing addresses, and legal descriptions of each of the property owners adjacent to the affected property(s), see application. “Adjacent” property owners include owners of parcels across public roads, streets, alleys, watercourses and other public ways, and the Montana Department of Transportation if the site is adjacent to a state highway. Include *three sets* of labels for each address provided.
4. Materials submission:
 - Compile application form, narrative description of proposal, and all supporting information into one hard copy submittal.
 - Prepare digital submittal of the application (no file greater than 20 MB)
 - Prepare application fee (and certified mail fee for ZMA), checks can be made payable to “Gallatin County Planning Department”

Please note: Planning staff will review the submittal for completeness and request additional copies for the respective hearing body or bodies once deemed complete.

EVALUATION CRITERIA

Evaluation Criteria for Amendments to Zoning Regulations

The County Commission will consider the following evaluation criteria for zoning amendment decisions. Written responses, and supporting documentation where necessary, must be provided for each of the criteria listed below.

- **Statutory Criteria and Guidelines for “Part 1” Zoning Regulations (§76-2-104 MCA).** Applies to zoning regulations for the following zoning districts:
 - Bear Canyon
 - Bozeman Pass
 - Bridger Canyon
 - Gallatin Canyon/Big Sky
 - Hebgen Lake
 - Hyalite
 - River Rock
 - South Gallatin
 - Springhill
 - Sypes Canyon No. 1 & No. 2
 - Trail Creek
 - Wheatland Hills
 - Zoning District No.1 & No.6.

See the statutory criteria for “Part 1” districts [here](#), and the Zoning criteria [here](#) (Section 14), include a discussion on these provisions in your application narrative.

- **Statutory Criteria and Guidelines for “Part 2” Zoning Regulations (§ 76-2-203 MCA).** Applies to zoning regulations for the following zoning districts:
 - Gallatin County/Bozeman Area (“Donut”)
 - Middle Cottonwood
 - North Gallatin Canyon
 - South Cottonwood Canyon
 - Reese Creek
 - Four Corners

Zoning amendments must be made in accordance with the Growth Policy. See the statutory criteria for “Part 2” districts [here](#), include a discussion on these provisions in your application narrative.

- **Zoning Regulation Criteria.** Amendments to the zoning regulation or official zoning map must be consistent with the provisions found in the specific zoning regulation. Refer to the appropriate section of the zoning regulations to include a response to the Amendment Criteria in your application narrative.
- **“Spot Zoning” Criteria.** To demonstrate that a proposed amendment would not result in “spot zoning,” the following questions must be addressed in your application narrative:
 - Are the requested zoning designation(s) amendments (text or map), and potential uses significantly different from the prevailing uses in the area?
 - Does the requested zoning designation(s) amendment (text or map) benefit a small area and only one or a few landowners, or does the requested zoning designation(s) benefit the surrounding neighborhood, community and the general public?
 - Is the requested zoning designation(s), text or map, compatible with the zoning district’s Plan, or is it special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public?