

Gallatin County

Model Zoning Code for Affordable Housing – **Final Draft** **with Changes Tracked**

April 2026



GALLATIN
COUNTY



Envision Gallatin



SCJ ALLIANCE

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1. Introduction

The Model Zoning Code for Affordable Housing, or Model Code, is a menu of example zoning sub-districts and standards that can be used as a reference when developing or modifying County zoning regulations to promote quality, affordable communities. The Model Code is includes limited to content specifically focused on standards to improve housing affordability while promoting quality of life and access to transportation and services within the County's while, at the same time, considering the County's limited infrastructure constraints. This document acts as a zoning “menu” and is one of several tools that Gallatin County can use when working with the public to update existing zoning regulations or creating new ones. Public input is an essential component of this project and will be sought again prior to implementing any of these standards in any existing or new zoning district.

1.1. Background and Need

In 2024, Gallatin County gathered data and resident input to form a [Housing Needs Assessment](#)¹, which identified a critical lack of housing in Gallatin County that is affordable to those at or below the median household income. Even households earning above the median income may have trouble finding affordable options in some cases. Public outreach revealed that this has caused tangible hardships for individuals and families when it comes to affording their homes, loss of social connections as friends and family relocate to more affordable areas, and as well as challenges for local businesses, schools, and hospitals with retaining staff. Further, unaffordable housing is exacerbating traffic impacts and increasing transportation costs as households seek affordable housing options farther from workplaces and services.

Separately, the Gallatin City County Health Department identified “Housing Affordability and Availability” as one of three priority areas in the 2025 Gallatin County Community Health Improvement Plan² due to the connection between unaffordable housing and negative impacts on physical and mental health, stress, and social connections among other consequences. Further, unaffordable housing is exacerbating traffic impacts and increasing transportation costs as households seek affordable housing options farther from workplaces and services.

The [Gallatin County Housing Strategy](#)³ was developed to identify a range of potential solutions to address the affordability problem. The Housing Strategy acknowledges that this affordability is a complex, multi-faceted problem, and that no single approach can address affordability in a meaningful way. However, zZoning reform, with a focus on reducing barriers to diverse housing options, was identified as a priority strategy to increase affordability. Additionally, the Housing Strategy includes a recommendation to implement a voluntary affordable housing incentive program and monitor/regulate

¹ https://www.gallatinmt.gov/sites/g/files/vyhlf606/f/pages/housing_strategy_final_report_with_appendix.pdf

² [2025-CHIP-Report.pdf](#)

³ https://www.gallatinmt.gov/sites/g/files/vyhlf606/f/pages/housing_strategy_final_report_with_appendix.pdf



short-term rentals. The Model Code therefore includes example standards that address each of these recommended strategies.

1.1.1. Knowledge Gaps and Intent

While the County has a Lot of experience with developing and modifying zoning codes in more rural, agricultural areas, the County has few locally informed resources to develop zoning that supports housing affordability in areas that are experiencing rapid growth or in rural community cores. The Model Code fills this gap by providing example sub-districts and standards that support housing affordability. ~~without sacrificing quality, tailored to the varying infrastructure conditions that exist in the County. There is a large body of research indicating that the “built environment,” or design and planning, can influence health. For this reason, the Model Code includes standards to ensure that quality of life and public and health and safety are not sacrificed in the name of providing affordable units.~~

~~Importantly, the Model Code is not necessarily intended to promote a significant increase in the overall number of housing units built in the County’s jurisdiction. Our guiding plans formally recognize that the most intense development types are best suited for municipalities, which have greater capacity to provide the infrastructure and services needed to support housing. Municipalities are outside the County Planning Department’s jurisdiction, however, meaning that the Model Code and all other County zoning projects are not relevant to incorporated cities or towns in Gallatin County.~~

~~Compliance with Montana State Law requires the County to allow for development and prohibits it from requiring developers to include affordable units in their projects or pay a fee in lieu that could be used to create affordable units. Given these restrictions, zoning is one of the few areas of affordability that the County Planning Department can influence. Therefore, this project addresses affordability by 1) creating guidelines for zoning regulations that ensure the housing types that might be more affordable to residents are permitted, 2) ensuring the guidelines are absent of any arbitrary standards that might get in the way of affordable housing, and 3) creating an affordable housing incentive program to encourage developers to include a percentage of deed restricted affordable units in their projects.~~

~~The Model Code does not provide the resources nor funding to create housing and is not in itself a solution to the housing crisis. Zoning is just one of many structural, economic, and social factors that influence the cost of housing, and one of the few contributors to housing costs within the County’s purview. In addition to affordability goals, the Model Code addresses concerns from residents that new housing tends to be luxury (and therefore unaffordable), wastes space, and increases sprawl. Because zoning sets parameters for development, it is the best tool within the County’s purview to address these concerns.~~



1.2. Public Outreach & Existing Plans

The Model Code’s content is based on local considerations and development constraints reflected in the [Growth Policy](#)⁴, [Future Land Use Map](#)⁵ (FLUM), and [neighborhood plans](#)⁶, all of which were developed with significant public outreach. The project team also conducted project-specific outreach to develop the Model Code, kicking off the project with [stakeholder interviews](#)⁷ that informed the content of the community [drop-in workshops and survey](#)⁸. The interviews, workshops, survey, project Steering Committee, existing plans and policies, and follow-up conversations with stakeholders and the Planning Coordination Committee drove the creation and refinement of the standards in the Model Code.

As you scroll through the Model Code, you’ll see that the example sub-districts are based upon the FLUM categories and recommendations to reflect water and sewer infrastructure, service availability, fire risk, and location of sensitive lands such as wildlife habitat and floodplain. Because the FLUM serves as the County’s visual representation of where development goes, community outreach for this project did not ask “where should affordable housing go?” Instead, outreach for the project focused in on the different FLUM categories and asked, “what housing types are appropriate in these areas, and how can zoning support housing that is more likely to be affordable to residents?” What follows is a reflection of this feedback.

1.2.1. Connecting the Growth Policy, Housing Strategy, and Outreach

Icons are placed throughout the Model Code to indicate that different themes from the County Growth Policy, Housing Strategy, and public outreach are incorporated. An icon next to a Model Code section number and name indicates that that portion of the Code is intended to fulfill the corresponding policy goals and/or address relevant concerns or desires from public outreach. For example, the water drop icon represents water quality and quantity goals from the Growth Policy, and a desire to consider water conservation in development design expressed during outreach for the Model Code. A detailed key that shows what each icon represents is included in the [Appendix](#), it may be helpful to review the [entire](#) key prior to reading the body of the Model Code. [The](#) icons and corresponding themes by themselves are shown on the following page.

⁴ [gallatingrowthpolicy_dec2024_0.pdf](#)

⁵ [Future Land Use Map | Gallatin County, MT](#)

⁶ <https://www.gallatinmt.gov/planning-community-development/pages/plans-policies>

⁷ <https://bit.ly/4roO9vY>

⁸ <https://bit.ly/4bSeKN4>



1.2.1.1. Themes & Corresponding Icons

Icon	Theme
	Supporting Agriculture
	Connected Communities, Quality of Life, & Access
	Diverse Housing Choices
	Health, Safety, & Environmental Quality
	Natural Environment & Living with Wildlife
	Reduce Occupancy Costs
	Water Quality & Quantity

1.3. Addressing Affordability while Considering ~~it~~ Infrastructure Limitations

~~The Model Code addresses concerns from residents that new housing tends to be luxury in nature, is unaffordable, wastes space, and increases sprawl. Because zoning sets parameters for development, it is the best tool within the County's purview to address these concerns.~~ Some local jurisdictions are amending their regulations to promote high density development in an effort to increase housing affordability. While increasing density is an appropriate tool in cities with robust services and transit options, the County's jurisdiction is not appropriate for high density development in all areas. Thus, the Model Code explores a range of options to increase housing affordability beyond just density increases. Zoning cContent to address affordability and overall cost of living in ~~for~~ areas with a lack of robust infrastructure, transportation options, and services like groceries stores and medical care were key considerations in the development of this Model Code.



This project is not intended to direct affordable developments to any specific place. Rather, it ensures zoning is not getting in the way of things that can make housing more affordable, for example, smaller units, diverse housing types, density where appropriate, and creative development designs. At the same time, the Code offers standards that maintain or increase quality of life for existing and future residents through example requirements like landscape buffers that separate land uses and promoting community facilities like parks and trails.

Additionally, the Model Code is not intended to replace or remove any component of the Subdivision or Buildings for Lease or Rent Regulations, these review processes ensure that a development has adequate services and minimizes impacts to public health and safety.

1.4. Model Code Content and Use

Importantly, the Model Code is not a “complete” zoning code, it does not include standards for industrial uses or the full range of standards that are important to protect the environment and agriculture such as watercourse and irrigation ditch setbacks. The Model Code’s primary focus is on uses and standards related to housing, which can have ancillary benefits that address these topics, as represented by the icons shown above. All other critical standards needed to round out a complete zoning code would be incorporated through public engagement as well as review and incorporation of best practices with public hearings as part of any zoning proposal or amendment.

Additionally, any existing land uses that are lawful at the time zoning is enacted or amended typically have non-conforming status or are “grandfathered in.” However, licensing requirements from other state and local agencies may still apply.

1.4.1. Using the Model Code

Standards from the Model Code can be adjusted to fit the unique needs of individual communities in the County. The Model Code contains five different sub-districts with corresponding mixes of land uses and densities to accommodate a diversity of housing types and services that support housing like grocery stores and medical clinics. Each sub-district is then adapted in terms of the intensity of development allowed to reflect the infrastructure limitations and other development constraints present within each FLUM category. This provides for the option of identifying areas for a “Community Business: or “Residential” type sub-district in any FLUM category, while allowing for that sub-district to look very different in various areas of the County in response to those constraints.

Because the Model Code standards are written generally based on the FLUM categories, the Code does not include standards individualized to specific geographies or neighborhoods in the County. Things like existing services, landscape attributes, and local economy should be considered when implementing the Code and standards adjusted accordingly. The Model Code should be looked to as a zoning resource but need not be implemented in its entirety. Though the Model Code standards are flexible, However, care should be taken to ensure that the intent of the model standards, as represented by the intent and purpose statements, and icons, is not lost.

Generally, terms that are capitalized in the code include a definition in the [Definitions](#) section.

1.4.2. Affordable vs. Attainable Housing



Generally, housing is considered affordable when a household spends no more than 30% of their gross income on housing costs. The Department of Housing and Urban Development (HUD) typically defines housing cost as inclusive of rent and utilities for rental units and mortgage, property taxes, insurance, and, in some cases, maintenance allowances for homeowners. The Housing Strategy distinguishes between types of affordable housing, noting that capital “A” Affordable Housing typically refers to units that are deed restricted or include some mechanism to ensure that they remain permanently affordable as units change hands. Attainable housing, on the other hand, refers to housing that is “naturally” affordable with no formal price restriction mechanism.

This Code aims to increase “A”ffordable Housing through the **Affordable Housing Incentives** and attainable housing through the range of permitted unit types, densities, and other standards. For simplicity, the term “affordable housing” is used throughout the document, except for in the incentives section, which capitalizes Affordable Housing and includes a definition that limits units created through an incentive program to households earning a specific percentage of the Area Median Income or AMI (60% AMI or less for rentals, and 120% AMI or less for ownership). The Code includes AMI limits for units created through the incentive program and distinguishes between units offered for rent or sale and that are attached or detached. The AMI limits shown in the Code may need to be adjusted over time to account for inflation and general economic conditions. ~~Generally, terms that are capitalized in the code include a definition in the **Definitions** section.~~

~~1.4.3. Example Sub-districts~~

~~The Model Code contains five example zoning sub-districts with corresponding land Uses and densities to encourage corresponding services that support housing, such as grocery stores and medical clinics. The Model Code also contains example standards to mitigate the impacts of development such as landscaping requirements, open space standards, and sign and lighting provisions. Some of these standards also benefit things like agriculture, environmental protection, and more, which are identified by the icons placed throughout the code, see the **Appendix**.~~

1.5. Acknowledgements

Thank you for engaging with the Model Zoning Code for Affordable Housing, the project team extends our deepest gratitude to all who have taken the time to provide feedback on the project. Special thank you to the people and groups listed below who were instrumental in the creation of the Code.

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2. Model Regulations

To promote affordable housing, especially high-quality units and communities that enhance quality of life, and to lessen the impacts of Development on neighbors, water, and wildlife, while protecting the health, safety, and welfare of Gallatin County, the following provisions apply.

2.1. Sub-district Standards



The following definitions of sub-districts and Future land Use designations ~~aim to~~ clarify what can be built where. These are example sub-districts meant to provide for a diversity of affordable housing options and supporting uses, while reflecting the varying infrastructure conditions and neighborhood types in the County.

2.1.1. Example Sub-Districts

- A. **Community Business.** Promotes lively, walkable “Main Street”-style developments that usually feature Residential units on the upper floors of Commercial buildings and offer a variety of neighborhood services.
- B. **Mixed-Use Residential.** Focuses primarily on Residential Development, with a mix of neighborhood services and Commercial spaces allowed to support it.
- C. **Residential A.** Wide variety of housing options and densities with some neighborhood amenities.
- D. **Residential B.** This sub-district bridges the gap between the three previous sub-districts and Residential C. It also allows for a wide range of housing types and some neighborhood services.
- E. **Residential C.** Primarily Residential area that still permits a variety of housing types with minimal neighborhood services, but at a lower Development intensity to reflect a lack of services and infrastructure.



2.1.2. Future Land Use Designations



The following land Use designations and descriptions are from the Future Land Use Map, which is part of the Gallatin County Growth Policy.

- A. Urban Growth Area (UGA).** The purpose of the UGAs is to direct the densest Development to the areas of the County most suitable for Development. The UGAs promote efficient delivery of infrastructure and services, provide opportunities for diverse, accessible, and affordable housing in proximity to amenities and employers, and support the future expansion of transit and other transportation options to promote connected communities.

Due to the infrastructure and service availability in the UGAs relative to other parts of the County, sub-districts available for use in the UGAs are the Community Business, Mixed-Use Residential, Residential A, and Residential B sub-districts, at the respective **Density** and with the specified building **Development and Design Standards** outlined in the Model Code.

A graphic that shows what each of these sub-districts could look like in the UGAs under the development standards listed in the Model Code is shown below. Of note, this graphic is only an example of how these sub-districts could develop, properties have different development constraints and communities have varying service and housing needs that influence what and how developers decide to build. The “Buffer Zone” is a landscape buffer, which is required **for certain Uses** under **Section 5.5**.

Exhibit 1. Example of Sub-district Manifestation in Gallatin County UGA

- Each sub-district shown is approximately 1 acre.
- Use of Affordable Incentives shown with yellow outline.



B. Rural Growth Area (RGA). The purpose of the RGAs is to direct growth in rural areas to existing rural community centers where public water or sewer service is available. This will promote the efficient delivery of infrastructure and services and minimize further fragmentation of agricultural lands.

Due to the infrastructure and service availability in RGAs relative to other parts of the County, the sub-districts available for use in the RGA include the Community Business, Mixed-Use Residential, Residential A, and Residential B and Residential C sub-districts, with the respective densities as outlined in the Model Code. The Residential C sub-district, the lowest **Density** sub-district, is available in the RGAs and not the UGAs as a reflection of the more limited service and infrastructure availability in these areas. A graphic that shows what each of these sub-districts could look like in the RGAs under the development standards listed in the Model Code is shown below. The “Buffer Zone” is a landscape buffer, which is required under **Section 5.5**.

Exhibit 2. Example of Sub-district Manifestation in Gallatin County RGA

- Each sub-district shown is approximately 1 acre.
- Use of Affordable Incentives shown with yellow outline.



C. Public Infrastructure Holding Area (PIHA). The purpose of the **PIHAs Public Infrastructure Holding Areas** is to promote the efficient Use of land in the “Most Suitable” areas for Development and avoid the proliferation of Development reliant on individual wells and septic systems in areas with the potential to be served by a public water and sewer district under County jurisdiction. **PIHAs Public Infrastructure Holding Areas** are within the service area of a public water and sewer district but are not currently served. Because the Future Land Use Map recommends that **PIHAs Public Infrastructure Holding Areas** remain at current property configurations until water and sewer services are extended, there is no graphic depicting these areas.

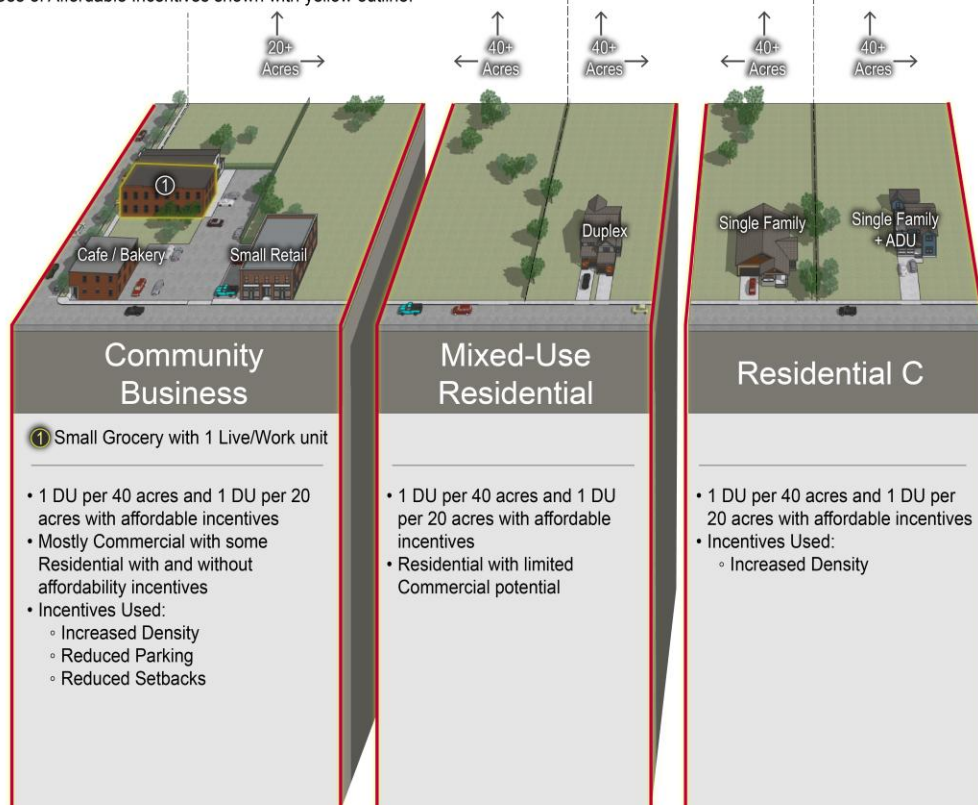


- D. **Managed Growth Area (MGA).** The purpose of the ~~MGA Managed Growth Area~~ category is to allow for carefully planned growth in areas that have some Development constraints (e.g., some fire risk, wildlife value, steep slopes, or lack of services) but that are still suitable for moderate intensities of Development.

Due to the lack of infrastructure and service availability in MGAs relative to other parts of the County, only the Community Business, Mixed-Use Residential, and Residential C sub-districts, with the respective ~~the~~ **Density-as** outlined in the Model Code, are available. The Residential A and B sub-districts are not available in the MGAs to prevent sprawl and proliferation of individual well and septic systems. A graphic that shows what each of these sub-districts could look like in the MGAs under the development standards listed in the Model Code is shown below.

Exhibit 3. Example of Sub-district Manifestation in Gallatin County MGA

- Each sub-district shown is approximately 1 acre.
- Use of Affordable Incentives shown with yellow outline.



2.1.3. ~~Residential Use Matrices~~ ✕



In the ~~following Residential and Non-Residential Use Matrices below table~~, the land Uses marked with an “A” are allowed Uses with proper permitting, while those marked with a “C” are conditional uses within the specified sub-districts and corresponding Future Land Use Map designations. Conditional uses require public notice and hearings in accordance with County requirements. Uses that are not marked with a C or an A are prohibited in the respective sub-district/Future Land Use designation.

- A. **Mixed Use.** Residential Uses are permitted and encouraged on the second and subsequent stories of a commercial Structure in the Community Business and Mixed-Use sub-districts so long as the minimum and maximum density requirements, height, and commercial square footage does not exceed the specifications listed in the zoning regulation, such Developments need not be limited by the Structure types listed in column one below.
- ~~B. **Solar energy.** Roof mounted and free-standing solar panels that provide electric power for an allowed Use or Uses, including community solar, are considered Accessory Structures and allowed in any Development across all residential sub-districts.~~
- ~~C.B.~~ **Bus stops/shelters.** Buildings or Structures intended to provide shelter or signage for bus stops are encouraged and allowed in all sub-districts.



2.1.3.1. Residential Use Matrix

A. Solar energy. Roof mounted and free-standing solar panels that provide electric power for an allowed Use or Uses, including community solar, are considered an Accessory Structure or Use and allowed in any Development across all Residential sub-districts.

A= Allowed Use

C= Conditional Use

Exhibit 4. Residential Uses

Use	Community Business				Mixed-Use Residential				Residential A		Residential B		Residential C		
	UGA	RGA	PIHA	MGA	UGA	RGA	PIHA	MGA	UGA	RGA	UGA	RGA	RGA	PIHA	MGA
**Accessory Dwelling Unit (ADU)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
<u>Detached</u> Single Dwelling Unit(s)	A*	A*	A*	A	A*	A*	A	A	A*	A*	A*	A*	A	A	A
Duplexes	A	A		A	A	A		A	A	A	A	A			
Triplexes	A	A			A	A			A	A	A	A			
Cottage Housing			A	A			A	A	A	A	A	A	A	A	A
Multi- Dwelling Units (4 or more units)	A	A			A	A			A	A					
Courtyard Apartments	A	A			A	A			A	A	A	A	C		
Community Facilities	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A

*Only one Detached Single Dwelling Unit is allowed per Lot in existence at the time the sub-district regulation was enacted. Detached Single Dwelling Units are prohibited in new subdivisions or Developments in these areas.

**Only as an Accessory Use for an Attached or Detached Single Dwelling Unit. ~~Single Dwelling Units or Single Unit Cottage Housing.~~



2.1.3.2. Non-Residential Uses Matrix



This Non-Residential Uses matrix is not intended to be a comprehensive list of all allowable uses in each subdistrict. Instead, it is a list of land Uses that support the permitted Residential Uses. ~~The land Uses marked with an “A” are allowed Uses with proper permitting, while those marked with a “C” are conditional uses within the specified sub-districts and corresponding Future Land Use Map designations. Conditional uses require public notice and hearings in accordance with County requirements.~~

~~A. Solar energy. Roof mounted solar panels that provide electric power for an allowed Use or Uses, including community solar, are considered an Accessory Use and allowed in any Development across all sub-districts.~~

~~A. **Residential Uses** are permitted and encouraged on the second and subsequent stories of a commercial Structure in the Community Business and Mixed-Use sub-districts so long as the minimum and maximum density requirements, height, and commercial square footage does not exceed the specifications listed in in the zoning regulation.~~

~~B. **Bus stops/shelters.** Buildings or Structures intended to provide shelter or signage for bus stops are encouraged and allowed in all sub-districts.~~

~~A= Allowed Use~~

~~C= Conditional Use~~

Exhibit 5. Non-Residential Uses

Use	Community Business				Mixed-Use Residential				Residential A		Residential B		Residential C		
	UGA	RGA	PIHA	MGA	UGA	RGA	PIHA	MGA	UGA	RGA	UGA	RGA	RGA	PIHA	MGA
Arts, Entertainment Center, Museums, Theaters	A	C			A	C									
Brewery, Winery, or Distillery	A	A		C	A	A		C							C
Cafés/Coffee Shops, Bakery	A	A			A	A			A	A	A	A	A		C
Small Grocery Store	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Day Care, Family	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Day Care Home, Group	A	A			A	A			A	A	A	C	C		



Day Care Center	A	A			A	A			A	A	A	C	C		
Restaurants, Bars	A	A		C	A	A		C	A	A	A	C	C		
Financial Institutions and Services	A	A		C	A	A		C	A	A	C	C			
Large Grocery Store	A			C	A	C			C						
Health and Exercise Center	A				A	C			A	C					
Health and Exercise Studio	A	A		A	A	A		A	A	A	A	A	A		C
Home Occupation	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Medical Clinics and Services	A	A	A	A	A	A	A	A	A	A	A	A	A	A	C
Hotels	A	A			A	A									
Offices	A	A			A	A									
Essential Services	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Religious Organizations and Places of Worship	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Retail, Small Scale	A	A		A	A	A		A	A	A	A	C	C		
Retail, Large Scale	A			C	C	C		C							
Schools	A	A	A	C	A	A	A	C	A	A	A	A	C	C	C
Services, Personal and Business	A	A			A	A			A	A					
Gas Stations	A	C		C	A	C									
Short-Term Rentals (Owner Occupied)*	A	A	~~A~~ C	~~A~~ C	A	A	~~A~~ C	~~A~~ C	A	A	A	A	~~A~~ C	~~A~~ C	~~A~~ C
Short-Term Rentals (Non-Owner Occupied) *	A	A	C	C	C	C	C	C	C	C	C	C	C	C	C



** Limitations on Owner and Non-Owner Occupied Short-term Rentals according to Dwelling Unit type are listed under Section 2.6.*



2.2. Development and Design Standards



To allow for various housing types and enhance affordability, the following provisions are in effect:

2.2.1. Building Height



The following Building Height limits are set for the respective sub-districts and Future Land Use designations. The number in parentheses indicates the maximum Building Height for Developments that utilize the **Affordable Housing Incentives**. Building heights may need to be adjusted at the time of implementation to reflect local Fire District/Department apparatus and community acceptance.

Exhibit 6. Building Height

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	45 (65)	35 (50)	35 (50)	35 (50)	
RGA	35 (50)	35 (50)	35 (50)	35 (50)	~~24 (35) 35 (50)~~
PIHA	~~24 (35) 35 (50)~~	~~24 (35) 35 (50)~~			~~24 (35) 35 (50)~~
MGA	~~24 (35) 35 (50)~~	~~24 (35) 35 (50)~~			~~24 (35) 35 (50)~~

2.2.2. Building Setbacks



To ensure adequate spacing for buildings and vehicle access, the following standards apply. These setbacks assume minimal fire risk, greater setbacks should be considered in all areas of High or Very High Wildfire Likelihood, as specified in the Gallatin County Community Wildfire Protection Plan and map.

A. Basic Standards

- Setbacks are measured from property lines, the edge of any access easement, or the edge of a sidewalk, if present, whichever is the strictest.
- Garages must be setback at least 20 feet from the edge of any access easement on the vehicle entry side, except when accessed from an alley. Alley-accessed garages are allowed with a 5-foot setback, provided an adequate turning radius is available for ingress and egress. ~~access.~~

- B. **Yard Setbacks.** For Developments utilizing the **Affordable Housing Incentives**, there are no Front, Side, or Rear yard setbacks. However, landscaping and buffer requirements may apply near lot lines, see Section 5. There are also exceptions to the setback requirements for Cottage Housing, see **Section 2.4.2.**



- a. **Front Yard:** 5 feet
- b. **Side Yard:** 5 feet (may be reduced to zero for Zero-Lot Line housing such as Duplexes, Triplexes, or Townhomes)
- c. **Rear Yard:** 5 feet

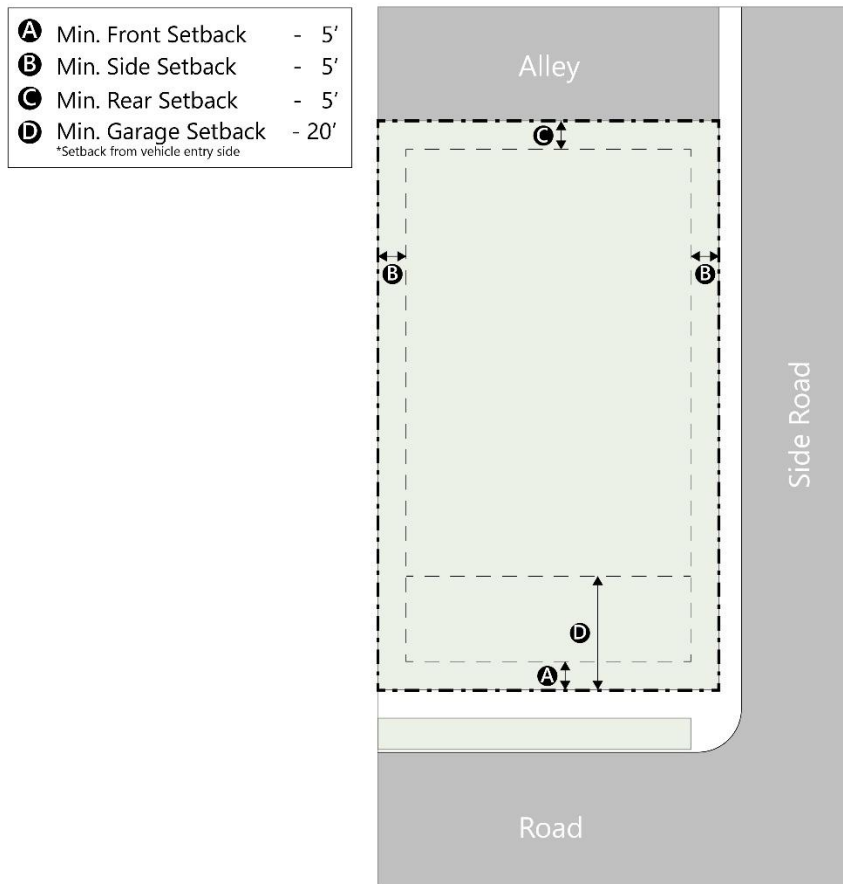
2.2.3. Structure Hardening

In all areas of High or Very High Wildfire Likelihood, as specified in the Gallatin County Community Wildfire Protection Plan and map, the following standards are in effect:

- A. **Roofs and Gutters.** All roofs must be made of Class A, non-combustible material (e.g., metal, asphalt shingles). Dead leaves and pine needles should be removed from gutters regularly.
- B. **Vents and Eaves.** All exposed vents shall be screened with 1/8-inch non-combustible metal mesh to prevent embers from entering.
- C. **Siding and Windows.** Ignition-resistant siding (e.g., Hardie Board) and double-pane, tempered-glass windows shall be used.



Exhibit 7. Building Setbacks



2.2.3.2.2.4. Building Size



To prevent large "big-box" stores with extensive Parking Lots and the associated heat island and water quality impacts, Non-Residential land Uses are limited to 50,000 square feet of General Floor Area (GFA) or as specified in the [Definitions Section](#).



2.2.4.2.2.5. Density



To prevent urban sprawl and ensure developed areas provide enough density to support nearby businesses and provide affordable housing, the following Residential density (Dwelling Units per acre) provisions are as follows:

- A. Maximum Residential Density is shown in Dwelling Units per acre unless otherwise noted ~~is shown below~~. The density available to Developments taking advantage of the **Affordable Housing Incentives** is indicated in parentheses:

Exhibit 8. Maximum Residential Density in Dwelling Units per Acre

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	15 (25)	15 (25)	15 (25)	10 (25)	
RGA	8 (12)	8 (12)	8 (12)	6 (10)	4 (6)
PIHA	1 unit per 40 acres	1 unit per 40 acres			1 unit per 40 acres
MGA	1 unit per 40 acres (1 unit per 20 acres)	1 unit per 40 acres (1 unit per 20 acres)			1 unit per 40 acres (1 unit per 20 acres)

- B. Minimum Density for Residential Developments in Dwelling Units per acre is shown below. Non-Residential Developments need to comply with the following minimums:

Exhibit 9. Minimum Density for Residential Developments in Dwelling Units per Acre

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	10	10	10	5	
RGA	4	4	4	3	None
PIHA	None	None			None
MGA	None	None			None

- C. ADUs do not count towards maximum Residential density ([see Section 2.3](#)).
- D. If a Lot in existence at the time the sub-district regulation is enacted meets or exceeds the applicable minimum Lot Size as specified in [Section 2.2.6](#), then one Single Dwelling Unit is permitted by right on that Lot, provided all other dimensional standards (e.g., setbacks, height) are met.



- E. If a Lot in existence at the time the sub-district regulation is enacted does not meet the applicable minimum Lot Size as specified in [Section 2.2.6](#) (i.e., it is a legal nonconforming Lot), then one Single Dwelling Unit is permitted by right on that Lot, provided ~~the proposed Structure or Use meets all other applicable standards of the zoning regulation, all other dimensional standards (e.g., setbacks, height) are met or are met to the greatest extent possible (as determined by the Planning Department) without requiring a Variance.~~

~~2.2.5~~ 2.2.6. Lot Size



To ensure the maximum Residential density allowed is actually achievable, and to account for public right-of-way, stormwater facilities, and other utilities, the following minimum Lot Size standards are established. The number in parentheses indicates the minimum Lot Size available to Developments that utilize the [Affordable Housing Incentives](#).

A. Minimum Lot Size per sub-district:

- a. **Community Business:** 2,500 square feet (1,400 square feet)
 - b. **Mixed-Use Residential:** 2,500 square feet (1,400 square feet)
 - c. **Residential A:** 2,500 square feet (1,400 square feet)
 - d. **Residential B:** 4,000 square feet (2,500 square feet)
 - e. **Residential C:** 8,000 square feet (4,000 square feet)
- B. **Minimum Lot frontage:** 20 continuous feet on either a private or public street or an access easement. If using the [Affordable Housing Incentives](#), the standard is reduced to 15 continuous feet. In the event of a conflict with the Subdivision or Buildings for Lease or Rent Regulations, the standard that is the strictest applies.

~~2.2.6~~ 2.2.7. Open Space



To guarantee future residents have access to outdoor Open Space, the following provisions are in effect. In the event of a conflict with County Subdivision Regulations or Buildings for Lease or Rent Regulations, the standard that is the strictest applies. All Developments, including those utilizing the [Affordable Housing Incentives](#) must comply with the Open Space standards.

- A. Developments must allocate at least 15% of the gross site area, not including adjacent half-width rights-of-way, to usable public Open Space, either as common Open Space through a shared easement or in a designated Open Space lot.
- B. The following cannot be counted toward the minimum Open Space area requirements:
 - a. Vehicular/Parking Areas, including any required Parking Lot Landscaping
 - b. Stormwater facilities
 - ~~c. Landscaped Screening and Buffers~~
 - ~~d. Street Trees and Public Frontages required by Section 5.~~
 - ~~e. Utility lots or easements~~
- C. Developments must comply with any adopted Gallatin County trails or transportation plans. When a Development is adjacent to public trails, it must include at least one direct access point to those trails.



- D. The internal circulation system (including but not limited to sidewalks and trails, but not including vehicle access) of the Development shall connect to all units, ensuring residents have easy access to the trail connections.
- E. Subdivisions must comply with the minimum park dedication standards in the Montana Subdivision and Platting Act (MCA § 76-3-621).

~~2.2.7.~~2.2.8. **Lighting**



The following lighting provisions are established to prevent light pollution from affecting visibility of the night sky and to safeguard nearby property owners from unwanted and nuisance lighting, preventing disturbances to circadian rhythms and wildlife behavior. All Developments, including residential, commercial, mixed use, and those utilizing the **Affordable Housing Incentives**, must comply with the Lighting standards.

- A. On-site Outdoor Lighting shall Use full cutoff fixtures that are designed and constructed so that no light is emitted from the top or sides of the fixture. Lighting must be placed at a location, angle, or height to prevent direct illumination outside the property boundaries where the light fixtures are located.
- B. Buildings with windows or transparent walls that are visible from neighboring properties, public rights-of-way, or the night sky shall minimize light spillover by using light-blocking interior window treatments, blinds, screens, or by directing lights away from windows, ~~where practical,~~ to reduce direct visibility of bright indoor lighting and prevent nuisance glare.
- C. Street lighting shall have Use full cutoff fixtures that are designed and constructed so that no light is emitted from the top or sides of the fixture. Lighting must be placed at a location, angle, or height to minimize any objectionable direct light and redirect light onto the public right-of-way and away from residences ~~so as not~~ to prevent light trespass.
- D. Skyward-facing, blinking, flashing, or moving lights are prohibited.
- E. A Lighting Plan, comprising the locations, types, and brightness of on-site lighting, is required as part of any permit submittal. Site Plan Review.
- F. The following lights are exempt from these provisions:
 - a. Temporary lighting when required by law, for law enforcement, for emergencies, or for construction.
 - b. Recreational lighting during events.
 - c. Holiday lights Used for temporary decoration for no more than 60 consecutive days.
 - d. Lighting Used for special events in accordance with all other zoning requirements.
 - e. Traffic Signals.



2.2.8.2.2.9. Number of Parking Spaces



To ensure sufficient vehicle Parking, at least one off-street Parking space shall be provided for each Dwelling Unit. Relaxation from the Parking requirements may be available to certain Developments utilizing the **Affordable Housing Incentives**.

2.2.9.2.2.10. Vehicle Access, Carports, & Garages



To prevent excessive vehicle access onto streets and sidewalks, safeguard pedestrians and cyclists, ~~minimize opportunities for unseen crime near doorways, increase front door findability, and to~~ enhance the ~~pedestrian experience and provide opportunities for social interaction among neighbors appearance of Gallatin County by preventing “snout houses” (see figure below),~~ the following provisions shall apply. Developments utilizing the **Affordable Housing Incentives** shall comply with the following standards.

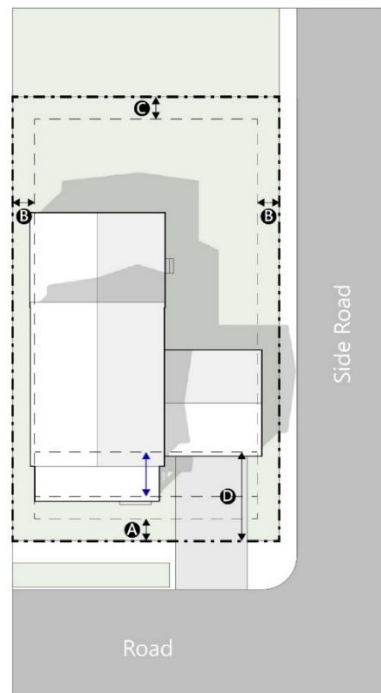
- A. If there is an existing adjacent alley to the site that meets County standards, or if a new subdivision/Development proposes an alley, then vehicular access to a Lot or site must be taken from said adjacent alley, ~~unless otherwise approved by the Planning Department.~~
- B. Carports and garages shall not project beyond the front façade of the primary Structure, see figure below.



Exhibit 10. Allowed and Prohibited Garage Orientation Examples

Allowed Garage Orientation Example

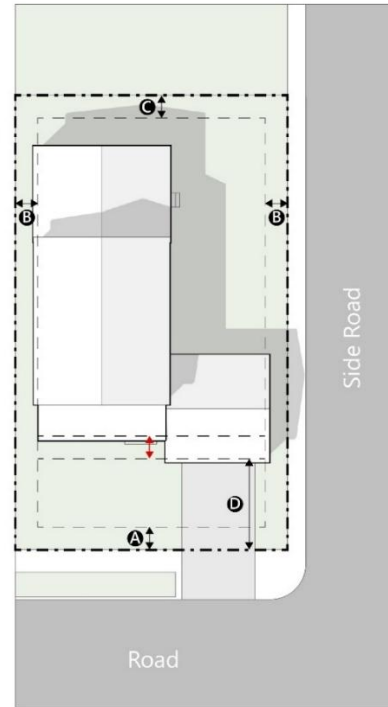
Garage behind the front façade of the primary Structure:



- A** Min. Front Setback - 5'
 - B** Min. Side Setback - 5'
 - C** Min. Rear Setback - 5'
 - D** Min. Garage Setback - 20'
- *Setback from vehicle entry side

Prohibited Garage Orientation Example

Garage in front of the front façade of the primary Structure.



- A** Min. Front Setback - 5'
 - B** Min. Side Setback - 5'
 - C** Min. Rear Setback - 5'
 - D** Min. Garage Setback - 20'
- *Setback from vehicle entry side

2.3. Accessory Dwelling Units (ADUs)



See the [Use Matrices](#) to find out where ADUs are an allowed Use. To increase housing availability and give property owners the chance to rent out additional Dwelling Units on their property, the following Accessory Dwelling Unit (ADU) standards apply. ADUs constructed using the [Affordable Housing Incentives](#) are afforded the reduced Building Height, Setbacks, Lot Size, and Parking requirements listed in [Section 3](#). ~~need not comply with the Building Height, Setbacks, Lot Size, and Parking requirements listed in this Section.~~



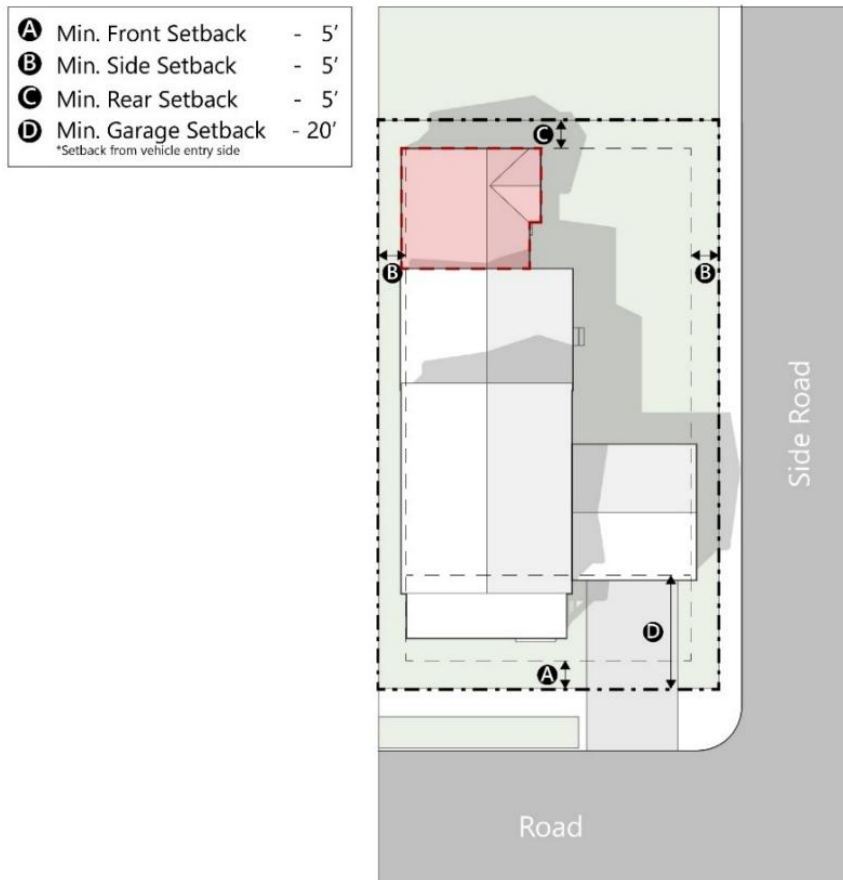
2.3.1. Examples of ADUs



There are three types of ADUs:

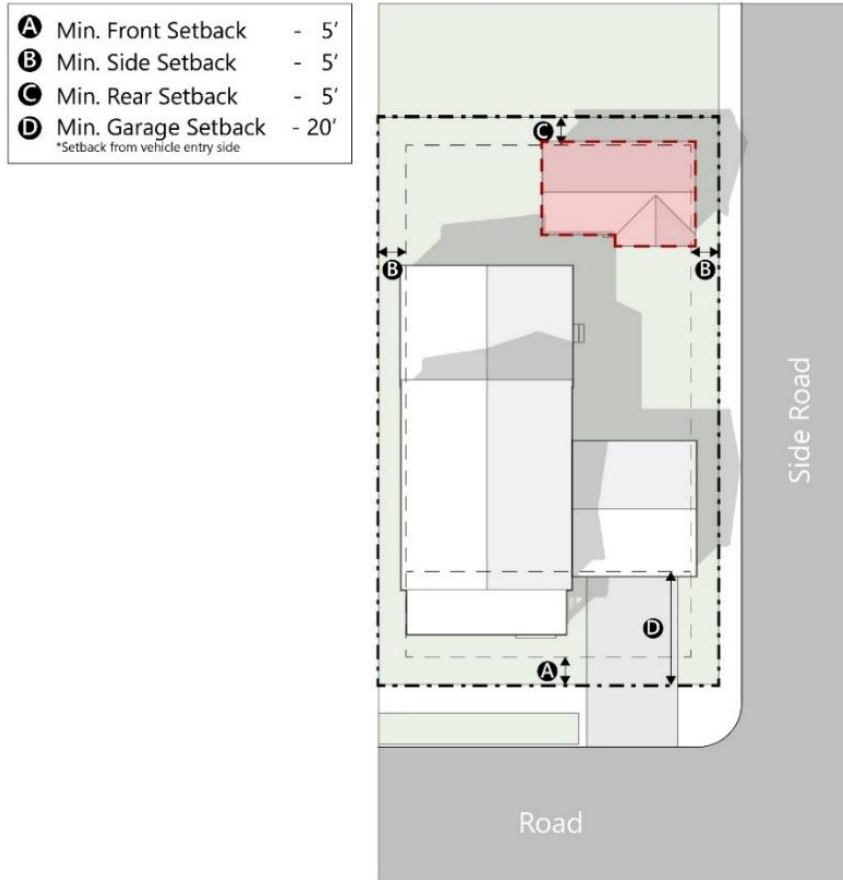
- A. **Attached:** An ADU that shares at least one common wall with the primary Dwelling.

Exhibit 11. Attached ADU



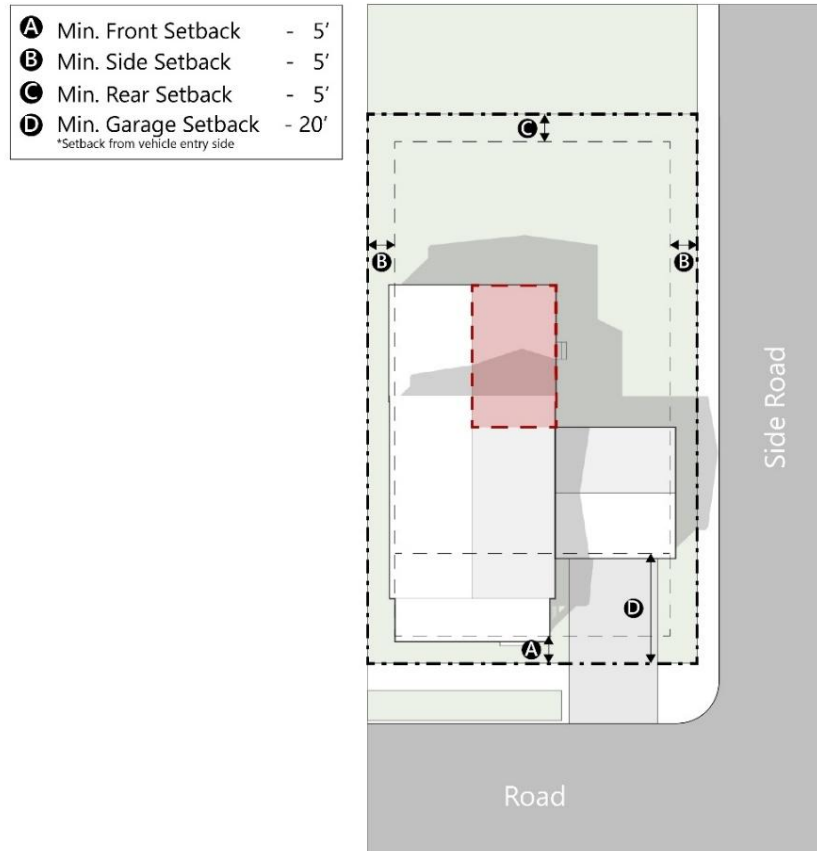
- B. **Detached:** An ADU that is a separate, standalone Structure from the primary Dwelling, or
part of a separate, standalone Structure from the primary Dwelling.

Exhibit 12. Detached ADU



- C. **Internal:** An ADU located entirely within the primary Dwelling, such as a converted basement, attic, or portion of the existing living area.

Exhibit 13. Internal ADU



2.3.2. Number of ADUs



- A. Two ADUs, whether attached, detached, or internal, are allowed as an Accessory Use to every Detached Single Dwelling Unit ~~or single detached Cottage Home~~, provided the minimum Lot Size is met (see Section 2.2.5).
- A.B. ~~One ADU, whether attached, detached, or internal, are allowed as an Accessory Use to every Attached Single Dwelling Unit, provided the minimum Lot Size is met.~~

2.3.3. Size of ADUs



Each ADU may not exceed 75% of the Gross Floor Area of the primary Dwelling Unit or ~~1,250~~ 1,000 square feet, whichever is less.

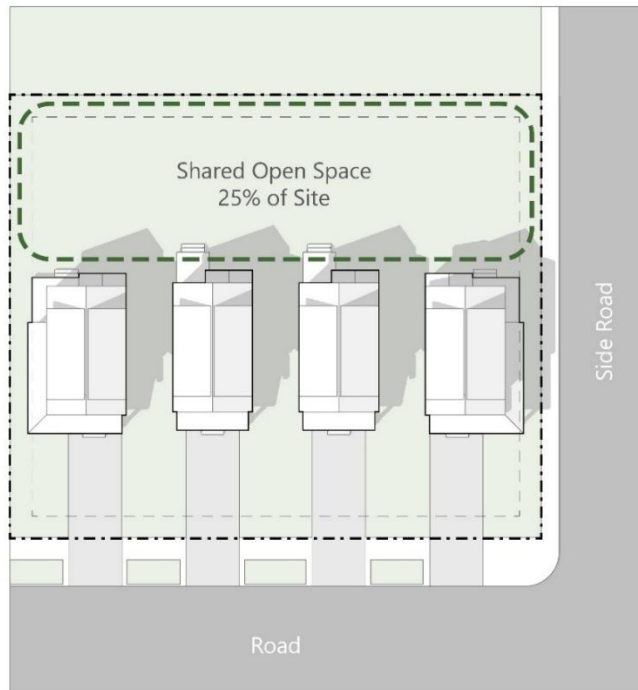


2.4. Cottage Housing



See the [Use Matrices](#) to find out where Cottage Housing is an allowed Use. To allow for more housing types, as well as smaller homes which may be more affordable than a typical Single Dwelling Unit, the following provisions have been established for “cottage-style” housing Developments:

Exhibit 14. Cottage Housing Example



2.4.1. Number of Cottage Homes



A Cottage Housing Development must include a minimum of four and a maximum of twenty cottages. More than one Cottage Housing Development may be proposed as part of the same project, so long as the following standards are met.

2.4.2. Building Setbacks



All Buildings must be detached from each other and separated by at least six feet. The minimum side yard setback is three feet. This provision replaces the standards required for the side yard setback in [Section 2.2.2.](#)



2.4.3. Community Facilities



Community Facilities that provide entertainment or services for the Cottage Housing Development, including but not limited to sports courts, dog parks, swimming pools, gardens, greenhouses, gathering or recreation spaces, and office or ~~and~~ meeting spaces, are considered Accessory Structures/Uses to Cottage Housing and are permitted and encouraged in any Cottage Housing Development. If cottages are on individual Lots or organized as Condominiums, the Community Facilities must be on a separate tract and owned collectively by all property owners of the Cottage Housing Development.

2.4.4. Lot Size



Smaller homes and Lot Sizes are generally more affordable, so cottages on individual ~~their own~~ Lots may have a minimum Lot Size of 1,400 square feet, as long as Building Setbacks, overall density, and other provisions are met.

2.4.5. Open Space



In addition to the Open Space standards in this Title, Cottage Housing Developments must meet the following requirements for shared Open Space. In the event of a conflict with the Subdivision Regulations or Buildings for Lease or Rent Regulations, the strictest standard applies:

- A. At least one shared outdoor Open Space area shall comprise at least 25% of the site. This outdoor Open Space requirement replaces the standard required Open Space in **Section 2.2.7(A)**.
- B. The shared Open Space must abut at least 50% of the cottages.
- C. Each cottage must have direct access to the shared Open Space via an ADA accessible sidewalk or trail. walkway.
- D. Fences are not allowed within the shared Open Space, except along the perimeter of the property, and for amenities such as dog parks, sports courts, swimming pools, etc. Fences are allowed between cottage homes.
- E. If cottages are located on individual Lots or structured as Condominiums, the shared Open Space must be placed on a separate tract or tracts and owned in common by all property owners of the Cottage Housing Development.



2.4.6. Parking



A minimum of one off-street Parking stall per Dwelling Unit is required. Parking may be provided as private garages, carports, or uncovered spaces. These may be attached, detached, grouped together, or located individually.

Relaxation from the Parking requirements may be available to some Developments utilizing the *Affordable Housing Incentives*.

2.4.7. Homeowner's Association



A Homeowner's Association must be established to maintain all common areas, shared Open Spaces, and the community building, if applicable. Covenants and/or the Subdivision plat must ensure that these areas are preserved in perpetuity and not converted to another Use.

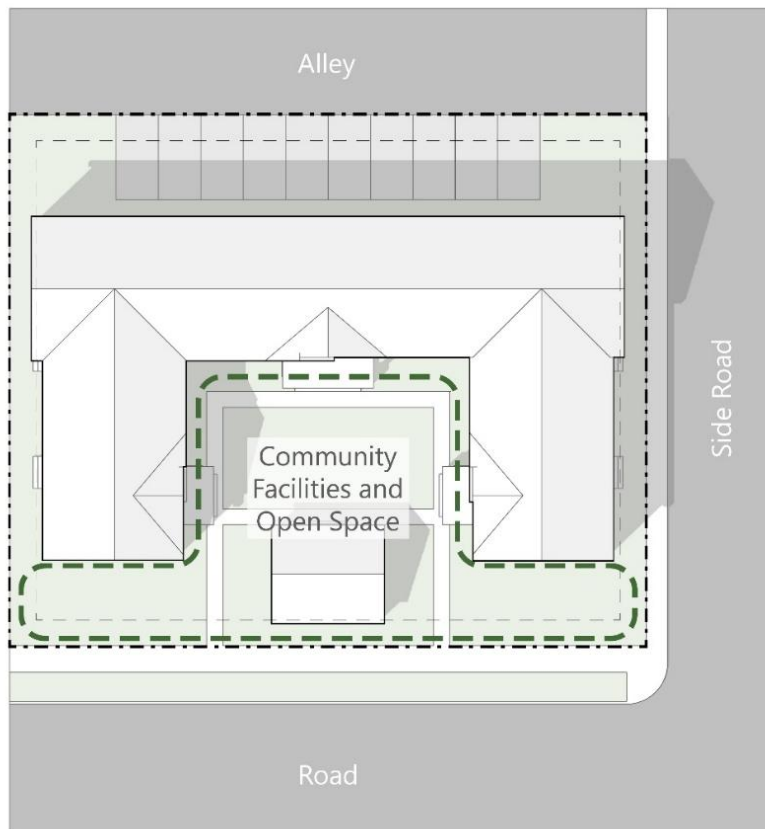
2.5. Courtyard Apartments



See the **Use Matrices** to find out where Courtyard Apartments are an allowed or Conditional Use. To allow for more housing types, as well as Apartments with shared amenities, the following provisions have been established for “courtyard-style” Apartment Developments:



Exhibit 15. Courtyard Apartments Example



2.5.1. Number of Courtyard Apartment Units



A courtyard Apartment Development must include at least six and no more than twenty-four Dwelling Units. The overall Development may consist of multiple Apartment Buildings.

2.5.2. Building Setbacks



All Buildings on the site must be detached from each other and separated by at least six feet as measured from the eaves.

2.5.3. Community Facilities



Community Facilities that provide entertainment or services for the Development, including but not limited to sports courts, dog parks, swimming pools, gardens, greenhouses, gathering or recreation spaces, and office or and meeting spaces, are considered Accessory Structures/Uses to Courtyard Apartments and are permitted and encouraged in any Courtyard Apartment Development. If Dwelling Units are organized as Condominiums, the Community Facilities must be on a separate tract and owned collectively by all property owners of the courtyard Apartment Development ([see Section 2.5.6](#)).

2.5.4. Open Space



In addition to the Open Space standards in this Title, courtyard Apartment Developments must meet the following requirements for shared Open Space. In the event of a conflict with the Subdivision Regulations or Buildings for Lease or Rent Regulations, the strictest standard applies.

- A. At least one shared outdoor Open Space area shall comprise at least 25% of the site. This outdoor Open Space requirement replaces the standard required Open Space in [Section 2.2.7\(A\)](#).
- B. The shared Open Space must abut one or more buildings containing at least 50% of the Dwelling Units.
- C. Each Apartment building must have direct access to the shared Open Space via an ADA accessible sidewalk or trail, ~~walkway~~.
- D. Fences are not allowed within the shared Open Space, except along the perimeter of the property, and for amenities such as dog parks, sports courts, swimming pools, etc.
- E. If the Dwelling Units are structured as Condominiums, the shared Open Space must be owned in common by all property owners of the courtyard Apartment Development ([see Section 2.5.6](#)).



2.5.5. Parking



A minimum of one off-street Parking stall per Dwelling Unit is required. Parking may be provided as private garages, carports, or uncovered spaces. These may be attached, detached, grouped together, or located individually. Relaxation from the Parking requirements may be available to some Developments utilizing the *Affordable Housing Incentives*.

2.5.6. Homeowner's Association



A Homeowner's Association or similar legal mechanism must be established to maintain all common areas, shared Open Spaces, and Community Facilities, if applicable. Covenants and/or the Subdivision plat must ensure that these areas are preserved in perpetuity and not converted to another Use.

2.6. Short-Term Rentals (STRs)



See the *Non-Residential Uses Matrix* to find out where STRs are an allowed or conditional Use. To balance the economic benefits of Short-Term Rentals (STRs) with the community's need for long-term, affordable, and workforce housing, the following standards are in effect, implemented. This section governs the rental of a Dwelling Unit or part of it for compensation for less than 28 consecutive days.

2.6.1. Classification



STRs are classified into the following types:

A. Owner-Occupied STR.

- a. A portion of a Dwelling Unit, such as a bedroom, rented for short-term use where the property owner need not be physically present during the rental, but maintains their Primary Residence on the property during the rental period; or
- b. An entire Dwelling Unit rented for short-term use, where the property owner need not be physically present during the rental, but maintains their Primary Residence in a separate Dwelling Unit on the property during the rental period.

- B. **Non-Owner-Occupied STR.** A Dwelling Unit or portion thereof rented for short-term Use where the property owner does not maintain their Primary Residence on the property during the rental period.



2.6.2. Permit Approval



- A. **STR Applications.** Applications for STRs must be submitted to the Planning Department and include the following information:
- Owner and applicant details, including the STR property address and deed. For non-owner-occupied STRs, include the owner's address and contact information (phone number and email), and the contact details of the designated caretaker or property manager.
 - For Owner-Occupied STRs, include at least two types of evidence that the Dwelling Unit(s) are the applicant's Primary Residence, such as recorded homestead declaration, tax records from the Department of Revenue, Real ID Montana driver's license etc.
 - For Owner-Occupied STRs, include an affidavit attesting that the Dwelling Unit is the applicant's Primary Residence.
 - The appropriate Gallatin City-County Health Department (GCCHD) Public Accommodations License or other license required under Montana Code Annotated. Submittal and review of the appropriate GCCHD licensing may happen concurrently with the Planning Department's review, but no STR permit shall be issued by the Planning Department until proof of any required GCCHD licensing is provided.
 - An STR application permit fee as outlined in the Gallatin County Planning Department's Fee Schedule.
 - Additional property details, such as the zoning district and sub-district, water and sewer providers (private well/septic, water district, etc.), number of bedrooms and bathrooms, and off-street Parking. Vehicle Parking for the respective STR Dwelling Unit must be provided per [Section 2.2.9](#).
 - Site plan and floor plan.
- ~~B. If Fire District inspection is not required by the GCCHD, after full application submission and fee payment, the local Fire District may perform an inspection of the STR as described in [Section 2.6.3](#). The Fire District may provide the Planning Department with an approval letter, approval with conditions, or a denial of the safety inspection. The Planning Department has the authority to grant final approval of an STR permit.~~
- B. New Owner(s) of Existing, Compliant STRs.** STR permits do not "run with the land," to ensure continued compliance, when ownership of a Dwelling Unit changes and the new owner wishes to continue operating the STR, a new STR permit is required in addition to all applicable licensing from the GCCHD. In these instances, new operators that wish to continue operating a zoning-compliant STR are required to submit all the information under 2.6.2.A.a-e. Operators are not required to submit items 2.6.2.A.f-g unless they propose physical alternations to the Dwelling Unit such as adding bedrooms or bathrooms, a deck, etc.

2.6.3. Safety Requirements



~~A. Before issuing an STR permit, the Dwelling Unit must pass a safety inspection carried out by the local fire district that:~~

~~a. Confirms the adequate presence of smoke detectors, carbon monoxide detectors, fire extinguishers, and sufficient egress.~~

~~b. The building complies with all other applicable building, fire, and health codes.~~

A. In addition to any other informational materials, all STR owners are required to make a “Visiting Gallatin County” information sheet, prepared by the Planning Department, available to all renters. The sheet shall contain information relevant to recreating and driving in an area where agricultural activities and wildlife are present as well as information about wildfire prevention, bear safety, and driving in winter conditions.

A.B. The STR owner shall provide all renters with contact information for emergency services (nearest medical center, crisis line, non-emergency police line, etc.) and the owner or designated caretaker of the Unit.

2.6.4. Basic Standards



A. The maximum number of STRs allowed per Structure type is as follows:

a. For properties that contain a Detached Single Dwelling Unit and one or more ADUs: Only one STR, whether Owner Occupied or Non-Owner Occupied in accordance with the applicable sub-district regulation, is allowed.

b. Only Owner Occupied STRs are permitted in a unit of a Duplex, ~~or Triplex, or Mutli-Dwelling Unit Buildings~~ across all sub-districts, ~~where STRs are an allowed or conditional use.~~

~~c. Only Owner Occupied STRs are permitted in Multi-Dwelling Unit buildings across all sub-districts where STRs are an allowed or conditional use.~~

B. Lodging is limited to inside the Dwelling Unit (no rental of tents, teepees, campers, etc.)

C. Advertisements offering Use of an STR for purposes other than lodging, including but not limited to weddings, concerts, and fundraisers, shall be considered prima facie evidence of the owner’s or agent’s intent to violate this Regulation unless proper permitting has been received to operate STRs as part of a wedding, concert venue, etc. in accordance with the sub-district Regulation.

2.7. Townhomes



See the [Use Matrices](#) to find out where Townhomes are an allowed Use. The following standards apply to “Townhome” or “Townhouse” type Developments, which are essentially single-unit homes with shared side walls and Lot lines:

A. Townhomes may be located on individual Parcels or grouped together on a single Parcel.

B. Front-loaded garages are allowed only if there is no alley access. If front-loaded, ~~t~~he garage door must be aligned with or positioned behind the townhome's front façade.

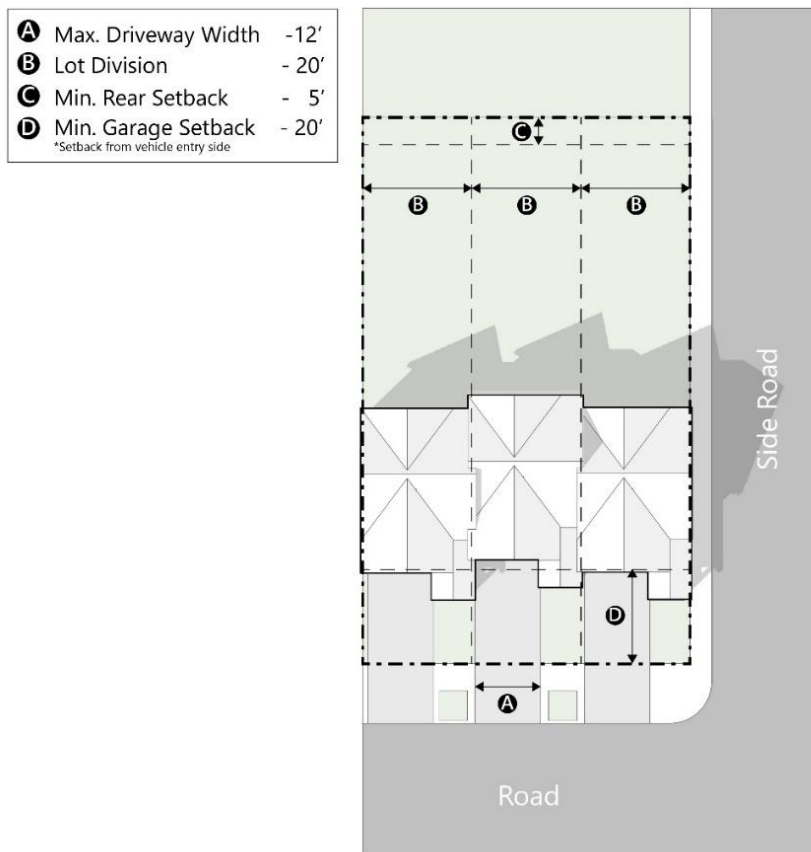


- C. Townhomes are exempt from side yard Building Setbacks as they are a “Zero-Lot Line” Development, all other setbacks listed under **Section 2.2.2** remain applicable.



Townhomes/attached Single-Dwelling Unit housing example:

Exhibit 16. Townhome/Attached Single-Dwelling Unit Example





3. Affordable Housing Incentives

The provisions of this section create incentives for Developments that include Affordable Housing. The standards outlined here apply to any Development that allocates at least 10% of its Residential units as Affordable Housing, as defined in the regulation. In the event of a conflict between the standards of this section and the general requirements of Section 2, the provisions of this section shall prevail.

To reduce occupancy costs, water and energy efficient appliances and building designs are encouraged in all Affordable Housing Developments.

3.1. Process

The Affordable Housing Incentives shall be reviewed concurrently with the relevant Development review process. For example, if the Development triggers Subdivision review, compliance with the Affordable Housing Incentives shall be reviewed by the County Commission during a public hearing along with the Subdivision review criteria.

3.1.3.2. Requirements.

- A. All proposals to use the Affordable Housing Incentives must restrict at least 10% of the total units in the Development as Affordable Housing.
- B. The Affordable Housing units must be bound by a recorded restrictive Covenant, deed restriction, or other approval from the governing body, which ~~must~~ will be recorded with the Gallatin County Clerk and Recorder and run with the land in perpetuity.
- C. **Pricing.** The following Area Median Income (AMI) limits shall determine the pricing of the Affordable units based on the Unit type proposed. AMI limits must be calculated by household, according to Housing and Urban Development Department guidelines:
 - a. **Rentals.** Units proposed for rent shall be priced for residents earning 60% of the AMI or less, including rent and estimated utilities.
 - b. **Ownership, Detached Single Dwelling Units.** All Detached Single Dwelling Units shall be designed for residents earning 135% of the AMI or less, including the estimated costs of mortgage, taxes, insurance, HOA dues, and utilities.
 - c. **Ownership, Attached Single Dwelling Units and Condominiums.** All Attached Single Dwelling Units and Condominiums proposed for ownership shall be priced for residents earning 120% of the AMI or less, including the estimated costs of mortgage, taxes, insurance, HOA dues, and utilities.



D. Income Limits. The following income limits determine renter or purchaser eligibility of any unit dedicated to Affordable Housing through the incentive program.

- a. **Rentals.** Units proposed for rent shall be leased to a tenant(s) earning no more than 65% of the AMI.
- b. **Ownership, Detached Single Dwelling Units.** All Detached Single Dwelling Units proposed for ownership shall be sold to buyers earning no more than 150% of the AMI.
- c. **Ownership, Attached Single Dwelling Units and Condominiums** All Attached Single Dwelling Units and Condominiums proposed for ownership shall be sold to buyers earning no more than 130% of the AMI.

~~Units designated for rent shall be restricted to residents earning 60% or less of the Area Median Income, and units for sale shall be restricted to residents earning 120% or less of the Area Median Income, by household, according to Housing and Urban Development Department guidelines. To reduce occupancy costs, water and energy efficient appliances and building designs are encouraged in all Affordable Housing Developments.~~

~~Proposed Developments that use the Affordable Housing Incentives shall be reviewed concurrently with the relevant review process. For example, if the Development triggers Subdivision review, compliance with the Affordable Housing Incentives shall be reviewed by the County Commission during a public hearing along with the Subdivision review criteria.~~

~~In the event of a conflict between the standards of this section and the general requirements of Section 2, the provisions of this section shall prevail.~~

3.3. Application Requirements.

Applicants utilizing the Affordable Housing Incentives shall submit the following to the Planning Department for review by the relevant body:

- A. A description of the incentives used in the proposed Development design.
- B. A description of the screening and eligibility process that will be required for residents/owners of the units deed restricted to Affordable Housing, including proposed income limits, and who will be responsible for managing process (e.g., Community Land Trust, local housing non-profit, HOA, etc.)
- C. A description of the proposed rental/list price for the units deed restricted to Affordable Housing that includes:
 - a. For rentals, estimated rent and monthly utilities, and the logic/data used to arrive at that estimate.
 - a.b. For units that will be owned, estimated cost of mortgage, taxes, insurance, HOA dues and utilities that reflect average credit score and downpayment metrics, and the logic/data used to arrive at that estimate.

3.2.3.4. Sub-district Standards



The Sub-District Standards from Section 2 still apply to Affordable Housing Developments.



3.3.3.5. Development and Design Standards



To allow for various housing types and enhance affordability, the following provisions are in effect:

3.3.1.3.5.1. Building Height



The following Building Height limits are set for the respective sub-districts and Future Land Use designations that utilize the Affordable Housing Incentives:

Exhibit 17. Building Height for Affordable Housing Incentives

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	65	50	50	50	
RGA	50	50	50	50	~~35~~ 50
PIHA	~~35~~ 50	~~35~~ 50			~~35~~ 50
MGA	~~35~~ 50	~~35~~ 50			~~35~~ 50

3.3.2.3.5.2. Building Setbacks



To ensure adequate spacing for buildings and vehicle access, the following standards apply to Developments that utilize the Affordable Housing Incentives:

A. Basic Standards

- Setbacks are measured from property lines, the edge of any access easement, or the edge of a sidewalk, if present.
- Garages must be set back 20 feet from the vehicle entry side, except when accessed from an alley. Alley-accessed garages do not require a setback, provided an adequate turning radius is available for access.

B. Setbacks

- Front Yard:** N/A
- Side Yard:** N/A
- Rear Yard:** N/A



3.3.3.3.5.3. Building Size



The Building Size provisions from Section I still apply to Affordable Housing Developments.

3.3.4.3.5.4. Density



To prevent urban sprawl and ensure developed areas provide enough density to support nearby businesses and provide Affordable Housing, the following Residential density (Dwelling Units per acre) provisions are in effect:

- A. **Maximum Residential Density in Dwelling Units per acre**, unless otherwise specified, below:

Exhibit 18. Maximum Residential Density in Dwelling Units per Acre for Affordable Housing Incentives

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	25	25	25	25	
RGA	12	12	12	10	6
PIHA	1 unit per 40 acres	1 unit per 40 acres			1 unit per 40 acres
MGA	1 unit per 20 acres	1 unit per 20 acres			1 unit per 20 acres

- B. **Minimum Residential Density in Dwelling Units per acre:**

Exhibit 19. Minimum Density for Residential Developments in Dwelling Units per Acre for Affordable Housing Incentives

FLUM / Sub-District	Community Business	Mixed-Use Residential	Residential A	Residential B	Residential C
UGA	10	10	10	5	
RGA	4	4	4	3	None
PIHA	None	None			None
MGA	None	None			None

- C. ADUs do not count towards maximum Residential density.



~~3.3.5.3.5.5.~~ Lot Size



To ensure the maximum Residential density allowed is actually achievable, and to account for public right-of-way, stormwater facilities, and other utilities, the following minimum Lot Size standards are established:

A. Minimum Lot Size per sub-district:

- a. **Community Business:** 1,400 square feet
 - b. **Mixed-Use Residential:** 1,400 square feet
 - c. **Residential A:** 1,400 square feet
 - d. **Residential B:** 2,500 square feet
 - e. **Residential C:** 4,000 square feet
- B. Minimum Lot frontage:** 15 continuous feet on either a private or public street or an access easement, subject to approval by the Planning Department

~~3.3.6.3.5.6.~~ Open Space



The Open Space provisions from Section 2 still apply to Affordable Housing Developments.

~~3.3.7.3.5.7.~~ Lighting



The Lighting provisions from Section 2 still apply to Affordable Housing Developments.

~~3.3.8.3.5.8.~~ Parking



To ensure sufficient vehicle Parking, it is recommended that at least one off-street Parking space be provided for each Dwelling Unit. Developments that propose less than one off-street Parking space per Dwelling Unit shall demonstrate how occupants will travel without a vehicle, for example, via a nearby bus route, car or bike share program, bike/walk via trail routes, etc.

~~3.3.9.3.5.9.~~ Vehicle Access, Carports, & Garages



The Vehicle Access, Carports, and Garages provisions from Section 2 still apply to Affordable Housing Developments.



3.3.10.3.5.10. Accessibility



At least one of the Affordable Housing units in a Multi-Dwelling Unit or Courtyard Apartment proposal shall be designated and constructed accessible according to ADA guidelines.

3.3.11.3.5.11. Accessory Dwelling Units (ADUs)



The ADU provisions from Section 2 still apply to Affordable Housing Developments, except for the applicable Development and Design provisions in this Section, such as Building Height, Building Setbacks, Density, Lot Size, and Parking.

3.3.12.3.5.12. Cottage Housing



The Cottage Housing provisions from Section 2 still apply to Affordable Housing Developments, except for the applicable Development and Design exceptions specific to the Affordable Housing Incentives Section, such as Building Height, Building Setbacks, Density, Lot Size, and Parking.

3.3.13.3.5.13. Courtyard Apartments



The Courtyard Apartments provisions from Section 2 still apply to Affordable Housing Developments, except for the applicable Development and Design exceptions specific to the Affordable Housing Incentives Section, such as Building Height, Building Setbacks, Density, Lot Size, and Parking.

3.3.14.3.5.14. Short-Term Rentals (STRs)



For Developments that utilize the Affordable Housing Incentives:

- A. ~~Only Owner Occupied STRs are permitted in Units permanently restricted to Affordable Housing so long as they are an allowed or conditional Use in the sub-district regulation.~~
- B. Owner Occupied and Non-Owner Occupied STRs are permitted in market rate units so long as they are an allowed or conditional Use in the sub-district regulation.
- ~~B-C.~~ ~~No STRs are allowed in any unit deed restricted to Affordable Housing.~~
- ~~C-D.~~ All STRs are subject to the requirements of **Section 2.6.**



~~3.3.15.~~3.5.15. **Townhomes**



The Townhomes provisions from Section 2 still apply to Affordable Housing Developments, except for the applicable Development and Design exceptions specific to the Affordable Housing Incentives Section, such as Building Height, Building Setbacks, Density, Lot Size, and Parking.





4. Planned Unit Developments (PUDs)

To promote quality Mixed-Use and Residential Developments and a greater degree of flexibility, the following provisions shall apply to PUDs. PUD applications shall be reviewed and approved according to the Conditional Use Permit process and procedures demonstrating innovative design and public benefit.

4.1. Development and Design Standards



This section sets Development and design standards for PUDs, allowing some flexibility from the underlying sub-district standards.

- A. Due to infrastructure and transportation constraints, PUD applications may be applied for in any sub-district in the Urban Growth Area and Rural Growth Area Future Land Use designations.
- B. An applicant may request relaxations from the typical standards outlined in Section 2 and 5+, including but not limited to Building Height, Landscaping standards, and setbacks, as long as the following conditions are met and with the appropriate governing body approval.
- C. The governing body and Planning Department cannot will not enforce stricter Development and design standards than those of the underlying subdistrict unless explicitly specified in the following provisions.

4.1.1. Allowed Uses



- A. Any Uses permitted outright or as a conditional Use in the subdistrict where the PUD is located shall also be permitted or conditional within the proposed PUD, subject to the criteria established in this Section.
- B. The applicant(s) may propose a land Use(s) that are is similar in nature to a land Use listed in the respective subdistrict provisions to be included in the PUD, subject to governing body approval.



4.1.2. Mix of Dwelling Unit Types



PUDs must at a minimum, include a mix of ~~at least~~ two different housing types:

- A. Duplexes
- B. Triplexes
- C. Multi-Dwelling Units (4 or more units)
- D. Cottage Housing
- E. Courtyard Apartments
- F. Mixed-Use

4.1.3. Building Heights

The applicant may propose a Building Height limit for the PUD, pending approval.

4.1.4. Building Setbacks

The applicant may propose Building Setbacks for the PUD, pending approval.

4.1.5. Building Size

The Building Size provisions from Section 2 still apply to PUDs.

4.1.6. Density



PUDs may have up to 50% more Dwelling Units per acre than the typical respective sub-district and FLUM designation maximum density, subject to governing body approval.

4.1.7. Lot Size



If subdividing, the minimum Lot Size shall be 1,400 square feet with at least 15 continuous feet of Lot frontage on either a private or public street.

4.1.8. Open Space



PUDs ~~in Urban Growth or Rural Growth Areas, as depicted in the FLUM,~~ must allocate a total of at least 30% of the site to public Open Space through an easement or commonly owned lot in perpetuity. The Open Space calculation shall be derived from the total property area excluding area set aside for roads and utility easements and/or lots. In the event of a conflict with the Subdivision or Buildings for Lease or Rent Regulations, or other Open Space standards within this Regulation, the strictest standard applies.



4.1.9. Landscaping

The applicant may propose an alternative landscape design from what is required under Section 5 for the PUD, pending governing body approval.

4.1.10. Lighting



The Lighting provisions from Section 2 still apply to PUDs.

4.1.11. Vehicle Access, Carports, & Garages



The Vehicle Access, Carports, and Garages provisions from Section 2 still apply to PUDs.

4.2. Application



A PUD may be initiated by the sole property owner if under single ownership, or jointly by all property owners if multiple owners are involved.

4.2.1. Pre-Submittal Meeting and Application Submittal



- A. Prior to submitting a Conditional Use Permit application for a PUD, Applicants shall request a pre-submittal meeting with planning staff to discuss and get feedback on the preliminary design, applicable requirements, etc.
- B. Application Submittal. The applicant shall provide the following to the Planning Department as part of their PUD application submittal, in addition to the Conditional Use Permit requirements:
 - a. Documentation showing that the respective Water and Sewer District has been notified of the potential PUD and its anticipated impacts, if applicable.
 - b. A to-scale conceptual site plan showing:
 - i. Location and types of proposed Residential, Mixed-Use, and non-Residential Uses;
 - ii. Proposed Lot Sizes;
 - iii. Streets, alleys, sidewalks, trails, and circulation systems;
 - iv. Total amount, location, and type(s) of Open Space;
 - v. Any additional information necessary to convey the scope and impact of the project; and
 - vi. A written narrative describing how the proposal complies with Gallatin County regulations and the current Gallatin County Growth Policy.



4.3. Public Benefit Review Criteria



~~In addition to the Conditional Use Permit review criteria,~~ PUD applications shall be reviewed by the governing body for the following:

- A. Through the proposed design and use(s), PUD applications shall demonstrate significant public benefit using two or more of the following methods:
 - a. **Affordable Housing.** Dedication of the greater of two units or 10% of the total units in the Development as deed-restricted Affordable Housing. ~~more units as deed-restricted Affordable Housing~~
 - b. **Environment.** Preservation of core wildlife habitat and/or groundwater recharge areas, as defined by the FLUM, as non-buildable areas.
 - c. **Agriculture/Food Systems.** Preservation of agricultural soils and/or production, and/or contribution to local food systems.
 - d. **Land Donation.** Donation or use of land, either on site or off site, for public infrastructure and/or essential services including but not limited to schools, fire districts/departments, emergency services, or water and sewer district use or expansion. Applicants must demonstrate coordination with the entity receiving the land donation to ensure feasibility.
 - e. **Services.** Incorporation of uses that increase residential service availability including but not limited to grocery store, childcare facility, community center, etc.
 - f. **Recreation.** Incorporation of significant non-motorized recreational opportunities and/or facilities including but not limited to trail networks, sports courts or fields, pump tracks, etc.





5. Landscaping

A. ~~Purpose and Intent. Minimum landscaping standards are established~~ To enhance neighborhood aesthetics, conserve water, protect water quality, encourage biodiversity and climate resilience, buffer incompatible land uses, and reduce wildfire risk, the following minimum landscaping standards are in effect. Landscaping features in addition the minimum requirements of this chapter that enhance the experience of streetscapes and other public or shared spaces is encouraged.

B. Applicability:

a. ~~New Development. Any proposal for a new Building or parking lot shall comply with the relevant standards of this section. Proposed Residential Buildings on an existing, developed lot need only comply with the defensible space, street tree, and public frontage requirements. Any construction, reconstruction, alteration, enlargement or extension of any building or land use, including parking lots, or any change in land use shall comply with this chapter.~~

a.b. ~~Modification of Existing Development. Any existing Building or Structure proposed to be modified that requires a Land Use Permit, or expansion of an existing parking lot, shall demonstrate compliance with the relevant standards of this section. Required landscaping in these situations is limited to the Area of Disturbance.~~

~~B.C.~~ Scope: ~~This The landscaping~~ chapter includes General Landscaping Standards, which apply to the entirety of the ~~Regulation Title~~, covering requirements for landscape plans, materials, installation, water conservation, irrigation, tree preservation, and maintenance. ~~In~~ Additionally, it includes the following sections with specific applicability requirements:

- a. Minimum Required Landscaped Area for Lots
- b. Street Trees and Public Frontages
- c. Parking Lot Landscaping
- d. Screening and Buffers
- e. Green Stormwater Infrastructure and Stormwater Integration
- f. Defensible Space Landscape Requirements

5.1. General Landscaping Standards



General Landscaping Standards apply to the entirety of this chapter.

5.1.1. Landscape Plan Required



- A. A landscape plan shall be submitted to the ~~Planning Department Zoning Officer~~ for review and Approval with any Land Use Permit, Change of Use Permit, or ~~application for~~ Subdivision or Buildings for Lease or Rent Application, ~~where this regulation applies~~, showing that the applicable requirements have been met. The plan shall include, at minimum, the following:
 - a. Locations, quantities, size at installation, and species (common and scientific name) for all plant materials.
 - b. Materials and square footage of all hardscape materials or other non-vegetative materials for xeriscaping and defensible space.
 - c. Location of any snow storage areas, especially for parking lots.
 - d. Location, height, and material of any fencing.
 - e. Existing and proposed contour lines (2 ft intervals).
 - ~~f.~~ Where Green Infrastructure and Stormwater features are incorporated, drainage areas, and any inlets, outlets, underground piping infrastructure, and clean-outs shall be shown.
 - ~~f.g.~~ Where irrigation is required, an irrigation plan meeting the requirements of this chapter shall be submitted with the landscape plan.
 - ~~g.h.~~ North arrow and scale.
- B. For projects with any of the following characteristics, the landscape plan shall be signed by a State of Montana Licensed Landscape Architect, and any plans including stormwater management infrastructure shall be signed by a State of Montana Licensed Landscape Architect or State of Montana Licensed Civil Engineer:
 - ~~a. Projects that include or abut public streets.~~
 - a. Projects that include common areas for use by multiple residential units or that include areas accessible to the public, including but not limited to shared open spaces or outdoor recreation spaces, parking lots, and other areas not limited to private use.
 - b. Projects that include landscaped boulevards adjacent to any Multi Dwelling Units, Commercial, or Mixed-Use Developments.
- ~~C. Where irrigation is required, an irrigation plan meeting the requirements of this chapter shall be submitted.~~

5.1.2. Conflicts



In areas where requirements for the quantities, types, or spacing of Live Vegetation in any part of this chapter are in conflict with the Defensible Space requirements of this regulation, the Defensible Space Section shall control, see [Section 5.7](#).

5.1.3. Landscape Materials



The following requirements apply to all materials used to satisfy the requirements of this chapter.

- A. **Live Vegetation.** Live vegetation shall include a variety of trees, shrubs, perennials, ornamental grasses, and groundcovers. No artificial plant material shall be used to satisfy the requirements of this chapter.



- a. Live Vegetation used to satisfy the requirements of this chapter may be installed in ground or in raised beds or containers.
- b. The use of native, drought-tolerant, pollinator-friendly, edible, and climate-adapted species is strongly encouraged. Non-native but regionally adapted vegetation or vegetation adapted to the site's microclimate are also acceptable.
 - i. Edible vegetation, such as fruit bearing trees, shrubs, or vegetables are prohibited, shall not be installed in areas within the Bear Conflict Mitigation Overlay from the Future Land Use Map in the Gallatin County Growth Policy unless secured by electric fencing or other bear-proof barrier.
- c. The selection of plant material shall prioritize species that require minimal supplemental irrigation once established.
- d. Diversity among plant materials is strongly encouraged for visual interest and to reduce the risk of losing a large population of plants due to disease or extreme weather.
- e. The installation of State-listed invasive or noxious weed species is prohibited.
- f. Turfgrass. Turfgrass, a form of groundcover, shall only be allowed as follows:
 - i. For Detached Single Dwelling Unit and Multi Dwelling Unit residential Development, on up to 35 percent of the property.
 - ii. For ~~Commercial and Non-Residential~~ institutional Development, on up to 20 percent of the ~~landscaped area property~~.
 - iii. The turfgrass percentages under Section 5.13.A.6 above may be exceeded for the purposes of accommodating a defined, functional space where turfgrass is necessary (e.g., defined play areas, gathering lawns, soccer fields, etc.).
 - iv. The use of drought-tolerant or native turfgrass blends is recommended.
- B. **Topsoil.** A minimum of 6" of topsoil is required in all landscaped areas with live vegetation.
- C. **Fencing:** Fencing of various materials may be proposed to meet the Screening and Buffer requirements (**Section 5.5**) for bear conflict mitigation (Section 5.13.A.2.i), or optionally for optional ornamentation or division of space. The following standards apply to all fences:
 - a. Fencing within 5 feet of a Building or flammable structure shall be of non-flammable materials (See also Defensible Space Requirements in **Section 5.7**).
 - b. Fencing within areas falling within the Wildlife Safe Movement and Migration overlay of the Future Land Use Map shall be of wildlife friendly design according to the most recent publication of [A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind](#).⁹
- D. **Mulch.** Areas with Live Vegetation shall be mulched. Organic mulches, which include biodegradable materials natural in origin, function to support plant and soil health by retaining moisture, suppressing weeds, preventing erosion, buffering soil temperatures, adding nutrients, improving soil structure, and generally supporting healthy plant establishment and ecological function. Therefore, use of organic mulches is required with limited exceptions:
 - a. Acceptable materials for organic mulch are shredded or chipped wood or bark, composted wood chips, leaf mulch mixed with wood or bark, or other biodegradable materials that are free of weed seeds or weed parts.

⁹ https://fwp.mt.gov/binaries/content/assets/fwp/conservation/land-owner-wildlife-resources/a_landowners_guide_to_wildlife_friendly_fences.pdf



- b. Stone or aggregate (inorganic) mulches are acceptable when used for xeriscaping or defensible space, or when used in conjunction with organic mulches as part of a design feature.
 - c. Other forms of inorganic mulches (e.g., rubber, plastic, dyed wood, landscape fabric), and sawdust are not allowed unless they are part of a specialized element such as a play area.
- E. **Non-Vegetative Materials for Xeriscaping and Defensible Space:** Stone, gravel, pavers, concrete, or other non-combustible materials may be used for xeriscaping in the required landscape area or to reduce fire risk (See also Defensible Space Requirements [Section 5.7](#))

5.1.4. Live Vegetation Sizing at Installation and Mulch Application:



- A. **Minimum plant sizes for Live Vegetation at installation**, in accordance with the latest edition of the American National Standards (ANS) for Nursery Stock, are shall be as follows for the project types referenced in Section 5.1.1.B and for all vegetation within the public right of way or within 30 feet of the public right of way:
- a. Large and Small Canopy Trees shall have a minimum caliper of 1.5 2 inches.
 - b. ~~Small Canopy Trees shall have a minimum caliper of 1½ inches. Alternatively,~~ Multi-Trunk Deciduous trees may be specified by height.
 - c. Coniferous Trees and Multi-Trunk Deciduous trees shall have a minimum height of five ~~six~~ feet.
 - d. Shrubs shall be provided in at minimum a five-gallon container.
 - e. Herbaceous Materials:
 - i. Perennials and ornamental grasses. Perennials and ornamental grasses shall be provided in at minimum a one-gallon container.
 - ii. Non-turfgrass groundcovers. Non-turfgrass groundcovers shall be provided in a minimum 4" diameter pot.
 - iii. Turfgrass may be provided as seed.
 - iv. Exceptions to the minimum size requirements for herbaceous materials (perennials, ornamental grasses, or groundcovers) may be granted to allow for smaller containers or landscape plugs at the discretion of the Planning Department Zoning officer, however, the Maintenance and Replacement requirements of this code still apply. Such an exception may be granted if the following minimum conditions are met:
 - 1. The area where such smaller plants would be installed is not within a public right of way or adjacent to a sidewalk, trail, or area that may be subject to trampling.
 - 2. The total area to be planted with herbaceous materials exceeds 20,000 square feet.
 - 3. The use of smaller materials or plugs is acknowledged in the required maintenance agreement.
 - f. Mulch Application: Mulch shall be applied, and re-applied as necessary, to maintain at a depth of 2–4 inches over the rooting area of plants and kept at least 2–3 inches away



from the base of tree trunks and plant stems.

5.1.5. Water Conservation and Irrigation



The following standards are in effect to conserve water and promote safe and efficient irrigation systems.

5.1.6. Use of Irrigation



- A. All applicable developments are subject to the Maintenance and Replacement requirements of this chapter ([Section 5.1.8](#)). To ensure that Live Vegetation survives irrigation or sprinkler systems may be necessary.
 - a. Where irrigation is required to support long term survivability of Live Vegetation, an irrigation plan demonstrating that irrigation systems meet the requirements of this chapter shall be submitted.
 - b. Irrigation systems, when included, shall be designed to minimize long-term dependence on potable water.
 - c. To minimize or avoid the need for conventional automatic irrigation systems, projects may instead utilize native, climate-adapted, and drought-tolerant vegetation or incorporate green stormwater infrastructure (e.g., rain gardens, bioswales, passive stormwater irrigation) to conserve water. Such projects shall either provide:
 - i. A statement acknowledging the Maintenance and Replacement requirement of this chapter, and that the plants specified on the landscape plan can be sustained without irrigation once established, or
 - ii. A site-specific green stormwater infrastructure irrigation plan demonstrating how stormwater will be harvested and distributed to vegetation for the entire growing season; including measures to ensure that vegetation receives adequate moisture during dry periods (e.g., supplemental cisterns, water harvesting features).

5.1.6.1. Permanent Automatic Irrigation



When connected to the public water system, all irrigation systems shall include:

- A. A dual check valve backflow preventer ~~in an approved above-ground box with lid (or interior to a heated building space);~~
- B. A water meter with shut-off valves, bypass, and meter box;
- C. Anti-siphon devices on all hydrants and hose connection points, and
- D. The ability to easily winterize the system by blowing out each zone with compressed air.



5.1.6.2. Water Intensity



All Irrigation plans shall include a general assessment of water intensity. This includes identifying areas with high, moderate, and low water needs based on plant types and irrigation practices. The assessment shall note any turf areas, drought-tolerant or xeric plantings, and groupings of plants with similar water requirements.

5.1.6.3. Smart Irrigation Controller Requirements



All irrigation plans are subject to the following requirements for irrigation controllers:

- A. **Mandatory Equipment.** To conserve water in irrigated landscapes, all landscape irrigation systems subject to this section shall be equipped with a Smart Irrigation Controller, defined as an automated irrigation management system that adjusts watering schedules and run times based on real-time environmental data.
- B. **Minimum Functional Requirements.** The Smart Irrigation Controller shall include, at a minimum, the following features:
 - a. Rain Sensor: Capable of detecting rainfall and pausing or canceling irrigation accordingly.
 - b. Programmable Zones: Allow different watering schedules for hydrozones based on plant type, slope aspect, and sun exposure.
 - c. Manual Override Capability: For maintenance and emergency situations.
 - d. Battery Backup: To preserve settings during power outages.
- C. The Planning Department zoning administrator may grant a waiver or modification to these requirements if:
 - a. Alternative water-saving technologies are proposed; or
 - b. Special site conditions make the use of sensors technically infeasible, and equivalent water efficiency can be demonstrated by other means.

5.1.7. Tree Preservation



To protect trees, the following standards are in effect:

5.1.7.1. Preservation of Public and Other Existing Trees



- A. Public trees in boulevards, public rights-of-way, designated open space areas, parks, or other public property may not be removed or damaged, and must be protected from impacts of construction.



- a. Exceptions may be granted for trees that present a hazard due to disease or the health and condition of the tree. Public trees that are removed for such reasons must be replaced with a similar species meeting the minimum sizing requirements of this chapter.
- B. On a parcel that is proposed for Development, the proposed project layout and limit of disturbance shall be designed to promote retention of healthy groups of trees, or individual trees greater than 8" DBH, ~~are encouraged to be retained.~~
- C. In order to prevent damage ~~to existing~~ trees that will be retained, the following ~~minimum~~ measures ~~are in effect~~ shall be followed:
 - a. Trees to remain shall be identified on the Landscape Plan.
 - ~~a.b.~~ A Tree Protection Zone shall be established at minimum around the Critical Root Zone of any trees to remain.
 - i. Tree protection barriers that are sturdy and highly visible, such as high visibility construction fences or other physical barriers with signage, shall be installed at the limits of the Tree Protection Zone.
 - ii. No stockpiling, equipment storage, grading or soil disturbance shall be allowed within the Tree Protection Zone.
 - iii. No cutting or attaching of signage, equipment, or materials to existing trees to remain shall be permitted.

5.1.8. Maintenance and Plant Replacement Required



- A. The required landscaping shall always be kept in a healthy and growing condition.
 - a. The developer, property owner, home/property owners association or their successors are responsible for regular weeding, mowing, irrigating, fertilizing, pruning, and all other necessary maintenance of the plants.
 - b. Any plant used to meet the requirements of any part of this chapter that dies shall be replaced in kind, as soon as possible but within 12 months, to maintain compliance with this chapter.
 - c. Canopy trees shall be maintained so as to not interfere with the movement of or visibility between people and vehicles along Public Frontages.
- B. Green Stormwater Infrastructure Facilities, including all Live Vegetation, mulch, inlets, outlets, and piping infrastructure, shall be maintained to ensure continued stormwater performance and volume storage capacity of the facilities. Such maintenance is included, but not limited to:
 - a. Periodic removal of sediment and debris from inlets and basins to maintain proper flow and storage of stormwater
 - b. Replacement of mulch and media as required
 - c. Clearing of pipes and underground infrastructure to remove clogs and debris and ensure drainage of any ponding water within 24 hours.
- C. A maintenance responsibility agreement shall be included in the covenants for subdivisions and in the notice of decision ~~via or the~~ conditions of approval for Buildings For Lease or Rent or Conditional Use Permit approvals, ~~and for P~~ projects not subject to any of these review processes shall include in the form of a statement signed by the party responsible ~~in~~ the landscape plan. The statement shall:



- a. Identify the entity responsible for the maintenance and replacement requirements of this chapter ([Section 5.1.8 A-B](#)).
- b. Indicate that the requirements of this chapter run with the land and are binding on subsequent owners or organization as applicable.

5.2. Minimum Required Landscaped Area for Lots



To promote public health and safety, the following standards are in effect. The required components of Sections 5.3 – 5.5 may overlap spatially to meet the minimum required landscape area requirements so long as the total required landscape area is met. Where these required components overlap (for example, streetscape standards and buffers), the strictest components of each standard applies:

5.2.1. Applicability



All lots subject to the requirements of this chapter shall comply with the minimum required landscaped area.

5.2.2. Calculation of Minimum Required Landscaped Area for Lots and Coverage



- A. The minimum required landscaped area for any lot shall be calculated by multiplying the square footage of land not covered by proposed Buildings or Structures, excluding any easements, driveways, and existing forest or designated wetland area to remain, by the following percentages:
 - a. Lot size < 0.5 acres = 20%
 - b. Lot size 0.5-5 acres = 15%
 - c. Lot size > 5 acres = 10%
- B. Interior courtyards, ~~parking lots, and areas for screening and buffers~~ shall be included in the minimum required landscaped area calculation and requirements.
- C. At least 75% of the minimum required landscaped area ([5.2.2.A](#)) for parcels, measured on a horizontal plane from above the canopy at maturity, shall consist of Live Vegetation.
- D. While the calculation for minimum required landscaped area excludes the area occupied by Buildings or other Structures, landscaped areas on rooftops in addition to the minimum requirements, especially those with physical or visual access, are encouraged.



5.3. Street Trees and Public Frontages



To enhance walkability and quality of life, the following standards are in effect:

5.3.1. Applicability



- A. The Street Trees and Public Frontages Requirements of this chapter shall apply to all public streets in the Community Business, Mixed-Use Residential, and Residential A and Residential B sub-districts.
- B. See the Gallatin County Transportation Design and Construction Standard for other requirements that apply in all unincorporated areas of Gallatin County related to streets, sidewalks, and trails.

5.3.2. Location and Placement



- A. Street Trees and other Live Vegetation for Public Frontages shall be planted within the public right-of-way to separate the street from sidewalks where present, in planting strips, medians, or tree wells, where possible.
- B. If planting within the right-of-way is not possible, trees may be located on private property within 10 feet of the right-of-way line. In these cases, an easement shall be established to allow for maintenance as required by this regulation ([Section 5.1.8](#)).
- C. Landscaping shall not obstruct visibility within the sight distances required in the Gallatin County Transportation Design and Construction Standards.
- B-D. Trees shall be planted a minimum of 2 feet from any curb or paved edge and a minimum of 5 feet from any Structure used to provide utilities.

5.3.3. Spacing, Species, Tree Pits, and Minimum Quantities



- A. Required Minimum Street Trees Spacing and Quantities are as follows:
 - a. A minimum of one (1) Large or two (2) Small Canopy Trees are required for every 50 linear feet along public streets to form a continuous canopy along the Public Frontage at maturity.
 - b. Adjustments to the required spacing may be approved by the [Planning Department](#) ~~County Planner~~ or [County](#) Engineer to accommodate driveways, utilities, [easements](#), and sight-distance requirements.
 - c. Planting beds or Green Stormwater Infrastructure Facilities including a mix of all forms of Live Vegetation except turfgrass may be substituted for the required canopy trees along up to 50% of the street frontage so long as:



- i. Sightlines between travel ways for pedestrians, cyclists, or other multi-modal forms of transportation and vehicle traffic on streets are maintained.
 - ii. The Planting Beds or green stormwater infrastructure facilities shall meet the same minimum surface area requirements of Street Tree pits.
 - iii. At least 75% of the required surface area as measured on a horizontal plane from above at maturity, shall consist of Live Vegetation.
 - B. Species of Street Trees planted adjacent to trails and sidewalks shall exclude varieties with thorns or fruits or nuts as they may cause tripping hazards.
 - C. Where Street Trees are planted in sidewalks, each Street Tree Pit shall have a minimum of 32 square feet of open soil area at the surface (mulched as required) to minimize root upheaval of sidewalks and promote tree survival.
 - a. Features to restrict foot traffic across the open soil area ~~Tree grates to cover the open soil area~~ of Street Tree Pits are required in the Community Business sub-districts ~~and may be used in other areas.~~ Such features may include tree pit fencing, permeable interlocking pavers, un-grouted natural stone, adjustable tree grates or similar materials that dissuade trampling of roots.
 - b. All features used to restrict such foot traffic in the open soil area ~~Tree grates, where used,~~ shall:
 - i. Meet Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA) accessibility standards for the public right-of-way.
 - ii. Allow water to infiltrate into the open soil area provided below the tree grate.
 - iii. Any tree grates used must include a re-sizing feature to allow for ~~Can be re-sized to allow for~~ unrestricted growth of the tree trunk.
 - D. Integration of Live Vegetation in addition to the requirements of this chapter to enhance the pedestrian experience of streetscapes is encouraged.

5.4. Parking Lot Landscaping



To promote safety, attractive streetscapes, quality of life, and walkability, the following standards are in effect:

5.4.1. Applicability



These standards apply to all parking lots with 10 or more spaces.

5.4.2. Minimum Parking Lot Area Landscaping Requirements



A. Minimum Interior Landscaping Requirements



- a. A minimum of 10% of the total parking lot area, delineated by a continuous line along the exterior edge of parking spaces, drive aisles, driveways and drive-through lanes shall be comprised of interior parking lot landscaping. Interior parking lot landscaping may include:
 - i. Interior landscaped islands, which are planting beds wholly surrounded by pavement within parking lots.
 - ii. Exterior landscaped islands, which are planting beds that extend from the exterior edge of a parking lot towards the interior that are surrounded by pavement on at least two sides.
- b. If the minimum 10% interior parking lot landscaping requirement is not met by providing interior or exterior landscaped islands, then landscaping bordering parking spaces, drive aisles, driveways, and drive through lanes that exceeds what is otherwise required in this section may be counted for the required area calculation. In order to be counted, the planting area must be a minimum of 5 feet wide and within 15 feet from the edge of the parking lot.

B. Perimeter Parking Lot Area Landscaping Requirements

- a. For parking lot edges adjacent to streets or neighboring properties, a continuous landscape strip at least 5 feet wide shall be provided.

C. Parking Lot Landscaping Design Standards

- a. Shade and Canopy Coverage: The landscape plan shall demonstrate that the proposed configuration of trees in interior and perimeter landscaping provides at least 20% of shade coverage of the parking lot area at maturity.
- b. Parking Lot Islands
 - i. Landscaped islands shall be distributed throughout the lot to break-up rows of parking, provide shade, and reduce heat buildup.
 - ii. Each island shall be a minimum of 150 square feet in surface area.
 - iii. At minimum, each island shall include one Large Canopy tree or Two Small Canopy Trees and a mix of shrubs and groundcover to reach a minimum of 75% coverage by Live Vegetation as measured on a horizontal plane from above at maturity.
- c. Required Parking Lot Perimeter Landscaping
 - i. Perimeter landscape strips shall include at minimum one Large Canopy Tree or Two Small Canopy Trees planted for every 40 linear feet and a mix of shrubs and groundcover to reach a minimum of 75% coverage by Live Vegetation as measured on a horizontal plane from above at maturity.
- d. Trees shall be planted a minimum of 2 feet from any curb or paved edge and a minimum of 5 feet from any Structure used to provide utilities.
- e. Stormwater management features such as bioswales or rain gardens may be incorporated into the required parking lot islands and perimeter landscape strips for parking lots so long as the requirements for Live Vegetation are met.
- f. Planting areas, including parking lot islands and perimeter strips, shall be protected by curbs, wheel stops, or raised edges to prevent landscape damage. Curb cuts or inlets may be provided to allow stormwater runoff to infiltrate into these areas.



~~g. Snow storage areas shall be shown on the landscape plan and must be separate from any areas proposed for tree planting, used to meet the requirements of parking lot landscaping.~~

~~g.h. Landscaping and snow storage areas shall not obstruct sight distances required by the Gallatin County Transportation Design and Construction Standard~~

5.5. Screening and Buffers



To promote safety, quality of life, and attractive streetscapes, the following standards are in effect:

5.5.1. Applicability



A. Screening and Buffers requirements apply as follows:

- a. Where Commercial or Industrial Uses are proposed to be adjacent to any existing Residential Use, the Commercial or Industrial Use shall provide a landscaped buffer zone as screening from the Residential Use.
- b. Where Multi Dwelling Unit Residential Uses are proposed to be adjacent to Detached Single Dwelling Unit(s) Residential Uses, the Multi Dwelling Unit Residential Use shall provide a landscaped buffer zone as screening from the Single Dwelling Unit(s).

B. Uses shall be determined adjacent based on the following:

- a. Multi Dwelling Units and Commercial Uses separated from Detached Single Dwelling Unit(s) by a road, public right-of-way, or other natural or manmade feature with a width of 20 feet or greater are not considered adjacent for the purpose of administering the landscape buffer requirements.
- e.b. All proposed Industrial Uses adjacent to any Residential Use shall provide a landscape buffer(s) on all sides of the property bordering the Residential Use, regardless of any separation provided by a road, public right-of-way, or natural or manmade feature.
- d. Adjacency for determining screening and buffer requirements includes either directly adjacent or when separated by an alley, road, public right-of-way, or other natural feature or manmade structure.

5.5.2. Buffer Zone



Buffer zone standards and exceptions are as follows:

- A. The buffer zone shall be a minimum of ten (10) feet in width with an additional five (5) feet required for each story in of the Commercial, Industrial, or Multi Dwelling Unit Building(s) or Use use above three one (3+) storiesy, not to exceed twenty (20) feet in width.
 - a. The required buffer zone for projects utilizing the Affordable Housing Incentives in Section 3 shall not exceed fifteen (15) feet in width.



- B. The buffer zone shall be placed between the Commercial, Industrial, or Multi Dwelling Unit Building(s) or Use and the applicable adjacent property line. The buffer zone must extend along the length of the Use and/or proposed Building(s), but need not extend the entire length of the property line.
- C. The buffer shall be measured from the edge of the applicable property line.
- D. Nothing in this section shall preclude features for recreation or transit such as driveways, pedestrian trails, park benches, interpretive signs, etc. from traversing or being placed in the landscape buffer zone.
- A-E. Landscape buffers may be incorporated into any open space or parkland.

5.5.3. Screening



Screening shall be installed within the buffer zone and, ~~which~~ shall consist of either:

- A. Live Vegetation (preferred); or
- A.B. Live Vegetation and a combination of berms, non-vinyl opaque fencing, or masonry walls to a minimum height of six (6) feet in a manner that does not create a safety hazard for vehicular or pedestrian movement or create a conflict with defensible space standards for fire protection.

5.5.4. Trees



In addition, a minimum of one (1) Large or Small Canopy Tree or Evergreen tree per three hundred (300) square feet of buffer zone shall be required. In areas where light or noise impacts can be expected, a minimum of 50% of trees used to meet this requirement must be Evergreen trees to provide a year-round buffer for light and sound.

5.5.5. All Other Live Vegetation



Exclusive of the tree canopy, the vegetation planted in the buffer shall cover at least 75% of the buffer area except where this would conflict with defensible space requirements. In areas where light or noise impacts can be expected, a minimum of 50% the coverage requirements must be met with Evergreen shrubs to provide a year-round buffer for light and sound.

5.6. Green Stormwater Infrastructure and Stormwater Integration



To protect public health and safety, water quality, and enhance the quality of outdoor spaces the following standards are in effect:



5.6.1. Integration with Landscaping



Green Stormwater Infrastructure (GSI) Facilities such as bioswales, rain gardens, infiltration planters, and vegetated swales may count toward any of the required landscape areas ~~of this chapter~~ when planted with a mix of at least two Live Vegetation types specified in this chapter, excluding turfgrass.

5.6.2. Design Standards



- A. GSI Facilities and other stormwater management components shall be designed to manage on-site stormwater in accordance with the most recent Montana Post-Construction Storm Water BMP Design Guidance Manual and the Montana Department of Environmental Quality (DEQ) standards.
- B. Live Vegetation in GSI Facilities shall prioritize native and drought-tolerant species suited to periodic inundation. Refer to the [Native Plants for Montana's Home Gardens](#)¹⁰ guide prepared by Montana State University for a list of native and drought tolerant plant species.
- C. All stormwater facilities, including GSI facilities, shall be sized appropriately, in terms of ponding area volume, surface area, and sizing of inlets and outlets to accommodate runoff that drains to each facility and drain within 24 hours.
- D. Soil volumes and depths in shall be sufficient to support both stormwater function and long-term plant health. If underground piping is required, cleanouts shall be shown on required landscape plans at appropriate intervals to allow for the cleaning of pipes using standard equipment.
- E. Access to all facilities shall be provided for maintenance as required in [Section 5.1.8](#). If GSI facilities are on private property owned by someone other than the entity responsible for maintenance, a maintenance easement shall be established.

5.7. Defensible Space Landscape Requirements



Reducing wildfire risk is a multi-faceted strategy that goes beyond provisions that can be established in zoning, including vegetation management and fuel reduction. Compliance with these defensible space requirements provide no guarantee of safety or property protection from wildfire.

To protect public health and safety, the following standards are in effect:

¹⁰ https://extension-store.montana.edu/assets/publications/montguidepdfs/mt202503ag_native_plants_new08.25.pdf



5.7.1. Applicability



- A. Defensible Space landscape provisions are required in all areas of High or Very High Relative Wildfire Likelihood as indicated by the latest version of the Gallatin County Community Wildfire Protection Plan.
- B. Landscape plans in other areas may choose to incorporate these best practices as a measure to reduce wildfire risk.
- ~~C.A. Reducing wildfire risk is a multi-faceted strategy that goes beyond provisions that can be established in zoning, including vegetation management and fuel reduction. Compliance with these defensible space requirements provide no guarantee of safety or property protection from wildfire.~~

5.7.2. Requirements



- A. Within the Defensible Space Immediate Zone (0-5 feet from any building)
 - a. No Live Vegetation shall be installed that at maturity extends to within 5 feet of any building or flammable structure.
 - b. Stone, gravel, pavers, concrete, or other non-combustible materials shall be used in lieu of organic mulches or Live Vegetation within this area.
 - c. Only Non-Flammable materials shall be used for:
 - i. The first 5 feet of fencing or other structures that connect to a building
 - d. Any structure within 5 feet of a building
- B. Within the Defensible Space Intermediate Zone (5-30 from any building)
 - a. ~~Use of plant species that are f~~ Fire and drought resistant ~~ee plant~~ species are ~~required encouraged~~. Refer to ~~identified in~~ [Montana State University Extension's Fire-Resistant Plants for Montana Landscapes](https://www.montana.edu/extension/powderriver/documents/landscaping/MT200101AG.pdf)¹¹, the [Alpenscapes Landscaping Guidelines](https://docs.google.com/document/d/1Nr5yZWXD-PCtKmZwZzhjrPDN-nrzKnEyuLSZnvg-JoU/edit?tab=t.0)¹², or similar lists for guidance.
 - b. Live vegetation shall be limited to:
 - i. Grasses or groundcovers under 4 inches tall.
 - ii. Trees that are:
 - 1. Pruned so that their lower branches maintain a minimum distance of 6-8 feet away from the ground or, if the tree is less than 15 feet in height, one third of its height away from the ground.
 - 2. Spaced so that their crowns are at least 18-20 feet apart at maturity in any direction, accounting for changes in grade.
 - c. Organic mulches may be used to retain soil moisture, but non-combustible inorganic mulches like stone or gravel are encouraged at minimum to break up large expanses of any planting beds.
- C. Within the Defensible Space Extended Zone (30-100 feet from any building)

¹¹ <https://www.montana.edu/extension/powderriver/documents/landscaping/MT200101AG.pdf>

¹² <https://docs.google.com/document/d/1Nr5yZWXD-PCtKmZwZzhjrPDN-nrzKnEyuLSZnvg-JoU/edit?tab=t.0>



- a. ~~Use of plant species that are F~~fire and drought resistant ~~ee~~ species are required (see guidance in Section 5.7.2.B.a) encouraged. Refer to identified in Montana State University Extension's Fire-Resistant Plants for Montana Landscapes, the Alpenscapes Landscaping Guidelines, or similar lists for guidance.
- b. Trees and shrubs shall maintain a minimum of ~~12~~ 10 feet of spacing at maturity in any direction, accounting for changes in grade.
- ~~b.c.~~ To ensure access for emergency vehicles, the area within 4 feet of either side of the driveway shall be free of trees, shrubs, and any vegetation taller than 4 inches.



6. Definitions

Accessory Dwelling Unit (ADU). A self-contained living unit on the same Parcel as a Single Dwelling Unit of greater square footage that includes its own cooking, sleeping, and sanitation facilities and complies with or is otherwise exempt from any applicable building code, fire code, and public health and safety regulations adopted pursuant to Title 50, chapter 2. (76-2-345(9)(a) and 76-4 MCA). ADU(s) may be attached, detached, or internal to any Attached or Detached Single Dwelling Unit.

Accessory Structure. A subordinate detached Structure located on the same Lot as the principal building, which is customarily incidental to the principal Structure.

Accessory Use. A subordinate Use of land that is customarily incidental to the Principal Use of the land.

Affordable Housing. Housing that is income-restricted via deed restriction, covenant, or lease agreement in perpetuity. To qualify as affordable for the purposes of this Title, the unit(s) must be priced so that they are affordable to households earning the specified Area Median Income (AMI), as defined annually by the U.S. Department of Housing and Urban Development (HUD), adjusted for family size. Units intended for ownership shall be restricted to households earning 120% or less of the AMI, units intended to be rented shall be restricted to households earning 60% or less of the AMI.

Apartment. A habitable room or suite of two or more habitable rooms meeting the requirements of the International Building Code, located in an Apartment building or Used for Residential purposes in non-Residential districts, as specified herein. Efficiency Units and studios qualify as an Apartment.

Arts, Entertainment Center, Museums, Theaters. A Structure or facility for the primarily indoor presentation of the performing arts or educational museum, including indoor motion picture theaters; dance halls; theaters for live performances; indoor concert halls; and studios for arts education, such as painting.

Area of Disturbance. The outermost boundary of the area planned to be disturbed by construction, grading, grubbing, landscaping, excavating, filling, tilling, or stockpiling of material as indicated in an approved design plan.

Building. A Structure with a roof, built for support, shelter, or enclosure of people, animals, chattels, or property of any kind.

Building Height. Building Height is measured from the lowest point of the finished Grade to the highest structural point of the roof. Roof-mounted solar panels count toward any height limitations.

Building Setbacks. Building Setbacks are measured from the respective property line or edge of access easement or sidewalk.



Building Size / Gross Floor Area. Total amount of enclosed floor space within a building.

Brewery, Winery, or Distillery. Facilities where beer, wine, or liquor are made and sold on site. Must include a tasting room, Bar, or Restaurant that is open to the public.

Cafés/Coffee Shops, Bakery. Facilities less than 10,000 square feet where food and non-alcoholic drinks are prepared, sold, and consumed on site.

Caliper. The trunk diameter of a tree measured 6 inches above the ground for trees up to 4 inches in diameter, and 12 inches above the ground for larger trees.

Commercial. Any land Use listed in the Non-Residential Use Matrix. Includes all instances where services or goods are exchange for a fee or a trade excluding landlord-tenant relationships where the tenant is a resident occupying the property for more than 28 consecutive days.

Coverage. The area of land surface covered by the spread of tree crowns at maturity, expressed as a percentage of the site or Parking Lot area.

Community Facilities. An Accessory Building or portion of a Building, or an Accessory Use of land Used for non-profit cultural, educational, recreational, or social activities which is available to the public, a Development, or a group of Developments including but not limited to, dog parks, sports courts, swimming pools, community meeting rooms, exercise facilities, community gardens, and community cooking facilities.

Condominium. The ownership of single Units with common elements. This term does not include Townhomes.

Cottage Housing. A cluster of Single Dwelling Units that surround or are near a shared Open Space with amenities.

Critical Root Zone (CRZ). The area extending from the trunk of an existing tree where the roots that are critical for tree health and survival are located. The Critical Root Zone is established by demarcating a circular boundary measured from the exterior of the tree trunk, with a minimum radius of 1 foot for every 1" of Diameter at Breast height.

Courtyard Apartments. Smaller Apartment buildings that surround or are near a shared Open Space with amenities.

Covenant. A recorded written agreement stating certain activities and/or practices that are required or prohibited. ~~Subdivision Covenants are not enforced by the Gallatin County Planning Department.~~

Day Care Center. An out-of-home place in which childcare is provided to 16 or more children on a regular basis. The term does not include a place where child care is provided if a parent of a child for whom child care is provided remains on the premises, unless the parent is a director/owner, staff member, support staff, or volunteer of the child care center, or unless the child care center is on the premises or campus of an employer who employs the parent.

Day Care Home, Family. A private residence in which supplemental care is provided to three to six nonresident persons on a regular basis and which is registered by the State of Montana.



Day Care Home, Group. A private residence in which supplemental care is provided for seven to 15 nonresident persons on a regular basis and which is registered by the State of Montana.

DBH (Diameter at Breast Height). The diameter of a tree trunk measured at 4.5 feet above the ground.

Density in Dwelling Units per Acre. The maximum number of Dwelling Units permitted outright by a particular land-Use classification per specified unit of land.

Development. Any man-made change to improve or alter real estate, including but not limited to subdivision of land, construction of buildings, or other Structures, mining, dredging, filling, grading, paving, excavating or drilling operations.

Duplex. A building on a single lot designed for two attached Dwelling Units in which the Dwelling Units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway.

Dwelling. A building designed for Residential living purposes, including single-unit, two-unit, and Multi-Unit Dwellings.

Dwelling Unit. One or more rooms designed for or occupied exclusively by one household. A Dwelling Unit encompasses a self-contained space that provides shelter, water supply, wastewater disposal, kitchen area (may include a sink, countertop(s), storage for utensils and food items, cooking appliance(s)), and privacy for its occupants. Manufactured Housing/Homes, Mobile Homes, Tiny Dwelling Units, and Factory-Built Housing/Homes are considered Dwelling Units and permitted in any sub-district so long as they meet all other applicable provisions of the Regulation.

Factory-Built Housing/Home. A factory-assembled Structure intended for Residential Use that: (a) is equipped with the necessary service connections but not made to be readily movable as a unit or units; (b) is designed to be Used with a permanent foundation; and (c) is not certified by the United States Department of Housing and Urban Development but meets the inspection requirements of Title 50, chapter 60, part 4.

Financial Institutions and Services. Uses including, but not limited to, banks and savings and loans, credit agencies, investment companies, brokers and dealers of securities and commodities, security and commodity exchanges, insurance agents, and mortgage companies.

Future Land Use Map (FLUM). A map that transforms the strategies articulated in the Growth Policy and applies them spatially. The map depicts future land Use categories that show areas of the County that are least and best suited for Development.

- A. **Managed Growth Area (MGA).** The purpose of the MGA ~~Managed Growth Area~~ category is to allow for carefully planned growth in areas that have some Development constraints (e.g., some fire risk, wildlife value, steep slopes, or lack of services) but that are still suitable for moderate intensities of Development.
- B. **Public Infrastructure Holding Area (PIHA).** The purpose of the PIHAs ~~Public Infrastructure Holding Areas~~ is to promote the efficient Use of land in the “Most Suitable” areas for Development and avoid proliferation of Development reliant on individual wells and septic systems in areas with the potential to be served by a public water and sewer district under



County jurisdiction. ~~PIHAs Public Infrastructure Holding Areas~~ are within the service area of a public water and sewer district, but are not currently served.

- C. **Rural Growth Area (RGA).** The purpose of ~~RGAs Rural Growth Areas~~ is to direct growth in rural areas to existing rural community centers where public water or sewer service is available. This ~~will~~ promotes the efficient delivery of infrastructure and services and minimize further fragmentation of agricultural lands.
- D. **Urban Growth Area (UGA).** The purpose of the UGAs is to direct the densest Development to the areas of the County most suitable for Development. The UGAs promote efficient delivery of infrastructure and services, provide opportunities for diverse, accessible, and affordable housing in proximity to amenities and employers, and support the future expansion of transit and other transportation options to promote connected communities.

Gas Stations. Facilities that offer gasoline for sale. May include a convenience store less than 5,000 square feet in size excluding Parking Area.

Grade. The lowest elevation of the land around a Structure, or the percent of rise or descent of a sloping surface.

Green Stormwater Infrastructure (GSI) Facilities. Features including Live Vegetation that are designed and graded specifically to capture, slow, and filter stormwater runoff and either infiltrate it into the ground or discharge to another stormwater conveyance system. GSI facilities typically include a sunken area with inlets and outlets, soil media, Live Vegetation, and sometimes mulch and piping infrastructure. Examples of GSI facilities include bioretention facilities, rain gardens, infiltration planters, and vegetated bioswales.

Groundcover. Low-growing living plant material that covers the soil surface to control erosion, suppress weeds, and retain soil moisture. Live turfgrass is considered a type of Groundcover.

Grocery Store, Small. A facility that primarily sells food products and is 12,000 square feet or less in size excluding Parking Area. Foods and non-alcoholic beverages may be prepared, sold, and consumed on site. Includes pharmacy as an Accessory Use.

Grocery Store, Large. A facility that primarily sells food products that is greater than 12,000 square feet in size but less than 50,000 square feet excluding Parking Area. Foods and non-alcoholic beverages may be prepared, sold, and consumed on site. Includes pharmacy as an Accessory Use.

Health and Exercise Center. An establishment greater than 10,000 square feet equipped for the conduct of sports, exercise activities and other customary and usual recreational activities, including, but not limited to, tennis, racquetball, handball or squash courts, martial arts, gymnastics, weight and aerobic exercise rooms, running facilities, swimming pools, and whirlpool/sauna facilities. Allowed Accessory Uses shall include, but are not limited to, childcare, tanning booths, massage, health and nutrition services, retail sales of sporting goods, and Restaurant services.

Health and Exercise Studio. Small scale facility of 10,000 square feet or less which contains one or more rooms for health and exercise activities or instruction such as yoga, Pilates, weight lifting, martial arts, or spin classes.



Homeowner's Association (Property Owner's Association). An association, including Condominium associations, of individual property ownership with shared Use or ownership of common property or facilities, or shared maintenance of subdivision or community facilities.

Home Occupation. An occupation or profession, which is incidental to and carried on in a Dwelling Unit, Accessory Structure or on premises, by an individual residing within the Dwelling Unit, which is an Accessory Use of the Dwelling Unit.

Hotel. A Structure offering transient lodging accommodations to the general public and which may provide additional services, such as Restaurants, meeting rooms, entertainment, and recreational facilities.

Hydrozone. A distinct grouping of plants with similar water needs, irrigated as a single unit.

Industrial. Includes factories, manufacturing plants, warehouses, distribution centers, and any land Use that involves production, processing, or natural resource extraction. Does not include any Use listed in the Non-Residential Use Matrix.

Landscape Area. The portion of a site that is required to be planted and maintained with live vegetation, Groundcover, or approved stormwater/green infrastructure features.

Landscape Buffering. A method of visually shielding or obscuring one abutting or nearby Structure or Use from another by fencing, walls, berms, or densely planted vegetation.

Landscape Plan. A component of a Development plan which may show: proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection and irrigation of existing vegetation during and after construction; proposed decorative features; Grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving authority.

Lighting, Outdoor. The illumination of an outdoor area or object by a man-made device, permanently installed or portable, that produces light for illumination, decoration, security, or advertisement.

Live Vegetation. Live plants, including Large and Small Canopy Trees, Shrubs, Evergreen Trees, Perennials, Grasses, and Groundcovers.

Lot. A Parcel, tract, or area of land established by plat, subdivision, Certificate of Survey, or as otherwise permitted by law, to be separately owned, Used, developed, or built upon.

Lot Size. The total amount of area enclosed by a Parcel/Lot's property lines.

Manufactured Housing/Home. A Dwelling for a single household, built off-site in a factory, that is in compliance with the applicable prevailing standards of the United States Department of Housing and Urban Development at the time of its production. A Manufactured Home does not include a Mobile Home or housetrailer, as defined in 15-I-101.

Mixed-Use Development. The Development of a Lot or Structure with a variety of complementary and integrated Uses, including, but not limited to, Residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.



Mobile Home. Forms of housing known as "trailers", "housetrainers", or "trailer coaches" exceeding 8 feet in width or 45 feet in length, designed to be moved from one place to another by an independent power connected to them, or any trailer, housetrailer, or trailer coach up to 8 feet in width or 45 feet in length Used as a principal residence.

~~**Mobile Home Park.** A Parcel of land upon which two or more spaces are available to the public and designated for occupancy by trailers or Mobile Homes for Use as residences.~~

Mulch. Organic or inorganic material spread over the soil surface to retain moisture, regulate temperature, suppress weeds, and improve soil health.

Multi-Dwelling Units. A building on a single lot containing four or more Dwelling Units.

Native Plant. A plant species that is indigenous to Montana and is adapted to the local climate, soils, and ecosystems.

Offices. Buildings or portions of buildings in which commercial activities take place but where goods are not produced, sold, or repaired, including, but not limited to, general and professional offices; governmental offices; insurance offices; real estate offices; travel agencies; utility offices; and radio and TV broadcasting offices.

Open Space. An area that is accessible to and reserved for the shared Use and enjoyment of residents for leisure and recreational activities. Open Space does not include areas for vehicular Use, Parking Areas, landscaping required by the code, drainage easements, or building separation mandated by adopted building codes. Community Facilities that do not include the construction of any buildings may be included in the Open Space (e.g., dog parks, playgrounds, pavilions, etc.).

Parcel. See Lot.

Parking. Space reserved for the Parking of motor vehicles.

Parking Area. An area, other than a street or alley, designated for Use, or Used, for temporary Parking of vehicles.

Planned Unit Development (PUD). A type of Development that allows for flexibility in interpreting the zoning code, provided certain conditions and approvals are granted.

Planting Bed. An defined in ground area with prepared soil that is planted with Live Vegetation, excluding areas of turf grass that would generally referred to as lawn.

Primary Residence. The Dwelling Unit that a property owner occupies most of the time. A property owner can have only one primary residence at a time and be able to be verify their primary residence through documents including, but not limited to, recorded homestead declaration, tax records, Real ID Montana driver's license, etc.

Principal Use. A Use or Structure which determines the predominant or major Use of the Lot on which it is located and the character of the property relative to surrounding or adjacent properties. ~~Also, a Use which is specifically listed as an allowed Use for a district and which meets the intent of the district without additional conditions or special review and approval being required.~~



Public Frontage. The linear interface of a public street with private property, commonly referred to as a streetscape.

Religious Organizations and Places of Worship. A Structure, or group of Structures, that by design and construction are primarily intended for conducting organized religious services and associated Uses including, but not limited to, a church, synagogue, temple, mosque, or other facility Used for prayer by persons of similar belief.

Residential. Non-Commercial Single- or Multi- Dwellings, Uses, or district designation.

Restaurants, Bars. A commercial establishment where food and/or alcoholic drink are prepared, served, and consumed primarily within the principal Structure or on the premises. Bars are establishments with a license issued pursuant to Title 16, Chapter 4, MCA and 50-50-102 MCA, that is devoted to serving alcoholic beverages for consumption by guests or patrons on the premises and in which the serving of food is only incidental to the service of alcoholic beverages. ~~or gambling operations, including but not limited to taverns, nightclubs, cocktail lounges.~~

Retail, Large Scale. Businesses engaged in selling or renting goods or merchandise to the general public and rendering services incidental to the sale of such goods, where the total area utilized by a single tenant, including area Used for the display of goods for sale (including outdoor display) but excluding Parking Area is greater than 10,000 square feet but less than 540,000 square feet.

Retail, Small Scale. Businesses engaged in selling or renting goods or merchandise to the general public and rendering services incidental to the sale of such goods, where the total area utilized by a single tenant, including area Used for the display of goods for sale (including outdoor display) but excluding Parking Area is less than 10,000 square feet.

Runoff. The portion of rainfall, melted snow, irrigation water, and any other liquids that flows across ground surface (and eventually is returned to streams).

School. Any Structure or part thereof, which is designed, constructed, or Used for education or instruction in any branch of knowledge.

Services, Personal and Business. Businesses offering services including, but not limited to, barbershops, beauty shops, tailors, shoe repair, pet grooming, laundromats, laundry and dry cleaning, pickup and delivery stations, photocopying, office product repair, catering, and similar services. Production of finished goods may occur as an activity accessory to the delivery of services.

Short-Term Rental (STR). A Short-Term Rental is renting all or a portion (e.g., a bedroom, or the basement) of a Residential Dwelling Unit for periods of 28 consecutive days or less. Use of a Short-Term Rental for purposes other than lodging is prohibited. Advertisements offering the Use of a Short-Term Rental for purposes other than lodging (including, but not limited to: weddings, concerts, fundraisers, or other similar functions) shall be considered prima facie evidence of the owner's or agent's intent to violate this Regulation.

Shrub. A woody plant which is smaller than a tree and has several main stems arising at or near the ground.

~~**Sign.** Any device, fixture, placard, or Structure that Uses form, graphic, illumination, symbol, or writing to advertise, provide announcement, inform, or to communicate information of any kind to the public.~~



~~Sign, Billboard.~~ ~~A Sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the Sign is located.~~

Single Dwelling Unit. A Structure, attached or detached to other ~~S~~structures, that houses one family or household. It encompasses a self-contained space that provides shelter, water supply, wastewater disposal, a kitchen area (may include a sink, countertop(s), storage for utensils and food items, cooking appliance(s)), and privacy for its occupants.

Single Dwelling Unit, Attached. A Single Dwelling Unit attached to other Dwelling Unit(s), where the land is conveyed with the unit.

Single Dwelling Unit, Detached. A Single Dwelling Unit detached from other Dwelling Unit(s), where the land is conveyed with the unit.

Structure. A combination of materials to form a construction for Use, occupancy, or ornamentation, whether installed on, above, or below the surface of land or water.

Tiny Dwelling Unit. Residential Dwelling Units that are typically 350 to 750 square feet and Used as a Single Dwelling Unit.

Townhome, or Townhouse. A Single Dwelling Unit in a row of at least two such units, separated from adjoining units by one or more common walls. Townhomes are property subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and facilities.~~It is sometimes built on its own individual Lot, where the owner has a separate title to the land immediately beneath the unit.~~

Tree, Canopy. A term that encompasses both Large and Small Canopy trees.

Tree, Large Canopy. A deciduous tree with a mature height of 30 feet or greater and a branching pattern that diverges from the trunk several feet above the ground and with a broad, spreading habit of growth that provides shade.

Tree Pit. The area cut out from pavement and filled with soil to accommodate the planting of Trees.

Tree Protection Zone (TPZ) The area where construction activities, including excavation and material storage, are restricted to prevent the death or damage to existing trees.

Tree, Small Canopy. A deciduous tree with a mature height less than 30 feet and a branching pattern that diverges from the trunk(s) several feet above the ground with a broad, spreading habit of growth that provides shade. Includes Multi-Trunk Deciduous Trees.

Tree, Street. A Large or Small Canopy Tree planted within or adjacent to a public right-of-way for the purpose of providing shade, aesthetic, environmental, or buffering benefits.

Tree, Multi-Trunk Deciduous. A tree with a mature height of 15 -30 feet and two or more main stems arising from a single root crown or at a point just above the root crown, distinguished from a shrub by the manner in which the plant is maintained, in that foliage is generally removed from the lower portion of the stems.



Triplex. A building on a single lot designed for three attached Dwelling Units in which the Dwelling Units share a common separation, such as a ceiling or wall, and in which access cannot be gained between the units through an internal doorway, excluding common hallways.

Topsoil. The uppermost layer of soil, typically the top 6 inches, that contains organic matter and nutrients necessary for plant growth.

~~**Unit.** A Residential Lot, a commercial Lot, a Condominium, a townhouse, an individual recreational vehicle Parking site, or a Manufactured Home Lot.~~

Use. Any purpose for which a building or other Structure or a tract of land may be designed, arranged, intended, maintained, or occupied for any activity, occupation, business, or operation carried on or intended to be carried on in a building or other Structure or on a tract of land.

Variance. A provision that allows deviation from a regulation or waiver of the general Development and building standards when a literal enforcement would result in unnecessary or undue hardship, and the granting of the variance is not contrary to the public's health, safety, and general welfare.

Watercourse. Any natural stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows either continuously or intermittently and has a definite channel, bed, and banks, and includes any area adjacent thereto subject to inundation by reason of overflow. The term Watercourse shall not be construed to mean any facility created exclusively for the conveyance of irrigation water.

Wetlands. Wetlands are transitional lands between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water, including both isolated Wetlands and Wetlands categorized as Waters of the U.S. and, for the purposes of these Regulations, must have one or more of the following attributes:

- A. At least periodically, the land supports predominantly hydrophytes;
- B. The substrate is predominantly undrained hydric soil, or
- C. The substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of the year.

~~**Winery.** An agricultural processing facility used for the fermenting and processing of fruit juice into wine or the refermenting of still wine into sparkling wine, and sometimes is operated in conjunction with a bar, restaurant, or tasting room.~~

Zero-Lot Line. A type of Development, usually Residential, such as Duplexes or Townhomes on separate Lots, that do not have a building setback on one or more Lot lines, typically the side yard.



7. Appendix

In the tables beginning on the following page, goals, recommendations, and desires from the [Growth Policy](#)¹³, [Housing Strategy](#)¹⁴, and [Model Code Outreach](#)¹⁵ are grouped by common themes based on the outcomes they are designed to achieve: **1) Supporting Agriculture 2) Diverse Housing Choices, 3) Connected Communities, Quality of Life, Access, 4) Health, Safety, And Environmental Quality, 5) Natural Environment and Living With Wildlife, 6) Reduced Occupancy Costs, and 7) Water Quality and Quantity.**

Relevant goals and policies from the Growth Policy and Housing Strategy are shown in column one and column two reflects concerns and desires participants expressed during public outreach for the Model Code. The icon that corresponds to each theme is placed next to various sections throughout the Model Code to indicate which outcomes the standards within that section were designed to achieve. Of note, many of the goals and policies in the tables below have multiple benefits, and some that are not necessarily reflected by the groupings.

¹³ https://www.gallatinmt.gov/sites/g/files/vyhlf606/f/pages/gallatingrowthpolicy_dec2024_0.pdf

¹⁴ https://www.gallatinmt.gov/sites/g/files/vyhlf606/f/pages/housing_strategy_final_report_with_appendix.pdf

¹⁵ <https://envisiongallatin.com/model-zoning-affordable-housing>



Exhibit 20. Supporting Agriculture



Growth Policy & Housing Strategy	Model Code Outreach
<i>Protect the right to farm and ranch.</i> AGR-1-4. Promote development within cities, existing unincorporated communities, and other areas planned for development where public facilities and infrastructure are available, and away from rural areas and areas used exclusively for agriculture. AGR-1-5. To preserve agricultural land, encourage the use of tools and incentives, such as density bonuses or transfers of development rights, and support partnerships aimed at acquiring agricultural conservation easements.	Participants want to protect agricultural lands and maintain the "rural feel" that exists in the County. Participants are concerned about increasing housing in areas of the County that do not have a grocery store nearby.
<i>Increase production of and support access to locally-sourced food</i> AGR-3-1. Define, encourage, and support different scales of agriculture throughout the County (e.g., truck farms, agrihoods, community gardens) and integrate these community amenities into into zoning regulations and neighborhood plans. AGR-3-2. Encourage zoning regulations to allow such uses as produce stands, farmers markets, and food cooperatives, which can facilitate small-scale agriculture and direct sales near residential districts. AGR-3-3. Support access to locally sourced food from producers in the County.	
<i>Balance property rights with maintaining rural character.</i> PR-1-2. Encourage development to take place in areas of the County that are already developed or are prepared to receive development, minimizing impact on more rural and agricultural areas.	Participants are interested in seeing development in areas where it already exists rather than encroaching into agricultural lands or open space.



Exhibit 21. Diverse Housing Choices



Growth Policy & Housing Strategy	Model Code Outreach
<i>Housing Strategy - Monitor short-term rentals (STRs)</i> The County should consider proactive enforcement of the existing licensing program for STRs. Tracking where STRs are operating will allow the County to better understand how STRs may be affecting housing availability, and to then develop additional regulations as needed. The current licensing fee can be adjusted as needed to cover the administrative costs. The County can also consider zoning regulations to define where short-term rentals are allowed to operate.	Participants are concerned about investor-owned housing, particularly businesses that buy up housing and convert it to STRs. Participants note that while STRs can negatively impact housing affordability by taking up housing stock, they can also help residents afford their homes when they can rent out a bedroom or their entire units while they are on vacation.
<i>Housing Strategy - Zoning Reform & Other Recommendations</i> »Ensure zoning in Priority Growth Areas allows for a range of unit types by right, including apartments and ADUs appropriate for diverse ages, life stages, and abilities (as applicable to individual land use categories) and incorporating universal design standards. »Remove barriers to smaller, more affordable housing types where appropriate. »Clarify allowances for manufactured homes. »Standardize terminology and expand allowances for non-traditional households. »Create a voluntary inclusionary housing ordinance	Participants want to see diverse housing options that allow them to age in place and that can accommodate young families as well as single-person households.
<i>Promote equitable, inclusive housing options and address anticipated housing needs by accommodating a range of housing options at different price points</i> HS-I-1. Establish and maintain partnerships and programs that create accessible, affordable housing options in the County. HS-I-2. Encourage a diversity of housing options that include alternatives to traditional home styles, such as clustered developments, co-housing, tiny homes, modular homes, and others. HS-I-3. Require residential zoning to allow for a variety of housing types that promote different price points. HS-I-4. Where appropriate, consider mixed-use developments that provide housing above commercial spaces. HS-I-5. Use available incentives to promote the inclusion of low income and moderate-income housing developments.	Participants are especially interested in smaller single-dwelling unit and accessory dwelling unit housing options. Additionally, participants are supportive of manufactured housing, though some noted that it can be of lesser quality when it comes to withstanding Montana weather. While participants have concerns about reduction in things like parking and landscaping requirements leading to lesser quality developments, they are interested in voluntary programs that increase housing affordability.



Housing Special Topic Future Land Use Map: I (UGA, RGA, PIHA)

Ensure land use policies and standards promote diverse, accessible, and affordable housing that meets the needs of the County's workforce and residents in a variety of ages, life stages, family structures, occupations, and abilities.

Examples of strategies include, but are not limited to:

- a. Removing limitations on building and renting accessory dwelling units,
- b. Ensuring that zoning encourages and permits a diversity of housing types (including but not limited to single-unit and multi-unit dwellings, mobile or manufactured homes, tiny houses, mixed use buildings that include housing, and employee housing),
- c. Eliminating excessive parking standards, and
- d. Including universal design standards to promote accessibility and aging in place

Housing Special Topic Future Land Use Map (MGA, OWL)

#2 Ensure land use policies and standards promote affordable, accessible housing appropriate in low to moderate density and rural areas such as accessory dwelling units or housing for onsite employees. Examples include, but are not limited to:

- a. Removing limitations on building and renting of accessory dwelling units,
- b. Ensuring that zoning encourages and permits a diversity of housing types appropriate for low to moderate density (including single-unit dwellings, mobile and manufactured homes and tiny houses),
- c. Including universal design standards to promote accessibility and aging in place, etc.

Participants want to see diverse housing options that allow them to age in place and that can accommodate young families as well as single-person households. Participants are also supportive of reducing barriers to construction of accessory dwelling units and removing restrictions on renting those units.



Exhibit 22. Connected Communities, Quality of Life, Access



Growth Policy & Housing Strategy	Model Code Outreach
Support creation of a regional recreation network REC-I-9. Encourage public access to areas conserved or dedicated as parks, recreation, open space, and trail areas.	Outreach participants want to see trails and open space in new development; they note that these spaces are crucial. In the 3D Housing Activity, the neighborhoods that residents created nearly always emphasized the importance of open space.
Plan for a safe and efficient transportation system. TRN-I-6. Encourage development patterns that reduce reliance on single-occupancy vehicles and minimize vehicle miles traveled. TRN-I-7. Promote multimodal opportunities and connectivity in appropriate areas of the County. TRN-I-8. Encourage development patterns that increase access to multimodal transportation options. TRN-I-9. Encourage development patterns that improve access to goods and services via walking, biking, and transit. TRN-I-10. Encourage new development to incorporate walkability, pedestrian spaces, and pedestrian-friendly design elements. TRN-I-11. Require development to be consistent with adopted trails plans. TRN-I-12. Require development to document proposed access and road systems, and their relationship to existing and future arterial locations and proposed trail plans.	Out of all the topics discussed in outreach, transportation was one of the ones discussed most often. Participants do not want to see new housing without serious consideration to transportation options and lack thereof. Participants also want to see more public transportation options and developments that reduce commute times, noting that housing far from employment centers increases traffic which decreases quality of life.
Transportation & Connectivity Special Topic - Future Land Use Map #2 Safe, accessible, pedestrian and multimodal transportation networks are needed to connect Managed Growth Areas to the Rural and Urban Growth Areas. Incorporate design standards in updates to transit plans, development standards, roadway infrastructure, land use regulations, policies, and in development proposals to: a. Require safe, accessible, pedestrian and multimodal transportation infrastructure (e.g. sidewalks, pathways, trails, separated multi-modal lanes and pathways) to connect Urban and Rural Growth Areas with Managed Growth Areas, to connect residential areas with important resources and amenities (e.g. employment centers, food markets, recreational areas, medical care) and throughout the FLUM categories indicated.	Additionally, participants are interested in trails and multimodal transportation options and want to see more opportunities for this type of travel to allow better connection between neighborhoods and services.



Include design standards in land use regulations, policies, and development proposals for streetscapes to enhance pedestrian experience, traffic calming, and wayfinding.

Encourage residential development in areas planned or zoned for residential use, recognizing and addressing the link between location of housing and location of infrastructure, community facilities, and services

LU-2-3. Support land use patterns and density that are not consumptive of land and energy.

LU-2-5. Discourage costly, sprawling, leap-frog development that puts a strain on commute times and the ability to provide adequate and equitable levels of service and infrastructure.

LU-2-6. Use incentives to locate residential development in and around areas designated for urban growth.

LU-2-7. Encourage residential development in areas in proximity to, and with connections to, established transportation networks.

LU-2-8. Encourage development patterns that minimize vehicle miles traveled.

Ensure developer responsibility for identifying, avoiding, and if necessary, mitigating impacts due to development projects, as well as the adequate provision of infrastructure and services.

DEV-I-1. Encourage, and where possible require, all development to:

Document availability of equitable and adequate local services and public facilities, including school capacity.

» Document and provide solid waste disposal.

DEV-I-7. Provide incentives in the land development process for projects utilizing public facilities.

Promote equitable, inclusive housing options and address anticipated housing needs by accommodating a range of housing options at different price points

HS-I-8. Support the location of accessory dwelling units in residential areas served by infrastructure.

HS-I-9. Support affordable housing in locations with access to public transportation.

Participants are concerned about water and sewer availability, particularly in Gallatin Gateway and Four Corners, where water and sewer districts are at or nearly at capacity. Participants are interested in incentives to promote the connection of new development to utilities and infrastructure, and are concerned about commute times, specifically from the Gallatin Valley to Big Sky on the Hwy 191 route.

Participants are interested in increasing allowances for accessory dwelling units, specifically noting that in some County zoning districts there are barriers to renting the units to the general public, and that those barriers should be removed.



Concentrate development in areas where a full range of services are available and results in the fiscally efficient delivery of public services. LU-I-7. Encourage development in areas already served or planned to be served by utilities and public services. LU-I-8. Promote opportunities for multi-story/mixed-use developments in areas that have adequate infrastructure and services and are zoned for these types of uses and densities.	Participants are interested in seeing more mixed-use and live-work developments, though concerns have been expressed about mixed-use converting to commercial without the County's knowledge. Participants generally favor development that is connected to utilities and infrastructure.
Prioritize high-quality infrastructure that promotes efficiencies and reduces maintenance costs IES-I-4. Encourage prioritization of infill development within existing public service areas over expansion of these service areas.	Participants are interested in seeing development in areas where it already exists, though there are concerns about the impacts of density increases on things like parking. During the infill activity, some participants noted that they were pleased at how little the example neighborhood seemed to change after the placement of more units. Participants generally favor the cluster development style that is used in cottage housing any other types of development.
Balance property rights with maintaining rural character PR-I-5. Discourage medium- to high-density rural subdivisions that are located away from infrastructure, services, and facilities. PR-I-6. If development far from services and facilities is proposed, encourage and promote clustering and compact development to protect the characteristics of rural areas and minimize the impacts of development.	
Promote development that conserves energy and natural resources ST-I-1. Promote innovative and efficient renewable energy solutions to help offset the growing demand from a growing population.	Participants are interested in incentives for energy efficient appliances.
Housing Strategy - Zoning Reform (Supply and Land Use) Incentivize infrastructure expansion through higher density “optional incentives” in Public Infrastructure Holding Areas. Tie opportunities for higher density housing in Managed Growth Areas to the provision of infrastructure and other community benefits.	Participants are generally concerned about the impacts of high density housing, but note that in some instances it can be appropriate given the right infrastructure and transportation conditions.
Locate commercial and light industrial development in areas planned or zoned for that use LU-3-2. Encourage neighborhood plans and zoning regulations to allow opportunities for small, neighborhood-serving businesses and commercial services.	Participants are interested in some residential neighborhood services like grocery stores.



Exhibit 23. Health, Safety, and Environmental Quality



Growth Policy & Housing Strategy	Model Code Outreach
<i>Housing Special Topic Future Land Use Map 4 (All)</i> Ensure land use regulations, policies, and development proposals promote healthy and safe housing options, regardless of price point, that mitigate health and safety risks while providing health supportive opportunities such as access to transportation, healthy food sources, and opportunities for recreation, employment, and medical care.	Participants do not want to see affordable housing that is identical to market rate housing in terms of quality and health and safety. They do not want to see housing far from critical services like food and medical care.
<i>Transportation & Connectivity Special Topic - Future Land Use Map - #2</i> Safe, accessible, pedestrian and multimodal transportation networks are needed to connect Managed Growth Areas to the Rural and Urban Growth Areas. Incorporate design standards in updates to transit plans, development standards, roadway infrastructure, land use regulations, policies, and in development proposals to: Improve safety for pedestrians, cyclists, and other vulnerable transportation system users.	Participants are concerned about safety when it comes to transportation, especially on and along Hwy 191.
<i>Protect human life and property from natural hazards through a focus on resiliency</i> NAT-1-4. Require mitigation of potential hazards when development takes place within identified areas of increased risk. NAT-1-12. Require mitigation of fire hazards, encourage the reduction of fire fuel loads, and encourage adherence to defensible space measures for each structure.	Participants want developers and the County to consider wildfire hazard in development location and design.
<i>Ensure development is adequately served by emergency services</i> ES-2-1 Require development to document access to fire protection and medical emergency services. IES-2-4. Ensure law enforcement is able to serve development and has adequate access. IES-2-6. Discourage development in places far from emergency services.	Participants are concerned about emergency vehicle access, especially when it comes to reduced parking as an incentive to build affordable housing.
<i>Promote development that conserves energy and natural resources</i> ST-1-4. Encourage subdivision design to follow sustainable best practices, such as access to open space and parks; inclusion of green technologies; inclusion of pedestrian and bike	Participants are interested in incentives for energy efficient appliances, preservation of existing open space, and dedication of new open space in development proposals.



connections and pathways; access to integrated or adjacent commercial areas; integration of small-scale community agriculture, etc.	
Ensure developer responsibility for identifying, avoiding, and if necessary, mitigating impacts due to development projects, as well as the adequate provision of infrastructure and services. DEV-I-5. Encourage tree plantings and low maintenance native vegetation along development rights-of-way. DEV-I-1. Encourage, and where possible require, all development to: » Demonstrate consistency with the Growth Policy and applicable regulations; » Mitigate adverse impacts. » Illustrate compatibility with existing ag uses and natural environment. DEV-I-6. Maintain and improve regulations that require mitigation of potential adverse impacts from new developments.	Outreach participants are interested in shade trees and landscaping to reduce heat. Generally, participants are concerned about the impacts of new development on public health and safety.
Protect and enhance our natural environment through stewardship, conservation, and accountability. ENV-I-6. Support and implement development standards and other tools that make Gallatin County more resilient to potential impacts from climate change.	While participants have not discussed climate change specifically during outreach, they have expressed interest in energy efficiency.
Housing Special Topic Future Land Use Map 5 (All): Ensure development proposals and requirements in land use regulations and policies, result in the mitigation of fire hazards, encourage the reduction of fire fuel loads, and encourage adherence to defensible space measures for each structure.	Participants are interested in mechanisms to reduce wildfire hazards and coordination with fire departments generally when it comes to zoning.
Support creation of a regional recreation network REC-I-5. Promote design standards and development patterns that connect multimodal facilities, trails, and pathways to recreational open space corridors, parks, community amenities, and other meaningful destinations.	Participants are supportive of installation of trails in new developments, and specifically in maintenance of trails for winter use.
Project Air Quality ENV-4-I. Use available incentives and develop additional incentives to protect air quality, such as supporting public transportation, encouraging mixed-use development, strategic density along transit corridors, and cost-shared dust control efforts.	Though participants did not mention air quality specifically, they did convey interest in the mechanisms listed that increase air quality.



Exhibit 24. Natural Environment and Living with Wildlife



Growth Policy & Housing Strategy	Model Code Outreach
<i>Conserve, and when possible, enhance important habitat for fish, wildlife, plants, and other biological communities.</i> HAB-1-2. Utilize tools such as easements, transferable development rights, and density bonuses to protect important habitat areas for fish, wildlife, and plants.	Participants want to conserve wildlife habitat and migration corridors in neighborhood design. Many note that wildlife is the reason they moved or live here, and that once critical habitat is lost, it is almost always gone forever. Participants are concerned about wildlife safety and the impacts of new development on wildlife generally.
<i>Future Land Use Map Wildlife Safe Movement Overlay</i> Wildlife-friendly fencing, which allows for the relatively free passage of animals to jump over or crawl under the fence and be highly visible for both ungulates and birds, is to be used for new Development.	
<i>Embrace living with wildlife principles to reduce human-wildlife conflicts</i> HAB-2-3. Utilize covenants and other tools to address the following: » Construction of wildlife-friendly fencing or no fencing to avoid creating impediments to wildlife movement and migration » Provision of animal-proof refuse containers » Reduction and securing of attractants (prohibiting outdoor food storage, elevated bird feeders, surrounding potential attractants with electric fencing, etc.)	
<i>Future Land Use Map Bear Conflict Mitigation Overlay.</i> Within the Bear Conflict Mitigation Overlay, regardless of FLUM category, best practices for securing attractants and preventing access to anthropogenic food sources should be incorporated into land use tools, policies, and regulations including but not limited to zoning, subdivision regulations, and covenants.	



Leverage available planning tools and incentives to preserve and enhance our open spaces and scenic resources.

SCN-1-1. Use tools and incentives, such as cluster development, bonus density, transfers of development rights, and conservation easements, to conserve scenic resources and views.
SCN-1-6. Develop and implement a dark sky policy to address light pollution and preserve our night skies.

Protect and enhance our natural environment through stewardship, conservation, and accountability.

ENV-1-5. Prevent or reduce the spread of invasive species and support efforts to mitigate their impacts through plans, investments, and education programs.

While invasive species did not come up in outreach specifically, general concerns about the impacts to the natural environment from development did.



Exhibit 25. Reduce Occupancy Costs



Growth Policy & Housing Strategy	Model Code Outreach
<i>Promote equitable, inclusive housing options and address anticipated housing needs by accommodating a range of housing options at different price points</i> HS-I-7. Consider mechanisms and programs that account for both the initial price and the on-going costs (e.g., transportation, utilities, maintenance, etc.) in the creation of affordable housing units.	Participants are interested in quality affordable housing that incorporates affordability through different mechanisms, including reducing the costs of occupancy, noting the rise in living costs due to taxes and inflation.
<i>Housing Special Topic Future Land Use Map 3 (All)</i> Incorporate standards and features into the design of housing projects that reduce long-term maintenance and occupancy costs, including but not limited to, measures for energy efficient buildings, water efficient fixtures and landscaping	



Exhibit 26. Water Quality and Quantity



Growth Policy & Housing Strategy	Model Code Outreach
Protect Water Quality ENV-2-12. Encourage development to connect to public water and wastewater treatment systems and discourage reliance of new development on individual wells and septic systems.	Participants are concerned about lack of water and sewer services in the County.
Prioritize high-quality infrastructure that promotes efficiencies and reduces maintenance costs IES-1-2. Support orderly and well-planned water and wastewater infrastructure pursuant to coordinated and adopted facility plans.	
Promote development that conserves energy and natural resources ST-1-3. Encourage the inclusion of landscaping standards into developments (e.g. water-wise and drought-tolerant planting and maintenance of native vegetation where applicable, green roofs, greenspace, parks, watercourse mitigation, edible landscapes, community gardens). ST-1-2. Promote a high standard of water and energy conservation in new construction and redevelopment.	Participants are interested in water conservation incentives for landscaping and other standards to conserve water through zoning.
Water Quality & Quantity Special Topic Future Land Use Map 1 (All) Implement design standards in land use policies, regulations, and development proposals to support sustainable use of water resources, including but not limited to drought tolerant/native landscaping standards or incentives, low flow fixtures, restrictions on watering for residential landscaping, and stormwater management best management practices, etc.	

