



JEFFERSON COUNTY PLANNING DEPARTMENT
Courthouse Annex East (114 S. Washington Street)
PO Box H
Boulder, MT 59632
(406) 225-4040

APPLICATION AND PROCEDURES FOR ZONING AMENDMENTS

Zoning Regulation may be amended in two ways:

- A. **Zone Text Amendments (ZTA)** change the text of a zoning regulation.
 - B. **Zone Map Amendments (ZMA)** change the zoning classification of an existing parcel.
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Review Procedure:

1. Application packet is submitted to Planning Department, to include:

- **Application Form.** Submit a completed Zoning Regulation Text and Map Amendment Application form, completing the “text amendment” and/or “zone map amendment” sections as appropriate.
- **Evaluation Criteria.** Submit a written explanation, along with any supporting documentation, demonstrating that the proposed change meets each of the applicable Evaluation Criteria discussed on the attached handout.
- **For Proposed Zone Text Amendment (ZTA):** Submit a detailed written explanation of the proposed changes, including section references. The amended text should be presented with deletions of any existing text shown as strikethrough, and new or additional text shown as underline.
- **For Proposed Zone Map Amendment (ZMA).** Submit a map, drawn to scale, adequate and legible, showing the property proposed for re-zoning and all other surrounding property within a 300-foot radius.
- **Fee.** Refer to the Planning Department for current fee schedule.

2. The Planning Department determines whether the application packet is complete.

3. The Planning Department distributes copies of the application packet to appropriate County departments and State agencies for review and comment.

4. The Planning Department schedules public hearings.

- Planning Board
- County Commissioners

5. The Planning Department publishes notice in appropriate newspaper(s) and sends notice (by certified mail) to the owners of property adjacent to the subject property. The Planning Department will also post notices in at least five (5) public places within the district, including adjacent to the affected location.

6. The Planning Department analyzes the application materials and any comments received from other departments and agencies. The Planning Department prepares a staff report that evaluates the proposal, which is submitted to the Jefferson County Planning Board.

7. In the public hearing, the Planning Board considers the staff report and public comments. The Planning Board develops a recommendation which is forwarded to the County Commission.

8. In a public hearing, the County Commission considers the Planning Board's recommendation, along with the staff report and public comments. The County Commission votes on whether to approve or deny the proposed amendment.

10. Approval of an amendment by the County Commission must be done through the passage of a Resolution of Intent to amend the zoning regulations.

11. Passage of the Resolution of Intent must be noticed once a week for 2 weeks in a newspaper of general circulation within the County. For 30 days after publication of the first notice, the board of county commissioners will receive written protests to the amendment of the zoning regulations per the requirements of 76-2-205, MCA. If the protest is successful, the County Commissioners may not adopt the resolution in question and further zoning resolutions may not be proposed for the district for a period of 1 year.

Jefferson County

Zoning Regulation Text and Map Amendment Application Form

Applicant(s): _____

Address: _____

Phone: _____

Email: _____

Property Owner(s): _____

Address: _____

Phone: _____

Email: _____

Agent/Representative(s): _____

Address: _____

Phone: _____

Email: _____

Zoning district in question: _____

Required Information for Zoning Regulation Text Amendments:

Please check with the Planning Department for the correct number of copies of the application materials.

1. Statement and supporting documentation addressing all Zoning Amendment Evaluation criteria, as discussed in this application form.

2. Proposed modification of the zoning regulation text, including section and page numbers.

Required Information for All Zoning Amendments:

1. General description of property: _____

2. Legal description of property: _____

3. Geo-Code: _____

4. Current zoning designation: _____

5. Current use: _____

6. Proposed zoning designation: _____

7. Proposed use: _____

8. Covenants or deed restrictions on property? ___Yes ___No
If yes, attach a copy.

9. Application fee (\$150.00). (checks payable to Jefferson County)

10. Required attachments:

- a. Statement and supporting documentation addressing all Zoning Amendment Evaluation Criteria, as found under 76-2-203, MCA
- b. Application fees. (check payable to Jefferson County)

I hereby certify that the information on and attached to this application is true and correct.

I understand the fees for this application are not refundable.

Applicant's signature

Date

Property owner's signature

Date

Jefferson County

Evaluation Criteria for Amendments to Zoning Regulations

In reviewing proposed amendments to zoning regulations, the Planning Board and County Commission will consider the following evaluation criteria. Written responses, and supporting documentation where necessary, must be provided for each of the criteria listed below.

Applications will not be considered complete by the Planning Department without responses to all of the criteria.

1. General Criteria. To provide general information about the proposed amendment, the following questions must be addressed:

a. How will the proposed amendment serve the public interest?

(Insert answer)

b. Are there any reasons that prevent use of the property for any of the uses currently allowed under the existing zoning?

(Insert answer)

c. Describe the need/demand for the intended use of the property at this location?

(Insert answer)

2. Statutory Criteria and Guidelines for Zoning Regulations (§ 76-2-203 MCA).

a. Zoning regulations must be made in accordance with the Growth Policy.

(Describe how the amendment will be in accordance with the County Growth Policy)

b. Zoning regulations must be designed to:

- i. secure safety from fire and other dangers;
- ii. promote public health, public safety, and general welfare; and
- iii. facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

(Describe how the proposed amendment will address criteria b.i, b.ii, and b.iii above)

c. In the adoption of zoning regulations, the County Commission shall consider:

- i. reasonable provision of adequate light and air;
- ii. the effect on motorized and non-motorized transportation systems;
- iii. compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;
- iv. the character of the district and its peculiar suitability for particular uses; and
- v. conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

(Describe how the proposed amendment will address criteria c.i, c.ii, c.iii, c.iv and c.v above)

d. Zoning regulations must, as nearly as possible, be made compatible with zoning ordinances of nearby municipalities.

(Describe how the proposed amendment would be compatible with the zoning with the City of Helena?)

3. Zoning Regulation Criteria. Amendments to the zoning regulation or official zoning map must be consistent with each of the following provisions found in the zoning regulation:

a. The overall purpose and intent of the zoning regulation as found in Section 1.2 of the regulations.

(Describe how the proposed amendment will achieve the purpose and intent of these regulations)

b. The purpose intent of the individual zoning classification proposed for amendment as found in these regulations. (See the purpose statement for appropriate zoning classification commercial or residential etc.)

(Describe how the proposed amendment will achieve the purpose of the individual zoning classification proposed for amendment)