

Memorandum

REPORT TO: City Commission

FROM: Tom Rogers, Senior Planner
Chris Saunders, Community Development Manager
Erin George, Community Development Director

SUBJECT: Ordinance 2151 Final Adoption, Repeal and Replacement of all of Chapter 38, Unified Development Code Including Text and Zoning Map to Comply with the Montana Land Use Planning Act and Implement the Bozeman Community Plan, Application 21381

MEETING DATE: December 16, 2025

AGENDA ITEM TYPE: Ordinance

RECOMMENDATION: **Consider the Motion:** *I move that the Commission approve final adoption of Ordinance 2151.*

STRATEGIC PLAN: 4.2 High Quality Urban Approach: Continue to support high-quality planning, ranging from building design to neighborhood layouts, while pursuing urban approaches to issues such as multimodal transportation, infill, density, connected trails and parks, and walkable neighborhoods.

BACKGROUND: This project repeals the entirety of Chapter 38, Unified Development Code, and the associated zoning map and replaces it with a new text and map. Full details on the project are available at the project website, engage.bozeman.net/udc. The draft map and text for public hearing were released for public review on September 19, 2025. Several public meetings were held to introduce the draft to the public and answer questions in advance of the public hearings. A revised draft, (the base draft) was released on November 20, 2025 reflecting corrections and cleanups. A list identifying changes made between Sept. 19th and Nov 20th was provided. A set of recommendations by the Community Development Board was made for substantive revisions at their public hearing. The substantive revisions recommended by the Community Development Board were not included in the base draft but provided separately for ready review and made available through the [project website](#) [external link] and the [application folder](#) [external link] in the Laserfiche archive.

The project repeals and replaces Chapter 38 to adopt zoning and subdivision processes and standards, including a new zoning map, in compliance with the requirements of the Montana Land Use Planning Act. The City has

regularly comprehensively updated and replaced its zoning since first adopting zoning in 1935. As the community changes the regulations need to keep pace, and approximately 650 text and map amendments or replacements have occurred since 1935.

The new text and map continue the implementation of the City's adopted land use plan, housing plan, climate action plan, and other issue and area (neighborhood) plans. The former growth policy, housing plan, and climate action plan were adopted in 2020 and implementation has been ongoing. The nature and scope of this change was directly communicated in public hearing notices. The land use plan was initially adopted in 2020 and was updated for technical compliance with revised state laws and the new version adopted on Oct 28, 2025. Improvements to the regulations for user convenience such as increased graphics, simplified language, and document reorganization are also included.

The 2023 Legislature adopted a new legal framework for land use planning and regulation that applies to Bozeman and completely replaces the laws that governed earlier zoning and subdivision regulations. Bozeman must update and replace its regulations to comply with the new Montana Land Use Planning Act (MLUPA). This is being completed along with the UDC updates referenced above which have been underway since 2022. Bozeman's land use plan and supporting issue plans address how the City of Bozeman intends to grow, the impacts of development and various ways to mitigate impacts of additional development.

Per Title 76, Chapter 25, Part 3 and 4, implementing regulations for zoning and subdivision need to be in substantial compliance with the adopted land use plan. Therefore, the applicable criteria of review are those set in MLUPA. Evaluation of the proposed regulations against the MLUPA criteria of adoption is provided in the attached materials.

The Community Development Board conducted a public hearing beginning on November 3, 2025 and continuing to November 17, 2025. They recommended adoption with revisions. See links to data above.

The City Commission held a public hearing on December 2nd to receive public comments, review recommendations from the Community Development Board and determine whether to provisionally adopt the new zoning map and text. After receiving and reviewing written comments and in addition hearing oral comments from members of the public, the Commission began discussion. The [video](#) [external link] recording of the meeting is available and review of the UDC update begins at time stamp 4:15:20. Public comment begins at time stamp 5:20:05. Commission discussion begins at time stamp 6:37:15. A main motion was passed and then amending motions directing 20 revisions to the text and four revisions to the zoning map. A listing of the amendments is attached with this item. At the conclusion of discussion, the main motion passed on a vote of 5-0

provisionally adopting Ordinance 2151.

A revised text and zoning map reflecting the Commission's direction and action on Dec. 2nd has been prepared and is available for public review. Copies are available with this agenda item, the Engage Bozeman [project website](#) [external link], and the project Laserfiche [folder](#) [external link].

Public comment [external link] continues to be received on this item prior to final adoption. Action on this agenda item will finalize adoption of the update to Chapter 38. Effective date of the new ordinance is set for February 1, 2026.

UNRESOLVED ISSUES: As determined by the City Commission.

ALTERNATIVES:

1. Final Adoption of Ordinance 2151 with the draft text and map as presented;
2. Final Adoption of Ordinance 2151 with revisions to the text and/or map or
3. Request revisions to draft text or map before continuing adoption process.

FISCAL EFFECTS: None. Funds for this project were previously budgeted and authorized.

Attachments:

[Ordinance 2151.docx](#)

[BozemanUDC_Text_Adoption Draft_December 2025_v1.pdf](#)

[Zoning Map 12-4-2025 \(18x18\).pdf](#)

[City Commission Directed Revisions at Provisional Adoption 12-02-2025.pdf](#)

[21381 Staff Report UDC Replacement 2025 - City Commission hearing.pdf](#)

[21381 UDC Repeal and Replacment CDB and CC Legal Newspaper Notice.pdf](#)

[Group Engagement Log -11-20-2025.pdf](#)

[BOZ UDC_Zoning District Conversion Guide_10.17.2025.pdf](#)

[MLUPA Code Compliance Summary 10-27-2025.pdf](#)

Report compiled on: December 8, 2025