

Memorandum

REPORT TO: City Commission

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

SUBJECT: Ordinance 2151 Repeal and Replace 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 2, 2025

AGENDA ITEM TYPE: Ordinance

RECOMMENDATION: **Consider the Motion:** Having reviewed and considered the staff report, draft ordinance, public comment, recommendation of the Community Development Board, and all information presented, I hereby adopt the findings presented in the staff report for application 21381 and move to provisionally adopt 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 new text and map. Full details on the project are available at the project website, engage.bozeman.net/udc. The draft map and text 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 of changes is attached to this agenda item. A set of recommendations by the Community Development Board was made for substantive revisions. These revisions are not included in the base draft but are provided separately for ready review. A list of the substantive changes and draft text reflecting them are available through the [project website](#) [external link] and the [application folder](#) [external link] in the Laserfiche archive.

The project establishes a new 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 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 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 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 staff report.

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 attachments for further details.

Links to the proposed text and map are included in the Executive Summary of the attached staff report. Links to the text and map as well as explanatory and summary information is available through the [project website](#) (external link). The draft text is in two parts. First, the Base Draft, which is the Sept 19th draft updated in 63 locations for editorial cleanup, clarifications, correction of cross references and similar types of corrections. The Base Draft was publicly released on November 20th. A listing of the changes of this type will be available in the draft text and zoning map folder linked below. Second, a listing of the substantive changes recommended by the Community Development Board and associated recommended text organized by recommendation. This will become available after agenda

publication. This summary of recommendations and associated text also will be included in the same draft text and zoning map folder linked below.

Link to [draft text and zoning map](#) [external link]

The agenda for this meeting was released early to provide a longer public review period. Some materials were still in development and were uploaded to the draft text and zoning map folder after publication of the agenda but prior to the typical publication time for the December 2nd agenda.

UNRESOLVED ISSUES: Public comment may raise suggestions for potential changes to the text and map. The Community Development Board recommended several changes to the base text and two changes to the draft zoning map. The City Commission may discuss and approve revisions to the text or map.

ALTERNATIVES:

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

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

Attachments:

[21381 Staff Report UDC Replacement 2025 - City Commission hearing.pdf](#)
[Adopting Ordinance 2151.docx](#)
[BozemanUDC_Nov24_25_Public Hearing_Base Draft.pdf](#)
[Proposed_Zoning 11-19-2025 \(18x18\).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](#)
[USFWS critical-habitat-fact-sheet.pdf](#)
[Framing System Raised Heel Trusses.pdf](#)
[Memo Stormwater Ditches 11-17-2025.pdf](#)
[Process and New Code Review Criteria for Amendments CC Memo.pdf](#)

Report compiled on: November 20, 2025