

Memorandum

REPORT TO: Community Development Board

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: November 17, 2025

AGENDA ITEM TYPE: Community Development - Legislative

RECOMMENDATION: Having reviewed and considered the staff report, draft ordinance, public comment, and all information presented, I hereby adopt the findings presented in the staff report for application 21381 and move to recommend adoption of Ordinance 2151 with revisions as recommended by Staff.

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 meeting is a continuation of the public hearing which began on November 3, 2025. On Nov. 3rd, the Board received a presentation from staff, received oral public comments from 21 persons, and many written materials from various input tools throughout the course of the project. The Board closed the public comment portion of the hearing and began their discussion and deliberations.

A motion was made to recommend approval of the draft UDC document. Several amending motions to the main motion were made and passed, additional motions were made and either failed for lack of 2nd or did not receive enough votes to pass. See the minutes of the meeting included with this agenda for more detailed information. One motion was made and tabled to allow text to be prepared for review showing how the motion would amend the draft. The illustrating text is provided as the 2nd to last attachment to this cover memo.

Due to the lateness of the hour and items remaining for discussion the Chair continued the hearing until the November 17th meeting of the Board. On the 17th the Board will continue discussion and possible motions and votes

to recommend revisions to the draft. A list of possible subjects identified by Board members is attached at the end of this cover memo. Public comment for this item has been closed and the Board will not receive additional testimony on this application at their Nov 17th meeting.

Persons may still submit written comments on the UDC update to comments@bozeman.net for consideration by the City Commission. The Commission will also receive oral comments at their upcoming hearing on Dec. 2nd.

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.

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.

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).

Link to [draft text](#) (external link)

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

UNRESOLVED ISSUES: Public comment may raise suggestions for potential changes to the text and map. The Board may discuss and recommend revisions to the text or map.

ALTERNATIVES:

1. Recommend amendments to the text and/or map; or
2. Recommend approval of the draft text and map as presented.

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

Attachments:

[21381 Staff Report UDC Replacement 2025 - CDB.pdf](#)

[Process and New Code Review Criteria for Amendments Memo.pdf](#)

[Staff Recommended Revisions to Sept 19, 2025 UDC Draft.pdf](#)

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

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

[SB382 MLUPA City Commission summary July 25, 2023.pdf](#)

[Group Engagement Log -10-27-2028.pdf](#)

[Framing System Raised Heel Trusses.pdf](#)

[USFWS critical-habitat-fact-sheet.pdf](#)

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

[38.520.040 - Egnatz motion illustration.pdf](#)

[UDC edits for 11-17 v3 JD.pdf](#)

Report compiled on: November 12, 2025