

Memorandum

REPORT TO: Economic Vitality Board

FROM: Tom Rogers, Senior Planner
Chris Saunders, Community Development Manager
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SUBJECT: Unified Development Code (UDC) Update Supplemental Engagement Phase 1 Report and Work Session

MEETING DATE: April 2, 2025

AGENDA ITEM TYPE: Plan/Report/Study

RECOMMENDATION: No action required.

STRATEGIC PLAN: 1.2 Community Engagement: Broaden and deepen engagement of the community in city government, innovating methods for inviting input from the community and stakeholders.

BACKGROUND: **General Background**

The Unified Development Code (UDC) sets regulations around what kinds of development can occur in which areas. For the 2022-2023 Commission 2-year priority cycle, Bozeman City Commission named the UDC update as a key priority of the city. Thus began the UDC Update process, a project that kicked off in summer 2022 with the goals of:

- Implementing the vision and goals of other guiding City documents, such as the 2020 Community Plan, Climate Plan, and the Community Housing Action Plan.
Making the Code more user-friendly.
Updating the Code per changes in state law.

A variety of in-person and virtual engagement opportunities were held throughout 2022 and 2023. In the summer of 2023, following feedback from the public, advisory boards, and Commission, a draft revised development code was released.

The UDC update was brought to the Economic Vitality Board twice prior to creation of the draft code now in review. First on September 6, 2023, to provide the board a general overview of Senate Bill 382 [[Agenda Web Link](#)] and then again on October 4, 2023, to hear feedback on specific code sections relevant to the EV Board in general [[Agenda Web Link](#)]. The linked information provides additional detail and supplementary documentation

germane to the creation of the draft regulations. In the summer of 2023, following feedback from the public, advisory boards, and Commission, a draft revised development code was released.

Many residents expressed concerns about the draft, with some wanting more time to review and give feedback. In October 2023, Commission paused the process with the desire to pick back up in 2024. In September 2024, Commission began the restart of the project with a work session on how the project will resume, including what engagement might look like. On October 1, Commission approved the supplemental engagement plan.

Since then, staff have executed the supplementary engagement plan through the following methods:

- Launched an online survey that ran from Nov. 22 through Jan. 8 and garnered 229 responses.
- Hosted an online webinar on 12/9 that had 76 attendees.
- Hosted five in-person open houses, one in each quadrant (NW, SW, SE, NE) of the city and one at MSU, which had at least 238 attendees total across all events (some attendees were not captured at sign-in).
- Hosted 8 meetings with groups including Local Food Systems partners, Better Bozeman Coalition, University Neighborhood Association, Jandt Neighborhood Association, Midtown Neighborhood Association, Cooper Park Neighborhood Association, Northeast Neighborhood Association, and Forward Montana.
- Used a variety of methods to communicate engagement opportunities including emails to key partners; Engage Bozeman newsletters and web updates; Bozeman.net banner, e-notifications and calendar updates; a message in the utility bill; a paid mailer to all who reside in the city; a press release to media outlets; a paid Facebook/Instagram social media ad; social media posts on Facebook, Instagram, Twitter, Nextdoor; and a paid ad in the Bozeman Daily Chronicle.

Phase Two of the Supplementary Engagement Plan Summary:

Engagement continued with four in-person workshops held in various parts of the city, two online workshops, a toolkit for residents to host their own chat about the UDC, and an online survey. The purpose of the engagement process is to deep dive into the key topics that were identified during part 1 of engagement. The dates, times, and topics each workshop will cover are as follows.

1. Transportation & Environment: Feb. 24: 12 to 2 p.m. online.
2. Transportation & Environment: Feb. 26: 6 to 8 p.m. at Gallatin County Fairgrounds.
3. Growth, Housing, & Neighborhoods: March 3: 12 to 2 p.m. online.
4. Housing & Neighborhoods: March 5: 6 to 8 p.m. at Chief Joseph Middle School.

5. Growth & Neighborhoods: March 10: 6 to 8 p.m. at Sacajawea Middle School.
6. All topics (Transportation, Environment, Growth, Housing, Neighborhoods): March 12: 6 to 8 p.m. at Willson School.

Next steps involve discussions with the City's advisory boards and City Commission to determine the scope of potential revisions to the draft UDC. Advisory board meeting dates are as follows.

1. Historic Preservation Advisory Board: March 19 at 6:00 p.m. in the City Hall Commission Room
2. Transportation Board: March 26 at 6:00 p.m. in the City Hall Commission Room
3. Urban Parks and Forestry Board: March 27 at 6:00 p.m. in the City Hall Commission Room
4. Economic Vitality Board: April 2 at 6:00 p.m. in the City Hall Commission Room
5. Sustainability Board: April 9 at 6:00 p.m. in the City Hall Commission Room

Following necessary time to write those revisions, city staff will release an updated draft for public review and comment. This will be followed by the formal hearing process, likely in the fall, for ultimate decision by the City Commission.

The full text of the draft Chapter 38 [[External PDF](#)] is as available online in the Engage Bozeman Project web site. The existing draft does not contain the recently adopted update to 38.380 Affordable Housing. Those provisions are already in effect and will be integrated with the next update to the draft UDC.

During the UDC update process, the Montana Legislature passed new enabling legislation that modifies development review processes and requires the City to demonstrate that its regulations support additional housing creation. These requirements as well as local priorities have shaped the draft text and the public outreach process.

The City Commission will receive an update on the completed Phase 2 Supplementary public engagement process on May 20th. A work session discussion of possible changes to the draft and direction from the Commission is scheduled for June 24th.

Economic Vitality Advisory Board Specific Background

Areas of relevance to the Economic Vitality Board can be found in several places in the draft including:

- Support for density - This issue appears in many locations and with many actions. Key elements include 38.210.020 consolidation of residential zoning districts, 38.210.020 amendment of standards to remove minimum lot area requirements, 38.210.020 increased minimum density requirements for residential districts, and Table 38.530.040-4 reduces non-residential parking requirements.
- Relaxed residential use and support for density in commercial zoning districts - This issue appears in many locations and with many actions. Key elements include 38.220.020-050 amendments of standards to increase building footprint and/or height, and 38.300.020 relaxed residential uses in commercial districts.
- Relaxed residential use and support for density in industrial zoning districts - This issue appears in many locations and with many actions. Key elements include 38.230.020 vertical massing, lot size, and setbacks, and 38.300.020 more permissible residential uses.
- Local service commercial - Density support also facilitates viable local services within walkable distance, and 38.540.040.B allows an amount of commercial in mixed use districts to have no parking requirement.
- Parking -Table 38.530.040-4 reduces non-residential parking requirements, 38.540.040.A sets parking requirements in areas with common funding and management capability to zero and simplifies all parking provisions. Non-residential parking – simplified, mixed uses given more flexibility – Section 38.530.040 and added areas that do not require minimum parking, removal of parking alternatives – Section 38.530.040.
- Administrative decision maker assigned to all site development including preliminary plats (required by the Act). - Section 38.700.010.
- Noticing of individual site development projects - revisions to draft will be required to address upcoming changes in state law; noticing for text and map amendments increases. - Division 38.730.
- Review of individual site development or subdivision no longer includes advisory body input (required by state law). Divisions 38.740 and 38.750.

Purpose of meeting

The City Commission requested advisory boards to understand the project and have an opportunity to ask questions and provide feedback as part of Phase 2 of public engagement. Accordingly, staff will provide a UDC project update and will include a summary of public feedback gathered during Phase I of supplementary engagement, a refresher on the scope of topics the project is addressing, and an opportunity for Board Members to ask questions and provide feedback on areas of interest.

A related Affordable Housing Ordinance was recently adopted and became effective on March 14, 2025, see Ordinance 25-001.

Creating code requires balancing of many priorities. Code development is an ongoing process as new issues are identified, new Issue Plans are adopted, and community needs change. Code work occurring separate from this UDC replacement include:

- Revisions to water conservation standards,
- Revisions to wetland protection standards, and
- Updating of standards relating to parks and active transportation based on the Parks Recreation and Active Transportation Plan.
- The update to the Integrated Water Resource Plan.

UNRESOLVED ISSUES: None.

ALTERNATIVES: None

FISCAL EFFECTS: None

Attachments:

[UDC_Survey_Results.pdf](#)

[UDC_Open_House_Report.pdf](#)

Report compiled on: March 25, 2025