



## RESOLUTION 5416 (DRAFT)

### A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF BOZEMAN, MONTANA,

**WHEREAS**, the City of Bozeman (the “City”) has adopted land development and use standards to protect public health, safety and welfare; and

**WHEREAS**, the City amended and replaced its regulations to address recent changes in law by the 2021 Montana Legislature regarding required provision of price limited housing; and

**WHEREAS**, the City amended and replaced its regulations regarding planned unit developments to create instead planned development zones; and

**WHEREAS**, the City’s new regulations provide incentives for construction of price limited housing and it is necessary to establish criteria by which the City can determine if the incentives should be applied.

**NOW, THEREFORE, BE IT RESOLVED** by the City Commission of the City of Bozeman, Montana, to wit:

#### Section 1

##### **Legislative Findings**

1. The City adopted a growth policy, the Bozeman Community Plan 2020, by Resolution 5133 to establish policies for development of the community.

2. The City accepted as a basis for housing implementation actions an amended Community Housing Action Plan by Resolution 5143.

3. The City undertook a public process to consider methods to encourage creation of additional housing and especially housing which accomplishes community aspirations identified in the growth policy and the Community Housing Action Plan.

4. The City concluded that revised approaches for incentives were appropriate and necessary.

5. The necessary public hearings were advertised as required in state law and municipal code and all persons have had opportunity to review the applicable materials and provide comment.

6. The City Commission considered the application materials, staff analysis and report, recommendation of the Community Development Board acting in their capacity as the municipal Zoning Commission, all submitted public comment, and all other relevant information related to the alternative incentives.

7. The City Commission determines that the incentives provide a proper balance of interests, rights, and responsibilities of all parties affected by this resolution.

8. The City Commission determines that implementing incentives by this resolution provides for a more practical response to the rapid pace of change in the housing market in Bozeman and will assist in regular updates so that the incentives and requirements remain in balance.

## Section 2

### **Incentives and Requirements**

In order to use the incentives authorized in Division 38.380, Affordable Housing of the Bozeman Municipal Code, an application shall provide for:

<b>Low Income Affordable Homes Required for Incentives</b>				
	<b>Minimum Percentage of Homes</b>	<b>Maximum Percentage of AMI</b>		<b>Duration</b>
		<b>Rental Dwellings</b>	<b>For-Sale Dwellings (includes condominiums)</b>	
<b>Type of Housing</b>				
Single-Household Detached Dwelling	=>50%	80% of AMI	120% of AMI	=>30 years
Single-Household Attached Dwelling	=>50%	80% of AMI	120% of AMI	=>30 years
Multi-Household Dwelling	=>50%	80% of AMI	120% or AMI	=>30 years

## Section 3

### **Review Required**

The City Manager shall prepare an annual review to be provided to the City Commission of the application of incentives and requirements established in this resolution and resulting outcomes.

**PASSED, ADOPTED, AND APPROVED** by the City Commission of the City of Bozeman, Montana, at a regular session thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2022.

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**CYNTHIA L. ANDRUS**

Mayor

ATTEST:

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**MIKE MAAS**

City Clerk

APPROVED AS TO FORM:

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**GREG SULLIVAN**

City Attorney