

This brochure is provided as a guide to assist you in the preparation of your application for a Zoning Text Amendment or Zoning Map Amendment, in addition to explanation of the application process.

### WHAT IS ZONING?

Zoning is the delineation of districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings. Zoning is used to seek the maximum benefit of the community as a whole.

### WHAT ARE ZONING TEXT AMENDMENTS AND ZONING MAP AMENDMENTS?

These amendments are procedures where you may request a modification of City regulations.

- A **Zoning Text Amendment**, also called a Unified Development Ordinance (UDO) Text Amendment, requests a change in the regulations governing the division, use, placement, spacing or size of land and buildings. Changes apply everywhere subject to the revised regulation.
- A **Zoning Map Amendment** requests a change in the boundary of a zoning district.

### WHEN IS A UDO TEXT AMENDMENT OR ZONING MAP AMENDMENT REQUIRED?

- A UDO Text Amendment is required when information is modified, added or deleted from the text of the Unified Development Ordinance.
- A Zoning Map Amendment is required whenever a parcel of land is annexed to the City and an urban zoning designation must be assigned, or when a parcel of land is changed from one growth policy land use designation to another, for example from residential to commercial.

### WHAT INFORMATION IS REQUIRED?

#### Application Form

Visit the City of Bozeman Department of Community Development (DCD) to determine if your proposal would require a UDO Text Amendment and/or Zoning Map Amendment. A staff member will review your proposal and answer any of your questions.

If a UDO Text or Zoning Map Amendment is necessary, you will need to prepare all the required application materials and submit your application and fees.

### WHAT IS THE APPLICATION PROCESS?

#### Staff Review

When your application is submitted to the DCD it will be assigned to a staff planner. The staff planner will review your application for compliance with the Zoning Text Amendment and Zoning Map Amendment criteria. Your application will also be routed to the Development Review Committee (DRC) and any other necessary agencies or boards for their review.

#### Public Meetings and Public Hearings

Public meetings and public hearings are an important part of the process. Public meetings provide the public with an opportunity to listen to discussions regarding the proposal. Public hearings give citizens a chance to comment verbally or in writing on proposed amendments.

- For Zoning Map Amendment requests, a notice of public hearing will be sent to property owners within 200 feet of your site and will be posted at the subject site.
- For UDO Text Amendments and Zoning Map Amendments, notice of public meetings will be published in the newspaper. The notice will inform the public of the date, time and place of the meetings before the DRC, along with the date, time and place of public hearings before the Bozeman Zoning Commission, Planning Board (if necessary) and the City Commission.

#### Zoning Commission and Planning Board

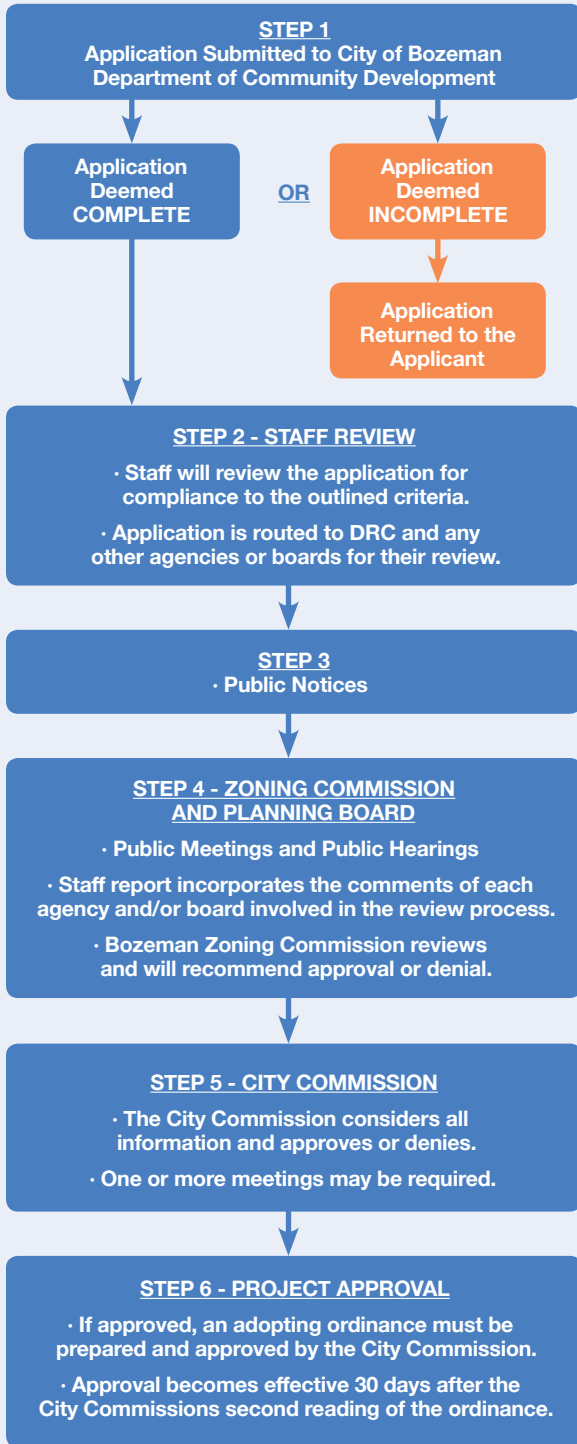
Once the DRC has reviewed your proposed Zoning Text Amendment or Zoning Map Amendment, the project planner will prepare a staff report which incorporates the comments of each of the agencies involved in the review process. This report is then presented to the Bozeman Zoning Commission who is responsible for recommending approval or denial of the proposed amendment after considering the information in the staff report and any testimony given at the public hearing. This recommendation is then forwarded to the City Commission.

If a UDO Text Amendment involves provisions related to the subdivision of land, the proposal must be reviewed by the Planning Board in addition to, or perhaps instead of, the Zoning Commission.

#### City Commission

The City Commission is the final decision making authority for UDO Text Amendments and Zoning Map Amendments. The Commission will consider the information presented in the Zoning Commission/Planning Board staff report and any

# UDO Zoning Text and Zoning Map Amendments Application Process



Timelines are approximate and subject to scheduling constraints.

testimony provided at the public hearing(s). The Commission will then act upon your application or continue the item to their next meeting in order to reach a final decision.

The UDO Text Amendment or Zoning Map Amendment process usually takes eight to twelve weeks from the time an application is filed until a preliminary decision is reached by the Commission.

## Project Approval

If the City Commission approves your UDO Text Amendment or Zoning Map Amendment, an adopting ordinance must be prepared and approved by the City Commission. Your approval becomes effective 30 days after the Commission's second reading of the ordinance.

## WHAT ARE THE REVIEW CRITERIA?

Both UDO Text Amendments and Zoning Map Amendments are evaluated against the following review criteria:

- Is the new zoning designed in accordance with the growth policy? How?
- Will the new zoning secure safety from fire and other dangers? How?
- Will the new zoning promote public health, public safety and general welfare? How?
- Will the new zoning facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements? How?
- Will the new zoning provide reasonable provision of adequate light and air? How?
- Will the new zoning have an effect on motorized and non-motorized transportation systems? How?
- Does the new zoning promote compatible urban growth? How?
- Does the new zoning promote the character of the district? How?
- Does the new zoning address the affected area's peculiar suitability for particular uses? How?
- Was the new zoning adopted with a view to conserving the values of buildings? How?
- Does the new zoning encourage the most appropriate use of land throughout the jurisdictional area?

If a UDO Text Amendment involves provisions related to the subdivision of land, the following criteria must also be evaluated:

- Is the new zoning designed in accordance with the growth policy? How?
- Will the new zoning secure safety from fire and other dangers? How?
- Will the new zoning promote public health, public safety and general welfare? How?

- Will the new zoning facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements? How?
- Will the new zoning provide reasonable provision of adequate light and air? How?
- Will the amendment provide for the orderly development of the jurisdictional area? How?
- Will the amendment provide for the coordination of roads within subdivided land with other roads, both existing and planned? How?

**WHAT IS A PROTEST PROVISION FOR ZONING MAP AND TEXT AMENDMENTS?**

In the case of a protest against a proposed Zoning Map Amendment, signed by the owners of 25 percent or more of either the area of the lots included in any proposed change, or those lots 150 feet from a lot included in a proposed change, such amendment may not become effective except upon a favorable vote of two-thirds of the present and voting members of the City Commission.

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**QUESTIONS? NEED MORE INFORMATION? CONTACT:**

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