

PUBLIC NOTICE OF ZONING TEXT AMENDMENTS

The City of Bozeman provides notice of a proposal to amend its land use regulations, Chapter 38 of the Bozeman Municipal Code (BMC), to revise submittal and procedural standards requirements affecting wetlands and watercourses. The amendment applies to new development and applies to projects undergoing development review under Chapter 38 of the City's Unified Development Code (UDC).

The amendments adjust the timing of submittal requirements for Section 38.710.120.A (Submittal materials for regulated activities in wetlands), add Section 38.610.030.E (Approval of plans prior to final determination from US Army Corps of Engineers (USACE) and Gallatin Conservation District), and Section 38.610.040. Wetlands boundary and jurisdictional determinations will be amended. The new text will do the following:

Section 38.610.030. Application of wetland regulations. This section details the authority of the City to require specific information to evaluate impacts on wetlands and the scope of its authority. The proposed text establishes authority to preliminary approve a development application prior to final determination from the US Army Corps of Engineers and the Gallatin Conservation District and authorizes imposition of conditions of approval to ensure all applicable standards are met.

Section 38.610.040. Wetlands boundary and jurisdictional determinations. This details the that the City uses outside agencies to provide an Approved Jurisdictional Determination (AJD) and evaluate impacts and activities in and around wetlands and watercourses. Historically the City required the AJD with a development application. The amendment will change the timing for when some information from non-city agencies must be provided.

Division 38.620 Watercourse setbacks. This section details standards for protection of watercourses. The proposed amendment describes coordination between city review and other agencies review of development and the timing of decision making.

Section 38.710.120. Submittal materials for review of activities in or adjacent to wetlands and watercourses. This section establishes the type and scope of materials that must be submitted as part of a development application to show how the proposed application meets required standards. Required submittal materials include: maps and narratives; locations of wetlands and watercourses; expected impacts if any, and a statement of how impacts will be avoided or mitigated; identification if the wetlands are under the jurisdiction of the US Army Corps of Engineers; and identification of any agricultural water user facilities on or adjacent to the site. The amendment will change the timing for when some information from non-city agencies must be provided.

The proposal may be revised as the public review process proceeds.

Public meeting and public hearing dates:

On **Monday, August 17, 2026**, at 6:00 p.m., the **Community Development Board** acting in their capacity as the **Planning Commission** will conduct a public hearing on amendments to the municipal code in the Commission Room at City Hall, 121 N. Rouse Ave. Bozeman MT. Remote electronic participation may also be available. Instructions for participating remotely will be included on the meeting agenda. The agenda is available at <https://www.bozeman.net/meetings> at least 48 hours prior to the meeting. A report from the staff analyzing compliance with all required criteria will be included with the packet materials available through the electronic agenda.

On **Tuesday, September 1, 2026**, at 6:00 p.m., The **City Commission** will conduct a public hearing on amendments to the municipal code in the Commission Room at City Hall, 121 N. Rouse Ave. Bozeman MT. Remote electronic participation may also be available. Instructions for participating remotely will be included on the meeting agenda. The agenda is available at <https://www.bozeman.net/meetings> at least 48 hours prior to the meeting.

At the September 1, 2026, public hearing the City Commission may act to approve, modify, or reject the proposal or continue the public hearing to another date. The City Commission may revise any of the proposed actions referred in this notice during the public hearing process.

The Ordinance will be subject to provisional and final adoption and during this process the public will have the opportunity to comment at these City Commission meetings in person or in writing. Revisions may be made prior to provisional or final adoption as directed by the City Commission.

State law:

This application is evaluated against the requirements and purposes of zoning review found in state law in Section 76-25-304, Mont. Code Ann., which are contained in Section 38.770.020 of the municipal code. Approval or contingent approval may be granted if the City Commission determines all criteria are met. The revised language, if adopted will be the basis for review and decision on individual land use development applications.

How to view the proposed code changes:

1. The complete text may be reviewed at the Department Community Development, 20 E Olive Street, Bozeman MT 59715.
2. The complete text of the proposal is available digitally at <https://www.bozeman.net/departments/community-development/planning/project-information-portal>. Select 'Project Documents' and navigate to application **26217**.
3. The proposed ordinance and supporting information will also be attached to the above listed meeting agendas available at <https://www.bozeman.net/meetings>.

How to comment:

The public may comment orally at the public hearings or in writing at or prior to the public hearings regarding compliance of this application with the required criteria. Comments should identify the specific criteria of concern along with facts in support of the comment. During the notice period the City will continue review for compliance with applicable regulations.

The city invites the public to comment in writing and to attend the public hearings. Written comments may be directed to by email to comments@bozeman.net or by mail to the City of Bozeman, Department of Community Development, PO Box 1230, Bozeman, MT 59771-1230. **Please reference application 26217 in all correspondence.**

For those who require accommodations for disabilities, please contact David Arnado, City of Bozeman ADA Coordinator, 582-3232.

Pub July 18, 25, Aug 15, 2026
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