

## Zone Map Amendment

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A Zone Map Amendment (ZMA) requests a change of zoning to an existing parcel or as part of an annexation to a property that requires a zoning designation. If the amendment is part of an annexation, this handout provides details for the application requirements to initially zone a property.

## Digital Submittals & Naming Protocol

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MINIMIZE DELAYS WITH CORRECT FORMATTING. APPLICATION SUBMITTAL REQUIREMENTS ARE MANDATORY PER BMC 38.220

- 1) Create and submit a Planning application using the [ProjectDox portal](#);
  - a) After completing your Development Review Application, you will receive a Notification Letter ([example](#)) via email. Please download this document and obtain the owner's signature. Upload as a PDF to the "Documents" folder in ProjectDox.
  - b) The Drawings folder should include items such as site plans, civil plans, landscape plans, irrigation plans, photometric plans, elevations, etc. All drawing files must be drawn and formatted for a 24" x 36" sheet file or an 11" x 17" sheet file. Plan pages shall be properly oriented in landscape mode. Refer to our [Quick Guide](#) for additional information.
- 2) The digital copies must be separated into two categories: Documents and Drawings.
  - a) The Documents folder should include items such as application forms, narrative, response to City comments, supplemental documents, technical reports, easements, legal documents, etc.
  - b) The Drawings folder should include items such as site plans, civil plans, landscape plans, irrigation plans, photometric plans, elevations, etc. All drawing files must be drawn and formatted for a 24" x 36" sheet file or an 11" x 17" sheet file. Plan pages shall be properly oriented in landscape mode. Refer to our [Quick Guide](#) for additional information.
- 3) Naming protocol. All files should be numbered and named according to their order listed on your provided Submittal Checklist. File names should start with a numeric value followed by the document name. The numeric value at the beginning of the file name ensures the order in which they are displayed. Refer to our [Quick Guide](#) for additional information.

## Application Checklist

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- 1) Zone Map application. Submit a complete and signed Zone Map Application ([ZMA](#))
- 2) Project narrative. Briefly describe the property and the reason for requesting a zone change.
- 3) Zoning map. A zoning map showing the extent of the area subject to this application meeting standards for zone maps described below.
- 4) Zoning change narrative. Discussion and analysis for each of the State review criteria in support of the requested zone(s) listed below.
- 5) Notice. Complete and signed property adjoiners certificate form NMP and materials. ([NMP](#))

## Zone Map Requirements

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- 1) List out requirements, divided by category. Include an exhibit of the property to be modified, including the proposed zoning designation clearly labeled. The exhibit should include the legal limits of the property and size in square feet and acreage. If adjacent to a right-of-way, the zone map must extend to the centerline of adjacent rights-of-ways.
- 2) Scale not greater than 1 inch to 20 feet nor less than 1 inch to 100 feet unless approved by the city.
- 3) Scale, north arrow, and date of preparation.
- 4) Subject property well defined.
- 5) Existing zoning of the surrounding property, including any County zoning.
- 6) Boundaries of proposed zoning (if more than one designation being requested) well defined.
- 7) Proximity of all planned and proposed water and sewer mains and extension. Please include the anticipated difference in demand for services. Refer to the review criteria below for more information.
- 8) Location of all existing structures on the subject property.
- 9) Adjacent streets and street rights-of-way.
- 10) Water bodies, wetlands, and flood zones. Please provide estimates of the extent of each type of feature if not delineated or mapped.
- 11) All existing county road infrastructure, including but not limited to culverts, crossings, headgates, diversions, and other appurtenances, visually identified or known through document search.


## Review Criteria

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Section 76-25-304, Mont. Code Ann. of state law establishes the criteria for the creation and amendment of zoning. Due to the range of subjects, the applicability of any individual criterion may be of more or less importance. The City Commission must evaluate whether the applicable criteria are met, not applicable, or if the benefits of the change offset negative impacts. Below is the state statute that provides the criteria and guidelines for zoning decisions. The state may amend these criteria.

The city relies on adopted issue plans and similar documentation to consider the jurisdiction-wide issues and establish policy. If an amendment proposes something that has not been considered during the issue plan or land use plan development, the applicant may be required to conduct a broader scale analysis.

- (1)(c) make a preliminary determination as to whether the zoning regulation and map as proposed or as amended would be in substantial compliance with the land use plan, including whether the zoning regulation or map:
  - I. accommodates the projected needed housing types identified in 76-25-206;
  - II. contains five or more specific strategies from 76-25-302 to encourage the development of housing within the jurisdiction;

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- III. reflects allowable uses and densities in areas that may be adequately served by public safety, emergency, utility, transportation, education, and any other local facilities or services identified by the local government in 76-25-207;
  - IV. allows sufficient area for existing, new, or expanding commercial, industrial, and institutional enterprises the local government has identified in 76-25-208 for targeted economic growth in the jurisdiction;
  - V. protects and maximizes the potential use of natural resources within the area, as identified in 76-25-209;
  - VI. minimizes or avoids impacts to the natural environment within the area, as identified in 76-25-209; and
  - VII. avoids or minimizes dangers associated with natural hazards in the jurisdiction, as identified in 76-25-209; and
- (d) preliminarily determine whether the proposed zoning regulation, map, or amendment results in new or increased impacts to or from local facilities, services, natural resources, natural environment, or natural hazards from those previously described and analyzed in the assessment conducted for the land use plan.

## Minimum Narrative Standards

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As an amendment is a legislative action, the Commission has broad latitude to determine a policy direction. The burden of proof that the application should be approved lies with the applicant. A zone map amendment must be in accordance with the land use plan policy (1(c)).

Standards which prevent or mitigate negative impacts are incorporated throughout the entire municipal code, but are principally in Chapter 38, Unified Development Code. The information, or argument, is necessary to make a decision. Statements supporting the application must identify the goals and objectives of the land use plan advanced by the proposed change. Conclusory statements are not arguments for a proposed change. Your argument is critical to the success or failure of your application.

Analysis must accompany the submittal necessary to determine the anticipated increase, no change, decrease, or a combination of impacts for services. For reference, the Bozeman Community, Community Plan [Appendices](#) includes a list of local services and facilities.

## Certification and Signatures

I (We), the undersigned, hereby certify that the information contained in this application is true and correct to best of my (our) knowledge.

\_\_\_\_\_  
Property Owner's Signature(s)

\_\_\_\_\_  
Date

State of: \_\_\_\_\_

County of: \_\_\_\_\_

On this \_\_\_\_\_ date of \_\_\_\_\_, 20 \_\_\_\_, before me, a Notary Public and the State of \_\_\_\_\_, personally appeared \_\_\_\_\_, know to me to be the person(s) whose name(s) is(are) subscribed to the above instrument and acknowledge to me that he/she/they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the date and year first above written.

\_\_\_\_\_  
Notary Signature

Notary Public for the State of \_\_\_\_\_

Residing at \_\_\_\_\_

My Commission Expires \_\_\_\_\_

## Other Required Forms

Depending on the scope of the project, supplemental checklist information may be required.

- [NMP](#)
- [ANNEX](#) (if the property is being annexed into the City)

## Application Fee(s)

For the current application fee, see the current [Fee Schedule for Planning Review](#)

## Contact Us

Bozeman Community Development

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