

## Livingston Urban Renewal Agency Agenda



The regular meeting of the Livingston Urban Renewal Agency Committee has been scheduled for May 26, 2026 at 4:30 PM in Community Room, City/County Complex. This meeting will be facilitated by Melissa Nootz.

<https://us02web.zoom.us/jc/84147705693>

Meeting ID: 841 4770 5693

Passcode: 267200

1. Roll Call
2. Approval of Minutes
  - A. APPROVAL OF MINUTES FROM APRIL 28, 2026, REGULAR MEETING pg.3**
3. New Business
  - A. EMPIRE THEATER APARTMENT ADDITIONAL GRANT FUNDS REQUESTED pg.6**
  - B. DISCUSSION OF FY 26-27 URA BUDGET pg.17**
4. Old Business
5. Public Comments
6. Board Comments
7. Adjournment

**File Attachments for Item:**

**A. APPROVAL OF MINUTES FROM APRIL 28, 2026, REGULAR MEETING**

## Livingston Urban Renewal Agency Minutes



The regular meeting of the Livingston Urban Renewal Agency Committee has been scheduled for April 28, 2026 at 4:30 PM in Community Room, City/County Complex. This meeting will be facilitated by Melissa Nootz.

<https://us02web.zoom.us/j/85324452986?pwd=V3AWR4N3LL34XcLaTfr8rOuxEBYljv.1>

Meeting ID: 853 2445 2986

Passcode: 015650

### 1. Roll Call

Melissa Nootz

Julie Evans

Sarah Knobel

Matt Whitman

Chris Raley

### 2. Approval of Minutes

#### **A. APPROVAL OF MINUTES FROM MARCH 24, 2026, REGULAR MEETING**

Julie pointed out a misspelling.

Chris and Melissa had name spelling corrections.

Chris motioned to approve minutes, seconded by Julie.

For: Melissa, Sarah, Chris, Julie

Abstain: Matt

## Livingston Urban Renewal Agency Minutes

The City Manager gave a brief introduction of Matt Whitman, who is the Park County appointee, to the URA Board.

### 3. New Business

#### A. FACADE GRANT APPLICATION FOR 116 N. MAIN STREET (FIREFLIES)

The City Manager stated this is a project that has previously come through the City Planning Department for historic design review. He explained that funding can be through reimbursement after completion for 50% of the costs, or a grant of up to \$1000.00 may be issued before project work begins.

Sarah asked about the wording on the building and if it's considered signage.

The City Manager stated that it was discussed internally and was decided that because it doesn't reference the business name, they decided it was not signage, but stated that printing of the letters could be removed from the funding request at the request of the board.

Sarah motioned to approve this item, seconded by Matt. Unanimously approved.

### 4. Old Business

### 5. Public Comments

Paul Reichert from Prospera introduced himself as a resource to the URA for business development and community development. He stated there is a grant available through the US Economic Development Administration that could potentially help Park County with economic development and staff capacity.

Julie asked if they had any projects they are doing in Livingston currently.

Paul stated they are doing monthly in-person business counselling, and they do periodic work in Livingston.

### 6. Board Comments

Matt stated he is excited to be on the board.

Sarah asked for the Enhancement Program Guidelines to be fixed on the website. She asked for an update on the URA plan development.

The City Manager stated it be before the City Commission on 5/3/26 and will go from there. He stated he thinks it is likely to begin in August or September. He stated that Planning Director Severson will transition into a more prominent role with the URA. He stated the City is still moving forward with an update to the City website.

Melissa stated she is excited about a new website.

### 7. Adjournment

4:55pm Matt motioned to adjourn, seconded by Sarah. Unanimously approved.

**File Attachments for Item:**

**A. EMPIRE THEATER APARTMENT ADDITIONAL GRANT FUNDS REQUESTED**



Date: May 26, 2026  
To: URA Board Members  
From: Jennifer Severson, Planning Director

### **Residential Rehabilitation Grant Application**

#### **Additional Funding Request for Empire Theater Apartment**

#### **Recommendation and Summary**

Staff recommends the Board approve this application for an additional **\$4,730** in Residential Rehabilitation Grant funds for the creation of a new residential apartment on the second floor of the Empire Theater building. This is in addition to initial grant funds in the amount of \$33,247 that were awarded for the project at the March 24, 2026 URA meeting.

If desired, the Board may use the following motion to approve the grant:

**"I move to approve additional residential rehabilitation grant funds for the Empire Theater Residential Apartment in the amount of \$4,730, based on final project cost."**

The reasons for the recommendation are as follows:

- The final project costs incurred by the applicant totaled \$75,954; this is \$9,100 above the estimated project cost of \$66,853 for which the grant was awarded
- 50% of the additional \$9,100 project costs for the completed project = \$4,550
- The initial funding award of \$33,247 was less than 50% of the \$66,853 estimated project costs. Staff's recommended motion in the Staff Report for the initial funding (Attachment A) was for \$33,247, not \$33,427 (a difference of \$180)
- \$4,550 (50% of additional project costs incurred) + \$180 (not included in original grant award) = **\$4,730**

## Introduction and History

The URA adopted guidelines for a Downtown Enhancement Grant Program in July 2023 to provide resources to encourage the rehabilitation or development of new residential spaces within the Livingston Urban Renewal District. The owners of the Empire Theater building have converted the former manager's office on the second floor of the historic Empire Theatre in downtown Livingston into a code-compliant, two-bedroom residential apartment for the long-term rental market. This newly created second floor apartment offers convenient workforce housing in downtown Livingston.

## Analysis

Initial cost estimates for the project included \$66,853 for new electrical and plumbing, new interior walls and hallway improvements, and replacement of four windows. As is typical with renovation projects in older buildings like the Empire Theater, additional costs were incurred once the project was underway. The final project costs totaled \$75,954, which is \$9,100 above the initial costs estimates for the project.

Below are the final paid expenses for the project, as shown in the attached vendor receipts (Attachment B), and the amount by which each exceeded the original cost estimates for the project:

- Poor Boyz Construction Contractor - \$59,000 (\$3,500 above initial cost estimate)
- Lake Glass Windows - \$11,352.68 (no additional cost)
- Fred's Appliances - \$5,600.90 (all new costs, these were not included in the initial cost estimate)

## Fiscal Impact

The additional \$4,730 in requested funding will result in a total residential rehabilitation grant award of \$37,977 for the project.

## Strategic Alignment

The application supports the Urban Renewal Plan, which states "where suitable, property owners should be encouraged to consider redevelopment of upper level residential spaces". The project also supports workforce housing recommendations in the Downtown Master Plan.

## Attachments

- A: Staff Report submitted for Initial Funding Request
- B: Vendor Receipts for Completed Project



Date: March 24, 2026  
To: URA Board Members  
From: Jennifer Severson, Planning Director

**Residential Rehabilitation Grant Application**

**Recommendation and Summary**

Staff recommends the Board approve this application for Residential Rehabilitation Grant funding for the creation of a new residential apartment on the second floor of the Empire Theater building by awarding a grant not to exceed \$33,427 for materials, labor and additional improvements required by the building code. If desired, the Board may use the following motion to approve the grant:

"I move to approve a residential rehabilitation grant for the Empire Theater not to exceed \$33,247"

*this amount should have been \$33,427*

The reasons for the transmittal are as follows:

- The project complies with the grant guidelines.
- The project will convert an underutilized upper-level space within the City's Downtown and Urban Renewal District to productive residential use while improving safety, function, and long-term durability of the unit.

**Introduction and History**

The URA adopted guidelines for a Downtown Enhancement Grant Program in July 2023 (Attachment B) to provide resources to encourage the rehabilitation or development of new residential spaces within the Livingston Urban Renewal District. The owners of the Empire Theater building wish to convert the former manager's office on the second floor of the historic Empire Theatre in downtown Livingston into a code-compliant, two-bedroom residential apartment for the long-term rental market. As noted in the City's adopted Downtown Master Plan, "The City would benefit from increased housing options in Downtown that are affordable to the city's workforce." This proposed second floor apartment will offer a convenient housing opportunity to support the creation of workforce housing downtown.

**Analysis**

As stated in the grant guidelines, awarded funds may be used for improvements including, but not limited to: Access; Development Impact Fees; Down payments for loans; Interior Improvements; Heating and Air Conditioning Systems; Life-safety Systems; Structural Improvements; and Utility Connection Costs. Estimated costs for the project included in the grant application total \$66,853 for new electrical and plumbing, new interior walls and hallway improvements, and replacement of four windows. The applicant requests an award of \$33,427, which is 50% of the total estimated project costs.

The project includes exterior modifications (new windows) on a building located within the City's Downtown Historic District. Staff conducted a Historic Design Review of the project and approved the use of wood-clad, one-over-one windows as shown in the grant application.

**Fiscal Impact**

The grant request is for reimbursement of up to 50% of project costs, or \$33,427, to be based on actual costs incurred for the project and to be reimbursed after project completion.

**Strategic Alignment**

The application supports the Urban Renewal Plan, which states "where suitable, property owners should be encouraged to consider redevelopment of upper level residential spaces". The project also supports workforce housing recommendations in the Downtown Master Plan.

**Attachments**

- A: Grant Application
- B: URA Residential Rehabilitation Grant Program Guidelines



# Invoice 10

Invoice no.: 262  
Invoice date: Feb 20, 2026  
Due: May 1, 2026

**From**  
**Poor Boyz Construction**

56 McNiven Rd Livingston , MT

**Bill to**  
**Livingston Preservation Bros Properties**

andrew@beaconstreetstudios.com  
401 N Church Bozeman , MT

DESCRIPTION	RATE, USD	QTY	AMOUNT, USD
Construction Framing + labor	12,000.00	1.00	12,000.00
Electrical Demo existing electrical. Add sub panel. Wire, lighting, outlets, switches	10,500.00	1.00	10,500.00
Plumbing Demo existing plumbing. Run new hot and cold pex, fittings, stops, laundry box, water heater, pvc drains and traps, kitchen sink and faucet.	8,500.00	1.00	8,500.00
Install flooring in laundry room	850.00	1.00	850.00
Demo existing walls and ceilings + dump fees	3,000.00	1.00	3,000.00
Hang sheet rock Plus tape and texture	8,500.00	1.00	8,500.00
kitchen cabinets + installation labor	4,000.00	1.00	4,000.00
Kitchen flooring Match existing floors	650.00	1.00	650.00
Prep and paint Ceilings and walls in bedrooms, dining room/ kitchen, family room and laundry	2,500.00	1.00	2,500.00
Install new baseboard and door trim	3,500.00	1.00	3,500.00

DESCRIPTION	RATE, USD	QTY	AMOUNT
Butcher Block Countertops 25"x 8' 25" x 10' Installed and finished/ labor	1,200.00	1.00	1,200.00
Paint hallway Paint + labor	1,200.00	1.00	1,200.00
Replace ceiling tiles in hallway	500.00	1.00	500.00
Paint baseboards Fill nail holes and paint baseboard trim	1,600.00	1.00	1,600.00
Install appliances	500.00	1.00	500.00

**Total:** \$59,000.00

Amount paid: \$59,000.00

**Balance Due: \$0.00**

Daniel J McKay  
502 Professional Dr

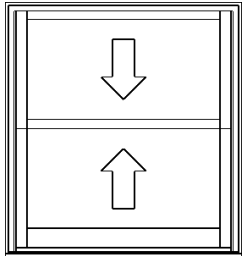
**QUOTE BY :** Daniel McKay  
**SOLD TO :** Empire  
**PO# :**  
**Ship Via :** Ground

**QUOTE # :** JW260200254 - Version 1  
**SHIP TO :**  
**PROJECT NAME:** Empire  
**REFERENCE :**  
**SHGC Weighted Average:** 0.18  
**Weight:** 274.48

**U-Factor Weighted Average:** 0.33  
**Volume:** 56.06

LINE	LOCATION SIZE INFO	BOOK CODE DESCRIPTION	NET UNIT PRICE	QTY	EXTENDED PRICE
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Line 1      single hung wood  
RO Size : 54 3/4 X 58 3/4

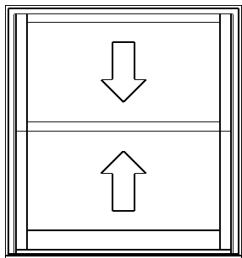


Viewed from Exterior. Scale: 1/2" = 1'

Frame Size : 54 X 58  
(Outside Casing Size: 54 X 58)  
Custom Epic Clad Double Hung, Auralast Pine, Chestnut Bronze Exterior-AAMA 2605 Finish, Interior-Paint Perfect White/M64EXW31123, Nail Flange, No Sill Nosing, Standard DripCap, 6 11/16 Jamb, 5/4 JE - 5/4 Reveal Thick, Standard Double Hung, White Jambliner, White Hardware, Sash Lock(s), With Finger Lifts, US National-WDMA/ASTM, PG 50, Insulated SunResist Annealed Glass, Neat, Protective Film, Black Spacer, High Altitude, Traditional Glz Bd, UltraVue Mesh Brilliant White Screen, IGThick=0.756(1/8 / 1/8), U-Factor: 0.33, SHGC: 0.18, VLT: 0.40, CPD: JEL-N-789-01800-00001 PEV 2026.1.0.5441/PDV 8.284 (03/05/26)PW

\$2,818.44      1      \$2,818.44

Line 2      single hung wood  
RO Size : 54 3/4 X 58 3/4

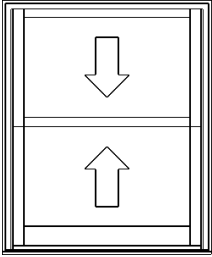


Viewed from Exterior. Scale: 1/2" = 1'

Frame Size : 54 X 58  
(Outside Casing Size: 54 X 58)  
Custom Epic Clad Double Hung, Auralast Pine, Chestnut Bronze Exterior-AAMA 2605 Finish, Interior-Paint Perfect White/M64EXW31123, Nail Flange, No Sill Nosing, Standard DripCap, 6 11/16 Jamb, 5/4 JE - 5/4 Reveal Thick, Standard Double Hung, White Jambliner, White Hardware, Sash Lock(s), With Finger Lifts, US National-WDMA/ASTM, PG 50, Insulated SunResist Annealed Glass, Neat, Protective Film, Black Spacer, High Altitude, Traditional Glz Bd, UltraVue Mesh Brilliant White Screen, IGThick=0.756(1/8 / 1/8), U-Factor: 0.33, SHGC: 0.18, VLT: 0.40, CPD: JEL-N-789-01800-00001 PEV 2026.1.0.5441/PDV 8.284 (03/05/26)PW

\$2,818.44      1      \$2,818.44

LINE	LOCATION SIZE INFO	BOOK CODE DESCRIPTION	NET UNIT PRICE	QTY	EXTEND PRICE
Line 3	singe hung wood RO Size : 48 3/4 X 58 3/4	Frame Size : 48 X 58 (Outside Casing Size: 48 X 58) Custom Epic Clad Double Hung, Auralast Pine, Chestnut Bronze Exterior-AAMA 2605 Finish, Interior-Paint Perfect White/M64EXW31123, Nail Flange, No Sill Nosing, Standard DripCap, 6 11/16 Jamb, 5/4 JE - 5/4 Reveal Thick, Standard Double Hung, White Jambliner, White Hardware, Sash Lock(s), With Finger Lifts, US National-WDMA/ASTM, PG 50, Insulated SunResist Annealed Glass, Neat, Protective Film, Black Spacer, High Altitude, Traditional Glz Bd, UltraVue Mesh Brilliant White Screen, IGThick=0.756(1/8 / 1/8), U-Factor: 0.33, SHGC: 0.18, VLT: 0.40, CPD: JEL-N-789-01800-00001 PEV 2026.1.0.5441/PDV 8.284 (03/05/26)PW	\$2,818.44	2	\$5,636.88



Viewed from Exterior. Scale: 1/2" =1'

<b>Total:</b>	\$11,273.76
<b>Tariff Surcharge:</b>	\$78.92
<b>Net Total:</b>	\$11,352.68
<b>Total Units:</b>	4

**AuraLast** Protect yourself when you choose JELD-WEN AuraLast pine products backed by a limited lifetime warranty against wood rot and termite damage.

Note: It is the responsibility of the Builder/Purchaser to ensure that all windows and doors in the quote above are in accordance with, but not limited to, the following: 1. All current Zoning requirements. 2. All current Fire Regulations. 3. All current Building Standard Regulations, including, but not limited to, the Local Building code. 4. All quantities 5. Accurate handing and tempering Order accuracy is the responsibility of the architect, builder, and homeowner.



# Order

Scheduled: Monday 05/04/26

Number **04186025**

1934 N 19th  
Bozeman, MT 59718  
Phone: (406) 577-2844

Date **04/18/2026**

Page **1**

**Sold To:**  
Customer # **3105692026**  
Andrew Feltenstein  
401 North Church  
Bozeman, MT 59715  
Phone: (310) 539-2026

**Ship To:**  
Andrew Feltenstein  
106 North 2nd Street  
Livingston, MT 59047  
Phone: (310) 569-2026

andrew@beaconstreetstudios.com

<b>SalesPerson</b> Michael Hanson	<b>PO Number</b>	<b>Tax Exempt #</b>	<b>Comment</b>
<b>Terms</b> PRE-PAY	<b>Ship Method</b> Delivery		

Qty	Model Number	Model Description	Unit Amount	Extended
1	GRFN2023AF	Frigidaire Gallery 20.0 Cu. Ft. Standard-Depth French Door Refrigerator Allo/SOLD: GRFN2023AF / 1K51378250 Loc: '1221'	\$1,299.99	\$1,299.99
1	GCRE3060BF	ELECTRIC RANGE Allo/SOLD: GCRE3060BF / VF55051655 Loc: '1220'	\$849.00	\$849.00
1	LDNPH654S	LG DISHWASHER Fred's Doesnt install Dishwashers Allo/SOLD: LDNPH654S / 601DWCV1B699 Loc: '1220'	\$869.00	\$869.00
1	DISHWASHER KIT	STANDARD DISHWASHER KIT	\$29.98	\$29.98
1	JVM6175YKFS	GE OVER-THE-RANGE MICROWAVE/HOOD 1.7 Fred's doesnt install over the range Microwaves Allo/SOLD: JVM6175YKFS / SMAD202691L Loc: '1220'	\$340.00	\$340.00
1	GFW655SSVWW	GE FRONT LOAD WASHER, STEAM, WHITE Allo/SOLD: GFW655SSVWW / SNDA364312N Loc: '1220'	\$849.00	\$849.00
1	EW5-MT	5 YEAR PROTECTION PLAN	\$499.00	\$499.00
1	GE EW5 REBATE	GE EW5 REBATE	(\$199.00)	(\$199.00)
1	WASHER HOSE SS	2 STAINLESS STEEL WASHER HOSE	\$29.98	\$29.98
1	GFD65ESSVWW	DRYER ELECTRIC Allo/SOLD: GFD65ESSVWW / SETA237870G Loc: '1220'	\$849.00	\$849.00
1	DRYER CORD	STANDARD DRYER CORD	\$19.98	\$19.98
1	STEAM KIT SS	BRAIDED STAINLESS STEAM KIT	\$29.00	\$29.00
1	VENTKIT	VENTING KIT 5' VENT AND 2 CLAMPS	\$15.98	\$15.98
1	DEL-MT	DELIVERY-MT	\$99.99	\$99.99
1	DISP-MT	APPLIANCE DISPOSAL FEE	\$20.00	\$20.00

**Summary of Payments**

Continued on page 2

Return Policy: Due to manufacturers policies, Fred's Appliance does not allow returns or refunds. All defects will be fixed per manufactures specifications. Special order items, trim kits and accessories are non-returnable. All cancellations are subject to a 25% restocking fee once the order has been placed with our vendors. NO RETURNS ON HOODS THAT HAVE BEEN INSTALLED, NO RETURNS OF HOODS OR UNDERCOUNTER REFRIGERATION NOT IN ORIGINAL PACKAGING. Orders must be delivered or picked up within 30 days of arrival. WE AGREE AND ACKNOWLEDGE RECEIVING IN GOOD CONDITION THE MERCHANDISE MENTIONED ABOVE. DO NOT SIGN THIS DELIVERY RECEIPT UNLESS YOU HAVE RECEIVED THE ITEM(S) BEING SIGNED FOR AS PER SALES INVOICE.

By signing below I agree to all charges, cancellation and/or restock fees. I also agree to not file a charge-back or dispute without notifying Fred's Appliance ahead of time in writing and allowing for resolution.

BY \_\_\_\_\_ DATE \_\_\_\_\_  
BUYER'S SIGNATURE

**Summary**

Sub Total	\$5,600.90
Taxable Sub Total	\$5,180.91
Tax 0%	\$0.00
Total	\$5,600.90
Total Payments	\$5,600.90
Amount Due	\$0.00
Total Payments	\$5,600.90
Amount Due	\$0.00

PAID



# Order

Scheduled: Monday 05/04/26

Number 04186025

1934 N 19th  
man , MT 59718  
ne: (406) 577-2844

Date 04/18/2026

Page 2

Customer # 3105692026 ~ Andrew Feltenstein

### Summary of Payments (Continued)

Type / Reference	Amount	Applied	Surcharge
Type / Reference	Amount	Applied	Surcharge
04/26 Check	\$5,600.90	\$5,600.90	\$0.00
<b>Total Applied:</b>		<b>\$5,600.90</b>	

**File Attachments for Item:**

**B. DISCUSSION OF FY 26-27 URA BUDGET**



Date: May 26, 2026  
To: URA Board Members  
From: Jennifer Severson, Planning Director

**FY2026-27 Budget and Board Priorities Discussion**

**Introduction and History**

The City of Livingston created an Urban Renewal Plan and Taxing District in 2003. The Urban Renewal Agency is tasked with assisting in the revitalization of the City's Urban Renewal Area (see Attachment A, Map) through administration of the funds collected by the District.

**Programs**

There are currently three distinct grant programs administered by the URA Board that building and business owners located in the URA District are eligible for; these are:

The *Downtown Enhancement Program* is intended to provide a resource to encourage the implementation of the Downtown Master Plan elements. Eligible projects may receive up to 75% of total project costs with a maximum grant amount of \$25,000 per project.

The *Residential Rehabilitation Grant Program* provides a resource to encourage the rehabilitation or development of residential spaces within the Livingston Urban Renewal District. Eligible projects may be awarded a grant for up to 50% of project costs not exceeding \$250,000 per unit.

The *Facade Repair and Renovation Program* provides financial assistance to property owners and/or tenants who desire to repair or rehabilitate the facades of buildings and properties within the District. Eligible projects may be awarded a reimbursement of up to 50% of project costs not exceeding \$100,000, or, up to 100% of project costs not to exceed \$1,000.

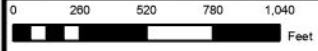
The URA also funds City infrastructure improvement projects throughout the downtown URA area that include water and sewer line replacements, drainage improvements, and street and alley paving projects.


**Anticipated Projects, Programs and Priorities**

The City expects to request additional URA funds for public infrastructure improvements within the downtown in FY2026-27. Discussion with the URA board is necessary to confirm continued grant program funding opportunities and to identify priorities for the board in FY2026-27. In 2024, as part of the Downtown Master Plan process, the project consultants drafted a memo. The City Commission has directed staff to work with the URA Board to update the URA Plan to reflect current priorities and areas of need within the District; the plan was last updated in 2018 (see Attachment B). In 2024, the City adopted a Downtown Master Plan that was largely focused on the URA District. As a result, several recommendations and strategies were identified to broaden the impacts of URA District funds to better foster downtown revitalization (see Attachment C, Downtown Tax Increment District Strategy dated July 2024).

**Attachments**

- A: URA District Boundary Map
- B: 2018 URA Plan
- C: Downtown Tax Increment District Strategy Memo, July 2024



 URA Boundary

# Urban Renewal Agency City of Livingston





**ABSTRACT**

This update and amendment to the City of Livingston’s Urban Renewal Plan, originally adopted in December 2003, is intended to review and update current conditions inside the Urban Renewal District to update the tax increment financing provisions to account for the bonding against the Tax Increment Financing if desired.

**MICHAEL KARDOES**  
City Manager

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Introduction

This Amendment to Urban Renewal Plan (the “Amendment”) is intended to amend and supplement the Livingston Urban Renewal Plan with respect to the Livingston Urban Renewal District (the “Urban Renewal District”) originally adopted by the City Commission (the “City Commission”) of the City of Livingston, Montana (the “City”) on December 10, 2003 (the “Original Urban Renewal Plan” and together with this Amendment, the “Urban Renewal Plan”). The Original Urban Renewal Plan is attached to this Amendment as Exhibit A. This Amendment is intended to update and bring forward the Original Urban Renewal Plan to update the Original Urban Renewal Plan with tax increment eligible urban renewal projects for public improvements authorized under Montana Code Annotated, Section 7-15-4288, as amended. The City, the Livingston Urban Renewal Agency (the “URA”), the City’s Planning Board, Park County (the “County”), and both Elementary School District No. 1 (Livingston), Park County, Montana and High School District No. 1 (Livingston), Park County, Montana (collectively, the “School District”), have had discussions regarding this Amendment and the possibility of the City issuing tax increment revenue bonds (the “TIF Bonds”) payable from tax increments derived from the Urban Renewal District in order to fund all or a portion of the cost of certain tax increment eligible projects described in this Amendment. On November 7th, 2018, the City held a joint public meeting with the County and the School District to discuss their comments to this Amendment and the possible extension of the term of the Urban Renewal District beyond January 15, 2019.

If issued by the City, the TIF Bonds would be issued under the authority granted by Montana Code Annotated, Title 7, Chapter 15, Parts 42 and 43 (the “Urban Renewal Act” or “Urban Renewal Law”). The Original Urban Renewal Plan and Resolution No. 3462 of the City Commission, adopted on December 1, 2003, declared and found that the area of the Urban Renewal District contained “blight” as defined in the Urban Renewal Act and acted as a resolution of necessity for the formation of the Urban Renewal District. This Amendment does not seek to amend or change the boundaries of the Urban Renewal District as described in the Original Urban Renewal Plan.

The Original Urban Renewal Plan was authorized and approved by Ordinance No. 1932, of the City that was effective on January 15, 2004 (“Ordinance 1932”). Prior to consideration of Ordinance 1932, the City Commission, pursuant to Resolution No. 3437, adopted on September 15, 2003, authorized a citizens coordinating committee to conduct a professional study for the purpose of determining if blight existed within the boundaries of the proposed Urban Renewal District (the “Blight Study”). This Amendment is being adopted and approved by the City Commission, after a public hearing, by Ordinance No. \_\_\_\_ (“Ordinance \_\_\_\_”), which amends Ordinance 1932, considered on November 20, 2018 with a second reading on December 4, 2018 and an effective date of January 4, 2019. The effective date of this Amendment is prior to the 15<sup>th</sup> anniversary of the creation of the Urban Renewal District on January 15, 2004. Prior to consideration of Ordinance \_\_\_\_, the City Commission of the City held a public hearing with respect to this Amendment that was noticed by the City as required by Section 7-15-4215 of the Urban Renewal Act.

Prior to consideration and review of this Amendment by the URA and the Planning Board/Commission of the City, the City Commission submitted this Amendment to both the URA and the Planning Board/Commission of the City. Attached to this Amendment as Exhibit B is the recommendation from the URA approved on November 7th, 2018. Attached to this Amendment as Exhibit C is the recommendation from the Planning Board/Commission of the City that recommended this Amendment to the City.

Tax increment from the Urban Renewal District has been used since 2004 to fund various improvements to properties and infrastructure that have been identified as a blighted condition, however, the City and other participants, including the URA and the Planning Board have identified the need (in consultation with the City’s civil engineers) for certain public improvements in the Urban Renewal District that are eligible to be paid from tax increment financing and the proceeds of TIF Bonds. The City currently anticipates issuing the TIF Bonds on or before January 11, 2019.

The City anticipates issuing TIF Bonds to fund all or a portion of the urban renewal projects (“the “Urban Renewal Projects”) identified in Exhibit D to this Amendment. The Urban Renewal Projects identified in Exhibit D to this Amendment are intended to supplement the urban renewal projects identified in the Original Urban Renewal Plan. The Urban Renewal Projects are capital improvement or capital replacement projects that have been identified by the City Commission, after consultation with the City’s civil engineers, as being critical public infrastructure that is necessary to be replaced due to its aging status and being beyond its useful life expectancy. In addition, certain of the Urban Renewal Projects also bring up certain public infrastructure to modern design standards and to comply with the provisions of laws such as the Americans with Disabilities Act.

Since 2004, the population of the City has grown and the demands on the public infrastructure in the Urban Renewal District have increased due to the increased usage with the larger population in the City. Based upon the City’s growth estimates, the population of the City is anticipated to grow to approximately 9500 residents by 2040.

[Review of Chapter 1 of the Original Plan – Implementation](#)

The City’s review of the Background & Statement of Purpose, Boundary Description of Urban Renewal District, Map, and Brief History of Area sections of the Original Urban Renewal Plan have not identified any changes to such sections. The overall purpose and area of the Urban Renewal District remain unchanged.

The most significant aspect of the decision to issue the TIF Bonds and extend the term of the Urban Renewal District is the determination of whether or not the original blight conditions still exist or have been mitigated through the urban renewal projects completed to date. Almost all activity to remediate blight has taken place to address issues in finding (a) of the Blight Study. Therefore, findings (b) through (o) of the Blight Study are assumed to be unchanged. Finding (a) of the Blight Study is related to dilapidated infrastructure including sidewalks, curbs, gutters, alleys, water lines, sewer lines, and building facades. Certain of the infrastructure issues

identified in finding (a) of the Blight Study have been addressed through a facade replacement assistance program and a comprehensive capital plan that included street, sidewalk, and utility replacement. Additionally, a large project assisting in the renovation of an abandoned building on Main Street was completed to reduce blight. While progress has been made in some sections of the Urban Renewal District, only 16% of the desired area has been renovated with public street and utility work. This means that approximately 84% of the Urban Renewal District has not had work completed to update the public street and utilities and associated public improvements. The proposed Urban Renewal Projects identified in Exhibit D to this Amendment are intended to address a portion of the 84% of the Urban Renewal District that has insufficient or aging public street and utility infrastructure. Despite this progress, there is still significant work to do to combat the blight conditions set forth in the findings of the Blight Study. Based upon these items, the City Commission of the City has identified an extension of the Urban Renewal District and the issuance of the TIF Bonds in order to fund the Urban Renewal Projects as an ongoing need of the City.

In addition, Ordinance \_\_\_\_ of the City also found that this Amendment to the Original Urban Renewal Plan is also consistent and conforms with the City’s current Comprehensive Plan and the City’s current Growth Plan.

[Review of Chapter 2 of the Original Plan – Problems & Opportunities](#)

Chapter 2 discusses the issues within the Urban Renewal District at the time of adoption of the Original Urban Renewal Plan and possible programs that could address them. Over the life of the Urban Renewal District, the goals have coalesced into two major themes – street and utility projects and façade improvement projects. This narrowing of scope is appropriate for the financial constraints of the Urban Renewal District due to the amount of tax increment received over the years and have proven to be the main concerns of the property owners within the boundaries of the Urban Renewal District as well as citizens in the City that are not property owners in the boundaries of the Urban Renewal District but utilize the downtown area of the City. Therefore, the proposed issuance of the TIF Bonds to fund all or a portion of one or more street and utility projects that will provide critical public infrastructure is consistent with the goals established at the outset and formation of the Urban Renewal District under the provisions of the Original Urban Renewal Plan. This possible use of tax increment funds is also aligned with the more targeted goals that have been developed by the City, the URA, and the Planning Board/Commission over the last fourteen plus years.

[Review of Chapter 3 – Public Involvement in Urban Renewal](#)

A focus of public involvement in the urban renewal process remains unchanged from the original intent. While the types of tax increment eligible projects that will continue are limited in scope, the execution of these public improvement projects will require significant levels of public input to successfully complete.

Review of Chapter 4 of the Original Plan – Implementation

The City believes that the implementation plan for the Urban Renewal District is sufficient as written. However, City staff has recommended that the City Commission and the URA think of the sections labeled “Annual Program Budget” and “Evaluation” in the Original Urban Renewal Plan as focusing on the narrower scope of public infrastructure projects as discussed in this Amendment and described in the Exhibits attached hereto. As the scope of the project in the Urban Renewal District has been reduced with information relating to realistic revenues derived from the Urban Renewal District that are available to fund all or a portion of eligible projects as set forth in the Urban Renewal Act, the need for a broad annual program review and evaluation of all possibilities is not necessary.

Conclusion

The Original Urban Renewal Plan is largely still valid and applicable to the Urban Renewal District today. While the scope of urban renewal activities in the Urban Renewal District has narrowed, the overall purpose has not changed and activities are still closely aligned with the original goals of the City, the URA, and the Planning Board/Commission for the Urban Renewal District. The issuance of TIF Bonds against the tax increment financing provision of the Original Urban Renewal Plan to fund all or a portion of the cost of the Urban Renewal Projects is consistent with the stated goals of the Original Urban Renewal Plan and will continue to address the issue of blight identified in the Original Urban Renewal Plan and Resolution No. 3462 of the City.

**EXHIBIT A**

**Original Urban Renewal Plan**

# **Livingston**

## **Urban Renewal Plan**

**12/10/2003**

**The Livingston Urban Renewal Study and Draft Urban Renewal Plan are the result of efforts by:**

**Citizens Coordinating Committee;**

Vicki Blakeman	Sally Boe	Mark Bolin	Sue Denison
Bob Ebinger	Cindi Fargo	John Fryer	Steve Golnar
Michelle Goodwine	Dan Kaul	Bobby Parks	Mark Pesa
Joel Reinholz	Victor Robbins	Sarah Sandberg	Carol Schneider
Dana Taylor	Clint Tinsley	Dave Viers	Tom Vincent
Sharon Walker	Jim Walter	Dave Waylander	Carla Pettit

**Livingston City Commission**

Lenny Gregrey	Vicki Blakeman	Michelle Lee
Sheryl Dahl	Bob Ebinger	

**Livingston City Planning Board**

**Technical support**

Cindi Fargo - Alliance Development Corporation- administrative and technical assistance  
 Fred Hall Surveying - legal description  
 Missoula Redevelopment Agency Staff - background information  
 Geoff Badenoch, Ad Hoc Inc. - consulting services  
 Ray Rasker - Sonoran Institute- demographics  
 Tony Ackerman/YCSI – computer troubleshooting

**Interns from MSU;**

Ryan Bergstrom	Bryn Long	Lacy Gray
Dan Jacobs	Faylene Petrick.	

**Livingston City Staff**

<b>City Manager</b> -Steve Golnar	<b>Director of Public Works</b> -Clint Tinsley
<b>City Planner</b> -Jim Woodhull	<b>Administrative Recording Secretary</b> -Pam Payovich
<b>City Attorney</b> -Bruce Becker	<b>Communications Services Coordinator</b> -Peggy Glass
<b>Police Chief</b> -Darren Raney	<b>City County GIS coordinator</b> -Carrie Harrapat
<b>Fire Chief</b> -Jim Mastin	

**Financial Support (to date)**

John Fryer	First Interstate Bank	Livingston Downtown Association
Joe Swindlehurst	Sterling Bank	Park County Board of Realtors
Bank of the Rockies	Livingston Federal Credit Union	
American Bank	Wells Fargo Bank	

**Printing**

First Interstate Bank,	Livingston Federal Credit Union	Crazy Mountain Cabinetry
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**Other Contributions**

Murray Hotel – room donations for consultants  
 Best Western Yellowstone Inn – conference and meeting rooms  
 First Interstate Bank – conference rooms

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## Chapter I -Introduction

### Background & Statement of Purpose

A group of business people, property owners and citizens became concerned about the condition of the Downtown Livingston area and approached the Livingston City Commission about the possibility of creating an urban renewal district. On Sept. 15, 2003, the Livingston City Commission adopted Resolution No. 3437. Through this resolution, the City Commission authorized the Citizens Coordinating Committee to conduct a professional study for the purpose of determining if blight exists within the Downtown Livingston area.

The Study that was conducted revealed that blight exists in the area in accordance with Urban Renewal Law (7-15 Parts 42 & 43 M.C.A.). On December 1, 2003 the City Commission adopted Resolution No.3462 "declaring a blighted area exists within the City of Livingston, Montana" and directed the Citizens Coordinating Committee to complete the preparation of an urban renewal plan to address the conditions of blight discussed in the *Livingston Urban Renewal Study*. This Plan is the result of that directive.

An area is determined to be "blighted" if conditions are found which meet definitions set forth in the Urban Renewal Law. The statute declares that prevention and elimination of such areas is of public concern. Even though Urban Renewal Law recognizes it is in the public interest to eliminate blight, the blighting conditions that exist are faced most immediately by the citizens who reside, work or own property in the area. The idea that these private interests must be engaged in partnership with the City in order to correct blighting conditions and take advantage of opportunities is the underlying principle guiding this Plan.

### Boundaries, Description and Map of the Urban Renewal District

The boundaries of the District as determined by the City Commission are based on factors including infrastructure conditions, building conditions, transportation corridors, existing and desired land use patterns, incidence of emergency service calls, as well as other considerations.

The proposed Urban Renewal District (District) is approximately 143 acres in size, though a broader district was initially studied. Total acreage in the City of Livingston is approximately 1664 acres. The Urban Renewal District is approximately 9% of the land area of the City of Livingston. The district's infrastructure, streets and buildings were laid out, for the most part, about 100 years ago. The area's features have taken shape based on the predominant modes of transportation at the time of the town's founding: rail, horse and foot. Park Street (Highway 89/10), Main Street, and the rail lines of Burlington Northern/Montana Rail Link are transportation corridors that shape the district, and just beyond the district lies Interstate 90. The Yellowstone River and Absarokee Mountains are the dominant landscape features. Platting of land and land use, access, traffic and circulation, development patterns and a host of other aspects of the plan area are defined by these features.

The legal description of the Urban Renewal District is as follows:

Urban Renewal District; being portions the Original Townsite of Livingston, all of the Sacajawea Park and Miles Park Additions to the City of Livingston, a portion of Certificate of Survey No. 1020, and Tract 1 of Certificate of Survey No. 984, (an unincorporated portion of Park County); located in portions of the NE1/4, SE1/4, SW1/4 and NW1/4 of Section 13, and the NE1/4 and NW1/4 of Section 24, all in Township 2 South, Range 9 East, P.M.M., City of Livingston, Park County, Montana; more particularly described as follows:

Beginning at the intersection of the center lines of E Street and Park Street; thence northerly along an extension of the center line of E Street, across the southerly half of the Burlington Northern Santa Fe (BNSF) Right-of-Way; thence westerly approximately 1,075 feet along the center line of the BNSF Main Line; thence northerly across the northerly half of the BNSF Right-of-Way; thence northerly approximately 144.4 feet along the westerly boundary of Tract A-1 of Certificate of Survey No. 970; thence continuing northerly approximately 255.4 feet across a portion of Tract A-1 of Certificate of Survey No. 970 to the southerly boundary of Chinook Street; thence westerly approximately 22.5 feet along the southerly boundary of Chinook Street; thence northerly along the southerly extension of the center line of B Street to the intersection of B and Chinook Streets; thence westerly along the center line of Chinook Street to the intersection of Chinook and 2<sup>nd</sup> Streets; thence southerly along the center line of 2<sup>nd</sup> Street to the intersection of 2<sup>nd</sup> and Front Streets; thence westerly along the center line of Front Street to the intersection of Front and 8<sup>th</sup> Streets; thence southerly along the southerly extension of 8<sup>th</sup> Street across all of the BNSF Right-of-Way, U.S. Highway 10, Out Lot No. 2 of the Original Townsite, and Park Street to the southerly boundary of Park Street; thence southerly along the center line of 8<sup>th</sup> Street to the intersection of 8<sup>th</sup> and Callender Streets; thence easterly along the center line of Callender Street; thence southerly along the center lines of the center alleys through Blocks 80, 94, 112, and 120 of the Original Townsite to the center line of Butte Street; thence westerly along the center line of Butte Street to the intersection of Butte and Yellowstone Streets; thence southerly along the center line of Yellowstone Street to the north bank of the North Channel of the Yellowstone River; thence southerly along a southerly extension of the center line of Yellowstone Street across the North Channel; thence westerly, southwestly, and southerly along the south bank of the North Channel, said south bank also being the northerly boundaries of the Sacajawea Park Addition; thence easterly along the north bank of the Main Channel of the Yellowstone River, said bank of the Main Channel being the southerly boundaries of the Sacajawea and Miles Parks Additions; thence northerly along the easterly boundary of the NE1/4 of Section 24, said section line also being the easterly boundary of the Miles Park Addition; thence northerly along the easterly boundary of the SE1/4 of Section 13, said section line also being the easterly boundary of the Park High School Tract as shown on Recorder's Plat No. 539; thence continuing northerly along said section line across View Vista Drive; thence continuing northerly along said section line across a portion of Tract 1 of Certificate of Survey No. 1020; thence continuing northerly along said section line along the line common to Tracts 1 and 2 of Certificate of Survey No. 1020 to the south bank of the North Channel; thence continuing northerly along said section line across the North Channel; thence westerly along the north bank of the North Channel to the center line of D

Street; thence northerly along the center line of D Street to the intersection of D and Geyser Streets; thence westerly along the center line of Geyser Street; thence northerly along the center lines of the center alleys through Blocks 109, and 97 of the Original Townsite to the center line of Lewis Street; thence easterly along the center line of Lewis Street to the intersection of Lewis and E Streets; thence northerly along the center line of E Street to the point of beginning.

The following is a map of the Urban Renewal District:



**Brief History of the Area**

Railroad construction in the late 1800’s, the area’s proximity to Yellowstone Park, and ranching and mining opportunities encouraged Livingston’s early economy to thrive. Livingston became a hub of Northern Pacific/Burlington Northern railroad operations, and remained so until 1987. The town continued to grow modestly in the east, north, west and southwesterly directions with growth limited primarily by the Yellowstone River. The pattern of development has remained primarily concentrated along the original transportation corridors. Some development has occurred in the last 25 years farther to the east and west, and along the 89/90 interchange areas. Highway 89 remains a primary corridor to Yellowstone National Park. Development has continued to occur along these corridors, which affects commercial activities within the City limits.

**Findings of Study**

The following findings are taken from the *Livingston Urban Renewal Study*. They are organized according to the factors that define blight under Urban Renewal Law (M.C.A. 7-15-4206).

- (a) the substantial physical dilapidation; deterioration; defective construction, material, and arrangement; and/or age obsolescence of buildings or improvements, whether residential or nonresidential; **physical dilapidation in components of the area’s infrastructure was "substantial". The area is characterized by aging infrastructure, both visual and underground. Sidewalks, curbs, gutters and alley areas are in noticeably deteriorating condition - cracked, broken and spalled. High curb cuts impede safe access. Some absence of sidewalks force pedestrians into the roadway. Basic services of water and wastewater distribution and collection are inadequate and in need of repair, upgrading or replacement. Municipal water services lines are reaching the end of their serviceable life, and in-ground sewer systems are in need of replacement, as are connecting private service lines. Many properties have plumbed roof drains that route storm water unnecessarily into the sewer treatment system. Some buildings lack compliance with current fire and life safety codes and several properties suffer from deferred maintenance and upkeep. Some upper floor spaces are vacant or underutilized. Access to most of these upper floor spaces is limited. Aging public and private properties, insufficient maintenance, building, fire and life safety codes and ADA compliance, and underutilization contribute to blighting conditions that erode the economic and social base downtown and promote a cycle of disinvestment.**

- (b) inadequate provision for ventilation, light, proper sanitation facilities, or open spaces as determined by competent appraisers on the basis of the building standards of the municipality; **no such appraisal was undertaken and no findings are made.**
- (c) inappropriate or mixed uses of land or buildings; **some examples of inappropriate and mixed uses of land exist in the study area. Where light industrial, and heavier commercial activity occurs immediately adjacent to residential uses, conflicts with noise, parking, deliveries, and employee activity arise. The city’s Comprehensive Plan should address these issues. In addition, this situation should be examined in light of the existing uses and the community’s need for light industrial and heavy commercial business expansion areas in the future. Commercial zoning underlies existing residential uses in established neighborhoods. These single-family neighborhoods are an important part of downtown’s economy and should be maintained. Where these conditions occur, it is recommended that the transition of neighborhoods from residential to commercial not be hastened by any local action, and that the value of these modestly scaled residential structures and neighborhoods be underscored in the comprehensive plan as a desirable component in proximity to the downtown area.**
- (d) high density of population and overcrowding; **according to demographics, population loss, transition and aging has occurred significantly in the last 20 years, with the overall population remaining relatively stable. There is significant aging occurring in the Livingston population, and within the study area. This condition will result in continued increase in emergency service calls. This continued increase in demands for service contributes a blighting influence.**
- (e) defective or inadequate street layout; **there is evidence of inadequate railroad crossing opportunities and related street layout defects which may cause some traffic circulation problems and may be a contributing factor to automobile crashes as identified in the Livingston Transportation Study. This is a blighting influence.**
- (f) faulty lot layout in relation to size, adequacy, accessibility, or usefulness; **the placement of utilities and the narrowness of alleys in relationship to lot layout and lot coverage in the study area contributes to limits in alley usefulness and accessibility. The pattern of subdivision along the railroad tracks on the north side of Park Street and the limited services to those properties render some of the study area less useful and is a contributing factor to blight.**
- (g) excessive land coverage; **excessive land coverage was not examined in the study area.**
- (h) unsanitary or unsafe conditions; **there were a high number of emergency services calls in the Study Area in relation to the rest of the City. Also, lack of provisions for pedestrians, bicyclists and adequate access for those with mobility challenges can lead to unsafe conditions. These factors constitute a blighting influence.**

- (i) deterioration of site; **no glaring examples of deterioration of site were specifically identified.**
- (j) diversity of ownership; **the near singularity of ownership/control of railroad right-of-way creates conditions that impede normal market function, especially with regard to new development, maintenance and services to these properties. Conversely, great diversity in ownership within the study area creates additional challenges to accomplishing its management, improvements and land assemblage. This is a blighting influence.**
- (k) tax or special assessment delinquency exceeding the fair value of the land; **tax records were not reviewed for this type of information.**
- (l) defective or unusual conditions of title; **because of the vast number of properties involved in the Study Area, it was impossible to undertake a determination of whether defective or unusual condition of title exist.**
- (m) improper subdivision or obsolete platting; **no such conditions were examined.**
- (n) the existence of conditions which endanger life or property by fire or other causes; **fire and emergency service call data received suggests that the Study Area has a proportionately higher share of such incidences than that of the City as a whole. The study area encompasses 9% of the surface area of the city of Livingston, but has 25% of the service calls. This factor is a blighting influence.**
- (o) any combination of the factors listed in this subsection.

## **Chapter II - Problems & Opportunities (Policies and Goals)**

### **Comprehensive Plan**

It should be recognized that the Livingston Comprehensive Plan might change during the life of the Urban Renewal Plan (URP). The Comprehensive Plan is currently undergoing update per Montana State Law. Conversely, opportunities may arise in the Livingston Urban Renewal District that would prompt changes in the Comprehensive Plan or zoning. The two plans should inform one another. While the URP does not anticipate specific amendments to the Comprehensive Plan or the zoning code, it would be unreasonable to assume that over the course of 15 years opportunities would not arise requiring such changes or making such changes desirable. The URP and projects that may arise pursuant to carrying it out that require changes in either zoning or comprehensive land use planning will be required to follow whatever requirements exist at that time for such amendments or variances prior to being approved or funded by the Livingston Urban Renewal Agency.

Policies and Goals can be guided by the Livingston Comprehensive Plan, the Urban Design Plan and the Patterns Study and other planning documents listed in the Urban Renewal Study. These policies and goals may provide guidance for decisions related to, but not limited to:

- Infrastructure
- Transportation
- Design
- Access
- Public Safety
- Historic Preservation
- Open Space
- Public Art
- Landscaping

**Infrastructure**

A community’s infrastructure is its collective solution to the problem of efficient movement of pedestrians, vehicles and other public services such as water and wastewater management. Failure to maintain and improve public infrastructure is a major disincentive to private investment and reinvestment. It stands to reason that the private sector will not invest in an area that does not command attention and investment by the public sector. Therefore, the Livingston Urban Renewal Plan envisions the creation of ongoing public/private partnerships that will enhance public infrastructure as a redevelopment strategy. Moreover, where public/private partnerships with the federal government, the State of Montana, Park County, the City of Livingston or other public entities may be formed to efficiently and economically improve or expand the ability of the public infrastructure to serve the community, those partnerships should be made.

Among the strategies deserving consideration are the following:

- A program that coordinates planned public improvements to sidewalks, curbs, gutters and alleys with remedial actions by private property owners is needed to assure that the community’s most basic infrastructure is properly maintained. At the same time it is important to remain mindful of the significant costs to private property owners involved and consider appropriate financing mechanisms.
- Replacement of public and private service lines should occur at such time as the alleys are reconstructed or when incidents of system failure occur.
- Rerouting of storm water runoff from roof drains is recommended to eliminate excessive burden on the sanitary sewer system and reduce infiltration of storm water into the sewage treatment system, thereby reducing the cost of municipal wastewater treatment.
- At such time as the alleys in which the public and private water mains and service lines are located are reconstructed, both the mains and services should be replaced as needed. In addition, serious consideration should be given to providing adequate water service to

pressurize fire suppression systems to protect the lives and properties in the district, especially those properties that are in violation of building, fire and life safety codes.

- Appropriate, adequate lighting is recommended as an essential public amenity which will provide security for both people and property, improvement of pedestrian access and to extend the amount of time people are willing to spend in an area, during hours of darkness, on any given evening.
- Infrastructure design should be improved to be consistent with the standards created pursuant to the Americans with Disabilities Act (ADA). The ADA provides accessibility standards for citizens who are mobility challenged. The nearly total lack of ramps at street corners in the portions of the study area with sidewalks should be remedied. Barriers that impede access to Downtown buildings, walkways and facilities are specifically identified by the ADA as unacceptable and should be corrected. Barriers such as sidewalks with uncommonly high street-to-sidewalk elevation changes should be eliminated. Where sidewalks are absent, construction of paths or sidewalks should take place to get pedestrians out of the roadway and onto safe routes. The ADA addresses other situations, such as visual impairments, which should be considered when making improvements under this Plan.
- There is evidence that several sidewalks in the study area cover underground vaults. When these sidewalks over vaults deteriorate enough, a structural failure to the public right-of-way will occur. Death or serious injury could result, so this hazard that should be anticipated and a program developed to address it. Historic elements such as signs cast in the concrete have been identified in other studies as historically significant and those elements add to the character and value of the Study area. Where those artifacts can be preserved or incorporated in new sidewalks, consideration should be given to doing so.
- Historically, sidewalks are the legal responsibility of the adjoining property owner. Typically rehabilitation and renovation of structures creates a good opportunity to address sidewalk replacement. New entrances, rehabilitation of walls or display space, for example, may be benefited by new sidewalks. Completing the sidewalk work at the same time as other renovations are made will reduce disruption to the businesses and likely provide economy of scale that will benefit the property owner.
- The deteriorating condition of the public right-of-way, specifically the condition of sidewalks, curbs, and gutters, is a contributing blighting influence in the study area. A program which coordinates planned public improvements with remedial actions by private property owners to correct this situation is needed to assure that the community's most basic infrastructure is properly maintained while, at the same time, remaining mindful of the significant costs to private property owners involved.
- Drainage of storm water and snow melt from streets is a responsibility of the City. Streets that have insufficient slope, or gutters or storm drains in bad condition will reduce the effectiveness of storm water drainage. The effect of this condition is pooled water at

crosswalks and diminished street life cycle as the street surface is subjected to aggravated freeze-thaw cycles.

### **Transportation**

- The *Livingston-Park County Transportation Study* (2000) observed that there was a parking deficiency in the Central Business District (CBD). Moreover, the Study observed that there was an increase in congestion and car crash rate in the study area that may be due to the arrangement of the on-street parking inventory. These parking arrangements may create an unsafe condition and may impede the sound functioning of the CBD and are therefore considered contributing factors of blight. Correcting the problems identified in the Livingston/Park County Transportation Study requires a coordinated approach that, first, deals with unsafe conditions such as deficient street markings, impairment of reasonable sight distances, etc, and second, effectively and efficiently manages existing on-street parking spaces, which will benefit both businesses and shoppers.
- Creation of publicly managed off-street parking facilities should be considered once parking management strategies have maximized the efficient use of existing parking resources.
- As necessary, development or improvement of railroad crossings should be considered to improve safety and circulation.

### **Community Amenities and Public Facilities**

- The Study found that there are ample opportunities for enhancement of parks and riverfront, both in active and passive recreational activities. Public gathering places, either private or public, indoors or out, can be enhanced or developed, as can bike and pedestrian pathways and exercise routes. Facilities for walkers and bikers can be provided.
- Enhancing Main Street to be the corridor to the Yellowstone River is recommended. Identity of areas within the Downtown can be enhanced by the provision of landscape, public art, seating, etc. Replacement of waste receptacles is advised.
- Sacajawea Park is currently undergoing review with respect to flood plain/floodway issues. The City should resolve these issues as aggressively as possible to not only preserve a much-loved and much-used community asset, but to allow it to be improved and expanded for use by present and future generations of Livingston citizens and visitors. Needed improvements to the Park include upgraded power, irrigation, restrooms, and new trees. With proper care and attention, this park could shine like a jewel in the community.
- There are many successful events and activities that are poised to grow and still others proposed for our area, or in the idea stage. While smaller venues exist throughout the

Study area, it is extremely difficult to execute a large-scale special event, or event series. Many opportunities to host events remain unaddressed because venues are inadequate, sound is poor, and parking is unavailable. Existing special events in the community have, for the most part, met or exceeded their capacity. Development of a civic/arts/cultural/recreation complex with facilities for special events, concerts, performances, recreational activities, equestrian and sporting events would provide much needed opportunities to Livingston area residents and promote business growth. In addition, if properly designed, these facilities could be multi-purpose and provide convention and trade show opportunities.

**Commercial Development**

- The District provides a broad mix of commercial, professional, retail and hospitality services to the community. Some regional and national businesses exist as well. Many businesses rely heavily on easy access making available parking, alley access, good signage, lighting and sidewalks extremely important. Connectivity is a major issue for existing and new business. Implementation of this Plan should be undertaken in consideration of the general health of the District’s commercial properties.
- Some façade improvement investments have taken place, and abundant opportunities for investment in downtown façade restoration and building rehabilitation still exist. Where vacant and underutilized space occurs (especially upper floor space) substantial investment opportunity exists. A building or fire code compliance program, with low cost loans, or grants in the form of matching contribution from the Agency would stimulate private investment in existing District programs. In addition, development of low cost financing programs that encourage private rehabilitation of existing structures is recommended. Low cost loans for façade improvements are also recommended.
- The Livingston Downtown Association has recently undertaken a planning process that will move the organization towards management of the Downtown as a business district, with comprehensive attention to organization, promotion, design and economic restructuring, using the Main Street model in its approach. It is recommended that the City adopt a local Main Street Program in partnership with the Livingston Downtown Association.
- Although the Study found no glaring examples of deterioration of site, many structures and improvements are showing signs of age and deferred maintenance. Encouraging and partnering to accomplish “clean and paint days,” neighborhood improvement programs, hazardous materials amnesty days, and other building and property maintenance incentives and activities should be encouraged
- Much of Livingston’s commercial activity is concentrated in the District, however development spreads out from the central business district along Park Street. It is recommended that the community consider the committed lands concepts and promote infill development and redevelopment within the District. Many towns are now considering how they wish to shape their community in the face of issues such as

potential big box development, the prevention of, or remedy to sprawl, the proliferation of signage, management of growth and other development related issues. It is recommended the community engage in earnest discussion on these important topics and develop policies and programs that encourage sound use of existing and planned public infrastructure and other resources. By focusing public policy on redevelopment strategies contained in this Plan, many of the ills that come from both growth and deterioration can be addressed.

**Residential Development**

- Livingston is experiencing a change in demographics to an increasingly older population with a need for housing with convenient access by all modes of transportation to shopping, recreational opportunities, and personal services. In addition, the need for assistance to elderly and low/moderate income households is currently being addressed by several other agencies. However, forming partnerships with other departments and agencies to accelerate this effort can be part of urban renewal efforts.
- Suitable planning and consideration should be undertaken to prevent incongruous development adjacent to neighborhoods, continued conversion of neighborhood homes to commercial establishments, and increased commercial traffic circulation within the neighborhood. Where live/work situations are desirable and do not detract from residential neighborhoods, they should be encouraged.
- Where suitable, property owners should be encouraged to consider redevelopment of upper level residential spaces. Many of these units would make a useful, affordable housing alternative.

**Other Lands**

- Bordering the study area and fully surrounded by the City of Livingston is the S Bar S trailer court. This property is not part of the City itself although the prospect of annexation into the City is under discussion. The S Bar S provides housing for some of Livingston’s lowest income residents and seniors. As a neighborhood, S Bar S lacks much of the typical public municipal infrastructure such as streets, sidewalks, curbs and gutters within its boundaries. Also it is served by City water and sewer service, but is probably inadequate for any future development. The S Bar S is also subject to an inordinately high proportion of calls to the Park County Sheriff’s office. It is clear that if the S Bar S property is annexed, the City will be annexing a neighborhood adjacent to the study area that clearly meets the statutory definition of blight. Once this area becomes annexed and part of the City of Livingston--now or some time in the future--a service plan to assure the residents that they will receive the benefits offered to all City residents will need to be prepared.

If the S Bar S property is annexed into the City of Livingston, and subsequently redeveloped as something other than housing for low and moderate income citizens,

great care should be taken to consider the housing needs of those who may be displaced. An urban renewal program is a logical place to coordinate consideration of those needs.

**Financing**

- The Agency is authorized to develop financing programs for the redevelopment projects from the City and State of Montana, property tax increments, Special Improvement Districts (SID), interest income, Agency bonds or any other available sources such as gifts and federal grants.
- Tax increment financing will become a major source of funding for redevelopment activities. The implementation of this feature will be in accordance with Title VII, Chapter 15, Part 42, Sections 4282-4292 MCA.
- The Agency will annually develop a program and budget to be reviewed and adopted by the Commission. During this procedure, specific actions will be proposed in detail for community review. This process will allow maximum community input to further the redevelopment interests of the community and to evaluate past actions of the Agency.

**Some examples of Urban Renewal District Goals adopted by other communities:**

- Encourage the continuance of vibrant residential neighborhoods through partnerships with existing agencies taking full advantage of the established network of services targeting residential development.
- Promote commercial development design that considers impacts to the residential neighborhoods.
- Create a vibrant commercial area typified by architectural excellence and neighborhood compatibility.
- Redevelop existing industrial and light industrial areas, when appropriate, to assure the community has adequate opportunity to develop businesses which create jobs and expand and diversify the tax base. Such redevelopment of industrial property should be mindful of community changes over the years and the existence of other uses nearby.
- Consider ways to effectively address commercial/residential interface.
- Preserve and enhance the diversity, integrity, and unique values of the community.
- Create a safe environment in which residents live and work – an environment that is reflective of the values of the community.
- Encourage interesting and innovative design of structures.
- Encourage upgrading and maintenance of private property and structures.
- Encourage development of vacant property in this area to promote infill of the urban core.
- Encourage the appropriate development of vacant and underutilized land where access and public facilities allow.

- Revisit the vision and goals of the Plan at regular intervals in addition to the regular annual review of the Annual Report, Budget and the Capital Improvement Plan.
- Adopt criteria for various areas of commercial/residential interface.
- Adopt a procedure for input by the general public, neighborhood groups and business owners.
- Work with the City and other entities to initiate neighborhood master plans that will include design criteria, zoning, transportation planning, etc.

In addition to policies and goals, an annual work plan with specific projects will be developed to guide the activities of the agency.

### **Chapter III- Public Involvement in Urban Renewal**

This Urban Renewal Plan is to be viewed as a responsive, adaptable document that can accommodate changing conditions, discovery of new information or development opportunities as they may arise. It is envisioned that once the District is in place and before projects are conceived and monies spent, further planning and public involvement including business owners, property owners, neighborhood residents and the general public will take place. Ongoing planning for the District will allow the community to identify priorities based on current information, conditions and opportunities.

### **Chapter IV- Implementation**

#### **Introduction**

The Urban Renewal Plan identifies community attitudes, problems and opportunities and sets a direction for achieving redevelopment of the urban core. After adoption, this document is the official policy guide for public action. These policies can only be transformed into action through an effective implementation. The implementation of community policies will depend on sound processes of administration, financing and evaluation.

#### **Administration**

The Livingston Redevelopment Agency (Agency) is hereby created pursuant to the provisions of 7-15-4232 MCA. The Livingston Redevelopment Agency is responsible for the administration of the redevelopment effort outlined in this Plan under the provisions of Title VII, Chapter 15, Parts 42-43, MCA.

The Livingston Redevelopment Agency may exercise project powers in accordance with 7-15-4233 MCA. Those specific powers are itemized as follows:

- a) to formulate and coordinate a workable program as specified in 7-15-4209 MCA;

- b) to prepare urban renewal plans;
- c) to prepare recommended modifications to an urban renewal project plan;
- d) to undertake and carry out urban renewal projects as required by the local governing body;
- e) to make and execute contracts as specified in 7-15-4251, 7-15-4255, 7-15-4281, MCA, with the exception of contracts for the purchase and sale of real or personal property;
- f) to disseminate blight clearance and urban renewal information;
- g) to exercise the powers prescribed by 7-15-4255, MCA, except the power to agree to conditions for federal financial assistance and imposed pursuant to federal law relating to salaries and wages shall be reserved to the local governing body;
- h) to enter any building or property in any urban renewal area in order to make surveys and appraisals in the manner specified in 70-15-4257, MCA;
- i) to improve, clear, or prepare for redevelopment any real or personal property in an urban renewal area;
- j) to insure real or personal property as provided in 7-15-4258, MCA;
- k) to effectuate the plans provided for in 7-15-4254, MCA;
- l) to prepare plans for the relocation of families displaced from an urban renewal area and to coordinate public and private agencies in such relocation;
- m) to prepare plans for carrying out a program of voluntary or compulsory repair or rehabilitation of buildings and improvements;
- n) to conduct appraisals, title searches, surveys, studies, and other preliminary plans and work necessary to prepare for the undertaking of urban renewal projects;
- o) to negotiate for the acquisition of land;
- p) to study the closing, vacating, planning or re-planning of streets, roads, sidewalks, ways or other places and to make recommendations with respect thereto;
- q) to organize, coordinate and direct the administration of the provisions of this part and part 43;
- r) to perform such duties as the local governing body may direct so as to make the necessary arrangements for the exercise of the powers and performance of the duties and responsibilities entrusted to the local governing body.

Any powers granted in this part or part 43 that are not enumerated above as powers of the Livingston Redevelopment Agency may only be exercised by the local governing body or other officers, boards, and commissions as provided under existing law. The provisions of this Plan or other documents entered into pursuant to this Plan may also be enforced by court litigation instituted by the Agency with the consent of the City Commission or by the City. Such remedies may include, but are not limited to, specific performance, damages, reentry, injunctions or any other remedies appropriate to the purposes of this Plan. In addition, any recorded provisions that are expressly for the benefit of owners of property in the Project area may be enforced by such owners.

In accordance with 7-15-4234 MCA, The Livingston City Commission shall appoint a board of commissioners to administer the Livingston Redevelopment Agency.

**Agency Financial Transactions**

The funds of the Livingston Redevelopment Agency derived from the tax increment provision, as well as any other funds acquired by the Agency, shall be held in trust for the Agency by the City of Livingston Treasurer in accordance with provisions in 7-15-4286 (2) (a) MCA.

Expenditures of the Livingston Redevelopment Agency shall be made in accordance with the procedures established by the City of Livingston with respect to claims made against, and paid by, the City of Livingston.

**Agency Staff**

Consistent with the provisions of 7-15-4239 MCA, the Agency may employ the necessary technical experts and other such agents and employees, as are required. Employees hired by the Agency shall be considered City of Livingston employees and shall be covered by the same work rules, rights, duties, privileges, and obligations of such employees. The cost of their employment, unless otherwise provided, shall be borne by Agency.

**Annual Program Budget**

The Agency shall prepare an annual work program and budget that will list the activities and costs of activities for the coming fiscal year, as well as the method of financing those activities. This program and budget may be amended during the course of the fiscal year, in light of funding and program changes. All budgets and revised budgets shall be reviewed and approved by the City of Livingston, and administered in accordance with City policies.

**Annual Independent Audit**

The Agency shall cause to be performed an annual independent audit covering the operations of the Agency in carrying out this Plan.

The first such audit shall occur within ninety (90) days of the close of the first fiscal year following the City Commission’s adoption of this Plan. The audit shall occur as a component of the City of Livingston’s annual audit.

All such annual independent audits shall be maintained as a part of the public records of the City of Livingston.

**Evaluation**

The Livingston Redevelopment Agency shall provide to the City Commission and the public an annual program evaluation as part of the Annual Report. Such evaluation shall review the Urban Renewal District Plan and the past annual work program.

**Amendment**

The Livingston Urban Renewal Plan may be amended in accordance with Montana statute. In addition, changes to the land use element shall be made consistent with Livingston zoning regulations.

The City Commission may modify and amend the Plan, including modifications and amendments to designate and approve urban renewal projects to be undertaken pursuant thereto, by enacting an ordinance providing for and setting forth the modification and amendment. No such ordinance shall be adopted until after a public hearing has been conducted thereon and notice of said hearing has been given in accordance with State Law.

If the modification or amendment involves the addition or deletion of land from the District, mailed notice shall be given to all persons owning property to be added or deleted at the time and the manner provided by Section 7-15-4215 (1), MCA. All notices shall provide the information regarding the modification required by Section 7015-4215 (1), MCA. Nothing herein shall limit or affect the authority of the Agency to undertake and carry out renewal activities on a yearly basis as provided by Section 7-15-4220, MCA.

**Property Acquisition**

It is contemplated that the Agency will not be purchasing most of the property in the District area, but will be assisting and encouraging public and private entities to eliminate blight or blighting influences and strengthening the City’s economy by developing property in the District area consistent with the Plan.

Except as specifically exempted herein, the Agency may acquire, but is not required to acquire, all real property located in the District area by gift, devise, exchange, purchase, eminent domain or any other means authorized by law.

For the public interest and in order to eliminate the conditions requiring redevelopment and to execute the Plan, it may be necessary, from time to time, for the power of eminent domain to be exercised by the City to acquire real property in the Project area for redevelopment purposes. The power to exercise eminent domain for redevelopment purposes under this Plan is reserved to the City of Livingston.

The Agency shall not acquire interests in oil, gas or other mineral substances more than five hundred (500) feet from the surface nor the right to extract such substances through any opening or penetration for any purpose connected therewith more than five hundred (500) feet from the surface.

The Agency shall not acquire real property to be retained by an owner pursuant to a participation agreement if the owner fully performs under the agreement. The Agency is authorized to acquire structures without acquiring the land upon which those structures are located. The Agency is also authorized to acquire any other interest in real property less than a fee.

The Agency shall not acquire real property on which an existing building is to be continued on its present site and in its present form and use without the consent of the owner, unless (1) such building requires structural alterations, improvements, modernization or rehabilitation; or (2) the site or lot on which the building situated requires modification in size, shape or use; or (3) it is necessary to impose upon such property any of the standards, restrictions and controls of the Plan and the owner fails or refuses to participate in the Plan by executing a participation agreement.

**Acquisition of Personal Property**

In general, personal property shall not be acquired. However, where necessary in the execution of this Plan, the Agency is authorized to acquire personal property in the District by any lawful means.

**Acquisition Governed by Federal, State & Local Law**

Any acquisition of property made under the Plan will be in accordance with appropriate federal, state and local law.

**Participation by Owner & Tenants**

Opportunities for Owner and Tenant Participation

The Agency may extend preferences to persons who are engaged in business in the District to reenter in business within the District if they otherwise meet the requirements prescribed by the Plan. The Agency may also extend preference to other owners and tenants in the District if they otherwise meet the requirements prescribed by the Plan. The Agency is authorized to permit business, residential, institutional and semi-public owners and tenants, if they so desire, to purchase and develop or re-develop real property in the District.

The Agency is also authorized to permit persons who are owners of residential, business and other types of real property in the District to be given the opportunity to participate in redevelopment by rehabilitation, by retention of improvements, or by new development, by retaining all or a portion of their properties, by acquiring adjacent or other properties from the Agency, and by purchasing other properties in the District.

In the event an owner-participant fails or refuses to rehabilitate or newly develop his real property pursuant to this Plan, the real property or any interest therein may be acquired by the Agency and sold or leased for rehabilitation or development in accordance with this Plan.

If conflicts develop between the desires of participants for particular sites or land uses, the Agency is authorized to establish reasonable priorities and preferences among the owners and tenants and to determine a solution by consideration of such factors as: length of time in the area, accommodation of as many participants as possible, ability to perform and conformity with intent and purpose of this Plan.

In addition to opportunities for participation by individual persons and firms, participation to the extent feasible shall be available for two or more persons, firms or institutions, to join together in partnerships, corporations or other joint entities.

Participation by as many businesses, residents, property owners and tenants as possible is desired in the redevelopment of the District. Participation opportunities shall necessarily be subject to and limited by such factors as the expansion of public facilities, elimination and changing of land uses, realignment of streets, the ability of owners to finance acquisition and development in accordance with the Plan, any reduction in the total number of individual parcels in the District, and assembly and development of areas for public and/or private development in accordance with this Plan.

Participation Agreements

Subject to the provisions below (Determination of Conformance), each person desiring to become a participant shall enter into a binding agreement with the Agency by which the participant agrees to rehabilitate, develop or use the property in conformance with the Plan and to be subject to the provisions thereof. In such agreements, participants who retain real property shall be required to join in the recordation of such documents as are necessary to make the provisions of this Plan applicable to their properties.

Whether or not a participant enters into a participation agreement with the Agency, the provisions of this Plan are applicable to all public and private property in the District.

Determination of Conformance

The District is large and contains many parcels of real property. As a result there is a need to simplify the availability of participation opportunities. Therefore, as an alternative to requiring a participation agreement for each property not to be purchased or subject to Agency acquisition by eminent domain, the Agency is authorized to make determinations of those properties that conform to the Plan. The Agency shall, in good faith, review the property contained in the Project area and issue Certificates of Conformance to qualifying properties when requested by the Owner of the property as soon as possible consistent with the redevelopment permitted by this Plan and specific designs for development adopted by the Agency pursuant to this Plan.

The Agency is authorized to enter into participation agreements regarding properties not purchased or not to be purchased by eminent domain by the Agency and not included in any Agency Determination of Conformance.

**Cooperation with Public Bodies**

Certain public bodies are authorized by state law to aid and cooperate, with or without consideration, in the Planning, undertaking, construction or operation of this Project. The Agency shall seek the aid and cooperation of such public bodies and shall attempt to coordinate this Plan with the activities of such public bodies in order to accomplish the

purposes of redevelopment and the highest public good. The Agency shall follow discretionary procedures in place in the City of Livingston. A Redevelopment Agency Board Member shall be designated to act in an advisory capacity to the City Planning Board.

The Agency, by law, is authorized to acquire real property owned by public bodies with the consent of such public bodies. The Agency, however, will seek the cooperation of all public bodies that own or intend to acquire property in the District. The Agency shall impose on all public bodies planning and design controls, as it may from time to time adopt, to ensure that present uses and any future development by public bodies will conform to the requirements and objectives of this Plan. Any public body that owns or leases property in the District will be afforded all the privileges of owner and tenant participation if such public body is willing to enter into a participation agreement with the Agency.

**Relocation of Persons Displaced by the Urban Renewal Plan**

Assistance in Finding Other Locations

The Agency shall assist all persons (including families, business concerns, and others) displaced by Agency acquisition of property in the District in finding other locations and facilities and shall pay relocation payments in accordance with the City of Livingston policy unless otherwise required by state or federal law.

**Demolition, Clearance, Public Improvements, Building and Site Preparation**

Demolition, Removal and Clearance

The Agency is authorized to demolish, remove and clear buildings, in whole or in part, structures and other improvements from any real property in the District as necessary to carry out the purposes of this Plan. Proposals for the demolition or removal of any building within the District shall be reviewed by the Historic Preservation Commission and approved by the Livingston City Commission.

Public Improvements, Public Facilities and Public Utilities

The Agency is authorized to install and construct or cause to be installed and constructed the public improvements, public facilities and public utilities (within or outside the District) as appropriate or necessary to carry out the Plan or of benefit to the District. Such improvements, facilities and utilities include, but are not limited to, over or underpasses, bridges, pedestrian walkways, malls, streets, curbs, gutters, sidewalks, street lights, sewers, storm drains, traffic signals, electrical distribution systems, natural gas distribution systems, water distribution systems, parks, plazas, playgrounds, telephone systems, motor vehicle parking facilities, landscaped area, civic buildings, bus or pedestrian shelters and transit facilities. All such public improvements will be undertaken in accordance with the standards, methods and means as permitted by the City of Livingston.

**Preparation of Building Sites**

The Agency is authorized to prepare, or cause to be prepared as building sites, any real property in the District owned or acquired by the Agency or subject to an approved development agreement.

**Rehabilitation and Moving of Structures by the Agency**

Rehabilitation

The Agency is authorized to rehabilitate or to cause to be rehabilitated any building or structure in the District. The Agency is also authorized to advise, encourage and assist in the rehabilitation of property in the District.

Moving of Structures

As necessary or appropriate in carrying out this Plan, the Agency is authorized to move or to cause to be moved any standard or habitable structure or building to a location within or outside the District.

**Property Disposition and Development**

Real Property Disposition

The City or Agency may sell, lease or otherwise transfer real property or any interest therein acquired within the District pursuant to this Plan for residential, recreational, commercial, industrial or other uses or for public use, and may enter into contracts with respect thereto, or may retain such property or interest only for parks and recreation, education, public transportation, public housing, public safety, health, highways, streets and alleys, administrative buildings or civic centers in accordance with the Plan, subject to such covenants, conditions and restrictions, including covenants running with the land, as it may deem to be necessary or desirable to assist in preventing the development or spread of blighted areas or otherwise to carry out the purposes of the Plan. The purchasers or lessees and their successors and assigns shall be obligated to devote such real property only to the uses specified in the Plan and may be obligated to comply with such other requirements as the Agency may determine to be in the public interest, including the obligation to begin, within a reasonable time, any improvements on such real property required by the Plan. Such real property or interest shall be sold, leased, otherwise transferred or retained at not less than its fair value for uses in accordance with the Plan, the Agency shall take into account, and give consideration to the uses provided in such a Plan; the restrictions upon, and the covenants, conditions and obligations assumed by the purchaser or lessee, may provide that such purchaser or lessee shall be without power to sell, lease or otherwise transfer the real property without the prior written consent of the Agency until he has completed the construction of any and all improvements which he has obligated himself to construct thereon. Real property acquired by the Agency which, in accordance with the provisions of the Plan, is to be transferred, shall be transferred as rapidly as feasible in the public interest consistent with the

carrying out of the provisions of the Plan. The inclusion restrictions or conditions (including the incorporation by reference therein of the provisions of the Plan or any part thereof) shall not prevent the recording of such contract or conveyance in the land records of the Clerk and Recorder of the County in such manner as to afford actual or constructive notice thereof.

The Agency may dispose of real property in District to private persons only under such reasonable procedures as it shall prescribe or as hereinafter provided. The Agency shall, by public notice by publication once each week for three consecutive weeks in a newspaper having a general circulation in the community, prior to the execution of any contract or deed to sell, lease or otherwise transfer real property and prior to the delivery of any instrument of conveyance with respect thereto under the provisions of this section, invite proposals from and make available all pertinent information to, private redevelopers or any person interested in undertaking to redevelop or rehabilitate a part of the District. Such notice shall identify the area, shall state that such further information as is available may be obtained at such office as shall be designated in said notice. The Agency may accept such proposals as it deems to be in the public interest and in furtherance of the purposes of this act and thereafter, contracts, deeds, leases and other instruments of transfer.

**Actions by the City**

The City shall aid and cooperate with the Agency in carrying out this Plan and shall take all actions necessary to ensure the continued fulfillment of the purposes of this Plan and to prevent the recurrence or spread in the area of conditions causing blight. Actions by the City shall include, but not be limited to the following:

1. Institution and completion of proceedings for opening, closing, vacating, widening or changing the grades of streets, alleys and other public rights-of-way and for other necessary modifications of the streets, the street layout and other public rights-of-way in the District. Such action by the City shall include the requirement of abandonment and relocation by the public utility companies of their operations in public rights-of-way as appropriate to carry out this Plan.
2. Institution and completion of proceedings necessary for changes and improvements in publicly owned utilities within or affecting the District.
3. Revision of zoning within the District utilizing existing City process to permit land uses and development authorized by this Plan.
4. Performance of the above, and of all other functions and services relating to public health, safety and physical development normally rendered in accordance with a schedule which will permit the redevelopment of the District to be commenced and carried to completion without unnecessary delays.
5. The undertaking and completing of any other proceedings necessary to carry out the provisions of this Plan.

**EXHIBIT B**

**Urban Renewal Agency Recommendation November 7th, 2018**

**Minutes for the Livingston Urban Renewal Agency (URA) Joint  
Special Meeting With City Planning Board  
November 7, 2018; Wednesday 5:30 p.m. Community Room**

**AGENDA**

**1. Call to Order – 5:30 pm – called to order by Charlie Eubank, Planning Board**

**Attendance:** Karla Pettit, Bob Ebinger, Kyra Ames, Warren Mabie, Peter Fox, Jim Baerg, Charlie Eubank, Vick Blankenship, Jim Woodhull, Scott Weisbeck, Mike Kardoes, Lisa Harreld, Paige Fetterhoff

**2. Public Comment**

- Jack Luther made comment about legislative initiatives.

**3. Action Item –**

**A.** Urban Renewal Agency – The Urban Renewal Agency (URA) discussed extending the URA beyond original sunset date. Mike Kardoes gave a presentation regarding the current status of the URA as it relates to the Planning Board and future bonding potential. Total revenue for the URA has been about \$800,000 for the 15 years of its existence. The URA was provided with a conservative estimate of future revenue potential. This year URA money was used to assist with funding vaults and money was used for sidewalks. There was some discussion about how much future bonding would be required for debt service, possibly 1.25 %. These issues will be clarified at the next URA meeting. **Ebinger made a motion to approve an update to the URA Plan to allow for bond funding. Pettit seconded. All in favor, motion passed 3-0 (Ebinger, Pettit and Ames).**

**B.** Planning Board - Following the URA vote, the Planning Board discussed their role related to URA future bonding. **Blakeman made a motion that the URA bonding request conforms with Planning Board goals and growth policy. Fox seconded. All in favor, motion passed 6-0 (Weisbeck, Blakeman, Eubanks, Baerg, Fox and Mabie). Blakeman then made a motion to approve the amendment to the URA Plan for approval and pursuit of future bonding. Fox seconded. All in favor, motion approved 6-0 (Weisbeck, Blakeman, Eubanks, Baerg, Fox and Mabie).**

The URA adjourned the joint meeting at 5:55 p.m. The URA will meet November 28, 2018 at 8:30 a.m.

**EXHIBIT C**

**Planning Board/Commission Recommendation**

## MEMORANDUM

To: City of Livingston, Livingston Urban Renewal Agency, and Crescendo Planning + Design

From: Economic & Planning Systems, Inc.

Subject: Downtown Tax Increment District Strategy; EPS #233069

Date: July 23, 2024

*The Economics of Land Use*



The City of Livingston (City) is completing a Downtown Master Plan to provide guidance to efforts in maintaining and improving the public realm and vitality of the area. Businesses in Downtown Livingston are supported through multiple partner organizations. The City’s Urban Renewal Agency (URA) has its only tax increment district within Downtown (Downtown Tax Increment District or Downtown TID or District) that can be a powerful tool to attract investment to the area. The Master Plan process provides the opportunity to develop a more strategic direction for the Downtown TID that aligns with the vision and goals of the Master Plan.

Urban renewal laws in Montana provide for a wide range of potential actions an agency can take in its use of tax increment funds. Urban renewal agencies in Montana currently apply a variety of programs including:

- Large project gap financing/closure
- Streetscape/public realm improvements
- Façade improvements
- Building rehabilitation/code compliance
- Site demolition and clean up
- Land acquisition
- Placemaking improvements/programs
- Incentivizing community benefits, e.g., affordable housing
- Property and business loan funding
- Utility and infrastructure improvements
- Marketing/branding/events

The purpose of this strategy is to identify programs and investments that best fit the needs of Livingston’s Downtown and the financial realities of the district.

*Economic & Planning Systems, Inc.  
730 17th Street, Suite 630  
Denver, CO 80202-3511  
303 623 3557 tel  
303 623 9049 fax*

*Denver  
Los Angeles  
Oakland  
Sacramento*

## **Existing Conditions**

The City and its Urban Renewal Agency created a tax increment district for Downtown in 2003 to support revitalization. Under Montana law, tax increment districts can be created for a period of 15 years and can be extended if blight conditions still exist. The Downtown TID was reauthorized in 2019. The 15-year renewal of the Downtown TID will extend through 2034.

The City of Livingston proposed Fiscal Year 2025 Budget shows an existing fund balance of \$1.85 million for the Downtown Tax Increment District. The tax increment estimated to be generated this coming year is approximately \$944,000 as the property values and investment have grown substantially in recent years.

The FY 2025 Budget calls for the District to expend \$1.8 million in 2025. Most of the expenditures are for capital projects (\$1,340,000) with \$1.27 million dedicated to alley infrastructure improvements for 2<sup>nd</sup> and 3<sup>rd</sup> Streets. There is an additional \$70,000 allocated for capital improvements, \$265,400 in operations, \$159,025 in debt payment on soon to expire bonds, and \$30,000 in other financing uses.

The URA offers two improvement programs using the Downtown TID revenue. The first is a façade improvement grant program that provides a reimbursement of up to 50% of project costs not exceeding \$100,000. One improvement grant is proposed in the 2025 budget. The second program is a new residential redevelopment grant program that is meant to encourage building renovation or new development for residential spaces. Eligible projects may be granted up to 50% of project costs not exceeding \$250,000 per unit. The remaining capital spent using Downtown TID funds is facilitated through discretionary requests to the URA.

## **Agency Vision and Objectives**

Two work sessions were held with the Urban Renewal Agency during the Downtown Master Plan process to help develop a vision for the district and objectives to guide efforts by the URA.

### ***URA Downtown Vision***

URA members provided guidance on their vision for Downtown. They expressed the desire to create an economic environment anchored by local businesses that are supported by an inviting and connected public realm that attracts people to Downtown for a variety of reasons.

### **Objectives**

Areas of focus identified by agency members included addressing parking management, providing more spaces/places for people to gather that are not private restaurants or bars, and activating underutilized spaces. Based on the vision and areas of focus the following objectives were identified.

- Support reinvestment in existing buildings and places
- Attract more people to downtown
- Provide places for people to gather
- Support wayfinding and parking management

### **Master Plan Direction**

The vision and objectives were used to develop Master Plan policies and implementation strategies.

### **Policies**

Economic development policies specific to the Downtown TID were developed for the Master Plan, based on the vision and objectives specified by the URA with input from stakeholders, and are shown below.

- ED-4. Use the powers of the URA and tax increment to support reinvestment in existing buildings, attract people downtown, and provide amenities to support vitality in Downtown.
  - Use tax increment as a funding support tool and not the primary funding source for projects. Set target percentages of total URA funding as a percentage of total project cost.
  - Continue to provide URA grants for façade repair and building renovations that support existing businesses and property owners Downtown.
  - Utilize tax increment funding to support the creation of residential units in Downtown with a focus on existing building rehabilitation and creation of new workforce housing.
  - Utilize a portion of tax increment to support small scale projects that enhance public realm or support creation of public gathering spaces.
  - Consider support for large scale development projects on a case-by-case basis requiring developers prove the project will only occur “but for” inclusion of tax increment. Limit increment invested in projects to amount generated by the project, and to projects that provide a needed community benefit.

### ***Strategy Considerations***

Recommended strategies for consideration to achieve the URA's objectives and policies are provided below.

- Set maximum percentages and/or amounts of total project costs that can come from District funding.
  - The URA has set limits of up to 50% of project costs for its two programs, which is a good best practice to follow to better leverage funds. Consider reducing the percentage contribution for various programs and projects based on need. Programs focused on supporting existing businesses and building owners should provide a greater contribution (e.g., the 50% match for façade grants) with lower percentage contributions for capital projects led by other entities or private development projects.
- Set a target amount of annual funding that the URA would like to expend for programs such as the façade program or residential rehabilitation program. Setting a target can help to provide more predictability to the budgeting process, encourages proactive efforts to seek applicants, and is a benchmark for program viability. A target amount can also help to set limits on projects supported if demand increases.
- Consider revisions to the residential rehabilitation program if no applicants emerge or difficulties with approving projects arise. Consider requirements for affordability at target AMI levels, variable incentive maximums (per unit) for adaptive reuse versus new construction, requiring a statement of need/"but-for", tying/limiting grant funding to the estimated tax increment that would be generated by the project.
  - The maximum grant amount of \$250,000 per unit is a large investment per unit for the URA and is oriented to small scale projects likely created through adaptive reuse. Allowing for a larger contribution for adaptive reuse is a good strategy, however, smaller contributions for new construction should be provided. For comparison, the Bozeman URA provided incentives that totaled between \$7,000 and \$30,000 per unit for new residential projects supported by its Downtown increment district.
  - Many urban renewal agencies/authorities require an applicant to prove that the project would not be viable "but-for" the use of public funding. This requirement will force the applicant to share financial estimates for costs and revenues that show the project need and can help right size incentives. A simpler approach used by some agencies is to cap investment to a percentage of project cost and/or based on specified eligible project improvements.
  - Given that workforce housing has been cited as a major need in the Downtown area, a focused use of funds of units that are affordable to workers based on a specified percentage of AMI may

make sense. Either requiring units that are affordable to AMI levels and/or creating a greater incentive for income restricted units (versus market rate units) can support the use of district funds directly for this community need.

- Consider creating a small-scale, placemaking project fund using a portion of the annual TIF proceeds (*LU-22 in the Downtown Master Plan*). This fund can be used to support activation/beautification efforts, small scale projects, or seed larger projects that enhance the public realm Downtown. Consider dedicating 5 to 10% of the annual increment generated to this fund. The fund can focus on community driven improvements and/or pilot projects that can demonstrate the need for larger capital improvements.
  - Potential near term pilot projects include portions of the proposed 2<sup>nd</sup> Street Promenade and Festival/Greenway Street (*SM-10 in the Downtown Master Plan*).
- Future Potential Strategies
  - Consider strategic land purchases to support development of desired capital improvements and/or support attraction of workforce housing. Evaluate potential to acquire Priority Infill/Redevelopment sites in the Downtown Master Plan if they come available for purchase.
  - Consider bonding a portion of annual TIF revenue over a 3-to-5-year period to allow for the URA to fund/support larger capital improvement projects.

# Livingston DOWNTOWN MASTER PLAN



CRESCENDO

PLANNING + DESIGN



# Public Review Draft



- Posted on the project webpage – [www.downtownlivingston.org/plan](http://www.downtownlivingston.org/plan) – on July 17th.



- *Still subject to change and revision*; a few components flagged as “To Be Updated”

# Public Review Draft

**PUBLIC REVIEW DRAFT COMMENT FORM**

**Share Your Comments on the Public Review Draft of the Downtown Master Plan!**

To review the Public Review Draft of the Downtown Master Plan, click the link here:  
[Public Review Draft Master Plan](#)

During or after your review, if you'd like to provide specific comments on the Draft, select the corresponding section(s) of the Plan below and share your thoughts.

andy@plantocrescendo.com [Switch account](#)

Not shared

What Chapter of the Plan would you like to provide feedback on?

- Choose
- Ch. 1 - Master Plan Introduction (pages 5-22)
- Ch. 2 - Master Plan Framework (pages 23-40)
- Ch. 3 - Implementation Action Plan (pages 41-62)

Clear form

- Soliciting feedback from the public by **Wednesday, August 7<sup>th</sup>**.
  - Updated Draft to be brought to Land Use Board **August 14<sup>th</sup>**.
- Comment Form provided on the webpage -
  - Select the corresponding section/chapter that you'd like to provide comments on, takes user to an open-ended comment prompt by Plan subsection.

# Public Review Draft



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To Be Added

- Organized into 3 Chapters
- Final Plan will include Appendix with Supporting and Technical Documents
  - Community Engagement Catalog
  - Housing Study
  - Parking Study

# Ch. 1 – Master Plan Introduction



A mix of uses in the Downtown core helps to keep the public realm vibrant.



The Yellowstone River, Sacajawea Park & Miles Park are spectacular amenities in the Downtown area.



The Downtown has an already robust emphasis on the arts.

## VISION THEMES

### ESTABLISHING THE CHARGE

Through the wealth of ideas and input gleaned from the various forms of community engagement, a set of common Vision Themes emerged. These Vision Themes, though a higher-level set of ideas, can be thought of as the “charge” that the community has stated for what it would like to achieve for the future of its downtown.

The following five Vision Themes were consistently expressed desires throughout the process regarding the future of Downtown Livingston:

#### Diversify the Mix of Uses in the Downtown

- Serve the daily needs of locals with a variety of uses in the Downtown, while supplementing those uses with authentic interests for visitors.

#### Strengthen Connections to the Wealth of Assets

- Engage the rail history, Yellowstone River & strengthen the gateway relationship to the National Park.

#### Right-Size Parking for Economic Vitality

- Ensure parking supply supports local business needs along with any future redevelopment.

#### Find Opportunities to bring the Parks into Downtown and provide better access from Downtown to the Parks

- Leverage the Downtown’s proximity to National Register of Historic Places amenities Sacajawea and Miles Park, and find ways to extend the beauty of the parks into the Downtown and while providing more comfortable access from Downtown into the parks.

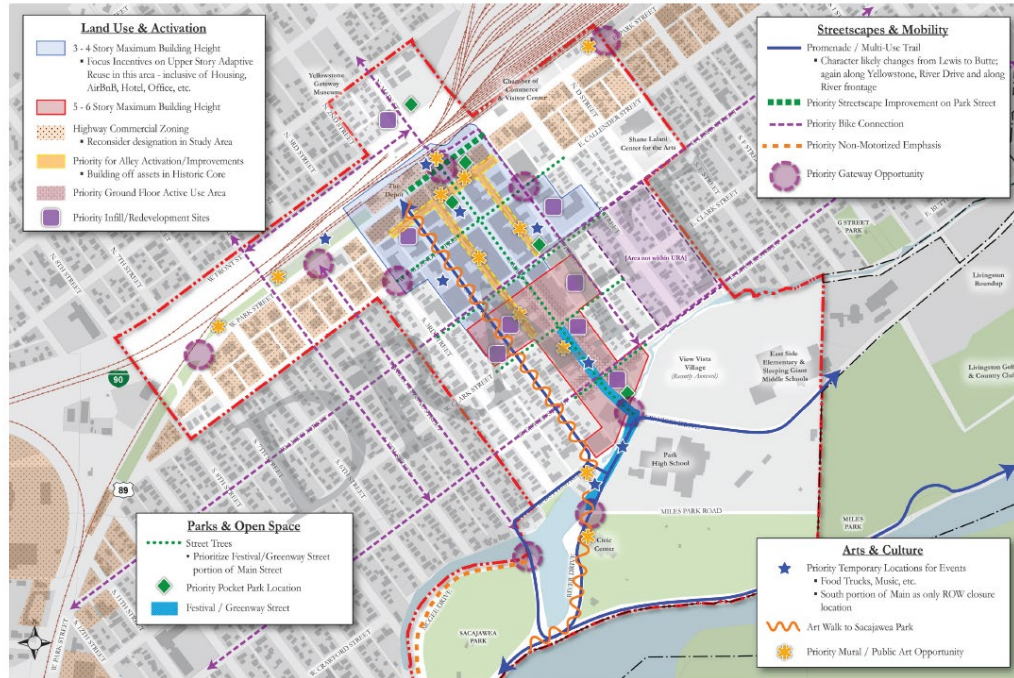
#### Build Upon Arts/Culture/ Programming to continue to activate Downtown

- Celebrate Livingston’s unique history, character & local culture by making the Downtown the community’s gathering place.

1. Master Plan Introduction

- Plan Background
  - Study Area
  - Demographics
  - Existing Conditions
- Planning Process
  - Scope of Outreach
- Visioning & Engagement
  - Engagement Methods & Community Input
- Vision Themes

# Ch. 2 – Master Plan Framework



Master Plan Framework Diagram [Study Area Boundary = - - - - -]

2. Master Plan Framework

- Diagram provides a graphic representation of the physical location of many of the Master Plan Framework recommendations
- Helps to illustrate how the recommendations are spatially interconnected & should work in concert to advance the Vision Themes.

## MASTER PLAN FRAMEWORK RECOMMENDATIONS

Although the Master Plan Framework Recommendations are organized into five primary categories, the recommendations tend to be inextricably linked to recommendations in other categories. In this way, progressing a specific recommendation into implementation can represent progress for the City of Livingston across each of the four categories, and ultimately is a step toward realizing the Downtown Master Plan's Vision Themes to: **Diversify the Mix of Uses in the Downtown; Strengthen Connections to the Wealth of Assets; Right-Size Parking for Economic Vitality; Find Opportunities to bring the Parks into Downtown and provide better access from Downtown to the Parks; Build Upon Arts/Culture/Programming to Continue to Activate Downtown.**

The five categories in which the recommendations are organized are: Land Use, Building Form & Activation; Streetscapes & Mobility; Parks & Open Space; Arts & Culture; and Economic Development & Housing. The following are the areas of emphasis for each of these categories - included in recommendations pages that follow in this chapter:

### LAND USE, BUILDING FORM & ACTIVATION

- Building Height & Massing
- Building Form
- Use-Based Activation
- Spatial Activation

### STREETSCAPE & MOBILITY

- Streetscape Improvements
- Enhanced Connectivity & Mobility Options
- Parking

### ECONOMIC DEVELOPMENT & HOUSING

- Economic Development
- Housing

### PARKS & OPEN SPACE

- Existing Parks
- Pocket Parks & Programmable Open Spaces
- Street Trees/Landscaping/Shade Opportunities
- Natural Environments

### ARTS & CULTURE

- Public Art & Storytelling
- Events & Amenities

### MASTER PLAN FRAMEWORK DIAGRAM

The Master Plan Framework Diagram on the following page is a graphic representation of the physical location of many of the Master Plan Framework recommendations. It is intended to illustrate how the recommendations, across each of the first four categories (Land Use, Built Form & Activation; Streetscapes & Mobility; Parks & Open Space; and Arts & Culture) are spatially interconnected and can work in concert to advance the realization of the community's Vision Themes.

Economic Development guidance, and some of the more policy-oriented recommendations may not be represented on the diagram, as their spatial distribution may either be yet to be determined, or may impact the Downtown Study Area more holistically.

Similarly, some of the more geographically defined, project-based elements illustrated on the diagram may be mentioned at a high-level in this chapter, but then are explained and illustrated in greater detail in the Implementation Action Plan chapter that follows. Such projects are noted on the diagram and in this chapter.

- Intended to provide flexible guidance to the City on how to implement the community's vision
- Mix of short-term, incremental steps and longer-term strategic policies, initiatives and investments
- URA can play pivotal role as Champion/Partner in advancing these

# Ch. 2 – Master Plan Framework Recommendations



Use of a parklet - designed & fabricated by MODSTREET - to expand outdoor dining potential.



Parklets can be City-owned to ensure design consistency and then leased to local businesses.

**LU-6. Promote Adaptive Reuse of existing structures to preserve the character of the Downtown environment, while allowing for a diversity of uses.**

**LU-21. Explore the use of Parklets as a way to activate underutilized parking areas.** (SEE REGULATORY TOOLS)

- Allow businesses to secure a permit to repurpose parking directly in front of the business for a Parklet.
- Parklets could include cafe seating for businesses, art installations, shaded seating for downtown patrons, etc.
- Parklets should have a consistent material palette, standard dimensions, be ADA accessible, and could be city-owned and leased to businesses.

**SM-6. Add pedestrian-scaled lighting on side streets in the Central Business District, particularly between 2nd Street & B Street along Callender Street, Lewis Street, Clark Street, & Geyser Street, to create a safer nighttime pedestrian environment.**

- Consider pedestrian-scaled lighting along the south portion of Main Street, leading to the river parks. (SEE FESTIVAL/GREENWAY STREET)

**SM-10. Create unique streetscape environments to visually signal prioritization of pedestrians and cyclists on key roadways.** (SEE 2ND STREET PROMENADE, PARK STREET IMPROVEMENTS, AND FESTIVAL/GREENWAY STREET)

# Ch. 2 – Master Plan Framework Recommendations



Use underutilized lots as opportunities for short or long-term pocket parks



In the absence of street trees, seek opportunities to create shade in public spaces such as pocket parks.

**SM-13. Provide wayfinding to enhance connectivity, but resist overpopulating the streetscape environment.**

- Include wayfinding within Sacajawea Park and Miles Park, as well as along the levee trail to better promote the available amenities within the parks.

**PS-4. Consider acquisition of underutilized or empty lots for long-term conversion to permanent parks or public spaces, as well as short-term pocket/pop-up parks. (SEE MASTER PLAN FRAMEWORK DIAGRAM)**

**PS-13. Prioritize Street Trees in the short-term along the southern portions of Main Street to align with the Festival/Greenway Street concept, and along the east-west Side Streets in the Historic District. (SEE MASTER PLAN FRAMEWORK DIAGRAM & FESTIVAL/GREENWAY STREET)**

- Longer-term, revisit interest for street trees on the northern portion of Main in the Downtown, being sensitive to maintaining the iconic views from Park Street. Small trees or landscaping in movable, potted planters could be used to create shade in the short-term.

**AC-2. Invest in unique placemaking elements and experiences that encourage locals and visitors to wander comfortably from The Depot area to the Yellowstone River.**

# Ch. 3 – Implementation Action Plan

TOPICS IN THIS CHAPTER:

- Regulatory Tools
- Priority Infill/ Redevelopment Sites
- Housing Development
- Streetscape Improvements
- Wayfinding & Gateways
- Parking Management

## CATALYTIC PROJECTS & INITIATIVES

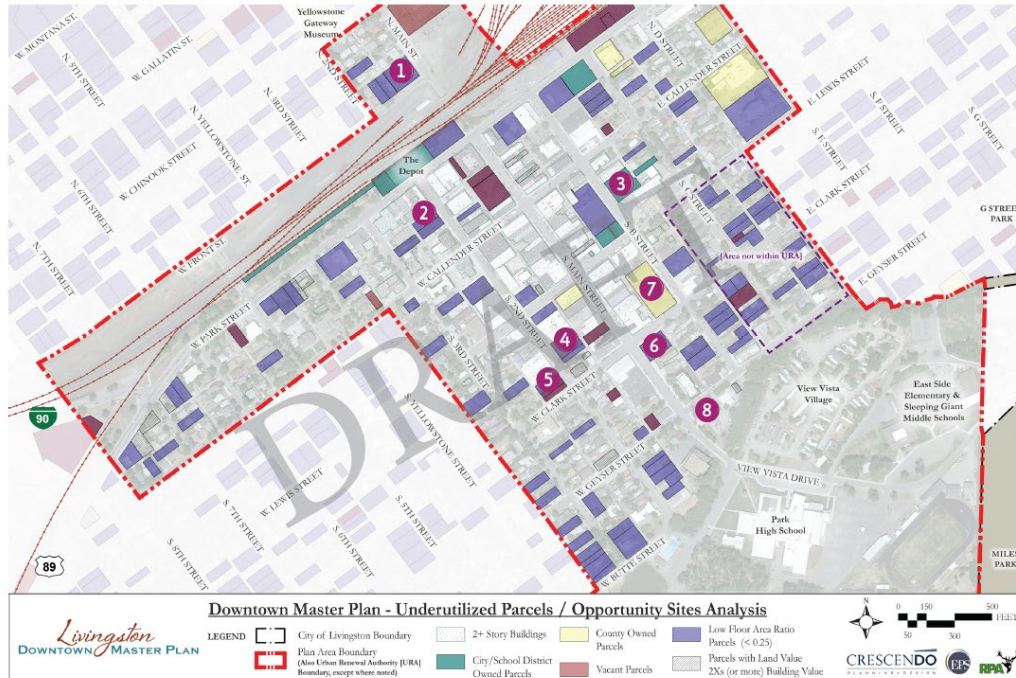
In addition to the more flexible guidance contained in the Chapter 2: Master Plan Framework Recommendations, this chapter highlights specific projects and initiatives that can further guide the City's work program in implementing the community vision for the Downtown. Many of these more detailed, implementation-oriented projects and strategies will take time to see through to completion, as they are more resource-dependent initiatives. Each can benefit greatly, however, from the support of community champions and partners, and by focusing on a phased approach to implementation over time.

For each project or initiative in this chapter, short-term actions (1-2 years), medium-term actions (2-5 years), and long-term actions (5-10 years) have been identified. The matrix included at the end of the chapter provides a consolidated look at each effort's timeframe, potential champions, partners and funding sources, and an indication of the relative order of magnitude cost.

3. Implementation Action Plan

- Specific Projects & Initiatives that can be catalytic
- Often more resource-dependent . . . **URA could help!**
- Mix of Actions:
  - Short-term (1-2 years)
  - Medium-term (2-5 years)
  - Long-term (5-10 years)

# Ch. 3 – Implementation Action Plan



3. Implementation Action Plan

- Regulatory Tools
- Priority Infill / Redevelopment Sites
- Housing Development
- Streetscape Improvements
  - 2<sup>nd</sup> Street Promenade
  - Festival / Greenway Street
  - Park Street Improvements
- Wayfinding & Gateways
- Parking Management

Priority Infill / Redevelopment Sites Identify from Underutilized Parcels / Opportunity Sites Analysis

# Ch. 3 – Implementation Action Plan

## IMPLEMENTATION MATRIX

KEY SCOPE ELEMENTS OF IMPLEMENTATION EFFORT	TIMEFRAME	APPLICABLE MASTER PLAN SECTION(S)	POTENTIAL CHAMPIONS/ KEY PARTNERS	POTENTIAL FUNDING SOURCES	ORDER OF MAGNITUDE COST
<b>OVERALL DOWNTOWN ACTIVATION &amp; AMENITIZATION (CONTINUED)</b>					
Work with tenants, landlords, and property owners to encourage Seasonal Use Agreements for retail spaces to maximize ground floor active uses and cultivate the desired mix of uses	Medium-Term	•Ch. 2 Land Use, Building Form & Activation – Use-Based & Spatial Activation; Parks & Open Space; Arts & Culture; Economic Development	Potential Champions: LBID; Chamber of Commerce; LDBOBA; PCEC  Key Partners: URA; LU Board; City Commission; HPC; Local Art Community	• URA TIF Investment  • Capital Improvements Project (CIP) Investment	\$\$\$-\$\$\$\$
Find opportunities to implement pocket parks and add green space within the Downtown Study Area					
Expand the presence of public art in the Downtown	Long-Term	• Regulatory / General			\$\$\$\$
Explore property acquisition (possibly by City and/or URA) to catalyze development of desired activation and amenities					
<b>CONNECTIVITY &amp; MOBILITY IMPROVEMENTS</b>					
Pursue low-cost traffic calming measures as pilot projects to gauge community's response to longer-term improvements	Short-Term	• Ch. 2 Streetscapes & Mobility  • Ch. 3 2nd Street Promenade; Park Street Improvements	Potential Champions: LBID; Chamber of Commerce; LDBOBA; PCEC  Key Partners: MDT; Public Works; Railroad	• URA TIF Investment  • Capital Improvements Project (CIP) Investment	\$
Implement Bike Boulevard enhancements on Priority Bike Connection corridors	Medium-Term				\$\$
Explore higher ease-of-use enhancements to rail crossings	Long-Term				\$\$\$
<b>PRIORITY INFILL / REDEVELOPMENT</b>					
Revisit progress made toward vision-aligned uses developing in Downtown, and explore alternative strategies to implementation, if necessary	Long-Term	• Ch. 3 Priority Infill / Redevelopment; Housing Development	Key Partners: URA; LU Board; City Commission; HPC; Park County Housing Coalition	• URA TIF Investment  • Montana's CDBG Public and Community Facilities Grants	\$

To Be Updated

3. Implementation Action Plan

- An at-a-glance collection of Implementation Efforts found within the Plan
  - Regulatory Changes & Incentives
  - Overall Downtown Activation & Amenitization
  - Connectivity & Mobility Improvements
  - Priority Infill / Redevelopments
  - Streetscape Improvements
  - Wayfinding & Gateways
  - Parking Management

# URA STRATEGY

## OUTLINE

- Existing Conditions
- Vision and Objectives
- Master Plan Direction
  - Policies
  - Strategies



## DOWNTOWN TID

- Formed in 2003
- Extended in 2019 for additional 15 years through 2034
- Existing Programs
  - Façade Improvement Grants
  - Residential Rehabilitation and Redevelopment Grants

## FY 2025 Budget

- Existing Fund Balance: \$1.85 Million
- Revenue
  - Annual Increment Revenue: \$944,000
- Expenditures
  - Alley Infrastructure: \$1.27 million
  - Capital Improvements (façade grant): \$70,000
  - Operations: \$265,400
  - Debt Service: \$159,025
  - Other: \$30,000
  - **Total: \$1.34 million**
- **Estimated Future Revenue**
  - Approximately \$7.5 million to \$9 million between 2026 and 2034

# VISION AND OBJECTIVES

- Vision: Sustain an economic environment anchored by local businesses that are supported by an inviting and connected public realm that attracts people to Downtown for a variety of reasons.
- Objectives:
  - Support reinvestment in existing buildings and places
  - Attract more people to downtown
  - Provide places for people to gather
  - Support wayfinding and parking management



- ED-4. Use the powers of the URA and tax increment to support reinvestment in existing buildings, attract people downtown, and provide amenities to support vitality in Downtown.
  - Use tax increment as a funding support tool and **not the primary funding source** for projects. Set target percentages of total URA funding as a percentage of total project cost.
  - **Continue to provide URA grants for façade repair** and building renovations that support existing businesses and property owners Downtown.
  - Utilize tax increment funding to support the **creation of residential units** in Downtown with a focus on existing building rehabilitation and creation of new workforce housing.
  - Utilize a portion of tax increment to **support small scale projects** that enhance public realm or support creation of public gathering spaces.
  - Consider **support for large scale development projects** on a case-by-case basis requiring developers prove the project will only occur “but for” inclusion of tax increment. Limit increment invested in projects to amount generated by the project, and to projects that provide a needed community benefit.

- Set maximum percentages and/or amounts of total projects that can come from district funding.
  - Currently use 50% for programs
- Set annual targets for expenditures (i.e. programs, capital improvements, etc..)
- Consider revisions to the residential rehabilitation program
  - Potential project requirements: target AMI level, variable incentive amounts for rehabs vs new development, requiring a statement of need (but-for), tie grant amount to increment generated by project.
  - Up to \$250,000 per unit grant is large
    - Might be appropriate for small scale rehabs
    - Too large for new development: Example Bozeman in 2023 granted between \$7,000 and \$30,000 per unit.
- Consider creating a small-scale, placemaking project pilot fund (*LU-22*)
  - Dedicated annual portion of increment (e.g. – 10% annually, \$10,000)

# POTENTIAL FUTURE STRATEGIES

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- Consider bonding a portion of annual TIF revenue over a 3-to-5-year period to allow for the URA to fund/support larger capital improvement projects.
- Consider strategic land purchases to support development of desired capital improvements and/or support attraction of workforce housing.
  - Evaluate potential to acquire Priority Infill/Redevelopment sites if they come available for purchase.

## ■ Demand Study

- The cost and composition of the housing stock in Livingston has started to shift.
- Over 80 percent of the job growth in Park County in the past five years is attributed to industries with average wages that translate to household incomes below 120% of AMI.
- The City of Livingston overall needs to continue to attract diverse housing products to keep pace with employment-driven demand.
- Estimated Demand
  - Livingston Total: 850 units
  - Annually: 85 units

## ■ Feasibility Study

- Mixed-Use Condo
  - Least feasible
  - Gap per unit: \$115,000
- Apartment Building
  - Small feasibility gap
  - Gap per unit: \$12,000
- Townhomes
  - Gap dependent on sale price
  - Sale price <\$500,000
    - Gap per unit: \$25,000+

Option	Option 1	Option 2	Option 3
Description	4-Story Mixed-Use Condo (Behind the Murray Hotel)	3-Story Walk-Up Apartment (NW Energy Lot)	3-Story Townhomes (Front Street Lot)
Zoning	Mixed-Use	Mixed-Use	Mixed-Use
Stories	4-Story	3-Story	3-Story
Parking	Parking Garage	Tuck Under / Surface	Tuck Under / Surface