



Planning Board Agenda

The regular meeting of the Livingston Planning Board has been scheduled for April 19, 2023 at 5:30 PM in the Community Room of the City/County Building at 414 E. Callender Street. This meeting will be facilitated by Chair Stacy Jovick.

A virtual option will also be available:

Join Zoom Meeting

<https://us02web.zoom.us/j/83887615366?pwd=aVZOa0RYVUlwTW5tem5zL2E0QnhlQT09>

Meeting ID: 838 8761 5366

Passcode: 310261

Call in: (669) 900-9128

1. **Call to Order**
2. **Roll Call**
3. **Approval of Minutes**
 - A. Approve March 15, 2023 minutes
4. **General Public Comments**
5. **New Business**
 - A. Review and Discussion of Draft PUD Ordinance
6. **Old Business**
7. **Board Comments**
8. **Adjournment**

File Attachments for Item:

A. March 15, 2023 Meeting Minutes



Planning Board Minutes

A meeting of the Livingston Planning Board was held March 15, 2023 at 5:30 PM in the Community Room of the City/County Building at 414 E. Callender Street. The meeting was facilitated by Chair Stacy Jovick.

1. Call to Order (5:40 pm)

2. Roll Call (Recording 0:0:10 minutes)

In attendance: Jonathan Hettinger, Taya Cromley, Amy Schilling, Shannon Holmes, Jim Barrett, Torrey Lyons, Jessie Wilcox and Stacy Jovick. Staff: City Manager Grant Gager, Planning Director Jennifer Severson.

3. Approval of February 15, 2023 Minutes (0:40 mins)

- Jovick requested correction
- **Motion to approve by Wilcox; second by Cromley (1:12 mins)**
- **Motion passes 8-0.**

4. General Public Comments

- none

5. New Business (2:43 mins)

A. Draft Scope of Work for the Downtown Master Plan- staff will present a draft scope of work for a consultant RFP; request board comment and feedback

- Severson opened discussion- presented RFP Scope of Work
- Jovick asked question
- Severson responded
- Gager commented
- Jovick asked question
- Severson responded
- Jovick asked question
- Severson responded
- Lyons asked questions and provided comments
- Severson responded
- Cromley commented
- Hettinger commented
- Severson asked question
- Hettinger responded
- Wilcox commented and asked question

Planning Board Minutes

- Severson responded
- Wilcox commented
- Jovick commented and asked question
- Severson responded
- Jovick and Cromley commented
- Severson responded
- Barrett commented and asked question
- Severson responded
- Hettinger asked question
- Severson responded
- Hettinger commented
- Jovick commented
- Lyons commented
- Severson commented
- Jovick asked question
- Schilling commented
- Wilcox and Jovick commented
- Gager commented
- Severson commented
- Jovick asked question
- Holmes commented
- Severson commented
- Jovick commented
- Severson commented
- Lyons commented
- Jovick commented
- Wilcox commented
- Severson commented
- Jovick asked question
- Lyons commented
- Severson commented
- Lyons commented
- Jovick asked question
- Barrett asked question
- Severson responded
- Holmes commented

Planning Board Minutes

- Jovick commented
- Schilling commented
- Jovick asked question
- Gager responded
- Severson commented
- Jovick commented
- Severson commented
- Jovick asked question
- Severson responded
- Jovick asked question
- Lyons asked question
- Severson responded
- Gager commented
- Jovick commented
- Severson commented
- Jovick commented
- Severson commented
- Lyons commented
- Jovick commented
- Severson commented
- Jovick commented
- Severson commented
- Jovick asked question
- Severson responded
- Jovick commented
- Severson commented
- Jovick asked question
- Lyons commented
- Severson commented
- Cromley commented
- Severson commented
- Jovick asked question
- Gager responded
- Severson commented
- Jovick commented
- Severson commented

Planning Board Minutes

- Jovick asked question
- Holmes asked question
- Severson responded
- Holmes commented and asked question
- Severson responded
- Lyons commented
- Severson commented
- Jovick commented
- Lyons commented

6. Old Business (1:08:38 mins)

A. Planned Unit Development – Example ordinances from other Montana communities discussed at 2/15/23 meeting (Kalispell, Columbia Falls and Hardin)

- Severson confirmed links to example ordinances previously discussed at February 15, 2023 meeting are included in today's meeting's agenda packet.
- Jovick commented and asked question
- Severson responded
- Jovick asked question
- Gager responded
- Jovick commented
- Gager commented
- Severson commented
- Wilcox asked question
- Gager responded
- Severson commented
- Wilcox commented
- Severson commented
- Schilling asked question
- Severson responded
- Schilling asked question
- Gager responded
- Jovick asked question
- Gager responded
- Jovick commented

Planning Board Minutes

7. Board Comments (1:25 mins)

- Barrett commented
- Wilcox commented
- Lyons commented
- Severson asked question
- Gager responded
- Jovick asked question
- Gager responded
- Jovick commented

8. Adjournment (7:14 pm)

File Attachments for Item:

A. PUD Draft Ordinance

CHAPTER 30
SECTION 30.XX PLANNED UNIT DEVELOPMENT (PUD)

Intent

The Planned Unit Development is a zoning district designed to encourage more efficient use of land and public services than is generally attainable under standard zoning application. Conventional area and density requirements are replaced by application of the PUD district to lands upon which an approved plan becomes the basis for control of land development. PUD zoning will provide flexibility of design and density as well as provide the option to mix land uses while preserving and enhancing the usability and convenience of the area.

In order to achieve the stated intent, a PUD shall further the following objectives:

1. Preserve natural and cultural resources
2. Provide usable open space and recreational areas beyond min. subdivision requirements
3. Promote a more efficient use of land than base zoning would allow, resulting in clustered development and a smaller network of utilities and streets
4. Reduce vehicular trip generation thru mixed use development
5. Supports the 2021 Growth Policy

Evaluation Criteria for PUD Districts

- A. Location:
 1. Connectivity with existing transportation network
 2. Benefit to the public
- B. Development Area:
 1. PUD- minimum 1 acre
- C. Permitted Uses: PUD zoning replaces base zoning district; allowed uses determined with regards to compatibility with surrounds
- D. Intensity of use (density, traffic, noise impacts on surrounds):
 - a. Height
 - b. Viewshed impacts; environmental factors
 - c. Buffers between uses and b/t PUD and surrounds
 - d. Incentives
 - i. Open space plans that exceed the minimum 11% as required per subdivision code may be used to justify density bonuses (active OS? Passive OS? % of total OS?)

- ii. Higher density allowed for affordable/ workforce housing inclusion (deed restricted, formula TBD by staff)
- iii. Up to 50% reduced impact fee for affordable/ workforce housing units (formula TBD by staff)
- e. Density or height bonus for general public amenities and facilities

Commented [JS1]: LZC suggested 20% or 30% max residential density bonus

Commented [JS2]: LZC suggested density bonus for Live/Work units

F. Ownership:

- 1. all land must be under single ownership/ entity at time of application submittal

G: Consistency with Growth Policy

Application Procedures

1. Pre-application meeting- (applicant, staff: Fire, Pub Works, Bldg, Planning)
2. Require Applicant to hold Public Outreach/ Meeting before Application is submitted
3. Submittal requirements- each application for PUD zoning shall contain the following material:
 - a. Completed City of Livingston Planned Unit Development Application form
 - b. A summary list of each deviation or class of deviation from the current/ base zoning district and a justification for the deviation.
 - c. A listing of each deviation or class of deviation from the city subdivision regulations design standards and a justification for the deviation.
 - d. A topo map showing existing structures and significant natural features
 - e. A ecological survey that identifies environmentally sensitive areas in the proposed PUD area, potential impacts, and mitigation measures
 - f. A wildlife survey that identifies any T&E wildlife within the proposed PUD area and locations of significant wildlife corridors or use areas, as well as potential impacts and mitigation measures
 - g. A topo map showing proposed topography using one to five foot intervals drawn to a scale not less than one inch equals 200 feet showing all proposed streets, lots, buildings, open space, wetlands, floodplain, environmental hazards, stormwater facilities and other elements basic to the development.
 - h. Proposed locations, areas, densities and types of proposed uses and structures within the area proposed to be developed and maximum height of each building or structure.
 - i. Proposed plans for handling:
 - (a) Vehicular, bicycle and pedestrian traffic;
 - (b) Sewage disposal; conceptual storm water drainage and water supply;
 - (c) Parks and open space;
 - (d) Impacts to Viewsheds

Commented [JS3]: LZC suggestion

Commented [JS4]: LZC suggestion

- (e) Public amenities/ facilities
 - (f) Parking;
 - (g) Prominent landscaping buffering treatments;
 - (h) Retaining walls in excess of 4 feet in height above grade;
 - (i) Common fencing designs and locations where proposed;
 - (j) Street, parking lot and common area lighting treatments and locations;
 - (k) Any other significant site development features.
- j. Elevation drawings which illustrate the general architectural features of each proposed building or architecturally distinct group or type of buildings.
 - k. The PUD plan shall show the boundary lines of adjacent subdivided or un-subdivided land and the existing zoning of the area proposed for the PUD zoning district;
 - l. A timeline expressing the order in which the development shall occur and estimated time for completing key components or phases;
 - m. Adequate provision for a homeowners association (HOA) or other public or private management organization to provide for the operation and maintenance of all private (non-governmental) common facilities including any private streets or alley ways, homeowners parks, club houses, sales offices, open space, trails, recreational facilities and amenities, shared parking facilities, private lighting systems, subdivision entrance signage and common mail receptacles;
 - n. Adequate provisions shall be made for maintenance of all public common facilities (e.g., a trail or park) which are developed on public land, but intended to be maintained by a private organization or homeowners association;
 - o. Where a PUD also involves a subdivision of land, it shall also meet the application requirements of the Livingston Subdivision Regulations and the Montana Subdivision and Platting Act at the time the preliminary plat is submitted;

Review Process

The review procedure for PUD zoning will follow the process called out in Sec. 30.71 of the Livingston Municipal Code. The City Zoning Commission will review the application, hold a public hearing and make a recommendation to the City Commission to approve, approve as modified or deny the application. Zoning Commission review will be based on the statutory provisions of 76-2-304, MCA and the following:

- a. The compliance of the proposed PUD with the Growth Policy.
- b. The extent to which the PUD departs from the underlying zoning and how these departures are deemed to be in the public interest and the mitigating conditions that the PUD provides.
- c. Commercial development within PUD may require additional administrative review prior to issuance of a BP (i.e. Site Plan Review)

Commented [JS5]: Items highlighted in yellow under review purview of Planning Bd

Review of Application. Upon submission of the application the Zoning Commission shall review the application based on the following:

Commented [JS6]: Items highlighted in yellow under review purview of Planning Bd

(a) The compliance of the proposed PUD with the Growth Policy and in particular the density and use policies of the plan;

(b) The extent to which the PUD departs from the underlying zoning and the reasons why such departures are or are not deemed to be in the public interest, and the mitigating conditions that the PUD provides to address the deviations;

(c) The extent to which the PUD departs from the subdivision regulations (if subdivision is anticipated) and the public works standards for design and construction applicable to the subject property, the reasons why such departures are deemed to be in the public interest, and the mitigating conditions that the PUD provides to address the deviations;

(d) The overall internal integrity of the PUD including the appropriate use of internal design elements, the use of buffers between different land uses, the use of transitions between uses of greater and lesser intensity, the use of enhanced design features to provide connectedness for both vehicle and pedestrian traffic throughout the PUD and the use of innovative and traditional design to foster more livable neighborhoods;

(e) The nature and extent of the public parks and common open space in the PUD, the reliability of the proposal for maintenance and conservation of these areas and the adequacy or inadequacy of the amount and function of the parks and open space in terms of the land use, densities and dwelling types proposed in the PUD;

(f) The manner in which the PUD plan makes adequate provision for public services, provides adequate control over vehicular traffic and furthers the amenities of recreation and visual enjoyment;

(g) The relationship, beneficial or adverse, of the PUD plan upon the neighborhood in which it is proposed to be established in concert with the underlying zone;

(h) In the case of a plan which proposes development over a period of years, the sufficiency of the terms and conditions proposed to protect and maintain the integrity of the PUD; and

(i) Conformity with all applicable provisions of this chapter.

(5) Action by the Zoning Commission

(a) The Zoning Commission shall hold one work session on a proposed PUD plan prior to any public hearing. The work session is intended for information purposes only to inform both the public and the Planning Board and City Commission about the various aspects of the project. It is not intended to be a public hearing and the commission shall take no formal action on the application. As a courtesy, all adjoining property owners shall be invited to at least one work session. This invitation may be included within the formal public hearing notice or it may be sent separately.

(b) The Zoning Commission shall hold a public hearing on the application pursuant to Section 27.28.030. The Zoning Commission shall submit its recommendations to the City Commission regarding the rezoning. The Zoning Commission may recommend approval in whole or in part, may recommend modification and can impose conditions which will clarify facets of the PUD, implement city standards, regulations or policy, or serve to mitigate potential negative impacts, or the commission may recommend disapproval.

Commented [JS7]: Add planning bd

(6) Action by the Planning Board

(a) Where a Planned Unit Development also necessitates a subdivision of land, The City Planning Board will review the Preliminary Plat and, after holding a public hearing, make a recommendation to the City Commission to approve, conditionally approve or deny the subdivision. Subdivision Review will be as directed by Chapter 28 of Livingston Municipal Code.

(b) Any deviations from the Subdivision Regulations or the City's Design and Improvement Standards and Specifications will only be allowed through the variance process contained in Chapter 28 of the Livingston Municipal Code.

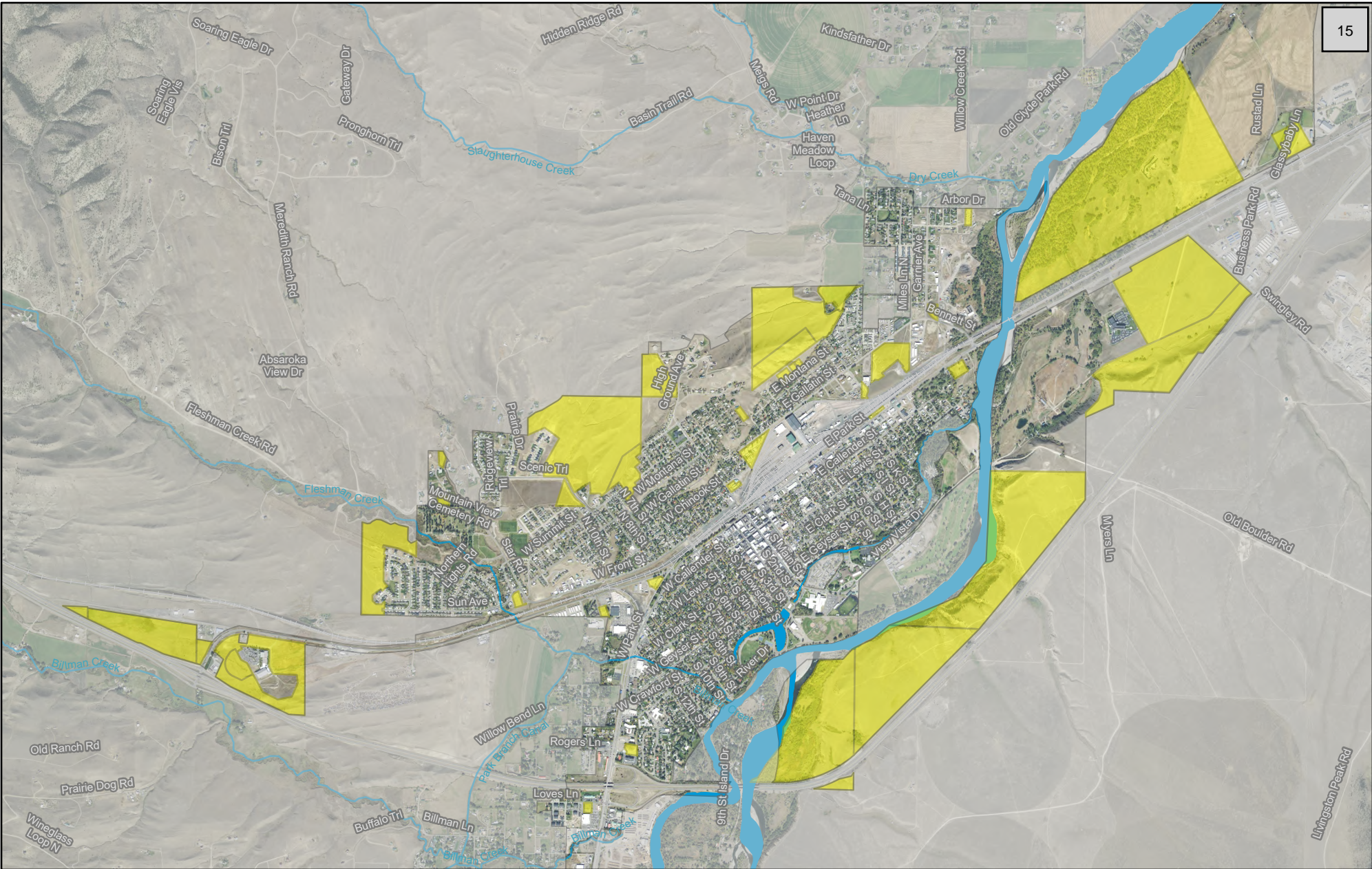
(7) Action by the City Commission

(a) Upon receiving recommendation from the Zoning Commission (rezoning) and Planning Board (subdivision), if required, the City Commission will review and approve, approve as modified/conditioned, or deny the Planned Unit Development application and any applicable Preliminary Plat.

(b) The City Commission may conduct the first reading of the PUD zoning ordinance at the same meeting at which the application was approved.

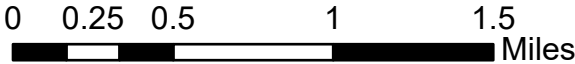
File Attachments for Item:

B. Map- Vacant Parcels > 1 acre



Vacant Parcels >1 acre

Vacant Parcels Greater than 1 acre Livingston, MT



This map is for informational purposes only and not for legal, engineering or surveying purposes. The City of Livingston assumes no legal responsibility for this information and shall not be liable for any claims or damages arising out of the use of this information.