



## City of Livingston Planned Unit Development (PUD)

The planned Unit Development is a zoning district intended 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 encourages clustered development, diverse housing types, mixed land uses, and natural resource preservation.

### PUD Requirements

- Minimum of ½ acre size
- PUDs are allowed in the following zoning districts: R-II, RII-MH, R-III, RMO, MU, CBD and HC.
- All PUDs shall include residential uses.
- Commercial uses in PUDs that are not allowed by-right in the base zoning district must be appropriately scaled and compatible with other uses in proposed development and with respect to the existing surrounding neighborhood. Commercial uses should be located, designed and operated to serve the needs of residents within the PUD and individuals residing outside the PUD.
- Light Industrial uses that are appropriately scaled and compatible with surrounding land uses may be allowed.
- Heavy Industrial uses are not allowed

Development Incentives	Public Benefits
Residential Density Bonus	10% deed restricted Affordable Housing Units (min. 2 units)
	Deed restricted Affordable Housing units at or below 60% AMI
Height Increase	10% reduction in vehicular trips to be generated by the PUD
	Open Space area is at least 20% of PUD
Waived Impact Fees	Commercial Uses in at least 5% of total building floor area

**The PUD review process includes:**

- Pre-Application Conference with City Staff
- Preliminary Public Engagement
- Application Submittal
- Public Work Session
- Consolidated Land Use Board Public Hearing
- City Commission Public Hearing

PUD applications are evaluated based upon the following criteria listed in Section 30.47 of the City of Livingston Municipal Code:

- The proposed PUD supports the adopted Growth Policy with respect to applicable density and use goals, objectives and/or strategies identified in the Growth Policy.
- The proposed departures from the adopted City of Livingston Public Works Design Standards and Specifications and/or Subdivision Regulations (if a subdivision of land is proposed) will not adversely affect the public or surrounding neighborhood.
- The PUD will establish effective connections within the PUD and to the surrounding transportation network.
- The size and type of parkland and open space and demonstration of its adequacy for the land use, densities and dwelling types proposed in the PUD, as well as the proposal for maintenance and conservation of the areas.
- The PUD will not adversely impact the natural environment, critical wildlife and habitat, agriculture, public health and safety, and local services.

**Action by the Consolidated Land Use Board:**

- I. The Board shall hold a public hearing on the application and submit its recommendations to the City Commission regarding the PUD based on the review criteria under 3.a-e in this section.
- II. The Planning Board will review the PUD Plan and, after holding a public hearing, make a recommendation to the City Commission to approve, conditionally approve or deny the PUD.
- III. Where a PUD involves a subdivision of land, Subdivision review will be as directed by Chapter 28 of Livingston Municipal Code. Any deviations from the Subdivision Regulations or the City of Livingston Public Works Design Standards and Specifications will only be allowed through the variance process contained in Chapter Municipal 28 of the Livingston Code.

**Action by the City Commission:**

- I. Upon receiving recommendations from the Consolidated Land Use Board, the City Commission will review and approve, approve with conditions, or deny the PUD application and any applicable Preliminary Plat. The City Commission may conduct the first reading of the zoning ordinance amendment required for a PUD at the same meeting during which the preliminary PUD plan is approved.

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## City of Livingston PUD Application Form

**1. Property Owner Name:** \_\_\_\_\_

**2. Location of Property**

General Location: \_\_\_\_\_

Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Zoning District: \_\_\_\_\_

**3. Contact Information**

*Property Owner(s)*

Home Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

*Primary Contact/ Applicant*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

*Secondary Contact*

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

**4. Project Information**

Proposed PUD Name: \_\_\_\_\_

Brief Description of Project : \_\_\_\_\_

\_\_\_\_\_

Proposed Use(s): \_\_\_\_\_

Number of Phases: \_\_\_\_\_

Number of Lots in each Phase: \_\_\_\_\_

Total Number of Lots: \_\_\_\_\_

**I hereby certify that the information included in this application is true and accurate.**

\_\_\_\_\_

Applicant's Signature

\_\_\_\_\_

Date

\_\_\_\_\_

Owner's Signature (if Owner and Applicant differ)

\_\_\_\_\_

Date

***\*Application must be signed by ALL owners of record; Articles of Organization must be submitted for LLCs.***

## Submittal Requirements:

- Two (2) copies of the Completed Application Form.
- Fees:
  - Single Phase PUD Review Fee: \$2,000
  - Phased PUD: \$700/ each additional phase
- Signed form from City Staff confirming Pre-Application Conference was held at least 30 days prior to submittal of the PUD application.
- Demonstration of notification to property owners within 300 ft of PUD by applicant, including opportunities to provide comment, and comments received from surrounding owners (must be completed after the Pre-Application Conference and before Application Submittal).
- PUD Plan / Preliminary Plat (Subdivisions) that includes:
  - Existing and proposed site layout- includes streets, lots, buildings, open space, wetlands, floodplain, environmental hazards, storm water facilities, water, sewer, dry utilities, existing and proposed easements, and other basic elements in the development
  - Locations, size, and types of proposed uses and associated structures within the PUD and maximum height of each structure
  - Topography map showing significant natural features
  - Existing zoning of PUD property and adjacent surrounding parcels
  - Phasing Plan (multiple phase projects)
  - Operation and Maintenance Plan for private common facilities and public facilities
- List of Requested Deviations from the base zoning district and justification for each of the following:
  - Zoning Requirements (uses, setbacks, parking, etc.)
  - Livingston Subdivision Design Standards (if it is a subdivision)
- Project Narrative: that successfully demonstrates how the proposed PUD will implement the goals and strategies of the adopted Growth Policy.
- Affordable Housing: To receive developer incentives for affordable housing as identified in the City's PUD ordinance Sec. 30.47.D.1, the following must be submitted: a plan describing the number and type of units of housing that will be deemed as affordable and eligible for incentives as identified in Sec 30.47.D.1. The plan shall include the type and location of units as well as a plan to set the sale or rent price at an affordable level at the point of initial habitation and also at each change of occupancy. The plan shall also include information on monitoring of resident income at each point in change of occupancy to ensure compliance with the then-present affordability level established by the City Commission.
- A Historic Survey or letter from Montana SHPO that confirms no cultural or historic resources are within the area proposed for PUD.
- An ecological survey that identifies environmentally sensitive areas in the proposed PUD area, potential impacts, and mitigation measures.

- A wildlife survey that identifies the presence of Threatened & Endangered wildlife within the proposed PUD area and/or locations of significant wildlife corridors or use areas, as well as potential impacts and mitigation measures. A letter from Montana FWP must be included with the PUD Application that confirms these findings.
- View shed Impacts must be evaluated and identified, and mitigation must be proposed if significant natural view sheds will be impacted by the proposed development.
- Transportation Impacts- A Trip Generation Estimate, prepared and certified by a qualified Transportation Engineer licensed in the State of Montana, must be submitted; if more than 100 new daily trips will be generated by the development, a traffic study must also be submitted (the level of analysis of the study will be determined by City Staff based on PUD location and anticipated impacts to the existing transportation network).
- Internal Circulation and Parking Plan- must include locations and number of parking spaces (including bicycle parking) allocated to each use or structure in the PUD and a general concept traffic movement within the PUD and to/from the surrounding transportation network for motor vehicles, bicycles, pedestrians and transit
- Storm water – Drainage Study prepared and certified by a qualified Engineer licensed in the State of Montana showing historic (existing) and proposed drainage; Plan for proposed treatment of Storm water Runoff in PUD through full build out
- Water, Sewer and Solid Waste - must provide an analysis of calculated demands from new development and proposed infrastructure capacity. Solid Waste disposal for individual buildings/ building clusters must be addressed.
- Buffers/ transition treatments between high and low intensity land uses within the PUD, and between the PUD and surrounding properties
- Lighting Plan for common areas
- Other significant site development features (ponds, parks, etc.)
- Development Timeline- must identify the order in which development will occur and estimated time for completing key components or phases of the PUD
- Adequate provision for a Home Owners Association (HOA) or other private management organization to provide for the operation and maintenance of common facilities not maintained by the City, such as: private streets and alleys, parks, club houses, sales offices, open space, trails, recreational facilities, parking facilities, private lighting systems, subdivision entrance signage and common mailboxes
- 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

**All documents other than maps and design schematics must be submitted on either 8 ½” x 11” or 11” x 17” paper. Additionally, a digital copy of the full application in PDF file format is required.**