

**ORDINANCE NO. 3062**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF LIVINGSTON, MONTANA, AMENDING SECTION 30.13 OF THE LIVINGSTON MUNICIPAL CODE ENTITLED OFFICIAL ZONING MAP OF THE CITY OF LIVINGSTON BY REZONING PROPERTY LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD).**

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**Purpose**

The purpose of this Ordinance is to promote public health, safety and general welfare of the City by regulating the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location of buildings, structures, and land for trade, industry, residence or other purposes.

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**WHEREAS**, Section 30.71 of the City of Livingston Code of Ordinances authorizes the City Commission to amend the officially adopted Zoning Map;

**WHEREAS**, the amendments meet the criteria and guidelines for zoning regulations as required by Section 76-2-304 of Montana Code Annotated;

**WHEREAS**, no petitions were received by the City in protest of the proposed map amendment;

**WHEREAS**, the City of Livingston Consolidated Land Use Board, after a public hearing held on June 11, 2025, voted to recommend approval of the zoning map amendment to the City Commission to rezone the subject parcel from High Density Residential (R3) to Planned Unit Development (PUD);

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission that Sec. 30.13 of the Livingston Municipal Code entitled Official Zoning Map, be and the same is hereby amended as follows:

**SECTION 1**

**REZONING OF PROPERTY LOCATED ON SCENIC TRAIL AND LEGALLY DESCRIBED AS BROOKSTONE MAJOR SUBDIVISION 610, S07, T02 S, R10 E, LOTS 8-10, IN PARK**

**COUNTY, MONTANA AND TO REZONE THE PARCEL FROM HIGH DENSITY  
RESIDENTIAL (R3) TO PLANNED UNIT DEVELOPMENT (PUD).**

**SECTION 2**

**Statutory Interpretation and Repealer:**

Any and all resolutions, ordinances and sections of the Livingston Municipal Code and parts thereof in conflict herewith are hereby repealed.

**SECTION 3**

**Severability:**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid by a court having competent jurisdiction, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and to this end, the provisions of this ordinance are declared to be severable.

**SECTION 4**

**Savings provision:**

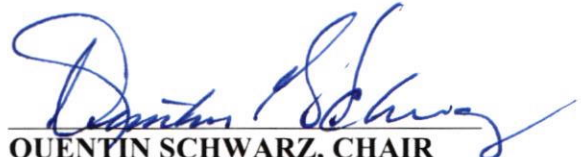
This ordinance does not affect the rights or duties that mature, penalties and assessments that were incurred or proceedings that begun before the effective date of this ordinance.

**SECTION 5**

**Effective date:**

This ordinance will become effective 30 days after the second reading and final adoption.

**PASSED** by the City Commission of the City of Livingston, Montana, on first reading at a regular session thereof held on the \_\_\_\_ day of July, 2025.

  
QUENTIN SCHWARZ, CHAIR

ATTEST:

  
Emily Hutchinson  
City Clerk

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**PASSED, ADOPTED AND APPROVED**, by the City Commission of the City of Livingston,  
Montana, on a second reading at a regular session thereof held on the \_\_\_\_\_ day of August,  
2025.

  
QUENTIN SCHWARZ, CHAIR

ATTEST:

  
EMILY HUTCHINSON  
City Clerk

APPROVED TO AS FORM:

  
JON HESSE  
City Attorney