

Missoula Board of County Commissioners

PUBLIC MEETING MINUTES COVER SHEET



THURSDAY, DECEMBER 9, 2021 – 2 PM

Virtual Meeting – Microsoft Teams

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Time stamps (in green) correspond to meeting recording above. Please click to the time stamps listed to view a particular item in the meeting.

ATTENDANCE:

Commissioners Present:

Chair Strohmaier
Commissioner Slotnick (present until 3:00 p.m.)
Commissioner Vero

Staff Present:

Violet Plummer, Administrative Assistant, Commissioners' Office
Steve Niday, Survey Party Chief, Surveyor's Office
Matt Heimel, Planner, Community and Planning Services
Bailey Minnich, Planner, Community and Planning Services
John Hart, Deputy Civil Attorney, Attorney's Office
Emmie Bristow, Community Engagement Coordinator, Communications
Sarah Bell, Communications Coordinator, Communications
Shane Stack, Director, Public Works
Tim Worley, Senior Planner, Community and Planning Services
Nick Zanetos, Planner, Community and Planning Services
Mel Fisher, Strategic Initiatives Manager, Communications and Projects
Karen Hughes, Assistant Director, Community and Planning Services

1. **CALL TO ORDER** *[Time stamp – 00:16]*
2. **LAND ACKNOWLEDGEMENT** *[Time stamp – 00:30]*
Missoula County acknowledges that this event takes place in the aboriginal territories of the Salish and Kalispel people.
3. **PLEDGE OF ALLEGIANCE** *[Time stamp – 00:43]*
4. **PUBLIC ANNOUNCEMENTS**
 - a. [Proclamation: Homeless Persons' Memorial Day](#) *[Time stamp – 01:08]*
5. **PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA** *[Time stamp – 03:20]*
[None]

6. **CURRENT CLAIMS LIST** [Time stamp – 04:47]

Claims received as of November 22, 2021 to November 30, 2021 by the Commissioners' Office total \$2,016,165.48.

7. **HEARINGS**

a. **Canyon Gates/Ole's Planned Variation** [Time stamp – 05:40]

Matt Heimel, Planner, Community and Planning Services

[Continued to January 13, 2022 Public Meeting]

b. **Resolution to approve Loiselle Lane as a county road** [Time stamp – 1:28:52]

Steve Niday, Survey Party Chief, Surveyor's Office

Commissioner Vero made the motion that the board approve by resolution Loiselle Lane as a county road.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Resolution 2021-118. Book: 1068 Page: 948]

c. **2021 Long Range Transportation Plan- Missoula Connect 2050** [Time stamp – 1:37:30]

Karen Hughes, Assistant Director, Community and Planning Services

Jonathan Sand, Associate Transportation Planner, Missoula Metropolitan Planning Organization

Commissioner Vero made the motion that the board approve the resolution of intent to adopt the 2021 Long Range Transportation Plan, Missoula Connect 2050, as an issue plan of the Missoula County Growth Policy.

Commissioner Strohmaier seconded.

[Motion passed 2-0.]

[Resolution 2021-119. Book: 1068 Page: 1011]

8. **OTHER BUSINESS** [Time stamp – 1:57:43]

[None]

9. **ADJOURN**

Chair Strohmaier – Called the meeting to adjourn at 3:58 p.m.

BCC Public Meeting December 9, 2021 – Transcription

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[00:00:06] All right. By my clock, it's two o'clock, everyone. Violet, are we ready to roll?

[00:00:11] We should be good to go. Dave, you?

[00:00:14] All right. Good afternoon, everyone. I'd like to call today's Thursday, December 9th meeting of the Missoula Board of County Commissioners to order. I am Commissioner Dave Stroma here and I'm joined by Commissioners Josh Slotnick and Juanita Varo. As with all of our meetings, we acknowledge that this event takes place in the Aboriginal territories of the Salish and Kalispell people. Please unfurl the colours violet. And please join me in the Pledge of Allegiance.

[00:00:46] I pledge

[00:00:47] Allegiance to the flag of the United States of America

[00:00:52] And to the

[00:00:53] Republic for which it stands one nation under God, indivisible with liberty and justice for all.

[00:01:08] We have one proclamation to read today, this is homeless person's Memorial Day and Commissioners Slotnick or Varo would either be so kind as to read the proclamation.

[00:01:23] Do it, I have it right here.

[00:01:25] All right.

[00:01:28] Thanks. Ok. Whereas the winter poses extreme hardship for unsheltered and inadequately housed individuals, families and children in Missoula, and whereas residents of Missoula will gather on the longest night of the year, December 21st twenty one

[00:01:43] To honor and remember homeless

[00:01:45] Individuals who have died in our community and environs. And whereas since 1990, December 21st has been designated National Homeless Persons Memorial Day by the National Coalition for the Homeless and the National Health Care for the Homeless Council, and is recognized by cities and states nationwide. And whereas in remembering those who have died without a home of their own, we keep urgent the cause of ending homelessness, the need for compassionate response and the city and county's collective commitment to prevent such deaths in the future. Now, therefore, be it resolved that we, David Stroma or Josh Slotnick and Juanita Varo, Missoula County commissioners and John Egan, mayor do hereby hereby recognize the twenty first day of December twenty twenty one as homeless persons. Memorial Day dated this ninth day of December. Twenty twenty one.

[00:02:38] Thank you, Josh. Is there anyone here who would like to speak to this item? Ok, thank you, Josh.. Any other public announcements? Staff announcements? All right, the next phase of the meeting and just a couple of housekeeping items first. This meeting is being recorded if you want your image displayed for all of posterity. You can go ahead and keep your cameras on if you do not. It's OK to keep your camera off, although we would ask that

you toggle your camera on when you are offering testimony or speaking. So are there any public comments on items not on today's agenda? We have three public hearings today, if you see a public hearing that you want to speak at, that would be the opportunity when I call for public hearing at that point in time. If there's anything else that you would like to comment

[00:03:36] On, that is

[00:03:38] Preferably within the jurisdiction of the Board of County Commissioners now would be your chance to comment. All right. And another point of housekeeping, when we do have an opportunity for public comment, if you are using Microsoft Teams, please use the raise hand function and I will call on you. I'll do my best to call on you and the order in which you raise your hand if you're on the phone. And I am not seeing any phone callers today. But if you are, I'll cue you up after the online participants speak and ask you to unmute yourself by using Star six and then introducing yourself and sharing your comments. When you do comment, please limit your comments to three minutes or less. This is an opportunity to comment, not to get into the back and forth question and answer time. Please offer your comments and try not to be redundant if someone else has already said exactly what you plan on saying, and it's perfectly fine to say that you're in support or opposition and ditto and not offer the exact same testimony. Our current claims the list and this would be claims as received by the Commissioner's Office between November 20 and November 30th. Total two million sixteen thousand one hundred and sixty five dollars and forty eight cents. If anyone is interested in knowing what those claims, the individual claims that add up to that amount are go to the electronic Typekit. For today's meeting, you can click on the current claims list and drill down into what each of those expenditures amounted to. So again, three public hearings today and I will open each public hearing. It will be introduced by a staff report, followed by an opportunity for the applicant or applicants representative to speak, followed by questions and discussion by the Board of County Commissioners. I should say there will also be an opportunity for public comment before we take any action. So with that, I will open up the first public hearing and this will be discussed or brought to us by way of a staff report by Matt Hymel. This is the planning gates always planned variation map a date.

[00:05:54] Dave, can I just jump in? I should have said this and the announcement piece. I just think I'm going to have to leave right at three o'clock. So if you see me disappear at three, that's what happened. Thank you. Sorry for that, but we will have. Ok, thank you. That.

[00:06:13] All right, good afternoon, commissioners Matt Hymel here, just want to do a quick sound check and make sure you can all hear me, OK?

[00:06:20] Wonderful. Matt, you need a little more guitar on the monitor. Oh, good.

[00:06:25] I can do that later. I have my guitar with me, though. So this is the. Public hearing on a request to revoke the Canongate always planned variation, I have a PowerPoint and I will share my screen. Everything moves quickly. All right, so as I said, a request to revoke the Canongate always planned variation for properties, these are vacant lots adjacent to thirty seven to five Highway 200 east and East Missoula. Screen froze here. Ok, so Castle Rock Construction LLC and TFS LLC, represented by Imette Corp., has requested revocation of the Canongate always planned variation. This vacant properties bounded by Michigan Avenue, Minnesota Avenue and is between Plie Street and Randall Street in East Missoula. This request did go before the Missoula Consolidated Planning Board on November 16, 2020 one and the board recommended approval with a six to one vote. Some of the discussion topics during planning board deliberation where growth policy compliance, potential building height uses allowed in the zoning district and public infrastructure. Here's a closer aerial image of the property. So the property is currently vacant, it's used for some overflow parking in the area, and it is zoned to see our three residential with, as I said, the Canongate always planned variation. Surrounding land uses are commercial and residential. So just for some background about the base zoning, the intent of the sea, our three residential zoning district is to provide for. High density, multiple family development and limited commercial and professional office uses that will be compatible with adjoining residential uses in areas capable of being adequately served by public services.

[00:08:28] So zoning to the north, east and west is CC to general commercial and property to the south and southeast is zoned. Here's an image showing the land use designations from the growth policy, so. This property is described in the Missoula Area Land Use Element, which was adopted in 2019 as an amendment to the 2016 growth policy. That classifies the subject property with the Neighbourhood Center landing designation, the Neighbourhood Centre

is designed to be a neighbourhood focal point and centre of activity, providing opportunities for retail service and employment. So this is straight from the description from our land use element. Two additional goals in the neighborhood centre are to provide services to residents within a five to 10 minute walk and to accommodate higher intensity residential choices that contribute to countywide housing diversity. Oh, now for some background about the planned variation. So in general, in our zoning regulations, a plan variation is a modification that gets adopted for a specific space in bulk requirements in accordance with the zoning regulations. And the goal for plan variations is to permit innovative approaches to housing and environmental design. We see plan variations in some subdivisions, such as reducing setbacks or in a case like this, a planned variation for the purpose of a specific development plan, which I'll get to in a few moments.

[00:10:07] The Canongate, all these planned variation was adopted by resolution on December seven, 2011. That was through Resolution 10 11 Dash one three one. And the intent of this plan variation is to provide for attached housing units. Are the standards of the variation were intended for adequate yard and building area and to promote an aesthetic neighborhood quality while allowing for attached housing units? Oh, in this slide, I have a comparison of some of the base space and book standards that you find in the planned variation as opposed to what is in the base. See our three zoning. So all requirements of the zoning apply, except for those reduced space and bulk requirements for minimum lot size and lot width and elimination of site set setbacks, so. The column to the left has the specific zoning standard, the space and bulk requirement. The middle column is for the planned variation. What is that standard? The plan variation the column to the right is what is that standard in the C R three district? So minimum lot width is 40 feet in the plan variation. It's 50 feet and or three that was reduced to avoid potential conflicts with the preexisting lots from the East Missoula at the East Missoula Edition, so that there would be no issues with non-conformity as. Same deal with the minimum lot size that was reduced to reduce not nonconformity and side yard setbacks were eliminated for the attached housing units, but in three, those are five feet side yard setbacks or not less than one third of the building height.

[00:11:49] So maximum building height is not an aspect that was specifically stated as a restriction in the planned variation, but because the planned variation is closely tied to a specific development plan. The building design has to follow that. So per the plan variation plans, there was a two storey building. And the maximum height and see, our three is one hundred twenty five feet. And then looking at. Density up to 40 for dwelling units were allowed with this development with the planned variation. The base see our three district can allow up to fifty nine dwelling units based on applicant's calculations with the square footage, but the actual final number might be less depending on how it works with with setbacks, parking area, landscaping, creating the drainage and other aspects like that. So this plan variation is only valid in conjunction with a specific development and landscaping plan, and I have that on the screen here. A development proposal may be approved for zoning compliance only if it complies with elements of the plan variation and the development plan that you see on the screen here. It's really has to. Closely or exactly match this this site layout. So this plan shows three multi dwelling buildings with open space areas, landscaping and off street parking.

[00:13:16] Um, off site sidewalks are shown within the public right of way. But those are not required under the jurisdiction of zoning compliance or building permit review. So this is what is in effect now. And on this slide, there is a possible site plan. The applicant has included this site planned with the application to demonstrate intent for the development of a multi dwelling buildings on the site. So this request for revocation is being made so that the option to develop the property with up to fifty nine dwelling units could be zoning compliant. Of now revocation of a planned variation or this planned variation. It does not result in a specific use or site plan being approved. So if you do vote to revoke the plan variation, that does not mean that this plan is approved or that this can be the only mandated plan or use. A. So note that again, sidewalks are shown here on Michigan Avenue and Minnesota Avenue. However, again, it's not really under the jurisdiction of our current zoning regulations to require sidewalks off sidewalks in the right of way. I did confirm also with Missoula County Public Works yesterday, that offsite sidewalks and sidewalks within the road right of way are not required for engineering review or building permit. Now, someone an applicant for future project at the site may voluntarily propose sidewalks or other right-of-way improvements.

[00:14:51] Those would just need to be reviewed and approved by Missoula County Public Works. Well, back to aerial imagery just for discussion. So as I said, revocation of this planned variation would result in the sea are three residential zoning district and all provisions of the county zoning regulations being applicable to the subject property. The modified space and book requirements and development plan that I just showed would no longer be

applicable, revocation does not and cannot mandate or condition that a specific user site plan be utilized and any permitted, conditional or special exception use allowed and see our three. Can be or may be utilized if this variation is revoked, so I'm going to go in a little more detail on what those potential users look like. Just let everybody understands what the base zoning district allows. So here's a table showing permitted uses in the country zoning district permitted use means it may be developed by Wright with a permit application that is with administrative review and that review is for any general standards found in Chapter three of our zoning regulations. These are primarily residential uses, some agriculture, open space and accessory buildings as permitted. And if I'm going too fast for these and you want to look at particular uses, just let me know I can, I can backtrack. So this table is showing conditional uses in the CR three zoning district, a conditional

[00:16:28] Conditional mean in this case.

[00:16:31] So in this case, conditional means that there are special design standards in chapter four of the zoning regulations in some jurisdictions, conditional would mean it needs to go to a board. Our zoning regulations, we call that a special exception. And I can get to those two and just a few moments. So these these conditional uses that are on the screen now. These are also administrative. Review your permits and there are extra standards in Chapter four. It's primarily deal with site clearance compatibility. There's some requirements about loading bays, loading areas, layouts like that. But these uses would not go to a public hearing.

[00:17:11] And the folks are on the line and have their computers unmuted, please mute yourself, we're getting a little bit of background noise out there.

[00:17:26] Go ahead. Ok, thank you. So this slide shows a special exception, uses and special exception use means it has review criteria in our zoning regulations for compliance with growth policy. Significant impacts and general compatibility with the surrounding area. And these special exceptions are reviewed by the County Board of Adjustment, which is a A. Volunteer Citizen is an appointed board, and they make a final property decisions for these special exceptions. At a public hearing. Um. So the two columns on the left have water special exceptions just in the base see three zoning. Now in that in our rezoning district, it also says that any permitted use in the CC1 Neighborhood Commercial District may be considered as a special exception. So that's what you see on the right hand side. So the see are three special exceptions get into a little more intensive commercial use, maybe some more impacts such as eating establishments, public closet building. Public and quasi public buildings. Um, residential, many warehouse, public utility, seasonal commercial uses

[00:18:53] And offsite

[00:18:55] Parking lots. Now cc1 permitted uses. I did omit quite a few of those from this list because there was some overlap. So some of the permitted and conditional uses and see our three are actually also permitted in cc1. So that's why they're not listed here. But the the two permitted uses in cc1 neighborhood commercial that could be considered as a special exception. And see our three are retail trade and service, up to three thousand five hundred square foot floor area, but no outside displays that could be retail store goods or grocer and then or a private lodge or fraternal organization.

[00:19:36] Hey, Matt, just while it's fresh in our thinking here and on the screen, so if if, for instance, a community center was contemplated for this area, that might be C.R. three zoning with or without the planned variation that would have to come before the Board of Adjustment and be considered for a special exception. If it's a community public use building of some sort. Also, I'm just trying to understand if any of these on the on that last screen special exceptions any of those categories. Those are allowable or would need to come before the the board of Adjustment.

[00:20:30] Those would need to come before the Board of Adjustment as a public or quasi public use and a building, but that could only occur if the plan variation is revoked because with the planned operation in effect, the only use that's really allowed is what's in that development plan.

[00:20:44] Ok, thank you. That's helpful.

[00:20:48] So I was switching screens, I was trying to refresh myself on which which uses were categories where. Ok, so I'll just wrap things up on my end here, so as I said earlier, planned or the Consolidated Planning Board did

recommend approval, staff has recommended approval as well. Recommended findings, conclusions of law and motion is included in the staff report. I also have a motion that I can bring up on the screen here. Those conclusions are derived from the planned variation adoption review criteria and Section eight point twenty five of our regulations. I could go through those criteria. I'll just caution everyone that it seems a little odd to go through those because they're for adoption, but I couldn't lead us through those those conclusions. Are Community Planning Services did receive 15 written comments, one of which was from the East Missoula Community Council, all in objection to this request. A. That does conclude my presentation, I'm available for any any other questions you have and also see the applicants representatives are also on the call today.

[00:22:07] Thank you. Thank you, Matt. With the applicant or applicants representative like to share with us.

[00:22:14] Yeah. My name is Joe Donat, I work with IMG and I'm here with Paul Faustin, who's also with the IMG team, and we're representing the client here of the applicant here. Matt, once again, thank you for the thorough overview. It makes sort of presenting this project a lot easier, obviously thanks to commissioners and everyone for for being here today. I do want to point out that, you know, our intent, the the intent of revoking this, the reason we're going through this process is just to align with the CRC base zoning district to be out of that plan variation. And as Matt was going through those permitted and conditional uses an important point that I want to bring to everyone's attention is that for permitted uses, things that are allowed and see our for multifamily dwellings, the building height cannot be more than 36 feet high. Now for conditional uses, you're allowed those multifamily dwellings of more than thirty six feet high, but for just the permitted, I know the base maximum building height for R3 is that 125 feet. And after reviewing some of the public comments and really reading through what a lot of the concerns were from the public, it seems like a lot of people were focused on that one hundred and twenty five foot building height for the CRT. But as the plan that we've put forth, which obviously is still subject to change, that, you know, Matt did a good job mentioning that we're not locked into that development plan, but we are proposing in that development plan multifamily dwellings as permitted use not more than thirty six feet high. So I think that's an important point to bring to everyone's attention. And then obviously, you know, we're here to field questions or concerns as the commissioners have them, as the public brings them up when appropriate. But we appreciate obviously the recommendation for approval from the planning board, the staff recommendation for approval from caps and then everyone being here today to offer comment that has them. So that's pretty much all we have to say now.

[00:24:07] Great. Oh, thank you, Joe. I'll open up the public hearing any members of the public like to comment. This is a reminder you each get one bite at the apple and that bite is three minutes in length and try to be succinct and respectful of one another. So anyone online like to comment and then, as I mentioned earlier, will follow up the online comment with anyone who's on the phone, and I'll let you know when you can speak at the appropriate time. So Stephanie Lemberg.

[00:24:43] And I don't know if you can hear me, can you hear me on this? Yes, trying this on my phone? Yeah. Ok, so I've been to multiples of hearings on this particular piece of property, and I can tell you they're getting better at their presentation. Each time that they do it, they have clearly tailored this to make you think that they're going to build something other than apartments. It would be wonderful if they did. Nothing like that has been proposed. The only thing that's been proposed as apartments and I have submitted two letters. So that's that's all I'm going to say is just in reference to. The very tailored way that this was presented to you. I would love to have a grocery store, you know that we would love to have a grocery store. We'd love to have anything there,

[00:25:30] But

[00:25:31] Not necessarily three stories of apartments. Thank you.

[00:25:36] Thank you, Mr. Lundberg. I am going to do a poor job of pronouncing the name, is it? I'll I'll I'll be white.

[00:25:49] It's it'll be white,

[00:25:51] Wealthy, white, OK. I did mess, mess it up. Go ahead, Ildy.

[00:25:55] That's right. Thank you. And I submitted a letter. I appreciate Matt's explanation of the changes because it was hard to understand as a layperson reading the letters what the zoning change meant. And I initially said that I did not support the change in my letter. So what I would like to say is that I guess I do support the change to Sierra three because I don't want it to be locked into a multi housing development plan. I currently reside at Four Twenty Six Speedway, which you can see is right behind that proposed development. I frequently enjoy the time spent outside in my yard and I love looking up on the hillside and being able to watch the wildlife and feeling like a part of the nature that is around me. I too, would love and support more of a neighborhood center, something having services that would help the East Missoula community. I'm not sure we have adequate services to support fifty nine more dwelling units at the current moment. The intersections are kind of busy and hard to turn out to. I think it would make living in East Missoula a lot more stressful and uncomfortable and unsavory for a lot of people. If there was a large multi family dwelling unit right in the middle of town. So while I support the change I would support considering other uses for that particular lot in question. Really, thank you.

[00:27:46] The next speaker is Violet Hopkins.

[00:27:50] Hey, can you hear me OK? Yes. Great. I'm mostly just here already submitted the letter, but I just wanted to reiterate it, reiterate to this body, particularly that I understand that you have to look objectively at each request each project and judge each project on its own merits. But we're looking down the barrel now of this project, all of the other apartment complexes in East Missoula. There was a recently an approval to address some setbacks on an adjacent property within a block of this proposed property on Clyde and Michigan. So we're looking at a two separate but massive projects going in right there, right in the middle of our community. And I just I'm here to ask you guys to look at the aggregate of the decisions made by this body and how the aggregate of these decisions to remove this zoning or change that zoning or this setback or that offset, like how that affects our community as a whole and just the massive amount of of the massive amount of apartment complexes that are that are going into our neighborhood. And like the last speaker just said, like the infrastructure, the House, maybe what there's if we get 59 new apartments in this place and then in that triangle piece, another twenty twenty five apartments, I'm not sure how many. We just don't have the infrastructure to support all of these projects that are going in. We don't have streetlights on the whole. We don't have sidewalks. The streets are, I mean, the side streets are crumbling. They're falling apart. I just don't like our main grocery store is always like, we don't have a school. There's just there's just a ton of stuff that going into our community that is is. And it just it's people, it's people, people are coming into our community, which is great. We want a neighborhood, but we don't have. We just have the infrastructure for it. And so I'm just I just want to remind you guys to like think of all of the decisions as a whole rather than just each each project on its own. Thanks.

[00:30:05] In additional public comment. Is there anyone here we go?

[00:30:17] Yeah. Is that

[00:30:21] Scheduling?

[00:30:22] Oh, OK. Can you hear me? Yes. Ok, good. And I want to follow a bit on what Violet said that again, I recognize also that you have to look individually. However, I don't know where the overview is happens that keeps things in a rational, balanced manner for our community. I think it is in zoning number one and then probably at the commissioners meeting would be the two places where the overview could happen. And I have a concern with the fact that there is planning zoning happening, changes in zoning that's right down the pike. And it feels a little weird to kind of push too far and allow too many variances or variances or just adjustments on this when that's coming toward us. And we assume then that's from looking ahead and planning the balanced view. And so one of my concerns is that we pay attention to the fact that we're so close to having kind of a more a broader view or adjustments to that. And I'd like to see that and have some of the neighborhood center language and some of the things that have been brought up and are going to be, I believe in that document that I think would be important. And then overall, it's just the things that others have said. I especially am really worried about parking and traffic and the mishmash of streets and the fact that they go diagonal and stuff, I think just makes it hard. We have problems pulling out onto the streets and and I worry about kids living in the apartments and just the danger to them so that that would be one of my big concerns in anything evaluating this property. Thank you.

[00:32:16] Thank you, Janet Leigh Burgess.

[00:32:22] Can you hear me? Yes. Ok, I just want to add to the infrastructure comment, not to repeat anything, but to add that the roads out here are only 50 foot wide and not

[00:32:34] The required 60

[00:32:36] Foot wide, so they are substandard. Infrastructure is a great problem we have out here and this overload of these extra apartments. For one thing, let me just say right up front, I I understand and agree with the neighborhood center in that area being neighborhood center. But I also noted that this developer and who he's working with, they're using the. The wording from the land use growth plan that was passed in June of 2019. If you look at our current draft of the zoning codes as of May 18th of this year, it reads differently and we are currently, as Janet has pointed out, we are currently working on finalizing those zoning codes and I would request that

[00:33:35] This variance

[00:33:36] Be delayed until that is finalized. And then we can be clear on what happens there and not have them try and undercut what we are trying to do out here as we are actively participating and working with caps to get this resolved and figure it out. Instead, these developers are trying to scoot in underneath this and grandfather in Under the Wire. And I don't know how else to say that, but I'm just asking that this be delayed. I agree with it being changed over to the center after the draft. The zoning codes have been finalized and that is not yet happened. We are, I don't know, that's out of my wheelhouse to know how far away that is. I'm assuming it's in twenty twenty two and that's what we're shooting for. So I'm just asking that this be delayed until that time.

[00:34:39] Ok, you leave. Anyone else who is not spoken would like to comment.

[00:34:50] There's an Erica Hickey.

[00:34:52] Yes, I see it.

[00:34:54] Erica, hi. I am in opposition to this bill. Also, I've written a letter, so I won't repeat what everyone has already said, but I think that I got really excited about the Highway 200 corridor plan that was passed, and I think I was hopeful that this area of our community would end up being sort of a downtown area, maybe with some food which were missing and other basic needs that these Missourians have to worry about the streets. I worry about the safety on highway two hundred kids crossing the bus stops on the other side. I mean, we've already had accidents where people have pedestrians have been hit. I just feel like we aren't prepared for. To have that put right in the center of our community.

[00:35:58] Thanks. Thanks, Erica. Anyone else like to comment?

[00:36:06] Porsche. Hi, there, my name is Tasha. I'm a resident of East Missoula, and I also oppose the proposal. Thanks for your time.

[00:36:21] Thank you, Tosya.

[00:36:24] Additional public comment. Any other comment going once? When twice. So tempting. Ok, I'll close the public hearing questions from the commission.

[00:36:45] Thanks, Dave. So I just jumped ahead. Why do you? That was kind of rude. We would like to go first, please. I need enthusiasm and being more chill. Go. Go for it. If you would like,

[00:36:58] I can bring you more coffee, Josh. If you are. You're a little lethargic.

[00:37:02] Yeah. So what I have is more questions for Matt. Just and this is just to make sure that I'm understanding and imagine. Maybe some other folks may have similar questions. So please, Matt, interrupt and correct as I go here. So if my understanding is right now, the planned variation would allow forty four units per acre. Is that correct? That's correct. So have to

[00:37:26] Say that again, please.

[00:37:28] It's its forty four units in total, not per acre. So the whole development plan would allow for up to forty four units.

[00:37:34] Thank you. So the whole development plan would allow for forty four units. And I totally completely hear the concerns of neighbors. These are valid concerns, concerns I would share. Do share as a as an elected official and would share even more greatly if I was living where those folks are living. And yet if we were to not revoke this, if this life was just to go on as it would as it could, these forty four units in this entirety could certainly happen. And the concerns the neighbors have brought up would

[00:38:05] Would remain unanswered to some degree. If we don't revoke, they're still going to be forty four units or could very well be forty four units. I just want to

[00:38:13] Make sure that I understand that. Next thing I make sure that I am understanding correctly is we are not approving the proposal brought from the IMG folks today or denying it. All we are doing is saying that this would become C.R. three. Is that correct? That is correct. And then and then within that C.R. three up to one hundred and twenty five feet could be constructed.

[00:38:39] That's correct. That's also correct side setbacks and see, our three are also up to one third of the building height. So just pointing out there could be constraints based on the property area, but

[00:38:54] As I was going to, that was my next question was on the constraints that if there could only be 59 units in the development, the entire development. It's hard to imagine that it would be one hundred and twenty five feet, but adding in the setbacks that it would mean it would almost seem physically or geographically impossible. So next question on this. We heard from residents that they're really in need of some more retail services, not just fixing the roads, et cetera, but people would like a more downtown feel. And they saw in the slide around exceptions, how difficult would it be for a development here to have some retail and some food on the ground floor?

[00:39:38] So as far as the regulatory difficulty that's coming through us, it would involve making an application to the county board of Adjustment, those applications are not. Quite up to the same level of information that you see in a subdivision review, it's really addressing, I think close to a dozen or so criteria points in our zoning going to public hearing, it can take up to a few months to get that governing body approval. And then from there, it's making sure that building codes, zoning codes and health codes are met.

[00:40:10] And that would have to be see our three before something like that would be allowed correct or can that happen? Now, without being revoked,

[00:40:22] It would need to be revoked, so the C.R. three would allow that sort of use, and the planned variation would need to be revoked for those

[00:40:30] Allowed options in

[00:40:32] Tier three.

[00:40:33] So the planned variation as it is now. How does that kind of neighborhood scale retail? I'm trying to stay away from zoning words, but coffee shops, restaurants, small, sort of casual, fast casual dining. How does that fit into the planned variation?

[00:40:52] It is not allowed in the plan variation. The variation is only for that 40 four unit development plan that I had up earlier.

[00:40:58] So this is interesting. So there's an interesting twist.

[00:41:03] Oh yeah. If I could just jump in to clarify a point that you brought up. So just to be clear, and this is a question for Paul and Joe. Well, while it's pretty clear to me that with the planned variation currently in effect and not revoked, commercial could not occur. Are you guys in your client contemplating any commercial in the development at this location once it's re zoned?

[00:41:33] I can answer that. The answer is no, this Paul, forcing Imag know they're going to either build the forty four units or they're going to build the fifty nine units.

[00:41:42] Um, yes.

[00:41:44] Ok, so so in the case of from the community, by way of the desire to have some commercial element at this key location in the heart of East Missoula, whether it's immaterial with the project that's being contemplated immaterial, whether the planned variation is revoked or not, because the development being proposed includes no commercial and is simply residential. Is that correct? Yes.

[00:42:10] Ok. Thanks for cutting to the chase there, Dave. I was. I was trying to meander my way towards because I definitely heard loud and clearly from from the neighbors as they would really appreciate some neighborhood scale commercial. And I was thinking, man, if revoking the planned variation would allow for that possibility, and if that possibility could become a reality given a new development, that's something we would want to facilitate. But seeing that neighborhood commercial is not in anyone's plan. But adds to the equation here, Matt.

[00:42:41] I think either you had a slot or maybe Paul, you had

[00:42:44] One

[00:42:45] Of. Can you show us the the area that is considered this neighbor, the neighborhood center, where, oh, now I'm now I'm mixing things.

[00:42:55] I had one more thing before, after the one after one gets her thing. Let's circle back because I'm on my list. I only have one more thing on my list and I'll be done.

[00:43:02] Ok, we'll take the boomerang approach when he doesn't have to, Josh..

[00:43:06] Ok, I just wanted to know where what the area is for this neighborhood center. There was a I thought I saw a map that shows. Ok, and there's no way to zoom out of that, to show where other neighborhood center activities can happen.

[00:43:26] That's well,

[00:43:27] I will

[00:43:28] Go to a different screen and bring up our land designations.

[00:43:35] Thanks so much, Matt, sorry about that.

[00:43:37] Sure thing clear on this point, we're talking the land use designations in the land use element, not the proposed zoning that will be coming down the pike in a few months. That Matt

[00:43:49] Oh, then I was confused,

[00:43:52] Which is another question that I want to probe it

[00:43:54] A little. I got one. That's my last thing, too. So but you could you may be reading my mind or thinking along.

[00:44:01] That's a good segue. It's a good Segway, matt. If you could display for us the land use designations and then slide right into talking about the the the element proposed zoning. Yeah, the land use element, the land use designations, which are in the land use element.

[00:44:22] Ok, so here is the my screen showing the Missoula County property information system. I'm on the. It's Missoula area. Let me make sure the right aerial imagery up, so. I'm sorry, this is this is zoning.

[00:44:41] So this is what's what's going to happen is being proposed in the spring.

[00:44:45] Stop. Sorry.

[00:44:47] I'm sorry the the first the first layer I showed was a mistake that that was current county zoning. What is shown on the screen right now are the land use designations from the Missoula Land Use Element, which was an amendment to the county growth policy. The labels can be a bit odd having them show up at the right scale, but this. Towards the center of my screen, there's a lighter pink or tan shade that is the neighborhood center, and you can see that it goes through the. The Highway 200 corridor.

[00:45:22] And that's the. And this has been proposed for the spring. Correct. I mean, this is the zoning update, and Dave is vigorously shaking his head.

[00:45:29] So yeah, the zoning update should reflect the values that we passed in the land use element, but that won't be until April.

[00:45:40] Now this is the growth policy that we're looking at the land use element. And so the zoning districts, as long as I get you should be talking about as long as the zoning districts fall under the umbrella of these broader land use designation categories, there's alignment between the growth policy and zoning. So what? Yeah, go ahead, Matt. Sorry.

[00:46:08] Ok, so that's all basically correct.

[00:46:11] Basically, OK,

[00:46:13] Proposed zoning should a substantially comply or be in conformance with an adopted growth policy pursuant to state law, and we do have a.

[00:46:23] How does see our three? Compare to what's allowed what the land use element is pushing towards pointing towards.

[00:46:34] So the land use element. And, you know, it's more of a neighborhood focal point it will allow, or it's recommended to allow more commercial use, mixed use the way that S.R. three zoning fits in with this land use designation right now. And I'll actually pull up that description. You can see it here. So I'm looking at the goals on the top sheet and what we have is this third goal accommodating higher intensity residential choices that contribute to countywide housing diversity. And in the staff report, that is the goal of the land use that I am citing for compatibility with our three.

[00:47:17] So the question that I think Josh was going to ask that I'll go ahead and preempt him on is in the upcoming or the current zoning. Update that we're working on what what zoning districts would be or as district would be contemplated for this area.

[00:47:37] Well, Don, Dave, you got it. Sure.

[00:47:43] So right now, commuting planning services has a proposed zoning update. We have a draft available for public inspection that's dated May 18th, 2021, and that's available on our website. It's on zoning update if anyone wants to check that out. And I can speak very, very generally to that proposed zoning update. This area has a proposed zoning designation of neighborhood center, which is also in a line with the neighborhood center land use. And that is a. I'm really mixed use zoning district, there are attributes in it that I'm not entirely prepared to speak

about today. There are. Permitted uses in that in that table. Um. In the table in the proposed zoning. I don't know if we have any long range planning available on the call today. But in general, yes, there's a neighborhood center zoning designation proposed for this area.

[00:48:49] So I guess would want to push on here is that if we were to revoke the planned variation. And just imagine this that that the folks in my mag weren't here today, if we were to if we weren't to do anything. Zoning changes the way we think it's going to change. And then the Met folks were to come back later. How would that fit?

[00:49:15] Sure. So as far as the future outlook goes for knowing that the update is coming. My understanding of this based on conversations with our long range planning staff, is that any existing planned variation would be considered a legacy district and they would continue to exist as they are now. However. One of our plans is that when the zoning update is formally proposed, there would be an opportunity for people within a plan variation legacy district to opt in to the rezone. And given that this is one property? Go ahead.

[00:49:54] Yeah, and thanks for that, Matt. And if there's anyone else from caps who could speak to this, I would appreciate it because I believe our and maybe the plan variation is an exception here. But I believe our strong inclination is to rezone the entirety of the land use element planning area to to align with the new zoning that we're proposing, such that it's not just a map change or it's not just a tax change, but it is a map change. And are we precluded from? Doing that with with the plan variations, I guess I initially did not see a difference between that or any of the other zoning districts that would need to change to come into line alignment with the new zoning. Is there anyone who could speak to that? Matt, or anyone else from cats? I hear Karen.

[00:50:58] High Commissioners Karen Hughes, Missoula County Community Planning Services, and I'm going to apologize because someone feels like they're drilling into my head, even though it's right below my office window. So if you hear that, sorry. So the the planned variation is similar to a very special, a special district where it's very site specific and site plan specific. And so, you know, the approach that's been taken is to to treat those as standalone legacy districts and not necessarily to automatically rezone those. If this is a standard zoning district like the C.R. three. It will definitely be picked up and zoned concurrent with the rest of.

[00:51:48] So, so here's my here's my question here in between bites at the drill there. So even though it might be considered a legacy district, unlike citizen initiated zoning districts. Do we, as the board of county commissioners, have the prerogative to unilaterally rezone that?

[00:52:13] You do. Yes. Oh, OK. And I'm training so I can double check it. I think it's actually shown in spite of the fact that it's. It's a planned variation. It's shown under the proposed zoning is as being proposed to have the neighborhood center land use neighborhood centers zoning district. So it must be one of the places that was close enough that we decided to just pick it up, and it's not going to be treated as a unique standalone.

[00:52:41] Ok, that's super helpful.

[00:52:42] So Ken, if that zoning was in place, would have 59 unit development fit.

[00:52:51] I can't answer that. It depends on the site plan

[00:52:55] And

[00:52:56] The specifications. I can't I can't tell you that if

[00:53:02] All the setbacks were correct and all the other things were correct.

[00:53:06] It seemed like high density housing would be allowed. I don't know if that specific development would be allowed, as it would be

[00:53:15] For sure, and I get the caution there. But the high density of the part I'm kind of stuck on is what I'm hearing from neighbors is and and this is reflected in our land use element is a real strong desire for some

commercial and a and a desire for this piece of East Missoula not to just become a high density housing district where people drive to Missoula or shop at all east. No disrespect to always, but it's not a grocery store.

[00:53:40] Yeah, thanks. It's it's really hard to require commercial where where communities have done that, it, they end up with dead space on their ground floor. Right? Great.

[00:53:52] Thanks, Darren. A question I have for either either Paul or Joe and. This is arguably one of the most important properties in East Missoula. We've seen any number of proposals for this property, which some of which I found to be completely out of alignment with trying to commute, create a community feel and character, such as just adding additional mini storage and such. Clearly, I think this is better than that, but once it's gone, it's gone. So given the level of community opposition, what sort of what sort of community outreach has been conducted in conjunction with developing this project?

[00:54:48] Paul, you want to take that or you want me to?

[00:54:49] No, I don't remember the dates, but over the summer we were given that we were given guidance from the planning office to go meet with the neighborhood council and to go have our own neighborhood meeting. So we did both of those. We took the suggestions and over the summer, it seems like this is coming out of the blue and we're now coming up against this zoning deadline. But we did submit, I mean, this is something we were working on in the spring and coordinating with the county on, and it's just taking this long to evolve and get here in front of you. But we did. We did have a neighborhood meeting and then we did go meet with the local community council, you know, with the ground floor commercial. It's I think it would be really exciting if there was a need for it or if there's a demand for it. Unfortunately, we're seeing that there's it takes a lot of it takes high density residential existing, high density residential to get those the need for it. And so, like Karen mentioned with a lot of developers, are afraid that that's just going to be vacant space.

[00:55:40] Not to mention on this project they're going to put their 82 units on that ground floor. And so just make it more difficult to have affordable units. So in the last thing I'd like to because you got me here, it's hard understanding the new zoning is would be in complete support of our request. We just simply didn't want to wait around for it because we don't know when, when that will take place. It could be in a couple of months. We're ahead of that schedule. We'd like to be ahead of that schedule and we'd like to build residential units. And we think just being in compliance with our three is good. It's everything along that corridor is in the R. Three word is at a disadvantage because we, somebody on this property proposed this plan variation zoning change to such a point, in my opinion, that it was no longer necessary. And now we're in a legacy district that keeps us below the density that otherwise is supported in the growth policy by the neighboring properties.

[00:56:34] Thanks, Paul, and I guess what I was getting at is going above and beyond simply. Having a public process that includes meeting with with members of the public to roll out a plan but actually work in a more collaborative fashion to develop a plan that is not met with almost unanimous resistance from the community. The other thing I'll just point out is that. That it's it's not until it's done, even though there are draft zoning districts that are being proposed for for this area or throughout the planning area, the formal process has not begun by way of planning board meetings and and us even having a peek at what those might be. So there could be changes you have to you have to come. So go ahead, Josh. Just a question. I guess this would be

[00:57:28] For for Karen or Matt. With the I don't see that, let's say the new zoning was happened yesterday, and it's the way that it looks like it's going to go and I hear what you're saying, David, it's not done yet, but if they had if it ends up the way it ends up and these folks were to propose this fifty nine unit development with the right setbacks and all the right, all the rest of it, I don't see the ground. I don't see where we could say no, even though this is not what the neighborhood would like. What the neighborhood like would like would be some neighborhood with some commercial. And as much as this is not what they want. Maybe I'm missing it and please help me out as much as it would be great to have make them do what the neighborhood wants. I don't see the space where that's possible,

[00:58:21] But isn't commercial a possibility? Still, because it

[00:58:27] Totally is zoned. Absolutely. These guys were pretty frank, and I very much appreciate their honesty because they could be blowing smoke. And they're not that they are not intending on building any commercial.

They're going to build 59 units of housing, and I really appreciate their frankness. They could they could say otherwise and lead us down that path.

[00:58:44] But they're

[00:58:45] No. And I guess what I was saying is what Paul like in order to have viable commercial, you got to have you have to have the density you have to demand. So I mean, if fifty nine went in and then there's still opportunity for commercial development in this area to to create the downtown vibe that people are are wanting. I mean,

[00:59:07] Like, I hear you, I think I mean, it's it's heading towards that critical mass that would be required for someone to make an investment in a coffee shop or a grocery store, something like that.

[00:59:16] There's a comment in the comment in the chat to Dave out. Sorry.

[00:59:21] No, that's OK. Perhaps one idea, but I guess I would be quick to say that this is really the other places could be developed in the in the corridor, but this really is the last. Clean slate, if you will, that would not have to be repurposed from some other use that's currently being employed out there. Josh, you have did you have a question in there for Karen that didn't get no?

[00:59:54] I don't know if she did answer that.

[00:59:56] I think around grounds, Karen.

[01:00:00] Oh, just so I didn't see, I didn't see that, that if the zoning goes the way it was supposed to go, these guys have the same proposal. I don't see where we could say no, just because we don't like it and that I really wish they were doing commercial, but just because they're not. If they're doing high density housing, the zoning is asking for high density housing. I don't see where we could say no.

[01:00:25] Well, let me let me jump in and just.

[01:00:29] Yeah. Is that right?

[01:00:31] Yeah. So this might be for you and or we could also bring in John Hart. It's a question of. What's the decision space here, and I think I think zoning in this case, it's a different question than subdivision approval. So. Decision space for grounds for approval or denial? Is that kind of what you're getting at Josh?

[01:00:56] So I'm going, I'm kind of leaping ahead to, let's say all the zoning happens the way it sort of looks like these guys then come forward with this proposal. It fits the zoning. I don't see how we could say no to it, even though we didn't like it. I'm just gonna speak for myself. I appreciate that. They're building housing and we have a need for housing. The piece of it that I wish if I could wave a magic wand would be that there would be some ground floor commercial because that's what the neighborhood desires. We couldn't say no to their development just because they're not doing ground for commercial. Is that correct, right?

[01:01:30] Yeah, I believe that's correct. The basic idea behind the Neighbourhood Centre is that you allow for a mix of uses within the district, not on every single parcel necessarily. The opportunity is there to mix vertically or horizontally on a parcel, but you don't have to do. A single is permitted and it's accepted. And I understand is this type of development would be permitted.

[01:01:54] That's where it was headed. So I mean, I wonder if if Paul intoa I don't know if it's too late for this, if there's a way to work with your developer. Are there some? Is there some sort of something that we as a community could do to? Encourage them or to to do some ground floor commercial.

[01:02:16] Well, I can say they're here today. Derek Watt and Paul Jessup are here today on the

[01:02:21] On the meeting, and

[01:02:22] So they're they're picking up on the comments. I think it's tough because they bought the site with that forty four unit approval. And so they're apartment builders. And I think for forty four units, you know it, it would pencil and be fine. It just makes sense to ask for the fifty nine units because we're needing units and we think it's a good fit for for them needing units in the community. And so they obviously would benefit more by having more units there. So I think it is, but they've been developing a site plan to go along with the project. So I think it would be tough. It just it's that need for commercial is I don't know how we're going to meet it on the ground floor. It's really tough. You'll see people dabble with the idea and they talk about making it convertible back to residential. Just really goofy stuff. So I don't know. It seems like a tough sell at this point.

[01:03:13] So Karen can. Sorry. Go ahead, Dave. Are you going to say something?

[01:03:18] Yeah, thanks. So either Matt or Karen, we did get a question in the chat related to a specific citation from the proposed zoning. I don't know if you can, as we're carrying on discussion here, if you could look that up and and share it with us. If you've not already. I'm working on it. Ok, so while they are looking looking for that, I will say that I. I do have some heartburn with the sequencing of this and that. While it may very well be the case that the ultimate zoning in this area is is not that far different from C.R. three. We are making a decision that we're going to live with for the next 50 years. Seventy five years, if if something gets built here that does not ultimately align with

[01:04:19] With,

[01:04:21] I think, what the community vision is for this. So I get the concerns that that. What could be built with variation right now is. Is residential and what's being proposed under C.R. three is residential, and it might not be that much different, but I totally hear the community concerns that as long as the zoning code is malleable and changeable and it is until the bitter end, we could be jumping the gun a little bit.

[01:05:00] And Dave, and one I I have to jump off, I'm really sorry for that. And as you guys continued their deliberation, if some sort of pause as possible, I'm into that if you all feel otherwise.

[01:05:14] I understand and explain your pause because I still have a question, maybe for you.

[01:05:20] I'm just saying I have to go and if you guys end up pausing this? I would appreciate it, but if you can't, I understand that as well.

[01:05:31] John's right there, did you want to ask John, because I'm confused about our specific decision space for this meeting then because we seem to have moved a bit, maybe from what is being asked of us?

[01:05:46] John, do you like to respond to that?

[01:05:48] Let me first just I've been trying not to respond because no one wants to hear from the lawyer. And for the record, my name is John Hart. I'm with the county attorney's office, and I would really caution you on making your decision based on or overly influenced by the proposed draft zoning that has not been adopted yet. You know that until it is adopted it, we still have to live with the zoning regulations that are in place and in terms of the decision space. I mean, I'm looking at the code, the statute seventy six two two zero three and I'll tell you what it says. It's not going to be helpful in terms of the decision space. It says zoning regulations must be made in accordance with the growth policy and design to secure safety from fire and other dangers, promote public

[01:06:59] Health, public

[01:07:00] Safety and general welfare, and facilitate the adequate provision of transportation, water, sewerage, schools, parks and other

[01:07:11] Public facilities.

[01:07:14] And in adopting zoning regulations, the Board of County Commissioners shall consider reasonable provision of adequate light and air. The effect on motorized and non-motorized transportation systems compatible urban growth in the vicinity of cities and towns that at a minimum must be must include the areas around

municipalities, the character of the district and its peculiar suitability for particular uses. And finally conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area. So if you absorbed any of that, your decisions base is fairly broad. And you know, if I would have to synthesize what's most important there, it's your decision should promote public health, public safety and general welfare. That's what the courts focus on in evaluating zoning decisions. But there's a whole lot more there.

[01:08:26] Damon one, I got to go. I just want to say my last piece and then I'll I'll I'll bail that. I don't really see a huge functional kind of how do you how does it feel on the ground difference between forty four and fifty nine? And what I'm hearing from neighbors is what they really want is some ground floor commercial and we can't make that happen. If that makes sense, I wish we could, but we can't, and I'm not seeing a big difference between 44 and 50.

[01:08:56] What are the opportunities of waiting until the zoning is complete?

[01:09:01] Well, I would say an opportunity could be that we've not had a discussion of how do you incentivize ground floor commercial and there's plenty of obstacles to that. And I think Imag has pointed out some of the challenges, but I'm not at the point of saying that they're insurmountable. And particularly if we're wanting to shape community design, I would like to see us be more aggressive in figuring out how to do so.

[01:09:33] That's what was kind of headed there. When I asked Paul and Joe, Is there anything we could do to encourage commercial? They said No.

[01:09:42] Well, Kerry.

[01:09:45] All right. Okay. Thanks, Josh.. I know that the zoning team did has talked with the East Missoula folks about this idea of really wanting, desiring that opportunity for ground floor commercial, and our team has struggled to figure out a way to do that. That wouldn't set up the problem of, especially if it's through requirements ended up with empty storefronts if it doesn't work out, if it doesn't meet the market conditions. So that's one caution. We have looked into that. I think the best option that I heard that we were looking at was encouraging the first floor

[01:10:26] In the design

[01:10:26] Of the first floor to be a little taller. Commercial spaces are usually have a higher floor to ceiling height and and encouraging people to allow flexibility a little more flex in that space so that if the market did allow for commercial that it would at least be an opportunity to redevelop

[01:10:48] Residential

[01:10:49] Ground floor into commercial. But that's as I understand it, and that's pretty limited. It was where we got to in researching that. Did you want me to respond to the permitted usage question from the zoning code draft, please? So the permitted use section on page looks, I'm in the wrong one. Seventy one, get to the correct one says. And this is the neighborhood commercial. It refers to section two point four, which has a great big table of permitted uses, and all kinds of dwellings are allowed in the neighborhood center. Single family multifamily are all and stuff in between. Multiple principal uses are permitted per parcel in the district accessories to shall meet the requirements that are allowed. And then it says residential uses are not permitted on the first floor of a neighborhood or mixed use. Sharp mixed use shop, front building type. A lobby or other entrance is also allowed on the ground floor to serve the use, so there is a limitation on residential uses for very specific building types. So that may be the question. There are some limits on residential ground floor, but it's only for certain building types. You have to combine those pieces together. Multiple multiple multi dwelling buildings are allowed for other building types, and in fact, the current proposal is a minimum density, no maximum density. It just is dependent on what you can fit on your property. Again, as John said. Very preliminary and not not been

[01:12:41] Reviewed by planning board. Thanks.

[01:12:46] Another question I have, and this would be either for you, Matt or Karen, so. The current plan variation was adopted a while back. What what would it look like if someone wanted to? At this point in time, is our plan variation still an option? And here's where I'm getting Paul and Joe it, it seems, in my estimation, there's functionally

not a huge, not a massive difference between what you're proposing and what was being proposed in the planned variation. What seems to be tripping up a lot of folks, and I understand this is, is the uncertainty that you change the zoning that's not necessarily mandating without having the plan variations, not necessarily mandating that what you're describing today as your desired project is actually what's going to be built on the ground. So you immediately begin to wonder if if one hundred and twenty five feet could possibly end up being the case, even though that's not being proposed today. So the question would be. Would would there be any short of an up or down vote on what's being provided to us today, any desire to consider a planned variation that would align with what you're being proposed to take away the cloud of uncertainty that you're not thinking about one hundred and twenty five foot tower in the middle of East Asia or something like that?

[01:14:21] Well, that's a good point, Dave. And that's what we originally proposed to to the planning office is to amend the plan variation with the new site plan. And they, for whatever reason, I don't remember where I'm at, but we the preference was to revoke it and get rid of the planned variation and that that the R3 would be it just to go back to the other three would be so that we got guided into that process. We're fully committed to that site plan. They want to move on it faster than they want it done tomorrow. And so really pressing on getting it done. So I can speak very confidently that that's what's going to go in there if approved. But I don't know that we have an option for for doing the plan variation like you proposed.

[01:15:04] And just so the public knows something can be built right now by way of the planned variation

[01:15:12] And the infrastructure

[01:15:13] Issues are still going to be as acute as ever. Sad to say we're not going to be able to have a veto on doing anything there. We recognize fully that that there are infrastructure challenges. But what? What's in the plan variation and what's being proposed is not commercial, and I know that's not what any of us want to to necessarily hear, but in both scenarios, you do not get the commercial element. That's not to say that another project coming down the pike later could realize that, but but that is not what's either allowable right now or on the table in this project.

[01:15:55] And before, yeah, before Josh left, he had asked, like, what are the opportunities for pausing? Is that a John Hart question or?

[01:16:04] Well, I think that's an applicant question. If if they my sense is that Josh is only interested in pausing was such that he could continue to be part of the conversation? If if the applicant was amenable to that, certainly. But there's no. Legal requirement that I don't believe we have the ability to stop the process map.

[01:16:33] A yes, I just want to point out for the topic of pausing this or continuing the hearing. Um, you would need to seek a agreement from the applicant to extend the review period because in our zoning and Chapter eight of our zoning regulations, we do have a timeline for final decision on plan variations. It should be 30 days from the receipt of the planning board's decision, which would be December twenty fourth, so we would need to seek a agreement to extend that date to sometime in January.

[01:17:12] Are you saying until like January or is that what we're thinking?

[01:17:19] Is that I think if we're talking about an extension for continued deliberation and discussion and inclusion of Commissioner Slotnick into the discussion, I think we would have to bump it out to early January.

[01:17:36] It would be our preference to get a decision today, we're excited to move forward, and that puts us out a month on the road. But if you know we're not opposed, we don't want you to rush and make the decision without. So if that's what you feel most comfortable with, I think the applicant would be fine with it, but they would appreciate a decision today if possible.

[01:17:58] How do you feel about waiting until Josh can be back, can participate.

[01:18:05] It is that question to me, Anita, or

[01:18:08] Yeah, it's a question to, yes, everyone on in the meeting. Is there a serious heartburn if we wait until January? I understand. Yeah, the position that you're in. Yeah.

[01:18:24] If Derek or Matt or Paul wanted to say anything, I don't think they do. But anyway, yeah, I guess I just whatever it works best for you guys.

[01:18:37] My only recommendation on extending that is to make sure that we state a date specific so that the. So that we know that the public knows the next hearing date.

[01:18:51] Here's Tim Tim Worley.

[01:18:54] Yeah, hi. Tim Worley from CAPS Commissioners, I was just going to note that January 8th, I think, is a potential date. It might be the first hearing in January.

[01:19:05] I think January 6th. Are you talking him? Oh, no, no problem. Right.

[01:19:12] I think we might have quite a few projects already there, and that doesn't preclude this going forward to that date. It's just something to be aware of, that there might be other things that. Demand your time during that hearing, so just something to be aware of.

[01:19:30] And as Kyla on does she know that Josh is available January 6th and he will actually be here?

[01:19:38] Actually, that is a great point. I think that Josh is out the first week in January,

[01:19:42] So thanks Juanita,

[01:19:44] For bringing that up. He is confirmed out on January 6th.

[01:19:49] When's the next public here, our public meeting date in January?

[01:19:53] That would be the 13th.

[01:19:56] Ok. Ok. So it's either today or the 13th. Are there other questions we needed that you have that having additional time to deliberate on this and consider the project or the proposal would be useful?

[01:20:18] No, not not right now. I mean, I would, Paul, if you're able to. Um, extend it to the 13th. I would feel better about that, but if. Yeah, if we need to make this happen today,

[01:20:38] You know, I think we can make that work. Just let us what we can give you. You know, it's not a deal, but it's if that's what needs to happen, we can make it work.

[01:20:52] So I guess another question, Paul or Joe. We've heard a number of and this would apply again in the circumstance of either building something out under the current plan variation scenario or revoking that and just building what you're proposing with C.R. three.

[01:21:11] There have been a number

[01:21:12] Of comments related to infrastructure, some of which clearly go beyond the scope of this project. And some are, I think, are arguing that an additional X number of units that you'll be able to construct are going to add that much more of a strain on the infrastructure any. Any thoughts in terms of. Ways to mitigate those sorts of impacts.

[01:21:42] Let me just say that it's currently an open parking lot, and so people cut across it, and I think it's probably leading to some of the traffic confusion in the area with these buildings are are put in. They're going to define the road areas, they're going to build out parts of Michigan and Minnesota. We're going to put in sidewalks. We're going to have to extend water and sewer. And so we are there is significant infrastructure improvements that are associated

with the project and we do think those are positive and will end up helping. But I think I think folks are most interested in maybe a more collaborative evaluation of Highway 200 or I think they have done that study. And they it seems to be a general theme that that folks are wanting to see that that realized and I don't know how much we can, you know, we're only a part of the story. There's a triangle vacant triangle piece ahead of us in front of us and the road that you can see that that's being developed at multifamily as we speak. It's my understanding they have approval for multifamily there. So, so we're just one of many actors in the area that I think at the end of the day will bring a little more order to the area and with regards to transportation infrastructure.

[01:22:49] Ok. Matt, or thanks Paul, Matt or Tim or Karen? Any insight into why the suggestion was given to the applicant to. Remove the plan variation, revoke it, as opposed to amending the plan variation.

[01:23:10] A yes, commissioner, so we did receive a initial application that was to amend it, which included an amendment that would just be a revised development plan, and in our discussions, we talked about how if the other items, such as a minimum lot with lot area and a draft private covenant, we're not also going to be changed. It made the most sense in that conversation to go for a revocation so it could just be processed under C.R. three because they were in addition to just the development plan. There were really specific lot dimensions contemplated that fit and exact building layout. There was even a draft set of private covenants that were tied to a earlier part in our files in our office, but not necessarily adopted through resolution. And I think that was because the intent was that perhaps the planned variation could be used in the future for some sort of ownership unit layout and that if that wasn't going to be amended with a development plan, then it made more sense to us to guide the applicant towards a revocation request, which we had supported.

[01:24:21] Ok, so the revocation just creates more flexibility, right? And just clean slate, more flexibility. Is that? That's right. Yeah, yeah.

[01:24:30] Ok.

[01:24:31] But the flip side of that is lack of certitude that comes with the planned variation, which seems to be the nub of concern. At least some of the concerns we're hearing today, as you and I have no reason to doubt that what's being proposed is not what is actually going to be constructed. But we have seen instances in the past where plans change and and what actually ends up on the ground is different than what was originally pitched to us. So that's that's where I'm going in terms of if if there is a way over the next and maybe, maybe this ship has sailed, but if indeed you grant. An extension until the 13th, if there is a way to modify what's being brought before us to memorialize some more specificity. And maybe maybe that is not possible since you're not contemplating modifying the plan variation, but I hear that that is what folks are looking for here today.

[01:25:40] And from our end, we can do whatever that is acceptable to the county with that regard. We can define the project and pretty comfortable moving forward with it. So just whatever Matt thinks is possible, we could.

[01:25:52] So did we just get to like a sweet spot? Paul?

[01:25:59] Well, I've learned not to have a sweet tooth during these meetings. So yeah, I guess either for Paul or Matt, what might that look like? Would that be essentially? And I'm not looking to create any more process than necessary, but given where we are in this process here, could could we do a slight course correction to actually have a an amended planned variation of some sort or conditions attached to the well that I don't know. I'm just totally speculating when we're talking to zoning change. Short of creating a whole new zoning district, which we. You really don't want to do too much more of that since we're going to revamp the entire zoning code in a couple of months or several months.

[01:26:55] Of commissioners, if if at this point an idea is to amend the variation, this would actually need to go back to initial application, public notice and planning board hearing as a new proposal.

[01:27:14] Ok. So. So can we achieve any specificity on January 13th?

[01:27:25] So in that time frame, just if we were to go for looking at amending the Adopt a Plan variation, we would not be within the public notice and Planning Board hearing timeline that fits in order to get to a commissioner hearing on the on the 13th.

[01:27:43] So tell you what, how about this? There's there's some questions process wise that are worth working out. We have a request from one of the commissioners to be present for the continued deliberations until he's back, which is January 13th. We don't need to solve all of this right now, but with the applicant, Paul or Joe be agreeable to a delay until January 13th and we will assure you we will make a decision at that point.

[01:28:12] Yes, yes we will. And we'll send you in an email to that effect, Matt. Ok.

[01:28:19] Thanks for the flexibility. I always hate doing too much of the in the weeds stuff on the fly here, so.

[01:28:27] Thanks, Paul, really appreciate that.

[01:28:30] No problem. Thanks, guys. Thanks, Mister.

[01:28:32] Ok. That item will be delayed and extended to January 13, so thanks everyone from the community and the public who's offered comment today, which we will be taking seriously as we continue our deliberations. Ok, thank you. Our next public hearing number two, which I'll open, is a resolution to approve, is it LaSalle Lane as a county road? Steve Knight, you can pronounce it properly.

[01:29:05] Probably not. Can you hear me?

[01:29:09] Yes.

[01:29:09] Yes.

[01:29:09] Ok. I call it Lois Lane. That may or may not be right. So I'll give you just a brief background on this and how this came to be in front of you. Montana Rail Link is applying for a grant to improve a crossing and their railroad crossing across Lois Lane. And in order to get that grant, they needed to prove that there was a public right of way of record and. When I looked into that, lo and behold, I found that although everyone for over 100 years has believed it to be a public right of way. In fact, it isn't. And the reason it isn't is not entirely clear to me. But there was a petition by the citizens of Missoula County in 1891. That petition was accepted by the commissioners. Viewers were appointed. We have all the original documents from that proceeding, and the commissioners approved the road as a public highway,

[01:30:29] Steve at some point here. Can you show us on the screen where this is located?

[01:30:35] Yes, I can certainly try to do that for you. All right, are you seeing my screen with the yellow dash line? Yes. All right. That is Lois Lane, as it's known today. And I don't know what it was known as back then. But about a year after the commissioners approved this as a public right of way, there was an entry in the journal that said all proceedings relevant to this right of way are void and no explanation. So I kind of dug into it and realized that the statutes at the time dictated that the road viewers be disinterested parties, while the three road viewers that were appointed were also primary signatories on the petition. So it is my belief, and that's the only reason I can come up with from from the historical records. Someone discovered that they were not in compliance with the statutes at the time, and they voided that decision. And this happened on a different road in the same general area of French town where they around the same time petition was presented. The commissioners passed it. And a year later, they said, Oops, nope. No longer, no no longer valid. So what we had then was a long history of treating this road as a public right of way, including the adjacent properties typically holding back 30 feet from the edge of the from the centerline of the road, which is essentially the suction line.

[01:32:25] And because of that proceeding where the commissioners voided it, it was John Hart's determination that that was a valid voiding of that right of way. So I bring in front of you, I knew attempt to make that a public right of way. Using a statute that allows the commissioners following a public hearing to declare a road, a public or a county road right of way if three conditions are met and the three conditions are that the county layout the road, construct

the road and maintain the road. And I do believe that we have substantially complied with those requirements. We certainly maintain it and have done so for many, many years. The laying out element, I believe, was met through the petition when the viewers were sent out to lay out the road, the construction. We have a smattering of records that show we have constructed portions of the road and certainly including a bridge. So John and I both believe that we've met the statutory requirements. So we are asking you commissioners today to sign off on the resolution that I presented and will declare this. You will declare this a county public right of way and MRL can do their road improvements or crossing improvements and everyone should be happy.

[01:34:16] The bridge, the bridge, the county bridges where

[01:34:21] I'm not even sure where there's an irrigation canal out there right in this area. I I'm guessing that that's the bridge that was constructed with county funds. This is the railroad, of course, and the crossing that's to be improved is here. So any other, any other questions

[01:34:47] And all the landowners

[01:34:49] Want the county

[01:34:51] To want this correct?

[01:34:54] Well, we we haven't knocked on everyone's door. The primary landowners out there have been contacted and they're fine with it. I think, like I said, virtually everyone had believed it to be in existence

[01:35:11] And since 1891.

[01:35:13] Yeah, basically until until I threw a fly in the ointment.

[01:35:20] Ok.

[01:35:21] All right.

[01:35:22] Is there any, any public comment? This is a public hearing, any public comment on the resolution. See now close the public hearing, so again, Steve, what was it that or we can let John speak for himself out there? What was it that triggered stumbling upon this, this factoid that we needed to take this action today?

[01:35:49] Well, the request was made of me by public works to determine that this was a public right away. Hey, what's the status of Lois Lane? And you know, of course, I dug in as deep as I could and discovered this this flaw in and in the legal status of the right of way.

[01:36:13] I guess I'm wondering, Steve, is there some project we are doing out here that that triggered the question for public works?

[01:36:20] Well, the the project is the improvement of that crossing by MRL. And there is an irrigation ditch that runs along the north side of Lois Lane right along here. And because of that irrigation ditch and the proposed width of the new crossing, there was concern that we, the MRL, would not be able to build their crossing within the right of way. And that led me to determine where that right of way was, which led me to believe that there was no right away.

[01:36:59] Good work. Any other questions we need to

[01:37:02] Know flies in the ointment. Ok, I move that I moved to the board approved by Resolution Lyocell Lane, or I'm sorry, how do you pronounce it?

[01:37:12] You're fine. Lois Lane.

[01:37:14] Wassail Lane as a county road.

[01:37:17] I will second that any further discussion on the motion seeing that all in favor I. All right. Thanks, Steve.

[01:37:26] Yes, thank you.

[01:37:28] Thank you.

[01:37:30] Our third and final hearing today is related to the twenty twenty one long range transportation plan, Zula Connect. Twenty fifty. And John, I see you've appeared are you going to present this to us?

[01:37:47] I am. Karen's name is on the agenda because the my name is not pop up on your software as a member of the Metropolitan Planning Organization. So I'm going to go ahead and share my screen. All right. Can everyone see that? Yes. All right, thank you. Thanks for your time this afternoon. My name is John Sand. I'm a transportation planner with the Missoula Metropolitan Planning Organization. I'm here today to talk about the adopting the 2050 long range transportation plan as an issue plan to the county growth policy. Before I get started, I just wanted to thank the commissioners and county staff, especially Karen and her team, for their hard work on and input into this plan. We started in early 2020 and their their input was valuable during this, as well as the commissioners, and thanks for the opportunity to provide updates during that process, as as well as for your time today. And then also a shout out to our consulting team, Nelson Nygaard out of Seattle. They did a great job working on this plan and helped us adapt during the coda to continuing to do a really good community outreach and developing a plan that the community can be proud of. So the reason why we're here today is just to our agenda item is to adopt or deny the long range transportation plan, which we're calling Missoula Connect as an issue as an issue plan to the 2016 Missoula County growth policy.

[01:39:44] So essentially, the LRT is a comprehensive policy policy document aimed at guiding transportation investment within the Missoula Metropolitan Planning Area, which I'll show you a map of that and another slide. Missoula connects comprehensive Missoula Connect, supports comprehensive planning for Missoula as an issue plan, as described in the book that should be 2016 Missoula County growth policy. Sorry about that issue plans provide detailed analysis and policy guidance on specific infrastructure facilities, development or conservation issues identified in the growth policy. So another example of an issue plan that folks may be familiar with is the recently adopted Missoula Area Climate Action Plan. This is similar in that sense that it is provides guidance on specific transportation infrastructure and programs and policies. So I mentioned the MPO planning area so you can see outlined and Orange is the planning area and then in blue is the Missoula urbanized area. So the planning area stretches north to the Everett Hill area, south pass low, low west past the Y and east into the tourist community. Part of the impos role in the community is conducting continuing comprehensive and coordinated regional transportation planning. Also meeting regional transportation needs, encouraging government cooperation. So in our case, we make sure coordination is going on between the city of Missoula and Missoula County and the Montana Department of Transportation.

[01:41:37] We also work to ensure development of development and implement implementation of a fully integrated multimodal transportation plan that meets all federal mandates. So just a little context for folks about where the long range transportation plan fits in with other planning documents, as you can see documents such as the Active Transportation Plan, Community Transportation Safety Plan, Mountain Lions Strategic Plan and then other plans and efforts from agencies such as the Missoula Redevelopment Agency and Parks and Rec all inform Missoula Connect, which also go towards informing both the city and county growth policies. The RTP is updated every four years. It looks over a 30 year planning horizon, so in our case, we were looking out to 2050. The plan is also required to be fiscally constrained and cannot allocate funding to committed and recommended projects beyond the estimated available funding over the next 30 years. So here is a quick timeline of our process, as I mentioned, we started this in January. The update in January of 2020, we had a really successful first Friday event that was the history of transportation. And then looking forward like I mentioned to 2050, gathering community's input on goals and values for the for the plan later in 2020. We did another round of public engagement where we did a call for projects just giving everyone's big ideas on paper and and looking at

[01:43:40] What folks thoughts

[01:43:42] Were for projects within the planning area. And then after that, there were three scenarios developed, which you may recall from a previous update. The scenarios were new connections, enhance connections and regional equity. And so components of enhanced connections and regional equity, or all included in the recommended scenario and implementation plan, which was developed over the over last fall and winter and then this past spring and summer. The draft and final long range plan was developed and presented to the transportation policy committees. I mentioned community outreach. We had, you know, a really successful in-person event, and then with hundreds of attendees, probably one of the most well-attended transportation outreach events we've ever had. So that was really exciting. Of course, COVID made us pivot our outreach methods, and so we worked really hard to work with our our community partners on effective ways of outreach. So, of course, a lot of online materials. But we also worked hard to provide printed materials with folks such as Missoula Aging Services. Mountain Lion was great and we put posters on the buses and the transfer center, lots of community Zoom meetings. I also attended Lolo community meetings, as well as East Missoula community meetings. So just a quick overview of our community outreach there. So part of that outreach? Take a sip of water real quick. Part of that community outreach was developing the long range transportation goals, so you can read you can see them here improving safety, promoting health and enhanced quality of life, advancing sustainability and community resilience, expanding mobility choices, connecting and strengthening communities and maintaining assets to boost economic vitality.

[01:46:06] A big component of the plan is funding the plan, as I mentioned, it needs to be a fiscally constrained plan, meaning we can't allocate funding beyond what we anticipate our estimated funding to be. So Final Plan has 71 projects that a total of just over two hundred and eight million dollars. You can see the little pie chart down. There shows where the different the different types of projects such as active transportation roadways, roadway extension bridges and complete streets. Just one thing I want to point out on here is intersection improvements. It does look like a low investment in that. But I want to just point out and folks to keep in mind that complete streets and projects like roadway extensions we will be looking at or including intersection improvements when those projects are completed. So another funding diagram that divides out the money into near term, medium term and long term projects. The previous slide was prioritized discretionary funding besides transit and maintenance. So this slide does show MDT allocated capital costs, maintenance and then as well as

[01:47:36] Transit

[01:47:36] Services. And you can see at the bottom right there

[01:47:41] The one

[01:47:42] Point three approximate one point three billion dollars does go does go fast over a 30 year time frame. So I mentioned the 71 projects, there is extra funding

[01:48:02] That will be

[01:48:02] Allocated to programs and policies. Just some examples of these are a community car share transportation, all transportation options, policy, freight and goods delivery management. And then another thing we just presented to our Transportation Technical Advisory Committee is some more info on emerging mobility playbooks. So emerging mobility includes all these things like car share, scooter sharing and stuff like that. And so just trying to brainstorm ideas that the community is interested in and making investments. And there aren't necessarily infrastructure projects, but do move the needle with as far as our mode split goals. So another, you know, big part of this presentation today is showing how this plan jives with the county growth policy. So Goal 13, promoting equal access to employment, safe housing, transportation, community services and amenities for all segments of the population. The goal from Missoula Connect, connect and strengthen communities to create a more equitable region. Support this goal. 13 from the county growth policy. Another goal I wanted to point out from the growth policy goal for reducing the Zulu's county contribution. Missoula County's contribution to climate change while promoting resiliency and adapting its impact on the natural environment and communities. So the goal from the RTP that supports this is advancing sustainability and community resilience to protect natural resources and address climate change.

[01:49:57] Other growth policies, objectives supported by the CPTPP are formulating land use policies that supports compact development, transit and multi-modal accessibility, land support, land use policy based upon transit and

multimodal transportation alternatives, and continue to build and maintain the core transportation facilities, including streets and roads, highways and non-motorized trails and pathway systems. This is just a project spotlight that I wanted to point out that you you've maybe seen if you've looked through the the plan. And so this just points to formulating a land use policy that supports compact development, transit and multimodal accessibility, increasing connectivity and supporting growth where the city and county are anticipating growth. So a good example of this is the certification area where the city and county worked on a master plan for that area. And so we worked to show future road connections and potential transit routes through that area, as well as the North Reserve Scott Street Development Area. This is a project spotlight from the Brick Street corridor. And so again, supporting land use policy based upon transit and multimodal transportation, really making sure that there's a connection between land use and transportation so that infrastructure is being created that supports the the land use around it. And I mentioned the emerging mobility playbook, a component from that playbook is creating mobility hubs.

[01:52:01] Some mobility hubs are really cool concept. They can happen on different scales, so potentially like one could be down at the downtown transfer center where folks are transferring. Buses also have access to parking or a car sharing and bike sharing, and then keeping in mind that there could be smaller scale mobility hubs around the periphery of the community or communities, providing opportunities for multimodal options for folks where it where it fits in those different types of communities. So just a quick timeline, history on this presentation and the RTP adoption. It was approved by TPK A. Choetech, our transportation committees this summer and June. Federal Highways, Federal Transit Administration and the EPA and Montana Department of Transportation approve the plan in July of this past summer. We presented this to consolidate consolidated planning board, and they recommend the adoption of conformity on September 7th. City Council approved the LRT as an issue plan in October to their twenty thirty five growth policy, and so I'm here today to request the Missoula County Board of Commissioners approval of the LRT as an issue plan to the Twenty Sixteen Legal accounting for this policy, and I have a recommended motion here on the screen. Happy to read it or

[01:53:49] I'm available

[01:53:50] For questions and discussion.

[01:53:53] All right, thanks, John. Is there any there, any members of the public or others who would like to comment on this? Ok, so you got any. Sorry, could you mute yourself, I don't know who's the offending party here. Ok. Yep, that did it. Ok, any questions we need?

[01:54:29] No, this is just fabulous and. It must feel really good to get. Well, I would hope they would feel really good to get to this point.

[01:54:40] And TPK was briefed on this for, I don't know, over a year it seemed we were working on this a long time. So it's it's a solid plan and I look forward to getting it implemented.

[01:54:58] Plugs for passenger rail. Come on, Dave.

[01:55:00] So the last page of the plan, I think

[01:55:02] It is in here somewhere. I was I made sure that there was some reference. I don't know what page it's on, but

[01:55:09] One thirty

[01:55:11] One thirty eight.

[01:55:14] I can't read John, you know. Yeah, it's

[01:55:17] Good. Good job,

[01:55:18] Juanita. Ok.

[01:55:19] Yeah, I can't read it on the screen, but yes, no. Fantastic. So I guess I'm sorry, Dave, I cut you off.

[01:55:28] John, do you want to queue up that motion again?

[01:55:30] I the resolution of a tent I have. It's coming. Ok, let's get it right. There we go.

[01:55:40] There it is.

[01:55:42] I'm motion to adopt the twenty twenty long Missoula long range transportation plan. Missoula Connect Twenty Fifty, as recommended by the Missoula Consolidated Planning Board to replace the previously adopted long range transportation plan. Activate Missoula from twenty four forty five.

[01:55:59] I will second that any further discussion that is,

[01:56:02] I must admit it is a different motion than what is on our RCA.

[01:56:15] That is a good that is a good, astute point. Karen, what is the right motion? Are we adopting a resolution of intent or what's the deal here?

[01:56:27] You are adopting resolution intent. I think the I think it was to approve and adopt a resolution of intent. It may be slightly different wording, but that's what you're doing today.

[01:56:36] That sounds correct.

[01:56:40] Ok, so take that back. I will start over and I'll say that I request the board approve the resolution of intent to adopt the twenty twenty one long range transportation plan. Missoula Connect twenty fifty as an issue plan of the Missoula County growth policy.

[01:56:57] I will second that.

[01:56:59] Ok.

[01:57:00] And further discussion. The not all in favor. I. Ok, so question for you, Karen, so we just adopted the resolution of intent. How about the resolution itself?

[01:57:16] We'll schedule it for a January meeting, it won't require the full public hearing notice, so we'll get it on there as quickly as we can. I'll work with John on that and usually that's kind of a pro forma like we don't technically public comment can be received on it, but usually once you've done your resolution of intent, then your resolution to adopt is really just kind of paperwork.

[01:57:39] Great.

[01:57:39] All right. Thanks, John. Appreciate it.

[01:57:42] Yeah, thank you.

[01:57:43] Any other business to come before the commission this afternoon? Before we truly get dumped on with snow? The man, we will be adjourned. Thanks, everyone.

[01:57:54] Thanks, everyone.