



MISSOULA CONSOLIDATED PLANNING BOARD

Meeting Minutes



Missoula County
Planning, Development & Sustainability
(406) 258-4657

City of Missoula
Community Planning, Development & Innovation
(406) 552-6630

Date: March 5, 2024, 6:00 p.m.

Location: Missoula County Courthouse, Sophie Moiese Room (in person) or TEAMS (virtually)

Members in Attendance: Dori Gilels (Mayor), Shane Morrissey (City Appt), Tung Pham (Mayor), Josh Schroeder (Conservation Dist.), Dave Loomis (County Appt), Rick Hall (County Appt), and Sean McCoy (County Appt)

Members Absent: Derek Kanwischer (City Alt), Peter Benson (County Appt)

I. CALL TO ORDER [Time stamp - 0:20]

Sean McCoy called the meeting to order at 6:04 p.m.

II. ROLL CALL [Time stamp - 1:47]

Ms. Powers called the roll. All regular members were in attendance.

III. APPROVAL OF MINUTES [Time stamp - 3:05]

Approval of the February 20, 2024, meeting minutes were deferred to the April 2nd meeting.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS Time stamp - [3:28]

There were no public comments on non-agenda items.

V. STAFF ANNOUNCEMENTS [Time stamp - 6:12]

Karen Hughes provided updates on the changes in approach to meeting minutes. Moving forward, the minutes will be in a narrative format, focusing on highlighting key points, and not in a detailed dialog format. This change is in response to staffing and reflects preferences from both the city and county. Additionally, Karen mentioned that for close votes or particular interests, both jurisdictions often refer to video recordings and transcripts, which will now be date and time-stamped for easier navigation.

VI. PUBLIC HEARINGS [Time stamp - 8:07]

- A. Zoning Amendment: 2359 & 2361 W Kent Ave. RT5.4 to RM1-35
Charlie Ream, City of Missoula

STAFF PRESENTATION

Charlie Ream, an Associate Planner with the City of Missoula, presented a request from Tamara Ross of IMEG Corporation on behalf of Craig Best to rezone properties at 2361

and 2359 W Kent Ave. The proposal aims to change the zoning from RT 5.4 (Residential 2 Unit Townhouse) to RM135 (Residential Multi Dwelling), aligning with the Our Missoula 2035 Growth Policy for higher-density residential use.

Ream highlighted the property's proximity to city amenities and infrastructure, such as trails, sidewalks, bus routes, and commercial services. The rezoning would facilitate more efficient use of existing infrastructure and promote a compact, mixed-use development pattern as encouraged by the city's growth policy. The proposed zoning complies with recommendations from the Reserve St. Area Plan and the Midtown Master Plan, emphasizing the demand for multi-dwelling housing in the area. Despite the change in density, the proposed RM135 zoning would maintain similar setbacks, height limits, and permitted uses as the current RT 5.4 zoning, ensuring compatibility with the neighborhood's character. Some additional uses allowed under RM135 include fraternities, sororities, colleges, universities, and various service-based businesses, which would not significantly alter the area's residential nature. The presentation ended with a note that 11 protest petitions had been received, requiring a supermajority vote by the City Council for the rezoning to proceed.

See PowerPoint Slides.

PUBLIC COMMENT

Several members of the public provided comments. They expressed concerns about how the proposed change will impact on parking, density, and compatibility with the surrounding neighborhood character.

RECOMMENDED MOTION

Tung Pham made the following motion to approve the request and Dave Loomis seconded the motion:

Recommend City Council approve the adoption of an ordinance to rezone the subject property located at 2361 and 2359 W Kent Ave. and legally described Lots 4-7 and the east 15' of Lot 8 of Carline Addition, located in Section 29, Township 13 North, Range 19 West, P.M.M. from RT5.4 Residential (two-unit/townhouse) to RM1-35 Residential (Multi-dwelling), based on the findings of fact and conclusions of law in the staff report.

The board acknowledged the challenges and limitations of current zoning regulations. They emphasized the proposal complies with the growth policy and encouraged community engagement in the zoning code rewrite process to ensure neighborhoods have a say in shaping future development. Overall, the discussion reflected the complexity of balancing growth with preserving neighborhood character and the importance of community involvement in decision-making processes.

VOTE

With no further discussion, the board voted by roll call, and the motion passed.

AYES: (6): Dori Gilels, Shane Morrissey, Tung Pham, Josh Schroeder, Dave Loomis, and Rick Hall

NAYS: (1): Sean McCoy

ABSENT: Derek Kanwischer (City Alt), Peter Benson (County Appt)

Vote results: Approved (6 to 1)

B. City of Missoula: Title 20 Code amendments [Time stamp - 1:05:51]

Jen Gress, City of Missoula

STAFF PRESENTATION

Ben Brewer outlined recommendations for the 2nd round of near-term zoning code amendments to Title 20, including conditional use-permit regulations. The proposed amendments aim to modernize regulations and address challenges in community development. The timeline highlighted the initiation of the Our Missoula code reform and growth policy update project in 2022, followed by interim ordinances to address development challenges. Notably changes based on Senate Bills 323 and 528 were removed due to legal challenges that are in the works. In identifying the recommendations for amendments, targeted approaches addressed the challenges and goals of the Our Missoula project while considering community needs and potential impacts.

The 2nd round of near-term code amendments emphasized support of new housing development, enhancing the efficiency of the development review process, and aligning existing policy goals with updated codes. The proposed amendments were categorized into three main groups: amendments supporting housing, incentives for vertical mixed-use buildings, and changes to accessory dwelling units (ADUs) and shared parking. Other proposed changes focused on simplifying existing regulations, such as allowing existing residential structures to expand vertically, removing setbacks for expanding multi-dwelling building parking, clarifying floor area measurements for ADUs, and defining the authority of the Historic Preservation Commission regarding preservation permits.

Additionally, the proposal codified various zoning officer opinions into the zoning code based on interpretations of existing regulations. The process involved staff researching and obtaining approval from the City attorney to formalize these opinions.

Questions from the board revolved around the clarification of approval processes for historic preservation permits, reducing parking requirements not only for affordable housing units but also for market-rate units within a project, and the decision to stick with a 1,000-square-foot limit for ADUs.

Specific proposed amendments to Title 20 concerned conditional uses within specific zoning districts. Initially, the team contemplated changing all conditional uses to permitted uses but concluded that a blanket approach was too broad and not aligned with their objectives. Instead, they adopted a focused strategy, assessing each use based on factors like frequency of occurrence, level of controversy, policy alignment, existing regulations, equity considerations, and complexity.

The amendments were guided by several assumptions, including limiting the scope to districts under Title 20, avoiding expansion of use designations, not increasing restrictions, and considering specific characteristics of various districts and similar use types. Ultimately, the amendments were categorized into three groups:

- Uses changed to permitted in every district where they were previously conditional.
- Uses changed to permitted in some districts but remaining conditional in others.

- Uses that remained unchanged and conditional.

This process resulted in significant changes to the conditional use classifications, with more than half of the existing conditional uses being adjusted to be permitted in every or some of the districts they are listed in. No public comments were received on these changes. The next steps will include further review by the Land Use and Planning Committee and a public hearing by the City Council.

See PowerPoint Slides.

PUBLIC COMMENT

The discussion received public comments, particularly from Len Broberg representing Common Good Missoula, who expressed support for the amendments and highlighted the importance of affordable housing initiatives like accessory dwelling units (ADUs).

RECCOMENDED MOTION

Dave Loomis made the following motion to approve the request and Dori Gilels seconded it:

Recommend the Missoula City Council approve an Ordinance to amend Title 20: 2nd Round Near-Term Code Amendments and adopt proposed Conditional Use regulations as presented.

The meeting concluded with acknowledgment of insightful public comments and appreciation for the staff's effort in highlighting these and incorporating them into code reform. The board members appreciated the efforts to revise zoning codes, especially the adjustments made to the Accessory Dwelling Units (ADU), making the language clearer and more comprehensive than the related bill. The board asked about whether the city could quantify how the interim zoning with these amendments have facilitated and affected development projects. Staff mostly had anecdotal examples such as enterprise commercial projects and artisan manufacturing projects that had benefited from these amendments. Overall, the meeting emphasized the importance of community feedback, expert insight, and the continuous effort to refine and improve urban planning and zoning practices to meet the community's needs.

VOTE

With no further discussion, the board voted by roll call and the motion passed unanimously.

AYES: (7) Dori Gilels, Shane Morrissey, Tung Pham, Josh Schroeder, Dave Loomis, Rick Hall, and Sean McCoy

NAYS: (0)

ABSENT: Derek Kanwischer (City Alt), Peter Benson (County Appt)

Vote results: Approved (7 to 0)

VII. COMMUNICATIONS & SPECIAL PRESENTATIONS

There were no communications or special presentations.

VIII. COMMITTEE REPORTS

There were no committee reports.

IX. OLD BUSINESS

No old business was reported.

X. NEW BUSINESS

No new business was reported.

XI. COMMENTS FROM BOARD MEMBERS

No comments from Board Members

XII. ADJOURNMENT [*Time stamp - 2:24:43*]

The meeting was adjourned at 8:24 p.m.

Missoula Consolidated Planning Board March 5, 2024 – Transcription

This transcription was produced by transcription software. There may be discrepancies between this transcription and meeting dialogue. You can view the recording of the meeting at this link <https://missoulacomt.portal.civicclerk.com/event/8748/overview>.

Missoula Consolidated Planning Board- March 5, 2024- Meeting Recording

34:30

Welcome to everybody online as well as in house.

34:35

Tonight we have some of our first people in the audience in a long time.

34:44

So with that, I'd like to call to order tonight's Missoula Consolidated Planning Board for Tuesday March 5th, 2024 and it's six O 4:00 PM And with that, Heather is going to read a little introduction.

35:07

All right, I'm reading along with what is on the screen up there.

35:10

Hello everyone.

35:12

If you are joining us for this meeting virtually today, instructions for turning on closed captioning are on your screen.

35:19

If you're joining us in person, we will have closed captioning on in the Sophie Moise room.

35:24

And we also have assistive apologies assistive listening devices available.

35:31

Please come to me if you would like one and I will get one for you.

35:35

Please remember to speak slowly and clearly.

35:38

For those in the room, speak closely and directly into the microphones.

35:42

The Board chair will open the public comment sections of the meeting during those times.

35:47

If you would like to speak, we ask that you use the raised hand feature.

35:51

If you're on Microsoft Teams, this is a small hand button.

35:55

If you are calling in on the phone, you need to hit Star Five to raise your hand.

35:59

Then once called upon, you will need to hit Star 6 to unmute.

36:09

Great.

36:09

Thank you, Heather.

36:11

And with that, we will move on to roll call.

36:20

OK, roll call.

36:22

Dori galels Present.

36:25

Shane Morrissey.

36:30

Present.

36:32

Toon Farm.

36:34

Present.

36:37

Derek Kanwisher.

36:39

Derek is absent.

36:41

Josh Rader Rosen, Dave Loomis, Peter Benson.

36:53

Peter is absent recall Rosen, Sean McCoy here and Mr.

37:05

Chair, we have Quorum.

37:07

Great.

37:08

Thank you.

37:10

Do we need to elevate anybody to a voting position?

37:20

We do not.

37:21

We have all regular members here present.

37:23

Wow, great.

37:25

That doesn't happen very often.

37:28

OK.

37:29

So with that, we move on to the approval of the minutes.

37:33

However, due to some of our staffing challenges lately, we're going to defer our February 20th, 2024 meeting minutes to the April 2nd meeting, give staff a chance to catch up on getting those out.

37:50

And with that we will move over to public comment on non agenda items.

37:57

So if anybody virtually or in house here wants to make a comment on anything outside of tonight's agenda, now is the time to do that.

38:06

And if you are joining us remotely in some way, you can do that via Microsoft Teams, which if you found this on the portal link through the city, there will be a button to click.

38:18

Or if you're calling in with just audio only, you can call in at 1-406-272-4824.

38:29

The phone conference ID is 127489 322# and you can press star 6 to mute and unmute yourself and Star five to raise and lower your hand.

38:45

And we will take a minute here to see if we have any buddy that wants to comment.

39:46

OK.

39:47

I'm not seeing anybody in house.

39:48

Heather.

39:49

Am I missing anybody online?

39:51

I don't see anything.

39:54

I do not see anyone else online who's got a hand raised.

39:58

OK, all right.

40:01

Seeing no takers, we will go ahead and close.

40:23

Oh, OK.

40:25

Sorry, my mic cut out.

40:27

OK.

40:28

With that we will close public comment on non agenda items for this evening.

40:35

And with that we have staff announcing announcements and I believe Karen is going to give us a little update on that.

40:45

Thanks Karen.

40:46

Good evening.

40:47

Karen Hughes, Zill County Planning, Development, Sustainability.

40:51

First, I'd like to introduce Annalicia, who's with us tonight helping out.

40:55

She's learning the ropes for Planning Board and she's with us helping provide some administrative support for the county and for the board.

41:05

As you heard, we're going to delay the meeting minutes.

41:10

We're also going to change how we do minutes.

41:13

In the past, we've done pretty detailed summaries and they're in that dialogue format.

41:18

It's very, very time consuming to do that.

41:21

And to be honest, both the council and the Commission prefers a more narrative format that highlights the key points.

41:27

And so we're going to switch to doing that in the future.

41:30

So don't be surprised when you don't see your name's called out.

41:35

They always when they when votes are close or there's a particular interest or issue that they have, we understand that they from both both jurisdictions governing bias that they go and review the video recording anyway.

41:51

So we have that and we have the transcript that comes out of teams that helps.

41:56

We'll date stamp and time stamp those minutes so they can find those sections easily in the video and then we'll do more narrative summaries so that it reads a little bit easier.

42:06

So that's all I had.

42:09

If you have any questions as we change gears, just let me know.

42:13

Great.

42:14

Thanks Karen.

42:14

Appreciate you being here.

42:18

OK.

42:20

And with that, that brings us to our public hearings portion of tonight and we have two things under our purview this evening.

42:31

And the first one is the zoning amendment for 252359 and 2361.

42:38
W Kent, Ave.

42:40
and Charlie Ream with the city of Missoula is going to be making that presentation.

42:46
And she is online.

42:51
And I think I'm here.

42:59
All right.

43:00
My name is Charlie Ream.

43:01
My pronouns are they, them.

43:03
And I am an associate planner with the current planning division.

43:07
Development Services has received a request from Tamara Ross of IMED Corp, representing Craig Best, to rezone a property addressed as 2361 and 2359 W Kent Ave.

43:20
The property is proposed to be rezoned from RT 5.4 Residential 2 Unit Townhouse to RM135 Residential Multi Dwelling.

43:30
This rezoning will result in a standard zoning district under Title 20, which cannot be conditioned.

43:36
Standard zoning districts must apply the same requirements to all parcels within the same zoning district equally Subject property is located at 2361 and 2359 W Kent Ave.

43:50
three blocks north of South Ave.

43:52
and two blocks east of Reserve St.

43:54

in the Franklin to the Fort neighborhood and City Council Ward Five.

43:58

It is also northwest of the Mall and Rail Link Dog Park.

44:01

The Bitterroot Branch Trail is located less than 2/10 of a mile east of the property and can be accessed by going eastward on the sidewalks along West Sussex Ave.

44:13

Here is a closer view of the parcels outlined in red Combine.

44:17

The properties are 14,375 square feet in size and contain three existing structures.

44:23

The structures are two detached houses and a shared garage.

44:27

The area surrounding the property contains detached residences on four sides.

44:36

The applicable regional plan is the Armizoola 2035 Growth Policy, which recommends a land use designation of residential high density or greater than 24 dwelling units per acre.

44:47

This designation is identified for areas within the core of the community and where city services and infrastructure are readily available.

44:54

Structures may be a range of dwelling types from single lot, small lot, single dwelling, large scale, multi story or multi dwelling development.

45:03

The city growth policy indicates that the following districts are most closely aligned with the residential high density designation RM135RM145RM1 and RM .5.

45:16

All four zoning districts are residential districts that permit all residential types including multi dwelling.

45:23

These four zoning districts permit some civic and commercial uses such as daycares, schools, religious assembly and community gardens.

45:32

The applicant is requesting to rezone the subject property from RT 5.4 to RM 135.

45:37

The RM135 zoning district is consistent with the recommended relatable zones for the residential high density land use designation.

45:46

The blocks to the West and South have a land use designation of Community mixed-use, which is why you see Commercial Services in these locations.

45:54

The subject property is within both of Midtown Master Planned Area and the 1995 Reserve St.

46:00

Area Plan.

46:01

These area plans are amendments to the Growth Policy.

46:04

The Reserve St.

46:05

Area Plan acknowledges the need to maintain and enhance the area's diverse character and livability by allowing for diverse building types.

46:12

The proposed zoning will allow for more diverse residential building types than the current zoning.

46:17

The Midtown Master Plan references a strong and growing demand for multi dwelling rental housing.

46:23

The plan states that Midtown's low multi dwelling vacancy rates indicate unmet demand for additional rental housing.

46:29

The proposed zoning allows for multi dwelling housing whereas the current zoning does not.

46:38

The City Growth Policy calls for focus inward approach to encourage infill development in the urban

core where infrastructure already exists and promotes mixed-use compact development and enhanced connectivity, while limiting sprawl and promoting efficient use of existing infrastructure.

46:54

The community design, housing and safety and Wellness sections of the City Growth policy encourage building where there is existing infrastructure and services, especially adequate vehicle and active transportation services.

47:05

The proposed RM135 zoning would increase density in an area with existing infrastructure served by trails, sidewalks, and bike lanes.

47:12

Curbside sidewalk already exists along the parcel frontages.

47:17

The subject property also has alley access for future parking.

47:21

The parcel is currently served by city, fire, police, sewer and water.

47:25

Additionally, bus stops serving mountain line routes 26 and eight are located within 1/2 mile of the subject property.

47:32

The six and eight lines are approximately 110th of a mile from the parcel.

47:36

The parcel is near Commercial Services and is within walking distance of two grocery stores.

47:43

Shown here is the current zoning map with the property Zoned RT 5.4.

47:48

Parcel surrounding the subject Property are also zoned RT 5.4, C 1-4 and B2-2.

47:58

This figure shows the subject parcel with the proposed RM135 zone.

48:03

This requested zoning district complies with both the growth policy recommendations for the area and allows for additional density near the existing commercially zoned parcels and services to the West.

48:15

Here's a comparison between the existing and proposed zoning districts.

48:19

Both RT 5.4 and RM135 zones allow for similar residential building types, land uses, and property line setbacks.

48:26

The main difference between the two districts is RT 5.4 has a minimum area per unit requirement of 5400 square feet, while RM135 has a minimum area per unit requirement of 1000 square feet.

48:40

On this 14,375 square foot subject parcel, the RT 5.4 zone allows for a maximum density of two dwelling units, while the RM135 zone would allow for a maximum of 14 units.

48:53

The front, rear and St.

48:55

side setbacks are the same for both zoning districts.

48:57

The interior side set back for the RT 5.4 Zoning District is 7 1/2 feet, or 1/3 the building height, and the interior side set back for the RM135.

49:08

The zoning district is 5 feet.

49:12

The maximum building height permitted in the RT 5.4 Zoning District is 30 feet for buildings with a primary roof pitch of less than 8 and 10, and 35 feet for buildings with a primary roof pitch of eight and 12 or greater.

49:25

The maximum building height permitted in the RM-35 Zoning District is 35 feet.

49:33

Both zoning districts allow detached houses, lot line houses, 2 unit houses, and two unit townhouses.

49:38

RM135 also allows multi dwelling building types and three or more unit townhouses.

49:45

Uses allowed in the RM135 Zoning District will remain consistent with ours allowed in RT 5.4, except

RM135 also allows fraternities and sororities, college universities, library or culture exhibits, offices, personal improvement services, and residential support services.

50:05

Non accessory parking and water testing facility would be conditional uses.

50:12

Staff's recommendation is based on the review criteria provided in the Title 20 Zoning Ordinance.

50:18

The requested rezoning complies with the land use designation and focus inward objectives of the City growth Policy, permitting residential development at a similar but slightly higher scale than what is currently allowed.

50:28

While still aligned with the current surrounding zoning, many of the same requirements apply to the RT 5.4 zone as do the RM135 Zone, including setbacks and nearly all of the same permitted land uses.

50:44

The requested rezoning implements recommendations of both the Reserve St.

50:48

Area Plan and the Midtown Master Plan, which are amendments to the growth policy.

50:52

Future development must comply with all applicable local, state and federal regulations which ensures the protection of public health, safety and welfare.

51:01

The subject property is served by adequate public services including city fire, city police, sewer and water and existing multi modal transportation infrastructure making the property suitable for an increase in density.

51:14

Because of similar setbacks in height, provision of light and air will be protected.

51:17

The height limit of 35 feet in the RM135 zoning district creates a reasonable transition zone between the commercial zoning district to the West and South and less intensive residential districts to the east and north.

51:30

The RM135 zoning district is compatible with the character and uses of neighbouring residential properties, though the permitted density would increase.

51:39

The proposed zoning and current zoning require similar setbacks and have a similar height maximum.

51:44

The character will be will be compatible in terms of form.

51:48

There will be no change to permitted uses aside from the addition of fraternity, sorority, college, university, library, cultural exhibit, office, personal improvement service, and residential support services.

52:01

The rezoning considers the value of buildings and appropriate use of land because it complies with the land use designation in the growth policy and is compatible with adjacent uses in zoning.

52:11

The zoning amendment would have provide for an increase in housing which is in great demand in Missoula and considered a changing condition.

52:18

The rezoning is in the best interest of the city because the rezoning implements the recommendations of the Armisoula 2035 growth policy for areas designated residential high density or greater than 24 dwelling units per acre, while increasing density in an area with good access to services and transportation.

52:35

The current zoning does not implement the growth policy.

52:37

Recommendations on the screen are the three criteria which must be met to constitute spot zoning.

52:45

All three criteria have to be met to constitute spot zoning.

52:49

The district.

52:50

The zoning district is and will remain residential.

52:52

This is not considered spot zoning because the proposed zoning district is compatible with the growth Policies Land Use Designation of Residential High.

53:00

The proposed residential zoning allows uses that are similar to those allowed by surrounding residential properties.

53:06

It is not significantly different.

53:08

Over time, the area surrounding the parcel is predicted to grow in density and in accordance with the land use designated in the Armisoula 2035 growth policy.

53:17

Surrounding property zoners can rezone to a zoning district, allowing for higher density as well.

53:22

Because the zoning aligns with the growth policy and neighbouring parcels are also eligible for rezoning.

53:27

The proposed zoning does not meet criteria two or three.

53:34

Title 20, Section 208540 H provides for a formal protest petition to oppose a zoning amendment submitted to the Zoning officer or on the public record before the City Council's vote, allowing sufficient time for the City Clerk to determine the validity of the petition.

53:50

When a valid protest petition has been submitted, approval of a zoning amendment requires a 2/3 majority vote of those City Council members present in voting.

53:59

Current Planning Division has received 11 protest petitions that we believe to be valid pending City Clerk verification.

54:07

25% of adjacent property owners have protested, requiring a super majority vote.

54:16

At this time, we recommend that Planning Board recommend the adoption of an ordinance to rezone the subject parcel located at 2361 and 2359 W Kent Ave.

54:25

and legally described as lots four to seven and the E 15 feet of lot 8 of the Carline edition located in section 29 Township 13 N range 19 W from RT 5.4 Residential 2 Unit Townhouse to RM135 Residential Multi Dwelling.

54:43

Based on the findings of fact and the inclusions of law in the staff report, this concludes staff's presentation and the applicant should be present tonight in case they would like to comment or Planning Board would like to ask them questions directly.

54:55

Thank you.

55:01

Great.

55:01

Thank you, Charlie.

55:03

And with that is somebody from Imag with us this evening.

55:09

I see a hand up here.

55:13

Hello, testing.

55:14

Can you guys hear me?

55:16

Yes, yes we can.

55:17

Awesome.

55:18

Yeah.

55:18

Charlie, thank you for your staff report.

55:21

My name's Mike.

55:22

I'm with I Meg, the planner representing our client Craig, Craig Best.

55:27

Craig was unable to attend this evening, but but I'm accompanied by my manager, Paul Forstein and Tamara Ross and we're here should you guys have any comments.

55:43

Great.

55:43

Thank you.

55:44

Mike, Does anybody from planning Board have any clarifying questions for staff or I, Meg, before we open it up to public comment, anybody need more information, Josh go ahead.

56:07

I was just curious if if staff or anybody else is aware how far away or how close the nearest multi family property with say over 6 units is from the proposed rezoned property.

56:31

Hi, Cassie Trippard, Planning Supervisor.

56:34

We do not know that off the top of our heads, but I can take a look on the map and get back to you later in the discussion if that's all right.

56:43

Absolutely.

56:43

Thank you Cassie.

56:47

Anything else from planning board members for clarification at the moment before we open it up?

56:54

All right, Not seeing anything.

56:57

Heather, you seeing anything I am not seeing?

57:02

Oh, I see.

57:03

Josh.

57:03

No, go ahead, Josh.

57:04

You don't have to be fire away.

57:07

Sorry about that.

57:07

Probably should have asked to at once.

57:10

Do you have an idea the maximum number of units given setbacks, height restrictions and parking requirements?

57:18

I know that's I I thought I saw 14 by right, Right.

57:20

But with all the other limited factors, do we know what that maximum number could be?

57:33

I am not sure.

57:34

I do know that 14 would be quite a few.

57:38

I'm gonna defer that question to Mike.

57:46

Yeah, I'm not sure.

57:48

I guess.

57:49

Yeah.

57:51

Excuse me, excuse me, sorry, Our client, we're working with our client on a on our proposed layout and that we're not going to be proposing the maximum density on this on this parcel.

58:08

Current plan, I'll have to verify it would be to keep the two existing single family units and add multi family off the off the back in the alley.

58:20

But I don't know if we have a plan finalized with the exact number of units that are proposed.

58:27

Great.

58:28

And just maybe to clarify the question, does anybody know how much the lot could hold just potentially with setbacks?

58:38

You know, legality 13, it doesn't seem like quite 14 would make it with setbacks, but and that could be for later.

58:47

Go ahead, Cassie.

58:50

Yeah, though we don't know because every site plan varies a bit and the size of units can also impact that.

58:58

I would say that in the RM1 zoning districts, I do often see projects meeting their maximum density, even with parking and landscaping constraints.

59:10

OK, great.

59:12

Does that get to it, Josh?

59:15

It does.

59:16

Thank you.

59:16

I think what I was trying to tease out with those two questions is just to what extent it could disrupt, I guess, the fabric of the, you know, the look of the neighbourhood.

59:27

So yeah, I think that that was helpful.

59:29

Thank you very much.

59:32

Great.

59:32

OK, All right.

59:34

With that, I think we will open it up to public comment, not seeing anything else.

59:40

So with that, we will open it up to public comment for this particular zoning amendment.

59:48

For those of us or those of you that are online or joining us, do we still do M Cat?

59:56

I don't even know.

59:59

Yes, OK.

1:00:00

If you're joining us via some other way and you need to call in via audio only, you can do that.

1:00:07

And the number for that is 406-272-4824.

1:00:14

The phone conference ID is 127489.

1:00:19

322 pound.

1:00:22

You can press star 6 to mute and unmute yourself and star five to raise and lower your hand.

1:00:29

If you call in online I will try and note that and put that into the stack.

1:00:35

We have people here in house that will be making comment as my suspicion as well.

1:00:40

So, and with that, I think the podium's open.

1:00:43

If anybody wants to make a comment, please do.

1:00:48

Please give your name for the record and you can stay where you live or it's up to you and you guys hear me now.

1:01:03

My name is Sean England.

1:01:05

I live on 24 O1 W Kent neighbors to the rezoning property.

1:01:09

With a small amount of research here, we figured that this rezoning is unlawful, unethical, and inadequate.

1:01:18

It's unlawful because of the parking situation as Josh stated here.

1:01:21

Chapter 20.60 dot 20 states that off street parking must be provided when the number of required spaces for the new use exceeds 10% more than the original use of the land.

1:01:32

So there's normally two houses on that property which required 4 spaces.

1:01:38

The requirements for parking spaces for dwelling units of a hundred 850 square feet to 2000 square feet for 14 units is 1 1/2 parking spaces per dwelling unit the way that I understand the law which would require 21 parking spaces off St.

1:02:00

and there's no way that the small lot could actually handle that amount of parking.

1:02:07

In addition to that, no more than 40% of the front yard can be used as paved parking in case they're trying to use that and park off St.

1:02:19

and addition to things that are unlawful, we do believe that it is illegal spot zoning because of the area.

1:02:26

It's in the middle of the neighborhood surrounded by single family homes.

1:02:30

I think Josh asked how many multi family dwelling units were in the area.

1:02:36

None that I can think of.

1:02:37

We walked around to all of our neighbors and kind of asked their opinion on this.

1:02:45

I reached 12 neighbors out of the 15 in 150 foot radius.

1:02:52

Twelve of those neighbors signed petitions to oppose this rezoning.

1:02:57

We think it's inadequate because of the several requirements that City Council must look at when evaluating these things, whether the zoning is secure safely from fire and other dangers.

1:03:13

This will the structures and and attention are going to be in the back of an alleyway that are close to power lines, a congested alleyway.

1:03:26

Whether or not the zoning request considers the effect of motorized and non motor motorized vehicles, transportation systems.

1:03:33

There are no bicycle lanes here.

1:03:36

There's a sidewalk but it is a congested St.

1:03:38

It's not a through St.

1:03:41

the big one here.

1:03:42

Whether the zoning considers the characteristic of the district, again these are all single family homes with yards surrounded for blocks and blocks.

1:03:52

I have a 3D picture, but I think the picture on the presentation kind of does justice.

1:03:59

So anything that above a single fan, a single story building 15 feet, whatever that is, is going to be way out of place not match the character at the district at all.

1:04:12

That's in summary about all I have.

1:04:16

Well, what's other people talk?

1:04:19

Great.

1:04:20

Thank you, Sean.

1:04:20

Appreciate it.

1:04:21

Keeping it within reason.

1:04:23

I forgot to mention anything about time limits.

1:04:25

I apologize.

1:04:27

It's been a while since we've had much public comment.

1:04:29

We're not very, you know, we're just the planning board.

1:04:31

We just make recommendations.

1:04:34

So with that, anybody else that it wants to come up, please do.

1:04:38

I'm going to try their timers.

1:04:40

I usually am pretty reasonable, but I'll fire it up so you can see where 3 minutes is about 3 minutes.

1:04:46

OK.

1:04:47

Good evening.

1:04:47

My name is JD Rector.

1:04:48

I live at 2346 W Central and I know we're dealing with a 2400 block.

1:04:56

I am indeed in the 2400 block, but I am on the opposite side of the projected project across the alley.

1:05:06

When my neighbor to the West of me was built, they had the opportunity to have their choice of address.

1:05:15

So they chose 2400 and then we built just a little bit with our east of them and even though we were in the \$2400, we couldn't have it 2400 numbers.

1:05:26

That's the long story that I referenced to in my letter that when I responded, my wife and I have been

driving around the neighborhood looking for infill and the infill that's been happening there has been done well.

1:05:40

You'll find them on the streets and several multi units strung together, each with street access.

1:05:48

There are none within three 4-5 blocks in our area.

1:05:55

I think that the the proposed development would land in the middle of our block like a pasture pie and I don't believe anybody there is going to be excited about it.

1:06:07

I think the owners are looking to make money off them off the property.

1:06:12

They recently redid the backyards completely, you know, I guess in an effort to raise the rents or whatever, and apparently it didn't work.

1:06:19

So we're doing this now, but having us two half lots or two backyards rezoned so they can build a monolith there, it doesn't make any sense and it's not going to do the neighborhood any well.

1:06:38

You guys have already bequeathed to us the Johnson Center, and we were locked in our homes the other night due to a gun problem.

1:06:45

It's not a neighborhood that I think is destined for ruin.

1:06:51

But those of us who live there, I've lived in ours 25 years, have tried to take care of them and do as much as we can for them.

1:07:01

I agree with the infill infill program, but it needs to be applied logically.

1:07:09

This one isn't logical.

1:07:12

That's all I have.

1:07:15

Great.

1:07:16

Thank you, JD.

1:07:18

Anybody else?

1:07:19

Heather.

1:07:20

I'm not seeing anybody online.

1:07:21

Yes.

1:07:22

Oh, yeah.

1:07:23

I'm just sorry.

1:07:24

I'm just looking to make sure we're not skipping anybody.

1:07:27

Yeah.

1:07:28

OK.

1:07:28

Go ahead.

1:07:28

Please state your name for the record.

1:07:31

My name is Chris Hawkins.

1:07:33

I live at 2344 W Kent Ave.

1:07:36

so directly across the street from the proposed rezone.

1:07:39

I'd like to just concur with the concerns expressed by my fellow neighbors.

1:07:48

Also to discuss on the potential increase.

1:07:52

We've had no knowledge of our neighborhood of how many nodes they're going to put in.

1:07:56

If they add an additional 12, the Max out of 14, that's a 600% increase in density around our single family homes.

1:08:05

I don't see how that fits the character of our neighborhood with the request at all.

1:08:12

I was messed around this weekend with some GIS stuff and looking at based on city code for parking stalls and alleys, you need a 24 1/2 foot deep from the back of the property line.

1:08:26

Drew that in, I was able to fit in 12-9 foot stalls utilizing the setbacks.

1:08:31

Well that gives a building pad of about 2500 square foot if you assume a 10 foot separation from the back of the existing homes.

1:08:42

Seems like a very tiny spot to cram in a bunch of additional housing which will not fit the character of our neighborhood and will pretty much look like an eyesore.

1:08:51

And I would hope that you all, as well as the City Council when it comes that time, would deny this reason Request.

1:08:59

Thank you.

1:09:00

Great.

1:09:00

Thank you, Chris.

1:09:01

Appreciate you spending the time to come down.

1:09:09

Good evening.

1:09:10

My name is Patty Rector.

1:09:11

JD's my husband again.

1:09:14

We live at 2346 W Central.

1:09:17

It's directly across the alley from our house.

1:09:20

Their garage or whatever it is that they want to tear down is right there.

1:09:27

I mean it.

1:09:28

And there are several houses on the block that access their driveways off of that alley, myself included.

1:09:34

We've already had people park back there so that we can't get out, had to call the police to get them to move.

1:09:41

So any increase in density back there is, is going to be detrimental especially for the traffic and all those folks that go up and down that alley.

1:09:53

And we have lots that speed up and down that alley and I think it would only get worse.

1:09:59

So I'm not, not in favor of it.

1:10:02

Thank you.

1:10:04

Great.

1:10:04

Thank you, Patty.

1:10:13

Hi.

1:10:13

Good evening.

1:10:15

Thank you for your time.

1:10:16

My name is Rebecca Hawkins and I also live at 2344 W Kent, which is right across the street from the proposed property.

1:10:25

The proposed property is in Ward Five.

1:10:28

We are in Ward 6.

1:10:29

The boundary line is in the middle of Kent.

1:10:33

I just want to kind of piggyback on to what all of my wonderful neighbors have said about spot zoning, parking and driving.

1:10:43

And I also just wanted to point to the comment made by the Missoula Redevelopment Agency Director Ellen Buchanan in the report.

1:10:54

While she did not say either way, she did, I think, make a good point, Excuse me, public speaking makes me nervous, all right, me too, she said.

1:11:06

This property is not an urban renewal district and MRA has no comment other than the observation that this is a predominantly single story, single family neighborhood and there are likely to be objections to such a large increase in the potential number of units.

1:11:21

As you can see.

1:11:22

We are here to protest that not trying to be a NIMBY or a Lulu, but this is you know, it is our neighborhood.

1:11:34

Most of our neighbors are long time residents.

1:11:38

We purchased the property in 2014.

1:11:40

A lot of our neighbors since we have moved in have become widowed.

1:11:47

You know some of their children are now inheriting their homes.

1:11:51

So there is a long standing like core family values there that we would like to see kept intact.

1:12:00

Thank you for your time.

1:12:02

Thank you, Rebecca.

1:12:03

I appreciate you coming down.

1:12:06

OK.

1:12:06

Is there any anybody online not staying here?

1:12:11

OK.

1:12:11

Anybody else in house here?

1:12:15

All right, we'll give it another minute.

1:12:37

OK.

1:12:39

Not seeing anybody else in house and nobody online.

1:12:46

We will go ahead and close public comment for this portion of tonight's hearing.

1:12:56

And that opens us up to a motion unless board members want to.

1:13:04

Well, we kind of need a motion to.

1:13:10

You have oh, you don't have a mic.

1:13:12

Oh, OK My apologies.

1:13:16

Hold on.

1:13:17

Tung's got one.

1:13:18

We're going to get a mic for Dave here.

1:13:24

If we could entertain a motion so we can start some discussion.

1:13:30

Oh, Charlie, could you post the motion up on the screen, please?

1:13:46

All right, anybody.

1:13:50

Or if you need to have some discussion, fire away.

1:13:55

All right, I recommend the City Council approve the adoption of an ordinance to rezone the subject.

1:14:00

Property located at 2361 and 2359 W Kent Ave.

1:14:05

and legally described Lots 4 through 7 and E 15 feet of Lot 8 of Caroline Edition located at in Section 29 Township 13 N Range 19 W PMM from RT 5.4 Residential two unit townhouse to RM1-35 residential multi dwelling based on the findings of fact and conclusions of law in the staff report.

1:14:33

Great.

1:14:34

Thank you.

1:14:34

Tune for a motion.

1:14:35

Do I have a second?

1:14:39

Seconded by Dave.

1:14:42

OK All right.

1:14:44

Does anybody want to kick it off?

1:14:47

Well, all right, Dave, you have the floor.

1:14:50
OK.

1:14:50
So this, this is probably the first of many that's going to happen in the city about radical.

1:14:57
I call them radical or major changes in the existing neighborhood character.

1:15:02
I think that's been mentioned by the folks out there that the character, the neighborhood will change considerably and I agree to that that's it's quite a major change.

1:15:16
The dilemma that the city has and we have this planning board is we have to look at what the law says and and what the what we have in front of us in terms of in order to make a decision what findings we have to make.

1:15:34
So we look at the growth policy we look at the at the zoning, the proposed zoning for the area not the existing which we we know the existing zoning fits this area exactly how how it's developed over the years.

1:15:50
And so without concluding anything yet I I I know you folks probably understand this but the city has decided they're going to really up the ante and significantly and she and increase the density in a lot of neighborhoods in the area and and the reason seem seem pretty obvious to many people in terms of when you look at the bigger picture it's near major it's it's right near reserve St.

1:16:22
that's near South Ave.

1:16:24
So there's there's water and there's sewer and there's roads and the infrastructure primarily is in place in this area leading to the conclusion that the city's already reached that an increase in zoning to this to this level is appropriate given that that I want to go on to say why I think this particular proposal is unfortunate because number one is in the middle of rock if the of the block number 2.

1:16:57
The applicant has not given us any other than the hint of what they intend for their which really doesn't matter because the zoning says if you can fit it, you can build it.

1:17:10
And so theoretically, yes, 14 units, practically who knows 579 units plus the required parking could be built there.

1:17:21

You know parking underneath and units above can in there at 35 feet you can still you can accommodate 2 stories above parking.

1:17:31

All that can happen in this neighborhood that that's just what it is.

1:17:34

So I'm the dilemma that I think we're faced and me personally is that we're, as I said, we're radically changing this neighborhood.

1:17:47

The city has already decided this is a that the new neighborhood would be the best fit given the growth policy and the zoning for the area.

1:17:57

That's all I'm going to say for right now.

1:18:02

Well said.

1:18:02

Thank you, Dave.

1:18:05

Anybody else want to jump in hands?

1:18:09

Dory, go ahead.

1:18:11

I want, I want to thank all the members of the community in the neighborhood for both submitting your written comments and showing up here tonight.

1:18:19

I do want to echo Dave's comments about sort of the limitations we have regarding current policies and the decision and regulatory framework we have to work with that actually rezone on this property is appropriate given the policies and regulations in place.

1:18:34

However, I do think that what we've been given in terms of what may happen on this property is somewhat lousy.

1:18:43

I also would say that you know, IMEG has been before this board a number of times.

1:18:49

They have fingerprints on many, many different developments in Missoula.

1:18:53

And I would just for the record want to encourage Michael who's on this, who's here at this meeting to take note of some of your comments.

1:19:02

And you know there while we can't put conditions on anything here nor can City Council, we can certainly encourage the developer, Imag as well as the owner of the property to to work with the neighbors on if they're going to put a multi dwelling unit in there, that it is something that is attractive and appropriate in the neighborhood.

1:19:25

I live in the University District.

1:19:27

I've been there for over 20 years.

1:19:29

There were a lot of apartment buildings, multi dwelling units built there historically that actually are lovely fit among a lot of other single family homes in the neighborhood.

1:19:38

That is just to say that, you know, these things can be done in a way that aren't super disruptive and unattractive in a neighborhood.

1:19:46

And so I just want to for the record urge both the property owner and I, Meg to to make the best effort to, you know build something here with a rezone that actually fits with the character of the neighborhood and improves it rather than takes away from from what people have who live there.

1:20:03

So I think that's all I have for now.

1:20:06

Thanks.

1:20:07

Great.

1:20:08

Thank you, Dori.

1:20:09

Let's see, I got a question here for staff.

1:20:14

Do we what other zoning options you know do we have on the table like so we know that the.

1:20:25

RT 5.4 doesn't meet the proposed and I the proposed growth policy, the proposed zoning of that area.

1:20:37

And I know RMRM 135 was in that little graphic we got and there was a couple.

1:20:43

I don't memorize these very well, but there's a couple of more in there.

1:20:46

But I'm wondering if there's a less dense recommendation that we might be able to flush out here that helps Assange some of these concerns.

1:20:58

So what's our other zoning options?

1:21:00

Are there other zoning options?

1:21:02

There are 4 zoning districts which are comparable to the residential high use or residential high density land use designation which is what the growth policy put into place.

1:21:18

And they are RM135 RM 145 which would allow also allow multi dwelling and allow them to build a 45 feet RM1 which is even high higher density and RM .5 which is even higher than the RM1 density.

1:21:36

So according to the growth policy, the RM 135 is the least dense that is comparable, the least dense zoning district that is comparable to the RM or to the high density land use designation.

1:21:56

Is there anything smaller under RM-35 that maybe is not in the growth policy but that is available to look at?

1:22:05

We it would require a targeted growth policy amendment, which is another process that maybe Cassie could speak to, but it would be much more involved.

1:22:15

Yeah, I can add to that.

1:22:18

There are times where lower density is supported by the growth policy even if it's not listed as a current relatable staff did recommend RM1-35 because it had the lowest height of all those districts and we felt it would fit in best with the neighborhood of the growth policy options.

1:22:39

As far as say multi dwelling zoning districts that have less density, there is some of those medium density districts available.

1:22:48

They just don't align with the growth policy recommendations like RM2 or RM 2.7 which is about half the density of RM1.

1:23:00

OK, great.

1:23:02

Thank you, Cassie.

1:23:04

Dave, did you have something?

1:23:05

No.

1:23:05

OK, Anybody else on planning board have any questions, thoughts you want to bring forward?

1:23:14

Go ahead, Rick.

1:23:17

Yeah, but it's a tough one.

1:23:21

You know it doesn't I I see where the neighbors are coming from.

1:23:26

It does not fit with the current neighborhood.

1:23:30

It's out of place as the first development that meets targeted growth goals in in our growth policy and it's very difficult to know what that's going to be 25 years ago if you bought your house then and it's very difficult to see as the first sort of development in an area.

1:23:58

But we do as has been pointed out, we have guidelines we have to work within.

1:24:03

You know it's it.

1:24:05

It's always difficult when you you see the first project going in well.

1:24:09

One of the things for everyone in this area is that they have an opportunity to choose higher growth uses for their land that can be higher value to them as well in the future.

1:24:30

It's hard to see that when you see the first development going in, but that is one of the advantages unless your goal is to always have a single family residence and there's no way to know, you know where future growth is targeted.

1:24:48

But I would say that if you are anywhere near reserve in the last 25 years, I think it's certainly the area that would be targeted.

1:25:05

It's just it's a, it's difficult I know as someone seeing growth occur in an area actually had to give up my house when growth occurred in an area and sold it to a county and it it's tough to see, but that's about all I can say.

1:25:30

OK.

1:25:31

Thank you, Rick.

1:25:32

Go ahead, Josh.

1:25:37

Yeah, I also sympathize with all the community members that that came and made their voice heard.

1:25:44

I think it's, it's great for the planning Board to hear you guys.

1:25:48

But I think at the end of the day, the rezoning aligns with a number of city plans and policies, right, including the growth policy, the Midtown Master plan and the Reserve St.

1:25:59

area plan.

1:26:02

And I think sometimes promoting more diverse housing types in a neighborhood can actually bring some vibrancy to the neighborhood as well.

1:26:12

And so you know, I think I tend to support the proposal as difficult as I think it it may be.

1:26:21

I mean you know another thing just to bring up again we're kind of in a difficult situation because once again policies not aligned with code in this instance and between Reserve and Russell, the city, you know the community right through the growth policy has said here's where we want to grow, here's where we want more density.

1:26:40

And you know this isn't the 1st and probably won't be the last time where we're looking at one or two lots that we have to rezone you know on an ad hoc basis.

1:26:51

So I I plan on supporting the the proposal and the other thing too is as I tend to go with staff's recommendation in you know, even in sometimes difficult calls.

1:27:04

So that's all I have.

1:27:08

Great.

1:27:08

Thank you, Josh.

1:27:10

Dave, go ahead.

1:27:12

Yes, I agree Josh that this is something that we're charged with by the city and by the the rules of the of the City Council.

1:27:26

That's hard.

1:27:27

And what's difficult to me and I'm having difficulty expressing this is that back when the City made these decisions, it's difficult to say.

1:27:36

I know they made an effort, but you know it's very difficult for people in, especially in the existing neighborhood like this that's stable and been existing in that shape for many, many years to know that the city is thinking that with a huge process through the public in general, this is where we're going to grow and that's where we established the growth policy and the zoning and this proposal, even though I'm disappointed at least in the proposal so far by the applicant, there's still time to to work with the neighborhood on that that this proposal is consistent.

1:28:21

And I'm, I'm going to be voting yes on this because it meets the law and meets the rules and meets the growth policy.

1:28:31

And that's why actually that's our job to establish does it meet or does it not it, it meets it great.

1:28:42

Thank you, Dave.

1:28:44

Anybody who else wanna get in there before I put my two cents to him?

1:28:48

No, wait.

1:28:50

I'll go.

1:28:52

Yeah, this is a tough one.

1:28:54

I agree.

1:28:55

I, I, I, I, I I'm not gonna say any better than my planning board members here.

1:28:59

I'm, I'm gonna echo what Dori said.

1:29:00

I appreciate the community's involvement here, the fact that there's already been protests filed and everything.

1:29:06

I think that's great.

1:29:08

And I I love the engagement and I, I wish you well, but I'm with Dave and Josh on this one where we're somewhat limited by what we want to do.

1:29:18

This compiles with growth policy.

1:29:22

Again, this is not going to be the first time and it's really unfortunate that you're one of the first neighborhoods is going to have to go go through with this or or or deal with this.

1:29:33

But for from my perspective personally I'm I'm trying to weigh the the the challenges of of Missoula's growth long term and the long term growth of Missoula requires growth like that's that's the reality And so I'm versus preserving the past and I think that's that's the tension here and and when when faced with that I'm I'm gonna consistently look for growth because I think that's what Missoula needs.

1:29:59

We need to get ahead of it and we're already way behind.

1:30:01

So I'll support this as flat as it is, but I encourage the community to keep fighting and and and wish you well on that.

1:30:12

Great.

1:30:13

Thank you, Tom.

1:30:15

OK, let's see if I can put together my thoughts.

1:30:21

OK.

1:30:21

So this is a tough one and I think it's tougher for maybe some different reasons.

1:30:30

I think, I think we're skirting the edge of some of our growth policy rules that I brought up before in the past.

1:30:39

And I think this is going to be the crux of our challenges going forward until we get this code reform.

1:30:46

And I think this is yet another opportunity for us to find examples where we need to create flexibility within our code.

1:30:57

You know, I was part of the growth policy.

1:30:59

How much of this is going to be repeated for people that have listened to me say this before, but I was part of this last growth policy and the map designation here?

1:31:08

Yes, talks about high density.

1:31:11

However, within the growth policy, we also talk about mid density and the other variations of density.

1:31:17

And I don't think the map is dead on.

1:31:19

When we look at this neighborhood specifically about when we juxtapose like what that MAP designation is for R135 and then put that up against, you know, our goal #4 on page 63 or our review criteria with #6, character and sustainability.

1:31:43

And a lot of this is going to come down to character, right, community design, community, character and sense of place.

1:31:51

And I think when we look at in this instance the minimum, maximum which can be 14 perhaps that is a significant shift away from the character of the neighborhood.

1:32:08

And I think there are some portions in the growth policy that articulate this.

1:32:19

And I was going to try and bring them up here, but sometimes running the meeting and doing this are more than I got in me.

1:32:28

Hold on a second, see if I can find it.

1:32:39

In the meantime maybe I could address Josh's question about the nearest multi drawing buildings.

1:32:46

Yes, please do.

1:32:51

So here are the subject parcels here 2361 and 2359.

1:32:57

There's 24 plexes on the corner of Eaton and Central for a total of 8 units.

1:33:06

And then I believe Cassie found is it a 51 Plex up here to the north here?

1:33:12

It's a bit of a distance away, but maybe four or five blocks and a few duplexes.

1:33:24

But overall the development you see there, the lower density development is consistent with the zoning that's there today rather than the future land use map.

1:33:39

Yes.

1:33:41

So our goal H4 providing, I think this sums the problem up very well, providing for the diverse housing needs while protecting the strong sense of place in the community and neighborhoods through compatible residential developments, that is a huge obstacle to overcome.

1:34:00

And that is in my opinion, kind of at the crux of this debate that we have in front of us today.

1:34:07

And it's one of the reasons why it's hard for me to want to vote for this zoning request or rezoning request is because I I don't feel like we're really meeting our growth policy the way that we need to.

1:34:27

And you know, So what the other part is, is we got to grow, right?

1:34:32

We can't escape that.

1:34:35

And we're waiting for this code reform, which I had high, you know, I have high hopes for, is going to help us tackle some of these issues.

1:34:45

Because my ideal is, is that we could find that more middle ground that helps people feel a little better about the development that they know has to go on.

1:34:55

But that also preserves the character of their neighborhood.

1:35:00

I think with that I I think I've made my my point.

1:35:06

I guess I'm also wanting to thank the public for being here.

1:35:11

It's very important that you come out and you continue to be engaged in the process.

1:35:16

It does make a difference.

1:35:19

I want to remind you to reach out as Dave saying to me also to your City Council members and if they don't get back to you, keep reaching out to him and if they don't get back to you, reach out to some different ones or the mayor be heard.

1:35:32

It's incumbent upon us and our system to be heard.

1:35:36

And the other suggestion I our positive thing I want your your protest position petition and the 11 things you calling for a majority vote.

1:35:47

That's outstanding work and this is just one of of several I think that are coming particularly in art.

1:35:56

They know I'm part of this neighborhood.

1:35:57

I live down the River.

1:35:58

Rd.

1:35:58

neighborhood.

1:35:59

So I'm part of Ward 6.

1:36:02

So with that, does anybody else I can stop talking here?

1:36:07

Have anything?

1:36:08

Shane, do you want to get in on this or should we?

1:36:12

We ready to move to a vote?

1:36:13

Oh, Shane's got his hand up.

1:36:15

Go ahead, Shane.

1:36:15

I put you on the spot.

1:36:18

It put me on the spot.

1:36:20

But yeah, I guess there's just a couple of things I want to say.

1:36:27

You know, just reflecting back on the discussion that we had last week about, you know, you know, engaging early when we're making these policy decisions.

1:36:44

And so you know I would definitely encourage the neighborhood to engage early as this zoning code rewrite is going through early and often and you know give input into how you really want your neighborhood to look as we roll out the new, the, the new zoning, the the the news code amendments.

1:37:09

And then I guess just reflecting on something that you said John and you know I, I, I, you know, I, I want to thank everybody on the planning Board for you know your thoughts.

1:37:24

I I do think though that you know multi family residential does not need to be in conflict with single family residential.

1:37:34

And I do think that though that they are compatible, you know, using the term compatible resident residential uses, you know we don't have a design here that's not a requirement of a rezone.

1:37:49

We're not looking at what the design looks like, but you know I've got a four Plex in my backyard.

1:37:54

Somebody split, you know a lot right next to me and put it in an alley house, you know, like and it is compatible.

1:38:03

And I I want to just say that you know just because it is single family residential as a fabric right now doesn't mean that this next thing is going to be necessarily in conflict and can make a really vibrant and robust fabric of a community.

1:38:29

But you know to echo other members of the planning board, it just needs to be done right.

1:38:36

I think that that's all I have to say.

1:38:37

So thank you.

1:38:41

Great, thank you.

1:38:42

Shane, any any other thoughts from planning Board members or call for a vote here?

1:38:50

No.

1:38:53

All right.

1:38:54

I don't think I'm seeing any hands.

1:38:58

All right, We're good.

1:39:00

Heather, can we have a roll call vote, please?

1:39:07

Roll call vote.

1:39:09

Dori Gilles.

1:39:11

Yes.

1:39:12

Shane Morrissey.

1:39:16

Yes.

1:39:18

Toon Farm.

1:39:20

Yes.

1:39:22

Josh Trader, yes.

1:39:27

Dave Loomis, yes.

1:39:31

Rick Hall, yes.

1:39:35

And Sean McCoy, nay, motion passes 621.

1:39:45

Great.

1:39:46

Thank you.

1:39:46

Heather, motion passes.

1:39:51

Thank you, Planning Board for your thoughtful comments and discussion as always.

1:39:58

And again, thank you for everybody that came out to make comments tonight.

1:40:03

We know that this takes time out of your normally busy lives.

1:40:15

OK, That brings us to the second line item in public hearings for tonight.

1:40:22

We have the City of Missoula title, Title 20, Code Amendments.

1:40:29

We have Jen Grass from the city Missoula, city of Missoula.

1:40:36

I'm sorry, I'm having a heck of time reading here and I think Ben is in house as well to answer questions.

1:40:44

And I think with that go ahead and take it away.

1:40:46

Thank you.

1:40:47

This is Ben Brewer with the city of Missoula CPDI department.

1:40:50

And just before we jump into this item following that conversation and the previous discussion, I just wanted to follow that up and and make sure that you and the folks in in the room who may be interested know that you know that's something that we've been doing just over the last few weeks is having conversations about what is an appropriate level of change in our neighborhoods, what, what level of diversity of of housing types and and and and amount and and whatnot.

1:41:23

And and we're having our our final out of three community activities around that tomorrow evening it's at the Burns Street Bistro or I'm sorry just assume it's the Bistro, it's not the Bistro, the Burns St.

1:41:37

Commons building on the on the West side.

1:41:41

It's from 6:00 to 8:00 tomorrow I believe.

1:41:44

And we'd love to see any of any of you there who haven't participated yet in in one of these.

1:41:49

And thanks to those of you who who have And and again, especially for those in the public that are interested in this, you know, specific example of of trying to work through this, you know work through change and in this difficult conversation or others who are interested more generally.

1:42:09

And this is, this is a time that we, we really want to get the word out and get get that level of input and involvement around this issue because it's something we're trying to work through in advance of the code reform project.

1:42:23

Great.

1:42:23

Thanks Ben, for reminding us about that.

1:42:26

Yeah.

1:42:26

Thank you.

1:42:28

I'm here with Jen Grass.

1:42:30

Jen, are you able to bring the presentation up here?

1:42:37

All right, If you want to just head to the next one that would, that would be great.

1:42:44

So tonight's presentation is to ask for your recommendation on the second round of near term zoning code amendments to Title 20 including the conditional use related regulations.

1:42:59

So we're going to go through the background and amendments for for those as well as the the goals and the sideboards that are related and that that we use to decide on how to choose those amendments.

1:43:13

You should all have a copy of the proposed amendments for both of those items in your packet.

1:43:19

Tonight's presentation will not address each individual amendment, but we'll cover them generally and we can certainly bring bring up questions about any of them.

1:43:29

We can dive into the more more in more detail and then we're also we'll share the comments that we've received received on these.

1:43:38

And as a note, we've broken our presentation out tonight between the two sets of amendments.

1:43:46

The, the first set includes what would be new changes to the zoning if they're adopted.

1:43:53

And then the second set include changes that were made to the conditional uses, specifically in the zoning code and they were adopted previously through the use of an interim ordinance that we're proposing to adopt on a permanent basis.

1:44:09

So we're going to run through the new amendments first and then follow up with focusing on what those conditional use amendments include and the motion that we're hoping to bring to you is up on the slide as well.

1:44:23

So to help kind of contextualize things for for tonight, I'm going to talk through a few things and give a give a little bit of kind of the the high level overview and then I'll pass it over to to Jen.

1:44:37

So we're going to start out just running through the relevant timeline.

1:44:40

In winter of 2022, the city kicked off its Armisoula code reform and growth policy update project.

1:44:49

Our Missoula project is an extensive multi year project that will work with the community to update Missoula's vision for the future growth and to modernize the the development regulations which are one of our key tools for achieving that vision.

1:45:06

The end result of the project will be a new innovative and equitable unified development code that is adopted by early 2025.

1:45:15

We presented updates on that project to this board periodically over the last year and a half and including our most recent one at your last meeting.

1:45:26

But even before the Armisullo project was kicked off and up and running, the City was taking steps to address and respond to challenges in in the community and and in providing effective delivery of city services related to development review.

1:45:43

And in the face of a high volume of development activity, which was heightened at that time compared even to the last few years.

1:45:52

So as a response to this and a way to free up staff time to prioritize the review and focus on approving the housing and supporting provision of services, the city adopted an urgency interim ordinance that reduce the number of use designations that were would require a conditional use approval.

1:46:13

Again, this was meant to improve on and provide increased capacity for ongoing operations as well as to provide an interim solution.

1:46:20

Will the city contemplated broader amendments through the Armisulla Project Planning Board at that time?

1:46:28

Oops, sorry.

1:46:29

Those changes were adopted on an urgency basis and so the changes were not considered by planning Board at that time.

1:46:36

And so we're we're bringing them to you tonight for your consideration on a permanent basis.

1:46:42

This will be the first time that we're we're doing that for this board.

1:46:50

And just to make the point that these have been actually in effect for for a year and a half now moving on in the timeline here in spring of 2023, last year Montana, the the Montana legislature passed a variety of land use related bills assigning immediate or late 2023 effective dates to several of the bills that were passed.

1:47:16

So in in response to the breadth of land use law changes that came out of the legislature, the city responded with A2 phased approach towards complying with those mandates while also looking for opportunities for any synergy with findings that were coming out of the Armisoula project.

1:47:35

So last fall, the city responded quickly and passed the first round of changes addressing state bills for those bills that were effective by or before October of 2023.

1:47:49

And these included changes to the city subdivision regulations which were considered by this board, and then an interim amendment or interim amendments to Title 20 to the zoning code.

1:48:00

And again these were zoning changes that were made on an urgency basis due to the deadlines that were prescribed by the state and so those were also not considered by by the Planning Board.

1:48:14

The city is currently in the process of moving the second round of our phased approach to this forward as originally designed.

1:48:24

This round includes would have included further changes to Title 20 to address the state bills with the deadline of January 1st and specifically including Senate Bills 323 known as the duplex bill and Senate Bill 5/28 with the Adu related bill.

1:48:48

The city had also already identified an intent to include additional minor and targeted amendments alongside those, and had been developing those over the previous end of last year with input from from County City Council as those recommendations were being developed.

1:49:06

In early December, a complaint was filed against the state regarding the constitutionality of of four of the the bills that came out of the legislature, including those Senate Bills 323 and 528 and a preliminary injunction against the implementation of them was issued.

1:49:25

And in response, city staff has removed the amendments that we were proposing that would have been solely in response to those new Senate bills.

1:49:35

But and we've continued forward with associated targeted amendments and that's what we're going to bring or walk through tonight.

1:49:46

So this brings us up generally to where we are today which is the share with the board on the zoning related near term code amendments that we are recommending for adoption and to receive your your recommendations.

1:50:00

One last point to make is that there are additional amendments that the city is considering along with these that were looking at tonight and but that you know because they are adopted through the resolution process or as an extension of a previous interim ordinance adoption.

1:50:18

We're not going to be discussing those tonight, but they they will be included with what is ultimately brought through City Council later this this month, over the next few weeks.

1:50:30

Jen, if you could move on to the next slide please.

1:50:36

This is to portray the the larger timeline around this work and so to and also to locate you know these specific code amendments in relation to the Armisulla project.

1:50:47

So just again to that, we brought through a first round of of amendments specifically related to the state legislation as our first round of amendments in October of last year.

1:51:01

We're bringing through a raft of amendments this month.

1:51:05

And then from here we hope to really pivot and move on to it to focusing on the Armisulla project at large.

1:51:15

And it helps to provide some context for why we determined to keep these amendments contained, targeted and incremental.

1:51:23

As we look forward to follow these with putting our full focus and attention and energy towards the larger code reform effort, we can go to the next slide.

1:51:35

Jen, thanks.

1:51:40

This is to hone in on what we'll be considering tonight.

1:51:43

So here's the remaining timeline for adoption of these near term code amendments over in the second round here over the next few weeks leading up to a final.

1:51:54

So we're bringing these to you tonight where we would be bringing your recommendation to City Council committees on March 13th and then aim to bring through for a final hearing on March 25th at the end of this this month.

1:52:12

The project website is listed here as well as a note the web page listed here is that's our landing pad for access to materials and and also the ability to provide public comment on the various other code

amendments that we'll be considering or there that will be considered by council later this month along with what we are discussing tonight.

1:52:35

And so that's that's kind of our go to online resource.

1:52:40

Next slide please Jen thanks.

1:52:42

So we we from the outset of the Armizoola project, we've been pointing to two main challenges that we are trying to address and they're listed here here above our ability to administer effective and quality service related to our mission and the recognition that our codes often do not align with our policies.

1:53:00

And we think that we are addressing aspects of each of these challenges and and issues through these recommendations.

1:53:08

And so as we talk through them, our our starting point for our goal here was to aim for two primary kind of primary goals and what these might achieve.

1:53:21

One is related to process improvements and delivery of of service and and the other is, is really helping to meet the urgency that we see and know in our community especially related to housing supply but also with an eye for what are impacts that might really benefit us in the near term.

1:53:47

And next next slide please Jen.

1:53:54

So we we talked through this at our at our last meeting or at the meeting last a couple weeks ago.

1:54:00

But just to run through these again to as a reminder in identifying our recommendations for for these amendments we created sideboards for determining what we should consider.

1:54:13

You know essentially we want to be aware of and and sensitive to the comprehensive work occurring through the Armisulla project especially with regard to the space for community conversation and participation around values based issues.

1:54:27

We want to make targeted and stand alone changes that as much as possible don't have unintended consequences.

1:54:34

So beside words include taking a a targeted approach, identifying you know stand alone amendments that and and again really just aiming to not have unintended consequences on the on kind of the comprehensive nature of what we're trying to do through the Armisulla project.

1:54:55

So with that, I will pass things over to Jen and she will walk us through the individual amendments here, move me board.

1:55:06

So, so now we're going to go through this batch of amendments that will break out into these categories and then into the conditional use later.

1:55:14

So the second round of near term code amendments includes targeted amendments throughout Title 20 that will support new housing development, improve the efficiency of the development review process, better implement our existing policy goals and update our codes to better align with those policies.

1:55:30

And these changes will create a new baseline that will be considered within the hour Missoula project.

1:55:35

As Ben said, workflow and complement the ongoing code reform and growth policy update processes.

1:55:41

Included in these amendments is a request to recommend adoption to the conditional use Ordinance.

1:55:46

And later in the presentation, I'll go through the conditional use on its own.

1:55:50

So the proposed amendments can be groped into 3 categories generally, the first of which are amendments that support housing changes have been proposed for the affordable housing option, the vertical mixed-use building type, accessory dwelling units and shared parking.

1:56:06

Other changes have been grouped into two more categories that will simplify our regulations, including changes in the areas of setbacks, parking and density calculations as well as correct and clarify our current practices around various zoning officer opinions, the interior calculation of accessory dwelling units and allow the historic preservation officer to review historic preservation permits.

1:56:30

The following slides will explain more specifically the changes in each of the previously mentioned categories.

1:56:36

So first, changes supporting housing begin with the affordable housing option.

1:56:41

Proposed changes will expand the housing option to into more zoning districts, allowing it to be used in all business and commercial districts as well as the M1R Industrial and Manufacturing district, providing more opportunities for its use.

1:56:55

The amendment also proposes allowing the density bonus to be utilized for any residential building type, creating three or more units.

1:57:02

The definition of affordable housing and the percentage tiers will be amended to match our standard practice and applicants will work closely with community development staff to come up with flexible solutions that will benefit the community.

1:57:15

One of the seven zoning officer opinions being codified through this process will incentivize the affordable housing development option by clarifying the existing parking reduction found in the parking chapter of Title 20 applies to the entire project market rate units as well as affordable units.

1:57:34

The next category of changes incentivizes the vertical mixed-use building type.

1:57:38

The staff's aware that this building type is rarely used because of difficulties in meeting the required amount of commercial use area, the number of parking spaces and the required general site landscaping when the intent of vertical mixed-use is to be urban focused.

1:57:54

Proposed changes will simplify the measurement technique for required commercial space and provide an additional option to calculate the area by equating the commercial requirement to the ground floor space.

1:58:06

A Second Amendment addresses parking barriers and allows the applicant to waive the parking requirement for the non residential portion of a vertical mixed-use development.

1:58:16

The area required to meet the general site landscaping requirements of Title 20 can also create a barrier to the use of this building type.

1:58:24

Proposed changes will entirely waive the general site landscaping requirements or provide alternatives.

1:58:30

Vertical mixed-use projects located in the downtown inner core, outer core and hip strip overlay sub districts In the design excellent overlay will not have to comply with the general site landscaping requirements of Title 20.

1:58:44

In other areas where vertical mixed-use development is permitted, those projects can choose to meet alternative land landscaping requirements instead of providing landscaping in the amount of 15% of the parcel area in an effort to simplify other portions of this building type.

1:59:02

Pardon me.

1:59:03

Staff have proposed to change the floor to ceiling height to a floor to floor height measurement, making it a fixed building frame dimension rather than an interior dimension that could change over time.

1:59:15

A Second Amendment to the section is included to address a suggested change received from public comment.

1:59:20

The floor to floor measurement is proposed to change from 13 feet to 11 foot 11 inches over concerns supporting minimum efficient space development.

1:59:33

One of the goals of the City right now is to focus on providing housing.

1:59:37

Proposed amendments related to accessory dwelling units will increase the minimum structure size allowed from 600 square feet to 1000 square feet.

1:59:46

Another will remove the limitation of a maximum 40% gross floor area of the primary dwelling unit.

1:59:53

1/3 Removes the required 10 foot distance between the primary unit and Adu, and in the last we'll increase the height of ADUS from 22 feet to the maximum height of the zoning district the Adu will be built in, and these changes will allow more flexibility when building an accessory dwelling unit and help increase the housing opportunities.

2:00:14

The shared parking section will be amended by including residential uses in the night time or Sunday category for calculating the reduction of parking allowed for a mixed-use development.

2:00:25

With the proposed amendment, residential and daytime uses can share up to 90% of parking, with the remaining 10% providing for residents that may work abnormal schedules or work from home, and this option will encourage more mixed-use proposals by providing the opportunity to reduce required commercial parking.

2:00:43

It also supports the City's housing and equity lenses, allows for better use of land, and can reduce paving, and this amendment was added during the agency in public comment review.

2:00:55

Other proposed changes will simplify existing regulations.

2:00:59

1 Proposed amendment will allow existing residential structures close to a property line to expand straight up with the current regulations.

2:01:07

Many of these existing situations would not be allowed to expand up because they would become non conforming.

2:01:13

For setbacks, many districts require the residents to be set back 1/3 the height of the building and many structures sit too close to the property line to expand and meet that one third height requirement.

2:01:26

So removing the 1/3 allows the residents to expand up and remain conforming.

2:01:33

Excuse me?

2:01:33

An amendment is proposed to allow parking areas for multi dwelling buildings to extend into interior side setbacks, making it easier for infill development to provide sufficient parking on smaller lots.

2:01:45

The change encourages infill development while maintaining the intent of no parking located between the principal building and St.

2:01:53

Another amendment will remove a required 26 foot backup distance for structures adjacent to an alley.

2:01:59

This requirement is administered by the Public Works Department and is no longer 26 feet.

2:02:04

Removing the section allows it to be administered by the correct division and prevents conflicts between regulations.

2:02:12

The existing language to alter or expand an existing non conforming one or two unit residential dwelling is confusing and complicated.

2:02:21

The proposed changes will simplify the process by allowing an existing one or two unit dwelling to expand straight up to the maximum height allowed by the base zone without increasing the non conforming status of the structure.

2:02:35

The last two amendments include a parking incentive and a density increase and both of these options are currently permitted through an administrative review process.

2:02:44

We're proposing they be removed from the administrative approval and be used by right the density increase in parking incentive.

2:02:51

Administrative adjustments require a lot of time to complete a process that isn't required by state law and most projects are approved, so changes to both options will make them easier to find and will reduce staff time.

2:03:06

The next group of changes are categorized as correct clarify current practice, the bulk of which are codifying zoning officer opinions.

2:03:14

The 1st 3 amendments clarify where parking can be located for Multi dwelling houses, interior measurements for AD US and when the Historic Preservation Officer has the authority to review historic preservation permits.

2:03:28

So similar to the parking amendment for Multi Dwelling Building parking, proposed amendments allow parking areas for multi dwelling houses to extend into interior side.

2:03:37

Setbacks again make it easier for infill development to provide sufficient parking on smaller lots and encouraging infill development while maintaining the intent of no parking located between the principal building and the street.

2:03:51

A description of floor area consistent with current practice will be included for accessory dwelling units, And we'll clarify the Floria does not include areas shared with another dwelling unit.

2:04:04

The 3rd Amendment proposes changes to Title 20 in the Review and Approval section, making it clear that the Historic Preservation Commission only has authority to review historic preservation permits for projects that are either locally designated as historic or those listed on the National Register of Historic Places.

2:04:23

Additional amendments make it clear that the Historic Preservation Officer has the ability to make a determination for those permits that will not be reviewed by the Historic Preservation Commission.

2:04:36

Next Zoning Officer opinions.

2:04:38

Occasionally, staff need to make an interpretation of existing regulations and want to formalize the opinion.

2:04:45

Staff will review and research the topic and ultimately get the City attorney to approve their conclusions, and at that point it's an official interpretation of the regulations and should be codified into the zoning code.

2:04:55

So the following couple of slides cover amendments proposed to codify 7 different zoning officer opinions created in 2022 and 2023.

2:05:07

Zoning Officer Opinion 22 O1 is clarifying parcels with an existing, excuse me, with an existing steep portion and a flat portion.

2:05:19

They are exempt from hillside protection standards with the applicants building and disturbance area does not disrupt the steep portion of the parcel.

2:05:28

Zoning Officer 22O2 clarifies the Affordable Housing parking incentive.

2:05:34

Included in the affordable housing definition is the assumption that some of the units will be market rate, and in order to incentivize the creation of affordable housing units, the parking reduction needs to be applied to all the units proposed, including the market rate units.

2:05:49

So the amendment makes it clear that the parking reduction applies to market rate as well as affordable units.

2:05:56

Zoning Officer 2301 makes the regulations clear that home occupations are permitted in any residential unit in any Title 20 Zoning district, as well as any approved Planned Unit Development or Special District Zoning.

2:06:12

Officer 2302 clarifies.

2:06:15

Parking structures for Multi dwelling buildings can be accessed by an alley or a street.

2:06:20

However, surface parking for Multi dwelling buildings adjacent to an alley continue to be accessible only from the alley.

2:06:31

Zoning Officer 23 O 4 provides clarification regarding zoning map boundaries in various situations.

2:06:38

So first zoning district boundaries aligning with street and railroad right of way easements.

2:06:43

They go to the center line of the easement, next street and alley right of way parcels are unzoned even if the map happens to show them as zoned.

2:06:51

And lastly, when street or alley right of way parcels are vacated, the zoning district boundary extends to cover the vacated portion of the parcel it attaches to.

2:07:00

And this zoning officer opinion is unique from all the others in the fact that it was never formally completed as a zoning officer opinion, but was added straight into these amendments because of the timing of the amendment package.

2:07:15

Zoning Officer 23 O 5 addresses amendments to the Missoula Development Park Overlay Zone plans.

2:07:21

Submittal requirements will be removed from the overlay but will continue to be required through the building permit review process.

2:07:28

Required approval from the Development Park Design Review Committee will be removed because that committee is no longer functioning.

2:07:35

And then lastly, Zoning Officer 23 O Six will clarify that a microbrewery can have a retail sales component as an accessory use and this is in response to a change made by the state legislature.

2:07:49

During our outreach, we received 7 comments.

2:07:54

The first two were received through Engage Missoula.

2:07:57

Both comments were in support of proposed changes for accessory dwelling units, but one comment also recommended the removal of the regulation requiring accessory dwelling units not be closer to the set back line within the existing house.

2:08:13

Common Good Missoula provided comments saying they generally support the amendments proposed, particularly those that could produce more affordable housing and infill to move toward a city more accessible to all.

2:08:26

They also included proposed changes for the vertical mixed-use building type and permanently affordable housing density section.

2:08:34

They advocated for increasing the size of adus to 1200 square feet and support reducing barriers to vertical mixed-use development, both of which will be contemplated with the comprehensive code reform process.

2:08:46

Comments were received from DBG Architects that covered a number of things in the proposed amendments.

2:08:52

Several of the comments focused on expanding the amendments beyond the scope of this project and can be considered through the comprehensive code reform process.

2:09:00

Some comments relate to errors in understanding the proposed amendments and therefore don't really apply to this project.

2:09:08

But comments relating to floor area calculations for AD US and floor to ceiling height requirements for vertical mixed-use were taken into consideration and were included in the proposed changes.

2:09:21

Hi Meg Corporation provided their comments this morning.

2:09:24

I hope that you were able to read them and express that in their opinion the overall parking regulation for shared parking is confusing and they propose different language to help make the section more flexible.

2:09:36

Our focus in this round of amendments to shared parking is to focus on the residential use in a mixed set mixed setting.

2:09:42

So the proposed changes will be considered with the comprehensive code amendment.

2:09:46

Again, public works and Mobility provided comments supporting the addition of residential uses to the shared parking option and Missoula County land in economic development confirmed.

2:09:59

The Design Review Committee in the Missoula Development Park no longer exists.

2:10:03

And that concludes the presentation for this set of amendments.

2:10:07

And I'll turn it back over to Ben.

2:10:17

Thanks Jen.

2:10:20

We were going to just keep on going, but we could also take a you know there's questions on these specifically.

2:10:25

We're happy to happy to do that.

2:10:27

Steve.

2:10:31

Couple of quick questions if I may.

2:10:33

The first one is a little bit more information on clarifying the approval historic preservation permits who how and where the the general explanation for the I always laugh with Jen at her her screensaver.

2:10:58

It's sometimes it captures for I'm so sorry I didn't stop sharing like I thought I did the so the the general reasoning for the historic preservation permit related change is that is is has a basis in the a previous state bill coming out of the recent legislature SP407 which included language that specified basically specified when a a permit historic preservation related permit needs to needs to be considered by the historic preservation Commission.

2:11:48

But there are other circumstances where a permit in the outside of those criteria or the that situation where the city also requires that that that we do that.

2:12:09

And so this opens up an Ave.

2:12:10

for an administrative review and approval for those situations that aren't specifically addressed by that bill.

2:12:22

It's it's a process, it's a, it's a clarification of A to processes related to historic preservation related reviews just that that clarify kind of some distinction between what was specified in the Senate bill versus our local practices.

2:12:43

Thank you.

2:12:44

What next question if I may, sorry, the affordable housing park requirements and so the reductions not just for affordable housing but also for market rate part, market rate units part of a project, is that correct?

2:13:04

Correct, Yes, that's correct.

2:13:07

And the reason could I ask it's to as as the explanation was saying that it's it's inherent in the projects that you have to have some market rate and some not and that people just assume that those parking spaces are involved in that reduction.

2:13:29

And in order to continue to encourage those projects we wanted to go ahead and make that that change it that incentivization and it's currently not clear the way it's written in the code.

2:13:44

And so that was where that determination was made.

2:13:46

Yeah, right.

2:13:50

Can I follow up with a just a little bit more on the Historic Preservation Commission changes, Would these changes which are state, I get that but would they affect like this decision that we have going out at the Fort?

2:14:06

I know that's kind of settled now, but I'm curious like as if as an example would that end up going before the Commission still or would it go circumvent or if you don't know that's fine, I'm kind of putting you on the spot.

2:14:23

Well, it's my understanding that something like that is the Fort Missoula is on the National Register of Historic Places.

2:14:32

So then the HPC would be required to look at that because they're allowed to look at locally designated historic places or National Register historic places.

2:14:43

So they would still be looking at that.

2:14:46

Yeah.

2:14:46

OK.

2:14:47

So like a A an example of something that would be that this change would apply to would be, and I can't remember the name of the project, the subdivision project, but it included a historic the historic farm building, the Septicon out in the Septicon.

2:15:08

Yeah, the land ranch property.

2:15:11

Cassidy, if you know the details on this bill, I remember it.

2:15:14

I can't think of the the name of the family that owned it, but do you guys remember that there was a little house and they proposed to put the farm so that that was not a it it's not a in a historically designated district and it's not a historically designated structure, but it does have stored value in and and so a condition of that subdivision was that it be reviewed for or considered.

2:15:38

And so in in that kind of a situation that would be where that would go through an administrative process through the historic preservation officer rather than to the the Commission.

2:15:49

OK, great.

2:15:50

Those that's a great clarification.

2:15:53

OK.

2:15:53

Anything else before they move on to the conditional use?

2:15:57

Yeah.

2:15:57

Like I wanted to thank you for proactively addressing some of the comments 'cause I I had a couple of questions on that.

2:16:04

They were addressed.

2:16:05

So that was super helpful.

2:16:06

However, I wanted to revisit one thing around the AD US and the square footage.

2:16:10

I saw a couple of comments were suggesting 1200 versus 1000.

2:16:14

I'm just curious if there was more detail as to why you're choosing to stick to 1000.

2:16:20

Yeah, we we hewed to what was specified in the state bill related to accessory dwelling units that's SP 528-580-2528.

2:16:33

And and so that that was what was prescribed in that bill.

2:16:39

And you know we we talked about this a little bit at our last meeting but when the injunction was placed on on that bill and and the the duplex related bill the city evaluated you know to what whether and to what degree it would it would make sense to carry any of what was in those bills forward or or hold off on those.

2:16:59

And related to the Adu specific bill, you know that was something that we we identified as being you know very much in the purview of of our local jurisdiction and and our local authority and that it was something that we do already and that we we have that that zoning tool incorporated into our our zoning code already.

2:17:23

And so we evaluated you know what, what amendments to to consider related to AD us again based on the sideboards that we we shared.

2:17:35

And so the tying the increase in what you know, available area or space that an Adu could take up, we we thought it was prudent to stick with what was passed down from the state.

2:17:48

All right, thanks.

2:17:55

Anybody else?

2:17:57

All right, go for it, Ben.

2:18:01

OK, let's see.

2:18:02

It'll take me just a second to get the slides back up for him.

2:18:07

Thanks.

2:18:07

And Jen, while you're bringing that up, I forgot to mention that we also have Cassie Tripard with us tonight who's here to help answer questions and provide more more information for us on this.

2:18:20

So thank you, Cassie for being here.

2:18:28

So tonight we are also asking you to consider adopting changes to the conditional uses found in Title 20.

2:18:38

So this discussion will cover proposed amendments to update the city zoning regarding uses allowed conditionally in specific districts.

2:18:47

So I'm going to give some background on that, cover the thought processes for the proposed changes in the history of that and then we'll pass it over the gender view the amendments generally and the comments that we've received around these along the way as well.

2:19:06

And then we're we're also asking that you make a recommendation to City Council to adopt these these, these proposed amendments as well.

2:19:17

Next slide, Jen.

2:19:22

When this ordinance was originally discussed in November of 2022, the city was facing historic levels of development review causing backlogs and delays and that were directly and indirectly impacting our ability to move you know key priorities like like you know and and then act on and and provide the review related to residential projects especially to move those forward.

2:19:53

At that time the amount of review related to building permits had also increased drastically.

2:19:59

So between 2019 and 2021, the number of permitted dwelling units increased by 193% with the total number of dwelling units permit dwelling permits issued in 2021.

2:20:13

You know around the 1300 permits was a very high number for for our department that year.

2:20:21

So in light of that demand, there was an urgent need to identify and simplify regulations and processes that have an immediate impact on our ability to operate and help us to move forward doing our business efficiently.

2:20:34

In order to do this, the City's goal was to provide a more effective delivery of City services by allowing a more streamlined review of certain types of uses, thereby freeing up staff time to review and approve other housing and support services necessary to support a safe and healthy community.

2:20:53

Next slide please.

2:20:58

State law provides for an Interim Urgency Ordinance through Section 76-2-306, which allows a municipality to determine when an urgency Ordinance is necessary to protect for public safety, health, and welfare.

2:21:16

This section also allows for the Urgency Ordinance to be extended up to twice or up to two times for 12 months at a time, following a 2/3 majority vote from from City Council.

2:21:34

So this interim ordinance was first adopted in November of 2022 under the argument that Missoula was experiencing a housing crisis which was representing a threat to the community's general health, safety and welfare.

2:21:48

It was an extended for another 12 months in the May of 2023 and then we've been evaluating these amendments for inclusion in this round of of near term amendments as well.

2:22:01

And so just a a note to make there is is that sorry Jane can you back up 11 slide, sorry, sorry.

2:22:16

So just to make the note that we're not extending that that ordinance tonight.

2:22:21

We are bringing these forward as amendments to to consider on the on the base of them.

2:22:28

OK, next slide.

2:22:29

Thanks Jen.

2:22:33

So some background, what is what is a conditional use?

2:22:36

As a reminder, the zoning code, the zoning code includes 3 basic use designations permitted by right.

2:22:46

You can just do it unpermitted.

2:22:48

You just you can't do it.

2:22:50

It's generally also called prohibited and then conditional and conditional uses are intended to provide a transparent public review process for land uses that, because of their varying design and operational characteristics, require case by case review in order to determine whether they'll be compatible with surrounding uses and development patterns.

2:23:14

Uses are reviewed under certain criteria that are listed in the zoning code and then ultimately approved by City Council following and and during a public hearing.

2:23:27

Conditional uses have been a standard zoning practice in many areas for quite a while.

2:23:33

More recently, they have come to be associated with the type of special approval processes that make development unpredictable and difficult to navigate and they can cause general frustration.

2:23:44

You know when when review criteria can be subjective or or redundant or ineffectual.

2:23:49

So to give a little more idea of the scope and frequency of conditional uses in Missoula, when we initially passed the interim ordinance back in the end of 2022, we reported then that in the time since Title 20 was adopted, which was in 2009, there have been a total.

2:24:09

So this is 8 year old, but there have been a total of 78 conditional use projects over about a 10 year.

2:24:19

And out of those almost 80 applications, one had been denied.

2:24:26

21 of those projects were accessory dwelling units and townhome exemption development projects.

2:24:34

So those are AD US and Ted projects which you have probably heard about and those have since even before we brought the interim ordinance through.

2:24:46

Those had already been phased out of requiring A conditional use approval back in 2009 when Title 20 was adopted.

2:24:58

It included 49 different use types that were conditional in some way or another.

2:25:05

The thing about conditional uses is that it's dependent on which zoning district you're in.

2:25:08

So they all kind of have a different formula for where and whether they are conditional or permitted or not permitted and then yeah so and that leaves us up to today or just yeah again we we phase out AD US and Ted's few years ago and then in November brought through the interim ordinance.

2:25:38

So what did that include?

2:25:40

What were the changes that were adopted at that at that time?

2:25:44

Community Planning, Development and Innovation proposed an Interim Urgency Ordinance that would shift a number of the exist existing conditional uses throughout the various zoning districts to be permitted by right to some degree.

2:25:59

This interim ordinance would help to provide a more effective delivery of city services consistent with the City's mission and support the overall public health, safety, and welfare of our growing community.

2:26:10

Of the 47 existing conditional uses at that time, more than half would be either permitted in every district they're listed in or would or were permitted in some of the districts they're listed in.

2:26:23

And so how that broke down basically is is listed on the slide here.

2:26:28

But we retained 13 of those uses as they were conditional to to the same degree that they were beforehand.

2:26:39

21 of the uses that we considered, we changed to everywhere that they were conditional we changed to being permitted and then another 13 we change to permitted in some districts and and retained as Commission on others.

2:26:58

And just one kind of note of around what happened with the interim ordinance was the the, the only kind of difference from what we proposed to what was adopted was that the bed and breakfast use we had proposed changing to permit it and that was retained as conditional across the board by council at that time.

2:27:18

All right, next, next slide.

2:27:19

I'm trying to pack a lot into each slide here.

2:27:21

So thanks for sticking with me.

2:27:22

So I'm going to talk through how we put these amendments together, what were our considerations, what were our sideboards for these.

2:27:33

And I hope hopefully as we talk through these.

2:27:36

The the main point I think I'd try to make is that these were fairly similar to the considerations that we

were using for for the amendments that Jen just walked us through and and that we've been developing more recently.

2:27:52

So in approaching developing the the conditional use related amendments, we first looked at the simplest fix originally.

2:28:02

Can we just change all the conditional uses to permitted wherever those uses are currently conditional and after applying you know a set of considerations which I'll walk through here.

2:28:13

Our staff's you know, opinion was that an across the board relaxation of conditional uses was too much.

2:28:19

It was beyond the the intent of of what we were trying to do.

2:28:22

And then in some cases it was you know it was most appropriate to maintain that conditional use approach.

2:28:29

But it did become clear that focusing on the uses themselves rather than on some other approach, geographic or what have you was the kind of the intuitive way to to proceed and work through this.

2:28:43

So as part of the process for determining which conditional uses were good candidates for shifting to permitted, we developed the considerations that are here on the the left side of the the slide and just you know, caveat that not every consideration was used in a decision regarding every specific conditional use.

2:29:04

So the things that we looked at, you know, what really level of frequency, how many individual projects have we seen within a specific use type, How much are these actually coming up or not, The degree of controversy or perceived impact, you know, what are the uses that have generated notable levels of public comment and input and concern?

2:29:25

What project specifically resulted in applying conditions that would not have otherwise are already been required through our codes?

2:29:33

That was something that we looked at.

2:29:36

We looked at policy alignment, you know which which uses are clearly aligned with our existing policies and goals.

2:29:44

We looked at it where these uses were already covered or supported by other existing codes and standards.

2:29:55

What uses had existing specific regulations that were already requiring things that we were ending up needing to require also through conditional use?

2:30:04

We wanted to bring an equity lens to this.

2:30:06

So looking at the application of the conditional use requirement in relation to the various uses, and similarly in an application of the ordinance supplied across similar zoning districts, and we looked at the relationship to code reform.

2:30:22

Again, we were trying to not upset the Apple card or get ahead of our selves with regard to the overall goals of the code reform project and then we looked at complexity as well.

2:30:34

You know what individual uses require a level of evaluation and analysis that really warrant this level of review.

2:30:45

So those were kind that that was those were generally our side boards.

2:30:50

And then I just also want to run through kind of some assumptions that we made along the as as part of going into this that that we tried to to bring some consistency to to this to our evaluation of these and that's listed on the right side of the screen here.

2:31:06

So first we we only consider districts that were under Title 20.

2:31:10

We didn't, we didn't bring this over into how it would relate to special districts, PU DS and those older kind of unique one-of-a-kind zoning districts that go back to the previous zoning code.

2:31:23

We didn't want to expand the range of where uses are already designated.

2:31:28

So we didn't want to make this into an expansion project.

2:31:32

We also didn't want to make things more prohibitive than they already were.

2:31:38

And then related to some of the specific zoning districts, we considered the M1R district to be more residential than industrial, the central business district, downtown area.

2:31:50

We tried to consider that with the special due consideration level of we're trying to be careful about how we thought about that and impacts there.

2:32:01

And then with regard to the the B districts, we we generally kind of lump those together and consider those as being consistent with one another and then we try to do the same thing with with the use types as well.

2:32:16

So you know for example daycare centers, community residential facilities, group living, we kind of looked at that those as as having similarities enough that that they should be treated equally.

2:32:29

So that's kind of our set up for this.

2:32:30

I'm going to pass it back to Jen to walk through what the, what, what the specific amendments are and then we'll be just be be done.

2:32:43

OK.

2:32:44

So again, just as a reminder, based on applying the applying these criterion assumptions that Ben just talked through, we landed on three categories of amendments, changing some uses from conditional to permitted in each district it was listed.

2:32:59

Changing some uses from conditional to permitted in some districts it was listed and then not changing some uses that are conditional at all.

2:33:08

So the following slides show the amendments generally indicating which of the three categories each conditional use ended up in.

2:33:16

And then again if you have more questions at the end, we can we can show you the specific amendment.

2:33:21

So the first category are those uses that were changed to permitted in every district they are currently listed or they were currently listed as conditional.

2:33:29

And those included Animal Services for sales and grooming and veterinary, auto wrecking, college, university, community residential facility for 9 or more day labor, employment agencies, fraternal organizations, group living, junk salvage yard and then library cultural exhibits.

2:33:50

And to continue that list, we talked about its manufacturing, production and industrial services, artisan and limited microbrewery, micro distillery office uses, personal improvement services, preschool centers, general recycling service, religious assembly, residential support services and schools.

2:34:15

So the junk salvage yard and auto wrecking uses are examples of uses, again changing to permitted in every district they're listed.

2:34:23

And this slide just shows you that these two uses are only listed in the M1 and M2 industrial districts and then the two uses are being proposed to be permitted in both districts.

2:34:38

The next category are those uses that are changed to permitted in some of the districts they're listed while remaining conditional in others.

2:34:45

Those are Animal Services for shelter or boarding, kennel, casino, check cashing loan service, cidery, daycare centers, emergency homeless shelters and enterprise commercial uses.

2:35:01

This slide continues those that were permitted in some meal centers, Tavern nightclub vehicle sales and service for heavy equipment sales and rentals as well as vehicle storage and towing wineries and ground mounted wireless communication facilities.

2:35:20

The Tavern Nightclub as I said was a use is an example of A use changing to permitted in some of the districts it's listed in.

2:35:27

As you can see, the use is proposed to be changed from conditional to permitted in the C2 commercial and the industrial districts M1 and Two, while remaining conditional in other districts.

2:35:40

The use is prohibited in residential districts.

2:35:46

The uses of cidery and winery are another example of some districts changing.

2:35:50

They're treated the same.

2:35:51

Currently and will both remain conditional in the B2 and B3, but changed to permitted in the C1 and C2, and the use is prohibited in residential and open space districts.

2:36:06

The next two slides are the final category and are those uses that will remain conditional and unchanged.

2:36:12

And they include the bed and breakfast use that council wanted to change, building maintenance, service construction, sales and service, detention and correctional facilities, fraternity, sororities, gasoline and fuel stations, hospitals and parking non accessory.

2:36:32

They also include residential storage, warehouse, truck stop travel Plaza, major utilities and services, car wash, cleaning services, waste related use and lastly water testing laboratory.

2:36:47

And this slide shows the warehouse use will remain conditional in residential and commercial districts and permitted in the industrial districts.

2:36:54

Again, no change.

2:36:58

And this last example shows fraternity sorority uses as only being listed in the residential use districts.

2:37:04

They'll remain conditional in the RM 2.7 and RM2, and remain permitted in the other listed districts.

2:37:13

And as Ben told you earlier, applying the proposed amendments resulted in 20 uses changing to

permitted in each district they're currently conditional, 13 uses changing to permitted in some of the districts that are currently conditional, and 14 uses remaining conditional and unchanged.

2:37:31

And of the 47 existing conditional uses, more than half of them will be either permitted in every district they're listed in or be permitted in some of the districts they're listed in.

2:37:41

No comments were received for this round of conditional use project change for this conditional use project.

2:37:49

And then the next steps that we're taking, the two projects will go to land use and planning on March 13th and then to City Council for public hearing on March 25th.

2:37:59

And then again our web page for additional information is listed there.

2:38:05

Staff is asking planning Board to recommend City Council approve both the title 22nd round near term or code amendments and the conditional use amendments.

2:38:13

And this concludes my presentation and we're available for any questions you may have.

2:38:21

Great.

2:38:21

Thank you, Jen.

2:38:22

Thank you, Ben.

2:38:23

Appreciate you guys time and effort put into that presentation.

2:38:27

Does anybody, Dave, you want to kick us off again go for it?

2:38:30

That's great.

2:38:31

Yes, the question short term rentals, how are we, how is the city handling this not in conditional, I'm just curious, short term rentals, yeah, I don't believe those are.

2:38:49

I'd have to look at the amendments and see, let's see is is the question whether they currently require a conditional use only or future, How, How was the city addressing the question?

2:39:07

Yep, that's you know, we're not.

2:39:11

Oh sorry, go ahead.

2:39:12

No, go ahead, go ahead.

2:39:14

Just to say we're not proposing amendments related to short term rentals at this time.

2:39:19

We've certainly been having interests in in conversation about them and the the role that they play in the community and the impact they have on the housing an an affordability situation.

2:39:31

Our our thought and hope is that that's that's an issue that's best considered through the comprehensive code reform effort.

2:39:44

Anybody else got any questions, clarifications before we look for a motion?

2:39:51

Anybody.

2:39:51

Anything.

2:39:52

Anybody in line?

2:39:55

OK, I'm not seeing any hands going up, so if you guys want to move to a motion, we can have some discussion.

2:40:08

Oh, Shane, I see.

2:40:10

Public comment.

2:40:11

Yes, I almost forgot.

2:40:12

Public comment.

2:40:13

Is that what you're going to say, Shane?

2:40:18

Sorry, jump in the gun here.

2:40:21

OK, with no more needed from board members, we will go ahead and open it up to public comment for this portion of the hearing on Title 20 code amendments.

2:40:40

All right.

2:40:43

And we've got nobody in house, but I do see Len Broberg.

2:40:50

Hopefully I'm pronouncing that correctly.

2:40:52

Go ahead and unmute yourself and make a comment.

2:40:55

Thanks.

2:40:56

Yeah, you said it exactly right.

2:40:58

Hi, folks, I'm Len Broberg.

2:41:00

I'm with Common Good Missoula.

2:41:02

Just wanted to weigh in.

2:41:03

We provided written comments.

2:41:05

We're generally supportive of the amendments.

2:41:09

Common Good Missoula is a organization that's actually a network of 19 Missoula organizations, ranging from churches like First United, Methodists and Saint Francis to environmental groups like Climate Smart to social justice groups and other community groups.

2:41:26

And so we've talked to a wide range of citizens in Missoula, hundreds of folks about what they're concerned about and affordable housing and sustainable transportation and safe and secure transportation were the number one and two issues for them.

2:41:42

So we're working on affordable housing and we're pleased to see that these amendments, especially the Adu vertical, mixed-use and density bonus expansion into the commercial districts is are all real positive developments that we see here.

2:42:03

What we hear talking to housing advocates across the United States is that ADUS are a critical starting point or getting affordable housing markets moving and they're often the first thing to respond.

2:42:19

And so we applaud the efforts of the city staff to bring forward recommendations to facilitate easier construction of a wider range of Adu units to conserve a greater population and still remain affordable.

2:42:38

We noted a number of things that we'd like to work on as we go through the comprehensive code reform, but that's for another night and another time for you all.

2:42:47

And I'm available here for conversation or questions that you might have.

2:42:54

So thank you for the opportunity to comment.

2:42:58

Great.

2:42:58

Thank you, Lynn.

2:42:59

Appreciate you taking the time to be here this evening or tonight.

2:43:03

I guess now we're at 8:00.

2:43:06

OK, we'll give it another minute.

2:43:11

And I kinda jumped over how to join in.

2:43:17

We should probably include those instructions up there.

2:43:19

And I'll read it out real quick.

2:43:22

Yeah, just in case.

2:43:31

OK, So if you by chance are joining us via some media format and you need to call in the your landline or cell phone, you can do that at 406-272-4824.

2:43:50

The phone conference ID is 127489322 pound and you can press Star 6 to mute and unmute yourself and Star five to raise and lower your hand to be called on to make your comment.

2:44:05

And with that, we'll give it another, we'll give it another minute and see if we get anybody else.

2:45:05

Oh, that's a long minute.

2:45:07

All righty.

2:45:08

I am not seeing anybody else trying to join in with us.

2:45:13

Heather, am I missing anybody?

2:45:15

OK, I'm not seeing anybody here in house, so we will leave it with Joe.

2:45:22

Rick, you got a question or comment?

2:45:24

I see a this hit the wrong button.

2:45:29

Oh, OK, no worries.

2:45:31

No worries at all.

2:45:33

OK, with that, we will go ahead and close public comment for this portion of our hearing and that will open us up for a motion.

2:45:51

Anybody want to take a stab at it once it gets up on the board there?

2:46:03

Sorry, I'm taking me a second.

2:46:06

No worries.

2:46:13

Always goes back to the beginning.

2:46:36

You have it?

2:46:42

Yes, we got it.

2:46:46

OK, so I'm reading the proposed amendment.

2:46:52

The Planning Board recommends that the Missoula City Council approve an ordinance to amend title 22nd around near term code amendments and adopt proposed conditional use regulations as presented.

2:47:08

Thank you for a motion by Dave.

2:47:09

Do we have a 2nd, I'll second seconded by Dory Outstanding.

2:47:18

OK, we can kick off our discussion and I may lead it out maybe with just really thought we had some insightful public comment from folks and common goods comments.

2:47:33

And so I'm hoping some of our more expert folks within the industry might have some thoughts, but appreciated staff like highlighting those comments as well as well as like designating where things would be picked up more in our, you know, more serious looking coder form.

2:47:56

So with that, if anybody else has got questions or thoughts, please jump in there.

2:48:01

Dave, you want to go?

2:48:02

I just want to congratulate the staff for an amazing and thorough job on this, this issue that I always hated to deal with and you guys really did an excellent job.

2:48:15

So thank you very much and it's very cleared.

2:48:21

Anybody else?

2:48:22

Thank you, Dave.

2:48:24

Dory, I just want to echo what Dave said.

2:48:26

I was going to say the same thing that I appreciate the the amount of work that city staff have done on this.

2:48:33

And I think, you know, in my relatively short time on this board, I think one of the things that I see consistently is just we're very fortunate at the city and county in Missoula to have the staff that we have who really do a good job and invest a lot of time and energy and are deeply committed to doing the right thing and hearing the public.

2:48:52

And so I just want to appreciate the work done on this.

2:48:54

Thanks.

2:48:56

Great.

2:48:57

Thank you.

2:48:57

Well said.

2:48:59

Anybody else?

2:49:06

Go ahead Shane and then Josh.

2:49:12

Yeah.

2:49:13

I mean I think I'll double double echo what my fellow planning board members said appreciate the the hard work and you know when we when we create these zoning codes we always know there's gonna be you know minor pinch points or things aren't getting to where we were really wanna go as a community.

2:49:34

So appreciate the you know ability to review them and make sure that the developments that we're hoping to accomplish as as a community are able to be realized.

2:49:48

And I guess maybe the second or Third Point here is that appreciate you taking a bill that was passed

by the state and taking out the non thought through language of it and making it clear and comprehensive.

2:50:10

I'm referring specifically to the Adu bill and the 75% of the primary residence part of that bill.

2:50:25

So I think it makes it far more clear to just have a straight, you know, top line number on that and if the community wants to change that at some point, that's fine.

2:50:34

But I think the 1000 square feet fits where we are right now.

2:50:37

So thank you.

2:50:41

Great.

2:50:41

Thank you, Shane.

2:50:42

Go ahead, Josh.

2:50:46

Yeah, thanks to staff for all the all the hard work on those amendments.

2:50:49

My question relates to public comment.

2:50:54

I I think it was from somebody from IMEG that proposed using Urban Land Institute's parking analysis for the mixed-use, mixed-use projects and not requiring residential.

2:51:09

Did we say that was gonna be addressed in the the broader code update or right staff those those are gonna move forward with that?

2:51:18

Yeah.

2:51:19

OK.

2:51:19

Thanks.

2:51:25

Great.

2:51:25

Thank you, Josh.

2:51:28

Tune, no tune's good.

2:51:31

Let's see.

2:51:32

I had a quick question just around the conditional use.

2:51:40

What is it?

2:51:40

Emergency amendment.

2:51:42

While it was emergency a while ago, but that we've been working with for the last 18 months.

2:51:46

I've been wondering if we have any like metrics on how that has helped you guys or you know if there's any numbers yet.

2:51:56

I guess it's a little early, it's only been like a year and a few months or whatever, but I'm curious if there's some metrics or something.

2:52:05

Thank you for asking.

2:52:06

And I realized when I sat down, I sat down a slide too early.

2:52:11

So we do have one that's a a little bit of a report out on on that that Jen if you're able to find that and bring it up, I'd take it.

2:52:21

But you know generally there haven't been a whole lot that we we know of.

2:52:30

I mean it it's a little, it's been a little tricky to track the projects that would have been a conditional use but it haven't but but weren't otherwise.

2:52:40

And so just that caveat that I think I'm getting a comprehensive picture on this has been difficult for us in some ways, but you know when we let's see when we updated or renewed the ordinance, this is on the left hand side of this.

2:53:02

The projects that were permitted by that time included you know 1 enterprise commercial project and then another artisan manufacturing project.

2:53:15

And you know part of this has also been hearing projects take a long time to to develop and and to get put together.

2:53:21

And so there there are projects that we have heard about that that would would benefit from this or this this would affect that include these other uses that are listed here include you know you know group living facilities for one you know the this included removing the conditional use requirement for for child care, you know large child care facilities and that's something that we you're a need for quite a bit.

2:53:53

And and so you know that we know of of two more recently that have that have gone through the permitting process that this is affected but that's the that's the hard number I guess we have to offer.

2:54:12

And then another a bakery use is is also would have otherwise needed a conditional use approval and hasn't needed it in the last year.

2:54:21

You know just to call out that there there are still conditional use applications or requests that that are have been coming through and and really recently that's been centered around the Tavern use.

2:54:31

And you know that was one of those uses that we landed on not not addressing or not changing with this update that uses around drinking and alcohol and we're just seemed like something that needed a larger community conversation that we weren't going to change anything on at at at at this point and that we've carried that over into these amendments as well.

2:54:56

But great.

2:55:00

Anything else there Cassie or Jen anything to add on that I I think that I mean that being I guess I would just add sorry once I've already asked you for someone else to speak up but I'm going to jump back in here.

2:55:17

I don't want to underplay the the impact that it does have for our capacity in our department and ability to you know this is time that that's freed up for other you know for for all the other things that we need to do to and and there is since originally adopting these you know these amendments and at that point it was just kind of because of the workload we're experiencing the amount of development that's been occurring here.

2:55:48

But since then with the some of the changes of the legislature you know there are additional imposed timelines that we have for some projects that that that we need.

2:55:57

You know that one of the the big factors here is what what are the state mandated time requirements that we have for certain types of project review.

2:56:09

A lot of that's around subdivision and now there are kind of these an increased amount of our type of administrative subdivision reviews or and and so those you know we're just kind of getting our heads around around that and and getting our processes figured out for those.

2:56:32

So everything helps and and we think this will continue to to do that.

2:56:38

And and again just the other thing to point out is, is what we talked about previously as well at our previous meeting that you know that the, the trend and and something that's really established or enshrined in the the new land use Planning Act is, is trying to get away from project specific kind of heavy project specific reviews which conditional uses are kind of the prototypical example of that.

2:57:05

Where it is to talk about things that are complicated on a case by case basis and and the trend and and the the push you know from the state and and that we're incorporating into the arm of the project is to try to shift that to the to the higher level broader planning process where we we work it out at that level so that when it gets to these projects specific reviews it can be more administrative.

2:57:32

Great.

2:57:33

Thank you.

2:57:35

Anything else?

2:57:37

Planning Board members, Any more questions, thoughts, desires?

2:57:45

OK, I'm not seeing anything from anybody, so let's go ahead and have a roll call vote, please.

2:57:53

Roll call vote.

2:57:54

Dori galels.

2:57:55

Yes.

2:57:57

Shane Morrissey.

2:57:59

Yes.

2:58:01

Toon Farm.

2:58:02

Yes.

2:58:04

Josh Schrader, Yes.

2:58:07

Dave Loomis, yes.

2:58:10

Rick Hall, yes.

2:58:13

And Sean McCoy, aye, motion carries unanimously.

2:58:19

Great.

2:58:19

Thank you, Heather.

2:58:24

All right.

2:58:27

I think we're pretty close and we can quickly move through the rest of our agenda.

2:58:36

I don't believe we have any communications or special presentations, committee reports, don't know.

2:58:42

OK, outstanding old business.

2:58:46

I don't have any or new business comments from board members.

2:58:54

All right.

2:58:55

Everybody else is solo parenting as well and wants to get out of here.

2:58:59

My kids are at home watching TV.

2:59:02

OK, No comments from board members.

2:59:06

I think we can go ahead and call this.

2:59:08

Meeting adjourned.

2:59:10

Thank you, everybody, and thank you to staff.

2:59:13

Wonderful job tonight.

2:59:14

Appreciate all your hard work.

2:59:17

By Shane, Josh and Rick.

2:59:19

Rick, are you still out of the country?

2:59:22

No, no, Rick's back.

2:59:26

I'm back in the cold, All right.

2:59:29

Back in the cold.

2:59:30

But it's getting nice out there.

2:59:32

Felt like it is spring today.

2:59:35

All right.

2:59:35

Thanks a lot, folks.

2:59:36

See y'all next time you're welcome.

2:59:43

That I'm solo parenting.

2:59:45

I'm that I'm neglecting my children by leaving at home with the TV on.

Rezone Request

—
Planning Board

2359 & 2361 W Kent Ave.

From RT 5.4* to RM 1-35**

*Residential 5.4 (two-unit/townhouse)

**Residential 1-35 (multi-dwelling)



Charlie Ream, Associate Planner

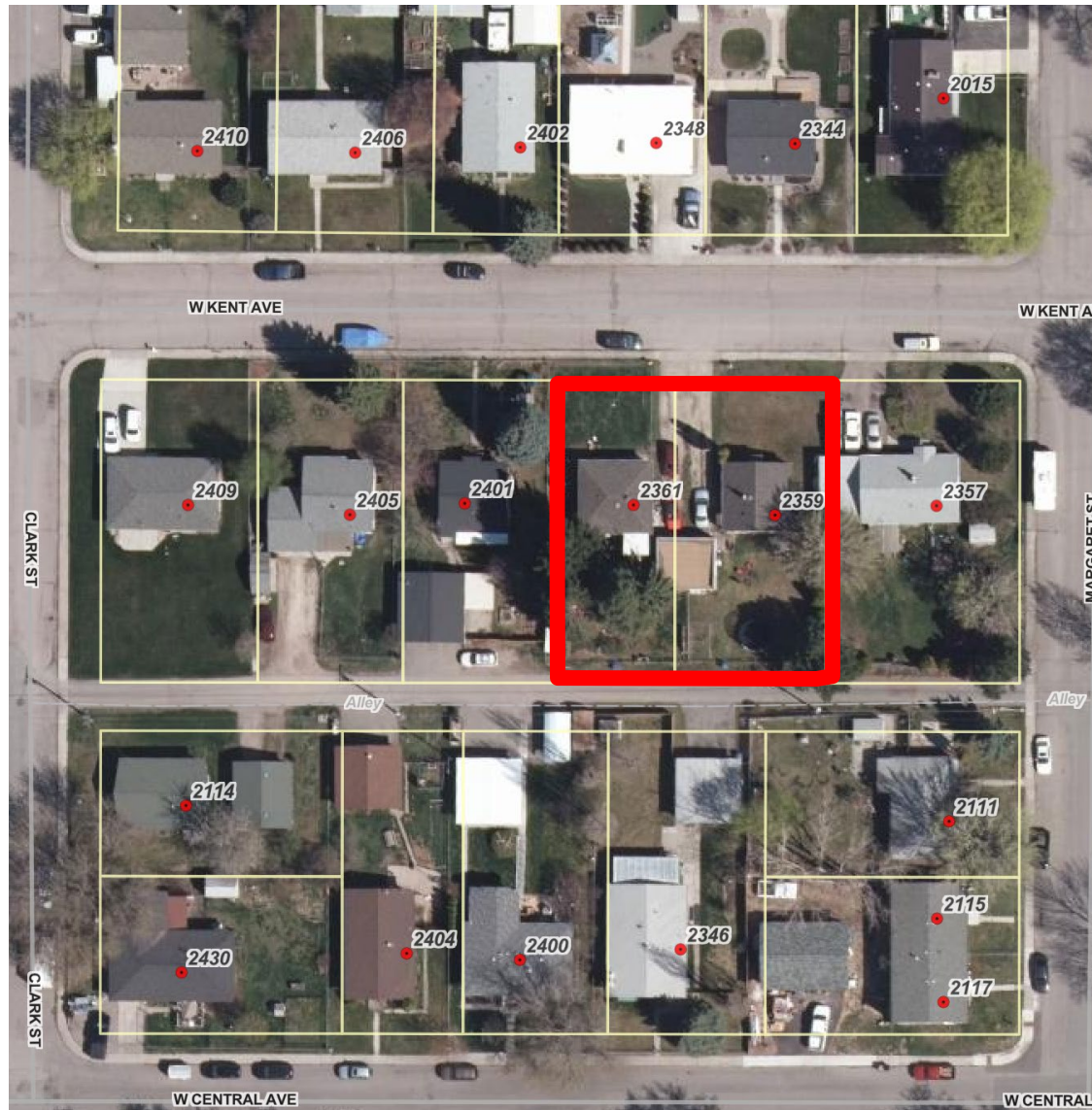
Community Planning, Development and Innovation

March 5, 2024

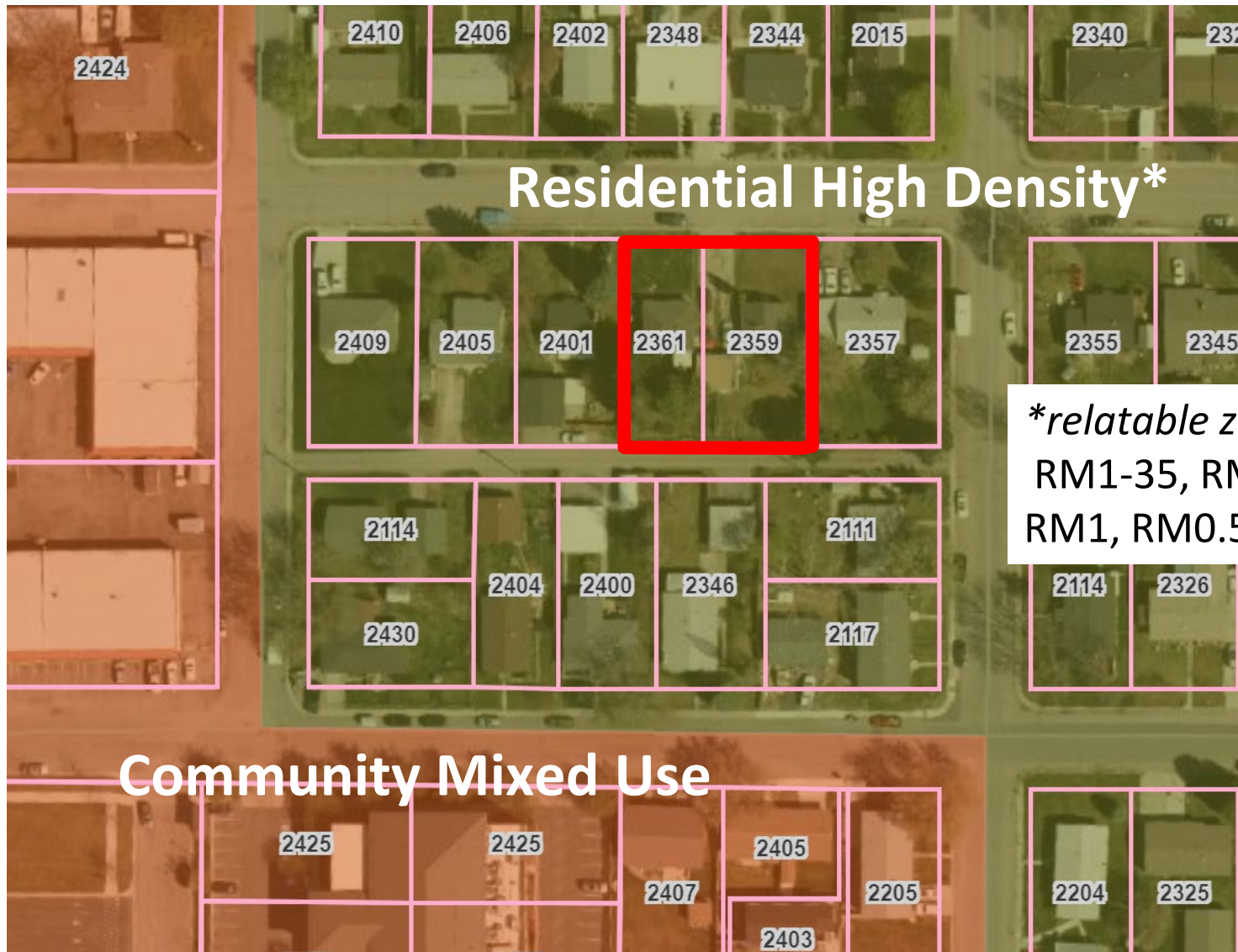
Property Location



Existing Site: Aerial



Growth Policy Map



**relatable zones:*
RM1-35, RM1-45,
RM1, RM0.5



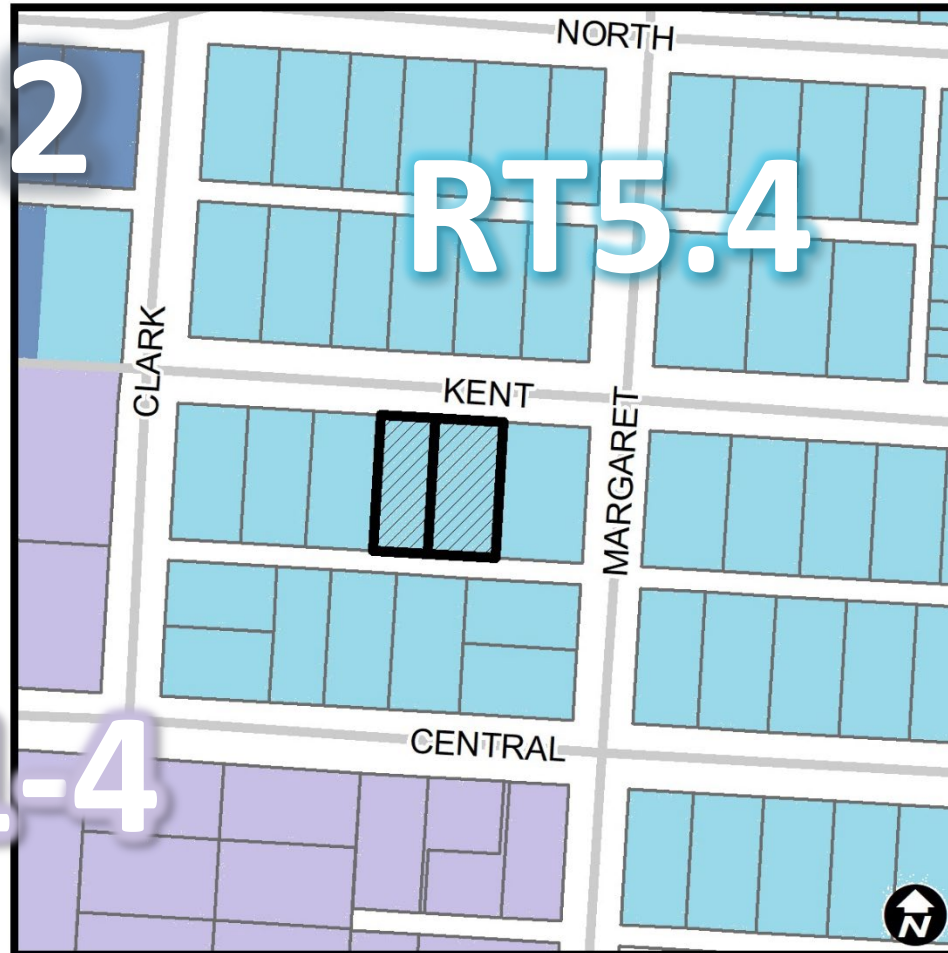
Current Zoning Map



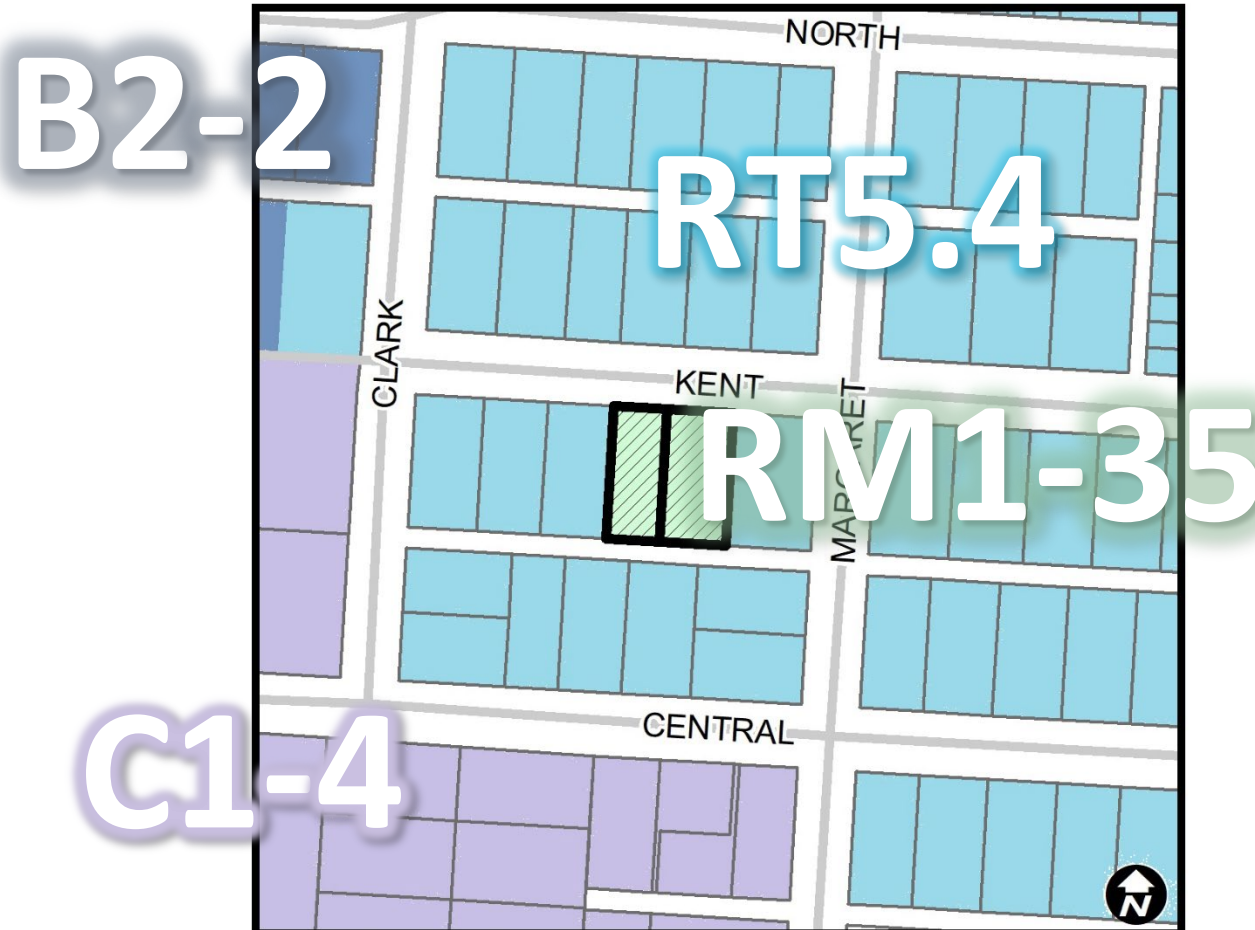
B2-2

RT5.4

C1-4



Proposed Zoning Map



Standards Comparison



	Existing	Proposed
Zoning	RT5.4	RM1-35
Min. Parcel Size	5,400 ft ²	3,000 ft ²
Parcel Area / Unit	5,400 ft²	1,000 ft²
Setbacks	Front & Rear: 20' Side: 7.5' or 1/3 the building height Street Side: 10'	Front & Rear: 20' Side: 5' Street Side: 10'
Max. Height	30/35'	35'
Permitted Uses	RM1-35 is same as RT5.4 <i>plus</i> Fraternity/Sorority, College/University, Library/Cultural Exhibit, Office, Personal Improvement Service, and Residential Support Services are Permitted Uses. Non-Accessory Parking and Water Testing Facility are Conditional Uses.	

Review Criteria



1. Growth Policy
2. Promotes Public Health and Safety
3. Public Services/Transportation
4. Provision of Light and Air
5. Compatible Urban Growth
6. District Character & Suitability of Uses
7. Value of Buildings and Appropriate Use of Land
8. Meets Changing Condition
9. Best Interest of the City as a Whole

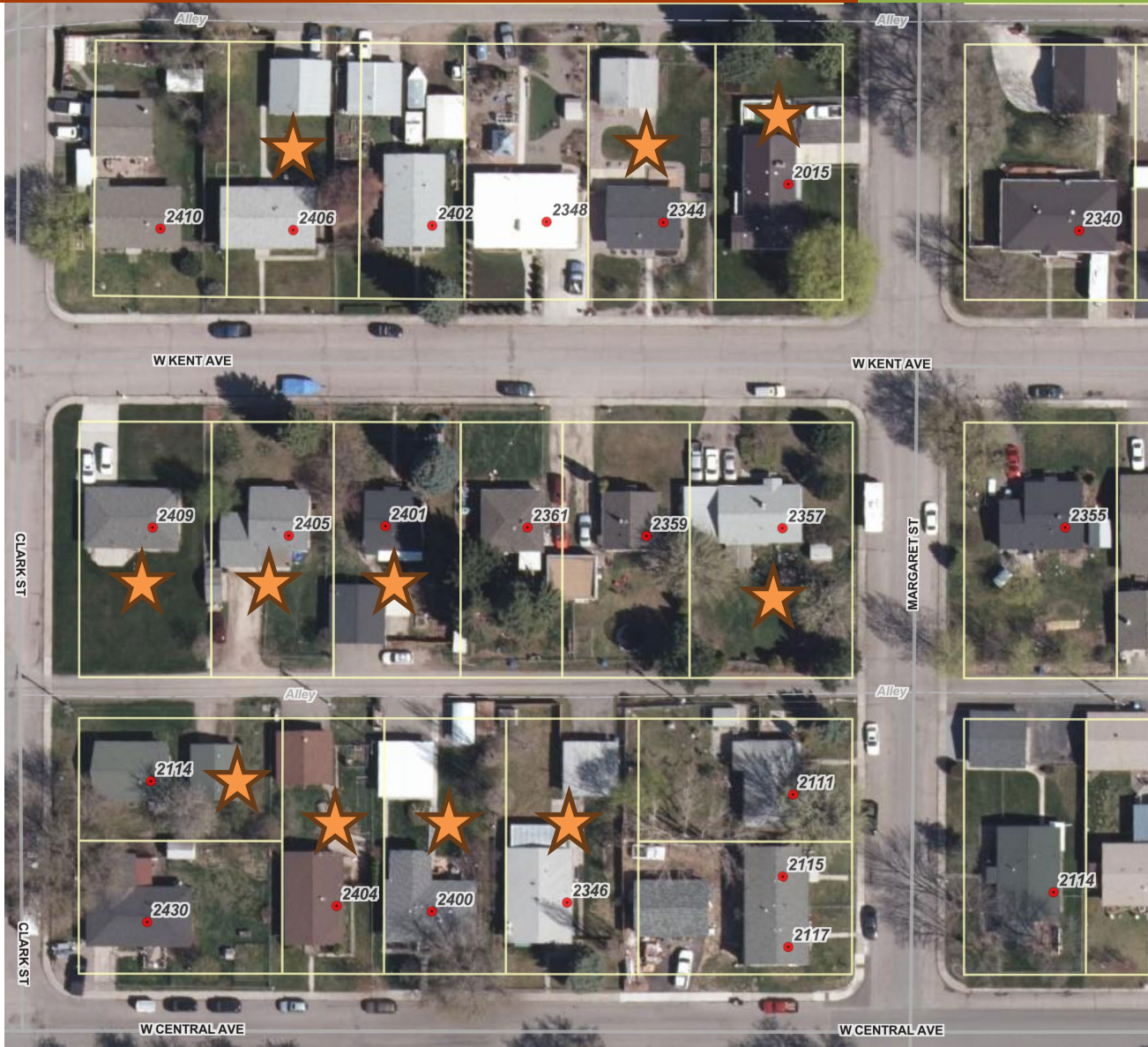
Spot Zoning Considerations



All three criteria must be met to constitute spot zoning.

- (1) The proposed use is significantly different from the prevailing use in the area;
- (2) The area in which the requested use is to apply is rather small from the perspective of concern with the number of separate landowners benefited from the proposed change;
- (3) The change is special legislation designed to benefit only one or a few landowners at the expense of the surrounding landowners or the general public.

Protest Petitions



Staff Recommended Motion:

Recommend City Council approve the adoption of an ordinance to rezone the subject property located at 2361 and 2359 W Kent Ave. and legally described Lots 4-7 and the east 15' of Lot 8 of Carline Addition, located in Section 29, Township 13 North, Range 19 West, P.M.M. from RT5.4 Residential (two-unit/townhouse) to RM1-35 Residential (Multi-dwelling), based on the findings of fact and conclusions of law in the staff report.

2nd Round Near-Term Code Amendments

Planning Board Public Hearing

Jen Gress, Community Planning Division
CPDI
March 5, 2024



Overview

➤ 2nd Round Near-Term Title 20 Zoning Amendments

- Background
- Project Goal
- Sideboards
- Proposed amendments
- Comments

MOTION: Recommend the Missoula City Council approve an Ordinance to amend Title 20: 2nd Round Near-Term Code Amendments and adopt proposed Conditional Use regulations as presented.



Background

- Conditional Use Interim Zoning Ordinance (Fall, 2022)
- Our Missoula Kickoff (Winter, 2022)
- Legislative Session (Spring, 2023)
- First round of near-term code amendments (Fall, 2023)
 - Legislative amendments effective 10-1-23
 - Subdivision Regulations
 - Title 20 (Interim Ordinance)
- Second round of Legislative changes (Spring, 2024)
 - Legislative amendments related to zoning, effective 01-01-24
 - Preliminary Injunction (SB 323 and 528)
 - City-identified targeted code amendments
 - Zoning (Planning Board Recommendation)
 - Various other titles (through city resolution)

Project Timeline

Near Term Code Amendments: Phased Approach

Timeline

October 2023



March, 2024



Winter, 2024/25



Round 1:

- Includes Legislative Bills effective before or on Oct. 1, 2023

Round 2:

- Our Missoula Project additional code changes

Our Missoula:

- Updated Growth Policy
- Updated Development Code
- Compliance w/ MLUP

Project Timeline

Round 2 Zoning Amendments Timeline

- Public Comment Period, Early February, 2024
- Planning Board consideration – March 5, 2024
- City Council consideration – March, 2024
 - LUP Committee, March 13, 2024
 - Council Final Hearing, March 25, 2024

Project Webpage:

<https://www.engagemissoula.com/2023-zuo>

Goals

Our Challenge Today...

1

The City must deliver its mission to promote *equitable, sustainable, and quality growth and development*

2

The City is *not adequately* implementing the policies for the community's vision of growth

1. Process Improvements
 - Streamline processes
 - Establish greater clarity for code users
 - Necessary clean up
2. Urgency
 - Housing supply responsiveness
 - Near term effectiveness

Sideboards

Near Term Code Amendments: Round 2

- Take a very targeted approach
- Identify amendments that can stand alone
- Based on implementation steps from existing policy & previous engagement
- Have no unintended consequences on the comprehensive Our Missoula project workflow
- Improve administrative processes for clearer rules and understanding

Amendment Recommendations

- Adoption of permanent amendments Title 20
 - Addressing urgent housing goals
 - Improve efficiency of the development review process
 - Better implement existing policy goals
 - New baseline for the Growth Policy (Our Missoula)

- Adoption of Interim Conditional Use Ordinance

➤ Amendments supporting Housing:

- Affordable Housing Option
 - Expand permanently affordable development option
 - Amend the definition of affordable housing & percentages of tiers
 - Parking reduction applies to entire development
- Vertical Mixed-Use incentives:
 - Commercial parking reduction
 - Commercial use reduction
 - General site landscaping exemption
 - Amend floor to ceiling height
- Accessory Dwelling Unit:
 - Increase the size & maximum height of Accessory Dwelling Units
 - Remove 10' separation between primary unit and ADU
- Include residential uses in shared parking – nighttime or Sunday

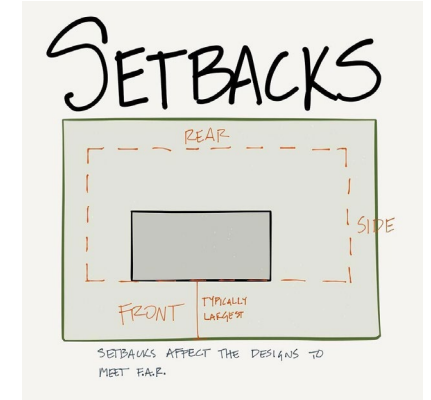


➤ Simplify regulations

- Allow existing structures to expand
- Remove the 1/3 height setback requirement
- Make two administrative approval options to be by right
 - Parking incentive near transit served locations
 - Parcel that is 95% of density to have another unit

➤ Correct/Clarify current practice

- Codify Zoning Officer Opinions (7)
- Clarify interior measurements for ADU
- Clarify when the Historic Preservation Officer has authority to approve historic preservation permits

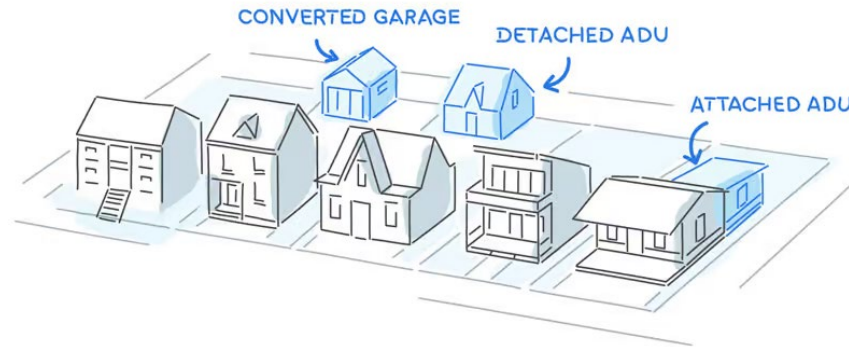


- Affordable Housing Option
 - Expand permanently affordable development option
 - ✓ Business and Commercial and M1R Districts
 - ✓ Expand the building types allowed
 - Amend the definition of affordable housing & percentages of tiers
 - Parking reduction applies to entire development (ZOO 22-02)



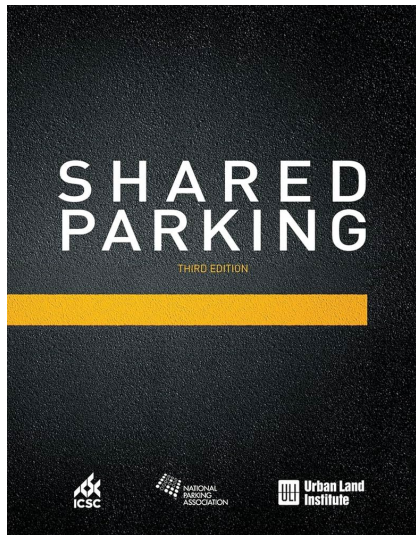
- Vertical Mixed-Use incentives:
 - Commercial use area reduction
 - ✓ Simplify area measurement
 - ✓ Provide additional area calculation option
 - Parking exemption for nonresidential
 - General site landscaping exemption/alternatives
 - ✓ Design Excellence Overlay
 - Amend floor to ceiling height





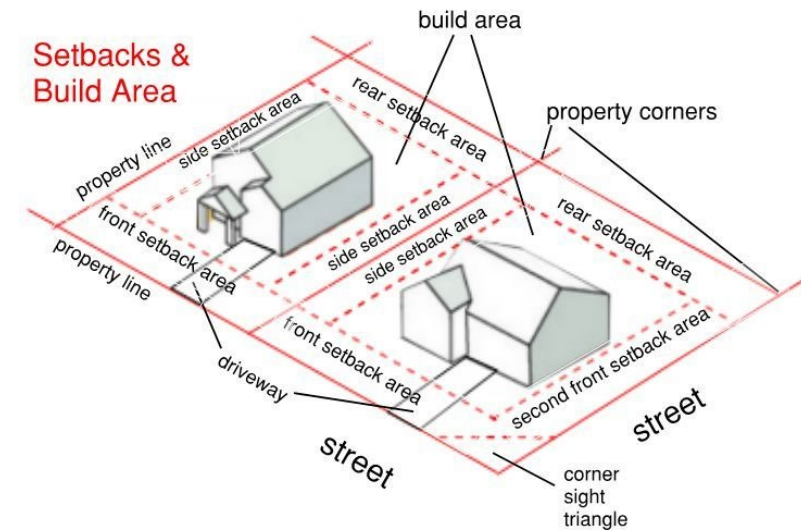
- Accessory Dwelling Units:
 - Increase the size of Accessory Dwelling Units
 - ✓ Increase to 1,000 sq ft
 - ✓ Remove maximum percentage
 - Remove 10' separation between primary unit and ADU
 - Increase height to zoning district maximum

- Include residential uses in shared parking – nighttime or Sunday



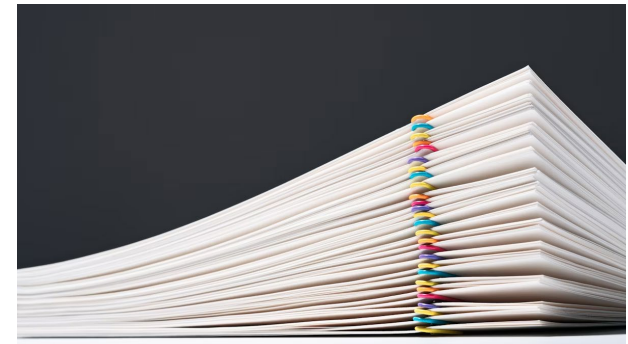
➤ Simplify regulations

- Remove the 1/3 height setback requirement
- Multi-dwelling building parking
 - accessed by alley or street
- Remove 26' backup distance – alley
- Vertical expansion of one- and two- unit nonconforming structures
- Allow two administrative approval options to be by right
 - Parking incentive near transit served locations
 - Allow a parcel that is 95% of density to have another unit



➤ **Correct/Clarify current practice**

- Allow parking for Multi-dwelling houses to extend into the interior side setback
- Clarify interior measurements for ADU
- Clarify who has authority to approve historic preservation permits when
- Codify Zoning Officer Opinions
 - ZOO 22-01 – Hillside Standards
 - ZOO 22-02 – Affordable Housing Parking Incentive
 - ZOO 23-01 – Home Occupations
 - ZOO 23-02 – Multi-dwelling Building Parking Access
 - ZOO 23-04 – Zoning Map Boundaries
 - ZOO 23-05 – Missoula Development Park Overlay
 - ZOO 23-06 - Microbrewery



○ Codify Zoning Officer Opinions

- ZOO 22-01 – Hillside Standards
 - ✓ Clarify when the hillside protection regulations apply to a project
- ZOO 22-02 – Affordable Housing Parking Incentive
 - ✓ Include a parking incentive for the affordable housing option
- ZOO 23-01 – Home Occupations
 - ✓ Clarify home occupations are a permitted use in any residential zoning district
- ZOO 23-02 – Multi-dwelling Building Parking Access
 - ✓ Allow parking structure to be accessed from alley or street



○ Codify Zoning Officer Opinions

• ZOO 23-04 – Zoning Map Boundaries

(proposed amendment instead of formal ZOO)

- ✓ Clarify boundary line relocations with regard to district boundaries aligning with different rights of ways

• ZOO 23-05 – Missoula Development Park Overlay

- ✓ Remove the necessity to receive approval of a project from the Development Park Design Review Committee in the Missoula Development Park Overlay Zone

• ZOO 23-06 - Microbrewery

- ✓ Clarify a microbrewery can have a retail sales component as an accessory use



Comments

- Engage Missoula (2)
- Common Good Missoula
- DVG Architects
- IMEG Corporation
- Public Works and Mobility
- Missoula County Land & Economic Development



Conditional Use Amendments

Planning Board Public Hearing

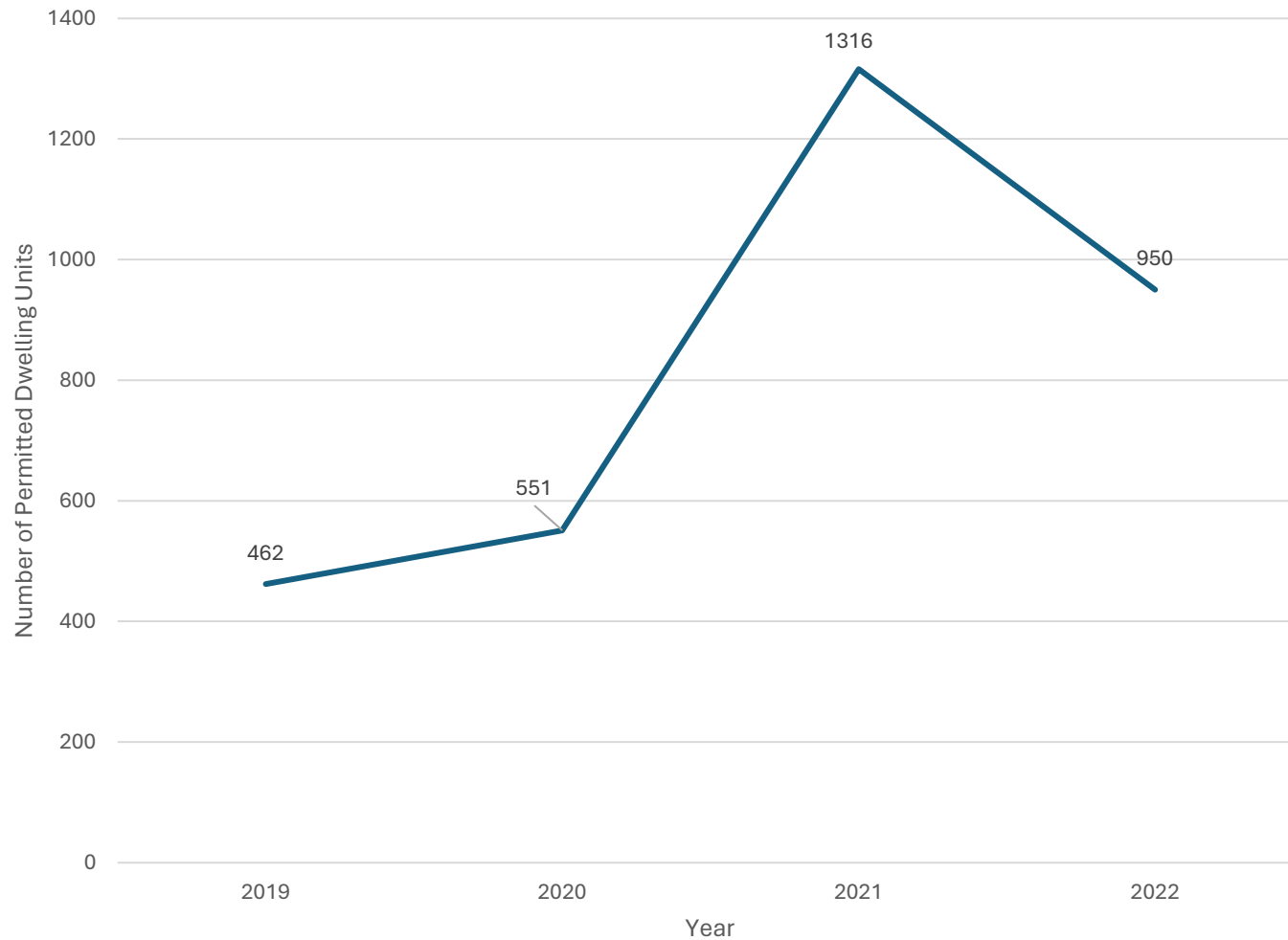
Jen Gress, Community Planning Division
CPDI
March 5, 2024



Overview

- Background
- Considerations
- Review of amendments
- Comments received
- Motion to adopt

Background



2019 Residential Units Permitted

462

2020 Residential Units Permitted

551

2021 Residential Units Permitted

1,316

2022 Residential Units Permitted

950

Background

Interim Ordinance in MCA

- MCA 76-2-306 allows for consideration of urgency ordinances as the City deems essential.
- Initial approval is for 6 months with option to extend for another 12 month period two more times.

CU Interim Ordinance History

- November, 2022: 6 month initial adoption
- May 15, 2023: 12 month extension

Background

- City Zoning includes three use designations:
 - Permitted by Right
 - Prohibited
 - Conditional
- Previously, 47 total conditional uses
 - *Accessory dwelling units (ADU's) and Townhome Exemption Development (TED) projects had already been removed from CU approval requirements.
- Following Interim Ordinance:
 - 13 uses remain unchanged
 - 21 uses changed to permitted in each district considered conditional
 - 13 uses changed to permitted in some districts, retained as conditional in others
 - *One use proposed to be changed to permitted, Bed & Breakfast, was retained as conditional by City Council.

Considerations

- Interim ordinance approved November 2022
 - 8 different considerations
 - 7 different assumptions
- **Considerations to help determine which conditional use should shift to permitted:**
 - -Level of Frequency
 - -Degree of Controversy/Perceived Impact
 - -Policy Alignment
 - -Additional support by other standards/codes
 - -Equity
 - -Relationship to code reform
 - -Complexity
 - -Addresses transitional areas
- **Additional Assumption:**
 - -Only districts covered under Title 20 are being addressed
 - -Not expanding the range of where uses are designated already
 - -No use will be made more prohibitive
 - -The M1R district is considered more residential in nature than industrial
 - -The Central Business District (CBD) was considered more carefully than other districts
 - -All three Business (B) districts were looked at consistently
 - -Similar types of uses are addressed similarly

When we extended the interim ordinance for a year last May, we reported that...

- Projects permitted with Ord 3705:
 - Enterprise Commercial
 - Artisan Manufacturing
- Projects that will benefit from the one-year extension:
 - Rezoning
 - Commercial Use exceeding 30,000 sq ft
 - Artisan Manufacturing
 - Enterprise Commercial
 - Group Living

More recently, these projects have been approved that would otherwise have needed CU...

- Projects more recently permitted with Ord 3705:
 - Daycare
 - Preschool
 - Bakery

More recently, these projects have or will still require a CU approval:

- Projects requiring CU:
 - Tavern
 - Various initial inquiries

Amendments

Three categories used

- Change to permitted in all districts currently conditional
- Change to permitted in some districts currently conditional
- Remain conditional

Proposed Amendments

- **Change to Permitted in all districts currently conditional**

- Animal Services, Sales and Grooming Animal Services, Veterinary
- Auto Wrecking
- College/University
- Community Residential Facility (9+)
- Day Labor Employment Agency
- Fraternal Organization
- Group Living
- Junk/Salvage
- Library/Cultural Exhibit

Proposed Amendments

- Change to Permitted in all districts currently conditional

- Manufacturing, Production and Industrial Service, Artisan
- Manufacturing, Production and Industrial Service, Limited
- Microbrewery/Microdistillery
- Office
- Personal Improvement Service
- Preschool Center (13+)
- Recycling Service, General
- Religious Assembly School
- Residential Support Services
- School

Proposed Amendments

Change to Permitted in all districts currently conditional

Auto Wrecking - Permitted in M1 & M2 districts

Junk/Salvage Yard – Permitted in M1 & M2 districts

Use Category L specific use type	M1R	M1	M2	Standards
INDUSTRIAL				
Junk/Salvage Yard	-	C-P	P	
Auto Wrecking	-	C-P	P	

Proposed Amendments

- **Change to Permitted in some districts currently conditional**
 - Animal Services, Shelter or Boarding
 - Casino
 - Check Cashing/loan service
 - Cidery
 - Daycare Center (13+)
 - Emergency Homeless Shelter
 - Enterprise Commercial Use (EC)

Proposed Amendments

- **Change to Permitted in some districts currently conditional**
 - Meal Center
 - Tavern or Nightclub
 - Vehicle sales and service, Heavy Equipment Sales/Rentals
 - Vehicle sales and service, Vehicle Storage and Towing
 - Winery
 - Wireless Communication Facility/Ground Mounted Support

Proposed Amendments

- **Change to permitted in some districts currently conditional**
- Tavern or Nightclub – Change in C2 and M1 & M2 districts, remain conditional in B2, B3, C1, M1R, and A. (Currently permitted in CBD)

Use Category ↳ specific use type	B1	B2	B3	C1	C2	CBD	Standards
COMMERCIAL							
Eating and Drinking Establishments							
↳ Tavern or Nightclub	-	C	C	C	C P	P	20.40.040 20.40.170

Use Category ↳ specific use type	M1R	M1	M2	Standards
COMMERCIAL				
Eating and Drinking Establishments				
↳ Tavern or Nightclub	C	C P	C P	20.40.040 20.40.170

Use Category Specific Use Type	OP1	OP2	OP3	A	Standards
COMMERCIAL					
Eating and Drinking Establishments					
↳ Tavern or Nightclub	-	-	-	C	

Proposed Amendments

- **Change to permitted in some districts currently conditional**
- Cidery - Change in C1 & C2, remain conditional in B2 and B3 (Currently permitted in CBD and all M districts)
- Winery - Change in C1 & C2, remain conditional in B2 and B3. (Currently permitted in CBD & all M districts)

Use Category L specific use type	B1	B2	B3	C1	C2	CBD	Standards
INDUSTRIAL							
Cidery	-	C	C	C-P	C-P	P	
Winery	-	C	C	C-P	C-P	P	

Use Category L specific use type	M1R	M1	M2	Standards
INDUSTRIAL				
Cidery	P	P	P	
Winery	P	P	P	
OTHER				

Proposed Amendments

- **Remain conditional**
 - Bed and Breakfast
 - Building Maintenance Service
 - Construction Sales and service
 - Detention and Correctional Facilities
 - Fraternity/Sorority
 - Gasoline and Fuel Sales
 - Hospital
 - Parking, Non-accessory

Proposed Amendments

- **Remain conditional**
 - Residential Storage Warehouse
 - Truck Stop/Travel Plaza
 - Utilities and Services/Major
 - Vehicle sales and service, Car Wash/Cleaning Service
 - Waste-Related Use
 - Water Testing Laboratory

Proposed Amendments

Remain conditional

Residential Storage Warehouse – Conditional in B3, C1, C2, and R districts above/denser than R5.4. Permitted in all M districts

Use Category specific use type	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1	RM0.5	RMH	Standards
INDUSTRIAL																	
Residential Storage Warehouse	-	-	-	-	-	-	-	C	C	C	C	C	C	C	C	C	20.40.110

Use Category specific use type	B1	B2	B3	C1	C2	CBD	Standards
INDUSTRIAL							
Residential Storage Warehouse	-	-	C	C	C	-	20.40.110

Use Category specific use type	M1R	M1	M2	Standards
INDUSTRIAL				
Residential Storage Warehouse	P	P	P	

Proposed Amendments

Remain conditional

Fraternity/Sorority - Conditional in RM2.7 and RM2. Permitted in RM1.5, RM1 & RM0.5

Use Category L specific use type	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1	RM0.5	RMH	Standards
RESIDENTIAL																	
L Fraternity/Sorority	-	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	20.40.070
PUBLIC/CIVIC																	

Proposed Amendments

- 47 Conditional uses total:
 - 21 uses changing to permitted in each district the use is currently conditional
 - 13 uses with some districts remaining conditional and other districts changing to permitted
 - 13 uses remaining conditional and unchanged

➤ **Next steps**

- Land Use & Planning Committee – March 13
- City Council Public Hearing – March 25

Project Webpage:

<https://www.engagemissoula.com/2023-zuo>



Motion

Recommend the Missoula City Council approve an Ordinance to amend Title 20: 2nd Round Near-Term Code Amendments and adopt proposed Conditional Use regulations as presented.

