



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: November 12, 2025, 6:00 p.m.

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

Members in Attendance: Danny Tenenbaum (City Alternate), Danny Oberweiser (County Appt), Lynn Davis (City Appt), Derek Kanwischer (City Appt), Rick Hall (County Appt), Josh Schroeder (Conservation District), Tung Pham (Mayor), Shane Morrissey (City Appt), and Sean McCoy (County Appt)

Members Absent: James Fountain (County Alternate)

I. CALL TO ORDER [Time stamp – 0:28]

Sean McCoy called the meeting to order at 6:02 p.m.

II. ROLL CALL [Time stamp – 0:45]

Analeshia Rodriguez called the roll. Eight regular members and one alternate were present. City alternate Danny Tenenbaum was promoted to voting member for the evening. A quorum was met.

III. APPROVAL OF MINUTES [Time stamp – 2:31]

The November 4th meeting minutes were deferred to the November 18th meeting.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 2:50]

Tom Bourguignon expressed concern about long term planning in the Rattlesnake neighborhoods, noting that existing roads may not support evacuating a larger population in the event of a wildfire.

V. STAFF ANNOUNCEMENTS [Time stamp – 7:12]

There were no staff announcements.

VI. PUBLIC HEARINGS [Time stamp – 7:18]

There were no public hearings.

VII. COMMUNICATIONS & SPECIAL PRESENTATIONS [Time stamp – 7:21]

- A. Cassie Tripard, Planning Supervisor, City of Missoula - Briefing on the Draft Unified Development Code and associated Standards and Specifications Manual

STAFF PRESENTATION

Cassie Tripard, Senior Planner, with the City of Missoula, presented an informational

presentation on the on the Draft Unified Development Code (UDC) as well as proposed updates to the Our Missoula 2045 Land use plan. Cassie described how the Land Use Plan identifies six major policy themes that are carried forward into the code. The plan introduces updated street typologies, now incorporated into the City of Missoula's Standards and Specifications Manual. She highlighted significant changes in state law where the City will transition to full compliance with the Montana Land Use and Planning Act (MLUPA) under adoption of the UDC. Cassie stated the new zoning must include at least five methods to encourage housing development and the draft UDC incorporates eight of the methods.

Cassie reviewed how the new state law revises the process for different types of development applications including variances, subdivisions and appeals, along with new limitations on zoning authority. She provided an overview of the statutory framework and public engagement of the UDC.

Madson Matthias, Senior Long Range Planner, with the City of Missoula gave an update on the Land Use Plan amendments. She clarified that although the update will follow the same public process and timeline as the UDC, they remain a separate process. She provided an overview of the map and text amendments to the Land Use Plan.

Cassie went over the layout and organization of each chapter of the UDC. She provided additional detail regarding the transitional provisions in Chapter 1 and highlighted key points on how the City will move from the previous set of regulations into the new regulations. Staff acknowledged recent questions about how previously approved subdivisions will transition into the new UDC. They stated these subdivisions are not required to meet new UDC standards, but the new zoning will apply at the time of obtaining a building permit.

Staff stated there are twenty-two new zoning districts. They are organized into three major categories labeled Residential, Mixed-Use, and Special Use with multiple contexts within each. It was highlighted that the Industrial Mix-Use district will be renamed to Transitional Mixed-Use. They noted the Traditional Mixed-Use District includes more flexible design standards to accommodate existing lot and block patterns and current uses in the area. Cassie provided a recap of the Floor Area Ratio (FAR). She explained that FAR moves the focus away from traditional density caps and focuses on the size and scale of buildings. She emphasized this approach encourages more housing options while still keeping building size tied to the lot.

Staff continued the presentation with an overview of the tools used in residential districts that shape development. It was mentioned as a result of public comment, the FAR standards in the Limited Urban Residential 1 and Limited Urban Residential 2 districts are right-sized to allow more floor area for one unit on a parcel. Staff described updates to building types, noting that the building types have been simplified and revised from the current code. Developers will be able to build as many units that can be accommodated by the FAR, provided the number does not exceed the maximum units allowed per structure.

It was pointed out that setbacks in residential districts are generally reduced from the current code. Cassie reviewed maximum building width standards and noted they are removing maximum width for rowhouse units and increasing maximum width for the full rowhouse building. Due to public comment the adoption draft will incorporate an exception allowing narrower lots for row house and duplex development where each unit sits on its own lot.

Staff reported that all building types are permitted in Mixed-Use districts. In response to public comment, the limit on units within a row house building type will be removed across all mixed-use districts. Build-to zone and build-to width standards were summarized by staff. These standards are being adjusted to provide flexibility where some districts will have a wider build-to zone range, and build-to width percentages will be decreased. For small buildings unable to meet build-to width requirements, a new tool will be included in the adoption draft.

The Limited Urban Mixed-Use district includes setbacks, height maximums, and upper-story setback requirements intended to reduce buildings at the street frontage and mitigate canyon effects. There will be ground-floor transparency requirements in Mixed-Use districts. In response to public comment, the percentages will be reduced in the adoption draft and removed for residential uses within the districts.

The minimum lot area is proposed to be removed from the Transitional Mixed-Use district in order to align with other Mixed-Use Districts. Cassie reiterated that the new zoning code eliminates all neighborhood character overlays, special districts, planned unit developments, and other zoning overlays, with the exception of five overlays. Staff noted that revisions to the Fort Missoula Historic Resource Overlay has been revised to allow for more adaptive reuse of existing structures. The Sacajawea Historic Resource Overlay, which currently functions as a Planned Unit Development, was not included in the public review draft but will be incorporated in the adoption draft.

For the new zoning map, residential opportunities are distributed through mapping of new Residential and Mixed-Use zoning districts so that upzoning is not concentrated in vulnerable neighborhoods. Staff summarized Article 4.8 which consists of a use table and a set of use classification definitions. There will be some updates made to the permitted uses in response to public comment. Conditional uses were eliminated to increase transparency and predictability. Use class definitions were revised for clarity, though many remain consistent with current code.

Staff highlighted several updates to use standards. These included houseless shelters being defined by size to support scale-appropriate regulation, emergency weather shelters being renamed short-term shelters to address more types of environmental emergencies, standards were updated to streamline installation of solar panels and wind turbines in alignment with the City's climate goals, the buffer distance between dispensaries was increased from 500 feet to 1,000 ft, and agricultural use provisions were updated.

Cassie referenced recent state legislation that limits how much parking the City can require through zoning. The City proposes to no longer require residential parking. State law also limits the City's ability to require parking for certain development types and prohibits requiring parking for changes of use in existing buildings. Parking requirements will continue to apply to new commercial and industrial buildings, though the number of required spaces has been reduced from current code. Bicycle storage was updated to provide a clearer applicability statement and to clarify which types of bike racks meet design requirements.

Cassie highlighted the changes in landscaping requirements. She provided an overview of Article 4.11 which addresses natural resource protection as well as Article 4.12, which outlines requirements and optional processes for siting multiple buildings on a single parcel. Article 4.12 also contains updated requirements for Townhome Exemption Developments (TEDs). Staff described changes related to manufactured housing parks. Under the

proposed UDC, manufactured housing parks can be established through a zoning compliance permit when the land is held separately from the units. The presentation also highlighted updates to the legal nonconformities section of the UDC.

Zoning procedures were summarized within the UDC. Rezoning will continue to require Planning Commission recommendation and City Council approval. Variances, however, will no longer be decided by the Board of Adjustment and decided administratively by staff. The UDC includes an annexation process. Staff noted several processes currently outlined in Title 20 that will not be carried forward into the UDC. It was also noted public forums are no longer covered under state law, but the UDC still includes provisions for government agencies to use land in a way that does not comply with the zoning code and a meeting at Council is no longer required. An overview of Chapter Five of the UDC was provided, which contains the subdivision regulations. Staff also reviewed significant changes to parkland dedication requirements. Parkland dedication will now be based on the estimated number of dwelling units in a subdivision. A new feature is that Parks and Recreation will now accept park improvements in lieu of land.

Ross Mollenhauer, Engineering Manager, with the City of Missoula summarized Chapter Six of the UDC which addressed infrastructure improvements and how it was created. Ross stated that development focused requirements were moved into Chapter 6 of the UDC, while non-development sections of code will remain in Titles 12 and 13. He clarified how the Standards and Specifications Manual functions in relation to the UDC. The Manual provides the technical specifications that govern how improvements such as water, sewer and streets must be designed and constructed. Ross outlined and summarized the substantive updates that were made to the draft UDC for authority statements, ROW improvement triggers, shared utility services, driveway requirements, drive-through queuing lengths and fence requirements. There were several key updates to the street types and trail types map where there will be eight street classifications that more accurately reflect the land use types. The presentation concluded with upcoming public hearing dates for the public adoption process of the UDC.

See PowerPoint presentation slides

BOARD DISCUSSION

Board members invited staff to respond to public comment regarding wildfire evacuation in the Rattlesnake area. Erin Pehan, Director of Community Planning, Development & Innovation (CPDI), responded that staff did extensive planning for several key Wildland-urban interface (WUI) areas in the Rattlesnake and did this in coordination with the Office of Emergency Management (OEM), Missoula Fire Department, Missoula Rural Fire District, and the Missoula Police Department. She noted that OEM's review resulted in a request for a place type amendment in the Middle and Upper Rattlesnake to allow lower density.

A Board member inquired about the realistic redevelopment potential in the Rattlesnake neighborhood and how much additional population the area could accommodate over time. Marc Hendrickson, Associate Planner with a GIS focus, responded that he would provide more accurate information for this question at the Board's next meeting.

Members asked about the threshold for activity area requirements, noting that the Draft UDC proposes applying the requirement at seven dwelling units. Lucy Rummler, Program Manager with Parks and Recreation, explained that the decision to lower the threshold was due to the outreach from valid survey data and extensive community engagement

conducted during the Parks, Recreation, Open Space, and Trails (PROST) planning process. She noted that the activity area standards are more flexible under the Draft UDC. Questions regarding parkland dedication requirements for subdivisions and how riparian resources will be addressed with some agencies was discussed.

Clarification surrounding the purpose of minimum lot width requirements, specifically for duplex and townhouse lots was asked by the Board. Cassie explained that lot width standards serve multiple purposes including adequate space for driveways, street trees, and utilities, especially on non-alley lots once widths drop below 40 feet. It was suggested that the minimum width for non-alley adjacent lots may need to be larger to accommodate parking needs. It was commented that by allowing higher FAR for projects in the Residential (UR) districts with more units could result in new buildings significantly larger than existing single-family development. It was also suggested that accessory structure setbacks should be reverted back to standards consistent with Title 20.

Staff clarified that the adoption draft of the UDC will include reduced setback requirements for accessory structures. Eliminating the side street build-to requirements was proposed as well. Cassie noted that the adoption draft will include reduced percentage requirements for build-to standards and that an option carried over from Design Excellence would allow applicants to reserve an open landscaping area as a potential future building area. Further comments addressed the proposed landscaping and activity area standards, specifically within mixed-use and higher-density zoning districts. Cassie pointed out that the UDC includes new options for meeting activity area requirements, including rooftop patios, indoor gyms, or cash-in-lieu. Lucy added Cash-in-lieu amounts would be set at a standard citywide rate.

Questions were raised about tree removal and replacement standard requirements. Cassie confirmed that the requirement is carried over from Title 20 and applies to private land. She also noted that the draft UDC includes the Urban Forester to collect a mitigation fee to support off-site tree planting where space is not available. Lucy stated they would confirm the fee structure with Urban Forester.

The absence of Urban Mixed-use and Commercial zoning designations in the Rattlesnake area on the draft zoning map was pointed out by Board members. Erin responded that Urban Mixed-Use districts generally support higher density and tend to generate increased daily vehicle trips. For existing structures, commercial uses larger than the square footage allowed for new construction may continue to operate. A follow-up question was raised regarding the adoption process for the zoning map and how it relates to the adoption of the UDC text. It was asked whether the UDC includes any incentives to encourage the development of income-restricted or affordable housing. Staff explained that the draft UDC does not currently include incentives for affordable or income-restricted housing.

A Board member referenced how many entitled preliminary plats remain unfiled and could create nonconforming lots under the UDC. They also asked whether any special provisions would apply. Staff responded that no special provisions would be required as long as they meet the standards. It was suggested that given the flexibility for TEDs under the UDC, the City consider removing minimum lot width standards entirely. A Board member noted that Table 4.2.03-2 references two rowhomes as an allowed building type in the RR-1 district while the definition of rowhomes indicates a minimum of three attached units, in which staff stated they would further review this. Staff noted they will revisit the setback standards for Cottage Ct.

Members suggested that the UDC may need provisional language to allow bonding for required landscaping, specifically in TEDs. Parking lot landscaping requirements were expressed as a concern within the UDC. Aaron Wilson, Transportation Planning Manager, with Public Works and Mobility clarified why residential parking requirements were removed and requiring bicycle storage for residential use was maintained. Cash-in-Lieu for additional dwelling units at time of building permit and how that would apply to existing subdivisions was commented on. The Board pointed to Section 5.2.08 and clarified whether the term “land donation” should be “land dedication”. Lucy indicated that they would evaluate this section. Staff stated they would review language that appears to place decision-making power solely with the Parks and Recreation Director and Planning Administrator regarding whether land dedication, cash-in-lieu, or a combination is required. Cassie explained the proposed changes to building height limits in the UR-3 and UR-4 residential districts.

Board members voiced feedback on the state legislative changes that will change public comment procedures and expressed that the City may have a greater responsibility to inform the community. They encouraged staff to further examine landscaping and park dedication requirements. Cassie explained that restaurants and neighborhood-scaled commercial uses are permitted in residential districts under UDC. The Board discussed the role of substantial compliance in rezoning applications and its alignment with the Land Use Plan. They also emphasized the importance of allowing small-scale commercial services within neighborhoods. Cassie confirmed that the current exemptions to commercial parking requirements remain limited to the Downtown Commercial district and has not been expanded. Board members encouraged staff to extend the same principle to the Downtown Transition District in addition to not imposing residential parking mandates as it could help support the City’s broader goals. The discussion concluded with the Board reviewing the procedural process and overall structure for the upcoming public hearings on the Land Use Plan amendments, adoption of the Zoning Map, and the Unified Development Code (UDC).

VIII. COMMITTEE REPORTS

No committee reports were reported.

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 was reported.

XII. ADJOURNMENT [Time stamp – 3:10:42]

The meeting was adjourned at 9:13 p.m.

Missoula Consolidated Planning Board November 12, 2025 – 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/10037/media>

Missoula Consolidated Planning Board

November 12, 2025 -Meeting Recording

AR

Analeshia Rodriguez 26:36

Can you hear us, Lynn online.
It's probably making a cup of tea.
That's what I'd be doing.

LD

Lynn Davis 26:50

I can hear you.

AR

Analeshia Rodriguez 26:54

Derek kanwisher.
Here Shane Morrissey.
Here to and from.
Danny tennenbaum.
Josh Schrader.
Josh is absent. Danny oberweiser here.
Recall.

RH

Richard Hall 27:24

Here.

AR

Analeshia Rodriguez 27:27

James Fountain.
James is absent.
Sean McCoy.
Here, Mr. Chair, we have seven regular Members present and one city alternate present.
Would you like to appoint Danny Tenenbaum as voting member for the evening?
Absolutely, please.
We have quorum. Thank you.

OK.

So that brings us to approval of minutes from November 4th, 2025.

Oh wait, no, those are deferred.

Tell this is what happens when we don't have a pre meeting.

Deferred till November 18th. So we don't have approval of minutes.

That brings us down to public comment on non agenda items.

So if there's anybody in house or online that would like to comment outside of anything that is on the agenda tonight, which is a presentation on the.

New updated code reform.

You are welcome to do that.

Now there are instructions up if you're viewing online, and I can read those out for anybody that.

Needs that out there in the world and one needs to call in separately.

So the phone number is 406-272-4824. Phone conference ID is 358-8848, four 8 LB sign and you can press *5 to raise your hand to be recognized for public comment and star 5:00 to.

Lower your hand again and *6 to mute and unmute yourself.

We already have somebody here.

At the podium.

So go ahead, Sir.

Just introduce yourself and.

Give us your thoughts.

Good evening to the board.

My name is Tom Umbourg.

I'm I just have a procedural question from the agenda.

It wasn't clear whether there's public comments after the presentation about the zoning code.

If there are comments after that, I might wanna make a comment then.

No, there are not public comments after the presentation when we have presentations, it's typically informative. Only the public hearing portion for the code reform will start on Tuesday, November 18th and then that meeting will be carried more than likely to the 20th and then the no December 2nd.

K.

Well then, for the planning board, I did have one very brief comment that that pertains in a general way to the proposed new zoning.

Again, my name is Tom Bourgignon and I live in the Upper Rattlesnake neighborhood.

And my concern.

That touches on the the work of the Planning board is kind of a long term planning concern about.

The the rattlesnake neighborhoods that with a substantial. Increase in density.

The the current Rd. system in the rattlesnake is not going to be sufficient to handle all of the additional residents, and I think the biggest concern there is in the event of an emergency like a wildfire. If if there was to be an evacuation, I just don't think.

The road system would be able to evacuate a substantially higher number of people than currently live there.

That's the end of my comment.

Thank you very much.

Great. Thank you, Tom.

Appreciate you taking the time to be here this evening and that is a a great valid concern and I think I can safely say that the Ralph Snake has definitely been letting staff and the city know some of their issues with the upcoming reform. So appreciate your time.

Anybody else?

Looking to make a comment this evening on anything outside of tonight's agenda.

Just for a clarification, tonight's presentation is informational only.

And we have no formal hearings this evening. So.

And I'm gonna go.

I'm gonna miss anybody online. OK, I'm gonna leave it open here for just a second and make just a quick announcement about the bathrooms.

They they are closed out here. If for some reason you really need to go to the bathroom. The women's bathroom is usable.

And just be mindful of both genders. Maybe going in and out. And if we take a break, staff will help out and we'll open up the Rotunda.

So that everybody can go to the bathroom.

If we need a break here in a couple hours.

OK, not seeing anybody else jumping up for public comment on non agenda items.

We will go ahead and close public comment for this portion of the meeting.

And let's see staff announcements. I don't believe we have any this evening.

And no public hearings.

Which brings us to communications and special presentations.

Tonight we're having a briefing on the draft Unified Development code and associated standards and specifications manual.

I'll be led by Kassi Tripart and was there anybody with you?

Yes, we have Ross Mullenhauer with public works presenting as well as Madsen, Mathias and then Aaron Pehan will be here later in the night.

OK, awesome.

All right, go ahead and take it away, Cassie.

Just get my screen share.

Yeah.

I'm Cassie tripart.

I'm a planning supervisor with community planning, development and innovation for the city.

Today is an informational presentation about the Unified Development Code as well as proposed updates to the land use plan. The public draft of the Unified Development Code, or UDC, was posted on October 29th.

The UDC includes zoning, subdivision and infrastructure regulations.

The zoning framework, which was a portion of the UDC, was presented at planning. Word on October 7th in land use and Planning Committee on October 8th. Now that the full code is out, there's a lot more ground to cover, so I'll warn you, this is a very long presentation.

I will briefly cover some general information on the project. Then I will hand it over to Madsen, Mathias to present on updates to the land use plan.

After that, we will dive into the code. Staff from public works and I will cover highlights from each chapter of the Unified Development Code.

And last, we'll wrap up by looking at future public meeting dates.

This project started way back in 2022, so it's been a long road to get to where we are today. The land use plan was adopted last winter and now we are working towards

adoption of the regulations that implement the land use plan. We are now in.

The final phase of the our Missoula project.

Today's informational presentation is really kicking off the start of the adoption process. The adoption draft of the Unified Development Code will be available at the end of this week in preparation for public hearings at planning board next week.

I mentioned the land use plan was adopted last winter.

This plan identified six major policy themes that will be implemented by the code.

The land use plan includes place, type descriptions and a place types map, which identifies generally what type and scale of development is planned for each area of the city. The place types are translated into.

Zoning districts and the land use plan also includes new Street typologies, which you will find in the manual.

In 2023, not long after the kickoff of this project, the state adopted the new Montana land use and Planning Act.

This act significantly changed the framework for land use law in Montana.

Right now, the city is operating under the old state law.

And when the new code is adopted, the city will be operating under the new state law. The new land use plan was adopted pursuant to the new state law, and next the law requires the city to adopt new zoning, a zoning map and subdivision regulations that comply with.

The adopted land use.

Plan. In other words, we are required to implement the land use plan. The new zoning must include at least five methods for encouraging the development of new housing. The state has a set list of options and currently the code meets eight of the options.

The new state law also revises process for different types of development applications including variances, subdivision and appeals. State law includes limitations on zoning authority, which are essentially things that the city is prohibited from doing.

Through zoning and last, the state provided a May 2026 deadline for larger cities like Missoula to come in compliance with the new law.

State law has new criteria for adopting zoning regulations. The state law reference and the criteria language is shown on the screen.

This section of state law also covers the process the city must follow for adoption of the UDC, considering the UDC includes zoning regulations, the staff report, which will be issued at the end of the week, will cover how the new code complies with each of these criteria. This.

Will also be covered in more detail in future presentations.

And like I mentioned, a big criteria to note is that the zoning must substantially comply with the adopted land use plan. The zoning needs to accommodate the projected housing needs, which is accomplished by creating a sounding map that aligns with the place type map.

I won't diving into all of these today, but I think it's important that planning board and City Council get familiar with these criteria prior to the public hearings.

Similar to the last slide, there are new criteria and a new process for adoption of subdivision regulations.

The language in state law for adoption of subdivision regulations.

Pretty closely mirrors the language for adopting zoning regulations.

The criteria requires the subdivision regulations to substantially comply with the land use plan and the zoning regulations in compliance with each of the criteria will also be covered in the staff report and future presentations.

Staff have been engaging with stakeholders throughout the code drafting process over the last year. Of course, a significant amount of engagement has been done over the last several years in order to develop the land use plan leading up to adoption of the new land use plan there was.

Robust engagement, including public events, stakeholder meetings, presentations, opportunities for written comment, social media posts and newsletters.

In total, there were around 150 outreach opportunities with stakeholder groups 18 community wide, reaching nearly 900 missoulians in 20 presentations to planning board and City Council.

This year, engagement has been targeted at developing the regulations a postcard Mailer was sent to every address in the city, as well as to property owners who on property in Missoula but live outside of city limits.

The postcard has information about how to access the drafts and the zoning map and how to find more information through engagement. Zoula 3 meetings were held with frequent code users, which include.

Members of the development community, such as architects, engineering firms and other design professionals. In addition to these meetings, the Missoula Organization of Realtors hosted one event with frequent code users and will be hosting another event next week.

Throughout the year, staff have continued to meet with individual community groups and stakeholders like pro Housing and common good staff have also set up tables at city chats in the park of events throughout the summer and kept information up to date on engagement.

The city held open houses on the code and zoning map on October 9th and November 5th, and combined 320 people attended the open houses.

We've received a lot of public comment through engagement, zoula emails and mail and public comment will continue to be accepted until City Council makes a final vote on the code.

And now I will hand it over to Madsen to cover the proposed land amendments to the land use plan.

Just keep clicking here.

Cool. Thank you.

OK.

Hi I am Mads Mathias, a senior planner with CPDI, and I have an update about the land use plan amendments that are being brought forward alongside the adoption of the Unified Development Code, the land use plan is being updated and aligned with the UDC to replace some out.

Content to strengthen the policies and to reflect community input that supports sustainable growth and public well-being.

Well, the amendments will follow the same adoption timeline as the UDC.

They remain a separate process and since the UDC is adopted by ordinance, it's a law and the land use plan amendments are adopted by resolution as a policy, they will require an entirely separate vote when they come before you in the future.

So here is a quick overview of the land use plan amendments for the maps.

We have updated land use in several key areas, part of West Broadway is now industrial and employment, a section of sotopkane has been redesignated as Urban mixed-use. Low citywide updates align parks and conservation areas with the Prost plan.

Some university owned parcels are now civic, a future commercial node in Linda Vista is moving to mixed-use.

The upper Rattlesnake Winery has been expanded to allow additional agricultural uses and one block in the riverfront neighborhood is shifting to mixed-use.

So then for the tech side, we have updated comparable zoning districts to align with the new UDC, added childcare in industrial and employment areas, clarified the street types map, added the airport Hazard area as a constraint and.

In the comparable zoning districts we are referencing.

The new zoning designation of transitional mixed-use, replacing industrial mixed-use to better reflect its purpose. Thank you.

Great. Thank you, Madsen.

So looking at code, just an overview of the code layout, the Unified Development Code will be Title 22.

We're going to highlight some of the key information in each chapter, but of course there is much more information in the code than can be covered today.

The Unified Development Code is the culmination of what was previously 7 different titles, bringing them all together resulted in one consolidated introduction in chapter one in combined information about administration and procedures in Chapter 2.

Chapter 3 is currently reserved for future use, meaning there is no code language there now, and Chapter 4 contains zoning regulations, and chapter 5 contains the subdivision regulations.

We have Ross Molinar from public works and mobility here today to walk us through Chapter 6 infrastructure improvements.

Chapter 7 is currently empty and reserved to bring building code into the UDC in a future phase. In last Chapter 8 includes definitions.

Chapter one establishes the foundation for the Unified Development Code. It covers a lot of the legal basics like the official title of the UDC, the effective date and requirement for development to comply with the code.

Chapter one explains how the code is organized and provides baseline roles for how to read and apply every chapter that follows at the end of chapter one, our transitional provisions.

These are regulations that clarify and dictate how we will move from the seven previous sets of regulations into these new regulations.

To summarize a few things from this section, people will have the choice to submit projects under the current code or under the new UDC for up to 60 days after the effective date. This allows projects that were designed to meet current code but were a little late sub.

For permit to move forward for a limited time.

The transitional provisions describe how previous zoning approvals are honored. For example, if someone got a variance approved in the last couple years but has not submitted for a building permit yet, they will be able to submit plans matching the variance.

Its approval under the old code until the expiration date of the variance approval for approvals that don't have a specified expiration date in the approval letter, they will get up to three years to get the project permitted.

The same provision applies to other permits like design excellence approvals, conditional uses, historic preservation permits and zoning compliance permits. Staff have been hearing some concern and confusion over how previously approved subdivisions will work.

This language will be updated with the adoption draft.

Provide more clarity.

Specifically, if a subdivision has preliminary plat approval from Council but has not filed the plots yet, they will be able to file the plots as approved by Council. They will need to meet the deadlines listed for each phase in the preliminary plat approval and the subdivision itself does.

Not need to be brought into compliance with the new code, including lot widths and sizes.

New zoning will apply to these subdivisions at the time of building permit.

Chapter 2 pulls together information that applies across the code, similar to chapter one. One of the guiding principles of code reform is to clarify permit review decision authority.

Chapter 2 addresses the responsibilities of the city engineer, Planning administrator, Historic Preservation Officer, urban Forester, parks Administrator, Planning Commission and Historic Preservation Commission, all in one consolidated location.

Additionally, a process crosswalk is included for usability individual.

Procedures are listed in the chapter.

They are applicable to for example, subdivision procedures are in the subdivision chapter.

The crosswalk is a table of contents for where to find all processes in code and lists who the decision making authority is for each type of perimeter process.

Public notice is required for various processes throughout code.

Chapter 2 includes standard provisions for how public notices provided and state law resulted in updates to the appeal process. Since appeals can apply to any chapter in the code.

The process is hosted in Chapter 2.

Last, there is one set of regulations related to violations that govern the entire code. Prior to this, there were differences in how violations were handled and differences in specific penalties across the seven different titles that led into the UDC. By bringing all of the codes together, violations are now standardized.

On to zoning, which is the really long part of the presentation.

Last month, the zoning framework, which included a few of the zoning.

Articles including the districts was presented to council and planning board. Now the rest of the zoning articles are out for out with the Public Review draft.

I'm going to quickly run through the new zoning districts, but there are a lot of there's a lot of new information to cover outside of those district standards.

So I'm really just going to give a refresher on the tools used to shape development in the districts.

And with that, I'll describe some of the standards that are being fine-tuned for the adoption draft based on public comment we've received to date, this list is not all inclusive and there will be a memo of changes submitted with the adoption draft.

I skipped a slide.

All right, we're in the right place.

The land use plan uses place types to provide guidance on the characteristics of each area on the future land use.

Map these characteristics, translate into zoning district standards, and, in other words, the district and requirements, and the zoning all come from the adopted place types.

Building off of the place types, the new zoning districts are organized by contacts.

The districts are organized into three buckets, residential, mixed-use, and special use.

Then each bucket has multiple contexts. Under residential there is rural, limited, urban and urban. Under the mixed-use bucket, there are urban limited urban and downtown context and the special use zoning districts apply to a wide variety of contexts, including industrial, open space, transitional, and civic.

Ultimately, there are 22 new zoning districts.

There are 7 residential districts, 7 mixed-use districts and eight special use districts. The zoning district standards are covered in articles 4.24 point 3 and 4.4 of the UDC. I will note that the previous IMU district is being renamed to transitional mixed-use in the adoption draft, which Madsen referenced earlier, it had industrial in the name previously, but realistically allows for uses more similar to the limited urban mixed-use district strict and overall it is just.

Significantly more similar to other mixed-use districts than the industrial districts, this district has relaxed design standards compared to other mixed-use districts to accommodate the unique lot patterns, block patterns and current uses in the area. In this change, more accurately represents the intent of the district.

I want to recap floor area ratio from previous presentations. Since it is a really important new concept floor area ratio or FAR is a planning tool. Cities used to regulate the size of buildings in relation to the land they sit on.

Overall, it moves away from rigid traditional density caps and focuses on the size and scale of buildings.

FAR is a ratio between the parcel area and the total gross floor area of a building. For example, if you have a 10,000 square foot lot.

And F and the FAR is one. You can build 10,000 square feet of total floor space.

That could be one floor covering the whole lot or two floors covering half of the lot, or other combinations allowed allowed by zoning.

Cities use far to guide how dense or tall development can be and to balance growth with neighborhood compatibility, traffic, and infrastructure. You can think of floor area ratio as the budget for how much building can go on a property. Owners and designers can decide how to spend that.

Budget when it comes to the shape of a building.

Most residential districts utilize a progressive floor area ratio calculation that increases with the number of dwelling units that are built. Progressive far means the more homes you build on a lot, the more total space you're allowed to build. A single

house has a smaller budget of floor area.

But a duplex, triplex, or small apartment building gets a bigger budget.

This encourages more housing options while still keeping building size tied to the lot in context of the area.

I'll cover the tools used in residential districts that shape development floor area ratio applies to all residential districts except for the rural district.

It does not apply to mixed-use or special use districts.

We've been hearing feedback that the calculation for floor area ratio in code was confusing and so the adoption draft will include a clear description as well as an example calculation to show how our property owner determines their allowable gross floor area.

Additionally, as a result of public comment, the floor area ratio is being right sized and a limited urban residential one and limited urban residential two districts to allow more floor area for one unit on a parcel.

The code list which building types are permitted in each district.

Each district allows for diverse housing options tailored to the context of those district areas.

The building types have been revised and simplified from the current code.

Each building type lists a maximum number of units.

Permitted in a building, the land use plan places emphasis on neighborhood compatibility in context, while increasing housing capacity, especially missing middle housing developers will be able to build the number of units that can be accommodated by the floor area ratio. However, there is a limit on how many.

Units can be placed in one structure.

Residential districts use setbacks.

Overall, setbacks are reduced from the current code.

There are maximum building heights in each district, and with the adoption draft.

There will be a small edit to the urban residential three and urban residential 4.

Maximum heights the number of permitted stories still aligns with the place type, but the heights are reduced by 5 feet in order to ensure the code isn't incentivizing flat roofs, but that both Gable and flat roofs are an option.

The land use plan includes information about how much of A block a single structure should occupy. For example, some place types call for half block development and

some call for less. The maximum building with.

Calibrated to this place type characteristic, there was a maximum width for each dwelling unit in a row house, and this is being removed for the adoption draft and the maximum width for the full row house building will control.

The residential districts have minimum lot widths.

The standard only applies to new lots created through subdivision or to lots rearranged through subdivision. Exemption through public comment, we've heard that narrower lots are necessary for row house and duplex development when each unit is located on its own lot.

For the adoption draft, an exception allowing narrower lots for these developments will be added.

Mixed-use districts. All of the building types are permitted in all mixed-use districts. There is a maximum number of dwelling units per building standard, and for the adoption draft the limit on the number of units in a row.

House building type will be removed across all mixed-use districts as a result of public comment.

Build 2 zone and build 2 width are the tools that dictate building placement. They require the building to be placed near the street at a distance that varies by district. Building or build 2 widths dictates how much of the parcel frontage needs to be occupied by a building.

Based on comment, both of these standards are being adjusted to allow for more flexibility. A wider build 2 zone range will be added to some districts and the build 2 with percentage is being decreased last. The adoption draft will contain a tool for small buildings that cannot meet.

The build 2 width requirement instead of a build 2 zone.

The limited urban mixed-use district has setbacks.

Similar to all districts, there are height maximums, upper story setbacks, or a tool used to reduce the height of buildings at the street frontage, mitigating Canyon effects and the street wall height where the standard is triggered is increasing by 5 feet in a couple districts.

Similar to the residential districts, there are building with maximums and similar to those districts. The Row House unit maximum width will be removed for the adoption draft. Generally, the allowable building width will be increasing for several

building types across several districts.

Last mixed-use districts have a grand floor transparency requirement.

This is a percentage of the ground floor facade that is required to have windows. Based on comment, the percentages will be reduced in the adoption draft and the residential requirement will also be removed from the districts. And though the residential transparency requirements being removed from the districts, there will still be a requirement for apartment buildings and row houses in Article 4 point.

7.

Special use districts.

I mentioned earlier that the industrial mix use district will be renamed to transitional mixed-use. Special use districts are shaped by permitted building types.

Maximum dwelling units per building setbacks and maximum height. There are minimum lot areas in the industrial districts and the minimum lot area is being removed from the transitional mixed-use district for the adoption draft in order to align with other mixed-use districts.

I've mentioned this in a few previous presentations, but the new zoning code eliminates all neighborhood character overlays.

Special districts, planned unit developments and other zoning overlays, except for the five overlay listed on the screen.

This will greatly improve efficiency in administering the zoning code, considering we have dozens of zoning overlays today.

In Article 4.5 there will be one overlay which is the airport hazard.

Overlay the language for this overlay was not included in the public review draft.

But will be included in the adoption draft.

Madison touched on this earlier in the land use plan amendments. The overlay, which will implement those amendments by restricting residential density to four dwelling units per acre in this area.

The remaining 4 overlays are historic resource overlays.

They are Fort Missoula, Roosevelt Block, Marshall House and Sacagawea Historic Resource overlay.

These are all overlays in the current code that they have been modified slightly for clarity and alignment with the new zoning code.

Fort Missoula has been revised to allow for more adaptive reuse of existing

structures in Sacagawea.

Historic Resource overlay is currently a planned unit development.

It was not included in the Public Review draft, but will be added for the adoption draft.

Now that we've covered all the zoning districts, I'll briefly mention a few considerations for the zoning map. The updated zoning map covers all properties within city limits using the new District's the updated zoning map aligns with the place type map, which is part of the adopted land.

Use plan and housing capacity from the updated zoning map will be able to accommodate the projected population growth for the urban area through 2045. Residential opportunities are distributed through mapping of new residential and mixed-use zoning districts.

So that upzoning is not concentrated in vulnerable neighborhoods.

And I'll note that the urban residential districts are mapped based on access to transit amenities and St. connectivity.

Denser districts were applied to parcels that scored high in these areas.

Mixed-use districts follow the place types and also consider main corridors and previous design excellence areas.

The uses article is made-up of two parts.

There is a use table and then there are use classification definitions. Some of the use class definitions include specific requirements and standards related to use.

The use table details which uses are permitted or prohibited in all zoning districts.

There will be some updates made to the permitted uses in response to public comment. The use table is also where someone will find vehicle parking requirements by use as well as bike storage requirements by.

Use.

This table wasn't formatted for the public Review draft, but will be formatted to look nice for the adoption draft.

Conditional uses were eliminated to create transparency, predictability and efficiency.

Use class definitions were revised across the board for clarity, and many definitions remain the same.

This was part of our current code that worked quite well.

Some tweaks to these definitions are being made for the adoption draft.

As far as standards go, there are a few notable improvements.

Houseless shelters are now defined by size that they can be regulated differently.

Given the scale of the shelter.

Additionally, emergency weather shelters are now called short term shelters and are defined to address more types of environmental emergencies than cold weather, such as extreme smoke or extreme heat.

The use standards were updated to make it easier to install solar panels and wind turbines to support the city's climate goals in the buffer distance between dispensaries was increased from 500 feet to 1000 feet.

Her guidance in the implementation actions of the land use plan last agricultural uses were clarified to allow the sale and production of products from crops grown on site or animals raised on site.

This year, the state passed a new bill that limits how much parking the city can require through zoning.

The state law says the city cannot require parking for dwelling units under 1200 square feet in size. The state law does allow the city to require one space for units over 1200 square feet in size. As a result, the city is proposing to no longer require. Parking for residential requiring 1 space per larger units likely would not do much in terms of preserving on street parking.

And though the city won't be required.

Hearing parking for residential the regulations don't prohibit parking.

Developers will still have the option to provide parking for their developments and likely will provide parking in order to secure financing and to be able to market their product.

Additionally, State law limited the city's ability to regulate parking for a few other uses and development types.

A big change is that we can no longer require parking for changes of use in existing buildings.

This aligns with the guiding principle of code reform for promoting adoptive reuse.

Parking requirements will apply to new commercial and industrial buildings.

However, the number of spaces required has been reduced from the current code.

4.9 Article 4.9 is site development standards.

This article includes requirements for vehicle parking, placement, drive-thru's, bicycle

storage, design and landscaping.

Briefly, parking placement has been updated to ensure driveways are sized to promote permeable areas and to clarify parking is allowed to the sides of structures with restrictions along the street frontage. Bicycle storage was updated create a clear applicability statement and clarify which types of bike routes.

Meet design requirements.

There were a lot of changes to landscaping, so I'll just hit some of the highlights.

Overall, there is a reduction in the required area of general site landscaping compared to the current code. UDC includes new incentives that allow the required area to be reduced even more if a developer plants pollinator gardens, native Prairie areas, or installs green roofs today.

General site landscaping applies at three or more dwelling units.

The applicability is updated in the new code.

To apply at 7 or more dwelling units in order to reduce barriers to housing.

The new code has activity area requirements intended to promote quality of life and to ensure there are quality recreation spaces close to home.

The adoption draft will be updated to state that the requirement is applicable to developments with seven or more dwell development with seven or more dwelling units, similar to the general landscaping applicability, 150 square feet of activity area. Is required per dwelling unit with a maximum requirement equal to 20% of the parcel area.

Cash and Liu of activity area is an option in this code. Someone can provide a mix of activity, area in cash and Lu as well. The money will be used to improve park facilities near the development. There are 7 new types of activity area intended to allow develop.

To count more types of amenities towards meeting the requirement and last activity areas count towards meeting.

The general site landscaping requirements, which is an update from the current code. Article 4.11 covers natural resource protection today, Title 20 zoning code has hillside standards. These standards for their restrict development and density on slopes.

This piece of code is often a point of confusion and has been removed. Instead, the proper densities were applied to areas with slopes during the land use plan process. Currently, the only division in this article is riparian resource protection.

This division is flagged for a future amendment project.

Revising the buffer protection widths and the section requires a lot of data collection and collaboration with other agencies such as the Missoula Water Quality District, DNRC and Montana Fish, Wildlife and Parks.

Staff are excited to pick up this to pick this up as a future phase when it can be given dedicated attention for the UDC. There were still some minor changes, the applicability of the regulations was clarified, the current riparian buffer requirements implemented by the city are now Doc.

In the code for transparency, there is no change in the buffer widths from what we used today, but today those requirements aren't actually written in code.

You have to come ask us.

Last, the special riparian buffer for the Grant Creek Realignment project was brought over into the code from Title 21.

Article 4.12 explains requirements and optional processes for citing multiple buildings on a parcel.

This article codified a process for phasing the construction of projects with multiple buildings.

This process does exist today in practice, but isn't clearly described anywhere in code. And so the UDC explicitly describes the process and includes requirements for submitting a phasing plan.

This article includes a requirement for the planning administrator to evaluate projects with multiple buildings.

Placed on larger parcels to determine when subdivision is required.

The requirement to subdivide is based on the need to create blocks and streets, blocks and St. connectivity that implements the place types of the land use plan. Otherwise, Greenfield developments may not develop in a way that reflects the context described in the place types requirements for townhome EXE.

Developments are included in this article.

The requirement for dealing with on site constraints have been simplified and reduced while ensuring safe development.

The regulations include a list of information required at the time of permitting, as well as clarified process for filing townhome exemption development declarations under the old code, Title 16, which regulated manufactured housing, parks and

mobile home parks, it required them to go through subdivision even if there were. Only.

Dwelling units on a parcel.

This made it extremely cumbersome to add multiple manufactured housing units to a parcel and manufactured housing is defined as units built after 1976 that meet HUD standards.

Mobile homes were built prior to this stage and do not meet HUD standards. The new process allows for manufactured housing parks where the land is held separately from the units to be established through zoning, compliance permit and this increases options for creating more affordable housing.

Opportunities in Missoula.

Overall, the new code is much more flexible in terms of legal nonconformities than the current code. Legal nonconformities are aspects of an existing development that were legally permitted but no longer comply with code because the code changed the current Title 20 regulations are almost punitive when it comes.

To nonconformities, the current code tries to bring projects into conformity over time, and that is not how this code section of code works in the Unified Development Code.

A guiding principle of code reform is promoting adoptive reuse of existing structures.

So overall, the regulations have been rewritten to allow Nonconformities to continue and even be expanded in order to promote reuse of existing buildings.

Nonconforming lots are lots that were legally platted but don't meet the current lot.

What their size standard?

The UDC acknowledges the existence of these lots, but does not place any additional restrictions on nonconforming lots.

They already exist and can be sold and developed with any use or structure allowed by zoning.

Structures that are nonconforming to setbacks have more ability to be expanded compared to the current code.

Larger additions will be allowed than is permitted today, and those additions can go up to the permitted height and expand along a non conforming building line.

All the all the way to the point of another set back line.

Nonconforming structures can be replaced with the same nonconformities.

This is permitted today and will be allowed.

Out under the UDC, non conforming uses have more ability to expand them before under the UDC additions will be allowed as long as the addition doesn't increase impacts on the neighborhood such as traffic and noise.

Zoning procedures. This piece of code was substantially amended in order to align with the new state law. State law provides new criteria for rezonings, which we covered at the beginning of the presentation.

These applied to the adoption of this code, and the new zoning.

Map as well as future site specific zoning changes.

Rezonings will still go through Planning Commission and City Council for approval.

State law changed the process for variances.

There will no longer be a board of adjustment.

Variances will now be decided administratively by staff.

The code includes the process for annexation, which the current code does not have.

Annexations will still need to comply with the annexation policy and be approved by Council, but now the code describes how the process works.

The following processes are currently in Title 20 but will not be in the UDC.

They are conditional uses design review, design Excellence review, administrative adjustments, PUD rezoning, neighborhood character overlay zoning, and public forum, reducing the number of processes in code achieved several goals.

All of these processes.

Came with a level of uncertainty.

For the applicant, not to mention a long time to get to certainty.

So now the code's more written to be more clear and objective in the standards.

The second benefit is efficiency.

The fewer special processes in code, the faster staff can review projects, permit them and get them out the door.

It also allows staff to master fewer processes, which means less time is spent training and projects can be permitted more efficiently.

I'll note that public forums are no longer covered in state law.

The UDC still includes provisions for government agencies to use land in a way that does not comply with the zoning code, but a meeting at Council is no longer required.

Instead, staff will post information on engagement as a courtesy to the public.

Great Chapter 5 contains the subdivision regulations.

Subdivision is heavily regulated by state law.

The new state law changed how subdivisions are processed.

Now subdivision preliminary plats will be reviewed and approved or denied by staff instead of City Council.

Public noticing will still be required.

Staff will have to respond to noticing when a comment suggests that there are impacts caused by the subdivision that were not previously analyzed by the land use plan staff.

For the applicant have to do more research and issue additional memos and go through another round of noticing.

So there's still plenty of opportunity for public engagement. Final Platts will require Council approval to be filed. Overall, the subdivision regulations were amended to be more user-friendly and easier to read as much as possible. Standards were reorganized between the code and the manual.

Ross will touch on the manual, more incoming slides, but the manual is a one stop shop for infrastructure design requirements.

This information used to be somewhat duplicative in the regulations which caused the information to get out of date over time.

All design standards have been moved to the manual.

Which reduce the length of the subdivision.

Regulations by about half and increase clarity.

The current regulations contain a maximum block length, which doesn't vary by district.

This tool hasn't been very successful in ensuring St. connectivity and it does not account for the context of different areas.

The current swept up Kane form base code used a maximum block perimeter that was tailored to different zoning districts to account for context, this tool was very successful in creating a connected system of streets, though there were some issues with the way those standards were written in the.

Current code.

This concept of maximum block parameter is carried over into the subdivision

regulation, including fixes and exceptions to address gaps and issues with how it was written in code today.

This tool ensures Greenfield development will build out in a way that reflects the context of the place types.

There were big changes to park land dedication.

The current regulations are very difficult to read. The UDC regulations for Parkland dedication are now legible and easier to understand. The amount of Parkland dedication required is now based on the estimated number of dwelling units in a subdivision.

The calculation for the amount is calibrated to incentivize subdivisions to provide more housing.

And cash and Liu is still an option for Parkland dedication.

A new feature is that parks and Rec will now accept park improvements in lieu of land.

This will ensure we're not just getting empty park spaces and we'll also give developers the option to create better parks with amenities to help market their product.

And now I'll pass it over to Ross Mullenhauer for information on Chapter 6 infrastructure improvements.

Just a second.

Alright. Is there available to see that OK.

Yeah. My name is Ross molinhauer.

I am the city of Missoula's engineering manager.

Nice to be speaking in this group.

I haven't been here before, so nice to meet you all.

If I haven't met you already, I'm gonna piggyback on a lot of what Cassie and Madison started here and I just wanna say that.

Hats off to them because a lot of the the big changes seem like they're more in their realm and we're kinda following along with some public work changes to infrastructure improvements.

But I think the the meat and potatoes, as I've been saying is kind of their their section on zoning and everything else.

But anyway, let me get into this.

I'll try to keep this brief 'cause I know we're going.

We're covering a lot of ground here, so let me just get to this. OK, so real quick.

We've also got Erin Wilson here with transportation planning, and this has been a whole effort from public works. And so there's, it's not just me. I'm just getting to be the one represented today. But Chapter 6 is about the infrastructure improvements. And that's mainly the the the right of way infrastructure is really how we look at it. It's everything on this slide and this graphic.

It's the public infrastructure that you drive on or that people walk on or the the utility infrastructure underneath the ground. And it's also some of the private infrastructure that's adjacent to it. And you might ask why we're regulating that, but there's a lot of private infrastructure. That's adj.

To the.

The right of way that affects the public infrastructure.

So how how the stormwater drains off of a driveway?

The water services that are privately owned or the fences that impact the site, the site triangles. So all that kind of private infrastructure also affects the right of way.

So that's what this chapter is about. Both the public and the private infrastructure, and this chapter establishes the design, construction and permitting requirements for that infrastructure.

So how do we get here?

How is this created?

Well, first we started with the guiding principles of code reform, which were really about.

Home affordability making a simpler code.

Having a more flexible approach to into our code. So we started with those kind of principles in mind and then we started looking at the code that we already had in place and that was mainly titles 12 and 13 for us.

Those are the the streets, sidewalks and public places. And then the public services, which is really just the utilities.

And we kinda took those codes and drew a line through them and tried to pull everything out. That was development related.

So anything that we thought a developer would wanna see, we've moved now to Chapter 6.

And then the stuff that's nondevelopment related, that there's still a fair amount of code that's related to kinda how we run those those places or those services. So how we run our water billing code or the cemeteries? How we operate the cemeteries or how we what we allow for sidewalk cafes, those aren't really development sections of code. So those those are gonna stay in titles 12, title 13 but it won't be development related. Anymore. So we're trying to draw that distinction, whereas the the subdivision code Title 20 is just gone. Now that's just gonna be replaced with UDC. We're still gonna have some title 12 and Title 13 code left after this. I also wanna draw. We we tried to identify things that were clearly standards and move those to the manual, and I'll explain in in more detail here in a second what we mean by the manual. 'Cause there was quite a hodgepodge of of old code. I also want to point out that you know this the code for Missoula, there are sections in there that date back to 1928 and like this is one of them that talks about Telegraph wires, Telegraph poles and wires and. There's really there's like 3 pages of information on that and it we as staff, we'd read through that and always kind of be a little bit too overwhelmed to try to modify it because we didn't know what was important and what was not. And this was really a good chance for us to really do a complete overhaul and we were able to boil down a lot of these old sections that. Really weren't pertinent anymore and boil them down just to a couple sentences. Like you know, the thing we care about is that. We have a code that says all new utilities should be placed underground. We're not allowing overhead utilities anymore in new new areas if it's already there's poles already there, then that's one thing. So, but yeah, that's just an example of kinda how the approach we took to creating this chapter 6. And then I want to back up for a second and just talk about this manual that you keep hearing about. This is the the city of Missoula standards and specifications manual is the the big

name.

Obviously that's a mouthful, so we tend to just call it the manual. And really what it is, it's a combination of the old public works manual that we started in 2020 and now we've also added in some elements from the parks and Rec manual.

It's really a collection of administrative rules and standard details. I think prior to 2020, there's a

Hodgepodge of standard details and admin rules and it was.

It was very confusing for contractors and engineers to try to find what the city's rules were on different parts of infrastructure.

And so that's slowly coalesced.

And now it's kind of changing slightly, most of it, 90% of it's the same or making some updates to it as we speak and that is out for external review at the moment.

So we are looking for comments on the changes that were proposing.

That's all on the engagement Zilla page.

And that that public review period I think is is, is ongoing.

I'm probably for another week, or maybe I might.

We might extend that a little longer.

But I also want to kind of educate everyone on everyone on how the manual relates to code and so code gives the city authority to require certain things or sets the rules for certain things.

Things but the the manual is really the how behind it. The how we get things done or how it gets built.

So here's some examples from water for water and sewer and streets. The code tells you you know when you need to hook up the water or sewer, but it doesn't specify what type of pipe to use. The depth of pipe you need the the size or the set.

And that all that information is kind of found in the manual.

Same thing for streets.

The code will tell you when you need to make certain types of right of way improvements, but it's not gonna specify.

The the sidewalk depths, concrete asphalt widths or the street trees, so a lot of that detail is found in the manual.

I just wanted to explain that 'cause we get that question a lot as how is the manual relate to the code?

So moving back to UDC, besides the organizational changes that we made in the cleanup, what did we actually change?

I'm gonna go through these one at a time, but this is a list of kind of the substantial changes we made.

So the first thing was in the very beginning of this chapter, we kind of laid out some authority statements that wanna be perfectly clear on.

We had a lot.

These aren't really changes.

We had these in place, but they're kinda buried deep into different titles and it wasn't very obvious to find them.

So the first one is just what I just talked about with the manual.

It's that the public Works director has the authority to adopt administrative rules, AKA the manual, and that contains all of our standards.

And that's kind of the link between code and the manual.

The second one is just approvals of the city.

Engineers have the authority to approve design and construction of infrastructure whenever we're reviewing those plans for public infrastructure.

And then finally, we wanted to maintain a flexible approach to our review process and this is something that's come up in the past when there's a specific example that we call the Wiley example here when just because our code might say that sidewalk is required for a.

Certain place.

There's instances where any practical person would go out there and say that's a quarter of a mile from the nearest sidewalk.

It's a dead end St.

There's no reason to require that.

And so we want to make sure that we have the ability to grant reasonable and design exceptions.

Just to maintain that flexibility.

So that authority will reside with the director. We plan to kind of create.

We we'd like to kinda create some kind of design exception tracking process.

I know DEQ does something like that just to kind of formalize and track these so the Community knows what we're what we're granting design exceptions for and can we

can build upon that knowledge.

So the next one I'm gonna talk about is right away improvement triggers.

This is probably the biggest issue, biggest change of what we're we're bringing forward and for those that don't know right away, improvements are what we call the improvements that we would require a developer to make to the right of way at their cost as part of their project.

And usually this is the fill in missing gaps that we have in our sidewalk network or.

To add St. trees in this picture kind of shows you know it's the sidewalk, it's the Blvd. It's the street trees.

It's the curb.

It's it's all these things and and we recognize that they can be project killers to a really small project. If you have a huge project.

It's probably a pretty small percentage of your overall cost, but if if you're just doing. An Adu or I know they're not ad us anymore.

You're doing accessory dwelling, then this and and you have none of these out front and you're the first property on your block to do it. Then you could be looking at a pretty substantial percentage cost to your to your project.

So we wanted to try and right size that and find the right proportionality. This has changed multiple times over the years. This is our current triggers which basically says that any.

Residential, commercial or industrial building would be required to do this.

This is our rules right now, but we have this postponement clause that says that single family and duplexes are excluded from this.

So basically right now the number is 3 or more. If you're doing three or more dwelling units, then you would have to do these right of way improvements.

We are.

This is our new triggers.

Which is says that anything you would be required to do right away, right of way, infrastructure directly adjacent to your development if there's if that infrastructure is incomplete, missing or otherwise inadequate.

And this the picture on the left kinda shows.

A street without any of this right away infrastructure. And then the one on the right shows what it looked like after.

But we're basically gonna be 4 triggers that could throw you into this category of having to make these.

And the triggers are as follows.

They're a new construction that results in a total of seven or more combined newer existing dwelling units.

Five or more new onsite parking spaces.

Construction of a driveway approach, a new driveway approach onto the public street or any if it's commercial or industrial construction.

That is changing. Making changes that would add new parking.

So those are those are kind of the four triggers. I think we recognize that you were probably not going to get all of the infrastructure maybe that we might have gotten in the past but but we're trying to right size it for the types of projects that we.

See coming.

I want to point out a couple exceptions to that really quick that if there's existing infrastructure adjacent to your project and and we go out there and look at it and it's clearly hazardous, this is like a three inch lip on a sidewalk panel.

We're going to require that hazardous sidewalk to be replaced as part of your project.

So that's one exception.

The second exception is around St. trees.

We're recognizing that street trees are really not as expensive.

Same order of magnitude, let's say as sidewalk.

And curbs and they meet a lot of other city goals around urban forestry and sustainability.

And so we're still going to require St. trees at kind of a different level.

Then then the other right of way improvements and the this will basically be that if you're, if you're doing any kind of project, if you're building one or more dwelling units on your on your property, you're going to have to put in one tree per new dwelling unit.

If there's none there currently.

OK, moving on, I'm happy to take questions on this and this keep moving.

Street types and trail types maps, so this is something that's really in the manual.

This is our new way of of looking at our standards for street types and this really

comes from the land use plan.

We we created this map a street types map.

Now that has eight functional classifications for street types. In the past, we had three those locals, collectors and arterials.

Now we're gonna have eight. And the way this was drawn was largely from the land use plan.

And that's because we've recognized that there's.

With only three classifications that weren't really based on land use types, you could see the the standards for a local St. might be the same in an industrial zone.

No, I'm just gonna skip to this picture.

Here's a picture of an industrial zone, streets, commerce, St. on the left and a residential zone on the right on Jackson St.

And they both are local streets, right?

So they would both have the same set of standards today.

We're trying to change that and say that the standards are going to be different based on your, on your street type and the street type is largely based on your place type.

So we're trying to recognize that, you know, these are gonna have different lane widths. They're gonna have different Blvd. widths. They're gonna have different bike lane needs.

Based on.

On the on the use around them, and again, that's us trying to fit our standards more to the adjacent properties and and the use of that area.

This will be a a GIS web map.

Trying to sync.

What else I missed on this?

I know I'm moving fast.

Yeah, OK. I'm gonna keep moving.

OK, shared utility services.

There we go.

We we changed one small section of code here around utilities just to let developers know that we've we've come across this question a lot recently where someone's doing an Adu or an accessory dwelling in their backyard and they want to share the

same water service that they.

Already have on their current House and it it doesn't really from what we've seen on these existing threequarterin services, it it you never have the capacity.

To to fit that water for two houses through a single threequarterin line.

And so we're just gonna set this really, really clear up front. So it doesn't surprise people at the end of their project.

And it's really obvious at the beginning of their project that they're gonna need a second service just from a flow capacity standpoint. You just won't get enough water through through that.

The next group here I'm going to kind of lump together, keep us moving.

Driveways.

So in the past we another question we've got is why do I have to pave my my gravel driveway in an infill project in existing neighborhood that just adds cost and it's going to create storm water issues for my neighbor?

And so we're we're trying to, our answer has always been that you have to because because of our standards and then our standards were largely based off of the Missoula City County's Air quality program.

This whole idea of track on is what they call it, I guess on the dust from the gravel driveway tracks onto the road and then gets airborne and.

Effects our our Valley's air quality.

So we we kinda wanna have more conversations around that.

It's one of those things where where there's competing goals within, even within our own bug works department or within the city, county. And so I think we need to have some more conversations around that, but at least for now, we kind of moved our our requirements just to.

Just to refer to the air quality program's requirements. And then we're gonna try to have some more conversations with them around that.

Another section of code is these drive through queuing lengths.

This is pertains to those.

Commercial properties that may be at like a coffee shop that has a drive through where the cars are stacking up and and backed up over the.

Over the sidewalk and create conflicts and we just want to try to clearly establish what are, what standards we're using to evaluate new ones for those.

Finally, fences.

In the past, city planning was was doing more of the fence review, I think, and this is gonna move now to city engineering.

We've also tried to clarify the definition for the front yard versus the side yard of a property, at least as it pertains to a fence, and this this really this this picture kind of shows an example.

This is Thames St. and Agnes in the corner lot with the red indicator on it is the one I want to draw your attention to where?

This house.

The front door.

Faces.

Tames.

And but the rest of the house is on that street.

All face Agnes. And so in the past, we would say well, that your front yard has to be the one facing Agnes, because that's what the rest of your block does.

But that kind of penalizes the the corner lots who maybe got built in a different way.

And so now we're just gonna say for fences that your front yard is going to be the yard that your front door opens up to.

We're trying to avoid these sticky situations with corner lots where maybe it doesn't.

Like I said, it doesn't.

It doesn't match the rest of the street, but I don't think we should be.

They're not gonna change their whole house around for that.

We we just need to be realistic with the fence requirements.

All right. So just couple.

I'll take this chance just to update you guys all on a couple other things. This was more for City Council, I guess earlier, but we are going to be bringing those other titles back as kind of a cleanup item after UDC.

So we'll be updating those those remaining bits of titles. So we kind of chopped apart a little bit to make UDC and then we're also gonna be, as I mentioned earlier, we're gonna be bringing the standards and specifications manual back.

In adopting that administratively, the public review period's ongoing.

But all that should happen in January.

All right.

And with that, that's a picture from my house last night.

Super cool.

That's all I got.

Thanks guys.

Hate to say it, but there's one last slide.

Here it's just a upcoming public hearing dates.

Got it shared.

Go. So next week we're really kicking off the public hearing adoption process.

There will be three planning board meetings on November 18th, 20th and December 2nd. Planning Board will then make a recommendation to City Council.

Including any amendments they would like Council to make.

From there, we currently have two land use and planning committee meetings and two Council public hearings scheduled for the month of December. We are aiming to have the final vote on the code on December 22nd and if adopted, the code would then be effective 30 days later.

Thank you.

That's it.

Lot of information it is and it's your second time going through this today, if I'm not mistaken, yes.

That's what I thought.

Yes, I got it hurting a little bit.

I got invited in that meeting, but I declined to come.

OK.

All right, well.

Do we have any questions?

Thoughts. Do we want to dive into this now?

Are there thoughts from staff?

Do we have an agenda like are you guys expecting us to?

We're expecting questions and things.

You need clarified. Yeah. OK.

All right, two go ahead.

A procedural question as far as like the schedule, just because you just talked about it.

Is the City Council expecting a large turn out for the final approval?

I guess this is really more for the record for the public, which is we are scheduled for up to three hearings.

Which is the idea being that to accommodate public comment.

Is this the same situation where people will then want to comment directly to the City Council as well? Or is that? How is that going to be handled?

Yeah, the hope is people do show up and engage with the project project and comment to council. They can do that online or actually show up in person and make comment and have their concerns heard for possible amendments.

Does that answer it?

Or that's that's fine.

It just it's interesting.

I we're planning for three meetings and there's only one City Council meeting, two City Council meetings, +2 committee meetings.

OK. So four public meetings in total?

Could you throw that slide up again?

Yeah, that last slide.

So if I'm not mistaken, the December 10th, that's the land use and planning committee and public comment is welcome at that.

It's in the middle of the afternoon, so it probably not super well attended.

And then the 15th and the 22nd will both afford folks more opportunity for public comment.

I believe yes, those are Monday evening, so easier. Time to make it out there.

Yes.

Any other questions people want to?

Danny. Oh, go ahead.

Thank you, Sean. Sorry.

Oh, I think Richard was actually first too late.

Go ahead. OK.

I'll get you next, Rick.

Well, I wanted to allow staff to respond to that public comment that we received initially and I asked that because I had. So regarding egress from the rattlesnake and the invent of a wildfire, and I was at the lower Rattlesnake neighborhood meeting

and Erin gave a great resp.

To that that I think addressed a lot of concerns.

So I wanted to give Aaron another opportunity to sort of go through.

I guess.

Like what will happen in the event of a wildfire?

The egress plans and how those were incorporated in the land use plan from earlier and the zoning map that we're about to address.

Yeah, absolutely. Aaron Payhan with community planning and development.

So we did do extensive planning for several key.

Kind of court wildlife corridors or wilderness corridors or Gateway Grant Creek.

Lower Miller Creek Rattlesnake Creek being some of those and worked with the office of Emergency Management and Adrian back to ensure that there that we were adequately planning for the level of growth that was safe and could be accommodated in that area as well as adequate evacuation plans.

So that work included office of Emergency Management Missoula Fire.

Missoula Rural Fire Missoula.

Police Department, all those entities that would be responding in that type of an emergency that did you all might remember result in the office of Emergency Management requesting a place type amendment for the upper in the middle rattlesnake that did result in lower density zoning being prescribed to.

Those areas and that is in response to those evacuation components.

They felt quite comfortable that the lower rattlesnake had the ability to evacuate quickly.

Through the Interstate, they have all kinds of tools in their toolbox.

In those instances, they can shut down both on and off ramps of the Interstate and quickly move traffic out if they need to.

But they felt like, of course, as you get up to the mid and the upper rattlesnake evacuation becomes a little bit more difficult with a higher growth in those areas.

So that's why you see the upper in the middle rattlesnake with those lower zoning designations, and then the lower rattlesnake as you're venturing into that downtown transition buffer.

Those densities increase a little bit because there is that ability to move through and evacuate more quickly.

Thanks. And just if someone still has concerns or really want specifics about evacuation plans, would it make sense to reach out directly to the county's office of Emergency Management, you think?

Absolutely. Adrian Beck is very accessible, and so, so knowledgeable. If you haven't had the opportunity to talk with her, if there are more individuals in a neighborhood or an area too, we're happy to serve as a liaison and see if we can't get someone to a neighborhood council.

Meeting or another forum where they can answer some questions.

Thank you.

I'll just throw out the phone number for office of Emergency Management.

It's 406-728-0911.

Make sure you include the first phone. The first numbers don't just do 911.

Yeah, that's the office of Emergency Management. I encourage people to reach out if they have any questions.

I have other questions as well, but I'm gonna let Rick go because I'm still working on the details.

Great. Actually, Rick, I'm gonna have you hold for just one second.

I wanna just a little follow up here.

I know that it often feels like to the public that we're, you know, kind of in the door open to expansion, but like in thinking about the rattlesnake, like, how much can we really authentically accommodate?

Like like how much larger can we really go in the rattlesnake as far as adding numbers?

Is there a sense of that as far as like what we can probably do?

I would definitely need to look into that crunch.

Some numbers are you asking like allowable? If a lot of properties we were to redevelop that maximum density, what that would look like? Or are you wondering at what point does evacuation become a concern?

I think I'm wondering more in the real realistic like world property selling and getting redeveloped and like, is it really gonna be that significant ultimately, you know, maybe in 50 years, how much are we really going to increase our population?

I think I could punt it to mark or GIS person who's online, who may have some population projection.

But that might be something we need to go back and dig through data and bring to you next week for an answer.

Give Mark a chance.

Otherwise, he might agree. We just need to get those numbers prepared.

MH **Marc Hendrickson** 1:39:29

Yeah. Mark Hendrickson, associate planner with GIS focus for CPDI.

I will probably punt it the next time we meet Sean, but I'll I'll write it down.

From just like.

From what I remember from the developable lands analysis which we did in house as well as one with Cascadia, there wasn't a huge number of parcels.

That were highlighted that would actually pencil out for a developer to raise the building and then build a lot of new units. But I will write it down and we'll come back with you next week or next time we meet.

AR **Analeshia Rodriguez** 1:40:14

Awesome. Thank you.

And I just think that's a worthwhile question to push out to the public to maybe help a little bit with the concerns of like you know, our imagination of what could happen compared to like what really might happen.

And to Mark's point, you know, wherever you see really high land values, it is harder to redevelop just because you don't buy a very expensive home and try to.

It's less profitable to redevelop for sure.

Absolutely. OK, Rick, please go ahead.

RH **Richard Hall** 1:40:48

Yeah, mine's just a simple comment.

Can we get this presentation emailed to all of the Members?

AR **Analeshia Rodriguez** 1:40:56

Yes, absolutely. I will make sure to get it to the admin staff after this.

I would have liked to have gotten it up before, but we were still working on it today.

I'm sure.

Alright. Anybody else want to jump in with questions?

Go ahead, Derek.

Now I have to go too far off topic, but since we're talking about the rattlesnake, I've never really heard this come up in any of our presentations or conversations.

But I'm wondering if City has been in any conversations about egress concerns with, for example, wildfire or emergency services on Duncan.

There's the trains that you know block.

You know, quick access to get out.

Just infrastructure such as an underpass.

US or something for, you know, as something that could help us wage, you know, like concerns for like having to wait at that in that area.

Yeah, I personally have not had any discussions about the train.

ING.

Oh yeah.

Ross Mullen, Howard City engineering.

I'd say I haven't heard of any plans for what you're talking about, like an underpass under the railroad, but there's a quiet zone study going on right now where we're trying to look at how to silence those horns for train noise.

But that's different.

So I I don't.

I have not heard of any public works.

Projects like we're talking about, I do just wanna add that these are some of the questions that came up in earlier conversations around the place types with Adrian back and they did share that they collaborate widely in those emergency situations.

So that collaboration extends to entities like Burlington Northern and others.

And So what that would look like, I I can't speak to exactly Adrian could.

I also know at the lower Rattlesnake neighborhood meeting a few.

Weeks ago.

Or maybe just last week.

That, that, that question of underpasses or ways to to access the rattlesnake did come up, and our public works director shared, you know that that would be prohibitively costly in terms of infrastructure that the Community really has to fund to be able to achieve that at this point.

In time.

But that's where they're working through these other projects to try to mitigate, minimize the impact of the.

That.

Specific stop at Duncan or not sure what that Cross Street is, but.

Great. Thank you, Derek.

I think I'm gonna do Danny T again. Tenenbaum again.

And then to you, Josh.

Thanks Sean.

I also just want to give a shout out to N 2nd Street if you're driving down green O and there's a train blocking the way, you can always just turn right and go to the north side and do it often. It's fun.

It's great and you can get to the Interstate there and go downtown.

My question has to do with the activity area trigger. I think I saw that it's now 7 units. Currently, I believe it's 10.

Is there a reason that we're going down as opposed to going up?

Yeah, I am going to punt this to Lucy Ruemmler, who's here from Parks and Rec, but I'll just clarify today and the current code, it does kick in at 10 units. The Public Review Draft has it applying at 3 units and the adoption draft to be released this. Week will bump up to seven then.

Lucy, are you online to kind of clarify?

Why the threshold's been lowered slightly?

LR **Lucy Rummler** 1:44:47

I am but my my camera's not working.

I hope that is OK.

So yes, I'm Lucy ruemmler.

I'm a project manager with Parks and Rec and yeah the the decision with activity area.

Came out of a few things. So in our Prost statistically valid survey that we did as part of the parks, recreation, open space and trails plan, we found that a vast majority of people.

Supported policies that support that helped there be more outdoor space close to

home.

And and all kinds of outreach as part of the pros just pointed towards that. And it's not always possible to.

To get that and then another another reason is that we try.

We really try to make the activity area requirements more more flexible.

So while while that threshold is lowered.

You now have the option to pay a cash in lieu and that will go towards improvements at nearby parks.

You could do you know an area and then combine that with the cash in lieu. And there's also a bunch of different types of activity area that are clarified to make those really truly usable spaces that you could send your kids out.

While you're making dinner.

Or.

Just you know more than just a a square of turf.

So that's that's kind of the main reasons is just we added flexibility so felt like that was warranted and the dish like the the public support for having those spaces nearby.

AR **Analeshia Rodriguez** 1:46:38

Yeah. And Todd, we are trying to draw a very careful line.

I mentioned that the threshold was much lower in the public review draft and largely in response to that engagement Lucy is referencing.

But then we've also heard its barrier, and that's where we are aligning it with the other landscaping requirements for the threshold.

LR **Lucy Rummler** 1:46:56

That's a good point too, yeah. Combining it so that it's kind of part of the general landscaping.

So it's part of reaching that percentage.

AR **Analeshia Rodriguez** 1:47:09

I have one more question and then I'm done.

The other question is came up yesterday in a meeting.

I had the Parkland dedication requirements.
It's now based on the number of units for subdivisions.
What is the procedure for when that number isn't known at the outset?
I believe that the code does require you to estimate it.
I would have to go back and check unless Lucy knows this off the top of her head,
but I believe there is at the time of building.
Permit if it was underestimated away, the city would recoup it through cash and Lucy,
is that correct?

LR Lucy Rummler 1:47:48

Yes, that's that's my understanding as well.
But I can.
I can go and look into that and provide a more thorough answer if that is helpful for
next week.

AR Analeshia Rodriguez 1:48:00

Yeah. And I believe we'll have Nathan from Parks and Rec with us next week too.
He was unable to make it tonight, but he was really involved with the drafting of
those regulations and has a lot of background.
Thank you.
Great. Good questions, Danny. Josh, go ahead.
Go ahead.

JS Joshua Schroeder 1:48:22

Good evening.
Thank you for the presentation.
I just had a question about the blurbon riparian resources.
I think I heard that.
The rules around those are going to be addressed in a in a future future phase and
that there's going to be coordination with some agencies. I think fish, wildlife and
parks was mentioned, maybe floodplain.
I didn't hear the conservation district.

I was curious if.
You guys are going to reach out to.

AR **Analeshia Rodriguez** 1:48:50
Yes.

JS **Joshua Schroeder** 1:48:51
To that group as well.

AR **Analeshia Rodriguez** 1:48:53
The the buffers that are currently in code are the buffers used by the conservation district.
So we've carried over the current buffers we're using today, so we know we are aligned with them.
I listed a few agencies as an example, but there are many more. We'd work with, such as the conservation district as well as Kyani planning.

JS **Joshua Schroeder** 1:49:13
Great, thanks. I know the board would be interested in.
Yeah, at least you know, hearing what you guys are thinking. And if you wanted any feedback, there's some some real experts on there that we'd be happy to.
To share their point of view. So thank you.

AR **Analeshia Rodriguez** 1:49:34
Uh. Anybody else wanna jump in?
Shane, go ahead.
Apologies, I probably have a bunch.
Just kinda going sequentially through the presentation.
You mentioned that it's a lot width. Umm.
Uh, you mentioned that that will be changed to accommodate.
Or it will be changed for duplexes in townhomes.
Seemingly the only purpose of the lot with.
I'm just trying to imagine what the purpose of it is I guess.

It would be for enforcing subdivision compliance, I guess.

And it's subdivision.

You know the type of unit is not exactly known.

What's going to go on it?

So somebody could probably come in with a lot, you know, a plat that suggests you know smaller lot widths and the 30 feet or whatever and then not build a duplex or a townhome on that.

And I I guess really my point is is.

I don't quite understand the purpose of limiting the lot width.

I mean, I think you can build a pretty good town home on an 18 foot lot width on an in an existing.

You know location.

And.

Yeah. What's the purpose in in regulating that?

I guess the purpose of regulating lot with there are a few purposes.

There are different standards for lots that about Nally versus do not. We found through many projects in recent years.

That once you get below 40 feet, if you do not have Allie access, you run into a situation where you can't have both driveways and St. trees. You start running into really limited space for placing utilities.

That's one purpose.

Another purpose is to really look at the context of the area so that as people see infill, there is still some recognizable spacing in their block and then last.

Once you get to lots that are too narrow, unless there is a true intent to build.

Townhouses or duplexes? You start getting really limited in your densities.

You start to get to a point where you can really only build single family homes or very small duplexes, which isn't working towards our housing capacity goals.

Just the land use plan aims to do.

The adoption draft will have that option for an 18 foot lot width as long as they're plotted in pairs sets.

So that it is intended for that use.

And at 18 feet it would be pretty difficult to build anything else because their setbacks were as row houses have attached walls, so you don't have those side

setbacks.

So in theory like you could plant something that's you know 231818181823 or something like that.

Yep, the exact numbers you'll see tomorrow.

Great. Thank you for the clarification. And I don't disagree with the non alley adjacent numbers.

Sorry I was.

I should have clarified it was mainly speaking on Ellie adjacent where you know, I often think.

I I personally think that you might be a little light on your.

Non Ali adjacent, you know you think about two cars parking in front of a house without an alley.

And they either need to provide a 20 foot driveway or need to park parallel on the street and 222 foot.

What spaces? Ross is probably smarter about the length of parking spaces than I am, but you know it.

Just personally I it's it seems like 45 might be in a more a more appropriate number for the non alley adjacent lots, but that's personal opinion on that.

I mean.

So getting into the progressive far.

You know.

I don't.

I don't really have too many.

I don't have many comments in the UR districts, but you know I do think that the progressive far you know we we we've talked a little bit about neighborhood fabric and trying to create a recognizable you know St. frontage and things like that.

I'm not opposed to the Fars that have been introduced.

I do think that creating a progressive far, however, will change the look and feel of the neighborhoods.

Quite quite a bit.

I I think you know you look at AUR 4 zone.

And if you build 7 plus units on it, my memory is correct. Then you're allowed in far of two, whereas a single family residence which was allowed in that neighborhood

before, might be a .5 or a .6.

So the new buildings potentially in those zones could be four times as big.

As.

As what?

What's in here?

So I guess I just want to say that out loud that you know that you know we we are getting into these form based code sayings which I'm not opposed to, but just to say out loud that's that's how the math I think on this generally works is.

That.

Buildings will likely be bigger in existing areas that.

So there's just conflicting.

And and you're trying to reconcile these, it's this is not a criticism.

I'm just pointing it out that things are well could be bigger.

In in these in these areas, and I don't want to let the general public think that it we're fitting these things in in like space and volume in the exact same way.

The the neighborhoods will could potentially be transformed in in a pretty significant way.

Umm.

Setbacks. I'll put in my pitch for setbacks one more time.

I I think that we should revert back to Title 20 setbacks as they relate to accessory structures.

And I don't know if that's in the in the plans right now.

So small structures.

Should probably be allowed on the property line.

Accessory structure should probably be allowed within three feet.

Side set back side side side yard setbacks and and the alley and I guess the reason I'm saying that is is.

There are thousands of garages and small structures and things like that that I'd hate to just make existing nonconforming for for no real reason. And I think that hopefully that's something that, yeah, we can accommodate quickly.

I I mentioned that the list of things in the adoption draft was not all inclusive we.

Are planning to reduce the setbacks for accessory structures to three feet.

On the sides and rear and in cases where there's an alley, it'll be 0 feet on the rear

since there's not an abutting property.

Great, that sounds perfect.

Um.

Thank you, keen. Yeah, sorry.

Bill to with.

I was going to make a pitch to eliminate side build 2 with and I guess the reason that I'm saying that is that I feel that somebody built buys a lot and just say it's, you know, 60 feet wide and it's on a corner and they're required to.

Build, you know front and side with two front inside setbacks.

You know, their building might not need to be that big.

You did mention that there might be an exception for.

I think you mentioned today that there might be an exception for small structures.

And you know, in my mind it's better to build up and build permanently rather than building sprawling things on the valuable land that we have. And so if we can, you know.

You know, I guess my pitch was to eliminate the side build, to preserve the land as best we can, and I'd be interested to hear a tidbit about your small structures thing and see if we're in alignment on that or or if you could give me a pre.

On what that might look like.

Yeah, I'm trying to remember what changes we're making.

OK.

So overall, we are looking to reduce those percentages for the adoption draft.

Or will be. There is still a side street build to it.

So that's something that would come out of likely planning board amendments as far as when someone's really just not building a structure that big doesn't need it.

We're carrying over what was a tool in design excellence, which essentially allowed you to dedicate just an open landscaping area.

Where a building could go in the future if that lots ever further built out.

So it's not encumbered by parking, it's still reserved.

But understanding yes, if you have a really big parcel but a small building that's a need to accommodate OK, look forward to taking a look at that. Thank you.

The landscaping and activity areas, I guess together.

And I mean, it does feel like in the mixed-use zones, those things, I mean there used

to be a mixed-use building type and I don't believe that activity areas or landscaping were required as Title 20 exists right now. And I think the acknowledgment in that is. Is that you know these type those types of buildings?

Things were generally being built where you know, really good transit. Could you know it's it's built in an area of town that we actually want to build densely and we can't afford to necessarily take up 15 or 20 or 25% for landscaping or, you know, a. 150 square feet.

Per unit for activity area and.

You know, I think that you know that the plain text of the code until you get to section 4.9 really acknowledges that we're trying to build larger buildings, more density, focusing inward, trying to put that density where we're where we have access to good transit good.

Parks and things like that and.

These two things.

I I am 100% on board with.

Providing green space and access to amenity and all those things. But.

You know, it does feel like it.

Triggering it at 7 units still does not feel like it's appropriate to me.

And this is my opinion.

You know, especially in areas where green space is readily available across the street, that's where we're we should be focusing our, you know, most dense urban.

You know, development for housing is adjacent to parks and adjacent to public transit transit and moving the needle from three units to seven.

Is going to is going to effectively, you know, take ground floor area for activity area or landscaping in a way that is going to prohibit larger apartment buildings and larger mixed-use buildings from happening.

It will remove dwelling units in my in my opinion and I guess I really do want to potentially.

Revisit that in a in a fairly drastic way and.

And I'm exactly sure how to do that.

It'll throw out a couple of things.

You know, potentially looking at how close a public park exists right now and removing those.

Sites.

From any activity area requirement.

You know, you know.

I do think that landscaping probably just needs to be reduced on the whole, the activity area I can get on board with some requirement there, but it really feels like you know.

We're acknowledging in our place type map and our zoning that these are urban urban areas.

Calling him urban residential high urban mixed-use, high and low or whatever.

You know, we shouldn't have the place type there if they're not intended to be an urban area.

Again, my opinion.

Yeah. Do you mind if I point out just a couple things that might work for these more urban projects that are really looking to maximize that space?

There are some new activity areas added and I'll invite Lucy to add more to this.

If she needs to. So for some of those projects, the options for a rooftop patio or a gym inside of the building would work in an urban setting. There is also still the cash in lieu, where if these are targeted near parks, which that's how it's mapped they.

Might choose to pay cash in lieu instead of the activity area, which would go to improving that nearby park so that it has the amenities to support that increased density.

I believe that was parks thinking primarily.

And I appreciate that.

And you know, I don't think that any of them are.

I don't think that those are unreasonable. They're just extremely costly.

And I mean, I've never done a rooftop deck on a project and I've done hundreds of projects because we can't afford them.

And.

You know, doing a gym or something like that, and even the activity area, what we're doing is we're creating private private parks. And I think the cash in lieu is fine.

Except for the fact that it's an unknown amount of money and it's going to add burden, a cash burden to the developer.

And.

In my opinion, probably just increase the development.

Cost. I don't know what that is.

You know, offhand, without knowing what the cache in lieu really means.

Looks like Lucy wants to speak to it, so.

LR **Lucy Rummler** 2:05:26

Yeah, I was.

I was just gonna jump in and say, yeah, we don't.

We don't know what that cash and liou value is, but we we have been looking to the parks and Rec department at Bozeman for an example of this. And so they.

They set a single value for across the city to streamline the process, so it's not OK you opt for this process and now it takes a long time to hire an appraiser and you have to pay the appraiser.

And it's a big ordeal, so it'd be one cost set across the city. And so that would just lower the the burden of doing that. And then we intend that it wouldn't be, you know, an unreasonable cost I.

'M trying to think of the top of my head and I think bosons might have been around 250 a square foot.

So it we're not going to try, we're not going to be unreasonable about it.

But I'm kind of going with the Cassie said.

But it it really does help.

To basically support if there is a nearby park making it have that high multi use amenity value that can support more people and just you know recognize the the need for higher level of of maintenance for that space. Maybe equipment need to be replaced more often so that.

That's really the intent around that and.

You know that'll.

That value will go through Council and just yeah, just again, we don't want that to be an unreasonable number.

AR **Analessia Rodriguez** 2:07:04

Thanks Lucy.

I mean, you know the way that I think about it is you know, we're we're trying to create missing middle housing and this is just to me, it's a math thing. You know, if we create 800 square foot units and we create a bunch of them that.

That'd be awesome.

You know you can get two and three bedroom units in that.

For every unit you create, you have to have 150 square feet of activity areas. As I read it and up to 20% of the lot.

And you know that really feasibly needs to happen on the ground floor.

You know, like, you know, just it's it's unlikely that it's going to happen to create affordable housing where it's gonna happen in a gym or it's gonna happen on a rooftop just just to be frank about that.

So we're looking at, you know, taking units away from our far or from other.

Things.

Or build 2 zones and creating private activity areas.

The cache in lieu.

I hear you.

That, you know, it might not be that much money.

It's just it's it's a little.

I don't know the value the number you just threw out there didn't scare me all that much, but I'd have to get a calculator out to like really think about it a little bit.

But it is just kind of an unknown that's in my mind right now.

So just one question just to make sure I'm getting your thoughts down correctly.

There is like a cap of 20% of the parcel area, so if you have a ton of units, it doesn't just keep going, it does level out there in your opinion. Is that CAP also set too high?

For feasibility of more urban lots.

I.

I do.

I mean, like, we're so just thinking about in the downtown transition area like we were. We're being told that we need to build, you know.

On all the frontages in in front of us and we have to build between 0 and 15 feet.

And we're gonna build large buildings, long buildings, tall buildings, mixed-use buildings.

The activity area.

Would not allow you to put that anywhere in the public realm because of our build 2 zones and.

And I think that.

You know, 20% of a lot.

It's a lot.

You know when you think about units and stacking them four and five and six storeys high, so.

You know the cache in lieu option.

Is.

Will probably be you know the desired option for a lot of developers in my opinion, but it really just depends on how much that cash in lieu option really is to see if it pencils out at the end of the day.

And I I you know, furthermore, I question whether it's necessary if you live next to a park or within a block of a park.

That that's a question that I have.

I'm sorry, I have a lot of questions. Go ahead.

That's why we're here.

Ask your questions.

I'm trying to get them out of the way here so that we can, you know, let the public speak a week from yesterday.

Removal of trees.

So the the I don't remember where this was.

It was somewhere around the landscaping section, but I wanted to get clarity on like if you remove a tree you need to replace that tree.

At the I'm gonna get all my terminology wrong here.

To basically match the the removed diameter breast height.

Is that right? Yeah, not too bad.

You know, one for one and that would be and you can replace it in multiples of trees, but like up to six trees.

Is that generally the?

Does that apply to private land, or is that just?

And that does come from the current title 20. The one real change that was made to it is now there is a limit on how many trees you'd need to install. So if you had a lot

of really big trees, it does cap out so that it doesn.

Get too far above what your base requirement for tree installation would be, but that is something that's been carried over from Title 20.

I mean, this is probably getting into way too much information, but I've got a giant tree in my front yard.

And you know, like I live in a small lot, I mean cutting down that tree would probably be the only way I can redevelop.

And it is going to infringe on.

I don't really care, but you know the redevelopment potential of that lot and to try to create the the thing that we're trying to create which is.

You know more housing fitting into the urban form that we have and so.

I.

I I don't know how to fix the fix this one.

I I was.

My main question was did it reply to Theresa that were on private land? It sounds like it does and.

It feels like there should maybe be some flexibility in this requirement also like can we replace a?

Can we takedown a tree on your private property?

To allow us to, you know, build maximum potential there and then replace trees in the public realm, you know Blvd. trees or something like that.

To help Ross get his one for one, you know, tree replacement in the Boulevard area or, I don't know, or planting a tree somewhere else.

Just trying to maximize the potential of the lots that we have available. We can only build on our lot, but we can put trees.

In the public realm, that might help.

Yeah, I just pulled the code up.

There is some flexibility so it says the urban forester is authorized to collect a mitigation fee not to exceed \$1000 per replacement tree to fund offsite tree planting when inadequate area exists on the project site for the healthy growth growth of the replacement trees there is.

A process if you just don't have space to get that tree planted.

Did elsewhere.

I mean, my tree would definitely have to be replaced by 6 trees and we just said that we've got \$6000 to.

I I appreciate there's a mitigation strategy.

It does seem a bit slightly excessive to me potentially.

LR **Lucy Rummler** 2:14:31

I believe in sorry, this is Lucy. Railroad parks again. I I believe in that case.

But well, OK.

I might have to talk with urban forester and and just verify that whether that would be \$1000 per the the tree that is removed or 1000 per the ones that should be placed.

AR **Analessia Rodriguez** 2:14:55

It currently reads as replacement tree, but if you wanna double check that intent with Marie that that might be a good idea.

LR **Lucy Rummler** 2:15:04

OK.

Will do.

Yeah, I guess.

And then just just adding to that, I think one thing we really wanted to keep in mind here is that definitely huge intent of this code is to get more density but.

We're also recognizing that a big part of this code is livability and.

Just making making Missoula resilient to climate change and you know.

Trees are a huge part of that, so.

Definitely not arbitrary.

And even if it is the the 1000 per replacement tree, I don't that that would be the the intent behind that.

AR **Analessia Rodriguez** 2:15:55

Yeah, I'm taking it back to those six land use plan policy themes.

There is focus inward housing choice and access, but there's also community and quality of life, Environmental Quality and climate resilience, health and safety and

economic health. And so really difficult goal to meet is to balance all of those things. Absolutely. And I mean my my comments here, I'm not meaning to.

Say that.

You know anything that you know gets you guys have done a, you know, a really great job of taking in all this community feedback.

I'm mainly trying to point out where.

You know what?

What appears to be, you know, a code that you know is going to open us up for development can be constrained in the fine print in some ways.

And where development, at least in my opinion and my experience, can become prohibitively expensive.

And you know, it is a balance point and I think we just need to.

You know.

Figure out what that balance point is.

I guess my last few comments are related to Chapter 6.

You know, I guess this is just a comment to Ross.

I liked the first image of your screen of your streetscape. The first slide that you had put up.

I like that.

And.

I do think there's some tweaks to our zoning code that need likely be done to in order to achieve that streetscape on your first zoning.

Code or on your first slide where it's you know you've got the street, then you know. Your parking lanes and then your you know Blvd. And then your sidewalk and then a few feet to the to the actual building with that. I think there's areas of the code that don't quite hit that and I'm mainly Speaking of the zoning code.

I'm not nearly as familiar with Chapter 6.

I guess the the one thing that I would say.

Is that?

Sidewalk cafes actually, in my mind, is kind of a design related thing.

That is one thing that I like.

Go into the zoning code to like find out.

And.

I don't know if it can live in both places, but or.

Yeah, it's.

I can take another look at that.

I I it was a kind of. It was definitely a hard line to draw. Trying to separate the development from the use.

Yeah. And so I I don't have too much experience in the Sidewalk CAFE code.

I'll have to look at look back at it and see if we're which section the developer would be interested in.

I mean.

I think that it kind of speaks to a lot of the things that that are in the zoning code, so. Build to, you know, situations or set back situations.

Encroachments, things like that, and especially as you're designing a new building and you wanna include a sidewalk, cafe or whatever, seems like it, it might be.

At least appropriate to, you know, have a clickable link in the zoning code or something like that.

To wherever it lives currently in Title 12.

Or whatever. Just because it that is, it's the one thing that you mentioned that I was like.

I might actually care about that as a as an architect, and I don't really care that much about all the title 12 stuff. Most of the time, looking at Danny.

And then getting.

Sorry, two more things.

Ross, you're off the hook.

OK. Thanks for including me. Yeah.

The middle, so getting back to our where our first comment came from.

In the mid related to the rattlesnake, I was actually a little bit interested. The map didn't show any urban mixed-use or any commercial areas up the rattlesnake.

And like thinking that rattlesnake gardens is up there and thinking that other, you know, small commercial spaces that are more than 2000 square feet could probably be up in the in the rattle snake.

And guess I wondered if that was like a conscious thought or like.

Are we just gonna make them nonconformity?

Some of that has to do with some of those conversations we had about Emergency

Management evacuation, the urban mixed-use zones do allow significantly more density than the residential zones that are mapped there today and will drive just more daily car traffic in that area.

And there was a little bit less of a need now that we are pretty widely supporting neighborhood commercial uses.

So we really assessed what was an operation there today.

Including some of the agricultural and agricultural additive uses in places like tenspoon and we found that they all fit really cleanly within the neighborhood commercial designations with the rural.

And the urban residential designations that vary throughout that area. So there wasn't a clear need. And what we've heard from Emergency Management and the need to have densities in that area lower made the urban mixed-use zones not a good fit.

So sorry Aaron.

Would is rattlesnake? Does Rattlesnake gardens or any of the commercial uses up there? Are they?

Would they be allowed to duplicate? I guess.

Like those are all considered neighborhood commercial uses, so they're allowed in every residential zone across the community. A more a more specifically thinking about the size.

So so ones that exist today, of course can continue operating ones that are.

Are converting an existing structure can be bigger than the square footage that is allowed for new construction, and so there are a couple of different avenues for larger buildings like that, but ones that are currently in existence can continue to operate in that fashion. OK.

This my last question.

It might be for you too.

Eric, can you describe the the the map adoption?

So there's kind of.

I mean, there's there's many parts of this, two of which maybe I'm mostly concerned about the. So we've got the the text, the UDC and then we have the map.

It's really hard to rustle.

One thing down and then look at the other thing, feels like one needs to be settled

before we can look at the other.

Is there?

What is the map adoption process look like?

And it sounded like maybe that could be.

Are they going to?

Are you expecting our vote on both on December 2nd and does that like do you think that we're gonna have adequate time to work through that?

Yeah. The sequencing typically of the motions would be to at least how we're moving them through City Council.

We're looking at the amendments to the land use plan first, because that's the baseline that precedes the adoption of the code.

Then we'll look at the adoption of the UDC as the next step or motion and then the adoption of the accompanying zoning map as the last.

Motion. So we do plan to work through those all in one public hearing.

Both here and at City Council, because they are so intricately linked, it would be difficult to have a motion on one without motion on the others.

And so we do move those through as a package.

Great. Thanks.

One thing I do if I can, I do want to note we've had some questions about what happens if we missed something in the map or a parcel gets zoned incorrectly.

And this actually applies to the text in the code too.

And this is a little bit of a paradigm shift.

Shift in how we've approached code before, so we wanna continually be very upfront about the fact that we are adopting a brand new code that is so big and comprehensive and remapping the entire city and we don't anticipate that we will get it 100%, right, so.

We know we will be bringing proactive changes to City Council and that applies to the text and the map over the course of the first year, and so there may be mapping errors that that we identify a lot of people.

Are paying attention and bringing those to our attention. Now some folks just don't have the capacity to and they'll bring those to our attention after the fact.

Those individual property owners are not going to be required to go through a rezoning process that will meet with them if we all agree that their property was

really zoned incorrectly, we'll proactively take those changes forward to Council. And so we know it's going to be a year.

Of continuing to iterate.

This isn't A1 and done process until we want to make sure we're being really upfront about that as well.

Great. Thank you, Aaron here.

Oh well, actually, Rick was ahead of you.

Rick, do you still want?

He might have snuck off to go to the loo.

RH **Richard Hall** 2:25:48

No, Rick's Rick's still here. So you know, thank God I stayed at home because the broken bathroom would have been a deal killer for me, so.

AR **Analeshia Rodriguez** 2:25:50

Do you?

You had your hand up.

Do you still wanna get to your question?

You had your hand up there.

RH **Richard Hall** 2:26:00

Yeah, I just had a quick quick couple, couple questions.

AR **Analeshia Rodriguez** 2:26:02

And then we'll go to Danielle.

RH **Richard Hall** 2:26:06

One is I'm happy that you're recognizing that.

Mobile home parks exist that they, you know, not own lots and mobile homes exist and it's in the code. It's overlooked sometimes.

And I just wanted to ask about.

I know the state really stops any.

Proactive means of encouraging affordability.

But are there any incentives written into the new code?
For income limited or affordable housing.

AR **Analeshia Rodriguez** 2:26:46

Currently, there are not incentives.

That is something we do really wanna pick up with future phases. We have pulled so many levers and relaxing, zoning and changing the framework that we were really struggling to find essentially what you could give a developer to incentivize something like that.

Really, they need something that would almost save them enough money to make it pencil, and that's something too. Is the code plays out over time. We're hoping that we can start to see where that exists.

But we didn't want to place barriers in the code solely for the sake of incentivizing affordable housing.

RH **Richard Hall** 2:27:24

So I guess you're saying kind of wait and see how this works towards increasing density and affordability?

AR **Analeshia Rodriguez** 2:27:33

Yeah, we we don't have any explicit incentive saying if you build affordable housing, you get XY and Z standard relaxed.

We were really struggling to see which kind of standards would actually move the needle on that, but it is something that we would like to come back with in the future.

Oh yeah, I just wanted to add some context to that too.

We worked really closely with the affordable Housing development community and what we heard from them is that kind of at the state were very few, if any regulatory incentives move the needle for true affordable housing projects.

What they need is financial subsidy.

They need cash to make those happen, and so the guidance they gave us is don't artificially restrict the rest of the market, don't hold back densities or hold back.

Incentives that the rest of the market needs.

To develop housing under the belief that that will help us get to affordability 'cause, it's just not enough anymore. You should.

You should let good development happen at the rate that it should happen everywhere and then we really need to focus on programmatic and financial supports for those true affordable housing developers to help get that deed restricted affordable housing build.

RH **Richard Hall** 2:28:45

Well, and I'd point out that mobile home parks are affordable housing.

I mean, they're one of the last bastions of it out there, and they're becoming less and less affordable, which of course, we can't do anything about, but we can.

Be incentivized developers from.

From developing those parks into something else, I'm just saying.

So.

AR **Analeshia Rodriguez** 2:29:14

Yeah. And I'll note that that is a huge change in this code for the last several decades in Missoula, it has been extremely difficult and cumbersome under the current regulations to build any manufactured housing perks.

It required you to find a site that's almost impossible to find and then sent you through a very long subdivision process with very unclear regulations for manufactured housing.

And so this really modernizes it and can be done through zoning compliance permit like any other process.

But that is a big change to try to accept that that is a more naturally affordable type of housing that could work here in Missoula.

RH **Richard Hall** 2:29:55

So the only I'm I'm in Bonner, Milltown.

So you know we it is a primary source of housing for a lot of retired people and working families that just can't afford other types of housing.

AR **Analeshia Rodriguez** 2:30:17

Anything else, Rick?

All right. Danny Oberweiser, you're up. And Sean gonna build off Shane with and apologize for the length here.

I'll try to be brief.

Some of these maybe I'll just treat as a rhetorical question to draw attention to it and get through this first and foremost like I just want to say, I think we're moving the right direction.

This is better than what we have today.

So nice work, you know.

I'll try to keep it in sequential order as well.

Cassie, you talked about.

Preliminary Platts will maintain their entitlement and they're allowed to file their Platts even if they're going to essentially immediately create non conforming existing lots.

Rhetorical question.

Curious how many entitled Platts are not filed? That could be creating nonconforming lots. The way I understand everything so far is that time of building permit were subject to the new code.

On an existing non conforming lot.

Are there any special provisions when that happens?

Because it will happen.

Nope, no special provisions.

It'll be variance.

Request would be the only option to build what they have planned to build today that the code says they can't.

No, no variance would be required.

The lot gets plotted and then as long as they can meet the standards and with these reduced setbacks, that's highly likely. Even when a lot smaller, if somebody did run into actual hardships and issues with that, yes, we would approve a variance.

But in most cases I don't believe a variance would be required.

The lots can be used for any purpose or structure allowed by zoning.

I think one of the primary non conformings is gonna be lot width.

These plat lots so I'll move on to that.

I just wanna say I apologize. I gotta leave.

You wanna hear everybody's questions?

I gotta go pick up the kid.

No worries.

Thanks Ross.

The the minimum lot standards Shane touched on it and he had a lot of great points and I and I honestly don't disagree with a lot of them.

But the sentiment I have around that standard is.

And and I get in the intent.

You know, it's clear.

It says you know, minimum lot widths are meant to help new development fit existing neighborhoods and support the right type of buildings and densities and maintain character.

On the flip side of that coin, the code embraces townhome exemption developments which have no minimum standards that permit detached home single family homes, row homes, duplexes, townhomes.

So there's a clear.

Loophole for lack of a better word, to contradict the reason we have minimum lot standards up to 20 in a single project so.

You know, if we're embracing that development option, why have minimum lot sizes at all?

Because there's a simple loop loophole to avoid it.

Yeah. I think part of that too is townhomes exemption developments do function a lot more like condos.

In order for any of the folks living in a Ted to really amend their building, move things around, get closer to each other structures they more or less all have to sign off to amend the project, and so they are kind of held together in an HOA that.

Coordinated in a way where individually platted lots or not, but that was primarily the thinking there.

But it is a really good question to look into and think about.

Yeah. And even further that Ted's can establish ownership outside of the bounds of the structure, similar to a traditional lot, right?

So they can have their own owned yard, which is completely different than a condo.

So they really do act just like regular platted lots so.

As a consultant, that's what I'm gonna see all my clients do.

To the work around of the minimum lot standards.

So if we're embracing that, you know, I suggest removing lot minimum lot widths all together.

OK.

This is a simple one I think 4.2 point O3-2 is a table that talks about number of units per building.

It's indicates two row homes are allowed in rural one. The row homes are three to eight per their definition.

I think that just needs cleaned up.

Yeah.

I'm sorry. What district did you say that was RR 1?

Good.

Cottage court.

This may be more of just a statement.

It it just is confusing.

It kind of suggests that.

Multiple Multiplex buildings are permissible in a cottage court project.

I don't know if that's intended an intention of the code there.

It also talks about each cottage core can be on its own legal parcel, which suggests either a subdivision or a Ted. Then I go back to like, well, legal and physical access and lot widths is just a little bit confusing and maybe need some clarity in a second. I.

Can I?

Can I just, Peggy, back on that for one second?

Yeah. Anybody jump in as I go through this, please, I kind of triggered.

Side setbacks as related to cottage cords. If you're trying to make the core, if you're trying to make the unit saleable, you might need to reduce the side yard setbacks or at least setbacks in general for cottage court units.

Because I think it says that they can be within 5 feet of each other, but if you actually draw lot lines in there and have lots then.

They would ultimately be 10 feet away from each other, reducing the number of

units you can get on a.

I don't know.

What does that make sense?

That's something good to think through 'cause. You wouldn't have that set back restriction in a Ted, since there's no setbacks from Ted ownership lines.

I've also talked to a couple developers who are interested in this as a rental model.

Again, where you wouldn't have that issue, but it's good to look into how that would work out for lots and if it should line up with those other kind of ownership types.

Yeah, pulling out the string further if like the FAR.

Would apply uniquely for a cottage court, like if it's all rentals. I think that's straightforward.

Just follow the FIR calculation.

But if it is some sort of.

Line drawn between them.

It's not, frankly, it's not a cage court anymore.

It's a Ted project, right?

And then so I don't know, I was.

I was just starting to confuse myself. Going down the rabbit hole there and I thought it was just worth mentioning.

It maybe needs a second look and the multi multiplexes being permissible.

Within a core core doesn't seem to follow the intent, but maybe maybe that would work.

I don't know.

It did remind me of one thing for the adoption draft that's being updated that I forgot to mention, which is there will be an exemption to floor area ratio for one unit houses and duplexes on very small lots.

I think under 3000 square feet, which could help with some of the cottage courts that are actual platted lots.

OK.

Random little tidbit. Neighborhood commercial building hours of operation.

Seven AMI like my coffee before 7:00 AM.

Umm.

Onto landscaping.

I think we need to or. I suggest maybe looking at adding some provisional language to allow bonding for required landscaping to allow developers to file their TEDS before construction.

I think the 4.9 point O2B2F1.

Suggests that you have to have all landscaping installed before you can file your deck your declaration.

I need to look back at the exact language, but I do believe it allows.

So if you had, say, a common area, yes, that would need to be landscaped prior to filing. But for the individual Ted ownership units that'll be landscaped at the time of building permit.

With that building permit, just referencing back to that original approved ZCP for what's in that TOU bounds.

I could see, you know, small developers that are subject they they need financing and maybe they can't even afford to install the common area facilities until the declaration's filed and they're making money off the sales. So and this isn't something I don't think that's fully explicitly clear.

In code that is a change from today.

Today.

There is a difference between a townhouse and multi dwelling and it's actually based on ownership.

And the new code.

That's not the case, but how we operate today is because those are different building types until they file the declaration, there's a chance we reviewed a multi dwelling building for a townhouse.

So we require folks to file the declaration before building permits, or get what's called a use restriction agreement by revising our building types and aligning the standards with other zoning standards across the code that will no longer be required, they can get a ZCP approved get building per.

And file when they're ready.

Or, you know, file early and start selling.

But I do see how that relates back to, say, common area.

Yeah, and saving.

We're bonding with bonding provision.

Take care of it. Is it?

Probably, yeah.

Umm.

A lot of what Shane said about landscaping I.

Couldn't agree with more.

And you know it's it's the devil in the details that still will be a barrier to the development.

I I think this is one that needs a more critical thought.

You know, I I was kind of doing a scenario of an infill project.

That wanted a small parking lot to serve their small development.

10 stalls.

Five parking stalls on each side of a drive lane.

Now the interior parking lot landscaping requirements. If I understand them right, would require like 19 trees for that small little parking lot. Just generally seems excessive.

And where do you even put it with infill development?

I mean, it's gonna be hard enough to provide the parking demand that developers think that their tenants will need and a building and activity area and landscaping.

And then you have 19 trees to fit in there as well just.

It's a puzzle, right?

It's a very challenging puzzle to balance, but landscaping really seems to be coming to the top as a as a critical path and potential barrier to development, especially missing metal infill housing that the whole land use plan is trying to fix. So and that that standards referring to.

The one tree per 150 square feet of required parking lot landscaping.

Yeah, that's two tree 150 square feet.

Current code is 180 is, is that also potentially too high?

I don't know.

You know that that is more of an architect driven case than an engineer, but so that's me being a little layman running an example calculation and just feeling like this is pretty dramatic.

I mean, we're we're not doing that many of these projects now.

And the point is to try to do them like a lot of our development is happening in, you

know, Greenfield and larger, you know lot.

You know brownfield development?

So it often times it. I mean I I do think that it is a barrier and we'll be much more of a barrier as we try to put you know more development inside of the urban core.

I think it'll promote people not providing the parking they need to.

And the same sentiment goes with like the Max stalls between landscape ions is being reduced from 15 to 10.

I think that falls in the same suit.

Well, I'm going to jump on this too and this is way out of my area expertise, but this is also something that has been brought to my attention as far as like you know, you know, if you're a car dealership or, you know, like if you're beach trans.

And you want to repave your requirement for trees is huge.

Or landscaping and so there seems to be some type of correlation and barrier that is coming about.

Out, you know via this.

I think I'll just add that color.

All right, we're we're getting through these, so thanks.

Thanks for bearing with me.

I just want to note I'm curious what square footage you were using for the parking lot, so I only came up with one or two trees. I was using 9 by 18 1/2 stalls and a 26 foot driveway.

That is also what I use so I will go crunch those numbers again and just double check OK.

I could have.

I wouldn't be surprised if I didn't get it right.

So happy to talk through that.

All right. This next one, I don't know where I personally land on it and this is more of a thought provoking statement.

We were removing residential parking and we're gonna let the market dictate it.

I'm wondering why the same.

The same theory isn't being used with bicycle storage for residential use.

I think that a lot of that is intended to, you know, sustainable transportation, promote sustainable transportation and the resolutions in the ordinance the city

have around that.

I think that is primarily driven by promoting the development of trails and multimodal transportation systems.

An apartment building or a small infill development providing bicycle storage.

In my opinions, a different thing.

Yeah, I mean there there's a couple of really sorry, Aaron Wilson with public works and mobility.

There's a couple of very practical reasons to require bicycle storage.

Over vehicles parking in a development, the 1st is that we have lots of space in our right of way dedicated to parking vehicles.

You know we have required on street parking requirements in our right of way improvements.

You're able to park a vehicle in the street legally, and I suppose you could do that with a bicycle, but if you don't have somewhere to secure it, it's, you know, bicycles aren't individually securable in the way that a vehicle is.

So there's just that.

Practicality of you need a place to store bicycles.

'Cause they are not the same as a vehicle in that way.

So is that practical element of of requiring that and having that available, and it it also supports our goals in terms of providing support for for multimodal activity.

There's also the issue that if you're a renter and you rely on your your bicycle for for transportation, you may.

Not be able.

It's not like you can just choose where you live and say, well, I'm going to live here because.

They're they're providing bicycle parking.

You often just don't have that choice.

And if you don't have the provided bicycle parking, then where do you put it?

The third practical piece is that.

Bicycles are much harder to secure from theft, right?

We have pretty you know, if you talk to anybody who bikes regularly or leaves their bikes secured, the opportunity to steal bikes is pretty readily available. If they're just left out in the open.

And if you go to the police, they don't really do much other than if they recover your bicycle, they'll get back to you and.

I take a report, but it's very different. Having a stolen bicycle and then a stolen vehicle. Right? If you if your vehicle is stolen that there's a high value to that.

I think it elevates it in terms of like what the the criminal penalty is and and the amount of work that goes into securing that. And so there are all these just functional differences between those as vehicle types that.

Having that available is a real, you know, in a lot of ways, the transportation necessity in a way that that requiring vehicle parking on site.

Is just provided for in other ways that makes sense.

It does.

That's that's great context. I think some of that is in the same realm of choice, just like parking.

But I I appreciate that, Aaron.

Thank you.

Yep, yeah.

OK, on to Ted's.

Like I said earlier, I think we're embracing Ted's continually like we have in the past.

A lot of the standards that were in place are in place today are in the the draft code.

I I just have Y's behind some of them like I think they were there originally when legislation implemented this option for development and maybe the city panicked a little bit and was worried about how are we gonna control these. And they came up with some of these.

And they've lived on until today. A couple of them that I would just ask the question and maybe we can keep them as rhetorical for now.

Is Y limited to non residential?

Or restricted to only residential, the county allows commercial.

I think the entire state that I'm aware of most other municipalities allow commercial in Teds.

I was trying to play devil's advocate and I don't know good why we couldn't have neighborhood commercial be part of a Ted project.

But jump in if you do want to respond. You don't have to.

Yeah, I think it's something that I definitely like to hear more on, especially if the

county is having success with it.

There was a point before I worked here when that was allowed.

I'm only aware of one Ted containing commercial development that was ever approved but never constructed.

It was for a Dollar Tree, but one of the issues that I think may happen is it you are required by the county clerk and Recorder's office to submit exact floor plans when you file the declaration.

Anytime you change those floor plans, you need to amend it.

Get sign off from all the other people in the declaration and with commercial businesses you tend to have tenants changing over over time. A lot more changes to floor plans than when you would residential.

So really, it's a lot of red tape around trying to keep those businesses in place when other homes on the lot do have a say over what they can and can't do.

But again, if there are other places in Montana having success with it, it's definitely something to consider.

And I'm wondering how they with sort of those processing issues.

That that's a good point.

I actually hadn't contemplated, so thanks Cassie.

I think my mind was going to.

A very small development, let's say mixed-use and for financing they need the residential separated from a commercial.

Today, their only option is subdivision.

But Ted is a nice, simple process to actually allow that.

Another Y is Y couldn't maybe smallplex buildings be allowed within a 10 development like a fourplex?

Today, it's prohibited.

Yeah. And in the draft code it is.

That is something I'll need to dig up the state law 'cause. It's hard to find.

I have it written down somewhere deep in notes.

It's not in the regular 7625 rezoning laws we look at. Again, this is more in the clerk and recorder's set of laws.

I'll try to get that pulled for next week, but it does talk about ground related units.

Or each unit having title to it. The land which you don't get with a four Plex.

But yeah, I will pull that state law and have it ready in the future, OK?

All right on to subdivisions.

Not much more thanks folks.

Parkland dedication is not required for the following subdivisions.

A subdivision which all lot created may occupy by only one dwelling unit. Based on zoning. I think Maloop would require allows buy right two for every.

Why is that even in their curious if there's a there's an intent or a purpose for that to actually apply.

Yeah. So that that was a regulation under the state law that we will be moving out of with adoption.

It's not in the new, EM Lupa, however.

We are moving that forward. Regardless our code does say and it's been clarified the language for the adoption draft that everyone, regardless of parcel size, does get 2 units on their parcel by right.

I would need to go back and check because I agree.

I don't think we have any districts that would only allow for one unit that might just be something that got copied over and not eliminated, OK.

Still on Parkland dedication.

I've got a few of them here, so this this was new to me.

I believe from today's code and moving forward at time of building permit, cash in lieu could be required for additional dwelling units that maybe weren't contemplated at time of subdivision.

Is is that new?

Yes, it's a. It's a different calculation than before and that's part of the new calculation.

How would that apply to existing subdivisions?

Sorry activity or area or what, so at time of building permit cash and lease required for any additional dwelling unit in excess of what was delineated in the application at preliminary plat and that would only apply to building permits and subdivisions that have their preliminary plat approved after.

The effective date of this code, so it won't go back and apply retroactively to previously approved subdivisions.

I've been trying really hard since hearing that you're just removing adus.

This could be one that would maybe benefit and be, you know, a provision that said if you actually were meeting an Adu standard, not subject to this cache in lieu. This is gonna be, you know, for builders and future land owners

AR With cash and payment. I'm just it's gonna surprise a lot of people.
Five point 2.08 says land donation.
Big difference between donation and dedication.
Should it say dedication?
Lucy, any thoughts on donation or dedication?
If not, we can take a look at it this week.

LR **Lucy Rummler** 0:35
Yeah, I think.
I think I'll have to take a look at that.
I'm not sure off the top of my head.

AR **Analeshia Rodriguez** 0:40
OK.
And then that would clean up my initial confusion around it because I thought it was talking about donation. As in someone donating land to the city, which is not dedicating land through subdivision law.
So just some clarity there.
But under that.
Sorry, it talks about.
It it seems to imply that all the power is with the Director of Parks and Recs and the planning administrator.
I believe it says to decide to make the decision whether it should be land dedication, cache in lieu, or a combination.
It doesn't say anything about the applicant having a choice in those options, and I'd just highlight Senate Bill 553, this legislation that has some specific language.
Something like given due weight in consideration to the express preference of the subdivider, and I think there's interpretation there that maybe a governing body can't tell a subdivider he can has to dedicate land rather than pay cash in lieu.
553.

The way it's written right now, it's like the applicant has no choice in the matter.

We we will review that Bill.

That's helpful.

Last 15.3.01 C in the preliminary Platt submittal, it talks about when creating lots less than 20 acres. The subdivider must provide evidence of approval from MDEQ.

That is impossible because they require public comment in the preliminary Platt conditions of approval to provide their approval.

So it's a cart in front of horse situation.

Maybe just some clarity on quote evidence of approval.

Yeah, absolutely.

I'll get back and talk to Trey and Mary about that one.

And Ross left for my last point. So I'll follow up next time. Erin may be able to answer.

It's a simple 1 Erin, the late comer's agreement, the 5% administration fee.

Maybe not that 1K.

You can.

That is all I got.

Shawn, thanks everybody. Absolutely very well done.

OK. Anybody else with thoughts?

Questions Danny tennenbaugh.

I have one more question. I went to the open house and there was I think it was on this past week. Last week there was a great poster or board showing you are three proposed UR3 and in that picture.

There were three Storey apartment buildings with gabled roofs, and it actually looked really nice.

It looked like the buildings at Fort Missoula that are used for offices by nonprofits and things like that. You mentioned height limits and UR3 and UR4 are gonna be going down by 5 feet in the next draft.

Yeah. So based on some public feedback we are getting, I think right now it's calibrated to 40 feet and 35 feet.

Which 40 feet could potentially allow for four stories in a flat roof, which was not our intent in that district, whereas 35 feet is 3 stories.

Whether really it's a flat roof or a gabled roof and so we wanted to ensure that the code isn't consistently incentivizing flat roofs at 4 storeys. Hearing some of the

concerns about compatibility from the community.

And similarly I guess I think I'd need to check the UR 4 numbers again and that'll be out tomorrow.

I might have got those just off but same.

Same issue with a 5 foot change.

OK.

Yeah, I do want to change mention. There is some change in our measurement roles today.

We measure from existing grade, which is really difficult considering once the structure is built, existing grade is gone.

We have nearly no way to check for compliance when we get complaints.

The new code will measure from finished grade.

Today also, it's from the lowest point of the building to the tallest point. Even if you have weird slopes.

And so regardless of slope now it'll use an envelope.

Which recently we've had two variance requests.

Where it's not sloped enough to trigger a different measurement rule, but sloped enough to cause issues with our current measurement roles.

So that's one improvement we're looking at making.

OK. So 35 feet is the new?

Will be the new proposed height limit in UR 3. Is that correct?

Correct versus the current 40 feet?

I'm not a builder.

I I'm a consultant. I don't.

I don't have experience with putting projects through the permitting process.

My instinct, however, is to go up to solve this problem as opposed to going down.

I I personally don't know if 35 is enough for well designed three story buildings.

I guess there's people on the board who probably can answer that.

Better architects.

Code users out there who can answer that better, but yeah, my instinct is to go up given overall goals of this process.

To build inward build upward, make infill easier.

Reduce the pressure to build outwards.

Anybody.

Chain.

Danielle.

You know, I I think you can reasonably it.

It really depends on how big the wad is, right?

Like you're doing a pitched roof. If the watts 60 feet wide and you have pitched roof, then obviously it's gonna get a lot taller than if it's a 20 foot wide lot and you just and you have a pitch roof.

So I guess I don't necessarily have an opinion on it.

Yeah, you can get three stories and you know.

35 feet I I you know in general.

I guess.

I I was always kind.

I didn't mind the old.

Maybe not the standard, but the old language in the code that was just, you know for instance, I think it was like a 3035 or a 3540 or 4045 or whatever it was.

So if you did flat roof.

You know, it was the lower of the two heights, and if you did a pitch over six and 12:00 or 8:00 and 12:00, then you got an extra 5 feet of height. It actually made a fair amount of sense to me.

Because it naturally steps back, oftentimes away from the property lines, to allow light and things like that to get into your neighbors parcel protect their solar panels and all those things that we know are important.

So you know.

I think that encourage pitch roofs and with the with the two height standard I I'm probably not gonna speak right now to the the heights that you currently have.

Does that make sense?

Yeah, and and that was something that current 30 or 35 feet depending on roof.

Pitch was a point of discussion, certainly.

And it was really hard to evaluate keeping that just because today you really only see single family homes in those neighborhoods, right?

Or maybe a duplex and they almost never needed the 35 feet, so I've rarely seen that additional.

Height or a pitched roof?

In action, but I'd be curious now that those districts allow for so many more building types if it actually would be utilized.

Yeah, I mean, I guess maybe I'd advocate for somewhere in between where you guys are and where I think Danny is you know, if if you're if if as written in the thing that we currently have.

It's 40 feet in AUR 3, which I think is the case. And you're saying that you're gonna bring it down to 35 feet potentially?

There's the option to do a 3540 or something to that effect, which gives you a little bit more height for a pitched roof and definitely allows you to get a three story structure.

In there well, still buffering your neighbor's property and allowing gardens and solar access and things like that.

And I think it would be 4550 and you are for yes, I think I was off by 5 feet when I first said it. OK, cool.

Why discourage flat roof buildings?

I don't know that we want to discourage it as much as making sure that the heights aren't calibrated to where you're getting next.

Restoration essentially every time, just by virtue of doing a flat roof, especially at the open houses. I had a lot of members of the Community mentioning that abled roofs do is something they're looking for, and so we don't want to get into requiring certain roof patches, but we.

Definitely wanted to make sure that our code wasn't incentivizing one or over the other.

OK.

How we doing folks got questions?

All right, you guys are doing great.

I think most of my stuff got hit. Ross left.

And I know now where to find fencing, so I'll go look that up and we'll talk about it next time.

Let's see.

I just got. I just wanna clarify a little bit.

I think Shane somebody addressed this earlier, but so we're gonna be looking at the

amendments to the land use plan.

That'll be included in next week's presentation as well, right?

So we'll have those motions.

Both on the floor at the same time, right?

That's how we're kind of moving through this.

Hopefully one package, but with separate motions for each item.

OK, great.

OK.

This is I'm not going to get. I'm just going to skip most of what I have.

I'm a little curious about the dispensaries getting moved.

Just curious about that.

Like what triggered that?

It came from council.

They actually included an implementation action in the land use plan that specifically said to increase the buffer distance between dispensaries. And so that was really a decision or policy guidance that last winter interesting.

And heard that.

And I'm assuming that will apply once this all comes in, but won't it?

I mean, clearly we have some dispensaries around 500 feet, yes, and nonconforming dispensaries can remain until they, you know, move out of that space. And then a new one. Well, a new one can come into the space.

But if there was another use in between, right? Yeah. OK, great.

I think cash and new questions got answered. Oh.

The riparian area rewrite.

I'm not going to talk much about it, but I am.

Very happy to hear that.

That is something we're going to be addressing in the future because.

What was the subdivision in East Missoula? Rick aspire.

That, I think is is probably the shining example of trying to get around riparian areas.

Yeah. Or at least that was one of my personal beliefs that was going on there. So I'm happy to hear that.

And then I think just the last thing and this is this is just.

My feedback and I kind of a question as well, but I don't personally agree with the

new rules that the state legislature came out with around public comment. And in my mind, we're kind of pulling out some of our public comment and public feedback from some of this process and I'm.

I am anticipating maybe a a greater need on behalf of the city.

To inform the public as things go forward more.

And so just trying to get it out there that you know we're going to have to work on our communication.

Otherwise, we're going to have a lot of really upset people.

Because you know, I mean, we know how it goes, right?

Nobody knows anything is happening until it's on their doorstep.

And if they don't have any way to come and vent, then you know we have to find a way.

To circumvent that.

Which I'm sure you guys are aware of, but I think that's to me that's a really important piece of all of this is keeping the public informed.

And there still are noticing requirements for anytime staff is making more of a subjective decision.

Just meaning it's not black and white standards, but we have review criteria instead, like variances for example.

So there is still in Chapter 2A noticing.

Table showing which types of noticing we do for each process, though they are not coming to vent to say to board of adjustment. Staff are here to vent through and we we do have to respond to those public comments and sometimes issue memos in response to them and.

Do another round of noticing is what the state law requires.

So it is very different.

You're not showing up to a public meeting in the same way, but we are hoping to still really get the word out.

Great, yes.

And we can.

We'll work on that more later.

OK.

I think that's all I have. Is any other board members have anything to please go

ahead.

Yeah, just a comment and a couple of laymen questions.

I'm not nearly as versed as my colleagues here.

I wanted to build on a lot of what Shane was saying as far as the Devils and the details. I think that we, we've all done a tremendous amount of work to try to increase and provide the structure for increased density and increased housing, but. Random things like landscaping, park dedication, all that I think could potentially be problematic, and it sounds like that's the prevailing thought from some folks. So I encourage you to take a hard look at that.

And then I had a clarifying question procedurally about the land use adoptions as well building out what Shawn was saying.

Just coming off of our last meeting last week where there was some concern about very specific areas of Reserve Street that that may in that particular couple of blocks. May not be as appropriate for higher density.

Is is now the opportunity for the public to become and say, hey, in this particular area, maybe we need to revisit that particular zoning or is that something to be addressed later?

Yes, to some extent.

And so state law does require us to to create a zoning map that it that reflects the place type map that was adopted in the land use plan.

And so if folks are advocating for zoning designation, that is different from the place type that has already been established, that requires us to go back to the land use plan. And the pretty thorough assessment that was required through state law in the land use plan to estab.

Those place types, we are recommending a few small shifts send place types that will result in changes in zoning as well.

But there is a pretty thorough process around that.

It's not just remapping something from one from maybe like a residential to a mixed-use or a mixed-use to an industrial.

And it does require us to also justify and amend the place type because state law requires those two things to be In Sync with one another.

Yeah, that makes sense. I just.

The historically we've just had lots of.

The things that have been most controversial have been the sort of the odd lot sizes or the odd, you know, geographic areas, whatever.

And I'm just.

Yeah, I was just curious about that and I would definitely encourage folks that you're hearing from to reach out to us. We've been having a lot of conversations with people who, for instance, are in a mixed-use zone today and maybe.

Are engaging in a pretty industrial use or have a building type that's not allowable and their primary concern?

Earn is that they're building in their uses, becoming non conforming and they are familiar with our prior non conforming approach which was kind of punitive in nature and really kind of discouraged that business to go somewhere else or didn't allow for a lot of expansion on that lot.

Our non conforming chapter is very different today and it encourages those businesses to continue, allows reasonable expansion of their building as it is today and so.

So there is some worry about that. And then there are some instances where we just got it wrong too. And hearing from those helps us.

Identify those and and figure out if that should be something different.

So I would definitely direct folks our way.

Great. And then this is more of a layman question coming off of Danny's about the Ralesnake and Ralph and garden in particular.

So I appreciate that that the current the new zoning is a lot more permissive as far as commercial uses.

So, but how was something like the den up in Linda Vista?

That's a very commercial thing.

How does that in the in this new thing, would that have to become a a rezone or a variance?

Nope, so res, restaurants, Taverns, those are all considered.

Neighborhood commercial, so those will be allowed in all residential zones.

The big difference between the allowability in a residential zone and in a more.

Kind of busy bustling urban mixed zone is going to be some of those operational standards. Making sure Danny's coffee shop is open at six or five.

In those restaurants and Taverns are closing a little bit earlier because they're in that

neighborhood context.

And so there'll be some operational differences, but the uses themselves are allowed there.

Great. Thank you. Yeah.

I think Madsen just brushed by it earlier, but we did look at the Den site, which does have a much larger building than I think would be allowed.

There's also an empty building site on that lot, so that is one of the targeted land use amendments where it was a node for commercial activity in the previous PUD zoning that we had missed and want to carry over into the new zoning.

OK, Shane.

Do I have this correct?

Taverns are not allowed to be in a neighborhood commercial zone, correct, but a restaurant could, say, serve beer and wine as an accessory use.

Sure. OK. Just wanted to make that clarification and I mean.

I I get the neighborhood commercial and whatnot. But you know, under the under.

The neighborhood commercial in its current written form does not seem to be a cure all for like getting commercial activity in these areas because of the square footage restrictions and some of the use restrictions in there.

And.

I don't know.

Like the, the Den could not be created, you know.

On January 22nd.

It like it.

It just wouldn't be allowed, I don't think.

Under the current zoning.

OK, I'm. I'm just.

I'm I'm just trying to say that yes, it can exist as an existing nonconformity, but I think it's too large to fit into a neighborhood commercial standpoint.

And if it was primarily a Tavern, I know it serves food, but it was primarily a Tavern that's also not an allowed use.

So, and I appreciate that.

That's that's kinda what I'm getting at, which is could something like the den be built up the rattlesnake? And it sounds like no.

Have to look at the size again.

I think there we primarily were looking at that empty piece in the old setting, but.

Yeah, I I don't know off the top of my head how large the den is.

Looks like that full building overall is quite a bit beyond the caps and zoning.

Just measuring, I think just the footprint looks to be about 9000 square feet.

OK.

So, assuming it's couldn't, and if some exactly to Shane's point, if if someone wanted to have some more commercial, a larger commercial operation up the rattlesnake, they'd have to go for a rezone or some kind of variance, right?

Correct. And in some cases a targeted well, I think in all cases, if it were residential, you'd be looking at a targeted land use plan amendment as well to be able to go to a mixed-use.

Zoning district.

Otherwise, you're kept within the districts allowed by the place type.

OK. So that that is new given that the restriction about having parity with the land use.

And the land, the place type. That's a new. That's a new restriction. Talk like.

No, it's not we we currently do what we call targeted growth policy amendments in cases where a developer needs a rezoning.

That's not a current, relatable zoning district.

And after analysis, we determine that a different.

Land use designation as appropriate.

I know I took one through 4 riverfront trails.

Just a couple years ago.

I I'd add one piece of context though. There is a difference and the prior had substantial compliance with the growth policy which gave some flexibility there where you could rezone and argue it's in substantial compliance even though it didn't match exactly what the growth policy designation was.

And I think the changes in state law.

So is that correct?

You don't have a choice in the matter to determine substantial compliance with Direct Line compliance. The state law language still says substantially complies with the land use plan.

So that is still in there.

I think the difference is maybe it's not a difference even today.

I think some examples where we haven't chosen a comparable zoning district for land use designation, we actually recommended a district of lower intensity.

Say due to floodplain issues that weren't captured by the land use plan, we do require targeted growth policy amendments to go above and intensity what the growth policy recommends, and so this works pretty similar to that that that site on Californian, Idaho along the river seemed to be.

An up zone that was beyond the growth policy designation.

I was actually thinking of that exact example, so we recommended a.

B District for those parcels, which is lower intensity than the C commercial districts that were recommended in the growth policy. OK.

To your can I can I just add 1?

I think in the current language it doesn't.

Imply substantial compliance, so I would just take a look at that where you talk about rezone applications and its alignment with the land use plan it it may be pretty restrictive with its current look language and aligning directly.

So I I think although it uses the term substantially comply reading through how many times it's listed.

It's definitely the state's intent that it should be very, very close.

I mean.

I don't mean to delay her.

The point?

But I mean, it does seem like you know, neighborhood should each kind of have.

A little section of neighborhood commercial within them and not have to leave your neighborhood to to be able to go to a commercial, establish it to go to a commercial establishment that's over 2000 square feet. And I guess that was maybe the point that I was started.

To make with.

The rattlesnake.

And really, at home, their tongue.

So I appreciate that, but you know.

You know, I'd rather.

You know if.

I'm not.

I'm not saying make it a commercial center. You know what, umm you 4 umm, you three that everybody's driving to but little neighborhood centers, I think.

Are I think that they're one of the goals of this?

They create more walkable, pedestrian friendly.

Places and to have a.

You know, coffee shop in a restaurant of reasonable size.

Seems reasonable.

And if we need to look at, you know, the amount of ur three that we're putting up the rattlesnake to counter that in traffic or something like that. If it truly is a safety concern, then I think that's another thing we should look at, but.

Let's give them the ability to.

Develop good commercial projects and.

In the in areas that it currently exists.

Yes, I mean like it.

It's there.

It doesn't seem to be a problem right now.

Yeah, there are really two ways. I think planning board could go about requesting that kind of amendment.

The first is just simply to increase that size cap for neighborhood commercial to allow more flexibility.

That's definitely the easier route. The second would be to actually create those mixed-use nodes. A lot of analysis and land use plan amendment to target where those should be and to noting that mixed-use districts have no density limits.

Yeah.

One might be easier in the time that we have. One could have really bad repercussions in the future, however.

I mean looking at the map and adjusting the node seems pretty straightforward, but to upsize everything to.

I don't know 10,000 square feet or whatever the size of your lot is for neighborhood commercial seems out of proportion. Seems like that would need more study.

To see if that was right.

Umm.

Go go ahead.

I think Danny wants to jump in.

Are you good?

I've I've been a couple procedural questions for the go ahead. Quick question exemption from commercial parking requirements. Last time it was or last time I saw the draft, it was downtown commercial.

Has that expanded at all?

Oh, it has not expanded.

Not even the downtown transition need to check back at my notes, but I don't believe that was one of the updates.

Aaron's shaking her head.

No, just giving a shout out to that change that I know other people have talked about.

Just the same logic for.

Not imposing residential parking mandates. The same thing applies to commercial, and I think at least into downtown transition and a couple of the the higher dent use higher intensity mixed-use zones I think makes perfect sense.

For what the city's trying to accomplish.

OK.

You good then great.

All right. You wanna do your procedural and?

I'll bring up agriculture next week.

So.

As I understand it.

We'll be having three hearings, three public hearings, hopefully voting.

On December 2nd.

Then ultimately, this board's gonna get dissolved and some people may or may not be on the next iteration of this the Planning Commission.

But every amendment that happens to the zoning code.

Does not. Is not going to go through the Planning Commission.

It it will go through Planning Commission and it will follow the same rezoning process we're going through right now.

Just hopefully not on this large of a scale for a long time.

Fair enough.

Yeah. OK. I just wanted to make sure that it wasn't the the the last time that like my friends and I ever get to see this.

And then like I'm, I'm honestly curious procedurally on how this thing is gonna work over the next three sessions.

Like you know, you said the land use plan is the first thing that we need to do, which makes sense I suppose. But it's also kind of like the the last.

Minute.

The the votes almost need to be broken up into digestible chunks. I guess in my view and.

I guess maybe it'll all work itself out.

You know, I I guess do, do we have to put all the motions on the table? We don't have to put all the motions on the table.

To begin with, right?

Or like or any amendments on the table.

I'm I'm more thinking like we could end up stacking like a lot of stuff together, which would be confusing for probably everybody involved.

Do you just mean like in the way those motions are ordered, or which hearing they appear at?

Yeah, I guess I'm. I'm curious, I guess maybe about, you know what, what type of presentation you're planning on?

Putting together and should there be public comment related to each one of the? Motions that are going to be on the table.

So we're gonna be changing the land use plan, for instance.

We'll be, you know, potentially adopting the UDC and then we'll be adopting the map.

So 3 separate motions and it's gonna be a lot for a lot of the public to be sitting through likely.

And if they're only?

Interested in a piece of it?

Can we sort of even a way to bite it off one chunk at a time?

In the, the motions will have to be made as separate motions. I think I'd need to go

back and look at Robert's rules of orders or the bylaws to see how you have to fit public comment in with each of those.

Typically you do have to put a motion on the floor to begin discussion, but that doesn't mean you'll all necessarily vote that way.

It just moves you from questions to a discussion point.

But that's something I can look in, and Erin and I can think about before next week just to see how we break that up.

While also acknowledging it as all related.

Yeah, yeah. And it seems like if memory serves me correctly.

You know hearing designation.

So if the land use plan is one hearing with a motion and then the UDC isn't like a separate hearing with motions and public comment, that's one way to approach it I think.

And I guess.

In my mind.

The land use plan ideally should be a little quicker, at least for us as a group because we're making amendments and digestible.

And so in my mind, we would try and tackle that.

Get that set aside and then ideally the UDC.

Is there a third one?

What do we have?

What's the third one?

The map.

That's right.

And that's the last.

Yeah. OK.

And then so the UDC is gonna be the biggest chunk, the biggest left, right?

Likely as far as amendments go, but we have received a lot of public comment on the map as well.

I didn't hear many questions about it from you all today, but.

That's that's also a fairly big piece, in my opinion. OK.

Thoughts.

Well, I mean.

We kind of need to.

We almost need to settle on the zoning map in order to pass the proper, you know, land use plan though.

Which is the problem with? You know, having you know, separate hearings or whatever we need to, you know, essentially find consensus on a zoning map that we can support essentially, then that needs to be translated back to if there's any changes to that, then that would need to.

Be translated back to.

To the land use plan if that makes any sense. Yeah. And again, we'll get back to it.

But I'm just thinking it could also make sense to run through and vote on all of your amendments for all three, and then have final motions at the end that actually say we recommend approval or denial, subject to the amendments we voted on earlier. That could allow you.

To go back and forth a little bit with amendments before you get to that final vote. Rather than fully doing one than the other.

Something that we can look into and chat about. Yeah. And given the hour, it seems like you guys can take the time. And then Tuesday at our pre meeting, we can rehash this out.

And then we don't have to necessarily work on it tonight.

I think we've got enough thoughts out on it. Unless you disagree with that.

No, I think that's fine.

It's just the pre planning board like it might start to set up how your presentation goes, which is the only reason I'm kind of bringing it up right now.

Because your presentations in theory will be set by Tuesday at noon.

I think we can have the presentation.

We'll be thinking through those presentations for those 3 discrete topics. And so I think if there's a way that you prefer.

How we give that information to you in terms of sequencing, that can probably be easily adjusted.

I can check with our city attorney as well and and make sure we're following kind of the proiring sequencing and ordering that we need to in terms of that.

But I I do think we can.

Be flexible in how the information is presented.

Umm, what sequencing makes the most sense for you?

OK, great. I did have one other thought that I'm glad this discussion brought me to and the question I've had is just whether we should consider like time limits to a certain degree and how late we should go given that we've got three meetings maybe ideally we.

Can.

Come up with something just as a suggestion.

We don't need to talk about this, but just to throw that out. Thinking about volunteer board and public City Council is welcome to sit until 2:00 AM. They get paid to do that.

I will just point out too that I know some things you want to discuss on the record, and there's real value in that. We also can come really prepared to answer questions or answer questions that you just want answered, but don't need to be answered on the record.

As well.

Well, if you send those to us between meetings, we can be working on that and getting you that information ahead of time too, and that could potentially save some time in the meeting.

OK, great.

OK. Anybody else need anything tonight?

OK, awesome.

Thank you guys so much for your time and energy and your efforts.

We appreciate it.

Go home. See your families. Do whatever. See your dog.

Have a good evening.

We'll see you guys next week.

Look up at the sky.

Oh yeah, it might be doing something.

It's crazy, right?

Like this time of year to see the Northern Lights.

Yeah. I just.

Yeah, but.

Or not this time of year.

Excuse me, the hour, the early hour.

Not this time of year.

OK, committee reports, do we get anything tuned?

OK, old business. Anything new business? Nothing. Comments from board members.

OK, not seeing anything, just a little bit of information for y'all.

We are getting ready after this.

Big chunk UDC, all of it.

To transition these boards, however, there is going to be some overlap.

There may even be into January, depending on who you're appointed by, whether it's the county or the city.

So.

Both entities are asking folks to hang on as long as you can.

I know some folks are looking to maybe transition away.

But I want to encourage everybody to do what you can.

And as far as helping out, as long as you can and encouraging folks to jump on the new Commission's as best you can or find replacements for yourself.

And I did want to have some other conversations, but we'll just have to say that it's getting late.

So I was kind of curious.

How this is looking for the professionals?

I mean, you guys had a lot to say, which was awesome. Greatly appreciated.

I'm also like curious like what it's like for you guys, but I don't know if we can really take that time.

It's past nine so.

Maybe at some point we'll chat and see what you guys are thinking and how this is feeling as far as the professional world.

And with that, we are adjourned. John real quick.

Yes, go ahead. Getting off of your thing about the transition and everything. Do we really do we need to think about electing another chair?

Like sooner rather than later, yes.

We will need to or y'all will need to think about a new chair after December 2nd.

I will get sworn in December 5th.

There's been a little bit of inquiry about whether or not I could help with county stuff.

Which at first I was amenable to, but now I'm not sure if that's a good idea.

Trying to sit on City Council and also trying to sit on this board, even if it's just for county business.

So yes, somebody is going to have to either step into the vice chair if Shane wants to move to the chair.

Or somebody will need to step into the chair position for at the very least, December.

Good question.

Thank you.

So be thinking about that and hopefully that'll be easy.

Sometimes it's not.

All right.

Anybody else, before we adjourn. OK. We're adjourned, folks.

□ stopped transcription

OUR
Missoula
Growth Policy Update —
— *& Code Reform*



Planning Board

Informational Presentation
11/12/2025

Agenda

Project Update & Background

Land Use Plan Amendments

Code Layout: Overview

Chapter 1: Introduction

Chapter 2: Administration and Procedures

Chapter 4: Zoning

Chapter 5: Subdivision

Chapter 6: Infrastructure Improvements

Key Dates

Project Update & Background



Our Missoula Phases



Land Use Plan

Place Type Designations



Urban Residential High



Urban Residential Low



Limited Urban Residential



Rural Residential



Downtown



Urban Mixed-Use High



Urban Mixed-Use Low



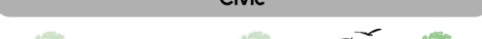
Limited Urban Mixed-Use



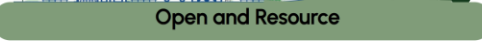
Industrial and Employment



Civic



Open and Resource



Parks and Conservation Lands

Focus Inward

The Goal: Focus development and infill within the Plan area to minimize strain on infrastructure and prevent sprawl into sensitive and constrained lands.



Environmental Quality & Climate Resilience

The Goal: Balance urban development with environmental protection and resilience through sustainable practices and mitigation of impacts to sensitive lands.



Housing Choice & Access

The Goal: Develop a diverse, equitable, and resilient housing system that meets current and future needs and limits displacement.



Health & Safety

The Goal: Ensure access to services and infrastructure that support health and safety.



Community & Quality of Life

The Goal: Enable community access to opportunity as well as social, cultural, recreational, and public amenities.



Economic Health

The Goal: Promote balanced growth by supporting commercial services with improved infrastructure and connectivity while also considering climate, mobility, and community compatibility.



The Street Types

Neighborhood Residential

These streets provide multimodal access to and from adjacent residential properties. These streets are quiet, shady, and kid-friendly, an extension of your front yard. There is very little traffic and cars move slowly.



Community Mixed-Use

These streets are vitally important multimodal corridors support dining, shopping, and employment opportunities, enhancing Missoula's character and economy. They connect residents from their neighborhoods to commercial and cultural centers.



Neighborhood Greenway

These streets connect people biking, walking, and using micromobility devices to nearby destinations and other neighborhoods. These low-speed streets often run parallel to more intense streets and provide enhanced crossings at major intersections.



Regional Connector

These streets are critically important to the regional travel network and generally serve as gateways to the urban core, where they often transition to Regional or Community Mixed-Use.



Neighborhood Mixed-Use

These streets support adjacent shopping, dining, and employment opportunities. They are located within/adjacent to residential neighborhoods and host a variety of low impact commercial activities along them. They often act as transitions between lower intensity and higher intensity uses.



Regional Mixed-Use

These streets serve as gateways, introducing people from around Missoula and the wider region to the city and its major destinations. These streets are critically important to the regional multimodal network, passing through areas of significant commercial land use and pedestrian activity. They carry high traffic volumes but must do so safely.



Community Residential

These streets are high quality residential corridors that also have an important function in the larger transportation network. They may serve popular destinations such as parks, schools, religious assemblies, and recreation areas.



Industrial

These streets serve adjacent industrial land uses that see frequent truck, freight, and delivery traffic. They should accommodate current uses while also being adaptable to and compatible with redevelopment into future land uses.



Montana Land Use and Planning Act (MCA 76-25)

- New requirements for adoption of a land use plan
- Requires adoption of zoning & map complying with the Land Use Plan
- Requires at least 5 zoning methods for encouraging housing
- Updated processes for development applications
- Planning Board transitions to Planning Commission
- MCA 76-25-303 Limitations on zoning authority
- May 2026 – state deadline for compliance



Adoption and Amendment of Zoning Regulations (MCA 76-25-

(c) make a preliminary determination as to whether the zoning regulation and map as proposed or as amended would be in substantial compliance with the land use plan, including whether the zoning regulation or map:

- (i) accommodates the projected needed housing types identified in **76-25-206**;
 - (ii) contains five or more specific strategies from **76-25-302** to encourage the development of housing within the jurisdiction;
 - (iii) reflects allowable uses and densities in areas that may be adequately served by public safety, emergency, utility, transportation, education, and any other local facilities or services identified by the local government in **76-25-207**;
 - (iv) allows sufficient area for existing, new, or expanding commercial, industrial, and institutional enterprises the local government has identified in **76-25-208** for targeted economic growth in the jurisdiction;
 - (v) protects and maximizes the potential use of natural resources within the area, as identified in **76-25-209**;
 - (vi) minimizes or avoids impacts to the natural environment within the area, as identified in **76-25-209**; and
 - (vii) avoids or minimizes dangers associated with natural hazards in the jurisdiction, as identified in **76-25-209**; and
- (d) preliminarily determine whether the proposed zoning regulation, map, or amendment results in new or increased impacts to or from local facilities, services, natural resources, natural environment, or natural hazards from those previously described and analyzed in the assessment conducted for the land use plan.

-
- (d) The governing body may not adopt or amend a zoning regulation or map unless the governing body finds that:
- (i) the regulation, map, or amendment is in substantial compliance with the land use plan; and
 - (ii) the impacts resulting from development in substantial compliance with the proposed zoning regulation, map, or amendment have been made available for public review and comment and have been fully considered by the governing body.

Adoption and Amendment of Subdivision Regulations (MCA 76-25-403)

(c) make a preliminary determination as to whether the subdivision regulation or amendment to a subdivision regulation is in substantial compliance with the land use plan and zoning regulations, including whether the regulation or amendment:

- (i) enables the development of projected needed housing types identified in the land use plan and zoning regulations;
 - (ii) reflects applicable strategies from the land use plan and zoning regulations to encourage the development of housing within the jurisdiction;
 - (iii) facilitates the adequate provision of public safety, emergency, utility, transportation, education, and any other local facilities or services for proposed development, as identified in the land use plan and zoning regulations;
 - (iv) reflects standards that provide for existing, new, or expanding commercial, industrial, and institutional enterprises identified in the land use plan and zoning regulations for economic growth;
 - (v) protects and maximizes the potential use of natural resources within the area, as identified in the land use plan and zoning regulations;
 - (vi) contains standards that minimize or avoid impacts to the natural environment within the area, as identified in the land use plan and zoning regulations; and
 - (vii) contains standards that avoid or minimize dangers associated with natural hazards in the jurisdiction, as identified in the land use plan and zoning regulations; and
- (d) preliminarily determine whether the proposed subdivision regulation or amendment to a subdivision regulation results in new or increased potential impacts to or from local facilities, services, natural resources, natural environment, or natural hazards from those previously described and analyzed in the assessments conducted for the land use plan and zoning regulations.

(c) The governing body may not adopt or amend a subdivision regulation unless the governing body finds:

- (i) the subdivision regulation or amendment to a subdivision regulation is in substantial compliance with the land use plan and zoning regulations; and
- (ii) the impacts resulting from development in substantial compliance with the proposed subdivision regulation or amendment to a subdivision regulation have been made available for public review and comment, which have been fully considered by the governing body.

Engagement

- Substantial engagement prior to code drafting for Land Use Plan
- Post card sent to every resident and property owner in the city
- Three Frequent Code User Meetings in 2025
- Two events with Missoula Organization of Realtors
- Our Missoula Community Advisory Group (OMCAG) Meetings
- Open Houses on October 9th and November 5th
- Meetings and events with individual community groups and stakeholders
- City Chats in the Park
- Web and newsletter outreach
- Public comment opportunities – Engage Missoula, public meetings, email, mail



Land Use Plan Amendments



Amendments to the Land Use Plan

What

Update & align the Land Use Plan with the UDC.

Why

- To replace outdated content,
- Strengthen policies, and
- Reflect community input for sustainable growth & public well-being.

How

Same adoption timeline as UDC. Separate from the UDC.

- UDC is an Ordinance (law).
- LUP Amendments are a Resolution (policy).
- **Voting on the Resolution is legally and clerically separate.**



Amendments to the Land Use Plan

32 Map Amendments

- West Broadway → **Industrial** & Employment
- Grant Creek “horseshoe bend” realigned
→ Urban **Mixed-Use** Low
- Citywide updates to align with **2025 PROST Plan**
→ Parks & Conservation redesignations
- University of Montana parcels
→ **Civic** to reflect public use
- Miller Creek Rd & Linda Vista
→ **Mixed-Use** neighborhood node
- Rattlesnake winery/vineyard
→ expanded for agricultural/working lands
- Riverfront block → **Mixed-Use**

Text Amendments

- **Zoning districts** updated to align with new UDC (Title 22)
- **Childcare** centers now allowed in Industrial & Employment areas
- **Airport** Hazard Area added as a constraint for select Place Types & in Policy language
- **Street Types** Map clarified as illustrative
- Industrial **Mixed Use** (I-MU) renamed Transitional Mixed Use (T-MU)

Code Layout: Overview



Table of Contents

Unified Development Code

Ch. 1: Introductory Provisions

Ch. 2: Administration & Procedures

Ch. 3: (Reserved)

Ch. 4: Zoning

Ch. 5: Subdivision

Ch. 6: Infrastructure Improvements

Ch. 7: Buildings & Construction (Reserved)

Ch. 8: Definitions



Chapter 1: Introduction



Chapter 1: Introduction

- Basic legal information such as title, effective date, authority, compliance required, etc.
- Rules of language and ordinance construction
- How do we go from the current codes to a new code? Transitional provisions.
 - Allows permits to be submitted under either code for 60 days after effective date.
 - Honors previous approvals such as variances, conditional uses, ZCPs, design excellence approvals, etc.
 - Adoption draft will be updated to clarify subdivision approvals.



Chapter 2: Administration and Procedures



Chapter 2: Administration and Procedures

- Guiding principle: "Clarify and consolidate development permit review decision authority to increase predictability".
- One stop shop for authority. Clarifies responsibilities of City Engineer, Planning Administrator, Historic Preservation Officer, Urban Forester, Parks Administrator, Planning Commission, and Historic Preservation Commission.
- Includes a "Process Crosswalk".
- Standards provisions for public notice.
- Appeal process – per new state law.
- Consolidated and aligned violation procedures



Chapter 4: Zoning



Place Type Designations



Urban Residential High



Urban Residential Low



Limited Urban Residential



Rural Residential



Downtown



Urban Mixed-Use High



Urban Mixed-Use Low



Limited Urban Mixed-Use



Industrial and Employment



Civic



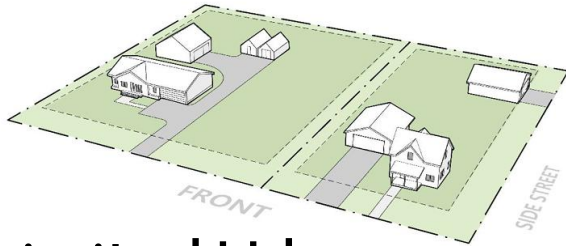
Open and Resource



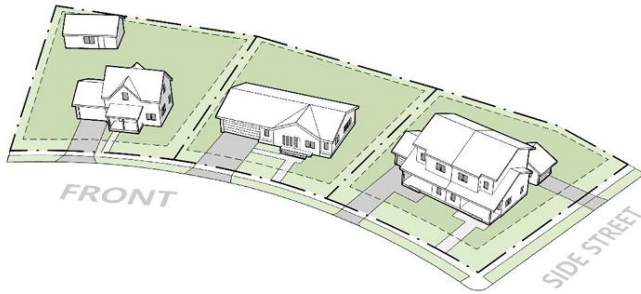
Parks and Conservation Lands

Residential Contexts

Rural



Limited Urban

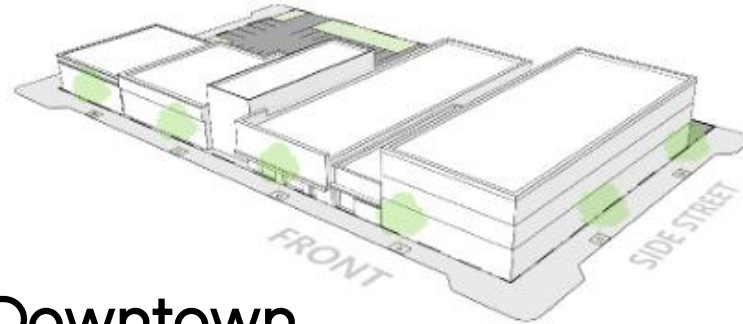


Urban

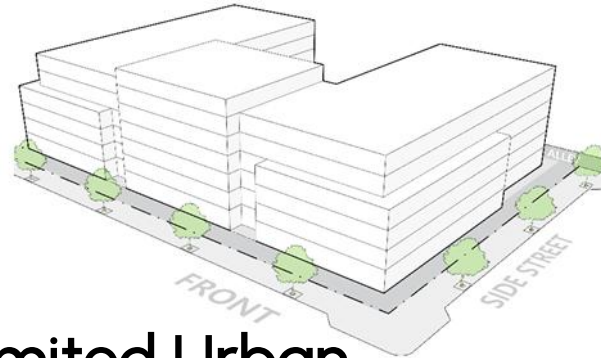


Mixed-Use Contexts

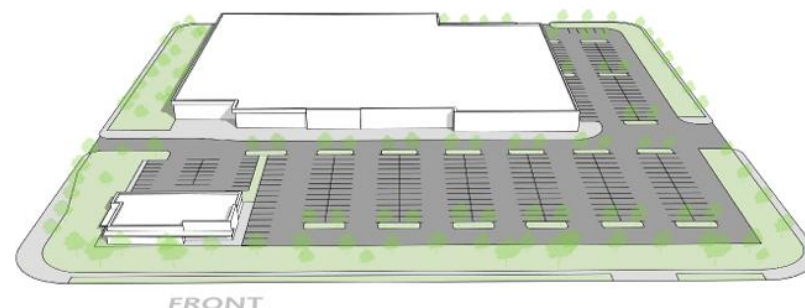
Urban



Downtown



Limited Urban



Special Use Contexts

Industrial



Open Space



Civic



Residential Districts

MAP SYMBOL	DISTRICT NAME
R-R1	Rural Residential
LU-R1	Limited Urban Residential 1
LU-R2	Limited Urban Residential 2
U-R1	Urban Residential 1
U-R2	Urban Residential 2
U-R3	Urban Residential 3
U-R4	Urban Residential 4

Special Use Districts

MAP SYMBOL	DISTRICT NAME
T-MU	Transitional Mixed-Use
I-1	Limited Industrial
I-2	Heavy Industrial
OP-1	Open Space
OP-2	Open and Resource Lands
CD-1	Civic District 1
CD-2	Civic District 2
A	Aviation

Mixed-Use Districts

MAP SYMBOL	DISTRICT NAME
U-MU1	Urban Mixed-Use - Neighborhood 1
U-MU2	Urban Mixed-Use - Neighborhood 2
U-MU3	Urban Mixed-Use - Community 1
U-MU4	Urban Mixed-Use - Community 2
D-T	Downtown Transition
D-C	Downtown Core
LU-MU	Limited Urban Mixed-Use

Understanding FLOOR AREA RATIO

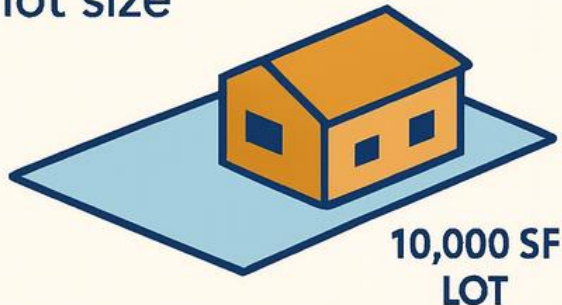
How It Works



FAR = building
floor space
÷ lot size

Example: = building by ÷
floor space ÷ lot size

FAR = building
floor space divided by
lot size



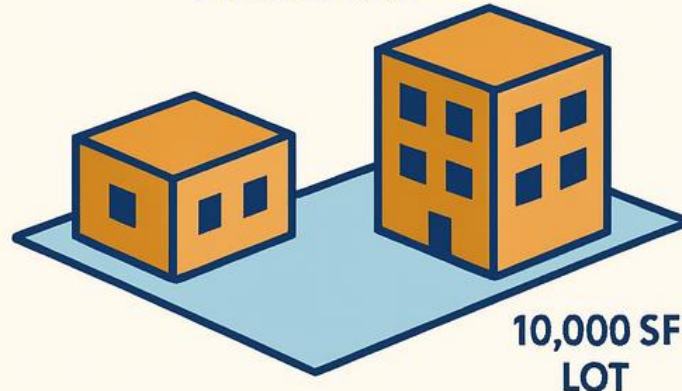
Why Cities Use It



Guide density
& height



Balance growth
with infrastructure
& neighborhood
character



Think of It Like This



FAR is a
“budget” for
how much
building can
go on a lot.

Owners can “spend”
that budget by
spreading out or
stacking up—any
combination within
the limit

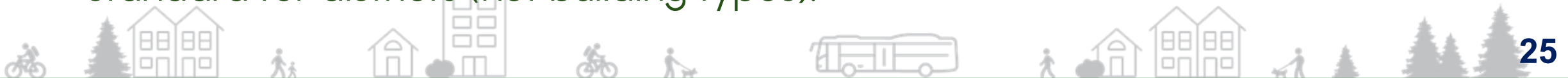
Zoning Tools in Residential Districts

- Floor Area Ratio *updating to allow slightly larger homes in LU-R1 and LU-R2
- Permitted building types *adding general building type as permitted in R-R1
- Maximum dwelling units per building
- Setbacks
- Maximum height *slightly modifying height in UR-3 and UR-4
- Maximum building width *removing maximum width for rowhouse units and increasing maximum width for full rowhouse building
- Minimum lot width *adding an exception for duplex and rowhouse lots



Zoning Tools in Mixed-Use Districts

- Permitted building types (all types allowed in all districts)
- Maximum dwelling units per building *removing limit for rowhouses
- Build-to-zone and build-to-width *recalibrating for more flexibility
- Setbacks (LU-MU only)
- Maximum height
- Upper story setback *slight modification to street wall height
- Maximum building width *removing maximum width for rowhouse units.
Generally increasing allowable building widths across multiple districts.
- Ground floor transparency *reducing required percentage. Eliminating residential standard for districts (not building types).



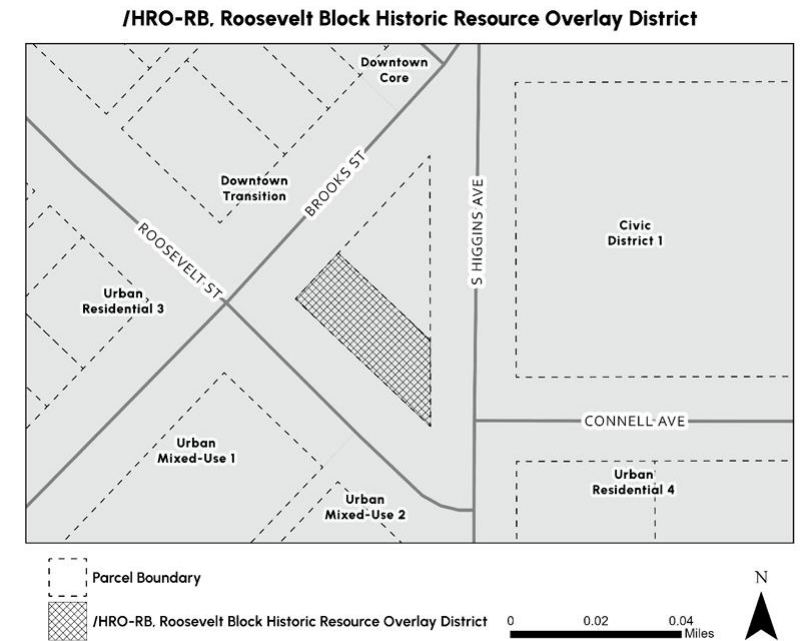
Zoning Tools in Special Use Districts

- Permitted building types
- Maximum dwelling units per building
- Minimum lot area (I-1 and I-2 Industrial districts only) *removing from T-MU
- Density maximums (T-MU, OP-2, and CD-2 only)
- Setbacks
- Maximum height
- Building coverage (OP-2 only)
- *Renaming I-MU to T-MU and describing context



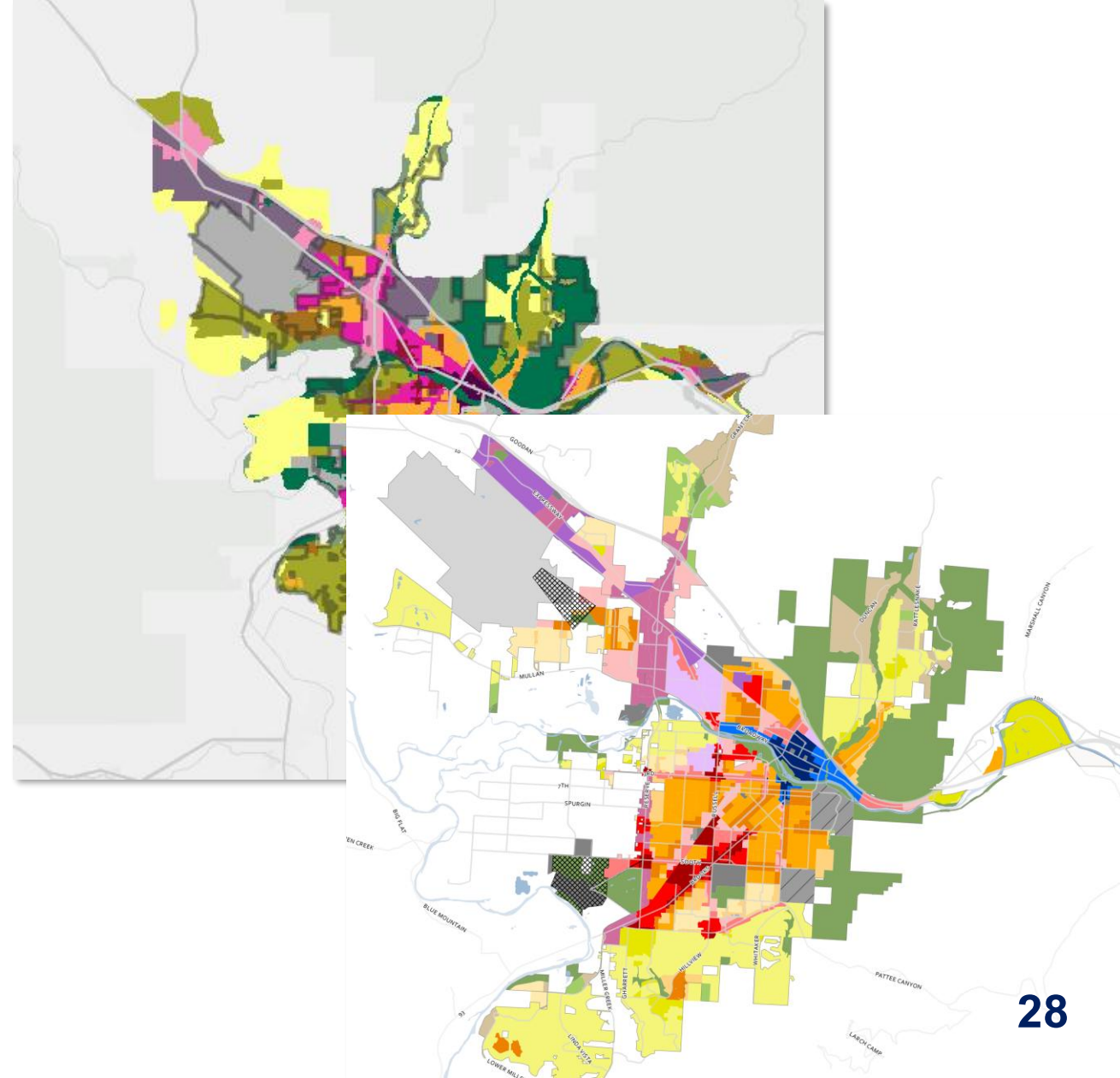
Zoning Overlays

- Article 4.5 Overlay Districts
 - Will contain one overlay – the Airport Hazard Overlay *added for adoption draft
- Article 4.6 Historic Preservation and Historic Overlay Districts
 - Fort Missoula
 - Roosevelt Block
 - Marshall House
 - Sacajawea *added with adoption draft



Key Considerations

- Zoning Map covers all properties within City limits, using the new zoning districts.
- Zoning Map aligns with the Place Type Map, which is part of the adopted Land Use Plan.
- Housing capacity from the Zoning Map will be able to accommodate the projected population growth for the urban area through 2045.
- Residential opportunities are distributed through mapping of new Residential and Mixed-Use zoning districts so that upzoning is not concentrated in vulnerable neighborhoods.



Article 4.8 Uses

- Includes a use table, describing which uses are permitted or prohibited in each district *
- Conditional uses are eliminated and instead uses are permitted or prohibited outright.
- New/updated parking requirements and bike storage requirements are listed in the use table.
- Article contains use specific requirements. Notable improvements include:
 - Simplified wireless communication facility regulations.
 - Aligned tourist homes to previous Title 5 update regarding short term rentals.
 - Revising houseless shelter classifications to recognize different sizes and types of shelters.
 - Reduced standards for solar panels and wind energy systems to align with climate goals
 - Increased buffer distance between dispensaries from 500 ft. to 1,000 ft.
 - Clarified agriculture uses can sell and create products from crops or animals raised on

Minimum Parking Requirements

State Law (HB 492):

The City cannot require:

- Parking for dwellings under 1,200 square feet
- More than 1 space for dwellings over 1,200 square feet
- Parking for existing buildings and changes of use
- Parking for affordable housing, day cares, and assisted living



Local Proposal:

Parking is not required for:

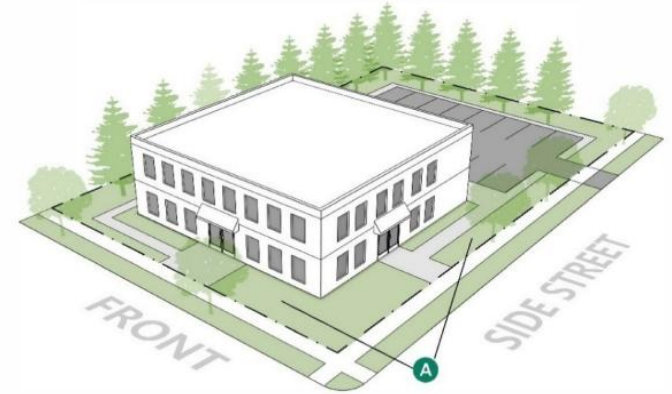
- Residential
- Day Cares
- Assisted Living
- Existing structures
- Changes of use

Additionally:

- Commercial and industrial parking requirements are reduced

Article 4.9 Site Development Standards

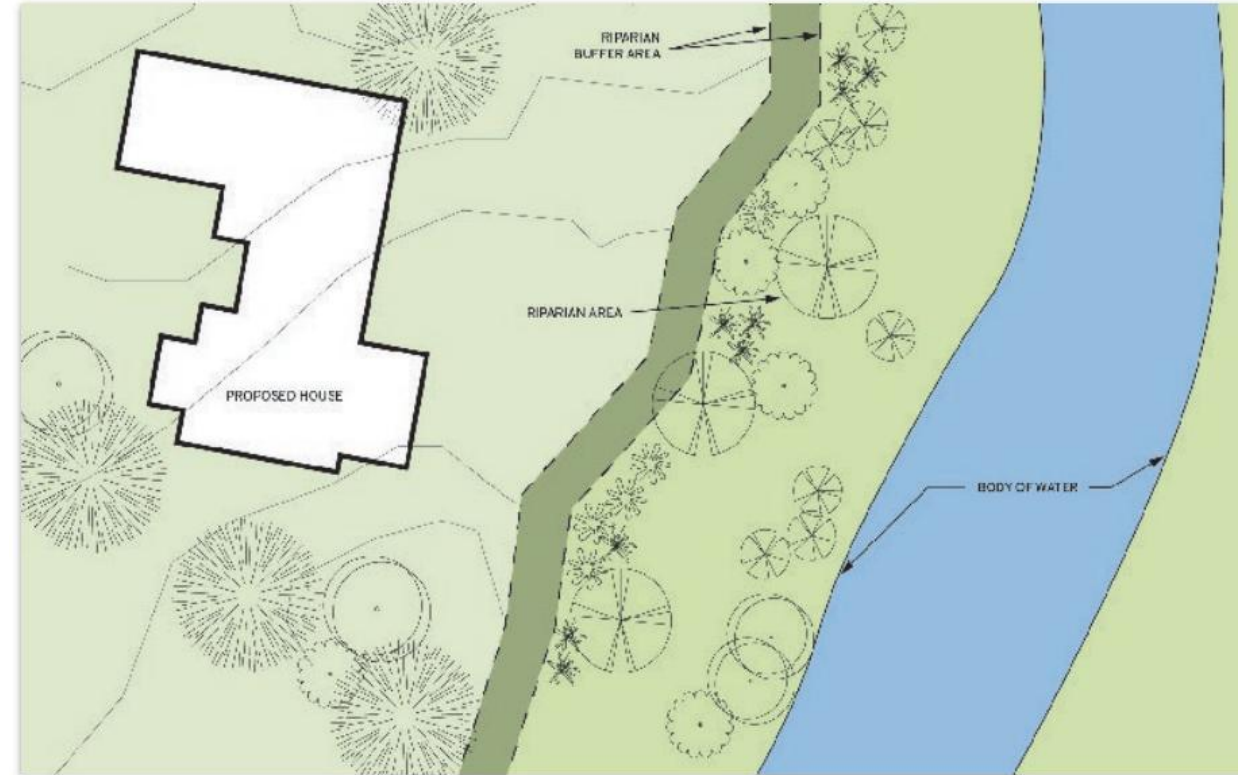
- Parking Placement & Bicycle Storage
- Landscaping
 - Reduction in required percentage of landscaping.
 - General site landscaping applies to non-residential, mixed-use, and sites with 7 or more dwelling units.
 - Incentives to reduce required area (pollinator gardens, native prairie, and green roofs).
 - Clarify applicability of landscaping to building additions and parking lot expansions.
 - Activity areas:
 - Triggered at 7 or more units *to be updated with adoption draft
 - 150 sf per dwelling unit required, to a maximum of 20% of the parcel area
 - Cash-in-lieu is now an allowed option
 - More types of spaces and amenities qualify to meet the requirement
 - Counts toward general site landscaping requirement



Article 4.11 Natural Resource Protection

- Removed hillside standards and mapped districts with this constrain in mind
- Riparian Resources
 - To be addressed with a future phase – substantial research and coordination needed
 - Clarified applicability
 - Simplified language
 - Codified current riparian resource buffers for transparency (no change in policy)
 - Carried over special Grant Creek realignment buffer from Title 21

Figure 4.11.02-2: Example Vegetation Map



Article 4.12 Multiple Buildings on a Parcel

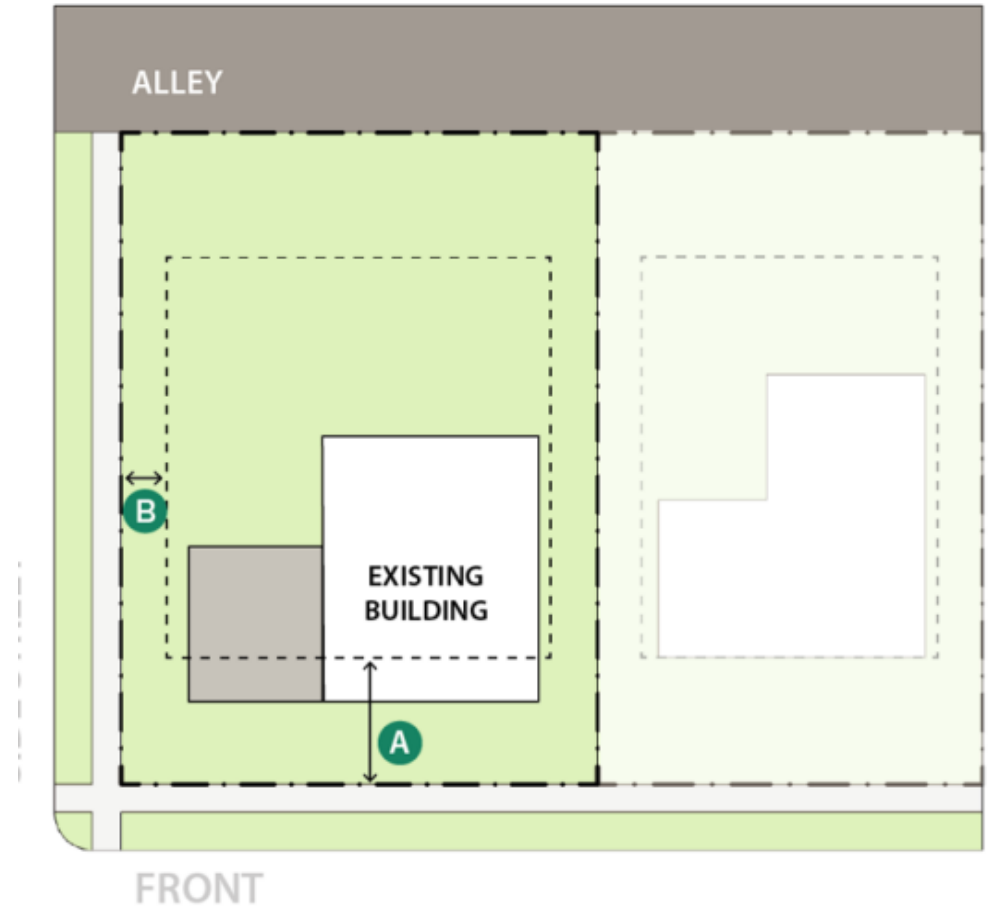
- Codified and defined existing process for phasing development with multiple buildings
- Determination on when subdivision is required for development of large parcels
 - Necessary to create blocks and connectivity aligning with Place Type descriptions
- Townhome Exemption Development (TED)
 - Simplified standards related to site constraints while protecting public health and safety
 - Clarifies submittal and declaration requirements
 - Recalibration of standards elsewhere in code eliminate need to file declaration or secure use restriction agreement prior to construction
- Manufactured Housing Parks
 - Entirely new process aimed at allowing more affordable housing options

Allows for easy creation of manufactured housing parks through ZCP instead of subdivision

Article 4.13 Nonconformities

- Eliminated restrictions on non-conforming lots. They already exist, use them!
- Relaxed restrictions for expansion of structures that are non-conforming to setbacks.
- Replacement of non-conforming structures still allowed.
- Non-conforming uses can now add building additions, if impact on neighborhood is not increased.

Figure 4.13.03-1 Nonconforming Addition



Article 4.15 Zoning Procedures

- Zoning Compliance Permits – Cleaned up language.
- Rezoning – Updated to reflect state law changes.
- Variances – Updated to reflect state law changes. Now administrative (approved/denied by staff).
- Annexation – Added to code for clarity.
- Eliminated processes: Design Excellence Review, Design Review, Administrative Adjustments, Conditional Uses, PUD Rezoning, NC Overlay Rezoning, Public Forum



Chapter 5: Subdivision

Chapter 5 Subdivision

- Processes revised to align with state law.
 - Subdivision preliminary plats are reviewed and approved/denied by staff.
 - Public noticing and analysis of comments required.
- Language amended to be more user-friendly.
- Reorganized design standards between code and the *Manual*.
- Changed from a maximum block length to a maximum block perimeter.
- Parkland dedication updates
 - Regulations are now legible.
 - Amount based on estimated number of dwelling units per lot in a subdivision.
 - Allows for cash-in-lieu, and improvements in lieu of parkland area.



Upcoming Public Hearings

- Planning Board/Commission
 - November 18th
 - November 20th
 - December 2nd
- City Council
 - December 10th – LUP
 - December 15th – City Council Meeting
 - December 17th – LUP
 - December 22nd – City Council Final Consideration



Chapter 6: Infrastructure Improvements

Presented by:

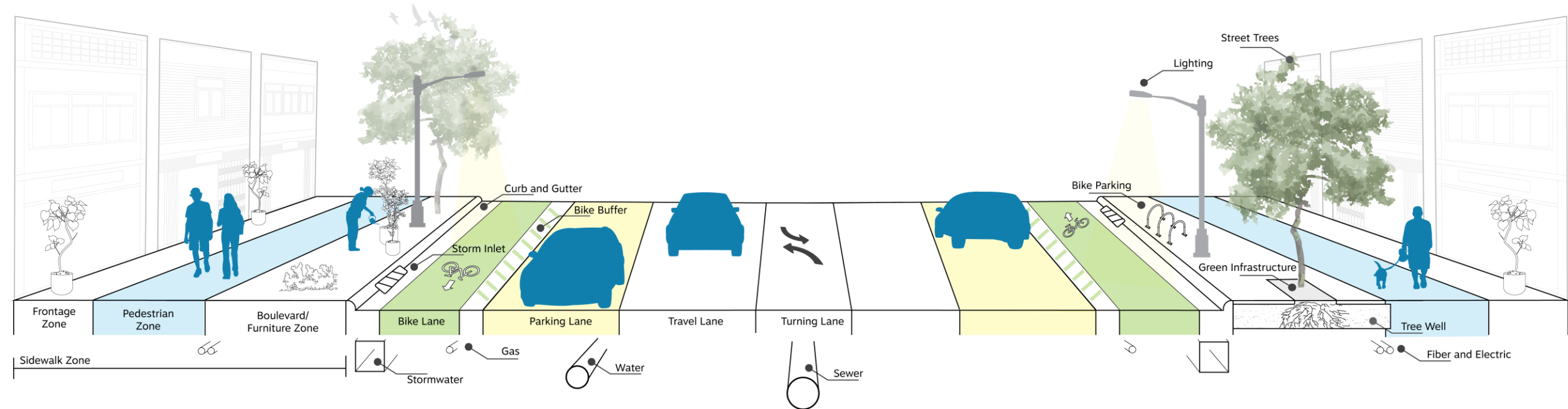
- Ross Mollenhauer (Engineering Manager)
- Aaron Wilson (Transportation Planning Manager)



WHAT IS CHAPTER 6 ABOUT ANYWAY?

Chapter 6 – Infrastructure Improvements

- Chapter 6 establishes the design, construction, and permitting requirements for public and private infrastructure required during development.



HOW WAS CHAPTER 6 CREATED?

WE STARTED WITH GUIDING PRINCIPLES...

WE MOVED CODE TO WHERE IT BELONGS...

- All "development related" sections of code were moved from:
 - Title 12 – Streets Sidewalks and Public Places
 - Title 13 – Public Services (Utilities).
- All "maintenance and operations" sections will remain in Titles 12 and 13.
- All standards and specifications were moved to the "Manual".

WE SIMPLIFIED, REWROTE AND REMOVED CODE TO MAKE IT EASIER TO UNDERSTAND...

- Current Code in Title 12:
"Upon the filing of any such notice the city council shall, at its first regular meeting thereafter, instruct the city engineer to designate the places upon and along the streets, avenues and alleys of the city where poles may be located; thereafter, upon the presentation to and filing with the ..."
- New Code in UDC:
"All new utilities shall be placed underground."



SO WHAT IS THE "MANUAL"?

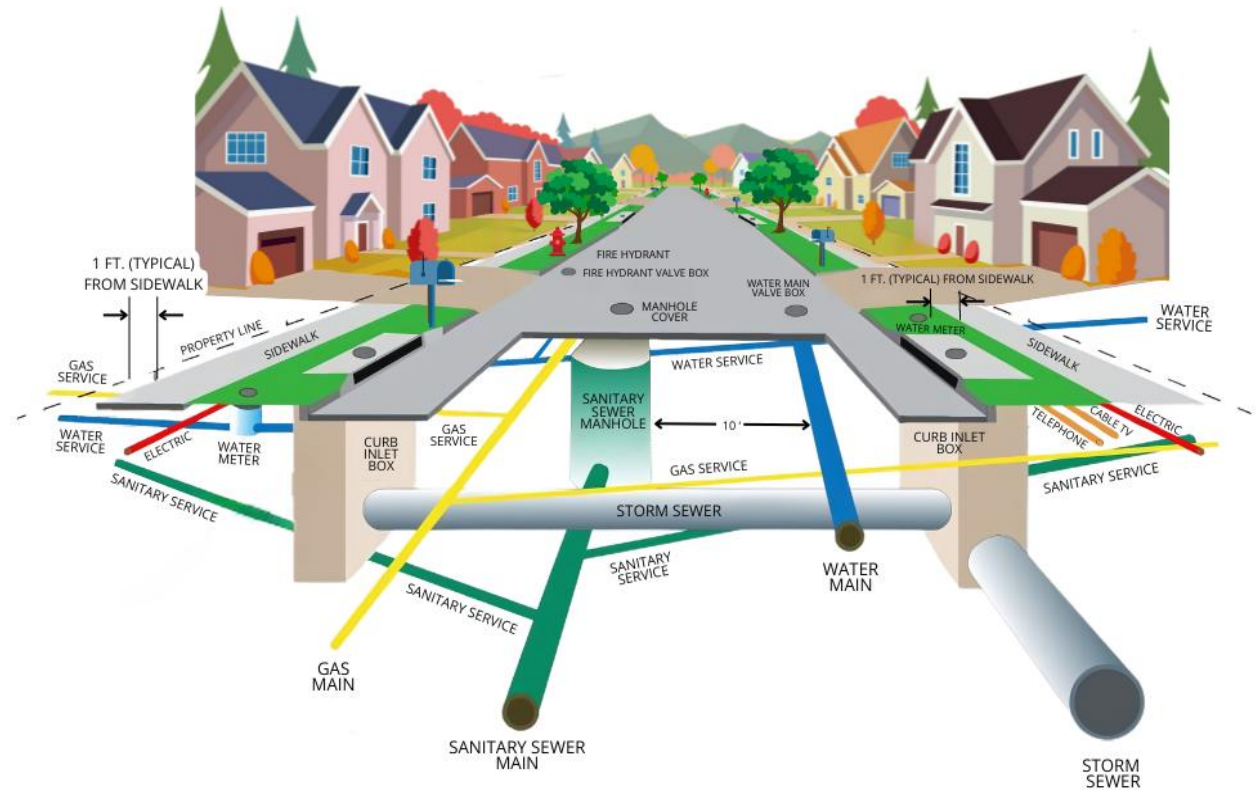
- The City of Missoula Standards and Specifications Manual (COMSSM)
 - Combination of the former Public Works Manual and Parks and Rec Manual.
 - PW Manual was first created in 2020 and serves as a collection of administrative rules, standard details, specifications, and requirements for contractors and engineers.
 - Code specifies WHEN or WHERE something is required but the Manual tells Contractors and Engineers HOW to build it.

Infrastructure Examples	Code:	Manual
Water/Sewer	When you have to hookup...	Specifies type of pipe, depth, pipe size, setbacks, etc.
Streets	When improvements are required...	Specifies thickness, width of sidewalk; asphalt width and specifications, type of street trees, soil volumes



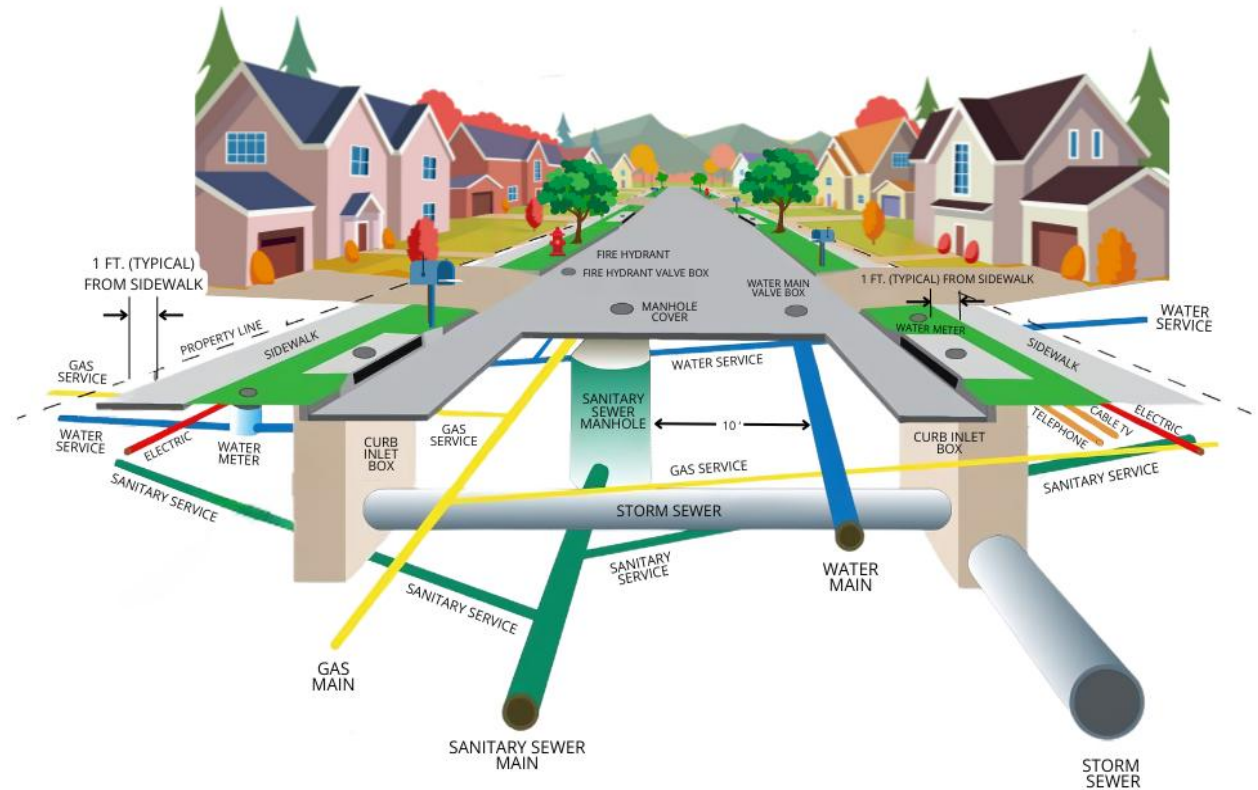
BACK TO UDC, SO WHAT CHANGED IN CHAPTER 6?

- Authority Statements
- ROW Improvement Triggers
- Street Types/Trail Types Map
- Shared Utility Services
- Driveway Requirements
- Drive-Through Queuing Lengths
- Fences



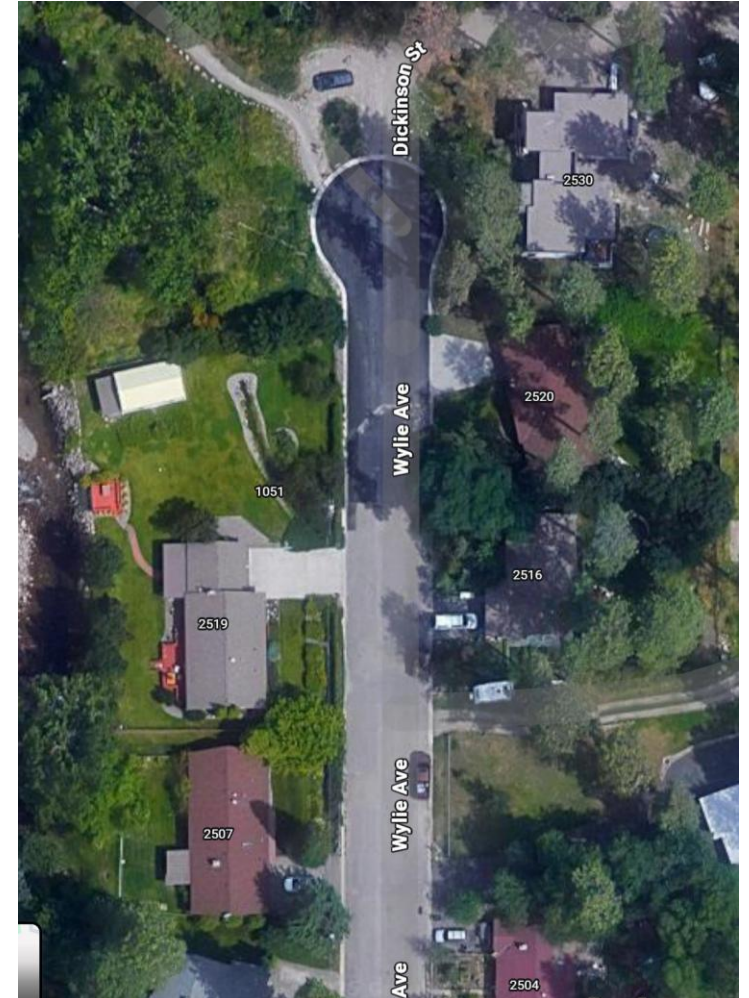
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AUTHORITY STATEMENTS

- **Administrative Rules:**
PWM Director shall have the authority to adopt administrative rules (the “Manual”) containing standards and specifications for the design and construction of infrastructure improvements.
- **Approvals:**
The City Engineer(s) shall approve the design and construction of infrastructure in accordance with these administrative rules (Manual).
- **Design Exceptions:**
PWM Director may grant design exceptions.



WHAT CHANGED IN CHAPTER 6?

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ROW IMPROVEMENT TRIGGERS

Current Triggers:

- *Right-of-way improvements shall be installed where none currently exist for the following:*
 1. *New construction of residential dwelling, commercial, and/or industrial building, excluding accessory dwelling units.*
 2. *Additions or changes to existing structures that will cause an increase in the required parking.*
 3. *Where new construction or additions to parking facilities occur, excluding single and two-family residential carports and garages.*

Postponements:

Single family or duplex residential units or lots are eligible for right of way improvement postponements. Note: Three or more residential units or lots on the same block, or any commercial or industrial lots will not be eligible for a postponement.

ROW IMPROVEMENT TRIGGERS

- **Proposed Triggers:**

- *Right-of-way infrastructure shall be installed directly adjacent to new development in accordance with the Manual where existing infrastructure is incomplete, missing, or otherwise inadequate to mitigate the impacts of the development for the following conditions:*

(a) New construction that results in a total of seven or more combined new or existing dwelling units, including mixed-use construction;

(b) New construction that results in a total of five or more new on-site parking spaces;

(c) New construction of a driveway approach onto a public or private street;

(d) Non-residential construction which requires additional new on-site parking;



ROW IMPROVEMENT TRIGGERS

- **Proposed Code:**
 - 6.2.01.A.3 – *Exception for Existing Hazardous Infrastructure:*
 - *Right-of-way infrastructure directly adjacent to the development which is deemed to be hazardous by the City Engineer or designee upon any inspection shall be replaced, repaired, or otherwise improved to current standards.*



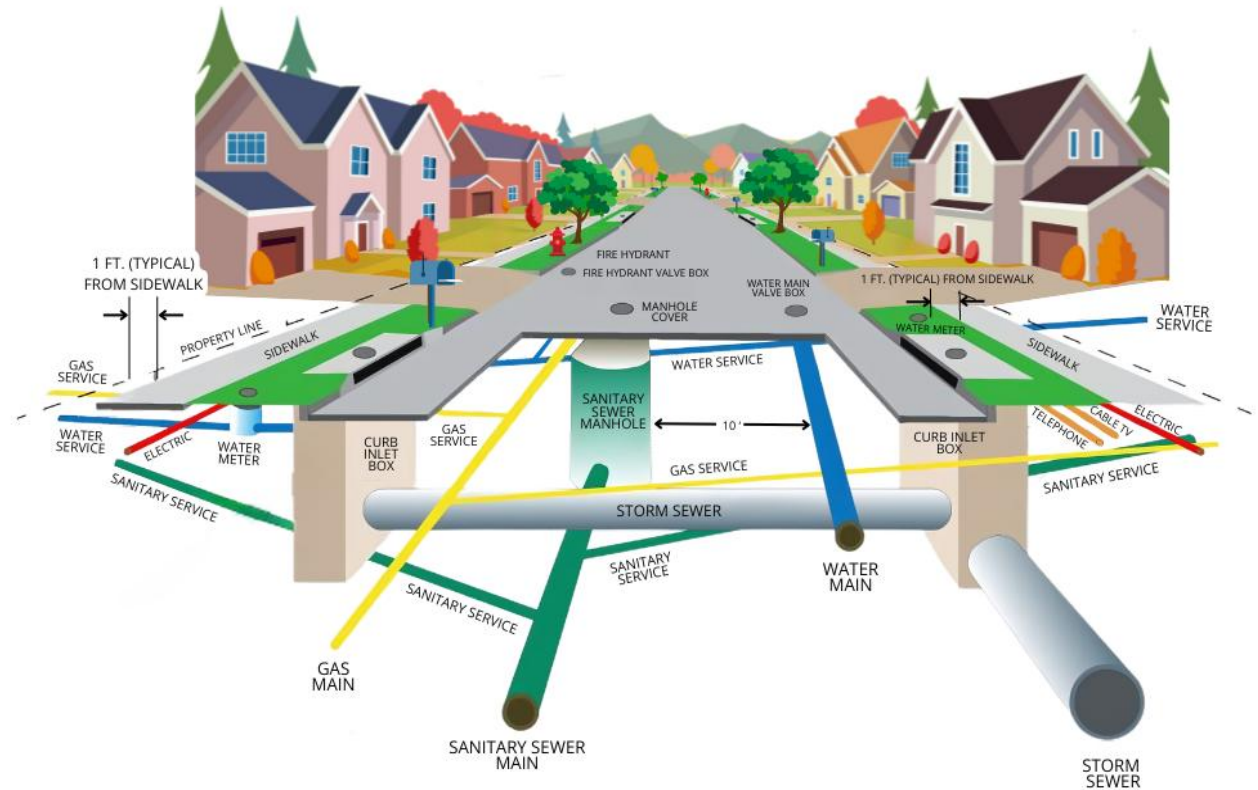
ROW IMPROVEMENT TRIGGERS

- **Proposed Code:**
 - 6.2.01.A.2.e. *Exception for Street Trees:*
 - (e) *Street trees shall be installed in accordance with the Manual where none currently exist for the following:*
 - i. *Residential projects that create 1 or more new dwelling units with a maximum of 1 tree required per dwelling unit;*
 - ii. *All new non-residential projects.*



WHAT CHANGED IN CHAPTER 6?

- Authority and Applicability Statements
- ROW Improvement Triggers
- **Street Types/Trail Types Map**
- Shared Utility Services
- Driveway Requirements
- Drive-Through Queing Lengths
- Fences



Why Street Types?

Street Types Map

Better Alignment with Right-of-Way (ROW)
The purpose of Street Types is to connect transportation facilities to the land uses they serve—context—and refocus the design of infrastructure on people who utilize the street's facilities. An effective Street Types framework communicates the characteristics of streets to both professionals and residents, creates shared expectations about how streets are designed, and ensures our transportation infrastructure serves the needs identified in the Land Use Plan.

How do I Use Street Types to Design My Streets' Infrastructure?

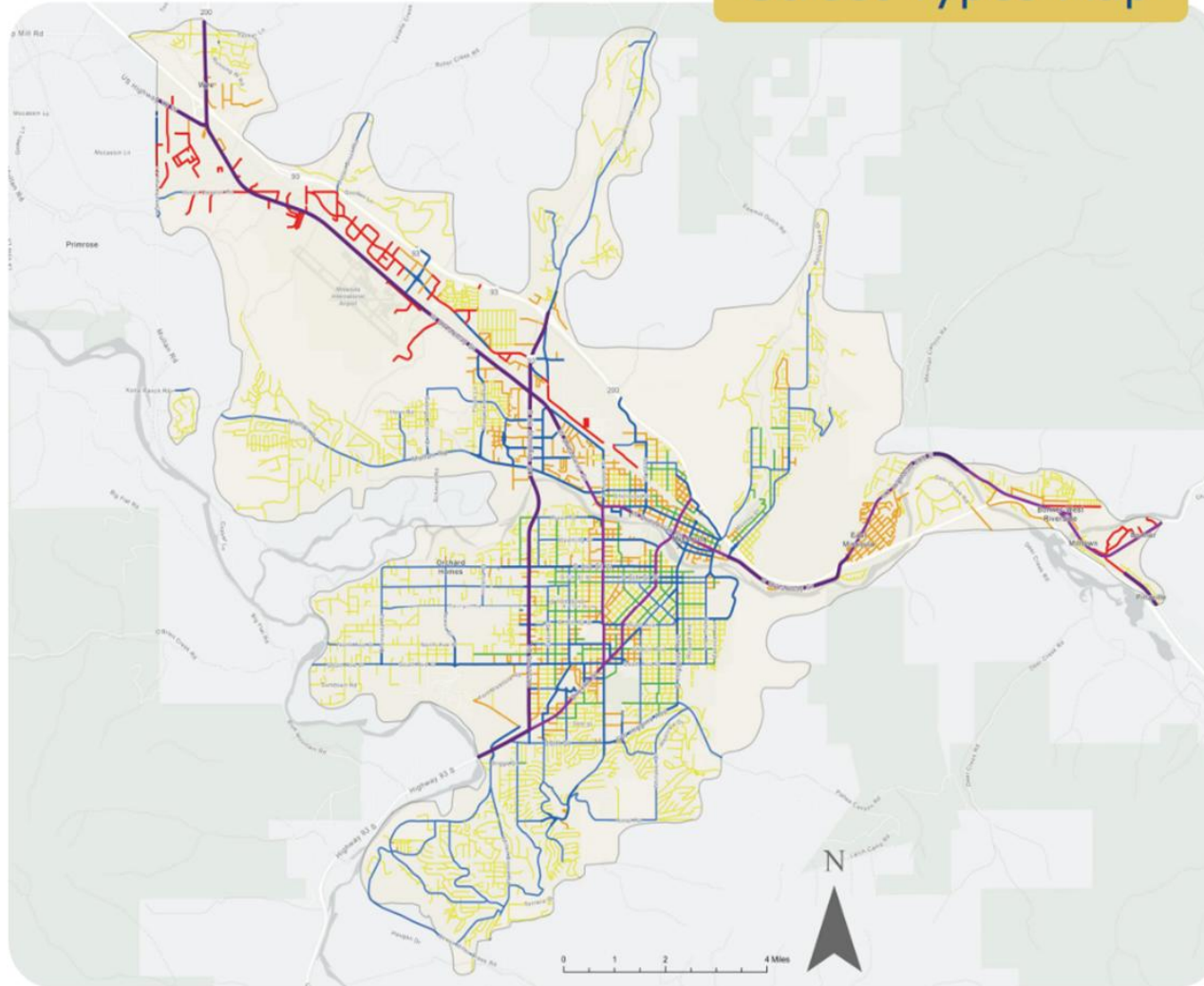
Identify Context
Determine the Place Type and Street Type using the typology maps. Visit the online map at ourmissoula.konveio.com/review-street-types-map

Apply Standards
Use the Street Type Standards in Section 7.2.2.

Refine Design
For variations or specific treatments—such as intersections, traffic calming, or pedestrian and roadway elements—refer to Section 7.3 and the Design Objectives of the Street Type.

Coordinate Review
Work with the appropriate agencies and provide the required plans and reports as outlined in Chapter 3 of the Manual.

Street Types Map



Street Types

Regional Connector

These streets are critically important to the regional travel network and generally serve as gateways to the urban core, where they often transition to Regional or Community Mixed-Use.



Regional Mixed-Use

These streets serve as gateways, introducing people from around Missoula and the wider region to the city and its major destinations. These streets are critically important to the regional multimodal network, passing through areas of significant commercial land use and pedestrian activity. They carry high traffic volumes but must do so safely.



Industrial

These streets serve adjacent industrial land uses that see frequent truck, freight, and delivery traffic. They should accommodate current uses while also being adaptable to and compatible with redevelopment into future land uses.



Community Mixed-Use

These streets are vitally important multimodal corridors support dining, shopping, and employment opportunities, enhancing Missoula's character and economy. They connect residents from their neighborhoods to commercial and cultural centers.



Community Residential

These streets are high-quality residential corridors that also have an important function in the larger transportation network. They may serve popular destinations such as parks, schools, religious assemblies, and recreation areas.



Neighborhood Greenway

These streets connect people biking, walking, and using micromobility devices to nearby destinations and other neighborhoods. These low-speed streets often run parallel to more intense streets and provide enhanced crossings at major intersections.



Neighborhood Mixed-Use

These streets support adjacent shopping, dining, and employment opportunities. They are located within/adjacent to residential neighborhoods and host a variety of low-impact commercial activities along them. They often act as transitions between lower intensity and higher intensity uses.



Neighborhood Residential

These streets provide multimodal access to and from adjacent residential properties. These streets are quiet, shady, and kid-friendly, an extension of your front yard. There is very little traffic, and cars move slowly.



Street Types Map – Current Classifications:



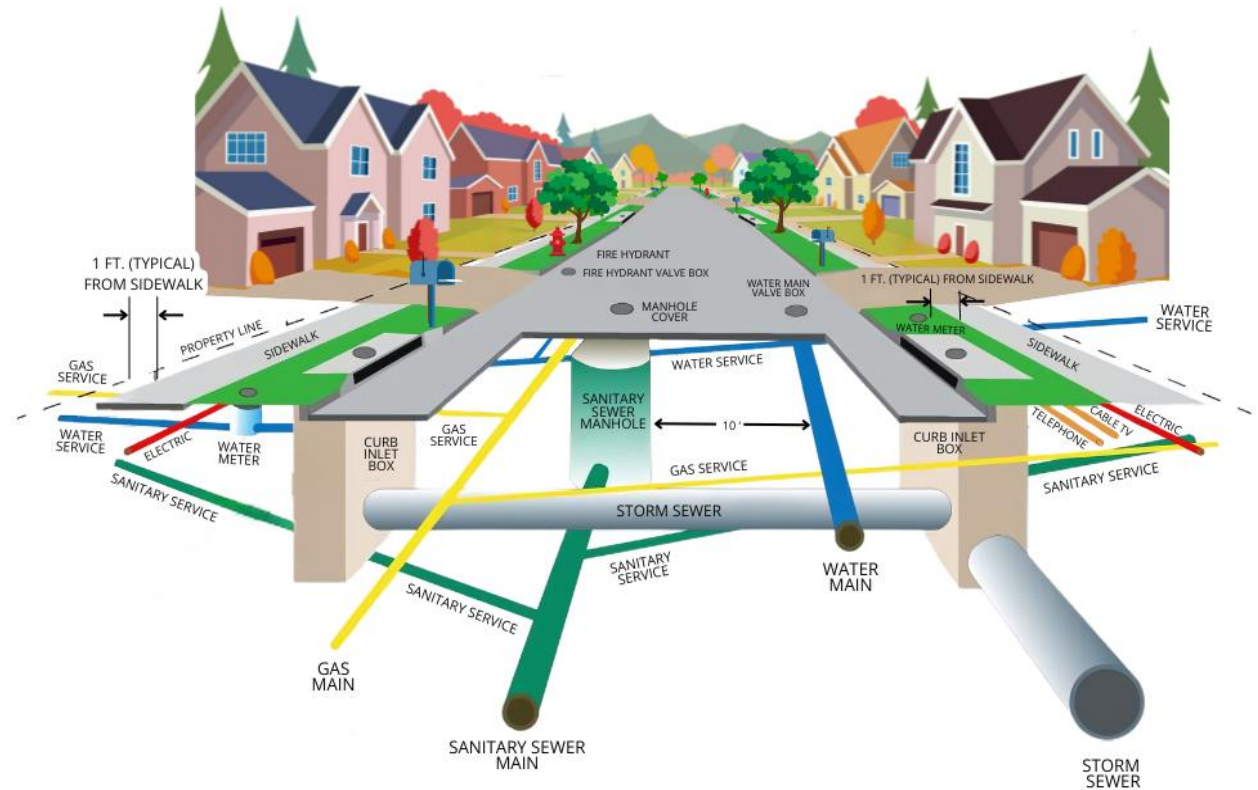
- Commerce St
 - Local Street in an Industrial Zone.



- Jackson St
 - Local Street in a Residential Zone.

WHAT CHANGED IN CHAPTER 6?

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- ROW Improvement Triggers
- Street Types/Trail Types Map
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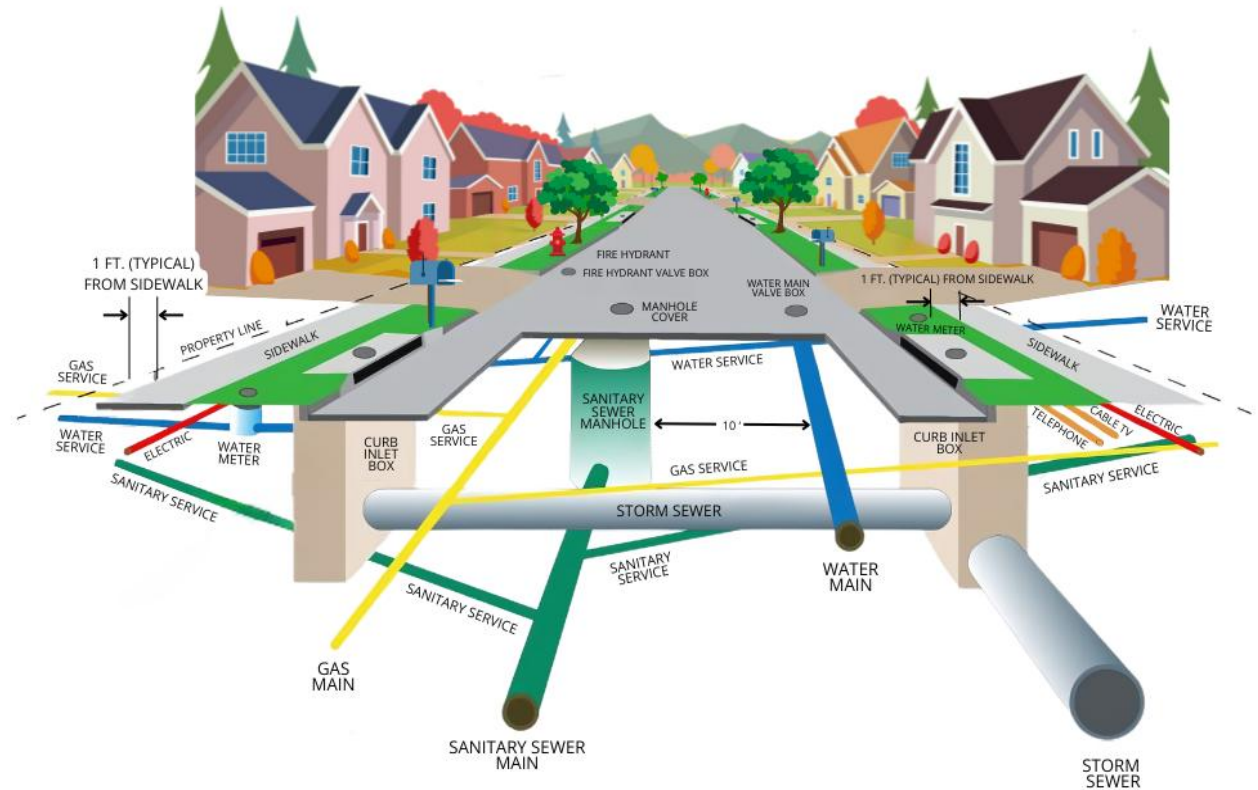
SHARED UTILITY SERVICES

- Clarifies expectations for accessory building projects related to whether existing $\frac{3}{4}$ " galvanized services can be used for more than one dwelling unit.
- DEQ ARM 17.38.101 defines a water service as serving a single property, including a primary dwelling and accessory dwelling.



WHAT CHANGED IN CHAPTER 6?

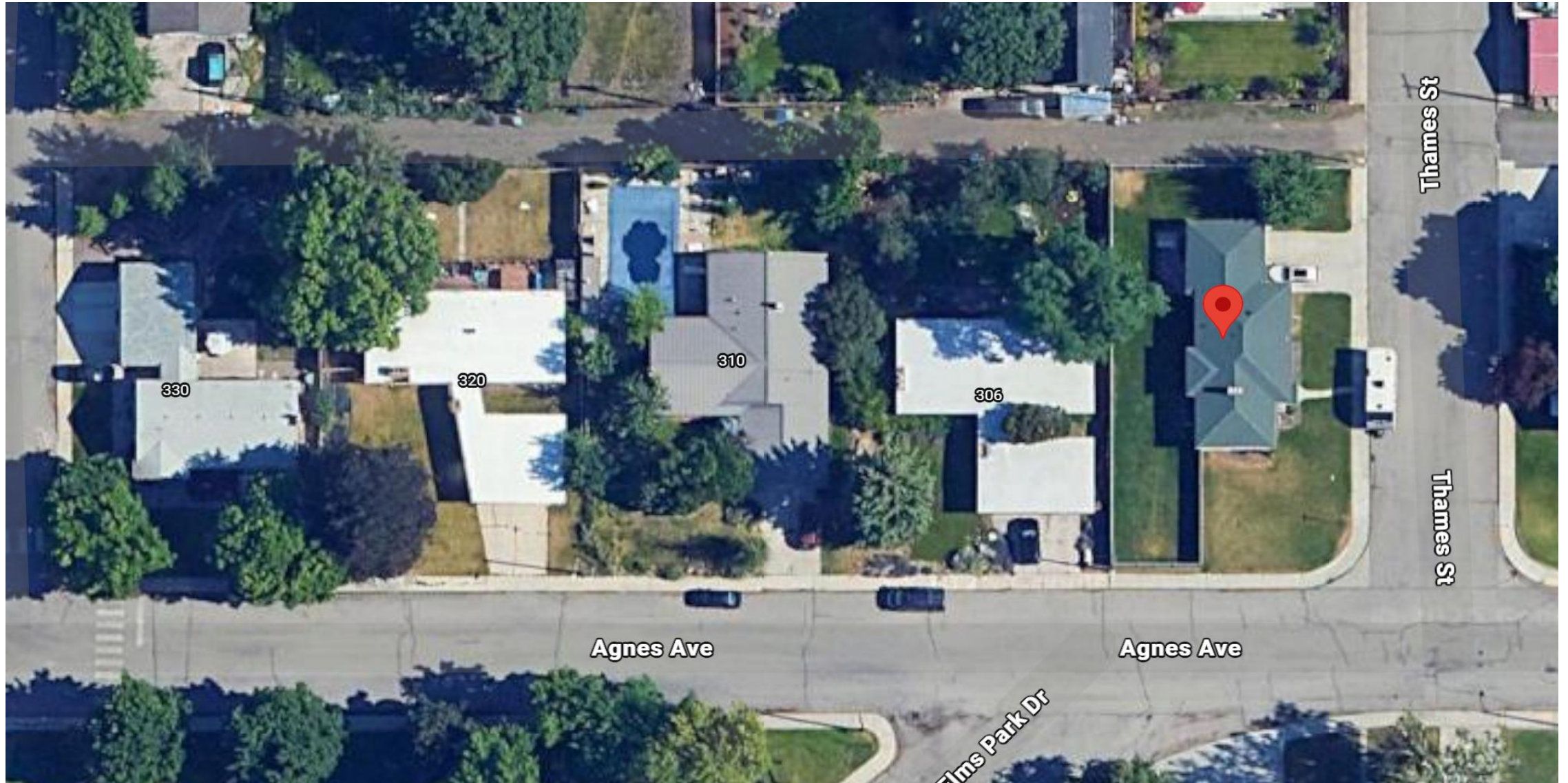
- Authority and Applicability Statements
- ROW Improvement Triggers
- Utility Services for Accessory Dwellings
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DRIVEWAYS/DRIVE-THROUGHS/FENCES

- **Driveway Pavement Requirements:**
 - Modifies City requirements for paving of existing driveways to bring them in line with Missoula City County's Air Quality Program.
- **Drive-Through Queuing Lengths:**
 - Codifies the standards City Engineering has been applying to drive-through commercial facilities in an effort to reduce conflicts between waiting cars and pedestrian users on the sidewalk.
- **Fences:**
 - Clarifies that fence reviews shall be done by City Engineering rather than City Planning.
 - Changes the "Front Yard" definition for fencing so that the "Front Yard" is determined by the Front Door of the house.

DRIVEWAYS/DRIVE-THROUGHS/FENCES



BESIDES UDC, WHAT SHOULD I KNOW ABOUT?

- Titles 5,12,13,15 will be adopted by ordinance on a different schedule than UDC's schedule.
 - Early January - Presentation to PW Committee
 - Late January - Public Hearing
- City of Missoula Standards and Specifications Manual (COMSSM) updates will be adopted administratively.
 - Public Review Period is ongoing.
 - Early January – Presentation to PW Committee





Questions?

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Street Design Standards

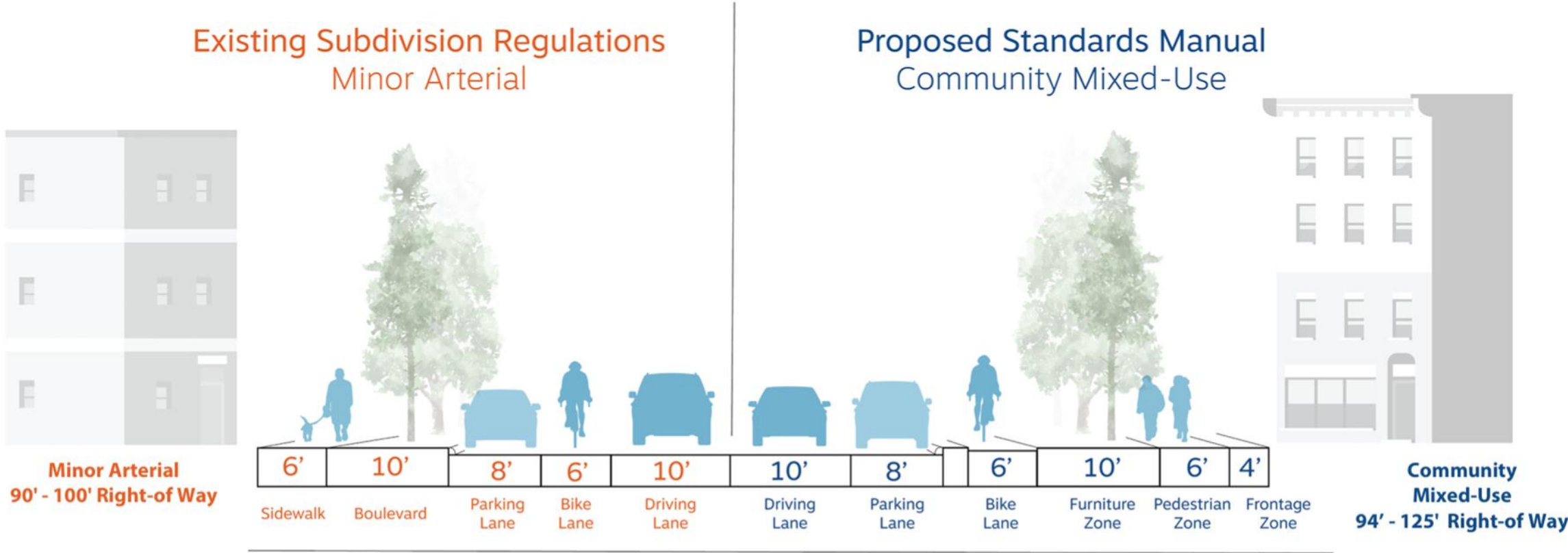
Table 7.3 – Neighborhood Mixed Use Design Standards

Place Type	Frontage Zone	Pedestrian Zone	Boulevard/ Furniture Zone	Curb & Gutter	Parking Lane	Bicycle Facilities	Travel Lane	Turn Lane⁽¹⁾
DT	2'	6'	10'	2'	5.5'	-	10'	10'
UMH	2'	6'	10'	2'	5.5'	-	10'	10'
UML	1'	6'	10'	2'	5.5'	-	10'	10'
LMU	1'	5'	8'	2'	5.5'	-	10'	10'
URH	2'	6'	10'	2'	5.5'	-	10'	10'
URL	1'	5'	8'	2'	5.5'	-	10'	10'
LUR	1'	5'	8'	2'	5.5'	-	10'	10'
IE	1'	5'	8'	2'	6.5'	-	10'	10'

(1) Turn Lanes should only be considered at major intersections.

What's the Difference Between the Old and New Standards?

- ☒ **Standards vs. Minimums**
Old standards set only the minimums for mobility and legal compliance. New standards follow best practices to improve safety, support development, and meet city goals.
- ☒ **Total Right-of-Way Width**
Previously, streets had a fixed right-of-way width. Now, width is based on the sum of all design elements, ensuring a better fit for each street type.
- ☒ **Greater Flexibility**
The updated manual allows flexibility and provides guidance to adapt designs to geographic constraints and other unique conditions.



- Community Mixed-Use**
- Frontage zone supports seating and commercial activity
 - Sidewalks support infill and increased density
 - Boulevard/furniture zone provide appropriate soil volumes for street trees and potential flexibility for angled parking
 - Protected bike facilities provide greater comfort and safety for users of all ages and abilities
 - Travel and parking lanes are sized to support large vehicles (buses and freight)

Case Study 1: Multi-unit infill

ROW Triggers:

- More than 7 units
- Increase parking by 5 or more new spaces
- New driveway access
- Hazardous infrastructure

Utilities:

- New sewer & water service lines to each unit/individual ownership
 - *can have accessory utility units
- Stormwater report and plan required? Ref. Site Priority Ranking Sheet

Trees:

- ROW required: trees per ROW standards
- No ROW req'd: 1 tree/unit



Case Study 1: Multi-unit infill

ROW Triggers:

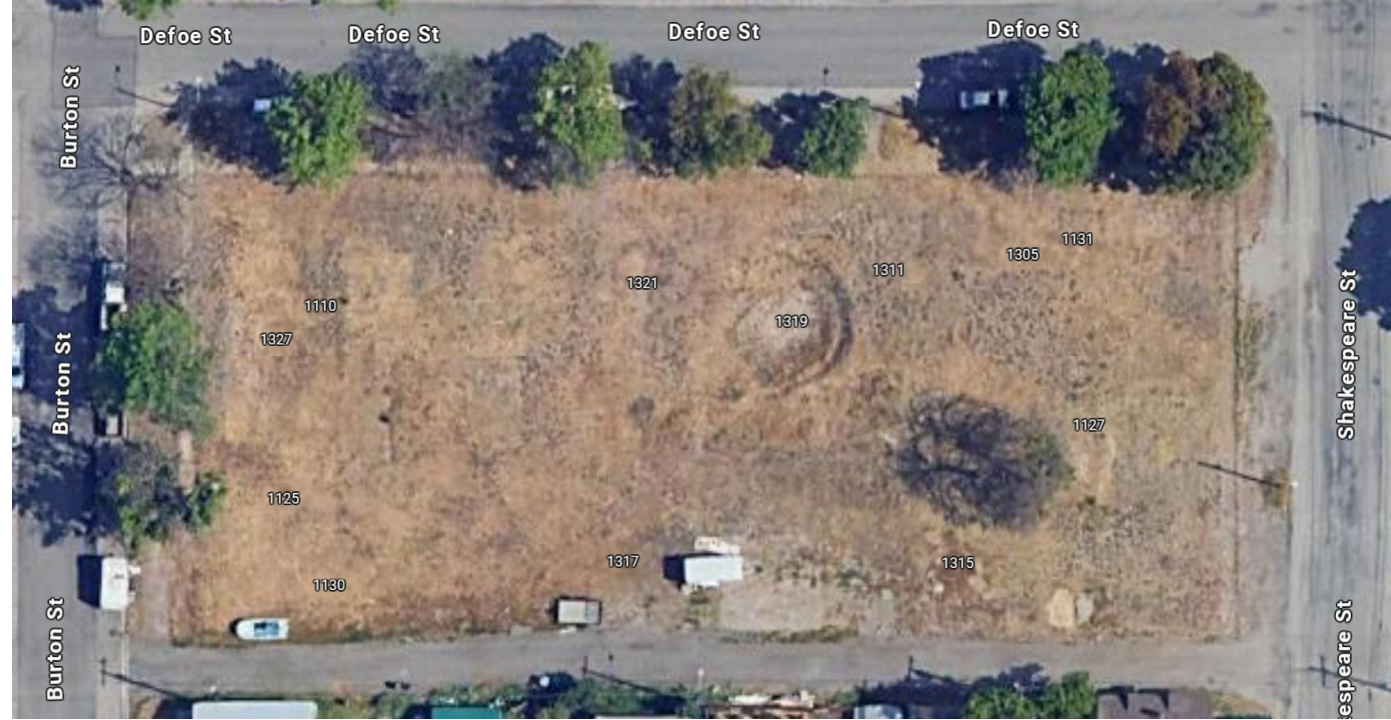
- More than 7 units
- Increase parking by 5 or more new spaces
- Hazardous infrastructure

Utilities:

- New sewer & water service lines to each unit/individual ownership
 - *can have accessory utility units
- Stormwater report and plan required? Ref. Site Priority Ranking Sheet

Trees:

- ROW required: trees per ROW standards
- No ROW req'd: 1 tree/unit



Case Study 2: Green/Brownfield

ROW Triggers:

- New streets: standards = street type x placetype (ex. Com Mixed Use, UR-4)
- ROW = minimum required for street type standards + utilities

Utilities:

- New sewer & water service lines to each unit/individual ownership
 - *can have accessory utility units
- New main extensions
- Stormwater report and plan required? Ref. Site Priority Ranking Sheet

Trees:

- Meet requirements in Manual Chpt ??



Johnson St Extension South - Subdivision Regs

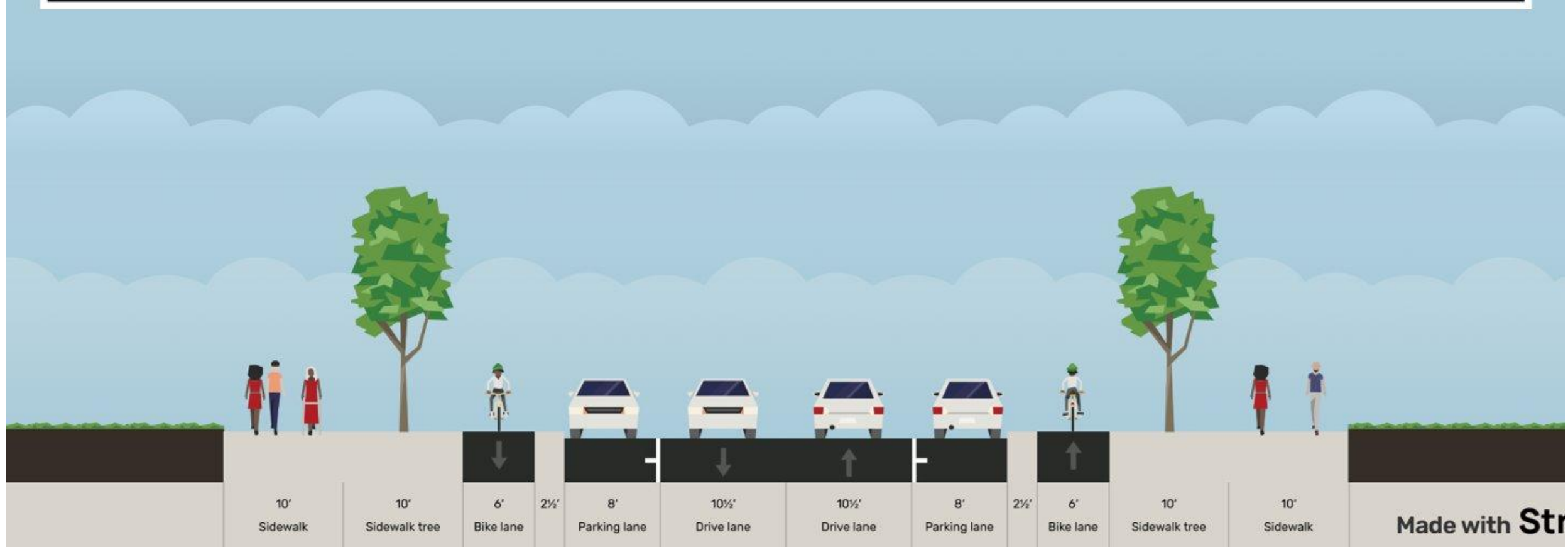


Min. ROW per regulations = 90'

Utilized ROW = 73'

Dimensions shown are minimums and may not provide acceptable dimensions for multimodal safety, comfort, and convenience.

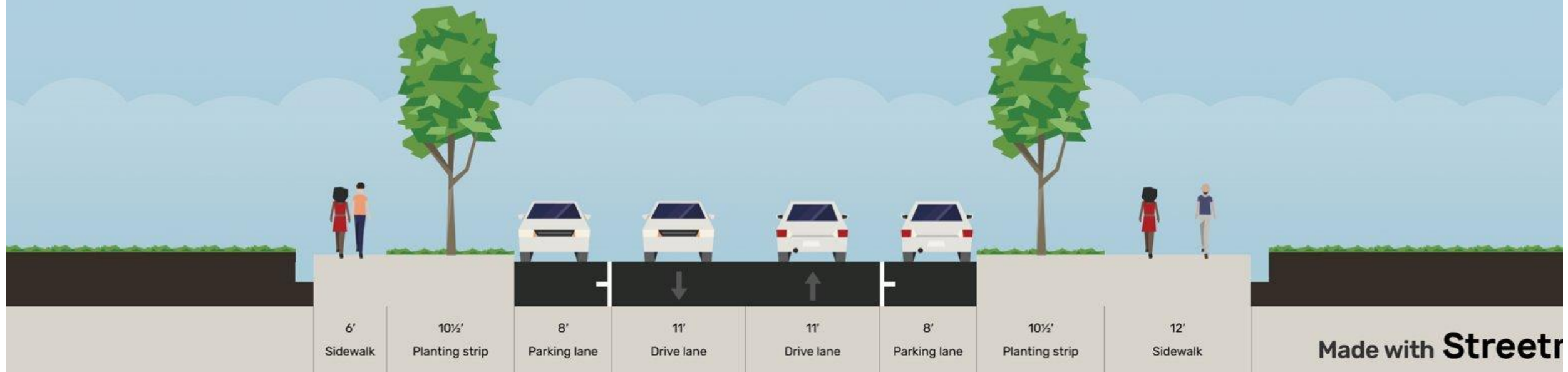
Johnson St Extension South - CMU Standards



Utilized ROW = 94'

Dimensions are standards for Urban Mixed-Use High place type, which envisions a downtown-type development pattern, a “legible and consistent street wall”

Johnson St Extension South - Alt Compliance



ROW = 80'

Utilized ROW = 77'

Matches Mary Ave design. Achieves CMU design objectives through context: proximity to Regional Trail, development pattern not matching zoning/place type