



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 20, 2025, 6:00 p.m.

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

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

Members Absent: Sean McCoy (County Appt)

I. CALL TO ORDER [Time stamp – 00:00:14]

Shane Morrissey, acting president, called the meeting to order at 6:00 p.m.

II. ROLL CALL [Time stamp – 00:00:25]

Analeshia Rodriguez called the roll. Six regular members and two alternates were present. City alternate, Danny Tenenbaum and County alternate, James Fountain were promoted to voting members for the evening. A quorum was met. Regular member, Tung Pham joined the meeting at 7:55 pm.

III. APPROVAL OF MINUTES [Time stamp – 00:01:32]

There were no minutes for approval on the agenda.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 00:01:38]

There were no public comments on non-agenda items.

V. STAFF ANNOUNCEMENTS [Time stamp – 00:04:00]

There were no staff announcements.

VI. PUBLIC HEARINGS [Time stamp – 00:04:04]

1. Continuation of the November 18, 2025, Public Hearing presented by Madson Matthias, Senior Planner, City of Missoula Community Planning, Development, & Innovation–
Adoption of Amendments to the Our Missoula 2045 Land Use Plan and Place Types Map.
2. Continuation of the November 18, 2025, Public Hearing presented by Cassie Tripard, Planning Supervisor, City of Missoula Community Planning, Development, & Innovation -
City of Missoula Code Reform Project:
 1. Title 22 – City of Missoula Unified Development Code (UDC)
 2. City of Missoula Zoning Map

STAFF PRESENTATION [Time stamp – 00:04:10]

A team from the City of Missoula Community Planning, Development & Innovation Department including staff members Ben Brewer (Ben), Long Range Planning Supervisor, Cassie Tripard (Cassie), Planning Supervisor, Laval Means (Laval), Community Planning Manager and Marc Hendrickson (Marc), Associated Planner/GIS Focus appeared for a continuation of the public hearing previously held on November 18, 2025. Nathan McLeod (Nathan), Associate Director of Planning, Design and Projects for the Parks and Recreation Department, Aaron Wilson (Aaron), Planning Manager for Transportation Planning, Ryan Sudbury (Ryan), City Attorney for Civil Services, Eran Pehan (Eran), Director of Administration, Emily Gluckin (Emily), Senior Planner, Elizabeth Johnson (Elizabeth), Preservation Officer, Troy Monroe (Troy), City Engineer and several staff from the Public Works Department also appeared on behalf of the City of Missoula.

City staff reminded the Board that the process has been guided by a new state law known as the Montana Land Use and Planning Act (MLUPA). MLUPA requires that zoning and subdivision regulations implement the related land use plan and that it creates a process which emphasizes a focus on engagement at the community level through the development of that land use plan. Following the City's decision to opt into MLUPA, the Missoula Consolidated Planning Board (Board) is also sometimes referred to as the Planning Commission (Commission), as it serves in both capacities.

First, Ben presented a recap of the public hearings held on November 18, 2025, regarding (i) the Adoption of Amendments to the Our Missoula 2045 Land Use Plan and Place Types Map (LUP) presented by Madson Matthias and (ii) the City of Missoula Code Reform Project presented by Cassie Tripard which included adoption of the Unified Development Code (UDC) and associated zoning map. City staff then focused on primarily addressing concerns and comments received from the Board members at the November 18th hearing and presented the following:

A. Summary of Updates and Clarifications to Public Review Drafts

Ben noted that the draft of the proposed zoning map was initially published for public review on October 1, 2025, and the draft of the UDC was initially published for public review on October 29, 2025. Public comment on the initial drafts closed on November 12, 2025. In response to public comment on the initial drafts, City staff revised the UDC and associated zoning map, which changes are shown in redline in the attachments to the November 18 and November 20, 2025, hearing agendas and labeled as Attachments G1 (Summary of Adoption Draft Updates) and G2 (Summary of Zoning Map Updates). Accordingly, any reference in this document to the UDC, proposed code, or zoning map refers to the adoption drafts included as Attachments A and B to the November 18 and November 20, 2025, hearing agendas.

i. Attachment G1: Summary of Code Updates

Ben noted that most revisions to the initial public-review drafts were associated with the zoning chapter and are reflected in the adoption draft of the UDC as follows:

- General Updates: The official name of the UDC was updated to "Title 22: City of Missoula Unified Development Code" and all typos, formatting and references were cleaned up.
- Non-Zoning Updates
 - Chapter 1: Introduction

- Chapter 2: Administrative Procedures. The most substantial change made to this Chapter was to update the transitional provisions and differentiate how those provisions apply to subdivision and other parts of the proposed code.
- Chapter 5: Subdivision. Minimal clarifications were made to the Maximum Block Perimeter standard and then to the exemption to Parkland dedication.
- Chapter 8: Definitions. The definition of Building Width was amended.

Zoning Updates

- Chapter 4.2: Residential Districts
 - Clarifications were made to Dwelling Units per Building Table to clarify questions on accessory structures.
 - The general building type was added to be permitted in the Rural Residential (R-R1) district.
 - Clarifications were made to the definition of Floor Area Ratio (FAR) with regard to the standard for determining FAR based on interior space, not exterior features of a building. The list of exemptions, as to what is included in generating the FAR standard, were clarified and expanded. It was specified that the Neighborhood Commercial building type is not part of the FAR calculation.
 - As a baseline for the districts that do not utilize the FAR standard, language was added to clarify that a minimum of two dwelling units is permitted on any legal parcel.
 - Updates to standards for Residential districts were made which included:
 - An exemption for small lots where the FAR would not apply and the FAR in the Limited Urban Residential 1 (LU-R1) and Limited urban Residential 2 (LU-R2) districts was increased from .4 to .5 for the one unit house building type.
 - A lot width exception for duplex and rowhouse building types was added.
 - To address ongoing comments about building height, the maximum height standards were lowered in the Urban Residential 3 (U-R3) district from 40 feet to 35 feet and in the Urban Residential 4 (U-R4) district from 50 feet to 45 feet.
 - The maximum Building Width standards for rowhouse building types were expanded from 160 feet to 200 feet and the rowhouse unit width standard was removed.
- Chapter 4.3: Mixed-Use Districts
 - Clarifying language was added to confirm that one-unit and duplex building types are not meant to be held to the building placement standards in mix-used districts. Additionally, the measurement method related to ground floor transparency was revised to apply to the area of the façade between 2 feet to 10 feet, rather than from the ground to the ceiling. Language was added to the entrance requirements provision to clarify that the entrance requirements do not apply to all entrances, but to at least one.
 - Updates to standards for mixed-use districts were made and included:
 - Building placement provisions to expand the build-to area, reduce the build-to width requirements and adjust the building placement standards for existing buildings to make it easier to add onto and redevelop existing buildings.
 - With regard to the building form and components as they relate to the ground floor transparency standards, the requirement was shifted to only street-adjacent ground-floor facades, the requirement is removed for apartment building type and the required minimum percentages are generally reduced in all districts and removed in the Limited Urban Mixed-Use (LU-MU) districts.

- The street wall height was expanded in the building form and components section for some districts, and the required entrance standard was removed for the Civic Building type.
- Chapter 4.4: Special Use Districts
 - One of the most notable changes is the renaming of the I-MU district to the T-MU district to better represent the intent of the districts. Accordingly, tables were re-labeled, and new context language was added. Side setback standards were also updated in that district for properties that are adjacent to Residential districts.
- Chapter 4.5: Overlay Districts
 - The language for the Airport Hazard Overlay was expanded.
- Chapter 4.6: Historic Preservation and Historic Resource Overlay Districts
 - A new overlay was added namely, the Sacajawea House Historic Resource Overlay.
- Chapter 4.7: Building Types
 - General corrections and an overall reorganization was done to remove redundant and inconsistent language.
 - Transparency requirements were clarified in connection with the rowhouse and apartment building types in relation to the street facing entrance requirements.
 - Additional language was added to the language which discussed accessory structures for purposes of clarifying exceptions around building placement and form.
 - The standards associated with the accessory structure building type were updated to reduce the setbacks from 5 feet to 3 feet.
- Chapter 4.8: Uses
 - Specific uses in the Use Table were also updated.
- Chapter 4.9: Development Standards
 - The applicability standard as it relates to the activity area was revised in connection with developments so that the standard applies to developments with 7 dwelling units or more, instead of 3 dwelling units or more.

ii. **Attachment G2: Summary of Map Amendments**

- Consistent with the changes to the UDC, the I-MU district was renamed to the T-MU district.
- Several updates were made to align the map with the recent Parks, Recreation, Open Space and Trails (PROST) Plan adoption and associated zoning as it relates to City owned properties.
- The zoning designation for parks was updated to the Open Space (OP-1) zoning district.
- The Open and Resource (OP-2) zoning designation on several privately owned parcels was updated. Specifically, the zoning for the winery was updated to a R-R1 district and the zoning for several parcels at the base of Mount Sentinel were updated to Urban Residential 2 (U-R2) districts.
- Civic districts for several parcels of publicly owned land, including a parcel owned by the U.S. Forest Service, were amended to Civic District 1 (CD-1) and Civic District 2 (CD-2) and several properties owned by the University were amended to CD-2 districts.
- Amendments to the zoning designations were made to a few discreet areas around the City which include:

- The area along South 1st Street West between California Street and the rail line was updated from U-R3 to Urban Mixed-Use 1 (U-MU1).
- Several blocks along Arthur Street, adjacent to the University were amended from U-R3 to U-R4.
- A commercial site in the upper Miller Creek area was updated from LU-R1 to LU-MU.
- Several areas in the Northside and Rattlesnake neighborhoods were updated from U-R4 to U-R3, primarily related being adjacent to narrow streets.
- The new Historic Resource Overlay District (HRO) and Airport Hazard Overlay were added to the zoning map following public comment.

After summarizing the updates in the adoption drafts of the UDC and zoning map, Ben revisited several topics previously discussed with the Board. Ben first clarified that the UDC does not limit development to a single primary building per site as multiple primary structures are allowed, and additional buildings do not need to qualify as accessory dwelling units (ADUs). Because the proposed code increases allowable density, ADUs are no longer included as a separate building type, though applicants may still classify a duplex or multiple single-unit buildings as ADUs for shared services if desired.

Ben then outlined the City's approach to historic preservation within the LUP. The goal was to identify and protect historically and culturally significant sites and landscapes, including those of the Confederated Salish and Kootenai Tribes. The UDC incorporates action items supporting existing regulations for preserving historic buildings and resources, including historic preservation permit review requirements designed to safeguard significant properties while minimizing climate impacts. Ben clarified that historic preservation permit review only applies to properties individually listed in the National Register of Historic Places (National Register) and designated through the HRO. Staff confirmed that nothing new was added. Fort Missoula is the only property on the National Register that is listed as an HRO. The UDC includes language on how to establish new HROs, should the community want them and the UDC provides the ability to regulate those districts consistent with state law.

The City's approach in drafting the UDC and zoning map was to consolidate existing neighborhood character overlays, Special Districts and Planned Unit Developments (PUDs) related to historic preservation. This resulted in the Fort Missoula HRO, the Marshall House Resource HRO, the Roosevelt Block PUD, and a new Sacajawea PUD.

While the overall intent of these areas remains unchanged, permitted uses were reviewed and updated to better align with the UDC's base zoning. For Fort Missoula, additional compatible uses were added to support reinvestment, adaptive reuse opportunities were strengthened, and neighborhood character development guidelines were moved from an appendix directly into the UDC for enhanced transparency. For the Marshall House HRO, outdated permitted and conditional uses were removed because they are now allowed under base zoning. No other changes were made to the remaining HROs.

Ben addressed the impact and effects of the zoning map updates with regard to mapping neighborhood parks as Open Space districts. Ben noted under the current zoning code in Title 20 of the City's Zoning Ordinance, there is currently over 2,000 acres of Open Space, whereas the UDC almost doubles that number. He clarified that additional parkland is not being added, but rather it is due to a rezoning of existing parks as Open Space.

B. Specific Standards

Nathan and Laval addressed concerns about some of the specific standards set forth in the UDC.

i. Landscaping and Activity Areas

Nathan addressed the site development standards set forth in Chapter 4.9 of the UDC, specifically landscaping and activity areas. Nathan recognized that a wide range of concerns have been heard from (i) development professionals that are focused on feasibility, (ii) housing advocates that are focused on production, and (iii) residents that are worried about how the code may affect the character of their neighborhoods, their quality of life and a fear for the loss of the sense of community that Missoula is known for.

Nathan emphasized that landscaping, green space, trees, walkability, activity areas and parks are some of the most powerful tools that the City has to protect exactly those things people are afraid of losing. Data collected in 2024 in connection with the PROST Plan showed 90% of those surveyed want walkable neighborhoods, 87% want strategies that protect clean air and water, 90% support protecting land for wildlife habitat and environmental reasons, 80% support plans that ensure new development provides access to parks, trails and green spaces, and 84% support improving the urban tree canopy. Nathan stated that landscaping, activity areas and thoughtful site design can provide all of those things that were shown to be important to Missoulians in that 2024 survey.

Nathan acknowledged that citizens are not afraid of density but are concerned about losing the character, comfort, and sense of neighborliness. Nathan believes that outdoor spaces accomplish this and that street trees, sidewalks, parks and activity areas matter the most for the City's most vulnerable residents, seniors, young children, people with disabilities.

It was reiterated that the UDC reduces both landscaping and activity area requirements when compared to the requirements in the current zoning code. The UDC requires 150 square feet of activity area per dwelling unit which is a significant reduction from the current zoning requirements and equates to approximately 14% of the site. Additionally, the activity areas count toward the overall landscaping requirements, which Nathan noted are also reduced in the UDC to 15 to 20% of the total site, all of which can fit within the standard setback. The flexibility of the UDC allows developers to reduce the landscaping and activity area requirements by 30% to 50% through ecological design such as native landscaping, pollinator gardens or green roofs.

Staff noted that the City plans to explore credits for green stormwater infrastructure, such as rain gardens and bioswales, which improve water quality and protect the aquifer and rivers. The proposed code also allows a cash-in-lieu option for required activity areas when projects are near existing parks or lack feasible on-site space. The fee is expected to be about \$2.50 per square foot, based on past appraisals, and is generally less expensive than constructing on site amenities. Nathan added that these funds will be invested in nearby parks that directly serve the residents of the new homes.

Nathan stressed that the City is striving for a balanced approach and explained that the LUP sets goals for housing, quality of life, walkability, climate resiliency, environmental protection, and community cohesion. The landscaping and activity areas are calibrated to make urban infill more achievable while ensuring that the quality of life for residents in the City is protected.

ii. Mixed-Use Districts

Laval addressed form standards in the mixed-use districts and explained that form standards start with the LUP, where residents indicated walkable mixed-use corridors, safer streets and buildings that contribute to the public realm were important. In the Urban Mixed-Use districts, the goals of the LUP are accomplished with the form standards which:

- Bring buildings to the sidewalk instead of behind large surface parking lots, ensuring windows, doors and active ground floors make streets feel safe and welcoming; and,
- Support housing mixed with shops, services and transit use which aids in meeting climate goals by reducing driving and making it easier to walk, bike and ride together.

Laval described the form standards as implementation tools for the community's adopted goals on housing, climate, transportation and economic viability and not as abstract design preferences. Laval confirmed that staff has listened to community feedback and incorporated changes into the UDC based on those comments. With regard to the standards, especially for irregular lots and existing buildings that make projects difficult or impossible, the City's intent is to balance feasibility with community goals and the City is recommending the following amendments be made to the UDC:

- Article 4.3: Mixed-Used Districts
 - Create a clearer distinction between new and existing development by exempting building conversions and expansions from the build-to zone and the build-to width. This helps to meet climate goals by supporting existing building stock.
 - Emphasize the "legal existing" approach to use continuation and reinvestment through a change that would remove requirements related to additions to legally existing building setbacks associated with build-to zone and build-to width.
 - Introduce more flexibility for building placement by relaxing the build-to zone maximum in all Urban Mixed-Use districts to 20 feet, eliminating the side street build-to width requirement and apply the build-to zone to only front streets; and exempting single-purpose residential buildings in Urban Mixed-Use zones from build-to zone and build-to width. This supports needed housing without being forced into main-street retail form of building character.
- Article 4.2: Residential Districts
 - Increase flexibility for missing-middle housing and age-in place designs by eliminating lot width requirements in all Urban Residential districts, referenced in Table 4.2.03-4 of the UDC; creating a standard that limits new driveways on very narrow lots; and decreasing lot-width requirements in the Limited Urban Residential districts.

iii. Legal Non-Conforming Uses

Next, Laval addressed the significance of the term "legal existing" or "legal nonconforming". She acknowledged that the City is recommending renaming Chapter 4.13 from "Nonconformities" to "Legal Existing" to address concerns expressed by property owners who are worried about what "nonconforming" means for their investments, future projects and their ability to sell or refinance. Laval clarified that if a property was legal prior to the UDC, the UDC will continue to consider that property as a legal existing property, not as a problem to be eliminated. When communities update zoning or development codes, new nonconformities are created, and it is often a common issue. There will always be buildings and uses that do not always correspond to the new rules, but which were built or established legally under the previously existing rules.

Laval explained that the approach within the UDC is to respect past decisions as an evolving community. The City has also received additional feedback with regard to the expansion provisions in the Nonconformities chapter and recognizes that it will need to allow for greater than 20% expansion to be consistent with its approach to the UDC. The City indicated that additional revisions may be recommended as it continues its review of Chapter 4.13.

iv. Proposed Corrections

The City presented the following additional proposed corrections to the UDC:

- Article 4.8: Uses.
 - Update the language to allow wineries as a permitted use in OP-2, as this was intended by the City.
 - Eliminate the parking requirement for Day Care Centers that serve 13 or more clients as this was previously intended by the City.
- Article 4.6: Historic Preservation & Historic Overlays. Recommending that the word "individually" be added to the definition of "Historic Resource" in Chapter 4.6.02. Laval explained that without the word "individually" the definition can be construed to apply to more resources than the UDC intends. The change makes it clear that the Historic Resources are considered for those that are individually listed in the National Register, identified on the Missoula Inventory of Historic Resources or historic places, or included an HRO.

C. Zoning Map

Marc Hendrickson responded to questions previously received regarding the zoning map. He reiterated the policy objectives from the LUP which relate to mapping and acknowledged that although these have previously been reviewed, the City wanted to confirm the objectives for the public record.

Marc explained that the zoning districts in the City were created using amenity based, constraint based and street type or policy-based zoning. For amenity-based zoning the data layers that were utilized included Mountain Line routes and the associated timing of those routes, developed parks, commuter trails, grocery stores that accept WIC, local food options such as farm stands, farmers markets, community gardens and public schools. Street typologies previously adopted by the Planning Board and City Council were utilized for the street type data layers, while floodway and flood fringe area data layers were utilized for the constraint based zoning data layers. Marc noted that with regard to the constraint based data layers, current floodplain mapping was utilized for the Rattlesnake Valley and Grant Creek area and newly mapped floodway data from the Montana Department of Natural Resources and Conservation (DNRC) were used for the Clark Fork and the Bitterroot.

Marc reminded the Board that all of the Place Types adopted in the LUP have corresponding zoning and explained that it is common for most Place Types to have more than one zoning district associated with it and are often a tiered system. This varied approach is established based on the amenities and constraints previously described. To answer specific questions that arose during the hearing on November 18th, Marc addressed each Place Type and how and why each corresponding zoning district was assigned. Marc explained that City Council adopted a provision where residential and commercial development may be permitted dependent on context and adjacent land use types. Marc explained that if a parcel did not have historical or environmental resources present and was not walkable to services, it was moved to a CD-2

zoning district. All other parcels remained part of the CD-1 zoning district. Marc also provided two examples of parcels located within Civic Place Types.

- The first example was 2150 Bannack Court which was zoned CD-2 due to its proximity to services and amenities and its land use. The land use designation for this parcel is large apartment complexes. It is also within walking distance to a higher education facility, trailhead, developed park and frequent transit services.
- The second example was 20 Fort Missoula Road which was zoned CD-1 due to its current land use and proximity to land deemed environmentally sensitive and of historical significance. The current land use is non-profit or office use and is only within walking distance of a park. Unlike the Bannack Court property, the Fort Missoula Road parcel is not within walking distance to any services or amenities, keeping it at the CD-1 zoning designation.

Marc provided background with regard to the zoning designation for the Aspire Subdivision. He noted that the Place Types and zoning for East Missoula, including the proposed location for the Aspire subdivision, was Urban Residential High (URH) due to its compact grid system, available multi-modal options and high housing diversity. Additionally, there were little to no environmental constraints or covenants restricting development. Marc explained that consistent with all other Place Types, the zoning designation in the URH Place Type is also based on a tiered system. He concluded by stating that the tiered zoning system was the best method to zone the City in a new way with an unbiased approach, while still adhering to the LUP and its associated policies.

D. Process

Ben provided clarification on the process moving forward and that the City is committed to moving from a static code to a living framework. The City is committed to accomplishing this as a team effort with the community and looking to: (i) the development community to flag what is working on the ground, and what is potentially blocking good projects, (ii) to neighbors and residents to share what feels right or off in your neighborhood and (iii) to community partners to identify infrastructure, school and operational impacts that should be considered moving forward.

See PowerPoint presentation slides.

BOARD DISCUSSION [Time stamp – 01:03:37]

Danny Tenenbaum asked how the rule in the historic preservation section of the UDC relates to individual buildings listed on the National Register. Laval clarified the definition of Historically Significant Building. Elizabeth stated that if the building is in a Historic District but not individually listed on either the National Register or on the Missoula Inventory, and there is not an HRO, there would be no additional historic preservation requirements. Elizabeth indicated that all of Missoula's Historic Districts, with the exception of Fort Missoula, do not have additional historic preservation requirements under the UDC. Tenenbaum indicated he misspoke and was inquiring about noncontributing buildings. Elizabeth confirmed that the City is not expanding the UDC to extend to contributing structures within a Historic District and do not have a HRO associated with them. She stated the UDC will not impact those properties that are not currently regulated under Title 20 of the City's Zoning Ordinance. Fort Missoula has an entire regulatory area listed in the National Register and therefore all development within the boundaries of Fort Missoula is monitored due to the requirements of the HRO. Elizabeth stated that if a new HRO is created, it could be written differently.

Josh Schroeder (Josh) asked the City for clarification regarding how the new Transitional Mixed-Use (T-MU) zoning district corresponds to the City's Place Types and whether it aligns with the Industrial and Employment Place Type. Staff clarified that the current Industrial Mixed-Use zoning district is now being renamed as Transitional Mixed-Use and corresponds to the Urban Mixed-Use Place Type. Ben acknowledged that this may be confusing because even though the district appears under the Special Use Districts in Chapter 4.4 with Industrial zoning districts, it is intended for areas that are currently more industrial of nature but planned to transition toward an urban, mixed-use pattern over time without immediately applying full urban standards.

Josh expressed concern that removing the Industrial Mixed-Use zoning district will reduce flexibility for certain lots that are currently located in the Industrial and Employment Place Type that are only serviced by neighborhood streets and adjacent to residential areas. Ben confirmed that there are no changes to where the district is mapped, but rather the change from an Industrial Mixed-Use zoning district to a Transitional Mixed-Use zoning district in the UDC is more of a rebranding of the zoning district. Ben confirmed that neither the Industrial Mixed-Used zoning district nor the Transitional Mixed-Used zoning district were applicable to the Industrial Place Type.

Lynn Davis (Lynn) inquired about ADUs and asked if an alley house could be built directly behind another home facing the front street. Cassie indicated that the street facing requirement only applies to rowhouses and apartment buildings and that it does not apply to duplexes or single unit houses, which an ADU would be classified as in the future. An alley house or two alley houses and a front street facing house are allowed under the UDC.

The Board received a comment letter from Brian Ellestad, Director of the Missoula Montana Airport (Airport), regarding proposed changes to the Airport Hazard Overlay. In response to Lynn's question, Eran explained that the Airport has been a strong partner throughout the process and has expressed concern about new housing directly east of the airport. The Airport prefers minimal new housing in the most impacted areas and recommends focusing those lands on industrial, commercial, agricultural, open space, and park uses, with any residential development clustered outside the highest-risk zones.

Eran noted that the Airport Hazard Overlay was created in direct response to these concerns. The Overlay sits atop the underlying zoning, which follows the LUP, and significantly reduces residential density by capping it at 4 homes per acre, while prohibiting high-occupancy uses such as schools and hospitals and encouraging clustered development. Although the Airport Hazard Overlay moves toward the Airport's position, it cannot fully do so due to existing vested subdivision approvals, including West End Homes and Paisley Park. Eran emphasized that the Airport's noise and safety concerns were taken seriously and addressed as much as possible within existing development rights. Staff will continue collaborating with the Airport on process-oriented measures, such as aviation easements, subdivision notifications, and improved buyer awareness regarding potential noise impacts.

Danny Oberweiser (Oberweiser) inquired about whether the tiered zoning system is standard practice in the industry and across the country or if it was a formula developed by the City staff. Staff were not aware if it is standard practice throughout the country, but it was the only method that allowed the City to follow the LUP and also map the entire City under a totally new zoning code, in an unbiased way. The City is taking a closer look at a few areas, one of which includes Charis Lane in the Lower Rattlesnake. James Fountain asked how the metrics for the tiered

system are determined, such as the metrics for walkability and being environmentally sensitive. Marc explained that walkability is measured in the industry at being one quarter mile or 15 minutes, which accounts for disabilities and places that lack access to sidewalks.

Ben noted that the City has a long-standing practice of producing development tracking reports, starting with the Urban Fringe Development Area (UFDA) report and later merging into the Our Missoula Development Guide. Ben indicated that following completion of the UDC, updates will continue to be made to the tracking report as part of monitoring how the new code performs.

Derek Kanwischer (Derek) asked why certain parks were being reclassified as Open Spaces, what proportion were affected, and what the reclassification means. Marc clarified that reclassifying parks to OP-1 does not have any significance and it signals to the public that these lands are protected parks. However, changing a park's status still requires a public process, but the designation does not remove meaningful residential capacity nor change the level of protection.

Derek also asked how the City intends to manage the new zoning code and map as a living document and what events might trigger updates to the UDC and zoning map. The City plans to proactively initiate amendments when errors are found so property owners are not burdened with rezoning costs, and they will rely on input from the community, developers, and other stakeholders to identify when updates are needed. Cassie pointed out that under state law, City Council can also initiate amendments at any time.

PUBLIC COMMENT [Time stamp – 01:36:12]

The following public comment was presented to the Board:

Brian Ellestad, Director of the Airport, thanked staff for incorporating the Airport Hazard Overlay and expressed appreciation for the added protections. Brian expressed additional concern that the repeal of standards from the Wye Mullan Area Plans may unintentionally reduce existing safety protections near the Airport. He asked the City to consider splitting parcels to direct density away from the Airport Hazard Overlay as proposed. Brian also encouraged the City to consider areas affected by a future second runway. He reiterated that the Airport is not against housing and development but would like to see flexibility for developers to shift units away from risk areas.

David Gray stated that comments from Parks staff regarding activity areas were inaccurate and noted that 20 plus architecture and civil firms submitted a letter opposing activity area requirements. David asserted that activity areas have stopped more housing projects than any other regulation, and the new proposal makes this more restrictive by lowering the threshold of the requirement for activity areas from 9 units to 7 units. David expressed concern regarding the increase in landscaping requirements from 15% to 20% for all commercial and residential buildings and the addition of a 10% landscaping requirement for the downtown area. David stated that the landscaping chapter as currently drafted in the UDC is non-functional. He requested major revisions to the landscaping chapter along with the removal of the activity areas in their entirety prior to adoption. Regarding the CD-1 vs. CD-2 zoning districts, David noted that CD-2 supports a mix of open space, housing, and services, such as in the University District, while CD-1 is an inappropriate designation for public lands as it limits public-private partnerships and prevents opportunities for staff or teacher housing on school properties. He recommended the removal of the CD-1 designation from the UDC. He also supported the addition of "individually listed" properties to the definition of Historic Resources and urged the City to eliminate building transparency requirements associated with glazing. David objected to

build-to rules and build-to width requirements, stating they have already stopped commercial development and should be struck entirely. Additionally, he raised concerns about the Historic Resource Overlays, asserting that he believed City staff had previously stated Overlays were eliminated when the LUP was presented to City Council, so the overlays in the UDC are entirely new. Property owners at Fort Missoula affected by proposed overlays were not engaged, and federal agencies have already removed historic buildings without public input. David thanked the Board for their time.

Abby Huseth, Deputy Director of Climate Smart Missoula, expressed strong support for the proposed landscaping, tree requirements, and outdoor space standards. Abby noted alignment with comments submitted by Common Good Missoula and highlighted Climate Smart's work on urban forest and green infrastructure initiatives. Abby requested future review of processes in the UDC related to protecting solar arrays from shading, explaining that current state law places the responsibility on solar owners to secure easements. Abby

Jennifer Snorsky, a volunteer with Pro Housing Missoula and Real Estate Appraiser, thanked staff for their responsiveness and amendments to the proposed code. Jennifer expressed concern that some areas of the Rattlesnake were down zoned to LU-R1, despite their walkability, transit access, and proximity to schools, and suggested higher density would better support families. Jennifer questioned the necessity of activity area and landscaping requirements, noting they add costs and that nearby parks already serve residents. She also raised concerns about the tax burden on property owners and the impact of additional development requirements.

Nancy Heil thanked staff for their work and reiterated points from her written comments regarding zoning in the middle Rattlesnake. She requested the proposed zoning U-R3 move to U-R2 to balance housing needs with resource protection and existing infrastructure limits. Nancy highlighted traffic and safety limitations on Missoula Avenue, a one-way greenway with a wide bike lane and no available on-street parking. Nancy expressed concern about the Bugbee Nature Preserve. She recommended applying consistent zoning to Charis Lane as it has some drainage issues and is adjacent to several riparian areas with a mature canopy. Nancy encouraged further review in this area and asked how the underlying Place Types might be reconsidered in the future.

Len Broberg with Common Good Missoula thanked staff for addressing concerns raised by community members. He expressed appreciation for progress in ensuring ADUs and second dwellings are clearly permitted in the code. Len also voiced support for the earlier comments made by Abby Huseth regarding landscaping and green infrastructure.

Max Wolf commented on the application of CD-1 zoning and the new Historic Resource Overlay, particularly at Fort Missoula which he believes was zoned with the Old Post Hospital in mind. He argued that the CD-1 zoning designation contradicts City Council's intent to allow flexibility in this area. He explained CD-1 limits opportunities for workforce and elderly housing as well as mixed-use redevelopment that is aimed at supporting future public needs, stating it would allow the Fort Missoula area to go into greater decay. Max compared the historic areas of the University District placed in CD-2, while the Fort Missoula area is placed in CD-1. Max noted that federal properties in Fort Missoula are demolishing buildings without being subject to similar preservation requirements imposed on neighboring private landowners. Max contended that the UDC process is moving too quickly, with only 22 days of public review, and requested a delay. He urged replacing CD-1 with CD-2 and revising or removing the Historic Resource Overlay.

Eli Harmon of East Missoula agreed with concerns raised by Max Wolf about the process moving too quickly. He stated that East Missoula residents have not been meaningfully considered, particularly regarding the recently annexed area associated with the Aspire Subdivision. Eli expressed concern that the proposed density would overburden the existing infrastructure and that concerns from residents are being overlooked. He asked the Board to delay adoption of the draft UDC so these issues can be fully addressed.

Lee Bridges of East Missoula stated that East Missoula residents were not included early in the process and only recently received a notification mailer. She expressed concern that the Engage Missoula clarification advised County residents to disregard the mailer despite impacts to East Missoula. Lee highlighted risks to riparian areas, wildlife habitat, and aging infrastructure, particularly along Sommers Street (a substandard roadway) and the adjacent highway intersection. Lee also warned that high density designations could eliminate the community's Live Make zoning designation, affecting livelihoods and future property values if annexed. She requested slowing the process and ensuring East Missoula residents are fully involved moving forward.

Lindsay Nugent resident of downtown Missoula expressed support for increasing density and expanding housing options across the city. Lindsay highlighted that she works with a foster care program in Missoula and noted that a lack of safe and stable housing directly harms vulnerable families and often delays reunification of families. Lindsay supported adding more high density U-R4 zoning throughout the City to increasing housing for all.

Colin Lane with MMW Architects appreciated the long-term work on the LUP and staff's commitment since the draft code was released on October 29, 2025. Colin highlighted key areas of concern, including inflexible build-to zones and associated requirements limiting parking in front buildings, between buildings and at building entries. Additionally, Colin expressed concern for the landscaping and activity area standards in the UDC, that exceed current Title 20 standards and which not only increase building costs, may hinder redevelopment and affect housing feasibility. He expressed interest in continued refinement of the UDC as currently written.

Jim Sayre resident of the University Neighborhood and member of Pro Housing Missoula acknowledged concerns about timing but urged keeping the schedule on track to finish, emphasizing that the project has been underway for three years and the City's housing needs are urgent. He cautioned that overly prescriptive standards could limit the needed housing production of 1,100 to 1,400 units per year. In support of another opportunity proposed by Common Good Missoula, Jim encouraged exploring "neighborways," repurposed street space for community gathering, and reiterated the importance of focusing on Missoula's chronic housing shortage.

John Wolverton, resident of the Near Northside and member and founder of Pro Housing Missoula, expressed concern that extensive green space, tree, and activity area requirements could constrain housing development and push residents to live further outside of town, increasing transportation and climate impacts. He suggested reducing landscaping requirements by 5% city wide. John noted his involvement in the process since early 2022 and stated that he believes there have been ample public engagement opportunities.

BOARD DISCUSSION [Time stamp – 02:19:50]

Tenenbaum asked Nathan to address concerns from the Sawmill District developer, who noted that the project had already dedicated 11 acres for Silver Park and questioned why future phases might still be subject to activity area requirements. Nathan explained that parkland dedication typically satisfies those requirements, and he does not expect additional activity areas to be required in similar subdivisions. Cassie added that staff will research the exemption year for subdivisions with older parkland dedications. Ryan agreed this refinement is needed and suggested the City review the specific history of investments at the Sawmill site before concluding how the requirements should apply to that site. Ryan indicated the City would review the background information associated with that project and provide additional information to the Board at the next meeting.

Tenenbaum raised concerns expressed from the president of the Ben Hughes Homeowners Association (HOA). The HOA questioned whether its ability to enforce the Covenants, Conditions & Restrictions (CC&Rs) would be affected by the zoning designation of Limited Urban Residential, as the CC&Rs have greater restrictions on density and height than what is proposed in the code. Ryan clarified that CC&Rs are private agreements between the landowners and that the City does not regulate, enforce or override the requirements in CC&Rs. Zoning governs only what is permissible under City regulations, while CC&Rs remain independently enforceable by the HOA.

Derek noted community concerns about preserving existing investments in solar installations and urban gardens. Ben acknowledged their importance but explained that the UDC must balance solar access with policies that support inward growth and increased housing capacity. Staff noted that residential height limits largely remain consistent with current standards. Ryan discussed the legal challenges of zoning specifically to protect solar access, pointing to existing tools such as easements for light and air and examples of downtown businesses securing view easements. He noted the potential conflicts with property rights and said the City will research how other jurisdictions address these issues.

With no further questions, the Board proceeded into code review, planning to address Chapter 4 last.

- **Chapter 1, Introduction.**

Starting with Chapter 1, Shane recommended amending the time periods for adoption and specifically requested that the City extend the proposed 60-day transition period to something closer to 90 to 120 days. Staff agreed that a slightly longer timeframe may be workable, but noted that it may slow down permitting since it will require staff to operate under two different codes. Based on comments, Shane recommends the City start with 90 days.

- **Chapter 2, Administration and Procedures**

With regard to Chapter 2, Oberweiser asked about final plat approval authority shown in the subdivision approval crosswalk and asked if it would be a process completed by City Council. He also asked if it is a state statute since preliminary plats do not require City Council approval under MLUPA. Cassie confirmed that state law requires City Council approval for the final plat, but that it will likely occur via consent agenda rather than public hearing.

- **Chapter 3**

The Board noted that Chapter 3 is reserved.

- **Chapter 5, Subdivision Regulations**

Oberweiser inquired about the prohibition on overlapping trail and utility easements, expressing concern that the provision is more of a standard for a manual not a zoning code. Oberweiser recommended either striking the provision in its entirety or in the least, replacing the language with provisions that say “should” not “shall”. Nathan indicated that trail corridors are narrow and should not be on public utility easements for purposes of protecting trees and preventing conflicts with utility work, but acknowledged a need for flexibility. Staff agreed to revisit the language.

Oberweiser discussed the parkland dedication calculation system and noted its changes due to a more progressive FAR system. Oberweiser voiced concern about tracking expected dwelling units in subdivisions under the new FAR parkland dedication system and potential future cash-in-lieu obligations. Oberweiser provided the example in which a subdivision applicant is required to list the number of expected dwelling units, but if more dwelling units are proposed by a different landowner in the future, inquired about who tracks this. There was concern that a builder may get blindsided at the time of permitting and have to pay a cash-in-lieu fee that was never anticipated. The Board discussed possible approaches such as imposing an expiration date or time limits on cash-in-lieu fees being charged. Rick agreed and expressed the need for some level of certainty for developers. Another issue involved preliminary plat applications requiring approval from the Department of Environmental Quality (DEQ). Under Section 5.3.01-C.4. Oberweiser pointed out that the provision states “.....the subdivider must provide evidence of approval from the Department of Environmental Quality (DEQ) / Missoula City County Public Health Department (MCCPH) prior to the Planning Administrator determining the application is complete”. Oberweiser informed staff that DEQ will not issue final approval before submitting preliminary plat with comments to submit to DEQ. Staff confirmed that they will amend this Section.

Derek asked staff for clarification regarding new subdivision code and how the wildland urban interface (WUI) will be addressed. Cassie discussed the requirement for two access points was the result of conversations with the Office of Emergency Management (OEM). Staff indicated that hardship variances could be issued if necessary.

Rick asked about Section 5.2.09 as it relates to mobile home park regulations and understood the code to prohibit units older than 1976 from being brought into the City. He asked if this applies to adding or subtracting mobile homes from existing parks with mobile homes of that age that already exist in the City. Cassie provided clarifying distinctions between older mobile home parks and newer manufactured home developments originally approved as subdivisions under state law.

- **Chapter 6, Infrastructure**

With regard to Chapter 6, Oberweiser questioned the 5% administrative fee applied to latecomer agreements for shared infrastructure between only two developers. Oberweiser provided the example where the first developer who builds out a common public road may be charged an excessive amount under the new regulations. Aaron Wilson agreed that staff will review potential exceptions.

- **Chapter 7**

The Board noted that Chapter 7 is reserved.

- **Chapter 8, Definitions**

There were no comments from the Board with regard to Chapter 8. David suggested consolidating multiple definitions related to solar panels and solar energy. Cassie acknowledged there may be different scales of sizes associated with those definitions and noted that staff will review these to simplify where possible.

Board members began identifying key issues they wanted staff to revisit. Lynn requested that staff re-examine the activity area standards and asked that staff consider bringing forward potential amendments rather than relying solely on Board initiated changes. Others supported having staff refine amendments in advance and publish them in the meeting packet for the next meeting so the public has time to review.

Laval encouraged Board members to submit questions to the City in advance of the next meeting, and that the City is looking for additional clarification from the Board as to the types of responses it is looking for from the City. Shane noted that the Board has received articulated public comment and wanted clarification on addressing some of those issues. Staff also directed the Board to the engagement summary in the agenda packet, which may assist in summarizing many of the recurring themes previously received from the public and which have already been addressed. Ben confirmed that staff will bring a set of recommended amendments to the next scheduled meeting. The Board was directed to submit additional comments and/or proposed amendments to the City staff (Cassie, Ben or Emily).

Board members asked the City to review the CD-1 and CD-2 zoning districts, which have been a recurring theme in public comment, where privately owned lots are adjacent to federal property. Josh noted some inconsistencies between Industrial Place Types and had questions about whether the Industrial Mixed-Use zone had been removed as a transitional tool, noting that some of the industrial areas are only accessible by a neighborhood street. He asked that staff review how the density of certain areas aligns with adjacent parcels. Staff explained that changing or modifying Place Types to allow for different types of transitional areas would require amendments to the LUP, not just the zoning map. Josh also asked staff to clarify certain map decisions, including zoning decisions for the Easy Street neighborhood, the Aspire subdivision, and East Missoula.

Staff clarified that changing the zoning for the Aspire Subdivision would require changing the underlying Place Type in the LUP. Rick stated he intended to bring an amendment to change the place type and assign a lower-density zoning district, noting the Board had previously, unanimously, recommended denial of the project. Rick expressed his opinion that the Board's role is to consider amendments openly and vote accordingly and intends to make the motion. Tenenbaum agreed with Rick on the procedures and believes it is appropriate to bring the amendment forward. The discussion concluded with Board members acknowledging that build-to standards and landscaping requirements in mixed-use zones are topics that will need to be further discussed.

This hearing will be continued at the December 2, 2025, Planning Board meeting.

VII. COMMUNICATIONS & SPECIAL PRESENTATIONS [Time stamp – 03:46:11]

There were no communications or special presentations.

VIII. COMMITTEE REPORTS [Time stamp – 03:46:14]

There were no committee reports.

IX. OLD BUSINESS [Time stamp – 03:46:15]

No old business was reported.

X. NEW BUSINESS [Time stamp – 03:46:19]

No new business was reported.

XI. COMMENTS FROM BOARD MEMBERS [Time stamp – 03:46:23]

There were no comments from Board members.

XII. ADJOURNMENT [Time stamp – 03:46:31]

The meeting was adjourned at 9:46 p.m.

Missoula Consolidated Planning Board November 20, 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/10038/media>.

Missoula Consolidated Planning Board November 20, 2025 -Meeting Recording

0:05

All right, everybody, it looks like we have a quorum, so we'll get started.

0:14

Call this November 20th, 2025 Planning Board meeting to order.

0:21

And Alicia, can we have a roll roll call please?

0:25

Roll Call.

0:27

Lynn Davis Derek Kanwisher Here.

0:33

Tunfom Tune is absent.

0:38

Danny Tenenbaum here.

0:40

Josh Rader Here.

0:46

Danny Oberweiser here.

0:49

Recall here.

0:52

James Fountain here.

0:55

Sean McCoy.

0:57

Sean is absent.

0:58

Shane Morrissey here.

1:01

Mr.

1:01

Chair, we have 6 regular members present and two alternates present.

1:06

Would you like to appoint City alternate Danny Tenenbaum and county alternate James Bond as a voting member for the evening?

1:14

We're allowed to have up to 10 voting members, is that correct?

1:17

Correct.

1:18

9, we have quorum.

1:24

Great.

1:27

All right, moving through our agenda approval of minutes, we don't have any minutes to approve tonight, So we will move on to public comment on non agenda items.

1:40

So for folks in the audience and listening online, if you are looking to make a public comment on our agenda item today, which is our public hearing on our unified Development code, land use plan and zoning map, you will wait to make those comments during after the presentation.

2:01

If you are commenting on something outside of today's agenda, now is the time to do it.

2:05

We'll ask Annalisha to pop the call and instructions on screen.

2:18

So if you are calling in on your phone, the phone number is 406-272-4824.

2:24

The phone conference ID is 358884848# and you will press *5 to raise and lower your hand and *6 to mute and unmute yourself.

2:37

And if you're just on Teams, you can raise your hand and to be recognized, if anybody in house has a public comment outside of tonight's agenda, you're more than welcome to come up.

3:48

OK.

3:49

We're not seeing anybody online, not seeing anybody in house jumping up.

3:54

So we will close the public comment on non agenda items tonight and we have no staff announcements.

4:02

So we will move on to our public hearings.

4:05

And we have Ben Brewer with CPDI to just kind of recap where we are, where we were a couple of days ago and maybe give some follow up to things that came about from last meeting.

4:24

And then after that, we will be taking another public comment on tonight's agenda.

4:30

So thank you, Shane.

4:34

Thanks to the Commission.

4:36

I'm Ben Brewer, Planning Supervisor with the CPDI department.

4:41

Can you hear me OK through the mic?

4:45

I am here with a A-Team tonight for a continuation of the public hearing for the Our Missoula project related to the new Unified Development Code, the zoning map, and the land use plan amendment package that we began earlier this week.

5:00

On last this this Tuesday, November 18th.

5:04

We have a group with us here in the room from CPDI, including Laval Means and Mark Hendrickson from the Community Planning group.

5:11

We have members of the Parks Department.

5:15

Nathan McLeod is here, Aaron Wilson with Transportation Planning group in public Works is here with us.

5:21

We have Ryan Sudbury from the Attorney's office and we also have Cassie Tripart, our Fearless Leader online joining us from out of town and as well as our director at CPDI, Aaron Payhan.

5:35

So our hope is that we can support you today to provide some updates and responses to some of the questions that you asked at the end of the meeting last week and some of the the things that came up at that meeting.

5:49

And then to facilitate any more questions that you have or discussion that that we can have tonight to to move, move forward with this process.

5:59

And Cassie is running the slides tonight.

6:01

Thanks, Cassie.

6:02

We can move on to the next, the next one.

6:08

So we are prepped to provide a presentation to start things off with.

6:13

This is to again, to respond to to things that the Commission especially brought up.

6:18

So that's that's our primary focus here.

6:21

Not able to respond to all of the public comment that we heard at the meeting last week, but or earlier this week.

6:27

But we do think that some of what we will cover in our presentation today will speak to to things that were raised in comments and concerns that were raised by by commenters at the meeting earlier this week.

6:40

So I think this is looking like around half an hour and I think it'll probably work most efficiently if we just kind of run through the whole presentation if that works for everybody.

6:52

But if you want to jump in, we can do that too.

6:59

So we're going to start with a list of just clarifications to make on on some of the questions that were asked earlier this week.

7:10

And then we think it would also be helpful to just run through a summary of what updates have been made to the, the draft, the adoption drafts of the code and the map that you are considering and just to make sure that that's clear to you and to the to the folks that are following with this.

7:28

So that's first thing we'll we'll head towards.

7:34

Just to start things off again from a high, high level reminder that we're we're here to consider several components of this project, including amendments to the land use plan that was adopted at the end of last year.

7:48

And then also the new Unified Development Code, which includes both zoning and subdivision regulations, as well as other development regulations, as well as a new zoning map.

8:01

And this process is guided by a new state law called the Montana Planning Act Language and Planning Act, which requires that zoning subdivision implement the related land use plan and creates a process that emphasizes a focus on engagement and especially at the community level through the development of that land use plan.

8:27

Which then narrows successively on both the focus and decision space that's involved as it moves towards developing the implementing tools for the land use plan such as the zoning subdivision and ultimately the site specific and project level development review process.

8:49

So that's just again kind of framing all this from here, I'm going to run through a summary of a, a couple of the materials that are in your your packets.

8:57

These are specifically really kind of reviewing what is itemized and summarized in the

attachments G1 and G2, summary of the code updates and summary of the zoning map updates.

9:14

OK.

9:17

I'm going to start with the a summary of of updates that were made to the code.

9:19

Again, just to be crystal clear, the drafts that were put out for the public review period starting in October 1st with the zoning framework materials and then with the full unified development code being released on October 29th, closing our public review period on November 12th.

9:38

Those drafts have been updated in the materials that are being considered for the the hearing here.

9:44

So these are the changes to those drafts that we're going to just make sure people have seen and and are, are aware of.

9:53

Just to start out with.

9:57

Just on a general level, the the name of the code, the official name of the code has been updated and the the code's been formatted and and improved on as far as cleaning up typos and formatting and references.

10:12

Most of the changes that were made were in the zoning chapter.

10:15

So just to kind of give a quick summary of the changes outside of that in Chapters 125 and 6:00 and 8:00, the the most substantial change I think that you'll see is in Chapter 2 related to the transitional provisions that was updated to differentiate how those apply to subdivision as opposed to other parts of the code.

10:39

So I just want to call that out.

10:40

In Chapter 5 in the subdivision chapter, there were some kind of minimal clarifications to the maximum block perimeter standard and then to the exemption to Parkland dedication.

10:52

And then a definition in Chapter 8, which is the chapter that includes all the definitions for the code, the building with definition was amended.

11:02

So pretty minimal updates to the code outside of the zoning chapter again.

11:07

And I think really what we're assuming and thinking we would focus on today are, are is the the zoning section of the code especially.

11:17

So moving to the zoning, I'm going to run through things kind of front to, to back here.

11:25

And again, this is just mainly for awareness.

11:28

All the details of these changes are shown in red line with kind of definition and an explanation of what these changes are and why.

11:37

So I want to point you again to that attachment G1.

11:42

So starting in the residential chapter article of the code, just some clarifications were made around.

11:49

There's a lot of confusion on whether the the table, the units per building table was, was prohibiting accessory structures.

12:00

That wasn't the intent, so we added the word dwelling to the table to clarify that that table specifically related to to where dwelling units are are permitted and prohibited.

12:12

A general the general building type was added to be permitted in the resident rural residential zone.

12:18

Some clarifications on the FAR around FAR were made as one was around just clarifying that the measurement of the the standard for determining the FAR standard is based on interior space, not on exterior features of a building.

12:36

So that definition was kind of added and put front and centre in that section to try to clarify that.

12:44

And then the list of exemptions to what is included in the in accounting or or generating the FAR standard requirement.

12:54

Those exemptions were clarified and expanded on including indicating or or adding in that the neighborhood commercial building type is not part of that calculation.

13:09

And then finally just to clarify that the at the as a baseline, especially for the districts that don't use the FAR standard that a minimum of two dwelling units is permitted on any legal parcel.

13:23

So those those changes were updated to those relevant tables.

13:28

Moving more over into the standards themselves as they relate to residential districts.

13:34

Some standards were updated for the floor area ratio tool 1 is that an exemption for small lots was added where the FAR requirement would not apply and then another is the FAR for the Lu R1 and Lu R2 districts was increased from .4 to .5 for the one unit house building type around lot standards.

14:01

The lot width exception for duplex and row house building types was added A and then related to height in the UR3 and UR4 districts.

14:17

And this is something that's been a a, a comment or a a frequent comment that we have been hearing through the public review process was, was a concern about the heights and needs districts especially.

14:31

And so in the UR three district, the maximum height was lowered from 4040 feet to 35 feet, in the UR Four district from 50 feet to 45 feet.

14:41

And those are generally consistent with the height maximums in our residential zoning districts today.

14:49

And finally, the maximum building width standard row house maximum building widths were expanded to 200 feet from 160 and row house unit width standards were removed entirely from that set of standards.

15:05

Moving on to the mixed-use districts and and residential mixed-use districts were probably where we saw the the most amendments here.

15:16

So starting with some clarifications that were added to the code related to building placement.

15:22

The just you know clarifications were put in to clarify that one unit homes and duplexes are are not meant to be held to the building placement standards in the mixed-use districts.

15:35

The measurement method related to the ground floor transparency standard was amended from from in the previous draft to apply to the facade area between 2 feet to 10 feet rather than from ground to ceiling.

15:52

And the entrance requirements were clarified to apply to not not apply to all entrances but rather to at least one.

16:03

And the other language was amended in there as well related to the actual to the standards themselves in the mixed-use districts.

16:12

With regard to building placement, the several updates were made around building placement, including the bill to area was expanded, the bill to width requirements were reduced and the building placement standards for existing buildings were adjusted.

16:30

So meaning to make it easier for existing buildings to to be redevelop and add on to related to building form and components, especially to the ground floor transparency standard.

16:49

A few a few amendments there as well.

16:52

The requirement was shifted to only apply to the facades of the building that face or or adjacent to a street, not to all facades of the building.

17:04

The requirement for apartment building type is removed and the minimum percentages are generally reduced in in all districts and removed in the Lu.

17:15

Limited urban mixed-use and in the boots that sticking with the mixed-use districts, the building form and components sections.

17:31

Still the street wall height was expanded somewhat in some districts and the required entrance requirement is removed for civic building type.

17:44

A few changes in the in the next few articles in the code.

17:48

So looking at the special use article, the the the the biggest most notable change

here is really renaming the IMU district or industrial mixed-use district to transitional mixed-use, which we find to be more representative of the intent of that district.

18:08

So tables were already labeled and a new context language was added to to give more explanation for that for the intent of that district.

18:18

And some standards were updated including the side set back standards in that district for properties that are adjacent to residential zone districts.

18:31

In the couple additions to the code in Article 4.5, the overlay article, the language for the Airport Hazard Overlay was pretty minimal.

18:45

In the public review draft that's been added to and and fleshed out in the Historic Preservation and Historic Overlays Article 4.6, a new overlay has been added fronted a additional historic overlay called the Sacagawea House Historic Resource Overlay building Types article.

19:10

This is also saw some some updates.

19:12

I just want to walk through those here some clarifications, you know, general corrections and overall reorganization of the tables in in that article to primarily remove redundant and inconsistent language.

19:26

The row house and apartment building types were had some clarifications added around the transparency requirements and the street facing entrance requirements.

19:38

And then accessory structures had some language added to clarify some exceptions around building placement and form and then related to more to standards.

19:51

The accessory structure building type.

19:54

The new and reduced setbacks were brought into to apply to that building type to be reduced from 5 feet to three feet.

20:05

The use article was updated somewhat, especially around specific uses in the use table.

20:12

I'm not going to read through all of these today, but they're leave them up here for a second and again point to the point to the attachment for for the full summary.

20:28

Similarly, oh, I didn't update the number on this, but Article 4.9 Site Development Standards is is next.

20:37

And the main update there to point out is, is the applicability standard as it relates to activity area was amended from applying IT developments with three units, 3 dwelling units or more, up to 7 dwelling units or more.

20:58

And that takes us through the the summary of updates to the code.

21:02

So thanks for bearing with me on that.

21:04

I'm going to run through some updates on on the map.

21:06

So people are just able to be aware of those and and track track those as well.

21:13

And then we have a few more clarifications we want to want to give to you.

21:16

So just to keep moving this is this is moving on to attachment G2 separate document and basically I'll run through some of these again.

21:32

The IMU district was renamed so that the TMU district is added into the map.

21:39

Several updates to the map are related to aligning with the recently adopted parks Prost plan.

21:47

So that especially relates to amending zoning as it relates to some of those city owned properties to better align with, with some of the approaches and and issues that were brought up in that in that plan process.

22:04

Additionally, and there there's quite a few more of these.

22:09

The one of the changes that you'll notice on the zoning map is is that a variety of neighborhood scale parks that were are zoned in in various zoning districts in the public review draft have been updated to the OP one open space zoning district.

22:30

There were several amendments to the zoning map related to privately owned parcels, especially related to where they these areas were zoned in the OP 2 open resource zoning district and that includes amending the winery property from OP2 to rural residential and also amending zoning at the base of Mount Sentinel for several properties from OP2 to UR2.

22:58

A few amendments on properties and public ownership to amending them over to the Civic district zoning district, including a few properties owned by the university again at the base of Mount Sentinel and then a property owned by the US Forest Service that is amended to be zoned between CD1 and CTCD 2.

23:25

And then on to the next slide here.

23:29

There are a few amendments also to just some discreet areas around around the city.

23:33

So just want to call those out and make sure folks are are tracking these.

23:37

One was to an area along S 1st St.

23:41

W between California Street and the rail line and that involves A amending from from the urban residential 3 to the an urban mixed-use one district.

23:55

Several blocks along Arthur St.

23:57

adjacent to the university were amended from UR3 to UR4 property in the upper Miller Creek.

24:05

That's a commercial site that's zoned was zoned Lu R1.

24:09

We've proposed to be amended to LUMU and then finally a few discreet areas in the North Side neighborhood and the rattlesnake neighborhoods that were zoned UR4 and the public review draft have been zoned to UR3 primarily related to to being adjacent to to narrow streets.

24:31

And finally on the zoning map as well, you'll see that the the overlay, the the new historic overlay has been added and the airport hazard overlay extent has been amended.

24:46

OK, thank you.

24:47

That was a lot to to hear and run through.

24:49

But I just want to make sure that these are things that you are aware of and and are out there in case there's any questions that come up about them or we want to talk about them further.

25:02

Just a few more things we want to run through that are more clarifications about some of the things that came up at the last meeting.

25:07

The first one is related to how the code allows for or manages multiple primary structures on a single site, and we just want to clarify that there There's not an intent in the code to limit development to only one primary building.

25:27

There can be multiple primary buildings on a site.

25:31

This relates a a little bit to accessory dwelling units it, it sounds like and, and whether multiple homes on a property would would need to qualify, you know, the second home as a accessory building as opposed to the primary.

25:47

And that's not the the way that the code is set up.

25:50

It does bring up the, you know, just a chance to clarify and put out a reminder that the code, the the new code does not include accessory dwelling units in it.

26:03

They're not a listed building type.

26:06

And you know, the reason for this was primarily that the, the density allowed by the code is, has risen enough that it's, it's not really a necessary tool, we think to, to allow for.

26:19

It's not to say that building buildings at that scale can't or shouldn't be be built.

26:25

We we the code supports that happening, but it's not considered specifically an accessory dwelling unit in the code.

26:35

That wouldn't preclude referring to or qualifying a building as an accessory dwelling unit if if that's necessary by an applicant for something like looking for shared services on a on a site or something.

26:53

Want to make that clarification?

26:57

We wanted to talk through our approach to historic preservation and identify and and especially how it can be consistent with the land use plan.

27:12

Our goal is to identify and preserve historically and culturally significant places and landscapes, including those of the Confederated Salish and Kootenai Tribes, and.

27:23

There are action items to reinforce regulations that help to preserve historic buildings and resources in the.

27:29

In the plan and.

27:35

The benefit of historic preservation review includes safeguarding missoula's significant historic and cultural resources, minimizing impacts on the climate, preservation of existing building stock, and supporting adaptive reuse.

27:48

Historic Preservation Permit Review applies only to properties individually listed on the National Register designated through Historic Resource Overlay and those properties listed in the local inventory.

28:01

So nothing new is being added here.

28:04

Only one National Register listed historic district is designated as a Historic Resource Overlay, and that's Fort Missoula, and that has been since the 1990s.

28:14

No preservation regulations currently apply and the other 10 National Register listed historic districts.

28:20

The UDC includes language on how to establish new Historic Resource Overlay districts should the community want it and the ability to regulate is consistent with with the state law.

28:35

So our our approach in the code and and zoning map is to consolidate existing neighborhood commercial overlays, special districts and PU DS related to historic preservation.

28:52

And that leaves us with the Fort Missoula Marshall House, Roosevelt Block and, and this, this added Sacagawea overlays and again, no substantive change to the overall intent here.

29:08

Some specific uses were evaluated for it amended to align with the new base zoning for the Fort Missoula overlay.

29:15

Additional permitted uses are added into that overlay to ensure the compatible uses within the Fort are permitted, supporting reinvestment.

29:24

Adaptive reuse possibilities are incentivized and integrated.

29:29

The overlay integrates the existing Appendix A development guidelines for the Fort Missoula Neighborhood Character Overlay into the overlay language in the code for Enhanced Transparency.

29:41

For the Marshall House overlay, current permitted and conditional uses are removed.

29:44

Since those uses are all permitted in the base zoning and the other two historic resource overlays, there's really no change from how they're established today.

29:55

Yeah, one more of these clarifications for you, just related to a question at the last meeting asking about the impact or effect of of the zoning map updates for mapping neighbor neighborhood parks as, as OP 1.

30:15

And so we provided some some of the numbers here, some of the statistics.

30:24

I'm going to focus especially on the on the bottom section here where the under the Title 20 zoning that we have today, the acreage for the OP1 zoning district, the comparable zoning district is a little over 2000 acres.

30:41

What we're proposing on the map today is, is more than that, it's almost double than that, but almost half of that is from this this added from the map updates that we brought into this updated zoning map.

31:00

So hopefully that provides some more information on that question.

31:06

I think that just the point I would make there is that we're, we're not adding Parkland, we're simply zoning existing parks as open space that we're not previously.

31:17

All right, you've listened to me talk enough and I'm going to pass it over to someone else.

31:23

We're going to dive into some of the specific standards in the code here, and I'm going to pass things over to Nathan McLeod.

31:30

So you talk about activity area.

31:40

Hello, everybody.

31:41

My name is Nathan McLeod, the Associate Director of Planning, Design and Projects for City Missoula Parks and Recreation Department, and I'm here tonight to speak a little bit about Chapter 4.9.

31:52

That's our site development standards, specifically landscaping and activity areas.

32:00

So you've heard from a wide range of concerns from development professionals that are focused on feasibility, from housing advocates that are focused on production, and residents that are worried about changing the character of their neighborhoods for their quality of life and the fear for the loss of the sense of community that Missoula is known for.

32:23

What I want to emphasize is this landscaping, green space, trees, walkability, activity areas and parks are some of the most powerful tools that we have to protect exactly what people are afraid of losing.

32:39

And the public data is clear in the Parks, Recreation, Open Space and Trails Plan.

32:44

In the 2024 statistically valid survey, 90% of Missoulians want walkable neighborhoods.

32:52

87% want strategies that protect clean air and water.

32:57

90% of residents support protecting land for wildlife habitat and environmental reasons.

33:03

80% support ensuring new development provides access to parks, trails and green spaces.

33:10

84% support improving the urban tree canopy.

33:15

These are exactly the outcomes that landscaping, activity areas and thoughtful site design can provide.

33:24

Most people aren't afraid of density itself.

33:27

They're afraid of losing the character, comfort, and sense of neighborliness that makes a place feel like home.

33:35

And nothing supports that better than everyday outdoor spaces.

33:39

St.

33:40

Trees, Blvd.

33:41

sidewalks, parks, landscaping and activity areas.

33:47

These features matter for everyone, but they matter most for our most vulnerable residents, seniors, young children, people with disabilities, and economically disadvantaged households who depend on safe, shaded, healthy outdoor spaces close to where they live.

34:09

So I'd like to clarify what is actually being proposed.

34:13

The new code reduces landscaping and activity area requirements compared to today.

34:19

And I I kind of feel like I should say that again.

34:22

The new code reduces landscaping and activity areas requirements compared to today.

34:27

Current code requires all residential projects to provide 35% general site landscaping and multi family projects of 10 or more units require a rigid 20% activity area in a centrally located 40 foot by 40 foot area.

34:45

The proposed code reduces landscaping to 15 to 20% of the total site with activity area included within that amount.

34:55

Much of that can actually fit within the standard setbacks.

35:01

The new code also adds flexibility.

35:04

Developers can reduce requirements by 30 to 50% through ecological design such as native landscaping, pollinator gardens or green roofs.

35:14

Trees are emphasized because they cool the city, clean storm water and support residential health, safety and well-being.

35:22

We also plan to explore credits for green storm water infrastructure, rain gardens and bioswales that benefit water quality, and our aquifer and rivers activity areas serve people in multi family homes who don't have private yards.

35:38

The new standard 150 square feet per unit is a pretty significant reduction from today's rigid requirements.

35:45

In most projects that we've modeled, this comes out to roughly 14% of the site and it fully counts towards the landscaping requirements.

35:54

These spaces can now be smaller, dispersed and actually usable.

35:59

Courtyards play areas shared outdoor spaces rather than leftover grass between buildings and parking lots.

36:07

We've also included a cash in lieu option for projects near existing parks or where on site space isn't feasible.

36:15

The cost, likely around \$2.50 per square foot based on prior appraisals, is far less than constructing amenities on site and will be invested into nearby parks that directly serve the residents of these homes.

36:29

Now, the intent here is balance.

36:32

The land use plan sets goals for housing, quality of life, walkability, climate resiliency, Environmental Protection, and community cohesion.

36:43

Our job is to balance these goals in a way that serves the whole community.

36:49

Now, I'd like you to do a little bit of imagining with me.

36:53

So let's picture Missoula 40 to 50 years from now.

36:56

If we eliminate these standards.

36:59

We have dense neighborhoods with more housing, yes, but with limited green space, fewer trees, and without comfortable places to walk or spend times outside.

37:10

Residents go from their car to front door and stay inside.

37:15

Neighbors don't know each other.

37:17

Children have nowhere to play.

37:19

Our city gets hotter.

37:20

Storm water has nowhere to go and carries pollutants directly to the aquifer.

37:25

And we place more pressure on our existing parks and infrastructure.

37:29

What I'm describing is a crisis.

37:31

It's not a housing crisis.

37:32

It's a community crisis.

37:35

So now imagine instead that we have the same density created but integrated into Missoula's neighborhoods.

37:41

People live in a walkable neighborhood shaded by trees, with sidewalks and activity areas right outside their doors.

37:50

Small pockets of landscaping and green spaces clean the air residents breathe.

37:55

They filter the water they drink and provide a daily connection with nature.

38:01

Kids can play outside while dinner is being prepared.

38:04

Residents meet each other in their courtyard patios.

38:07

They see familiar faces on the sidewalk and share moments that turn a collection of houses into a neighborhood.

38:15

This is how community happens, through ordinary daily interactions in shared outdoor spaces.

38:24

So, in summary, the proposed code reduces today's requirements.

38:29

It adds meaningful flexibility and focuses on the things that Missoulians consistently say matters the most, Community, human health and environmental resiliency.

38:41

It protects neighborhood character and quality of life while still supporting housing production.

38:48

The standards are calibrated to make urban infill more achievable while ensuring that the quality of life of residents is protected.

38:57

This is a balanced approach that moves us toward the livable, resilient, and connected Missoula that our community is asking for.

39:07

Thanks and I'm happy to answer any questions that you might have about these standards.

39:28

All right, thank you.

39:29

I'm Lavelle Means with the planning office for the city of Missoula, and I'm going to speak to you about a few other specific standards and provide some context and some ideas on how we plan to address some things going forward.

39:47

So First off, we wanted to talk about farm standards in the mixed-use district to just ground us through our our our Missoula 2045 land use plan.

39:59

Residents were clear they want walkable mixed-use corridors, safer streets and buildings that contribute to the public realm, not just to meet minimum use and parking rules.

40:12

Traditional zoning focuses mostly on what happens inside the building.

40:17

The use form standards help us to focus on how a building meets the street, its height, width, transparency, entrances, and landscaping so that as buildings are built, they steadily move us toward the kind of places described in the land use plan.

40:36

In our urban mixed-use zones, these tools help through bringing buildings to the sidewalk instead of behind large surface parking lots, ensuring windows, doors and active ground floors that make streets feel safe and welcoming.

40:55

Support housing mixed with shops and services, transit use and climate goals by making it easier to walk, bike and ride together than drive everywhere.

41:07

These are not abstract design preferences.

41:11

They are the implementation tools for the community's adopted goals on housing, climate, transportation and economic viability.

41:19

Over the course of this process, we listen carefully and change the draft based on community feedback, as is reflected in the adoption draft.

41:27

You heard a lot about those amendments from Ben just earlier today.

41:33

We continue to listen and heard concerns that some standards, especially for irregular lots and existing buildings could make good projects difficult or impossible.

41:46

The intent is to create a balanced balance with feasibility and community goals.

41:53

Therefore, we are introducing additional recommended amendments shown on the next slide.

42:03

So these are some of the amendments that we are proposing in the Article 4.3 mixed-use district, and we'll be compiling this together in a form that actually shows the strikethrough and the changes in a memo that'll come to you between now and your next meeting.

42:21

So this is giving you general descriptions of what we're intending to do.

42:26

So First off, in order to address creating a clearer distinction between new and existing buildings, we are proposing amendments that would exempt building conversions and expansions from the bill to zone and bill to widths.

42:41

This is related to the building placement section of the Urban mixed-use District chapter that helps to meet climate goals by supporting existing building stock.

42:51

We recognize that we want to try to do more to meet that intent.

42:57

We're also wanting to emphasize a legal, the legal existing approach to use continuation and reinvestment through a change that we're proposing with that would remove requirements related to additions to legal existing building setbacks associated with the bill to zone and bill to width.

43:18

This is a host of 3 or 4 requirement statements that speak to additions to existing buildings as it relates to the bill to zone and bill to width.

43:32

It was stating you could build in front, but you could only build another 20% off to the side and we just want to strike that.

43:41

It goes in line with the idea of of exempting existing buildings also.

43:48

We are we are proposing and want to introduce more flexibility for building placement.

43:56

We are recommending to do that through relaxing the bill to zone maximum and all of the urban mixed-use districts and changing that to a 20 foot maximum.

44:07

That again would be more for the new construction.

44:11

We are recommending eliminating the side street bill to width requirement.

44:18

This would then apply bill to zone to just the front streets.

44:23

And then finally we want to propose exempting the single purpose residential buildings in the urban mixed-use zones from the bill to zone and bill to with requirements.

44:35

We feel this helps to support the needs of housing without being forced into a Main Street retail form of of building character.

44:46

So the next category and slide or information that I want to share has to do with farm standards in residential districts.

44:56

This is because we had heard about the importance of the importance of having additional lot width flexibility particularly for a missing metal housing and age in place design.

45:09

We are recommending changes to our approach to lot width and access relating to Table 4.2 point O3-4 and this would eliminate lot with requirement in all the urban residential UR zones.

45:27

This is newest, latest thinking since the material that Ben was presenting.

45:32

So take that that with us.

45:37

It creates, we want to create a standard that limits new driveways on very narrow lots additionally and we would we're proposing to decrease, decrease the lot with requirement in the limited urban residential zone, but we haven't landed on what that should be yet.

45:56

So next I wanted to talk about legal existing and what that means, the significance of it over the course of this process and what that means to for the community and and building and property owners.

46:11

We're talking about renaming the chapter dedicated to non conformities to legal existing.

46:19

So that's why it's slide refers to renamed from non conforming title.

46:25

As Missoula updates its development code, many property owners are hearing the phrase non conforming and feeling worried about what it means for their investments, future projects, and ability to sell or refinance.

46:37

We want to be very clear, if your property was legal when it was created, the new code treats it as a legal existing property, not as a problem to be eliminated.

46:48

That's why we are renaming our non conforming chapter to legal existing to better reflect how the city actually treats these properties.

46:57

So why does this occur?

46:59

Every time a community updates its zoning for development codes, new non conformities are created.

47:08

When that happens there will always be buildings and uses that don't match the new rules exactly but were built or established legally under the old rules.

47:16

Apartment buildings for example around the University of Montana is a great example of this.

47:23

They were legally established under the code in place in the 30s and 40s and became non conforming in the 50s when codes became more exclusionary and only allowed single family homes.

47:35

These may become conforming again under the new code.

47:38

So there is some transition that happens both ways.

47:40

I think with the work that we're trying to do here, this is a normal and expected part of growing and evolving as a community.

47:48

The approach within the UDC is to respect past decisions.

47:53

So I just wanted to read on to say that therefore we are recommending, as I mentioned retitling the chapter to legal existing and that would be an amendment to consider.

48:10

And then we also have received feedback that we need to allow for greater than the 20% expansion to be consistent with our approach.

48:19

So we still are considering a few more adjustments to make inside of that legal existing chapter and more information will be coming as we work on some of that as well.

48:31

So the last thing that I wanted to share is a series of proposed corrections.

48:37

These are a few fairly straightforward recommended amendments that we are are putting out there and they come from a few different chapters.

48:52

The first is to is related to uses.

48:56

We had intended to allow wineries as a permitted use in the OP 2 zone.

49:00

So we would like to make that correction.

49:03

We had also intended to eliminate the parking requirement for daycare centers that serve 13 or more clients.

49:09

And so we are noticing that as as a amendment that we need to make in the use chapter as well, and then over into the Article 4.6 related to historic preservation and historic overlays, we have a correction to make there too.

49:27

This is related to the definition or historic resource resources.

49:32

We inadvertently left out the word individually.

49:35

Without that word, the definition could be construed as applying to more resources than the Code intends.

49:43

This change makes it clear that historic resources are considered for either individually listed in the National Register of Historic Places, identified on the Missoula Inventory of Historic Resources or historic places or included an historic resource overlay.

50:00

So that's the other amendment we needed to make.

50:03

And I just I think I can move this on to the next speaker back to Ben to wrap it up.

50:13

Right.

50:15

Almost actually we're going to pass on to Mark here and he'll provide some responses, especially the questions that came up around the the zoning map last meeting.

50:33

I'm Mark Hendrickson, Associate Planner with GIS Focus for CBDI here to talk about zoning map, we're already on the next slide.

50:43

So right here are overall policy objectives from the land use plan that relate to mapping are listed on the screen.

50:53

We've gone through a bunch of these slides before.

50:55

We just wanted to have them on the record again and just put them up on the screen again so you can go to next slide.

51:06

So in terms of how we zoned the city, we used an amenity based, constraint based and St.

51:14

type or policy based zoning districts.

51:17

So for amenity based zoning, the data layers we used our Mountain Lion routes with timing into them, developed parks, commuter trails, grocery stores that accept WIC, local food options, so farm stands, farmers markets, community gardens, public schools.

51:39

And then the street type space zoning, the data data layers we use for the street typologies adopted by Planning Commission and City Council for the land use plan, the constraints layer that we constraints layers that we used were the floodway and flood fringe areas.

51:57

So that in the Rattlesnake Valley and Grant Creek, we used the current floodplain mapping.

52:04

And then in the Clark Fork in the Bitterroot, we used the newly adopted or not the newly adopted, the freshly mapped floodway from the DNRC.

52:16

We also used the equity and land use, land use zones and then we used streets, so the grid and connectivity patterns of the city.

52:24

And then we also used historically and culturally significant sites within the city as well.

52:35

So just a reminder, we covered this slide before, but we wanted to show it, show it again and show how all the place types adopted in the land use plan have corresponding zoning.

52:46

It is common that most place types have more than one corresponding zones that a varied approach is established depending on context, amenities and constraints that I just described in the in the following slides, we'll talk about specific districts relating to questions that arose last time and I'll go through each place type and how and why it was designated to the corresponding zoning district.

53:11

Go to the next slide.

53:17

So First off the bat, we have limited urban residential.

53:21

So the limited urban residential place type was split into two different zoning districts.

53:26

So we have Lu R1 and Lu R2.

53:29

So in our zoning districts that correspond to place types, we kind of have a tiered tiered system that we used.

53:36

So the first step is to assign all parcels that are within that place type to a specific zoning.

53:42

So limited urban place type gets Lu R1 assigned automatically.

53:48

And then using those amenity points or the street type policy, we bump it up to the Lu R2 district.

53:57

So if you're within close proximity, walking distance to transit park, public school, so on and so forth, you're going to be bumped up to Lu R2.

54:07

But then if you hit environmental hazards or constraints, then we're going to bump you down to Lu R1.

54:14

Go to the next slide.

54:17

So this pertains specifically to a question that was that arose last time.

54:22

So the Ben Hughes or Easy St.

54:25
subdivision.

54:27
So this is mapped Lu R2 and Lu R1, the place type for this for this subdivision is limited urban residential.

54:38
So in terms of walkability of this subdivision, 86 out of 96 parcels are within one quarter mile walk of a transit stop, 86 out of 96 parcels are within one quarter mile of a bike lane and the entire subdivision is within one quarter mile walk of a developed park.

54:58
10 out of the 96 parcels are within the 100 year floodplain and you can see that on the map.

55:03
The Lu R1 is to the southeast and that's where the flood floodplain comes into the subdivision.

55:15
Go to the next slide.

55:19
Now we'll talk about mapping civic districts based on the civic place type.

55:23
So from the land use plan, we're just pulling some direct language from it.

55:28
So City Council adopted residential and commercial development may be permitted dependent on context and adjacent land use types.

55:38
So within this tiered zoning district methodology, if you have a civic place type, we're going to assign you to that CD one first.

55:46
Then we're going to look at each property individually to determine if it has

significant historical or environmental resources and whether or not they're not present or they are present.

55:57

We're also going to determine like what the existing land use is in the proximity to services that are present that provide residents with a walkable and healthy environment.

56:07

If the parcels do not have historical or environmental resources present, then we're going to keep you at CD2 and if it's walkable to services, we're going to keep you at CD2.

56:20

All other parcels are going to be at CD1 line.

56:30

So here are two examples of CD1 and CD2 districts.

56:37

Just wanted to bring up a real world scenario where this is coming about.

56:41

So the map on the left hand left hand side of the screen is 2150 Bannock court.

56:47

This is a civic place type.

56:49

The current land use is large apartment complexes for student and family housing.

56:54

This property is also within walking distance to a higher education facility, trailhead, developed park and frequent transit services service.

57:03

These proximity to services and amenities and current land use is why it was determined to zone this property.

57:08

CD 2.

57:11

The map on the right hand side is 24 Missoula Rd.

57:15

The current land use is nonprofit or offices.

57:18

This property is deemed of significant historical value and and is within walking distance of a park.

57:27

The lack of walkability to appropriate services and amenities.

57:30

The current land use proximity to land deemed environmentally sensitive and historical significance of this area is why I was determined to zone this property and surrounding properties as CD1 and go to the next slide.

57:47

So next let's next let's talk about E Missoula.

57:51

And I know the Aspire subdivision is coming up a lot here.

57:55

So just run through some background of that subdivision before we kind of delve into the OR these are the details.

58:03

I guess let's just delve into it.

58:05

So the Missoula County land use element has this area as the residential land use.

58:10

So that's three to 11 units per acre.

58:13

Density bonuses may be available if development creates permanent affordable housing.

58:18

The Missoula County zoning, pictured here in yellow, is residential zoning.

58:25

Building types range from 3 to 4 unit buildings with small multiplexes available with permanent affordable housing.

58:31

The Max height in this district is 36 feet.

58:34

The purple district shown on the map is the Lib Make.

58:38

Building types are all the way up to small Multiplex and commercial as well.

58:43

The Max height in the district is 36 feet.

58:47

Go to the next slide suite.

58:52

So in terms of what the City of Missoula adopted last year, so the place types and zoning, the Aspire subdivision was adopted as an urban residential high place type due to or the Aspire and the rest of the core of East Missoula was developed or was adopted as a urban residential high place type due to his compact grid pattern.

59:13

There are multimodal options that are present.

59:16

The entire area has high housing diversity.

59:19

There are little to no environmental constraints.

59:22

There are little to no covenants restricting development.

59:25

And the current county, county zoning is R and LM.

59:32

So here's how we mapped urban residential high in that tiered zoning system.

59:38

So the first step is to assign all parcels to that UR three district.

59:43

And then if you, if they have a lot of amenities, so they have frequent transit service, walkable to, you know, public school, developed park, commuter trail, everything that we listed or not everything, but some of the things that we listed before, we're going to bump that area up to AUR 4.

1:00:05

If you hit an environmental constraint, however, we're going to bump you down at least one.

1:00:12

If you were at AUR 3, then you would go to UR2.

1:00:15

If you are, we're at AUR 4, we're going to bump you down to UR 2.

1:00:18

I think that's all the slides that I have for you today.

1:00:22

But this is just the best way.

1:00:23

This tiered zoning system was the best way that we could figure out on how to follow the land use plan and all the policies in there and do it as zone the city in a new way, as unbiased as possible.

1:00:45

All right, thanks everybody.

1:00:48

Did I say 30 minutes?

1:00:49

I, I might have been off a little bit there.

1:00:52

Apologies.

1:00:53

We're just about done here.

1:00:54

We got one or two more things we want to just respond to you on and then thanks everybody for your patience for waiting on our presentation here.

1:01:03

You can go to the next slide here.

1:01:04

Cassie, these are all kind of related to the questions that we heard at our last meeting, especially around what is the expectation.

1:01:12

You know, for once we we're we, for once we're have an adopted code and, and it's on, it's operating and we're, we're past this process.

1:01:24

So our approach to this process, this process for adoption of this, the materials around this project is to view the new development code, you know, ultimately as a living document.

1:01:37

We're committed to moving from a static code to a living framework.

1:01:41

The code that we have currently, the old code often feels felt set in, in stone and maintenance updates to the code were often spaced out over several years.

1:01:53

The new UDC is built to be iterative and actively managed.

1:01:57

So here's what we mean by iterative.

1:01:59

We don't expect perfection from day one.

1:02:02

We plan to track results, to test the code on real projects and see what works and what doesn't.

1:02:08

And we want to establish a core structure that stays predictable.

1:02:12

Well, details can adapt, and when we can adapt in a way that's targeted and nimble.

1:02:21

Next slide, please, Cassie.

1:02:23

So as we look forward, you know, as we look ahead towards maintaining and updating the the new code, we're committed to doing this collaboratively as a team effort with the community.

1:02:33

This project has involved building bridges and relationships within and throughout the community.

1:02:38

And the success of this project moving forward relies on keeping those relationships and strengthening them.

1:02:45

So we'll be looking to the development community to flag what's working on the ground, what's blocking good projects.

1:02:51

We'll look to neighbors and residents to share what feels right and, and, and, or off in your neighborhood.

1:02:58

And we'll look to the community partners that we work with and city staff to identify infrastructure, school operational impacts that we need to be considering moving forward.

1:03:07

And ultimately what what we want to convey to you tonight is a commitment towards a continued process that's transparent, it's nimble, responsive and produces a a living document that keeps improving over time while staying consistent and reliable enough to depend on.

1:03:29

And with that, our staff presentation is, is done and we'll turn it over to you.

1:03:33

Thank you.

1:03:37

Thank you much, Ben and team.

1:03:39

Does anybody have on the board have any clarifying questions from the presentation before we move into public comment?

1:03:51

Are they clarifying questions?

1:03:53

We'll have plenty of time to discuss after public comment.

1:03:58

Great, go for it.

1:04:01

Quick clarifying question for Laval.

1:04:09

The the question is just in your slide you mentioned the rule historical preservation section of the UDC will apply to buildings that are individually listed.

1:04:22

I was just wondering if that includes non conforming structures within historical districts that are listed and mentioned in the the application but non conforming.

1:04:44

OK.

1:04:47

What that definition is addressing is 3 things.

1:04:50

Individually listed on a nationally registered historic district or individually listed or within an historic local Missoula inventory or being a part of a historic resource overlay inclusive.

1:05:09

You know of what's in that whatever the historic resource overlay says and do you think that does that include non conforming structures that are not contributing?

1:05:22

I guess we I just saw Elizabeth raise her hand.

1:05:25

Elizabeth could raise could OK.

1:05:27

She is here as well online.

1:05:29

Is that OK?

1:05:31

Sure.

1:05:33

Yeah.

1:05:33

Hi.

1:05:33

Thanks everyone.

1:05:34

It's Elizabeth Johnson who's our preservation officer with CPDI.

1:05:36

I'm not sure I understand your question regarding non conforming.

1:05:41

Oh, sorry.

1:05:42

Like Lavelle, like Lavelle was stating it is individually listed structures that are on the National Register as an individually listed structure.

1:05:49

I apologize.

1:05:51

Historic resource overlay and then our local inventory.

1:05:54

So if it's not, if it's in a historic district, but it's not individually listed and there is not a historic resource overlay on it.

1:06:03

So basically all of our historic districts with the exception of Fort Missoula, there would be no additional historic preservation requirements under the UDC.

1:06:13

It would be exactly as it is right now.

1:06:15

I apologize.

1:06:16

I said non conforming.

1:06:17

I meant non contributing.

1:06:19

I don't know if that clarifies anything that does.

1:06:23

Yeah.

1:06:23

We are not expanding the regulations to extend to contributing structures within historic districts that do not have a historic resource overlay on them.

1:06:33

So it will not impact those properties that are not already under Title 20 currently regulated.

1:06:40

OK.

1:06:40

And non contributing structures that are that are located within a historic district, Fort Missoula does have the entire regulatory area being the area that is listed in the National Register of Historic Places.

1:06:55

So we do monitor all development that takes place within the boundaries of that district because that's how the overlay is written.

1:07:02

But OK, a new HRO that could be created, it could be written differently.

1:07:07

OK, thank you.

1:07:17

Sorry, Mr.

1:07:17

there Josh, go for it.

1:07:23

Thank.

1:07:23

Thanks, Shane.

1:07:24

I think my question may be for Ben.

1:07:26

I was just curious what the new transitional mixed-use district, what place type that corresponds to is it, is it the industrial mixed-use used to correspond to industrial and employment, Correct.

1:07:43

Thanks.

1:07:43

That's a good question.

1:07:45

The industrial mixed-use place, sorry, the industrial mixed-use zoning district is applied to urban mixed-use place type.

1:07:58

And so it's a little, it's a little confusing because it's listed in the special purpose article.

1:08:05

And, and that's because it, the characteristics of the zoning district are, are really more kind of similar to AI mean the basically the, what that district is, is aimed at is for areas that are based on their development, their current development pattern are appropriate and designated for to, to grow into or move towards an Urban Development pattern or an urban place.

1:08:40

But the existing development pattern is of a nature that is more industrial as far as the lack of connectivity amongst the streets, the the size of the parcels in that area.

1:08:56

It's less about the uses to that are currently existing, that it is about the, the development pattern on the ground.

1:09:05

And the, the issue with there is just that the, what it will take to effectively kind of move those areas or transition those areas to an urban to what we kind of consider a, a, a, you know, really a development pattern that can support and, and is in line with what the standards are developed for in those urban mixed-use districts.

1:09:32

It's going to take some time and it's going to take some planning and it's going to take some kind of investment.

1:09:38

And, and so these are, these are places that are the intent is for, to allow them to transition.

1:09:46

But it it, we don't, you know, think it makes sense to apply those those same kind of level of urban standards.

1:09:55

So they wouldn't be applicable to the industrial and employment place type, right, right there.

1:10:04

OK, I'm, I guess I'm a little concerned that removing them, the industrial mixed-use district reduces flexibility for certain lots that I'm aware of in the industrial and employment place type that are, for example, serviced only by neighborhood St.

1:10:27

types.

1:10:28

Yeah.

1:10:30

You mind if I write and they're adjacent to residential areas.

1:10:34

So just to clarify, there's no change related to this of where that's that district is mapped or the there, there is one standard change within the district, but the the, the change here effectively is rebranding this to try to get it to make more sense or resonate more for what the intent of the the district it is.

1:10:56

So it's other than the name change, it is effectively the same zoning district as what was distributed in the public review draft, but not applicable to the industrial place type, which the industrial mixed-use district was not either.

1:11:18

It wasn't.

1:11:18

OK, OK, that's a little confusing because I, I guess in the last zoning code it was listed as an option under industrial right along with I-1 and I2.

1:11:32

Yeah, it's again, it's a little.

1:11:35

So it was a little confusing or unclear on our part whether to it, it was originally located in that special district article.

1:11:46

So 4.4 which includes the industrial districts.

1:11:51

We're applying it to urban mixed-use place types.

1:11:54

We've considered moving that district out of 4.4 and into 4.3 to align with that.

1:12:00

Our thinking was that that has confusion around it in some ways also.

1:12:05

And so we we've kept it as is, but that that could you know that is 1 potential kind of clarifying move that that we could that we could consider.

1:12:17

OK, any sense you good Josh?

1:12:24

Yeah, I guess so thank you.

1:12:26

Go ahead 1.

1:12:31

OK.

1:12:32

I have a question about 8080 use.

1:12:35

And so I think the idea is to loosen the restrictions, I guess on 80 years.

1:12:44

And but when I read through it, it sounds like the second home has to have a street facing, a street facing or have access to the Front Street.

1:12:57

So I was wondering if if you could have a house and then have an alley house behind it, which is typical for a lot of 80 years or not.

1:13:06

And then I have one more question after that.

1:13:10

Yeah, I'm going to ask Cassie if you're may be able to jump in on on that.

1:13:14

I'm not quite, I'm not sure when which standard you're you're referring to.

1:13:19

Cassie Tripard, planning supervisor.

1:13:22

So that street facing entrance requirement only applies to row houses and apartment buildings.

1:13:27

It wouldn't apply to duplexes or the one unit houses, which is how more or less AD us will be classified moving forward.

1:13:35

And you can have them in the back of lots.

1:13:38

So you could have an alley house in the front house or even 2 alley houses or in a in a front house in most districts.

1:13:46

Great, thank you.

1:13:48

And then my other question is about, we've got a letter from the airport director today about changes to the hazard overlay.

1:14:00

And I just wondered if that's going to be addressed somehow because I think with all the amendments, we didn't address his concerns.

1:14:11

I see Aaron's hand up and I'm going to ask her to answer that question.

1:14:16

Thanks.

1:14:22

Yeah.

1:14:22

Hello, Aaron Pahan with CPDI.

1:14:24

We have been working with the Missoula County Airport, who remain a strong partner as we work through this process.

1:14:32

They have expressed concern that new housing directly east of the airport within the main flight path might increase potential safety risks, and they would prefer to see little or no new housing in most impacted areas, with those lands focused instead on industrial, commercial, open space, agriculture and parks.

1:14:54

They have also asked us to strictly limit residential densities and instead cluster outside of that area.

1:15:02

In response, we created the airport hazard overlay that sits on top of the underlying zoning, which is set by the land use plan or driven by the land use plan.

1:15:12

The overlay does significantly reduce residential density in alignment with their request to no more than four homes per acre.

1:15:20

It also prohibits a lot of those high occupancy uses like schools, hospitals and encourages clustering development.

1:15:28

So it moves us notably towards the airport's position, but it doesn't move us all the way towards the airport's position of no residential standards.

1:15:36

We have to respect and acknowledge the existing vested subdivision approvals in that area.

1:15:42

And in drawing the overlay map, we really follow those parcel lines and recognize that development rights have already been provided to projects, most notably West End Homes and Paisley Park, which you recently heard about as well.

1:15:56

So how we do take their safety noise concerns seriously, we've incorporated their feedback as much as we can give an existing development rights.

1:16:07

And then we're really committed to working with them on the more process oriented avenues to address this as well such as aviation easements, notifications at the time of subdivision filing in ways that we can continue to alert people of the potential noise issues that people might face when purchasing there.

1:16:29

Thank you.

1:16:30

Appreciate it, Danny.

1:16:35

Thanks.

1:16:37

This will be a question for the GIS folks.

1:16:38

I think about the kind of tiered zoning system and how that works, partly because I'd love to geek out on that, but more applicably because a lot of questions have been raised by the public on why are we zoned this.

1:16:56

So I guess my question is this formula or tiered zoning system, is that standard practice in the industry across the country or is that formula that staff developed specifically for Missoula because of its the different elements of our community and topography and potential natural hazards Can can you speak to that a little bit?

1:17:26

Yeah.

1:17:27

Mark Hendrickson, Associate Plan or GIS services for CPlI.

1:17:32

Don't know if it's standard practice for other cities or not, but it is one of the ways that we did find or one of the only ways that we found to follow the land use plan and also map the entire city under a totally new zoning code that was unbiased from, you know, my input, which could be biased or Ben's input, which could be biased.

1:17:58

It was like, OK, this parcel gets this point system and we're going to apply it that.

1:18:04

I will say that there are areas that could be ground truth a little bit more and, and we are looking at some of those areas.

1:18:10

One specific area I think was brought up to might have been to you, but it was Cherist Lane in the lower Rattlesnake where some parcels got highlighted and they aren't necessarily able to be accessed by the.

1:18:28

Thank you, go ahead, James, I have a similar question actually, you know, and, and just just to try to understand more fully the rigor and, and, you know, going off with Danny's question too, think things like, for instance, like, you know, what is walkable or what is environmentally sensitive.

1:18:46

I, I presume that there there are standards that determine that number or is it's not just praise objective.

1:18:52

Yeah.

1:18:52

So we use the walkability measurement in in planning and, and that's a fairly typical measurement.

1:19:00

It's one quarter mile or 15 minutes.

1:19:04

Is, is the typical.

1:19:06

I I know that a lot of people can walk much faster than that, but, you know, we have to account for everybody with disabilities who are in chairs, who, you know, even to places that lack access to sidewalks that it may be harder to get from point A to point B because you don't have that protected sidewalk to go through.

1:19:27

And we don't necessarily have the funding to put that sidewalk in right now.

1:19:35

Yeah.

1:19:35

Yeah, mostly.

1:19:36

I mean, I wasn't necessarily talking about just just the, the walkability or the.

1:19:39

I mean, just to try to understand, you know, how how some of these, some of those metrics are determined.

1:19:43

This is where I was going up.

1:19:44

It sounds like you guys have a have have us that's not just to check that right Yeah, it's just a it's right now it's just a straight line buffer system.

1:19:54

So it's technically by the crow flies, but we do knock it off at certain, you know, impenetrable objects like the Clark Fork River or Reserve St., for instance, the CS Porter right there's.

1:20:09

Across Reserve St.

1:20:10

you know, that could have been bumped up to a higher density or higher intensity zoning district, but you know, parents don't want their kids crossing Reserve St.

1:20:21

They're probably going to drive them across Reserve St.

1:20:23

to get to that school.

1:20:25

So there are impenetrable barriers that we do take out of that straight line distance.

1:20:38

Can I just throw just point point you to some more materials and previous work around this that that the city has done that has been a basis and fed into developing

the approach to creating the the new zoning map is just to point to previous tracking reports that the city has put out for quite a while that it originated as the Oofta, the urban fringe development area report and merged into the our Missoula development guide.

1:21:13

And those were assessments we would do kind of on a yearly year or every couple years as we're able basis to track and report on development, especially residential development.

1:21:26

And more recently in the last probably 5 or 7 years, 5 or 6 years.

1:21:34

But before this project, part of the what was incorporated and that was called a suitability layer analysis, which was really trying to model for and, and account for goals in the growth policy to and, and measure how development was kind of playing into that or supporting those.

1:21:56

And so the most recent of those reports is an attachment to the land use plan.

1:22:02

We, we have not been able to update that for a couple years now, but it's our intent as we move past this project to be, that's the kind of thing we're, we're thinking about when we talk about tracking and, and reporting out on, you know, the outcome of the, the new code and kind of what, what kind of development patterns we see based on that.

1:22:19

But just wanted to point you to that.

1:22:46

You guys couple quick questions.

1:22:47

One is with regard to there's a lot of comments about parklets and parks and open space and I was just wondering if there was a comment or an amendment about certain percentage of parks being reclassified to open space.

1:23:07

And I'm just wondering if that makes sense, you know, what the significance of that reclassification is?

1:23:23

So Mark Hendrickson, Associate Planner, GIS Focus.

1:23:26

I don't know if I need to keep reintroducing myself each time, but I will.

1:23:31

So reclassifying the parks as OP1 doesn't really have any significance except to signal to the public that they are protected as parks, right?

1:23:48

They need to go through a public process to not become parks, to become residential developments.

1:23:57

And So what we had thought was going to be just a, you know, a park is a part of the place type.

1:24:05

So we're going to zone it the same as the surrounding neighborhood in that way, you know, we can signal that they're made to parks.

1:24:12

There may be different standards for different parks.

1:24:16

So in a, you know, in Miller Creek, the park may look different than on the West side, right?

1:24:20

It may be on the West side.

1:24:22

It may be more impervious services or more, you know, high usage playgrounds.

1:24:29

But yeah, it has no real significance as to the protection of parks or like taking away residential capacity from the city.

1:24:41

Thank you.

1:24:42

And then just another question as we move to not really parks related, but this is, I mean, as we move to making a recommendation for these hearings, these amendments and stuff that we have in front of us, just comments about the static versus the living document of, you know, what we're moving towards here.

1:25:08

And I'm curious about there was some I guess suggestions about like things that would trigger like revisiting or updating the code and the map.

1:25:21

And I'm wondering like just what that might look like, if it's possible to respond to that.

1:25:38

Oh, I was going to say I could start then or yeah, that would be great.

1:25:40

I was just going to say I see your hand up.

1:25:44

Yeah.

1:25:44

You know, I think some of this is we, we want to be responsive to the community and to the development community as we move into that kind of active management phase of the code.

1:25:57

I don't think we want to set any hard and fast deadlines.

1:25:59

We don't want to say we'll be back with changes in three months because we might find that we've only tested a certain section of a of the code on a couple of projects

and it hasn't been a long enough test period for us to really tell if something's working or something's not working.

1:26:13

We don't want to say six months because we might find that that's too long if we identify a critical error.

1:26:19

And so I think it's kind of a non answer answer in the sense that we don't want to set a hard and fast deadline because we want to be responsive to the needs and that might require us to come back earlier than we thought or to spend a little bit more time testing.

1:26:33

I think what we can commit to is that responsiveness and to being proactive and bringing city amendment packages and changes through.

1:26:44

For instance, you know, if we hear from a property owner that they have concerns with the zoning designation and we sit down with them and we agree that we just got it wrong, we're not going to require that property owner to go through a rezoning process at their cost and through their time, you know, the city will proactively facilitate that and initiate that process.

1:27:07

So, so proactivity is in kind of being responsive as what we're committing to right now.

1:27:13

And we're going to really rely on the development community, on neighbors, and on other stakeholders in the community to help us determine when that time is right.

1:27:27

Yeah, thank you, Erin, for speaking to how staff are tracking this and how we do plan to come back as we see issues and put those together and find solutions.

1:27:37

I think it's also worth noting that per state law Council does have the ability to initiate an amendment process.

1:27:46

And so also through them, you know, they, they do have some control over this timeline as well and, and can't ask us to come forward with certain amendments.

1:27:59

Thank you.

1:28:04

Yes, Derek asked the same question I had in terms of what the process would be.

1:28:07

It sounds like changes would have to go through an amendment process and be voted on through City Council.

1:28:12

Is that true?

1:28:14

So speaking in terms of what this current process is, we appreciate the feedback on the concerns raised on Tuesday.

1:28:21

Is staff continuing to review and taking feedback?

1:28:24

And is, do you plan on offering additional amendments come next for the next meeting on the December 2nd?

1:28:36

I'll start and jump in anyone who who wants to on that.

1:28:39

But yeah, part of our goal tonight was to offer some some of that information on on the amendments that we are currently already considering.

1:28:48

I think as we go through this meeting tonight and and the, you know, things continue to move forward over the next week and a half, it's very possible we'll have we'll have additional recommendations or things to bring.

1:29:01

We also want to make sure that we hear, you know, any ideas that you on the Commission have tonight or are thinking and I, I think that's something that we're hoping to, to still have time for tonight to, to be sure we work through.

1:29:12

Thank you.

1:29:18

Looks like we're done with our clarifying questions.

1:29:21

So thank you very much for the presentation, everybody.

1:29:25

And how's everybody feeling?

1:29:28

Can we, I can, I can use a break for maybe 5 minutes.

1:29:34

Is that all right with everybody?

1:29:35

We're going to take a 5 minute break and then as soon as we come back, we'll open up public comment for folks.

1:29:40

So just give us 5 minutes here and we'll be right back with you.

1:31:16

Yeah.

1:35:50

All right, Rick, do we have you back?

1:36:04

I'm back.

1:36:05

All right, looks like we got Lynn there too.

1:36:07

Cool.

1:36:08

We'll get restarted here and we're moving into public comments.

1:36:14

So and Alicia, if you would please put up our column instructions.

1:36:25

So if you're calling in on your phone, the phone number is 406-272-4824.

1:36:30

Phone conference ID is 358884848 pound.

1:36:36

Press *5 to raise your hand and *6 to mute and unmute yourself.

1:36:42

And if you're in house, feel free to come up.

1:36:45

And if you are online, please raise your hand.

1:36:56

We'll start with one in house 1 and then it looks like we'll be going to maybe a few online.

1:37:02

So could you please, just a reminder, please say your name before you make your public comment.

1:37:10

Hi, I'm, I'm Brian Elson, I'm the airport director at the Missoula airport.

1:37:13

And thank you for raising the obviously you guys got a memo from us earlier.

1:37:18

They appreciate it really here just to answer your questions.

1:37:22

As far as the, the first part of your, I think the agenda item, the the amendment, we appreciate the planning department for adding in the, the, the airport hazard overlay, you know, greatly needed, greatly appreciated.

1:37:40

You know, for us it's really about, you know, we kind of feel like this repealing the current standards that are out there from the 2020 from the Wai Mullen Comprehensive area plans and the Mullen Area Ambassador Plan.

1:37:55

We kind of feel like it actually reduces some of the protections that were out there over time.

1:38:02

I know that's not their intent, but that's kind of how we feel.

1:38:05

Aircraft accidents while where where it is a very safe mode of transportation.

1:38:10

But accidents do happen, unfortunately.

1:38:13

I was in Lexington, KY in 2006, my 7th day on the job, we had an aircraft accident where Comair 5191 crashed.

1:38:21

It was in an open field just off the off the runway.

1:38:25

So anything that the planning department can do to you know, cluster, you know, we're not asking to take away any density, but we're asking for them maybe to do some split, some split parcels that are demonstrated in our proposal to try and move density away from the hazard overlay as proposed.

1:38:46

And then we're also asking to expand the IT and take in consideration our future 2nd runway that's on the drawing board.

1:38:57

It's not going to happen probably the next 10 years, but it will happen.

1:39:00

And you know, now is the time to plan for it.

1:39:03

So we respectfully ask, you know, the planning department to take that in consideration.

1:39:09

But anything you can do to provide, you know, a margin of error and safety out there, the better.

1:39:16

And we're not against housing development.

1:39:19

We just want it to be give them the flexibility to kind of move it away from in the hazard area and I'll encourage developers to cluster away from it.

1:39:32

And that's really our big request.

1:39:33

But overall, appreciate the overlay that they're adding.

1:39:37

And then I'm happy to answer any questions during this, the second phase of this or now.

1:39:42

OK, thank you, Brian.

1:39:47

OK, we'll move online.

1:39:49

We've got David Gray 1st and then we're going to go to Abby, Nancy and then we'll come back in house.

1:39:56

Go ahead David, I appreciate it.

1:39:59

Thanks for your time and all your efforts, also staff efforts.

1:40:04

Couple high points for tonight.

1:40:06

I don't think the gentleman from Parks Department could have been more inaccurate than what he told you about activity areas.

1:40:13

I tried to share a letter that 20 plus architectural firms and civil firms sent to the city because I didn't see it in the public comments.

1:40:24

But I think it got missed in the comments tonight.

1:40:27

We all agreed that activity areas have to go.

1:40:31

They stopped more housing projects than any other regulation.

1:40:36

And right now they're actually lowering the threshold of when activity areas would come into play.

1:40:42

Right now it's more than 9, and now it's seven or more.

1:40:46

So it's actually far more restrictive.

1:40:49

There's actually more landscaping area required.

1:40:52

15% is the rule for general landscaping that's being proposed to be increased up to 20 for all commercial residential buildings and then actually adding a 10% landscaping in the downtown.

1:41:07

The currently the landscaping chapter as modified and is incredibly changed from Title 20 is unfunctional and we would like it as a community to be modified before adopted substantially in the activity area just removed in its entirety.

1:41:26

The response the City made as far as CD1 CD two I'm afraid does not hold water at all.

1:41:34

The University District is ACD 2, which is a very good zoning district as it really benefits the public by having plenty of open space and parks, but it also allows you to have residential and support services like community Commercial Services.

1:41:55

Forget what the Hall's called the UC Center.

1:41:57

So you can have like the UC Center and you can have a theater where you have private concerts.

1:42:01

You got public space and housing to support it.

1:42:04

It's fantastic.

1:42:05

The University of Montana is a historic district in itself.

1:42:09

It also has multiple buildings on the register individually listed and so it has more historic character than Fort Missoula, which is CD1.

1:42:23

CD 1 is a terrible zoning for any public land in town.

1:42:29

It stops private Public Partnerships for say, schools to provide staff or teacher housing or to put some Land Trust where the school owns all this property all over Missoula and then where you could put some of permanently affordable housing on it that benefit the school.

1:42:47

CD1 just really needs to go away and just be replaced by CD2 because CD 2 is really, really a good ordinance.

1:42:55

I'm very, very happy to see that staff added individually listed into the definition of historic resource for clarity.

1:43:05

That brings us a little closer into performance where we are today.

1:43:09

And the architects also in town wholeheartedly agreed all transparency rules needed to go away.

1:43:17

I've designed an apartment mixed-use apartment building in Missoula, and the glazing requirements by the city doubled the utility bills for the dwelling units there.

1:43:30

There is no public benefit.

1:43:31

It takes away privacy, it takes away security, and it doesn't provide any health or human safety.

1:43:38

It actually takes away safety, it takes away privacy, and it drives up housing costs.

1:43:44

Build 2 rules and build 2 widths do not work.

1:43:47

Currently they are in the design guidelines adopted a few years ago by the City Council.

1:43:53

It has stopped literally all commercial construction on all the commercial roads and now in this UDC they want to expand it to everywhere in town.

1:44:03

It is unworkable and it does not work at all.

1:44:07

You cannot provide good design for the city.

1:44:11

Please, please strike it in its entirety.

1:44:15

If it we need to look at it later, let's have a larger conversation.

1:44:19

Historic overlays.

1:44:21

There are no overlays in the code to in the UDC that are based on any other overlay because staff told City Council at LUP that they got rid of all overlays.

1:44:35

So any overlay they have created in the UDC now is brand new.

1:44:40

At the Fort.

1:44:41

There are 5 four private properties in which all the rules for the old overlay would apply.

1:44:48

Yet I do not believe any of those property owners were included in any discussions of what they would like for rules affecting their property.

1:44:57

If it's city property, federal government property, the rules do not apply.

1:45:01

They can just ignore them.

1:45:02

As an example, right now, the Forest Service has torn down to historic buildings inside the internment camp fence with no public input whatsoever.

1:45:16

David, we're just going to have to ask you to wrap it up here, please.

1:45:18

OK.

1:45:19

Thank you very much.

1:45:19

Appreciate your time.

1:45:20

Thank you.

1:45:24

OK, we're going to move to Abby online.

1:45:27

And then I think I said we're going to come back in in house after that.

1:45:32

Go ahead, Abby.

1:45:36

Yes, hi, good evening.

1:45:38

Thank you all for your really thorough presentation and explanation of some of the, the changes you all have made.

1:45:46

My name is Abby Huseth.

1:45:48

I'm the deputy director with Climate Smart Missoula.

1:45:53

We submitted a letter that's part of the agenda packet and I, I won't go over all of that, but hopefully there's a lot of, I know there's a lot of materials for you all to catch up on.

1:46:04

We have a program called Trees from Missoula that works really closely with the urban forestry department and, and is focused on our, our urban forest and, and green infrastructure.

1:46:17

And we're also members of Common Good Missoula and are in support of the comments that they've also submitted.

1:46:24

I'll just be brief tonight, mostly want to emphasize that we are really strongly supportive of the the landscaping and the trees and the maintaining and close to home outdoor space.

1:46:38

We do think they're incredibly important in the context not just of community well-being, but also in a changing climate.

1:46:48

We really, it's becoming ever more critical and to understand that green space is infrastructure, It moderates the heat island effect.

1:46:59

It provides so many other benefits for our community.

1:47:02

And so we're generally really supportive of how this plan and this, this new zoning code has struck a really challenging but delicate balance in expanding housing opportunities across our urban core, particularly, but also offering flexibility and ways to meet some of these other requirements and needs for our community in terms of green infrastructure.

1:47:30

We understand the ability to evaluate and adjust this, this first iteration of the code into the future.

1:47:38

And I think that's going to be very valuable.

1:47:41

Just leave with a couple of 1-1 particular question or or area to flag that might be needed to to review in in future iterations.

1:47:51

We're curious about a particular process for evaluating shading of solar arrays.

1:48:00

From what we understand are the current state law puts the onus on the the owner of an existing solar system to apply for a protection or an easement.

1:48:12

And that's not something I imagine is very well known.

1:48:15

So we're curious about whether there could be a process through code to adjust that as maintaining existing solar rays and the production from those is consistent with our other community goals around climate and energy as well.

1:48:35

I think that's it for tonight.

1:48:36

I just want to really appreciate a particularly what Nathan McLeod was speaking to this evening and support for that those landscaping trees and and activity areas.

1:48:49

That's really important.

1:48:50

Thank you very much.

1:48:53

Thanks, Abby.

1:48:59

Oh, hi, my name is Jennifer Snorsky.

1:49:02

And I, I do volunteer work pro housing Missoula and I'm also a real estate appraiser.

1:49:10

And I just wanted to say thank you to the city staff and everyone that's been pretty nimble in their explanations and amendments and listening to the public and the engagement process.

1:49:22

And it's been, there's some really amazing, great changes that are coming about from all the work that everyone's done.

1:49:29

And I just had some questions and concerns.

1:49:32

I do live in the rattlesnake and originally from that map that was zoned that's like limited urban.

1:49:38

I feel like it's, and I, I love that how the explanations of where the constraints come down to and where it goes.

1:49:44

But like when you look at the middle kind of upper rattlesnake next to the school and how the bus comes right there and there is park space and there's walkability.

1:49:55

And I just feel like there it's it gets kind of constrained.

1:50:00

Like why is it brought down to Lu R1 when it could be all in that whole?

1:50:06

Like there's like a whole block radius around.

1:50:08

Like if you look at like maybe a quarter mile from around the school where it could be a little bit higher density.

1:50:15

Like you, I see kids.

1:50:18

I mean, I live up there and I see kids, there's not that many kids there anymore.

1:50:23

Like they're, they're in a small little radius.

1:50:25

Kids want to be next to the school and they want to be next to each other.

1:50:29

And when I do appraisals for people that live higher up, that have families, they're moving so that they can be closer to the school.

1:50:37

And it just would make sense as to have younger population, younger families be able to afford to move in if there's more options for housing that's available to them because the prices are so expensive there.

1:50:52

It would be nice to see more options for what people could do instead of limiting that.

1:50:57

I mean, it's a great school.

1:50:58

Kids want to go to school there.

1:51:00

So.

1:51:01

And then another question, I guess concern with the activity area and the landscape

when when I'm looking at multi family properties and I'm from a valuation perspective, there's not I don't I don't see that you like the areas that are currently there that are are used much by people like people are going to the parks nearby and for our property taxes.

1:51:31

And that's such a big concern for everyone right now is how much money we already pay to parks and special improvement districts that are on our county taxes.

1:51:41

And I just feel like adding one more cost to a property owner, whether that's through an activity area or a landscape requirement.

1:51:51

When also when you look at the numbers that were shown tonight for like the parks that were actually created that they made, you know, like named and numbered.

1:52:01

And we have a lot of parks.

1:52:03

And I don't feel like we have any shortage of what our green space is around our neighborhoods and our streets and boulevards.

1:52:10

And it just kind of feels like it's like a trance like is are we paying like for Parks and Rec to like have more parks?

1:52:19

Like we have a lot of parks.

1:52:20

And I just feel like that's a restrictive cost for people that want to develop properties.

1:52:25

So maybe something to consider so we could discuss it more.

1:52:32

Thank you, Jennifer.

1:52:34

OK, we'll move online for a couple.

1:52:37

Looks like I have Nancy next.

1:52:40

Thank you.

1:52:41

My name is Nancy Heil and I wanted to 1st appreciate all the effort that's gone into this project by staff and the board and the members of the public.

1:52:52

I know from experience with a huge undertaking this is I submitted some written comments regarding zoning in the middle rattlesnake that I wanted to reiterate a little bit that relate to dropping some of that area from UR3 to UR2.

1:53:11

That's the lowest intensity that would be allowed in the urban residential high place type and that relates to balancing the need, which I support for housing with other values that have to do with our resources and also some infrastructure availability.

1:53:33

One area in particular is Missoula Ave.

1:53:37

from which runs from Van Buren up to Lolo St.

1:53:42

That's a one way street with one driving lane and one very wide bike lane.

1:53:48

It's it's designated as a Greenway and there's already traffic issues there.

1:53:54

There are some speed tables that have been installed to try to help moderate that a little bit.

1:53:59

And I don't know that a lot more intense use up there would would cause some additional traffic issues.

1:54:09

And there's also no on street parking at all on the street.

1:54:13

Additionally, once you get north of Herbert St.

1:54:16

Missoula Ave.

1:54:17

drops right down to the Rattlesnake Creek corridor and the whole Creek corridor.

1:54:25

Maybe it could be considered as a constraint.

1:54:26

I think of it as a resource and it's more than the floodplain.

1:54:30

It's more than the riparian area.

1:54:31

It's the whole corridor on on and the uses that occur not only on the east side, but also on the West side and and and.

1:54:40

I suggest that the whole corridor be treated in context with some lower density there.

1:54:48

Right along Missoula Ave.

1:54:49

is Bugby Nature Preserve, which is a county managed nature area.

1:54:55

It is not a recreational area.

1:54:57

It contains excellent riparian habitat and it's a it's a pretty sensitive resource.

1:55:04

And again, additional intense use there has has the potential to affect some of the qualities there.

1:55:16

Mark mentioned Charis Lane, that's an area that comes off of Missoula Ave.

1:55:22

and it drops immediately also down to Creek level.

1:55:27

It's a cul-de-sac, it's a private road.

1:55:30

It's got some drainage issues and it's currently split zoned and spot zoned in a way that doesn't really make sense on the ground.

1:55:40

And I think it should all be zone can with the same designation for the, for the whole street.

1:55:49

It's also adjacent to riparian areas and some good mature canopy.

1:55:55

And you know, Mark mentioned some areas to, to, to be ground truthed.

1:55:58

And, and I think this is 1 area as well as all of Missoula Ave.

1:56:01

that would warrant that.

1:56:02

I, I, I appreciate the ability of the GIS tools and all the analytics that can happen.

1:56:09

And I do think that there's areas where it really warrants some, some eyes on the ground to just kind of check out how that, how that looks.

1:56:19

And you know, all of the middle rattlesnake as a transition from the lower to the upper, which which does currently have the limited urban residential zoning code and underlying land type it the middle rattlesnake's kind of a transition there.

1:56:37

And it originally had a low residential place type.

1:56:42

And I know that got changed and there's not a lot of interest in in relooking at that land type.

1:56:47

But I'd be interested to know what would be the circumstances where some of the underlying land types might be looked at in the future as as well as the zoning code.

1:56:58

So again, for the purposes of this just to request to drop the zoning intensity to the lowest that can be included in the urban residential high land use time and with the idea of really protecting the whole Creek corridor.

1:57:19

So thank you.

1:57:20

I appreciate it.

1:57:22

Thank you, Nancy.

1:57:23

We'll move to Len.

1:57:25

And just a reminder for folks, I didn't say this on the outset.

1:57:30

We're going to try to keep, if you could try to keep your comments to about 3 minutes or so, got a little flexibility there, but just try to be as succinct as you can.

1:57:39

Thank you.

1:57:42

Thank you playing board and especially staff as well for the adaptability you've shown and responsiveness.

1:57:52

I'm Len Broberg with Calgary Missoula.

1:57:55

I commented the other night was concerned about accessory dwelling units and 2nd dwellings on parcels being clearly allowed in the code and it sounds like you have definitely moved in that direction.

1:58:09

We await seeing the language there, pretty in particular, but I don't want to get too much of the being an editor.

1:58:18

It sounds as though you've addressed that.

1:58:19

And so we really appreciate that great example of responding to a concern we had.

1:58:25

And also would just emphasize Abby Hughes's comments as a common good member.

1:58:33

And thank you for your time, attention and all this hard work.

1:58:37

You're doing great.

1:58:40

Thanks, Juan.

1:58:42

We'll move to Max Wolf.

1:58:53

Good evening, my name is Max Wolf.

1:58:56

I'm here tonight to speak about CD1 in the historic resource overlay.

1:59:01

I've heard staff's comments about why a large portion of Fort Missoula has been designated as CD1.

1:59:07

Yet when City Council had staff amend the land use plan to allow residential and commercial and Civic, I believe they were asking for this with the Old Post Hospital in mind.

1:59:16

Then when creating a new zoning code, they conveniently split Civic into CD1 and CD2, placing the old post hospital into CD1, totally ignoring City Council's intent.

1:59:27

CD1 would restrict improving Fort Missoula, removing opportunities for workforce housing, elderly housing, and mixed-use redevelopment that could support future public needs.

1:59:38

It would allow Fort Missoula, the Fort Missoula area, to go into greater decay.

1:59:44

This also applies to other parts of Missoula, not only the Fort.

1:59:48

Furthermore, I'd like to touch on the comparison staff made between civic properties.

1:59:52

The privately owned 4 1/2 acre site where the Old Post Hospital sits is adjacent to the nursing school, which is for profit.

2:00:00

Also, the University of Montana Historic District has multiple buildings on the historic register, yet we are put into CD1, not CD 2.

2:00:09

And the Old Post Hospital isn't even listed on the historic register.

2:00:13

Historically, Fort Missoula function as a mixed-use residential campus with housing for Army officers, enlisted soldiers, civilian employees, and later the families and staff who lived on site during the fort's many operational periods.

2:00:27

New state law says local design review standards imposed by a local government must be clear, objective and necessary to protect public health or safety or to comply with federal law.

2:00:38

As the overlay is written, it creates A vague new layer of regulation that overrides the long range plan.

2:00:44

It is punitive and overly broad.

2:00:47

I'd also like to point out that while we've been working on a project in Fort Missoula for the last six years with no real progress made, our biggest neighboring property, the federal government does not have to follow any of these rules.

2:00:58

As David said, these they're currently demolishing a building in Fort Missoula and to my knowledge, without any historic preservation permit or approval.

2:01:07

It's not right that a private landowner is held to strict zoning codes while the largest neighboring property can essentially do whatever they want.

2:01:15

We just want the ability for our private land to have flexibility and clarity.

2:01:20

After hearing public comment during these hearings, I realized that many others feel the same way.

2:01:25

This is moving far too fast.

2:01:27

This only came out on October 29th.

2:01:29

That is 22 days.

2:01:31

How is that enough time for the community to properly review and comment on this while allowing staff to fully address all issues raised?

2:01:39

For this reason, I think it should be delayed.

2:01:42

As was said in the last meeting, we have until May 2020 sixth to come into compliance with state law, which really brings into question why are we trying to rush this through?

2:01:51

I'll finish by again saying that I strongly urge you to remove CD1 and replace it with CD2 across the map and either eliminate the new historic resource overlay or make it aligned with state law and the intent of the long range plan.

2:02:06

Thank you for your time.

2:02:09

Thank you Max we'll move in house please.

2:02:13

My name is Eli Harman and I guess just start.

2:02:17

I couldn't agree more with what Max just said with regards to pushing this through as fast.

2:02:22

Why?

2:02:22

Why the purpose for that?

2:02:25

Because I'm, I'm in East Missoula and I'm in the county.

2:02:30

And from everything I've heard that while I can appreciate staff, city staff has shown some amendments they're going to be making or pretend to make, nothing appears to have been addressed if you're in East Missoula, leaving it alone.

2:02:45

And it appears that if you're from the county, even though the city property was just been freshly annexed and of course I'm speaking about the aspired development, that it doesn't matter what public comment is if it doesn't feel that way for all of us that regardless how we feel about our small community suddenly going to double in size in a tiny little area over there, the infrastructure is not going to hold it regardless of what proposed remodeling repairs.

2:03:13

So that one true access to that whole subdivision is going to be it's more or less offensive to us that because it sends the message that we're the county.

2:03:25

So we really don't matter.

2:03:26

Our input doesn't matter.

2:03:27

It's, you know, you just **** against our property.

2:03:30

And I really would hope that the board would not vote on this until even in the next year because we have plenty of time till we see some kind of change for that subdivision that cannot handle what they're proposing.

2:03:45

Thank you.

2:03:47

Thank you, Eli.

2:03:55

Hi, I'm hi, I'm Lee Bridges and I'm also from East Missoula.

2:04:01

I had no intention of speaking tonight, but I've certainly learned an awful lot of material and I've got to get a word in and I will be writing up some more to submit before the December 2nd meeting when you guys do all the motions and deciding this process, I agree, is going way too fast.

2:04:22

Please extend the process so we can be involved.

2:04:26

We were left out of this process until we received a Mailer as you guys all have.

2:04:32

I didn't understand why we were getting a Mailer so so late in the process.

2:04:37

And I approached one of our community, our county commissioners about this situation, asking them why we were just now being invited to the table.

2:04:48

And he responded back that there had been a a public Mailer problem.

2:04:56

I noticed the very next day after my talking to the county commissioner that the Engage Missoula website showed up with an attention important clarification about the zoning Mailer.

2:05:08

If you received a Mailer titled Important information about the zoning of your property but do not live within Missoula city limits, Please note if your property is outside city limits in the county, you can disregard the Mailer.

2:05:23

The proposed zoning changes will not affect you or your property.

2:05:30

I'll turn this in when I'm done and I'll send it with my letter that I'll e-mail to you guys.

2:05:36

This process does concern us.

2:05:38

This process impacts the safety and well-being of our community greatly.

2:05:43

It impacts our riparian area and wildlife habitat that is greatly reduced by the setbacks as well as our aging infrastructure, including our substandard roadways that we as county residents are taxed on and are responsible for the maintenance and upkeep of.

2:05:57

It's my understanding that 90% of the subdivision traffic and all construction trucks, trailers and heavy equipment is instructed to use Summer St.

2:06:06

only a substandard 50 foot roadway because of the major change that occurred just this year.

2:06:13

Just this year removing the \$24 million that we were previously awarded, leaving no way to manage the overloaded intersection of Summers and Hwy.

2:06:27

200.

2:06:28

This, him, this impact at this intersection has yet to be addressed or resolved with any appropriate solution the other night when we were all here.

2:06:39

We are really grateful for Rick Hall's declaration Tuesday night that he plans to make

the motion to change the proposed UR3 zoning designation to U to Lu R2, which is acceptable to our community and is it a much better fit.

2:06:55

I urge you all to support Rick's motion.

2:07:00

I'd like to add that having learned tonight that the high density zoning I'm just now learning about that the city has evidently already stamped our community with wipes out our live make designation.

2:07:14

I founded that and I worked for years with our growth policy on establishing that and our our community is really excited about that.

2:07:23

So if at a later date we are ever annexed to the city after 2034, what does this city designation do to our live make designation And our that's that would be cutting into our ability to make a living off of our own property and reduces the value and desirability of our property.

2:07:49

When and if we lose that live make designation.

2:07:53

We should have been totally involved in all of this process.

2:07:57

I will.

2:07:58

I want to thank you very much for your time and serious consideration of our E Missoula community.

2:08:03

But please let's slow this down so that we can be involved.

2:08:07

I'm paying attention.

2:08:09

I will be writing you letters and being involved with this.

2:08:13

I'm floored.

2:08:14

I hope we have time to address these issues that are important to us.

2:08:18

They do impact us.

2:08:19

I will.

2:08:20

Who do I give this to?

2:08:22

Thank you.

2:08:23

Thank you very much for your consideration.

2:08:49

Hi there.

2:08:49

I'm Lindsay Nugent.

2:08:51

I'm a resident of downtown Missoula.

2:08:53

And Missoula needs more connected communities, more density, more homes and amenities that are tucked into already existing neighborhoods.

2:09:02

More than that, we just need more housing.

2:09:05

Sorry, I get nervous speaking.

2:09:07

I work at a nonprofit with foster kids and for many of the families, reunification with their children is delayed by a lack of safe and stable housing available.

2:09:19

Reducing requirements and adding more UR4 type density throughout the city will create more housing for all, including our most vulnerable neighbors and families.

2:09:29

I just want to say thank you to the planning board and city staff for their work on the UDC overall this time.

2:09:34

Thank you.

2:09:37

Thank you Lindsay.

2:09:47

Hi Colin Lane, MMW architects.

2:09:51

Just want to say just a few quick things.

2:09:53

But first referencing the land use plan that the city has put together over a year ago.

2:09:59

Want to say a note of appreciation for that.

2:10:01

That's a great document that had a lot of public input and has LED us to where we are today.

2:10:08

So I want to appreciate this, the really long term effort that has gone into that.

2:10:14

While we have not had enough time to review the the the current zoning document in itself, we have been engaged with a conversation with the city that continually since October 29th and super certainly appreciate the level of commitments the city has had to that conversation.

2:10:36

I believe there are a couple of key areas in in the current zoning that I'm concerned about the the many of these areas we believe are being addressed as Laval and Ben talked about earlier today.

2:10:51

So that's a great, great sign.

2:10:52

A few remaining concerns that I have.

2:10:56

One is around Bill 2 zones.

2:10:59

Those tend to be fairly inflexible based on use, based on location and believe those need a little more work as do some of the related requirements around limiting parking in front of buildings between buildings and streets and building entries.

2:11:19

And then the second area of of concern is is around landscape and activity area.

2:11:24

The current standards are significantly greater than Title 20 and we look forward to examining that and and look forward to seeing suggestions to improve that those those areas have significant costs, can significantly limit housing and limit redevelopment options as currently written.

2:11:49

Thanks.

2:11:52

Thank you, Colin.

2:12:04

Good evening Jim Sayre live in the university neighborhood, member of pro housing Missoula and just a couple quick things.

2:12:13

I honestly don't know what the best timeline is, but I will say we're gone for three years on this project and I hear what folks from East Missoula are saying and, and others.

2:12:25

But I'm, I, I hope that we can just keep using these hearings before the planning board and City Council to, to hash out all the issues.

2:12:34

Three years is a long time and meanwhile, we're falling further behind on producing housing places for people to live here in Missoula, in all parts of Missoula.

2:12:46

So I'm hoping we can stick with the current timeline finishing by the end of the year, but I intend on paying close attention to all the hearings and I hope that all issues can be worked out or at least fairly fairly heard and considered.

2:13:04

I do want to address the issue of landscaping and activity areas and I have the highest regard for a Parks Department and Nathan and all the staff at the city.

2:13:14

I just had the privilege of doing a bicycle trip, self supported from Amsterdam to Rome.

2:13:20

It's about 1800 miles.

2:13:22

And we rode through a number of major cities, neighborhoods, small cities, medium sized cities, probably about four or 500 in all through Europe.

2:13:34

And it was fascinating because it was said earlier that the way to create neighborliness is through these activity areas and through creating these green spaces, you know, using a formula.

2:13:46

And I would strongly disagree after seeing so many of these communities built over hundreds of years, many of them with 0 activity areas.

2:13:56

They might have courtyards and but they're built to the sidewalk.

2:14:01

There are people hanging out right there outside their front doors on the sidewalks.

2:14:06

And this happens in truly high density areas, you know where you're going.

2:14:10

3456 stories in Paris, but in Dijon, in small cities throughout Europe.

2:14:19

And so I think that we've got to consider what actually makes for a neighborly place.

2:14:26

I think that if we overdo it with the activity area requirements, we could certainly create problems for building housing getting in the way of, of actually achieving 11 to 1400 units a year, which is what the city says we need for the next decade.

2:14:42

So I, I consider that carefully.

2:14:44

And the other huge opportunity to consider is what has been proposed through a a common good Missoula offshoot, neighbor ways.

2:14:53

We have some of the Dang widest streets anywhere in Missoula and consideration is being given right now to actually using parts of those streets for actual neighbor ways, places for people to hang out.

2:15:07

So these aren't parks in the traditional sense, but they are places where people can congregate, where they can walk, bike, hang out.

2:15:16

So I think we actually have other opportunities and if we begin to build in, I think we'll find that people are going to actually congregate themselves.

2:15:25

We don't actually have to have these formulas and activity areas in order to accomplish that by themselves.

2:15:32

I'm not saying get rid of them all together, but I just think that there are alternatives too.

2:15:35

So please, let's continue to focus on the primary goal that drove so much of our Missoula, which is the chronic housing shortage that we have and has built up over the last decade.

2:15:47

Thank you.

2:15:50

Thank you, Jim.

2:16:08

Good evening playing board.

2:16:08

It's me again, John Wolverton.

2:16:11

I'm.

2:16:11

I'd say introduce myself on Tuesday as a resident of the Near Northside.

2:16:15

I did.

2:16:15

I failed to mention that I'm also a active member, volunteer, founder member of Pro Housing Missoula.

2:16:23

I wanted to address some of the things we've heard since Tuesday and one of them

is from the climate community regarding the green space and trees and activity areas.

2:16:35

And what I am concerned about is what we're hearing from the design professionals is that that will stifle housing so much that we would end up with people having to move out of town.

2:16:46

And then we have the then what we end up is with the impacts of on transportation infrastructure, on air quality and the the climate impacts of people basically driving more.

2:16:58

And I think on balance that that's something that's far more worrisome than worrying about having the activity areas in this in this code.

2:17:09

We should just stick with landscaping requirements.

2:17:11

And I would suggest that all of them across the board should go down by 5% on timing.

2:17:19

I've been engaging with this process since early 2022, so it's been quite a while.

2:17:27

And and along the way I've seen a lot of public engagement.

2:17:32

There's been plenty of opportunity for people to be engaged.

2:17:34

I'm really impressed with the work that the the staff has done is getting the information out there and providing the opportunities that even organizations like Common good hosting very large meetings and table talks and even in people's houses to talk about what really needed to be done here.

2:17:51

And overwhelmingly this community has said we need housing, we need it in the

places where we want to live, which is essentially what's captured by the term focus inwards.

2:18:04

So I would ask that you don't do anything to delay the timing.

2:18:10

If there's anything that you can't read in an item you can't reach a cord on, just recommend that it be pulled out and maybe taken care of later down the road.

2:18:20

Let's move this forward to City Council.

2:18:22

And I see you to keep it on the the timeline of moving it into City Council in December.

2:18:27

Thank you.

2:18:30

Thank you, John.

2:18:59

OK.

2:18:59

It looks like we're wrapping up in house.

2:19:01

I'm not seeing anybody online that wishes to make a comment.

2:19:06

I'm going to give us 20 more seconds and see if anybody wishes to make a comment.

2:19:34

OK.

2:19:36

We are closing public comment the proper term in this.

2:19:41

OK, I'm going to close public comment for the time being and we can move into questions from Planning Board members.

2:19:54

And I guess I was hoping that we can dive into the code today and spend some time going section by section.

2:20:07

I guess that being said before we do that.

2:20:11

Is there any desire to ask staff questions about any of the public comment or questions that we had from this session?

2:20:26

And if so, can we just try to work through them quickly or or at least put staff on notice that we would want a response next time we meet on December 2nd?

2:20:40

Go ahead, Danny.

2:20:43

Thanks, Shane.

2:20:44

I have one question for Nathan, if you could.

2:20:50

So my question is yesterday, not yesterday, Tuesday, we heard from, I think one of the builders of the Sawmill District who came in and talked about activity, the activity area requirement.

2:21:04

And, and a paraphrase here, he discussed how as a part of the Sawmill District, they set aside 11 acres for Silver Park.

2:21:13

And I think the thrust of his argument was that it wouldn't be fair to, on top of that, impose activity area requirements on further development in that district, given what was donated Silver Park.

2:21:27

Just wanted to give you a chance to respond to that.

2:21:31

Yeah.

2:21:31

Thanks, Nathan McLeod, Parks and Recreation and and I be clear, I'm not exactly clear what our requirements would, how they would be applied to that particular development.

2:21:46

I believe that the intent will be that in subdivisions where they are, there is a Parkland dedication requirement that that Parkland dedication would cover the activity area.

2:21:54

That's the way it currently is.

2:21:57

And so I would imagine, speaking from what my thoughts are, not knowing what exactly it says, that we would not require activity area for projects within that were part of that sawmill district that dedicated that land for Parkland dedication.

2:22:14

Yeah, Cassie Tripard, Planning Supervisor.

2:22:17

I want to add to that because it didn't come up today on the amendments list.

2:22:21

We do need to recalibrate the year at which subdivisions or development and subdivisions would be exempt from the activity area requirement.

2:22:30

That is something we just need to do a little bit more research on, given that there has been Parkland dedication requirements in Montana for a long time, but they have varied over the decades.

2:22:41

But that is something we're hoping to look into more over the next week and hope to amend so that it does have a more retroactive exception.

2:22:52

Yeah.

2:22:52

Ryan Sudbury with the city attorney's office.

2:22:54

I agree with what Cassie just said.

2:22:56

I think that's a smart thing for us to do to refine that tool.

2:22:59

I do on the mill site specifically.

2:23:03

I'm not sure that the city necessarily agrees with that commenter's response.

2:23:07

Like, there was significant MRA investment.

2:23:10

And I think from MRA's perspective, there was a sort of a trade of this Parkland for this level of investment that we put into it.

2:23:18

So we may want to run that to ground if that's a concern for you to make sure that that area is specifically addressed to see.

2:23:24

I, I'm not totally familiar with that history, but that's, I feel like I've heard that in a meeting at some point.

2:23:29

So maybe we can get some background information on that and let you know at the next meeting.

2:23:35

Ryan, while I have you up here Tuesday, we heard several public comments from a

homeowners association or the subject, the Ben Hughes subdivision, and they were concerned about being zoned limited urban residential too.

2:23:55

I talked to them.

2:23:57

I talked to the HOA president.

2:23:58

They have CCRS that limit pretty strictly density.

2:24:02

I think it's just single family only.

2:24:04

They have height requirements.

2:24:05

They weren't sure if those CCRS and their ability to enforce them are going to be affected by zoning.

2:24:11

I just wanted to give you a chance to respond.

2:24:13

Yeah, No, no, I appreciate that.

2:24:14

And I, I do think that it's causes confusion.

2:24:17

CC and Rs are private agreements between the land owners.

2:24:20

You know, they were either imposed as part of a a common plan of development where the original owner impressed those servitudes, which is a restrictive covenant as a servitude impressed those upon all of the land and then all subsequent land owners took deeds or titles of their property subject to those servitudes.

2:24:39

The city has nothing to do with that.

2:24:40

We don't, we don't regulate that.

2:24:41

We don't, we try not to ever even look at CCNR as if possible because sometimes they're quite old and sometimes we have a scan copy that's difficult to read.

2:24:52

We also there are rules about the way CCNRS are applied over the years.

2:24:56

So the homeowners association can assent to changes over the years.

2:25:01

If they don't enforce their CCNRS and they knowingly let people do things that are in violation of the rules, they can sort of lose the ability to enforce those.

2:25:09

But that's totally separate from city regulation.

2:25:11

We, we can't overrule CCNR's.

2:25:14

These the zoning rules just strictly are how the city is going to view land development on a parcel.

2:25:23

So we may say, yeah, you can develop this on our regulations, but the homeowners association may say you can't.

2:25:29

And if you if you do what you're saying you're going to do, we can take you to court and enforce it.

2:25:33

But the city doesn't enforce those.

2:25:35

So if if there's a single family residential restriction through CCNR, we won't look at that and it would be up to the homeowners association to say you're not allowed to do this.

2:25:47

But we don't overrule them.

2:25:48

They still continue to exist and are become fully enforceable.

2:25:52

Thank you for that explanation.

2:25:53

Yeah, no problem.

2:25:55

Well, in my peers.

2:26:09

We won't be delving into one of the other sections, but it's fine to clarify if city has a stance or a position.

2:26:18

Maybe I'm not stating that correctly, but just in terms of preserving, I guess a number of people are brought up like solar panels like already like installed on their homes and other people that are doing urban gardening.

2:26:33

And just if there's any provisions within any of our zoning and how that would work to preserve those investments that people have have made.

2:26:50

Well, it is a, it's a concern that we've heard and it, it is, you know, one of the issues that's come up about the possibility or the, the strategy of growing inward and taller as we, as we densify and, and grow as a city.

2:27:14

So that beings, you know, I guess I, I think of this in relation to the way that through

this project, we've talked about needing to work through trade-offs, policy trade-offs, value trade-offs.

2:27:29

And I think that where we have landed with regard to the concern about the impact on potential solar facilities or, or whatnot based on the development rights that are in the code, where the, the trade off is more towards increasing housing capacity and, and development of opportunity.

2:27:55

We, I might be able to speak to this better than I can.

2:27:58

I, I don't think we see a legal, a legal risk for that as far as the takings.

2:28:06

And, and then, you know, just to keep in mind too, that with this updated code, we have lowered the, the heights in the residential districts to be within the same level that they are today.

2:28:16

You know, not not necessarily for every comparable district, but the tallest residential district we have now is RM145.

2:28:25

That's the height, that's 45 foot height limit today.

2:28:28

That's the height limit that we've updated the UR for residential District 2 to the same height.

2:28:34

And then all other residential districts that that we are proposing in the new code are are set to 35 feet foot height limit which is the same and and all other residential districts today too.

2:28:55

So, Ryan Sudbury with the city attorney's office again, there are some legal, potential legal pitfalls in zoning for or creating zoning rules for the protection of light and transmission of light to a property.

2:29:10

Montana law does allow for an easement or servitude for the transmission of light or water or air.

2:29:19

You know any of these things, but it's a, it is one of the bundles of sticks.

2:29:26

You know, everybody's kind of heard this phrase for real property law or a lot of folks, but it's kind of taught as the first day of real property that when you buy a piece of property, you have a bundle of sticks.

2:29:37

You can give up various rights of those sticks and still own the property.

2:29:41

You can give an easement to somebody to cross your property or to hunt on or something like that.

2:29:46

Similarly, you can, one of the sticks is you can restrict your property to not have things built over a certain height to for example, allow airport aviation easements going to do that they you can't build to a certain height because of the airport.

2:30:03

Some downtown business owners have looked at, you know securing view easements and limiting the ability of other neighbors neighboring properties to build upwards so that they can maintain their view.

2:30:18

My concern with regulating for to protecting one property's investment in the solar is you would could conceivably be considered a taking of the the neighbors of the adjacent property owners airspace rights and to develop up to the full extent of their property.

2:30:39

And, and we haven't really looked at that.

2:30:41

I don't know if there's a case law around the country on that, but it's certainly it's certainly a risk to say we're doing this strictly for the protection of existing solar arrays or something like that.

2:30:51

Because the neighbor next source says, well, you know, I bought this with the understanding that I could build upward to the to the zoning limit.

2:30:58

Now you've you've taken that stick away from me and doing that.

2:31:02

So we probably need to do some additional thinking and and look around the country and see what other juristics jurisdictions have done on that front and see if there are ways to sort of mitigate that risk or or create some protections to sort of balance the two interests.

2:31:32

Does anybody else have any questions for staff from the comments that we have heard here tonight?

2:31:40

You know, I guess it is my goal that as a board, we spend time going through the code and together and asking questions of the staff in some sort of logical way so we can stay, you know, rolling through it and try to imagine, you know, where we see problems in it.

2:32:08

We've heard a lot of public comment and recommend to staff that they would maybe try to help us write amendments where we think that there are there's room to improve the code.

2:32:22

So if everybody's amenable to that, we can start doing that right now for a little while until we get tired of doing that.

2:32:30

And when I go home and carry us over to the next meeting, does that sound reasonable?

2:32:36

OK.

2:32:40

When I talked to staff earlier, you know, I think the, the, the main meat of the things that I mean I'm an architect and I think the zoning section of the code interests me most and I but that's actually where we're hearing most of the comments.

2:33:00

So I was hoping that we could get through everything except for the zoning real quick and see if there are comments or questions in Chapters 123567 and and eight.

2:33:18

Well, one of those is reserved, so at least one.

2:33:23

So basically everything except for Chapter 4 and see what we can get through and hopefully we can have staff help us out and take some notes and if they see room for improvement, help us draft amendments.

2:33:38

If they don't think that they they think they have it nailed and we still don't think they do, then hopefully we can help ourselves draft some amendments and with the goal of building over the next meeting or two or however long it takes to be able to make a reasonable recommendation to City Council.

2:34:02

Good enough start in Chapter 1.

2:34:12

Does anybody want to kick us off or should I start?

2:34:18

I think the only thing that I had in Chapter 1, to be totally honest, is updating some language to adjust our time periods for adoption, the transition period if you will.

2:34:40

And 60 days seems a little tight to me and would prefer that be extended TO90120.

2:34:51

I don't know if anybody has any any feelings on that.

2:34:55

And Ben or staff, if you guys have any thoughts on what you're thinking right now, feel free to let us know.

2:35:17

I just turned it off.

2:35:18

Yeah, Cassie, if you have any, I don't know if you have any updates on that or or Aaron that we want to bring tonight.

2:35:26

Yeah, I, I think we started with 60 days knowing that it is difficult for staff to operate under 2 codes for a while.

2:35:33

That can slow down permitting a bit for a while.

2:35:35

But I think, you know, two to four months, all of that seems fairly reasonable and looking forward to hearing what Planning Board thinks is appropriate.

2:35:51

Aaron, we can't hear you.

2:36:02

Aaron shook yourself off there.

2:36:05

Yeah, I, I guess the, the number that's been that I keep hearing is 90 days or so.

2:36:12

And so maybe we could start somewhere in there and see how that goes.

2:36:20

Does anybody else have any thoughts or comments in Chapter 1 Article 1?

2:36:48

All right, we can always come back to things if people catch stuff.

2:36:54

Article 2 is administration and procedures, and again, I don't have anything there.

2:37:07

I have one.

2:37:07

Shane, please on the subdivision process, crosswalk, final platting, decision making authority being City Council, the question would be is that is that a statute out of Malupa?

2:37:28

It's just I find it interesting that preliminary plots are no longer City Council authority and if it's statute statute, but I don't understand why final Platts would have to go to City Council.

2:37:41

It seems like another statutory review rubber stamp we have to wait 20 days process that shouldn't necessarily be needed.

2:37:52

Yes, that that is coming from state law.

2:37:55

So that's not really a local decision we can make for decision making authority.

2:38:00

However, staff are envisioning that as more of a consent agenda confirmation from council rather than a full public hearing.

2:38:11

Great.

2:38:15

Does anybody else have any other comments or questions about Article 2?

2:38:28

We're moving right along, and we're moving even faster because Article 3 is reserved, so we can move ahead to Article 5 subdivision regulations.

2:38:55

I'll get her started.

2:38:59

5.2 point O2 East is a section about trails, and specifically the portion that basically has a prohibition where trails must be located within a public pedestrian access easement and shall not be combined or overlaid with a utility easement.

2:39:23

Maybe the the simple question is why I can't seem to formulate a issue with public health and safety.

2:39:31

These easements are shared all the time.

2:39:34

Maybe the lie behind this could shed some light on me.

2:39:38

I I feel like this is a standard for the manual, not the code and and could potentially be struck or at a minimum the shall should be changed to should shall to should.

2:39:55

Nathan MacLeod, Parks and Recreation.

2:40:00

So on the question of whether or not it should be in code or manual, I don't know the answer to that, that maybe it should be in the manual.

2:40:06

That's something that we could probably look at.

2:40:08

Just a little bit of background on.

2:40:10

I think the rationale behind why trail corridors shouldn't necessarily be full public utility easements.

2:40:19

So when you have utility easement within a right of way, you give the right to any utility company to be able to put utilities through that corridor, correct?

2:40:29

So trail corridors are typically quite a bit narrower than streets.

2:40:34

And to have really good functional trails, we want to have trees along those trails to shade them often times.

2:40:42

And so when we think about having a pretty narrow corridor, often times those utilities are in conflict with the root systems of the trees.

2:40:51

And so we want to try to prevent utility companies from coming in and having to essentially kill our trees along our trails if they because if they just have a right to come in and do that, that's what could happen.

2:41:03

And so that's where the concern comes from regarding that.

2:41:06

Now, I think in reality, there will likely be situations where it can be appropriate.

2:41:13

But I think from the beginning, it's the idea is that we don't want to just grant that right to all utility companies from the very beginning on all trails, if that makes sense, that that does make sense.

2:41:26

Nathan, thanks.

2:41:26

It's just, let's say that it is a strict prohibition and we have infill development that does have a trail but also needs utilities.

2:41:38

We're talking about maybe a 20 to 30 foot width of undevelopable space rather than a shared utility space, but with a trail and utility space, if that makes sense.

2:41:50

So I feel like it's needs to be more flexible than a strict prohibition.

2:41:54

And I understand that there's language in there unless allowed by a design deviation,

it's just another process that maybe is just a bit more common sense that applicants and staff could figure out without another process.

2:42:10

OK, Yeah.

2:42:11

I don't know if I have anything to add to that particularly, but I don't disagree with you necessarily.

2:42:17

I think just trying to think this through on the fly.

2:42:22

And Nathan, let me step in just for one second.

2:42:26

I don't think the intention is to get like hard and fast.

2:42:31

You know, yes, we will do that.

2:42:33

If, if it's if, if you need time to review it and study it.

2:42:37

I think we're trying to bring up things that we've seen that might be that you might be amenable to, to changing and we'd prefer that we just bring them to your attention so you can study it and, you know, hopefully come back on, you know, December 2nd or, you know, have a representative here to say, yeah, we we looked at that, we agree and we can change that, move it to a code.

2:43:04

Does that sound reasonable to everybody?

2:43:07

That's great.

2:43:07

Yeah, thank you.

2:43:07

That's helpful.

2:43:08

So yeah, we will definitely do that.

2:43:09

I'll also try to keep it with less discussion and more question and answer too.

2:43:15

So thanks Nathan.

2:43:16

I appreciate that Cassie addressed this at the beginning of the last meeting, but I just quickly want to revisit the the new Parkland dedicate.

2:43:27

I'm sorry, can I, can I just keep going?

2:43:30

Sorry, Parkland dedication calculation is changing because we have more of a progressive FAR system and not a simple units per acre calculation is staff concern.

2:43:46

And what I'm getting at here is the applicant and subdivision needs to list the expected number of dwelling units.

2:43:54

And then someday in the future, if more dwelling units are proposed by someone else, a landowner 20 years later, who's tracking that?

2:44:02

Is that a burden on staff one?

2:44:04

And how much headache are we expecting to be a fallout of that scenario playing out?

2:44:10

You know, factors change, subdivisions change, the land use changes over time.

2:44:16

Ultimately we're going to see a change in density from the original subdivision applications purpose.

2:44:24

And it just, it's going down a road that's going to be nothing but headache someday years out.

2:44:30

So I don't necessarily maybe need a answer to that, but it's just a serious concern that people are going to get blindsided by at time of building permit and have to pay a cash in lieu fee that they never anticipated.

2:44:49

Is there any, I mean, would it suffice if there was an expiration date on the cash in lieu, you know, got, you know, after 10 years that you know, once you're built out or whatever, would that be sufficient to alleviate that headache or you know, insert number here, I don't know what the right number is, but it's a potential solution.

2:45:15

Absolutely.

2:45:16

I think there's lots of hypotheticals in this discussion that's hard to determine how they play out.

2:45:22

I think about a global pandemic again and just the market completely changed and what needed to go in for housing was completely different than what the subdivision may have intended prior to that complete market change.

2:45:36

So maybe I'll just leave it at that for now, Shana, unless board members or anyone else has a comment to make.

2:45:57

Go ahead, Rick.

2:46:00

Yeah, I kind of, I kind of understand that.

2:46:02

I mean, there needs to be some level of certainty for developers for sure.

2:46:07

So yeah, I would tend to agree there.

2:46:14

Thanks.

2:46:16

I guess one more low hanging fruit in Chapter 5 and that's an applicant and preliminary platform metal requirement to provide evidence of approval from DEQ or local health department prior to being deemed complete.

2:46:31

DEQ will not issue any sort of approval until we are.

2:46:36

We have pre plat approval with public comments to submit to DEQ.

2:46:41

So it's just a car in front of the horse.

2:46:43

And maybe it's just language and there's enough vagueness there that I shouldn't be concerned.

2:46:48

I just don't want that to be a hangout for both staff and applicants to be stuck not being able to be deemed complete because the DEQ can't issue an approval.

2:46:59

So.

2:46:59

And maybe it's just a simple language change to make it a bit more understanding of what evidence is of approval.

2:47:10

Yeah.

2:47:11

Troy Monroe, I see you online.

2:47:12

Is there any additional context you can add to that at this time?

2:47:16

If not, we can go look at it over the next week.

2:47:32

Thanks.

2:47:32

Troy Monroe, city engineer.

2:47:34

Kathy, sorry, I was just listening in.

2:47:37

Danny, could you repeat your question?

2:47:39

You bet Troy, within the application and preliminary plat submittal, the regulation says subdivider must provide evidence of approval from DEQ before being deemed sufficient.

2:47:52

It's a cart in front of the horse regulation from my perspective because DEQ can't issue approval prior to subdivide.

2:47:59

You know pre plant, pre plat approval.

2:48:03

So evidence, the language there, evidence of approval maybe just needs changed slightly because it can't be met directly.

2:48:14

Yes, from what I'm understanding, I'm not familiar with this section, but Danny, you are saying it correctly.

2:48:20

And in the in what we currently do is we get that DEQ approval prior to the final plan.

2:48:31

Troy, if that's the case, I think it may have been incorrectly included under the preliminary plot section.

2:48:37

So we can go look to prepare potentially an amendment to bring back on the 2nd this this is Lavelle means at the planning office again and it Danny and maybe others.

2:48:52

Could you refer reference what section you're talking about because we are trying to flag it.

2:48:59

I know that Cassie's located it.

2:49:01

Yeah, you bet a lot of us aren't as familiar as even Troy mentioned.

2:49:06

So thank you.

2:49:07

5.3 point 01-C number 4.

2:49:30

Do you guys feel like you have enough there to be able to take a look at it and come back?

2:49:37

Great, thank you.

2:49:41

Looking around here, anybody else have any problems that they want to bring up with Chapter 5?

2:49:52

Derek, I don't necessarily see this as a problem, but I just wanted to note that there was a subdivision infill proposal that we reviewed some time ago in the South Hills, and I'm referencing the wildland urban interface.

2:50:09

And I felt like this was an instance where a proposal was made in the past and it was turned down because of expenses to actually do the, to meet the access egress requirement of two points.

2:50:26

And that property sat for some time before another developer came with a new proposal, essentially the same proposal.

2:50:35

And this one I believe, you know, passed and, and I think there were exceptions made and I'm not sure how that was justified anymore.

2:50:48

But I'm just wondering if there's like any kind of stance or comments about how the, the new coder, I guess would I guess want to address the wildland urban interface with new subdivision proposals.

2:51:08

Yeah, I can speak to that a bit.

2:51:10

The requirement to have sort of two accesses that are out of a subdivision is coming from conversations with both city fire and then the city county office of Emergency Management.

2:51:22

They see that as a really important tool for making sure people can be evacuated.

2:51:26

Of course, in cases where it is absolutely not possible to get those two means of egress, we we would be able to issue a variance based on hardship.

2:51:37

Does that answer your question?

2:51:40

It does.

2:51:41

I think it's that hardship variance, I think, which was seemed pretty subjective.

2:51:49

And I mean, surely it, I mean, it's a decision that the city has to make.

2:51:54

So, but I'm just kind of curious.

2:51:57

It sounds like there are standards that are followed, you know, to the best of your abilities to make sure that you know, we're creating a a safe environment.

2:52:07

Thanks.

2:52:17

Go ahead.

2:52:17

Rick, I just had a question about the mobile home part 5.2 point O 9.

2:52:28

So basically that says dealing with older than 1976, none can be brought into the city.

2:52:35

So this would be adding or subtracting mobile homes from existing parks with mobile homes that were already here.

2:52:45

Is that what you're saying in that almost that that could be an option for someone who's looking to add units to their original subdivision approval for a mobile Home Park?

2:52:57

However, we understand that in these these cases, a lot of those additional units people are adding are actually manufactured homes.

2:53:04

And it really goes back to the inclusion of mobile home parks and the definition of subdivision and state law.

2:53:12

And it's just really that these were originally approved as subdivisions, whether they bring in an old unit that's already in city limits or a new unit.

2:53:20

We've just heard a lot of interest in wanting to expand as existing parks.

2:53:24

So you're lumping manufactured homes as well into this part?

2:53:29

Yeah, that that can potentially happen for these older mobile home parks versus the new process and zoning code that would have strictly manufactured homes across a new park.

2:53:41

Thank you.

2:53:49

We good on subdivision right now, move on to Chapter 6 infrastructure improvements.

2:53:57

Does anybody have anything there?

2:54:06

Can I just make a quick comment that we have Aaron Wilson here joining us tonight and he hasn't been asked any questions yet.

2:54:12

So this will be a great time to make sure that he has a chance.

2:54:17

I've got some questions for Aaron, but they're more related to Chapter 4.

2:54:23

I've got one in Chapter 6.

2:54:28

It has to do with the 5% administration fee for latecomers agreements that there's some recency bias in a project I was working on here, so forgive me for the nuance, but I do see this applicable in my Greenfield development.

2:54:46

Say the Mullen area where two adjacent large subdivisions or developments have to build a common public Rd.

2:54:56

between the two.

2:54:57

Let's say it's \$1,000,000 Rd.

2:54:59

They're going to set up a latecomers agreement so whoever comes first builds out the road.

2:55:05

The second big developer comes back, pays back that first developer for building the road on \$1,000,000 Rd.

2:55:13

The city's going to collect \$50,000 for collecting that payment from one person.

2:55:18

That's excessive.

2:55:19

I understand the purpose of this 5% when you have like hundreds of lots you need to collect latecomer fees from.

2:55:26

So I would just advise that you have an exclusion or a caveat to that for that particular scenario.

2:55:34

So it's a bit more fair for for that scenario where just two developers are setting up a latecomers agreement.

2:55:43

Yeah, that Aaron Wilson of Public Works Mobility, I guess I'll have a quick response to that and say, yeah, we can take a look at it.

2:55:49

That's a worthwhile comment that we can look at those those specific instances for sure.

2:55:53

Yeah.

2:56:04

Anybody else?

2:56:05

Chapter 6.

2:56:11

Chapter 7 reserved so we can move quickly through that.

2:56:16

I don't think we have any disagreements.

2:56:19

Chapter 8.

2:56:20

Definitions.

2:56:47

David, I see your hand raised and we are through public comment for the evening.

2:56:53

If you had a very quick comment on definitions, I would probably accept the comment very quick.

2:57:06

Thank you.

2:57:08

There is like 5 different definitions for solar panels and solar energy.

2:57:14

It would be great to get that squeeze down to just solar power or something like that.

2:57:23

Great, thank you for the comment David.

2:57:28

We'll see if we can have staff take a look at that.

2:57:36

Yes.

2:57:37

And to respond to that, I believe he's referring to maybe the different scales of sizes we have, which we can go take a look at.

2:57:44

It may be overcomplicated, but there are slightly different application submittal requirements associated with those sizes.

2:57:52

But we will go review.

2:57:54

Great, Thanks.

2:57:55

Cassie.

2:58:03

Anything else in definitions?

2:58:09

How are people feeling?

2:58:11

Do we feel like starting chapter 4 zoning this evening?

2:58:18

No.

2:58:18

Are we losing steam?

2:58:19

I'm getting getting.

2:58:24

I'm going to file.

2:58:25

I'm going to file workers comp claim for scrub my scrolling finger.

2:58:33

That's fair.

2:58:34

You a volunteer, Rick?

2:58:37

Sorry.

2:58:37

Go ahead, John.

2:58:45

Sounds like maybe we're losing steam and we should pick up zoning next time, but I'm willing to stick around for a little longer if other folks are.

2:59:01

But maybe a question to staff like obviously a lot of great feedback in the last couple of meetings.

2:59:06

I, I would like the to give staff the opportunity to come back with potential more responses versus rehashing it here.

2:59:14

I don't know that that's just my perspective.

2:59:17

You know, I, I would much, much prefer to give staff that opportunity if that, if, if that's, if you guys are up for that versus US trying to go through 1 by 1 tonight.

2:59:29

But I can respond if you, if you'd like.

2:59:33

I mean, we certainly can bring more responses.

2:59:38

It helps us to be be directed or guided towards what, what you're definitely wanting to wanting to hear addressed.

2:59:48

So that's always helpful to hear ahead of the, the next meeting.

2:59:52

So we can kind of make sure we're, we're tracking what, what you want to hear a response to.

2:59:58

I think the other thing I was going to say is just if, if this meeting is if, if you're running out of steam and this meeting is starting to wind down, we would, you know, we, we talked about this ahead of this meeting a little bit, but we, we wouldn't, we would invite and, and hope that you can send us any questions that you have that that we missed tonight or that come up after the meeting or they can just give us the ability to keep, keep.

3:00:27

Working through and developing and prepping for kind of the next step in this process.

3:00:36

I guess I have a question for us and that would be, do we feel like we can get through the rest of this in one meeting?

3:00:47

I think I, I've said this on the record that what if we need more time?

3:00:53

But I mean, I, I would prefer not to if we can do it.

3:00:56

So I don't know if it, I'm not suggesting we dive in deep right now, but is there an opportunity for, to take another half hour or maybe hour if appropriate to get some dialogue on the table?

3:01:10

I I don't know if I, I'm actually advising we do that, but it's more of a question.

3:01:16

Like I, I don't want four more meetings and maybe we need to keep chipping away at it if that's what we're thinking we're going to need.

3:01:26

That's just kind of, I'm on both sides of the coin a little bit here, but that's kind of my feeling right now is if we have time, let's use it.

3:01:35

Yeah.

3:01:35

I mean, I guess my feeling sorry to cut you off, Derek, is that, I mean, I personally think that we need to thoroughly go through the zoning code and ask staff specific questions that we have that we've been hearing and ask questions.

3:02:01

And, you know, try to get to the bottom of what a lot of these issues are and give them time to respond appropriately, make edits as they feel is necessary and come back to us so that we're not making up amendments on the fly.

3:02:17

That would be my preference.

3:02:20

And so I guess my feeling is, is that if we adjourn this meeting here tonight without going through the zoning code, then I, I'm not going to be chairing the next meeting, but I don't think that we're going to be ready to vote next meeting because it's, there's a little call and response here.

3:02:39

My opinion, I just have a procedural question.

3:02:45

For each proposed amendment that we put forward, is there going to be a public comment period for that specific amendment or are we ready to discuss the amendment and then vote and then move on to the next proposed amendment?

3:03:05

Procedurally, I can only speak to what we've done before and which does differ from the way I understand City Council does it.

3:03:17

I think that we have been offering public comments in the beginning of the meetings and we have not been offering public comment after the motion has been made.

3:03:30

And after the motion is made, that's when the amendments would come in.

3:03:35

So, you know, truly I would like to get what we're thinking on the table tonight so that the public can hear that and understand that such that next meeting they could come in and respond with you guys are way off base or yes, we agree with the tenor of what you guys were thinking about.

3:03:58

And and again, this does not have to happen tonight, but I do think that my opinion is that it would if we don't do it tonight, then it would be extending beyond the December 2nd meeting and see what they all kind of shaking her head.

3:04:19

Yeah.

3:04:21

OK.

3:04:22

Go ahead, Josh.

3:04:28

Thanks, Shane.

3:04:29

I was just going to say, you know, we received some public comment late in the day-to-day that I honestly was not able to work through.

3:04:38

And so I don't know that I really feel fully prepared to dive into the zoning without really understanding some of the concerns that may be in that in that public comment.

3:04:51

So as personally, I'd like a little bit more time to be a little bit more prepared before getting into the weeds on it.

3:05:02

It's my feeling.

3:05:05

Thanks, Josh.

3:05:06

Go ahead, Rick.

3:05:10

I mean, I'd just rather be a little fresher to begin that than at 9:10 at night.

3:05:18

So that seems to be the consensus here.

3:05:29

OK, is there anything that we do we'd like to do it well, so agreed.

3:05:35

Go ahead, Lynn.

3:05:42

I that's fine for us to adjourn, I guess, but I had AI guess a thought on the like kind of key things, themes that have come up and one of them is the activity areas.

3:05:53

And just wondering, I guess what the plan is from the City team as far as a possible amendment or changes or I mean, so that we have something to look at when we come back on the 2nd.

3:06:11

I just feel like starting it as an amendment on the second or something would be kind of a missed opportunity.

3:06:22

I don't know.

3:06:22

I just don't know what the plan is on the planning group's viewpoint.

3:06:31

I don't know if that made sense.

3:06:32

Does that make sense?

3:06:33

No, it does.

3:06:34

I mean, you know, I, I think I personally am feeling really cautious about seeing amendments for the first time and then voting on them that evening.

3:06:52

That makes me feel uncomfortable and might cut off ability for the public to comment on it also.

3:07:01

So I prefer that, you know, between tonight and December 2nd, staff consider the things that were brought up tonight and figure out where potential amendments would be appropriate and help guide that and potentially publish them in the in the public hearing packet for the next meeting where you agree.

3:07:30

And then potentially your, your presentation next time could focus on, you know, these are the things that you guys brought up or we heard and we agree with them.

3:07:40

And these are the proposed amendments the staff are making.

3:07:44

And then we can really dive into the zoning code, the zoning portion of the Unified development code at that time.

3:07:53

Does that sound reasonable to staff?

3:08:00

I just wanted to cover maybe a couple things.

3:08:05

One was whether we could receive questions in advance of our next meeting so that we could do some preparation and you know, and have that ready for the second.

3:08:23

The other thing is maybe you could restate what you, you've been talking about helping, having us prepare responses to what we've heard.

3:08:37

And I haven't, I mean, I, I've got a few specific requests for considerations, things to clarify or to actually amend in Chapter 2 and chapter 5 and a definition in Chapter 8.

3:08:59

But I'm not, I don't know what other response to your questions we need to follow up on.

3:09:05

So maybe you could state what, what you, what you have specifically.

3:09:09

I mean, we've, we've provided responses from the last meeting and, and what we've, you know what we've been updating and developing and, and we had one thing related to Subs through non conformity that we were going to look into a little bit more.

3:09:27

But otherwise we've laid out what we're proposing and we can have that in a memo, but we've laid it out already.

3:09:35

So what other responses are you looking for?

3:09:50

I mean, I guess, I mean, we have been hearing an awful lot of public comment too.

3:10:04

And I do think that, you know, I, I guess we can sit down and rehash every public comment or question that the public has put forth if you would like to hear them from planning board members.

3:10:21

But I, I suppose that I would, I mean, I think that we do deserve to at least revisit some of these themes that keep coming up and seeing if there are issues that you're seeing in the code as reoccurring issues, you know, activity areas, I suppose being one of them or landscape being another one.

3:10:50

And if because I guess so far what we've what we've seen and you know, again, we didn't get into the zoning portion of this, but what we've seen is, is that, you know, the number of units that triggered that went from 3:00 to 7:00.

3:11:08

But I think we continue to hear public comment and I'm not trying to pick on activity areas.

3:11:13

I'm just using it as as an example.

3:11:16

You know, I don't think that we've fully satisfied some of the public commenters on that.

3:11:22

And so I guess it would be good to see if see if you guys are understanding that and are willing to come forward with an amendment on some of those things or if you think that it's solid and set in stone, in which in which case we're going to have to do some of that like work if we feel like it's still it's not is not meeting, you know, the full intent.

3:11:49

So I guess I suppose that that's what was in my head is that, you know, we heard public comments and, you know, really articulate responses related to, you know, landscaping activity areas, entries into buildings last time.

3:12:12

And you know how that affects, you know, apartment buildings that don't just have a single entry and you know, are, are there things like that that are changing your thinking in the, in the code as we're as we're moving forward or, or does the plan, is the planning board sorry, just one more second or is the planning board going to have to create all these amendments on our own?

3:12:39

Cassidy, I, I think, oh, sorry, go ahead.

3:12:43

Ben, sorry, let me just respond really quick and then pass, pass it over to you.

3:12:47

Just to sum up our line of thinking and kind of the approach that we were hoping for or think thinking of was that we would we, we are expecting to bring a, a set of recommended amendments ahead of next meeting.

3:13:03

The goal would be to provide that to you with, you know, ahead of the meeting so that you and the public are able to, to see that.

3:13:10

And, and, and so that would indicate, you know, to some degree, I think our, our

responses to not just the issues that you're raising, you know, yourselves, but the comment that's being raised by the, the public.

3:13:25

And, and so that, you know, you're, you're listing some things that I think are we, we're also already kind of anticipating having recommendations for and you'll so we'll be able to provide to you, you know, hopefully ahead of that, you know, sometime ahead of that meeting kind of where we are as far as the amendments we're considering.

3:13:50

I think part of our hope for tonight was to have a chance to hear from from the Commission whether there's anything specific that you want to make sure that we're we're able to be prepping for and thinking about.

3:14:04

And considering that we may not already be kind of considering on our on our end, whether it's things you're seeing in the in the, in your review of the materials or that's coming up through the, the public comment that we're hearing.

3:14:17

Yeah.

3:14:19

And I, I think that that was my intention.

3:14:20

It just seems like we're running out of steam here to be able to tackle the the zoning portion of that.

3:14:27

That's just to say we, we do intend to have a response to you.

3:14:29

And I think it, it'll largely be what, what are the amendments that we're bringing next week.

3:14:35

And, and so that that is something to be anticipating.

3:14:37

And then Cassie, I don't know if you wanted to.

3:14:40

Yeah, I just wanted to point folks towards the engagement summary in their pockets, acknowledging that what we're hearing in these meetings is just a snippet of the overall public comment received.

3:14:53

A lot of those reoccurring themes have come up in previous comments that are documented in that draft and you can see how we have responded to those there as well.

3:15:03

And so if we are adjourning tonight, even over the next week, just having planning board members having sorted through the comments we're hearing here in the meeting as well as those other comments and even just emailing us to identify where focus and those thousand comments or so should be and where you're looking for amendments given there.

3:15:25

There are a lot of different themes coming up.

3:15:32

Emily.

3:15:34

Hi, I've been hiding for most of this meeting.

3:15:37

Emily Glecken, planner with CPDI.

3:15:39

I just wanted to chime in and say as kind of a procedural reminder that the package that you've received so far in the engagement summary and the list of public comments, that is the extent of the analysis of public comment that staff will be doing.

3:16:03

From the point that we uploaded those documents and the materials entered the public hearing.

3:16:11

The process is really we will be forwarding all comments that we receive through to the planning board.

3:16:20

And then you know, obviously listening to public comment but not doing that level of analysis that we did for the initial package.

3:16:26

So just want to make that distinction clear.

3:16:36

Thanks, Emily.

3:16:37

I guess I might be in the minority here, but I feel pretty comfortable at this point having heard public comment today, Tuesday, and every single meeting I've attended prior as a part of code reform.

3:16:53

I guess I feel pretty comfortable starting the amendment process.

3:16:58

And the way I see it going ideally is just the city putting forward their recommended amendments.

3:17:08

And between now and December 2nd, we as Planning Commission putting forward, drafting our proposed amendments and just making sure that it's a part of the agenda packet for December 2nd so that the public can see a couple days beforehand what's going to be discussed.

3:17:30

To me, the only thing I would really like to get firmed up before we adjourn is just the process for that.

3:17:36

Like who do we contact with our proposed amendments in order to like put them in the proper legal form in advance of the December 2nd meeting?

3:17:47

And what's the deadline that we should submit those by?

3:17:51

And with those two bits of information, I feel pretty comfortable having a good, probably long but a good hearing on December 2nd where we consider the city's recommended amendments, where we consider our recommend recommended amendments.

3:18:10

We vote, we listen to I guess, public comment at the beginning of the meeting and then and then we, we're done, hopefully.

3:18:29

I know I'm not totally familiar with your rules, but just from a sort of public meeting perspective, submitting proposed amendments to some member of city staff who could be identified to take those is fine.

3:18:43

I would caution you to not engage with each other in a conversation about the language or the pros and cons of any particular amendment because that that can run afoul of those public meeting rules.

3:18:55

But certainly submitting questions to city staff, say, like, I'd like you to address this or flesh this issue out.

3:19:02

Or can you please consider this amendment if you need to make changes to it to make it make sense or fit within the overall scheme of the code that those kinds of things are totally fine of sort of like a one way information sharing.

3:19:15

And then when it comes back to the public meeting and it's open, then you, you guys can hash it out.

3:19:21

So if anybody has any public meetings, questions about that kind of thing, I'm happy to answer it, but you'll have to identify who to accept it.

3:19:33

Yeah, I, I would, I mean, I, I think the, as far as the process goes, the question is, are you looking to influence what's included with the staff, a staff recommended amendment.

3:19:49

And if that's the case, you know, you wouldn't want to try to follow up relatively soon after this, this meeting.

3:19:56

I I would think to the project manager is probably to Cassie or myself or Emily and, and provide that that information or, or or inquiry.

3:20:08

I'm a little so that that would be my kind of suggestion when it comes to posting or or kind of advertising self initiated amendments.

3:20:19

Or, or recommend amendments from what I've seen typically that that's something that, you know, the board members bring to the, to the meeting to, to provide at the meeting and and then so to, to get it out in the public kind of for the public to see kind of on a self initiated path.

3:20:37

I, I don't know if that would to, to me that seems like it would might be working more with the with the planning board, admin and team, but that's fine.

3:20:54

I hope we've answered all your questions.

3:21:00

You also Danny, you also asked in what form you submit quest or recommended amendments to us.

3:21:11

It it can be loose.

3:21:14

That can be you know, we, we, we, I've got, I've got this concern over this section in this way it and then you'd have more discussion, you know, with the Commission when we meet or I've got this concern and I recommend it change.

3:21:33

You don't have to give it to us in a strikethrough underlying way, but whatever is necessary to convey the intent and the and the change actually conveying intent would be good too.

3:21:47

You know, like if there's ways that you can say why.

3:21:50

So if your, your ideas of amendment is far enough along, you know, send that out to us if the idea is suggestions or, or questions you want to pose that you didn't get a chance to do today, I think that's what Ben is saying about get that to us sooner so that we can help to formulate a response.

3:22:13

And I think that like between those basically 3 approaches, you know, one where it's really well refined, one where it's really in the form of concerns that you want to still consider, which I'm kind of hearing is like an example of activity area, you know, and another is the did I cover that the general questions already?

3:22:38

I guess So yeah, send that the OR what the things that are loose get to us soon and soon enough the things that are a little more specific we can either include in back to you, but eventually the the point is is no communications among yourself at the at that level and we'll have to pass it through this the support staff anyway and be prepared for the second.

3:23:07

That's helpful.

3:23:08

Is there just a last day or that we should be coming to you with not questions, but I'll say amendments last day would preferably be Wednesday before Thanksgiving.

3:23:22

OK, that's great.

3:23:26

Go ahead, Rick, you're talking about amendments to the UDC.

3:23:31

We're still quite a ways from any amendments to the map, right?

3:23:38

We've got to still go through zoning.

3:23:41

I how's your feeling on what what the process will be?

3:23:46

Shane, again, I'm not going to be, Yeah, again, I'm not going to be chairing the next meeting so Sean can completely turn this on his head.

3:23:54

But I think that we need to thoroughly discuss the zoning chapter and the zoning map and they need to be discussed together and so that we can come to consensus on if we're OK with it as written or not, I think.

3:24:19

And then I think we need to have that sit for a little bit and then come back and vote on it with proposed amendments that we think we can agree to or not agree to.

3:24:33

So I think that my stance is, is that if we are adjourning here tonight, then we are probably committing ourselves to another meeting beyond December 2nd.

3:24:49

I'm fine with that.

3:24:56

I guess I personally would like to avoid that.

3:24:58

I'd like to keep to our schedule.

3:25:00

And if that means staying later to, to open up Section 4, let's do it.

3:25:07

In my opinion, that's what we're here for.

3:25:13

I think.

3:25:13

I think Section 4 in the zoning map all at once.

3:25:17

The rest of tonight is just too much.

3:25:23

So go ahead Lynn.

3:25:31

So my ask the planning group is to relook at the activity zones based on the discrepancy between the public comment saying that it is greatly different than regulation 20, sorry you can't remember what it's called and the old and the new.

3:25:51

Even though they did make a compensation going from three to seven.

3:25:56

I just feel like we need to come back with some way to meet in the middle that would work better, but still get us some activity zones maybe for larger buildings.

3:26:12

So I that's my ESTO planning group and I feel like that's warranted based on the public kind versus me writing an amendment.

3:26:22

I feel like they're, I, I would appreciate their looking at it again and seeing if they want to come up with an amendment.

3:26:30

I would also say that, yes, typically we would bring our amendments the day of the meeting as opposed to putting on publishing them in advance.

3:26:41

So that's a change that I'm not familiar with, but if it's legal that's fine.

3:26:47

I just, we haven't done that before that.

3:26:56

That's great.

3:26:57

Lynn.

3:26:58

Thanks for the flagging that And what that's something we'll be looking at, Josh.

3:27:13

Yeah, I'm also not opposed to having another meeting.

3:27:15

I mean, it's hard for me to form coherent thoughts this this time of night.

3:27:19

I'm an early riser and need a lot of sleep.

3:27:21

So that said, I, you know, for staff, I think I'd like to see the Civic district one and two kind of issue address that seems to be a recurring theme, especially in areas where there's privately owned lots, maybe even adjacent to federal lots where those rules don't apply.

3:27:41

It just seems a, you know, a bit inconsistent.

3:27:43

Why apply that zoning district to an area where, you know, maybe on on federal ground, they're going to come in and do whatever they want, but we're not going to let a private landowner do that.

3:27:54

The other one is just looking at some of the comments on the map, you know, areas that there are some comments and I think some understanding that the industrial mixed-use zoning district was going to apply to industrial unemployment place types as kind of a transitional buffer zone and removing that from that place type really

doesn't allow a zoning district in those areas that could be applied as a transition zone.

3:28:27

So I'd like to, you know, maybe have hear a little bit more on that and see if that makes sense.

3:28:36

I'm, you know, just looking at the map right now and there's some areas with mixed medium density, mixed-use and low density residential adjacent to industrial areas.

3:28:52

And if there's no zoning district within those within the industrial place type.

3:28:56

I'm just curious if there's going to be a bit of a too bunch of a drastic change, right without any transition, especially where you have, you know, either the neighborhood area serviced by an industrial St.

3:29:12

type or an industrial zoned area only serviceable by a neighborhood St.

3:29:19

type.

3:29:19

So those are two things that I guess I'd like to hear a little bit more about.

3:29:25

And then also the Easy Street area neighborhood.

3:29:32

I'm still, I guess not entirely clear why there's only 10 lots that are zoned Lu R1 and the rest of them Lu R2.

3:29:43

It's, you know, difficult for me to distinguish.

3:29:48

You know, they're kind of all in the same block.

3:29:50

There's two that are Lu R1 and one that's Lu R2.

3:29:54

So maybe just a little bit more explanation on that.

3:29:58

And then there's the, you know, the Aspire neighborhood that I think still I know Rick's got his sights set on that one, but you know, any additional comment on that and E Missoula I think would be welcome.

3:30:17

Thank you.

3:30:21

Thanks.

3:30:22

Thanks for that.

3:30:23

Can I ask a clarifying question on the industrial mixed-use zoning question there?

3:30:31

If, if it's possible to just point us to where, like where, what the an example of there is that you're thinking of that'll be helpful.

3:30:40

I'm just trying to get a sense of whether this is a, a question that goes back to the land use plan place type or the so I'm, I'm, I'm looking at one comment here.

3:30:51

It's in the it's in the development park it's from Matt Malot says LUMU does not make sense in this zone being so close to the development park and I-90 IMU is a much better match.

3:31:05

So it's clearly it's clear that you know this individual thought that the IMU applied to an industrial place type I believe.

3:31:17

Thanks that's really helpful.

3:31:19

If you move then just to the, I believe S right, you have the technology cord, it's still county property, but you have lots along Kendrick.

3:31:30

I think it's Kendrick Place adjacent to a low density urban residential and you have three lots along Kendrick Place that are in an industrial place type, but only serviceable on a neighbor.

3:31:49

I think it's a neighborhood St.

3:31:50

type.

3:31:56

So, you know, either there's going to be an industrial use that goes in there that's going to have to access some of those properties along a neighborhood Rd.

3:32:06

which may make it not a very good industrial, very appealing for an industrial user.

3:32:11

Or the people across the street in the low density residential neighborhood are going to be upset that they're sharing a road with a, you know, industrial traffic.

3:32:22

Yeah, great.

3:32:24

That that's helpful.

3:32:25

Thanks.

3:32:33

Hey Josh, it's Mark Hendrickson, GIS or Associate Planner with GIS.

3:32:39

So I believe you're talking about the industrial and employment place type and trying to get the transitional mixed-use as a comparable zoning within that.

3:32:53

So we are changing the comparable zoning.

3:32:56

We're opening up the land use plan for that to allow residential development within the industrial unemployment place type.

3:33:05

That would require a couple additional amendments.

3:33:10

We have no residential intensity allowed in the industrial and employment and we have no housing types allowed in the industrial unemployment place type and there is no building types like listed inside of the land use plan that are residential.

3:33:32

So I think if, if you want to see that change, it would you would have to make amendments to the land use plan in the place type chapter or in the place type attributes as well as that comparable zoning.

3:33:49

OK.

3:33:49

To allow a zoning district that permits residential in that in an industrial place type.

3:33:54

Is that yes, yes, yeah, again, sorry, I'm a little slow.

3:33:59

Yeah, no, no, no, I'm, I'm, I'm trying to like wrap my head around it too.

3:34:04

But yeah.

3:34:04

So it's so the industrial and employment place type was like meant to be kind of solely commercial and industrial land uses.

3:34:15

That's why it's like very minimal on the place type map and the the comparable zoning from the land use plan like to the Title 20 comparable zoning to the industrial unemployment included M1 and M2, not M1 RI think is where the confusion was or is.

3:34:37

I think the confusion is, is that there was a an industrial mixed-use zoning district that that initially, right, that I think some people thought would be would act as one zoning district within the industrial unemployment place type that would allow for some residential and a transitional buffer where maybe it made some sense.

3:35:01

That zoning district is no longer, maybe it never was, but it was perceived as being part of the industrial and employment place type.

3:35:08

And now that's gone.

3:35:09

And I think that there's some areas within the industrial and employment place type where a zoning district that incorporates some residential makes some sense, right, Especially those where they're only serviced on a neighborhood St.

3:35:25

type.

3:35:26

Yeah, that I think the the like, I don't know if I can suggest something, but something like along those like couple lots that could be probably more beneficial to not reopen the entirety of the industrial employment, land use or industrial unemployment place type attribute table.

3:35:50

But it might be more of a targeted mapping amendment to those properties that you might want to see that might make it a little bit easier to get that cross the finish line.

3:36:02

Yeah, I, I absolutely.

3:36:06

I think that the point was just raising the question and the issue and let's think about it.

3:36:10

But between now and December 2nd and hopefully you can come back with a, a couple of good solutions.

3:36:16

I think Ben's going to jump in.

3:36:24

Thanks.

3:36:24

I, I, I do want to just follow up too, since you brought it up, Josh and, and it's been brought up previously also just related to the comments we've have heard through this hearing and previously around the Spire subdivision in East Missoula.

3:36:39

And you know, I think we, if we could get a sense of what you're thinking about that that would, or, or looking for around that, that would be helpful.

3:36:48

I, I would like to make one kind of just clarification around that, which is, you know, we, we heard Rick that, that you, you may be considering an amendment, a map amendment for that, that area or that property.

3:37:03

That is another case where the, the option for what zoning districts would be available are based on the place type on the property.

3:37:14

And so, you know, it is currently designated with the urban residential high place type through the land use plan.

3:37:22

The zoning districts that we're assigning to within that place type range from UR2 to UR3 to UR4.

3:37:28

The Lu limited urban residential zoning districts.

3:37:31

Would, you know, those are related to a, a, a different place type altogether.

3:37:36

And So what you know, if the, if the thought is to rezone that to or, or amend that zoning to a, that, you know, one of those zoning districts that would also be looking at a place type amendment.

3:37:47

And, and it's, you know, brings up the that question more at a policy level.

3:37:54

So just want to bring that up and see if there's any questions you have tonight that you want to bring up around the comments that we've heard around that or, or any any specific responses that you're looking for us to to be able to bring it at the next meeting.

3:38:12

Go ahead, Rick, sorry about that.

3:38:19

Yeah, I think, I think the limited urban too.

3:38:24

So would that require a a motion to change the place type and the zone type?

3:38:32

Yeah, that's that's correct.

3:38:34

OK.

3:38:35

I mean, I, I, I mean I can do.

3:38:39

Would you like to hear why I think that or now or I, I think we're, we're tracking that that's a, a potential amendment that may be brought or you may you may be bringing or planning to bring.

3:38:58

If there's any support of that tonight or, or a conversation around that would be helpful to have it.

3:39:04

We'd have our team here to answer questions too.

3:39:06

So, you know, I'll just point out that when we two years ago in August of 2024 or was it 2 years ago?

3:39:19

Yeah, No, one year ago, August 2024, we unanimously denied that the Aspire subdivision, the subdivision we also voted against the overlay.

3:39:37

I think that the, that the place type and the zoning that's being proposed for it is basically just trying to just recreating that overlay that we weren't, I wasn't in favor of and neither was this board at the time.

3:39:55

So I just don't think that that that's my reasoning behind why I don't think it's an appropriate zone for that area.

3:40:05

I mean, I I know that the city may disagree.

3:40:10

But as the Planning Commission, I've got to go with what I believe and that is that that density it certainly does not, is not multimodal.

3:40:22

You know somebody, as somebody said earlier, that is a rural area right now and who knows whether Aspire will move forward, but I just don't see that zone there so.

3:40:45

Aspire specifically or sure the, the, the, the density that's being proposed.

3:40:52

Yeah, Sorry, Rick, I wasn't questioning you.

3:40:56

Go ahead, Danny.

3:41:01

So I part of this is because I feel like if anyone has really strong feelings, we ought to just get it on the table now.

3:41:08

So I appreciate what you're saying, Rick, because it's going to move this dialogue along.

3:41:14

So I'm going to jump on and give my two cents and we'll see where this goes.

3:41:19

While I don't disagree with many of the comments made around the Spire subdivision, the fact of the matter is, is that the city and staff and the attorneys felt that there was enough findings of facts and conclusions and of law for staff to recommend an approval regardless of what planning said the first time.

3:41:40

Planning board, Planning Commission said the first time around and and it was approved and for lack of a better word, words.

3:41:48

The city has made their bed there and now.

3:41:50

I'd also add that just because there's an injunction around that project doesn't mean anything's illegal with it today.

3:41:59

That that's for a court to make a ruling, not for us or for City Council.

3:42:02

Technically on Monday, City Council just extended their subdivision phasing plan.

3:42:07

So they they aren't changing their stance on things.

3:42:11

And I guess my two cents as a Planning Commission is our voices were heard the first time around.

3:42:16

And I, I don't know if we should touch that with a 10 foot pole, I guess for again, lack of a better word.

3:42:28

But my feeling is as far as putting it out as a motion, that's what we're here for.

3:42:38

Yeah, UR 3 is, you know, not a zoning code that's intended for the edge of the city.

3:42:46

And it certainly does not fit focus in inward.

3:42:49

So whether whether it would pass or not, I I still want to make the motion.

3:42:57

So I appreciate that, Rick.

3:43:00

Danny.

3:43:01

Yeah, I would agree with Rick just on the procedure.

3:43:05

You know, let's make a motion, let's have the discussion, let's vote on it.

3:43:09

I think substantively, I think I am in line with what Danny is saying.

3:43:15

But you know, we're the Planning Commission, we're job.

3:43:18

Our job is to consider amendments and, and then vote and agreed.

3:43:28

I mean, we're starting to get into chapter 4 and you know, we're, we're not going to reach consensus.

3:43:36

I mean, in my mind, I think that there's dozens of things to discuss within the chapter just to try to figure out, you know, try to talk through and discuss and deliberate on, you know, and we could be here all night.

3:43:58

And at the end of the day, I don't think that, you know, I think we need to discuss and deliberate and try to come come up with what amendments we might want to see for a vote on the following meeting.

3:44:12

And I think that this is a, you know, the East Missoula thing is a good example.

3:44:15

Like we're putting it out there that, you know, maybe there will be an amendment.

3:44:20

I think there's other things that are, you know, just to be frank, that's a pretty easy map change.

3:44:25

I think that there's a lot of other things that there's a, there's, you know, the UDC and the, and the map interplay so much that we can't really hash things out without getting something set.

3:44:39

And I think that's going to take some time for the for to work through the zoning portion.

3:44:45

So, you know, just just as another example, I think we need to get our heads wrapped around, you know, build to and landscaping.

3:44:56

You know, the UMU zones are build to and then there's a landscaping requirement.

3:45:02

And those two things are really in conflict with each other in a lot of ways.

3:45:05

We're telling developers that they need to build close to the street to establish that street presence.

3:45:11

But then the conflict is is, you know, we're requiring a certain amount of landscaping, you know, on the property somewhere, but it's pushing it back into the non public realm.

3:45:22

So, you know, I think we actually do need to talk about zoning and come to some, you know, consensus on how those, how these things interplay with each other and figure out if we can iron it out enough or, or or not, But then hopefully vote on some amendments or have staff help us with those so that we can really understand the big picture.

3:45:55

We're all tired.

3:45:57

OK, We're going to close our public hearing for tonight and we will continue on December 2nd.

3:46:09

Communications and special presentations, We don't have anything.

3:46:13

Committee reports.

3:46:14

Nope.

3:46:15

Old business, no new business comments from Planning Board members.

3:46:29

OK.

3:46:30

We will adjourn and continue this hearing on December 2nd.

3:46:37

Thank you.

3:46:38

Thank you.

OUR
Missoula
Growth Policy Update —
— *& Code Reform*



Planning Commission

Unified Development Code, Zoning Map, and Land Use Plan
11-20-2025

Agenda: staff responses to:

Summary of Updates and Clarifications

Specific Standards

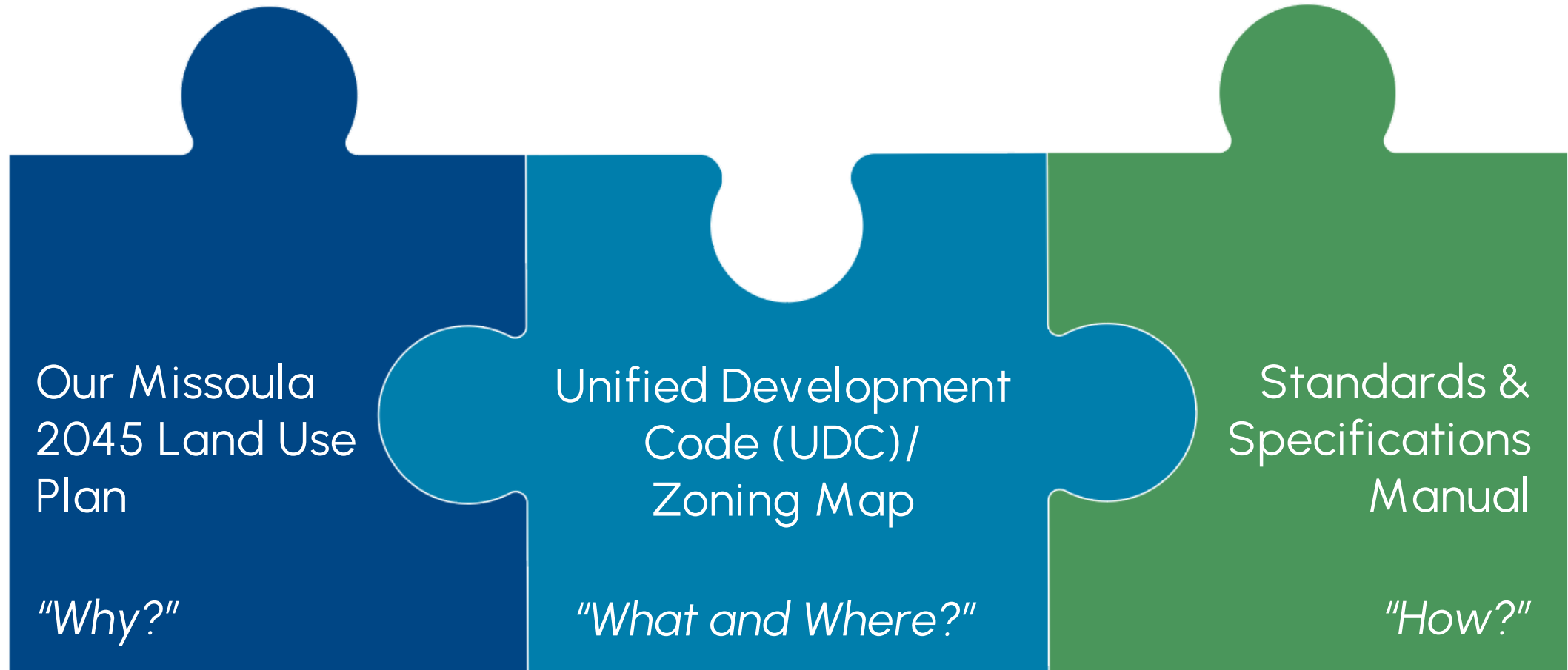
Map

Process

Clarifications and Summary of Updates



What are the pieces of Our Missoula?



MCA 76-25 Part 2:
Land Use Plan

MCA 76-25 Part 3:
Zoning and Part 4:
Subdivision

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **General Updates**
 - Official Name: “Title 22: City of Missoula Unified Development Code”
 - Clean-up of typos, formatting, references
- **Non-zoning updates**
 - Chapter 1: Introduction
 - Chapter 2: Administrative Procedures
 - Transitional Provisions
 - Updated to differentiate subdivision from other parts of the code
 - Chapter 5: Subdivision
 - Minimal clarifications to:
 - Maximum Block Perimeter
 - Exemption to parkland dedication
 - Chapter 6: NA
 - Chapter 8: Definitions
 - Building width

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.2: Residential)**
 - Clarifications
 - 'Dwelling' Units per Building
 - General building permitted in in R-R1 Zone
 - FAR:
 - FAR is measurement of interior space
 - Exemptions clarified and expanded, including for Neighborhood Commercial building type
 - Density
 - Clarify that minimum density is 2 dwellings on any legal parcel

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.2: Residential)**
 - Standards Updates:
 - Floor Area Ratio
 - Exemption for small lots
 - FAR raised for one-unit house in LU-R1 and –R2: from .4 to .5
 - Lot Standards
 - Lot width exception for Duplex and Rowhouse building types
 - Maximum Height Standards Lowered:
 - U-R3: from 40' → 35'
 - U-R4 from 50' → 45'
 - Maximum Building Width
 - Rowhouse maximum building widths expanded to 200' from 160'
 - Rowhouse unit width standard removed

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.3: Mixed-Use)**
 - Clarifications:
 - Building Placement
 - Exempt one-unit and duplex building types from this standard
 - Ground Floor Transparency
 - Measurement method is updated to apply to area of façade between 2'-10'.
 - Entrance requirements
 - Applies to 'at least one' entrance, rather than all
 - 'Intended to allow access to...' rather than 'must be operable'...

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.3: Mixed-Use)**
 - Standards Updates:
 - Building Placement
 - Build-to area expanded from 10' → 15' in several district
 - Build-to width requirements (front and street side) reduced in several districts
 - Building placement standards for existing buildings are adjusted to account for buildings that are too small to meet the requirements.
 - Building Form and Components
 - Ground Floor Transparency
 - Requirement is shifted to only street-adjacent ground-floor facades
 - Requirement is removed for Apartment building type
 - Required minimum percentages are generally reduced in all districts, removed in LU-MU

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.3: Mixed-Use)**
 - Standards Updates:
 - Building Form and Components Cont'd
 - Street Wall Height
 - Expanded in U-MU2 and -3, 50' → 55'
 - Required Entrances
 - Requirement is removed for Civic building type

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.4: Special Use)**
 - I-MU: Industrial Mixed-Use is renamed to T-MU: Transitional Mixed-Use
 - Tables re-labeled
 - New Context language added
 - Standards Updates:
 - Side setbacks for I: Industrial and T-MU districts are expanded: 5' → 10'
- **Zoning (4.5: Overlay)**
 - Airport Hazard Overlay
 - Overlay language provided
- **Zoning (4.6: Historic Preservation and Historic Overlays)**
 - New Overlay added
 - /HRO-SA: Sacajawea House Historic Resource Overlay

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.7: Building Types)**
 - Clarification
 - General corrections and overall reorganization to remove redundant and inconsistent language
 - Rowhouse/Apartment:
 - Transparency requirement clarified for zero lot line facades
 - Exemption from street facing entrance requirement added for parcels with no street frontage.
 - Accessory Structures
 - Building Placement and Form exceptions added
 - New Context language added
 - Standards Updates:
 - Accessory Structures: side and rear setbacks reduced: → 3'

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.8: Uses)**
 - Use Table
 - Residential Use Group:
 - Daycare removed from CD1
 - Public/Civic Use Group:
 - Health Care Facility added as permitted in LU-MU: Limited Urban Mixed-Use
 - Commercial Use Group:
 - Office use added as permitted in I-1: Industrial
 - Tourist home added as permitted use in OP2: Open and Resource
 - Industrial Use Group:
 - Winery added as permitted in R-R1: Rural residential
 - Warehousing, Wholesaling, and Freight added as permitted in LU-MU
 - Parking Requirements
 - Requirements removed for Preschool and Religious Assembly
 - NOTE: Intent is to remove for Preschool Center as well

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.8: Site Development Standards)**
 - Clarifications
 - Driveways title updated
 - Standards
 - Activity Area
 - Applicability updated from 3 → 7 dwelling units

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

Attachment G2: Summary of Map Amendments

- Rename the I-MU: Industrial Mixed Use zoning district to T-MU: Transitional-Mixed Use
- Alignments with recent PROST Plan adoption
- Zoned neighborhood scale parks from various zoning districts to OP1: Open Space
- Amended zoning on several privately owned parcels from OP2: Open and Resource
 - Amended the Winery zoning from OP2→ R1: Rural Residential
 - Amended zoning at the base of Mt Sentinel from OP2 → U-R2
- Amended zoning on several properties in public ownership to Civic Districts
 - University properties zoned to CD-2
 - USFS property zoned to CD-1 and CD-2

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

Attachment G2: Summary of Map Amendments

- Amendments to discrete areas
 - S 1st St W between California St and Rail-line: U-R3 → U-MU1
 - Blocks along Arthur St adjacent to the University: U-R3 → U-R4
 - Upper Miller Creek commercial site: LU-R1 → LU-MU
 - Discrete areas in Northside and Rattlesnake neighborhoods zoned U-R4 with narrow street, U-R4 → U-R3
- Overlays
 - Amended the Airport Hazard Overlay extent
 - Added an additional single-property Historic Overlay

Clarifications

Primary Structures, Multiple Buildings on a Parcel, and ADU's

- "Accessory Dwelling Units" are no longer a building type in the code
- Two units (either in separate buildings or attached) are permitted **by right** on any parcel where residential is allowed.
- Duplex building or multiple One-Unit House Buildings may be qualified as including an 'Accessory Dwelling Unit' if desired by applicant and necessary for shared services.

Clarifications

Historic Preservation

Consistent with Land Use Plan

Identify and preserve historically and culturally significant places and landscapes, including those of the Confederated Salish and Kootenai tribes (CKST)

- Action Item to “reinforce regulations that help to preserve historic buildings and resources.”
- Benefit of historic preservation review (Article 4.6.01.A) includes safeguarding Missoula’s significant historic and culture resources, minimizing impacts on the climate, preservation of existing building stock and supporting adaptive reuse.
 - HPP review applies only to properties individually listed in the National Register; designated through an HRO; and those properties listed in the local inventory . . . **Nothing new is added**
 - Only one National Register listed historic district is designated as an HRO, Fort Missoula, and has been since the 1990s.
 - No preservation regulations apply in the other 10 National Register listed historic districts.
- No preservation regulations currently apply in the other 10 National Register listed historic districts.
 - UDC includes language on how to establish new HRO Districts, should the community want it.
- Ability to regulate is consistent with State law

Clarifications

Historic Resource Overlays

UDC Approach:

- Consolidate existing NC overlay, Special Districts, and PUDs related to Historic Preservation
 - Fort Missoula, Marshall House (SD), Roosevelt Block (PUD), and Sacajawea (PUD 821 S Orange)
 - No substantive change to overall intent
 - Some specific uses were evaluated for and amended to align with new base zoning
- Fort Missoula Overlay:
 - Additional permitted uses are added to ensure that compatible uses within the Fort are permitted, supporting reinvestment
 - Adaptive Reuse possibilities are incentivized
 - Integrated the existing Appendix A Development Guidelines for the Fort Missoula Neighborhood Character Overlay for enhanced transparency
- Marshall House Overlay:
 - Current permitted and conditional uses are removed since those uses are all permitted in the base zoning.
- Other two Historic Resources Overlays:
 - No changes

Clarifications

Parks: Place Types

Adopted Parks and Conservation Lands (PCL) Place Type

- 6,063 acres were designated

Proposed Changes to Parks and Conservation Lands (PCL) Place Type

- 70 acres are being re-designated to align with PROST
- Totaling 6,130 acres designated

Parks: Proposed Zoning vs Current Zoning

Existing OP1: Open Space

- 2,162 acres

Proposed Zoning of OP-1: Open Space

- 4,596.1 acres total
 - 2,434.6 acres of this is from map updates since public review draft

Specific Standards



Activity Area

Activity areas exist to give residents of multi-family homes the opportunity for healthy outdoor space near their homes.

Activity area requirements are smaller, can be dispersed across the site, are designed for actual use.

- Activity area is more flexible than today: Today's code requires 20% of the site be activity area, with a minimum size of 40' x 40' (very restrictive)
- Proposed code requires 150 sq ft per dwelling unit with a max of 20% of the site required
 - (in modeling several projects this results in around 14% of the site)
- Activity area counts towards general site landscaping. (essentially capping landscaping at 20%)

Cash-in-Lieu of Activity Area

- Offers projects a **flexible alternative** to on-site activity space.
- Estimated around **\$2.50/sq ft**—far less than building on-site amenities.
- Funds stay **near the development** and directly enhance park amenities to serve residents of multi-family homes.
- Activity area can be a combination of on-site land AND cash in lieu. For example, a 7-unit project could create a small patio space for a portion of the required activity area and pay cash in lieu for the remainder.

Form Standards in Urban Mixed-Use Districts

To meet goals on housing, climate, transportation, and economic vitality.

Support walkable, mixed-use corridors, safer streets, and buildings that contribute to the public realm through use of form standards.

For UMU Districts - Accomplished through:

- Bring buildings **to the sidewalk** instead of behind large surface parking lots.
- Ensure **windows, doors, and active ground floors** that make streets feel safe and welcoming.
- Support **housing mixed with shops and services**

There is concern that some standards—especially for irregular lots and existing buildings—could make good projects difficult or impossible. Intent is to balance feasibility with community goals, therefore introducing additional recommended amendments

Form Standards in Mixed Use Districts

Recommended amendments to Article 4.3 Mixed Use Districts

- **Clearer distinction between new and existing development**
 - Exempt building conversions and expansions from build-to zone and build-to width (meets climate goals by supporting existing building stock).
 - Emphasize a 'legal existing' approach to use continuation and reinvestment.
 - Removes requirements related to 'additions to legal existing building setbacks associated with build to zone and build to width.
- **Introduce more flexibility for building placement**
 - Relax the build-to zone maximum in all UMU districts to 20'
 - Eliminate side street build-to width requirement; apply build-to zone to just front streets.
 - Exempt single-purpose residential buildings in UMU zones from build-to zone and build-to width (supports needed housing without being forced into main-street retail form)

Form Standards in Residential Districts

Recommended amendments to Article 4.2 Residential Districts

- **Increase flexibility for missing-middle housing and age-in place designs**
 - Eliminate lot width requirements in all Urban Residential (UR) Zones
 - Create a standard that limits new driveway on very narrow lots
 - Decrease lot-width requirements in LUR zones.

Legal Existing

Renamed from ‘nonconforming’ title

- A **legal existing** lot, building, or use is one that was lawful when it was created and only became “nonconforming” because the rules changed later.
- Why does this occur:
 - Every time a community updates its zoning or development code, new nonconformities are created.
 - There will always be buildings and uses that don’t match the new rules exactly but were built or established legally under the old rules.
- UDC approach:
 - Respect past decisions and investments while working together toward the collective community vision.
 - Support for legal existing lot, building, or use comes from many aspects of the Land Use Plan including sustainability, preservation of existing housing stock, historic preservation, adaptive reuse, and economic vitality objectives.

Legal Existing

Renamed from ‘nonconforming’ title

Therefore:

- If your lot, building or use was legal when it was created, the new code treats it as a legal existing
- It supports continued use and reinvestment, while putting reasonable limits on changes that would create new or greater impacts on neighbors.
- Encourages maintenance, reuse, and rehabilitation.
- It does not require legal existing uses to shut down. It supports continued operation and, in some cases, careful expansion or substitution.
- Repairs, remodels, and maintenance are generally allowed as long as they don’t make the nonconforming part worse.

Recommended Amendment:

- Retitle 4.13 from Nonconformities to ‘Legal Existing’

Additional Consideration

- Feedback that we need to allow for greater than 20% expansion.
 - Staff is still considering adjustments.

Proposed Corrections

Other Recommended Amendments

Article 4.8 Uses

- Allow wineries as a permitted use in OP2
- Eliminate Parking requirement for Day Care Center (13+)

Article 4.6 Historic Preservation & Historic Overlays

- Definition of Historic Resource in 4.6.02– Add the word "individually" in the definition of Historic Resource (4.6.02) so it should read:
 - Historic Resource means any prehistoric or historic building, structure, object, or site individually listed in the National Register of Historic Places, Missoula Inventory of Historic Resources or included in a Historic Resource Overlay under Division 4.6.08.



Zoning Map/Place Type Map



Policy Objectives

- Ensure that zoning increases housing opportunities near multi-modal transportation infrastructure
 - Update Zoning that matches the adopted Place Types and associated Map
 - Establish transitions between high intensity commercial and residential neighborhoods
 - Collapse overlays into the zoning districts and mapping
- Do not limit higher density to neighborhoods vulnerable to gentrification and displacement
 - Zone for higher densities near places of employment, higher education facilities, and other appropriate population centers
 - Incorporate recommendations related to Street Types into the UDC and the map

Amenity Based-Zoning

- Data Layers Used
 - Mountain Line Routes with Timing
 - Developed Parks
 - Commuter Trails
 - Grocery Stores (accepting WIC)
 - Local Food (Farmstands, Farmers Markets, Community Gardens)
 - Public Schools

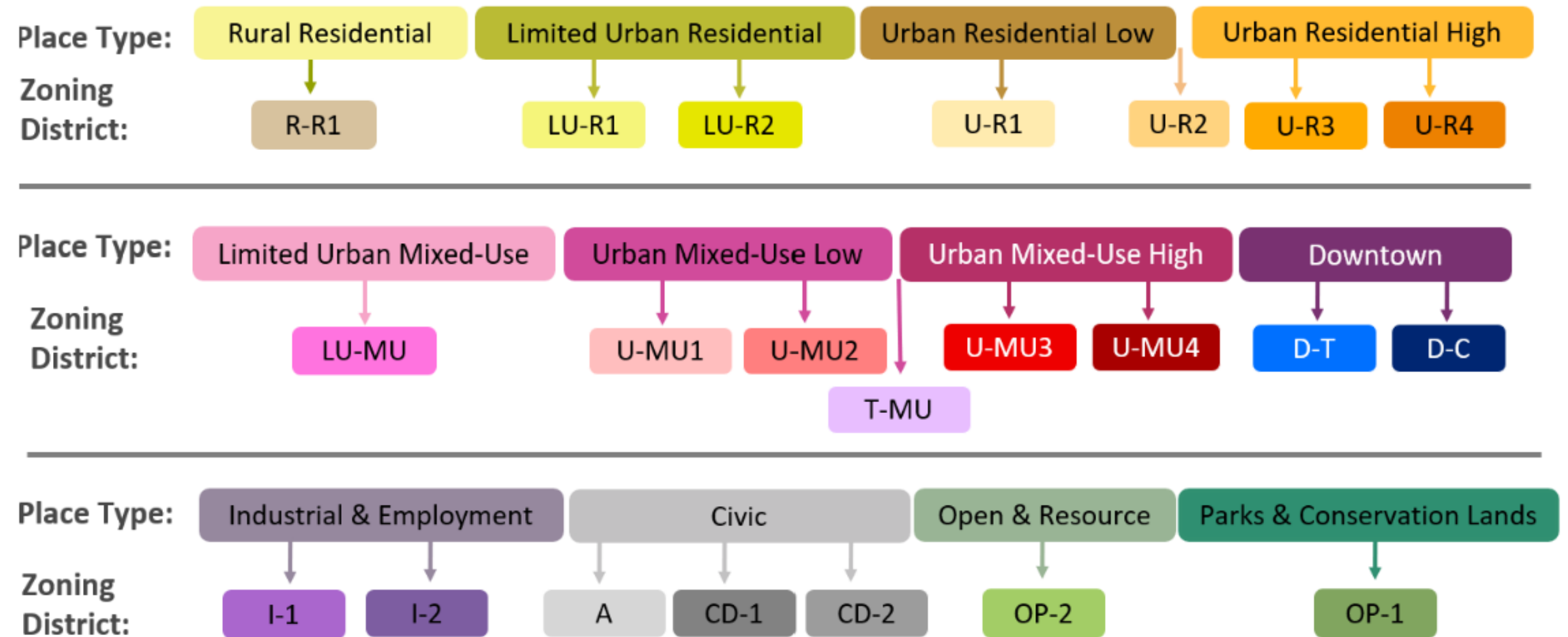
Street Types Based-Zoning

- Data Layers Used
 - Street Typologies

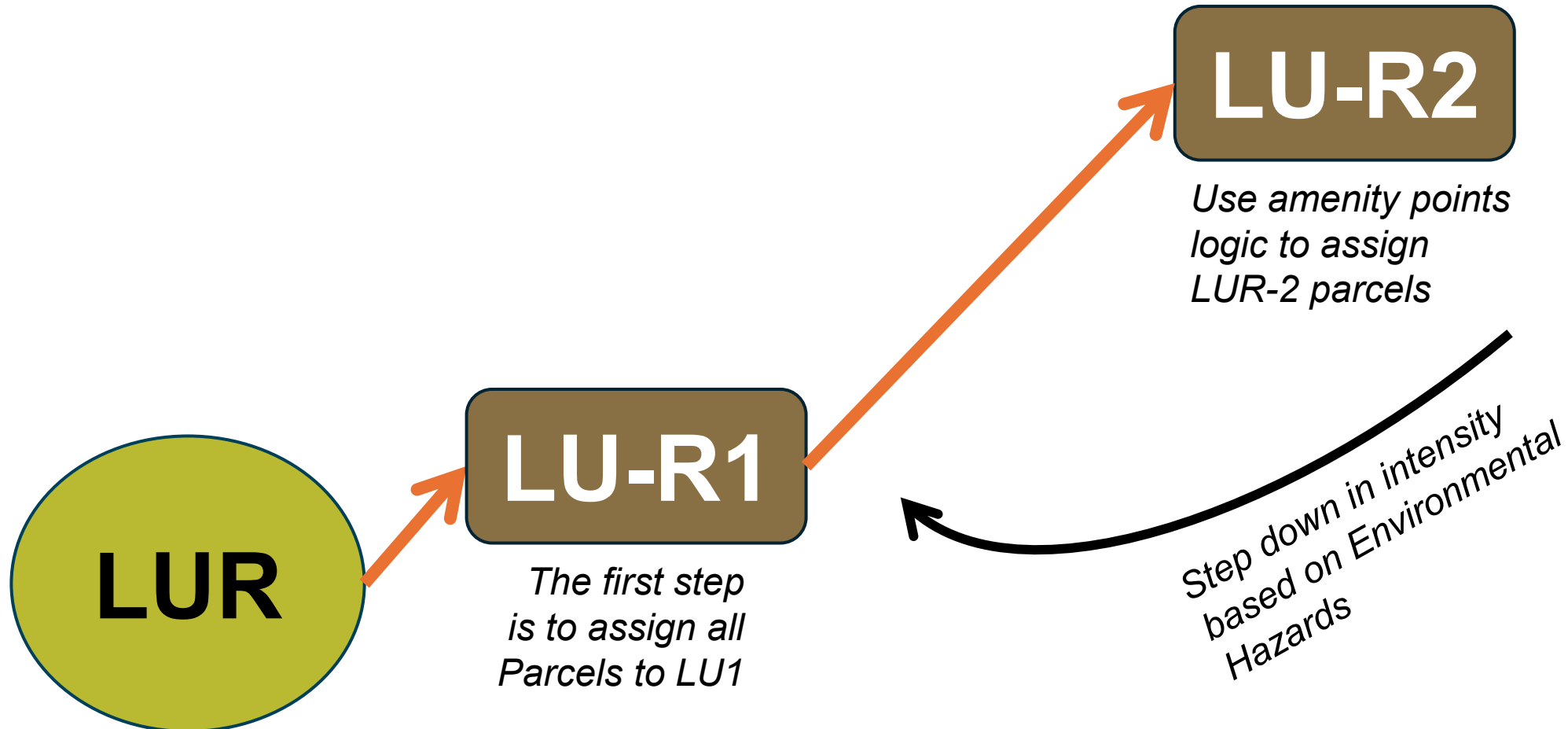
Constraints

- Data Layers Used
 - Floodway and Flood Fringe Areas
 - Equity in Land Use Zones
 - Streets (Grid/Connectivity Patterns)
 - Historically & Culturally Significant Sites

Place Types to Zoning Districts



Zoning for Limited Urban Residential



Responses to Map-related Questions/Comments

Ben Hughes/Easy Street Amenity Points

Multi-Modal Facilities

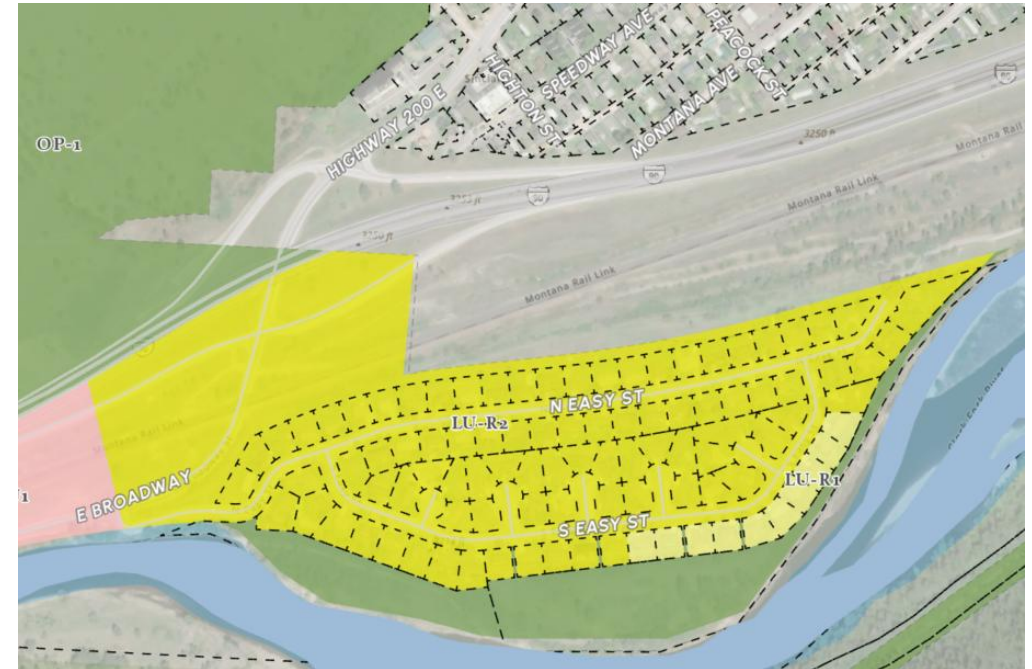
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- Entire Subdivision is within ¼ mile walk of a developed park

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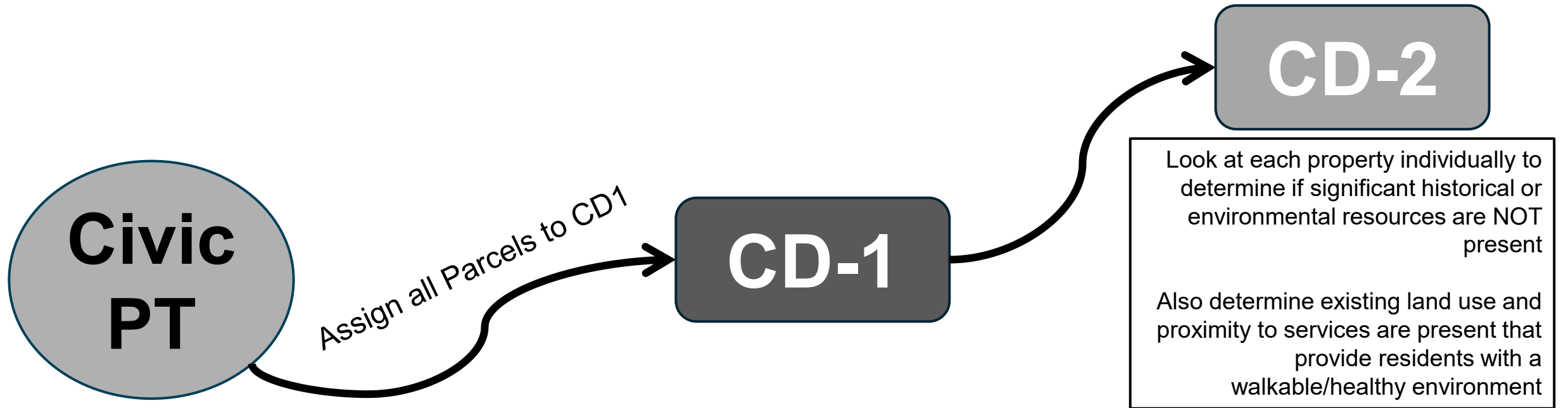
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Mapping Civic Zoning Districts based on Civic Place Type

From the Land Use Plan

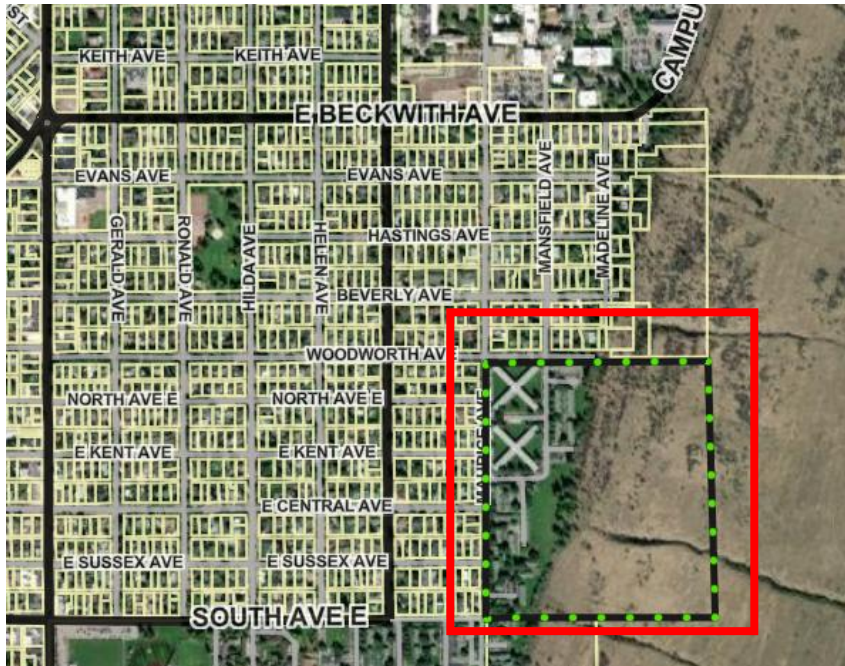
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Civic District Mapping

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VS

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East Missoula Place Types/Zoning

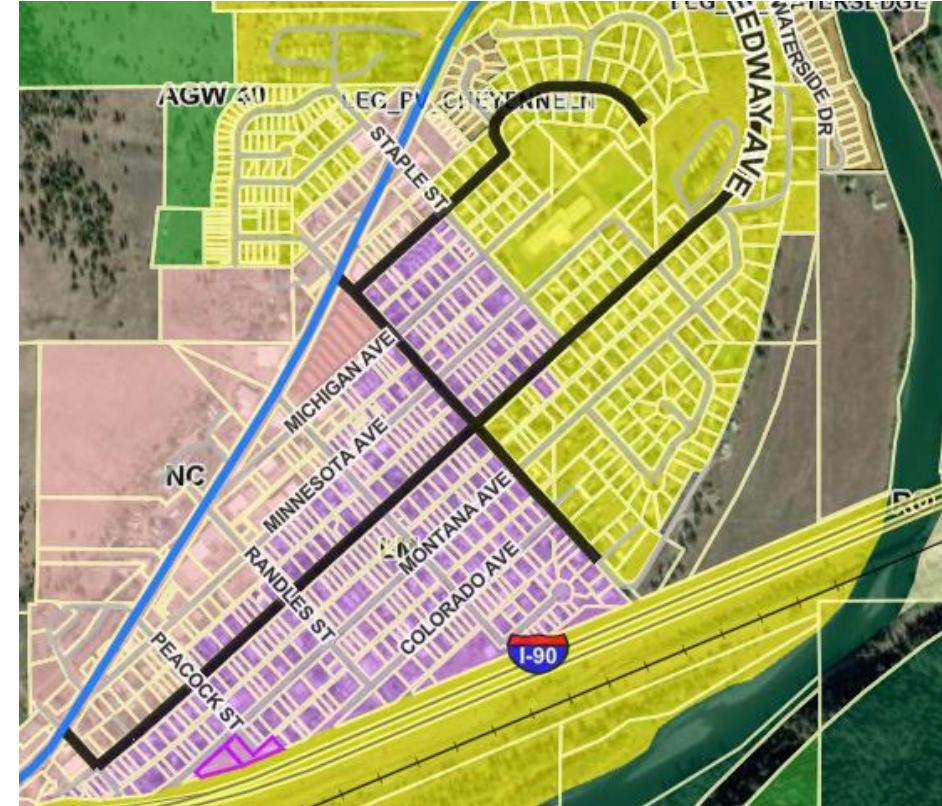
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- Residential Land Use (3-11 units per acre)
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 - Building Types: 3–4-unit buildings with small multi-plexes available with permanent affordable housing
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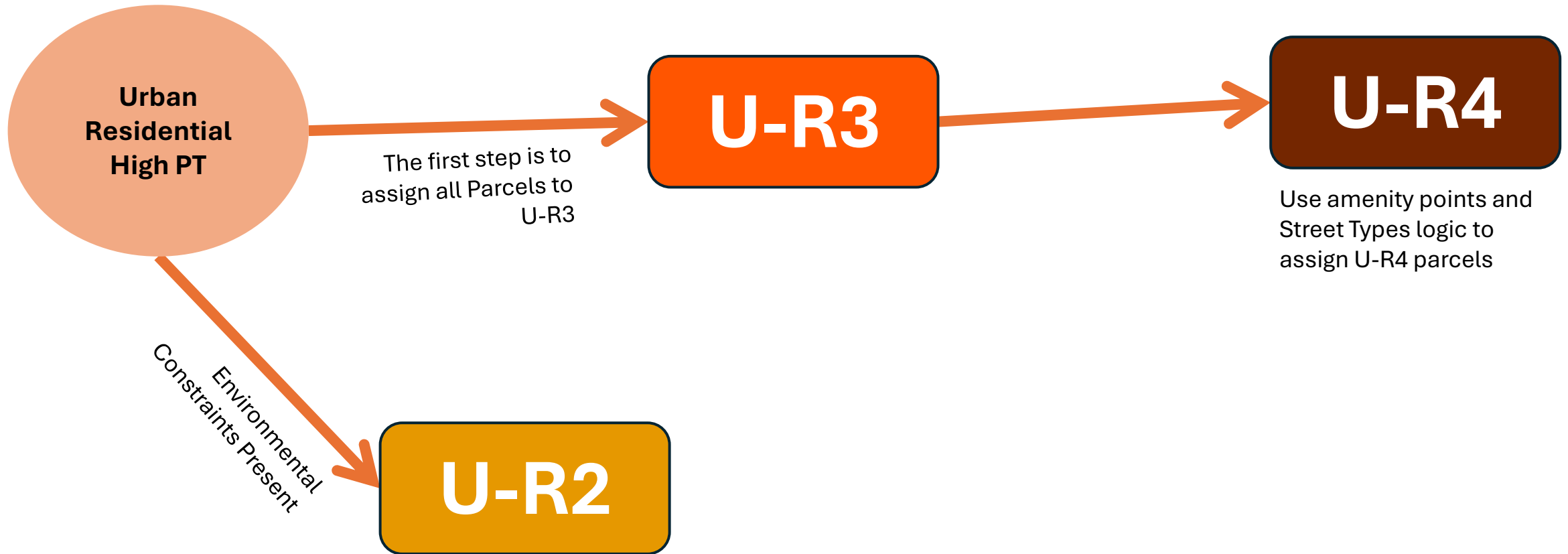
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Urban Residential High Place Type

- Compact Grid Pattern
- Multi-Modal Options Present
- Has high housing diversity
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- Current county zoning: R and LM



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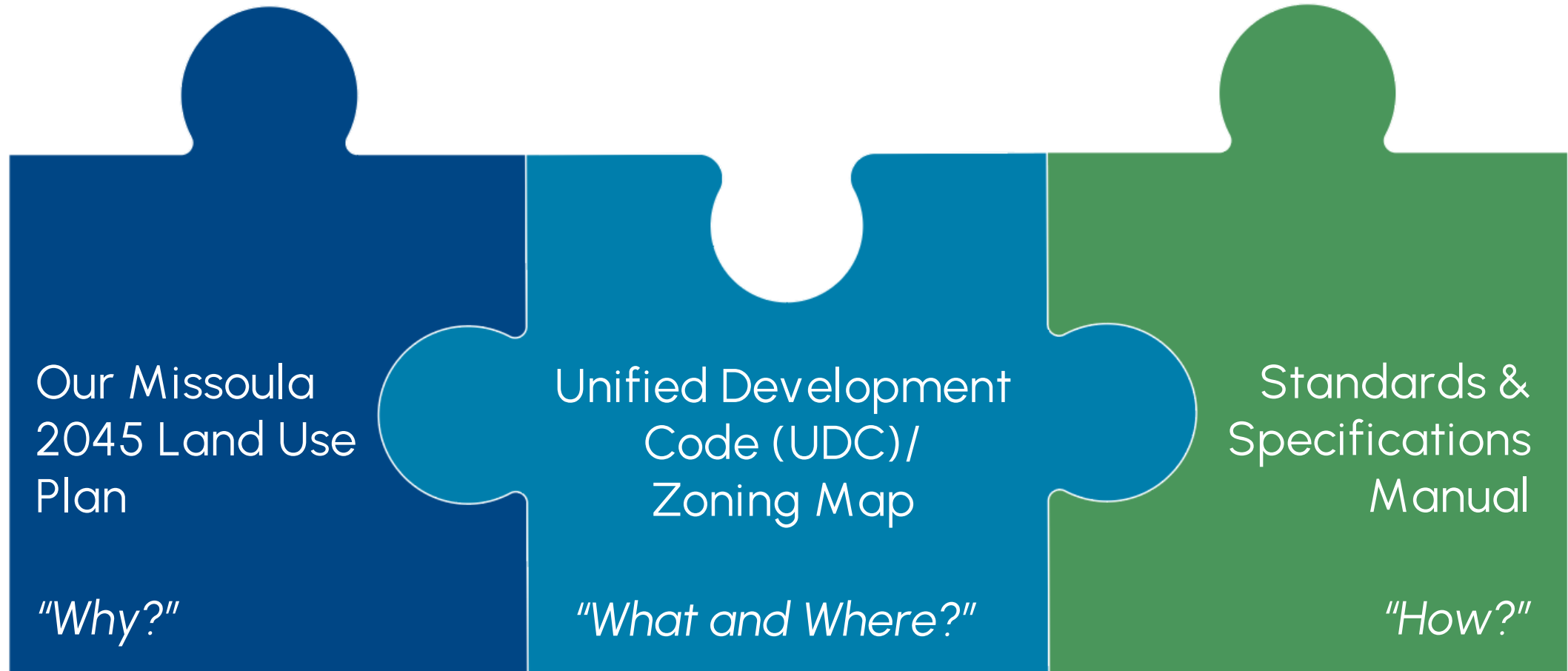
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- **Zoning (4.8: Uses)**
 - Use Table
 - Residential Use Group:
 - Daycare removed from CD1
 - Public/Civic Use Group:
 - Health Care Facility added as permitted in LU-MU: Limited Urban Mixed-Use
 - Commercial Use Group:
 - Office use added as permitted in I-1: Industrial
 - Tourist home added as permitted use in OP2: Open and Resource
 - Industrial Use Group:
 - Winery added as permitted in R-R1: Rural residential
 - Warehousing, Wholesaling, and Freight added as permitted in LU-MU
 - Parking Requirements
 - Requirements removed for Preschool and Religious Assembly
 - NOTE: Intent is to remove for Preschool Center as well

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- **Zoning (4.8: Site Development Standards)**
 - Clarifications
 - Driveways title updated
 - Standards
 - Activity Area
 - Applicability updated from 3 → 7 dwelling units

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

Attachment G2: Summary of Map Amendments

- Rename the I-MU: Industrial Mixed Use zoning district to T-MU: Transitional-Mixed Use
- Alignments with recent PROST Plan adoption
- Zoned neighborhood scale parks from various zoning districts to OP1: Open Space
- Amended zoning on several privately owned parcels from OP2: Open and Resource
 - Amended the Winery zoning from OP2→ R1: Rural Residential
 - Amended zoning at the base of Mt Sentinel from OP2 → U-R2
- Amended zoning on several properties in public ownership to Civic Districts
 - University properties zoned to CD-2
 - USFS property zoned to CD-1 and CD-2

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

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- Amendments to discrete areas
 - S 1st St W between California St and Rail-line: U-R3 → U-MU1
 - Blocks along Arthur St adjacent to the University: U-R3 → U-R4
 - Upper Miller Creek commercial site: LU-R1 → LU-MU
 - Discrete areas in Northside and Rattlesnake neighborhoods zoned U-R4 with narrow street, U-R4 → U-R3
- Overlays
 - Amended the Airport Hazard Overlay extent
 - Added an additional single-property Historic Overlay

Clarifications

Primary Structures, Multiple Buildings on a Parcel, and ADU's

- "Accessory Dwelling Units" are no longer a building type in the code
- Two units (either in separate buildings or attached) are permitted **by right** on any parcel where residential is allowed.
- Duplex building or multiple One-Unit House Buildings may be qualified as including an 'Accessory Dwelling Unit' if desired by applicant and necessary for shared services.

Clarifications

Historic Preservation

Consistent with Land Use Plan

Identify and preserve historically and culturally significant places and landscapes, including those of the Confederated Salish and Kootenai tribes (CKST)

- Action Item to “reinforce regulations that help to preserve historic buildings and resources.”
- Benefit of historic preservation review (Article 4.6.01.A) includes safeguarding Missoula’s significant historic and culture resources, minimizing impacts on the climate, preservation of existing building stock and supporting adaptive reuse.
 - HPP review applies only to properties individually listed in the National Register; designated through an HRO; and those properties listed in the local inventory . . . **Nothing new is added**
 - Only one National Register listed historic district is designated as an HRO, Fort Missoula, and has been since the 1990s.
 - No preservation regulations apply in the other 10 National Register listed historic districts.
- No preservation regulations currently apply in the other 10 National Register listed historic districts.
 - UDC includes language on how to establish new HRO Districts, should the community want it.
- Ability to regulate is consistent with State law

Clarifications

Historic Resource Overlays

UDC Approach:

- Consolidate existing NC overlay, Special Districts, and PUDs related to Historic Preservation
 - Fort Missoula, Marshall House (SD), Roosevelt Block (PUD), and Sacajawea (PUD 821 S Orange)
 - No substantive change to overall intent
 - Some specific uses were evaluated for and amended to align with new base zoning
- Fort Missoula Overlay:
 - Additional permitted uses are added to ensure that compatible uses within the Fort are permitted, supporting reinvestment
 - Adaptive Reuse possibilities are incentivized
 - Integrated the existing Appendix A Development Guidelines for the Fort Missoula Neighborhood Character Overlay for enhanced transparency
- Marshall House Overlay:
 - Current permitted and conditional uses are removed since those uses are all permitted in the base zoning.
- Other two Historic Resources Overlays:
 - No changes

Clarifications

Parks: Place Types

Adopted Parks and Conservation Lands (PCL) Place Type

- 6,063 acres were designated

Proposed Changes to Parks and Conservation Lands (PCL) Place Type

- 70 acres are being re-designated to align with PROST
- Totaling 6,130 acres designated

Parks: Proposed Zoning vs Current Zoning

Existing OP1: Open Space

- 2,162 acres

Proposed Zoning of OP-1: Open Space

- 4,596.1 acres total
 - 2,434.6 acres of this is from map updates since public review draft

Specific Standards



Activity Area

Activity areas exist to give residents of multi-family homes the opportunity for healthy outdoor space near their homes.

Activity area requirements are smaller, can be dispersed across the site, are designed for actual use.

- Activity area is more flexible than today: Today's code requires 20% of the site be activity area, with a minimum size of 40' x 40' (very restrictive)
- Proposed code requires 150 sq ft per dwelling unit with a max of 20% of the site required
 - (in modeling several projects this results in around 14% of the site)
- Activity area counts towards general site landscaping. (essentially capping landscaping at 20%)

Cash-in-Lieu of Activity Area

- Offers projects a **flexible alternative** to on-site activity space.
- Estimated around **\$2.50/sq ft**—far less than building on-site amenities.
- Funds stay **near the development** and directly enhance park amenities to serve residents of multi-family homes.
- Activity area can be a combination of on-site land AND cash in lieu. For example, a 7-unit project could create a small patio space for a portion of the required activity area and pay cash in lieu for the remainder.

Form Standards in Urban Mixed-Use Districts

To meet goals on housing, climate, transportation, and economic vitality.

Support walkable, mixed-use corridors, safer streets, and buildings that contribute to the public realm through use of form standards.

For UMU Districts - Accomplished through:

- Bring buildings **to the sidewalk** instead of behind large surface parking lots.
- Ensure **windows, doors, and active ground floors** that make streets feel safe and welcoming.
- Support **housing mixed with shops and services**

There is concern that some standards—especially for irregular lots and existing buildings—could make good projects difficult or impossible. Intent is to balance feasibility with community goals, therefore introducing additional recommended amendments

Form Standards in Mixed Use Districts

Recommended amendments to Article 4.3 Mixed Use Districts

- **Clearer distinction between new and existing development**
 - Exempt building conversions and expansions from build-to zone and build-to width (meets climate goals by supporting existing building stock).
 - Emphasize a 'legal existing' approach to use continuation and reinvestment.
 - Removes requirements related to 'additions to legal existing building setbacks associated with build to zone and build to width.
- **Introduce more flexibility for building placement**
 - Relax the build-to zone maximum in all UMU districts to 20'
 - Eliminate side street build-to width requirement; apply build-to zone to just front streets.
 - Exempt single-purpose residential buildings in UMU zones from build-to zone and build-to width (supports needed housing without being forced into main-street retail form)

Form Standards in Residential Districts

Recommended amendments to Article 4.2 Residential Districts

- **Increase flexibility for missing-middle housing and age-in place designs**
 - Eliminate lot width requirements in all Urban Residential (UR) Zones
 - Create a standard that limits new driveway on very narrow lots
 - Decrease lot-width requirements in LUR zones.

Legal Existing

Renamed from ‘nonconforming’ title

- A **legal existing** lot, building, or use is one that was lawful when it was created and only became “nonconforming” because the rules changed later.
- Why does this occur:
 - Every time a community updates its zoning or development code, new nonconformities are created.
 - There will always be buildings and uses that don’t match the new rules exactly but were built or established legally under the old rules.
- UDC approach:
 - Respect past decisions and investments while working together toward the collective community vision.
 - Support for legal existing lot, building, or use comes from many aspects of the Land Use Plan including sustainability, preservation of existing housing stock, historic preservation, adaptive reuse, and economic vitality objectives.

Legal Existing

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Therefore:

- If your lot, building or use was legal when it was created, the new code treats it as a legal existing
- It supports continued use and reinvestment, while putting reasonable limits on changes that would create new or greater impacts on neighbors.
- Encourages maintenance, reuse, and rehabilitation.
- It does not require legal existing uses to shut down. It supports continued operation and, in some cases, careful expansion or substitution.
- Repairs, remodels, and maintenance are generally allowed as long as they don’t make the nonconforming part worse.

Recommended Amendment:

- Retitle 4.13 from Nonconformities to ‘Legal Existing’

Additional Consideration

- Feedback that we need to allow for greater than 20% expansion.
 - Staff is still considering adjustments.

Proposed Corrections

Other Recommended Amendments

Article 4.8 Uses

- Allow wineries as a permitted use in OP2
- Eliminate Parking requirement for Day Care Center (13+)

Article 4.6 Historic Preservation & Historic Overlays

- Definition of Historic Resource in 4.6.02– Add the word "individually" in the definition of Historic Resource (4.6.02) so it should read:
 - Historic Resource means any prehistoric or historic building, structure, object, or site individually listed in the National Register of Historic Places, Missoula Inventory of Historic Resources or included in a Historic Resource Overlay under Division 4.6.08.



Zoning Map/Place Type Map



Policy Objectives

- Ensure that zoning increases housing opportunities near multi-modal transportation infrastructure
 - Update Zoning that matches the adopted Place Types and associated Map
 - Establish transitions between high intensity commercial and residential neighborhoods
 - Collapse overlays into the zoning districts and mapping
- Do not limit higher density to neighborhoods vulnerable to gentrification and displacement
 - Zone for higher densities near places of employment, higher education facilities, and other appropriate population centers
 - Incorporate recommendations related to Street Types into the UDC and the map

Amenity Based-Zoning

- Data Layers Used
 - Mountain Line Routes with Timing
 - Developed Parks
 - Commuter Trails
 - Grocery Stores (accepting WIC)
 - Local Food (Farmstands, Farmers Markets, Community Gardens)
 - Public Schools

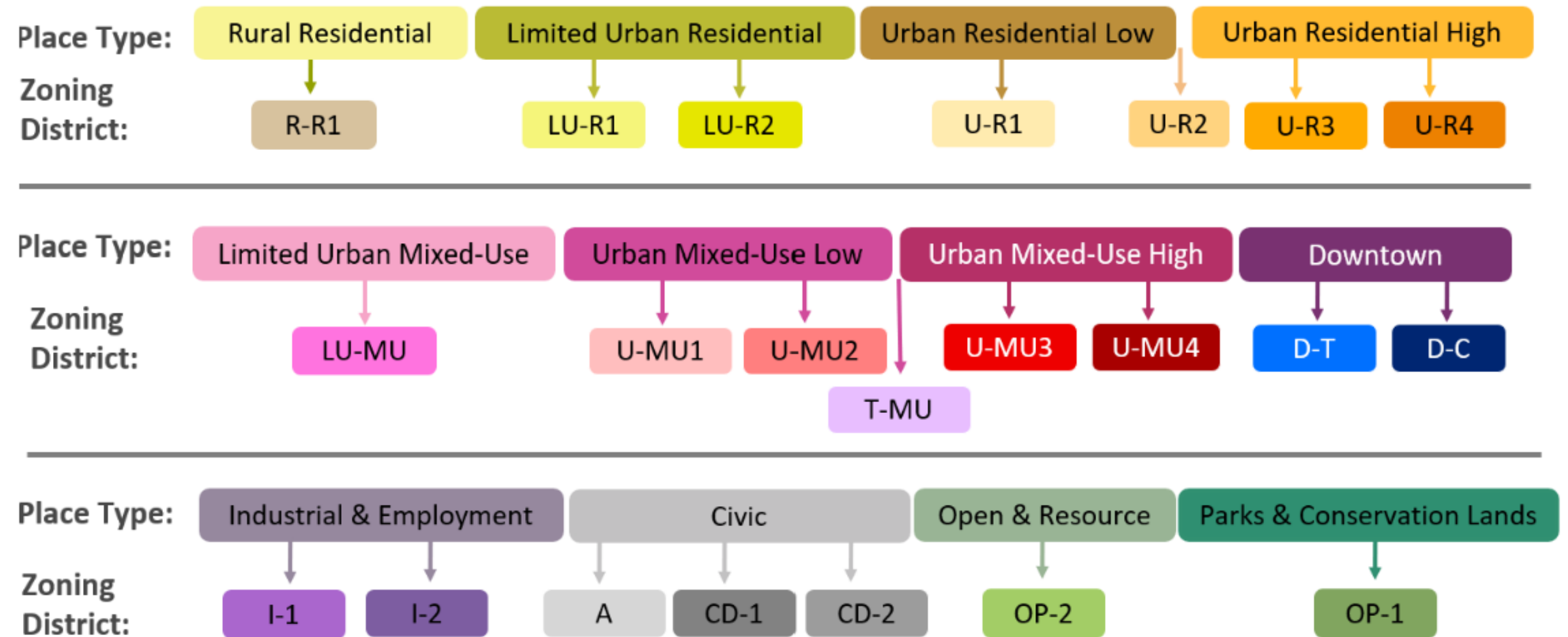
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- Data Layers Used
 - Street Typologies

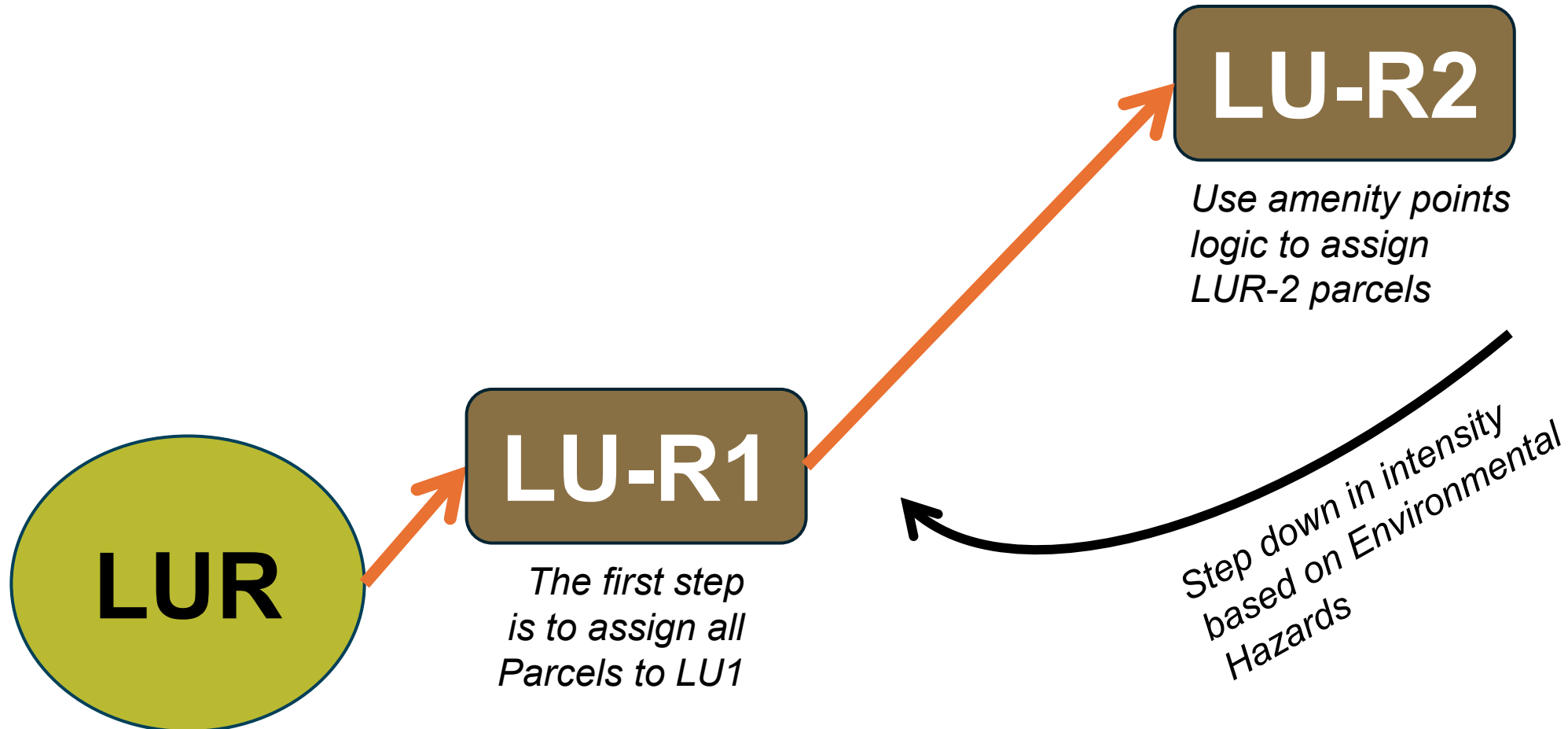
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- Data Layers Used
 - Floodway and Flood Fringe Areas
 - Equity in Land Use Zones
 - Streets (Grid/Connectivity Patterns)
 - Historically & Culturally Significant Sites

Place Types to Zoning Districts



Zoning for Limited Urban Residential



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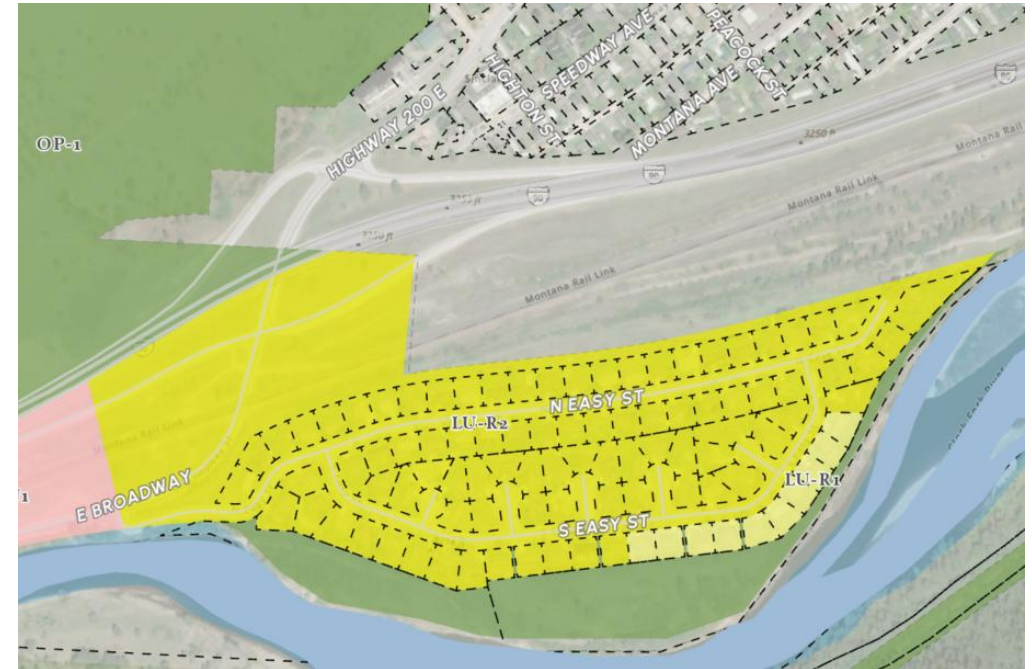
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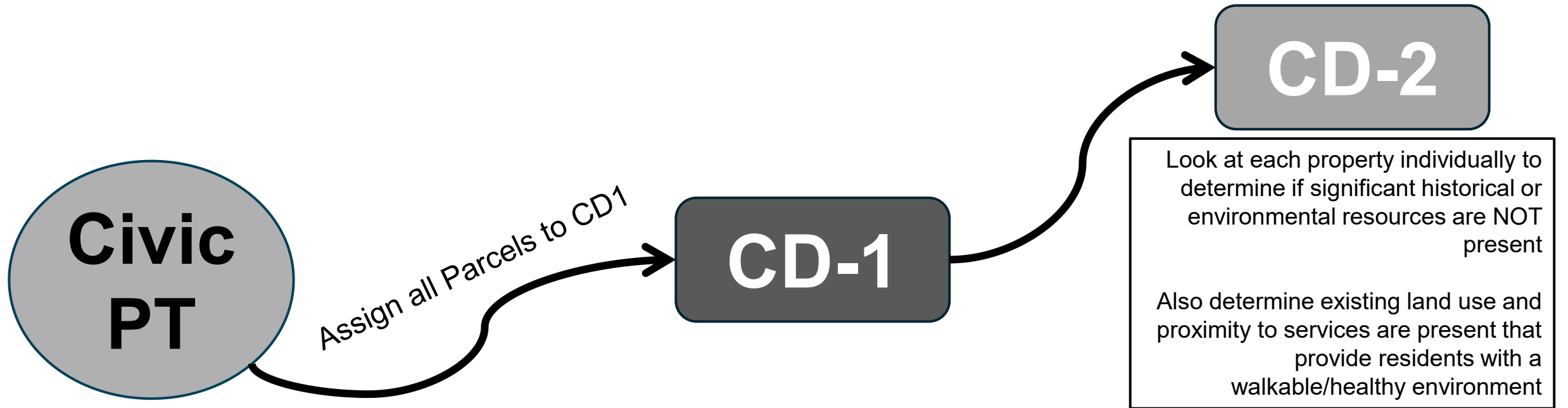
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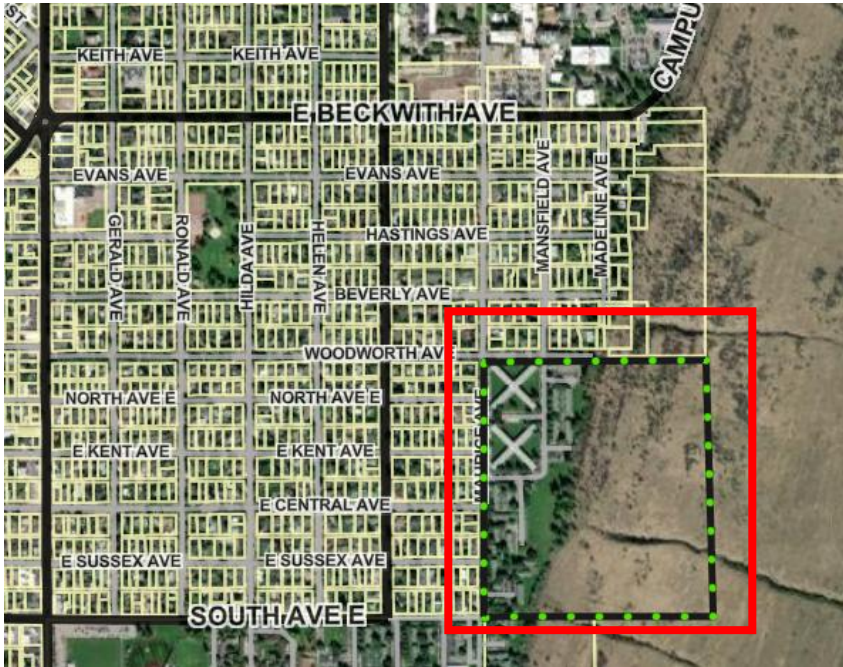
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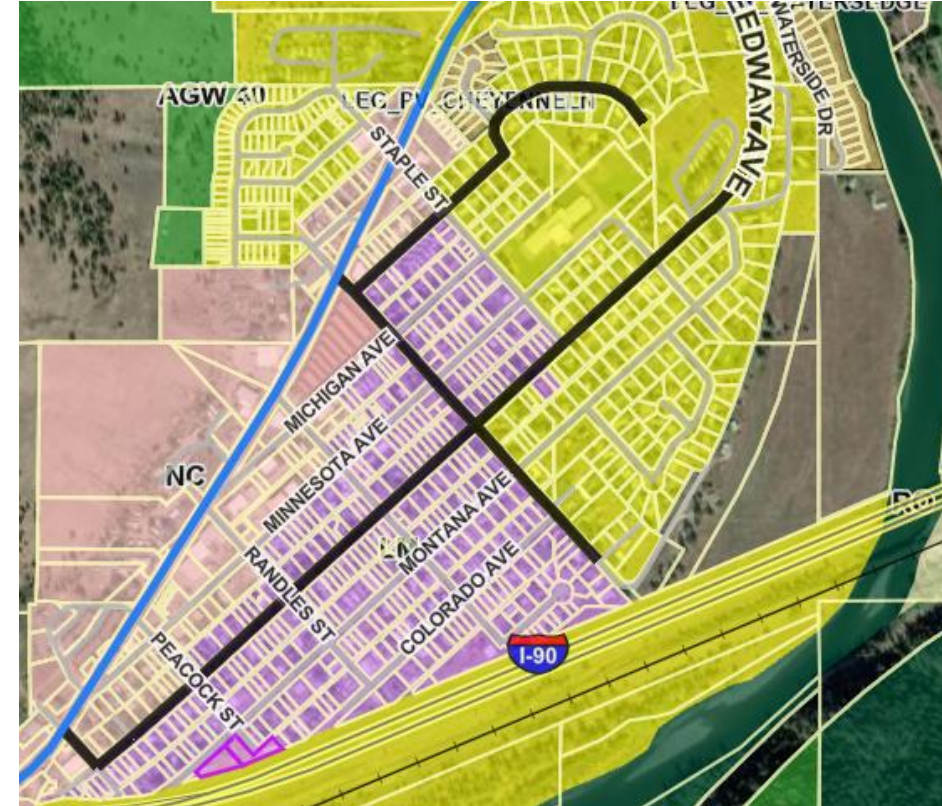
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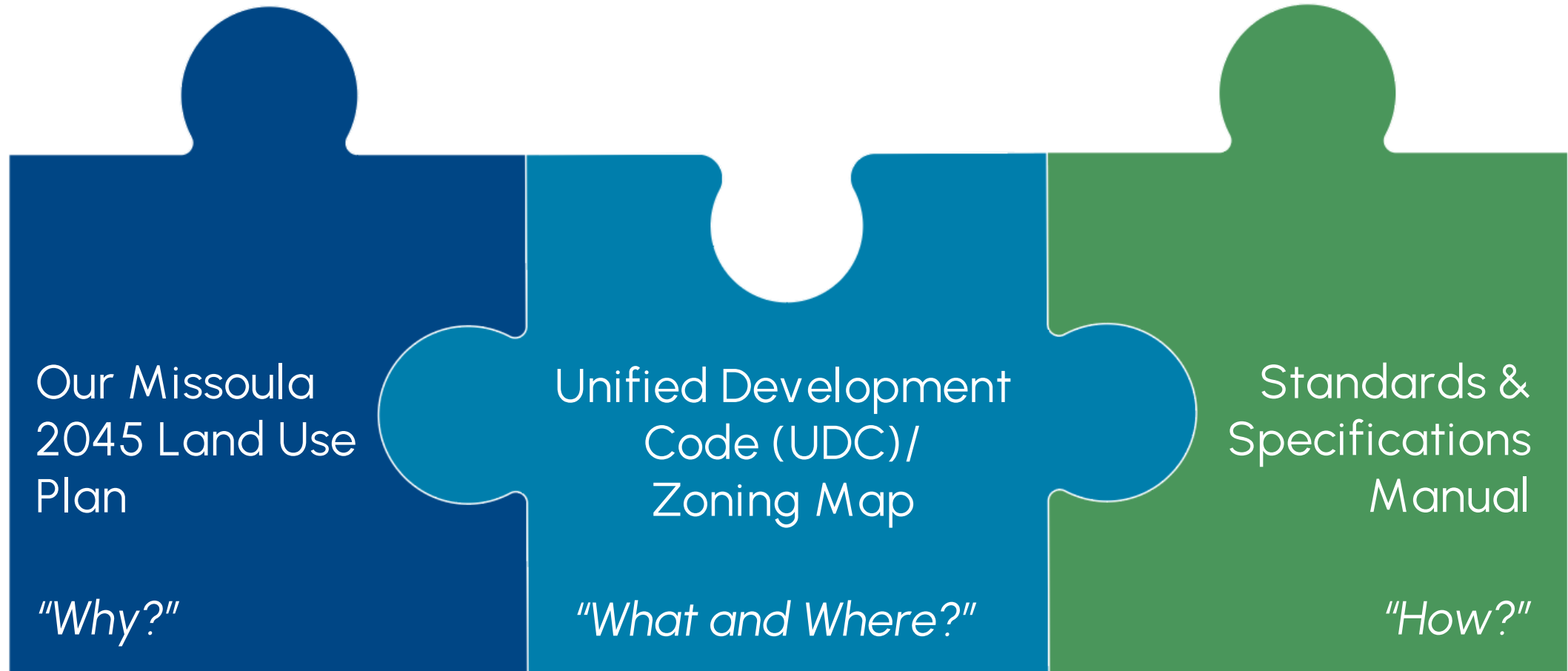
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- **Zoning (4.8: Uses)**
 - Use Table
 - Residential Use Group:
 - Daycare removed from CD1
 - Public/Civic Use Group:
 - Health Care Facility added as permitted in LU-MU: Limited Urban Mixed-Use
 - Commercial Use Group:
 - Office use added as permitted in I-1: Industrial
 - Tourist home added as permitted use in OP2: Open and Resource
 - Industrial Use Group:
 - Winery added as permitted in R-R1: Rural residential
 - Warehousing, Wholesaling, and Freight added as permitted in LU-MU
 - Parking Requirements
 - Requirements removed for Preschool and Religious Assembly
 - NOTE: Intent is to remove for Preschool Center as well

Clarifications: Updates to Public Review Drafts

Summary of Code Updates

Attachment G1: Summary of Code Updates

- **Zoning (4.8: Site Development Standards)**
 - Clarifications
 - Driveways title updated
 - Standards
 - Activity Area
 - Applicability updated from 3 → 7 dwelling units

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

Attachment G2: Summary of Map Amendments

- Rename the I-MU: Industrial Mixed Use zoning district to T-MU: Transitional-Mixed Use
- Alignments with recent PROST Plan adoption
- Zoned neighborhood scale parks from various zoning districts to OP1: Open Space
- Amended zoning on several privately owned parcels from OP2: Open and Resource
 - Amended the Winery zoning from OP2→ R1: Rural Residential
 - Amended zoning at the base of Mt Sentinel from OP2 → U-R2
- Amended zoning on several properties in public ownership to Civic Districts
 - University properties zoned to CD-2
 - USFS property zoned to CD-1 and CD-2

Clarifications: Updates to Public Review Drafts

Zoning Map Amendments

Attachment G2: Summary of Map Amendments

- Amendments to discrete areas
 - S 1st St W between California St and Rail-line: U-R3 → U-MU1
 - Blocks along Arthur St adjacent to the University: U-R3 → U-R4
 - Upper Miller Creek commercial site: LU-R1 → LU-MU
 - Discrete areas in Northside and Rattlesnake neighborhoods zoned U-R4 with narrow street, U-R4 → U-R3
- Overlays
 - Amended the Airport Hazard Overlay extent
 - Added an additional single-property Historic Overlay

Clarifications

Primary Structures, Multiple Buildings on a Parcel, and ADU's

- "Accessory Dwelling Units" are no longer a building type in the code
- Two units (either in separate buildings or attached) are permitted **by right** on any parcel where residential is allowed.
- Duplex building or multiple One-Unit House Buildings may be qualified as including an 'Accessory Dwelling Unit' if desired by applicant and necessary for shared services.

Clarifications

Historic Preservation

Consistent with Land Use Plan

Identify and preserve historically and culturally significant places and landscapes, including those of the Confederated Salish and Kootenai tribes (CKST)

- Action Item to “reinforce regulations that help to preserve historic buildings and resources.”
- Benefit of historic preservation review (Article 4.6.01.A) includes safeguarding Missoula’s significant historic and culture resources, minimizing impacts on the climate, preservation of existing building stock and supporting adaptive reuse.
 - HPP review applies only to properties individually listed in the National Register; designated through an HRO; and those properties listed in the local inventory . . . **Nothing new is added**
 - Only one National Register listed historic district is designated as an HRO, Fort Missoula, and has been since the 1990s.
 - No preservation regulations apply in the other 10 National Register listed historic districts.
- No preservation regulations currently apply in the other 10 National Register listed historic districts.
 - UDC includes language on how to establish new HRO Districts, should the community want it.
- Ability to regulate is consistent with State law

Clarifications

Historic Resource Overlays

UDC Approach:

- Consolidate existing NC overlay, Special Districts, and PUDs related to Historic Preservation
 - Fort Missoula, Marshall House (SD), Roosevelt Block (PUD), and Sacajawea (PUD 821 S Orange)
 - No substantive change to overall intent
 - Some specific uses were evaluated for and amended to align with new base zoning
- Fort Missoula Overlay:
 - Additional permitted uses are added to ensure that compatible uses within the Fort are permitted, supporting reinvestment
 - Adaptive Reuse possibilities are incentivized
 - Integrated the existing Appendix A Development Guidelines for the Fort Missoula Neighborhood Character Overlay for enhanced transparency
- Marshall House Overlay:
 - Current permitted and conditional uses are removed since those uses are all permitted in the base zoning.
- Other two Historic Resources Overlays:
 - No changes

Clarifications

Parks: Place Types

Adopted Parks and Conservation Lands (PCL) Place Type

- 6,063 acres were designated

Proposed Changes to Parks and Conservation Lands (PCL) Place Type

- 70 acres are being re-designated to align with PROST
- Totaling 6,130 acres designated

Parks: Proposed Zoning vs Current Zoning

Existing OP1: Open Space

- 2,162 acres

Proposed Zoning of OP-1: Open Space

- 4,596.1 acres total
 - 2,434.6 acres of this is from map updates since public review draft

Specific Standards



Activity Area

Activity areas exist to give residents of multi-family homes the opportunity for healthy outdoor space near their homes.

Activity area requirements are smaller, can be dispersed across the site, are designed for actual use.

- Activity area is more flexible than today: Today's code requires 20% of the site be activity area, with a minimum size of 40' x 40' (very restrictive)
- Proposed code requires 150 sq ft per dwelling unit with a max of 20% of the site required
 - (in modeling several projects this results in around 14% of the site)
- Activity area counts towards general site landscaping. (essentially capping landscaping at 20%)

Cash-in-Lieu of Activity Area

- Offers projects a **flexible alternative** to on-site activity space.
- Estimated around **\$2.50/sq ft**—far less than building on-site amenities.
- Funds stay **near the development** and directly enhance park amenities to serve residents of multi-family homes.
- Activity area can be a combination of on-site land AND cash in lieu. For example, a 7-unit project could create a small patio space for a portion of the required activity area and pay cash in lieu for the remainder.

Form Standards in Urban Mixed-Use Districts

To meet goals on housing, climate, transportation, and economic vitality.

Support walkable, mixed-use corridors, safer streets, and buildings that contribute to the public realm through use of form standards.

For UMU Districts - Accomplished through:

- Bring buildings **to the sidewalk** instead of behind large surface parking lots.
- Ensure **windows, doors, and active ground floors** that make streets feel safe and welcoming.
- Support **housing mixed with shops and services**

There is concern that some standards—especially for irregular lots and existing buildings—could make good projects difficult or impossible. Intent is to balance feasibility with community goals, therefore introducing additional recommended amendments

Form Standards in Mixed Use Districts

Recommended amendments to Article 4.3 Mixed Use Districts

- **Clearer distinction between new and existing development**
 - Exempt building conversions and expansions from build-to zone and build-to width (meets climate goals by supporting existing building stock).
 - Emphasize a 'legal existing' approach to use continuation and reinvestment.
 - Removes requirements related to 'additions to legal existing building setbacks associated with build to zone and build to width.
- **Introduce more flexibility for building placement**
 - Relax the build-to zone maximum in all UMU districts to 20'
 - Eliminate side street build-to width requirement; apply build-to zone to just front streets.
 - Exempt single-purpose residential buildings in UMU zones from build-to zone and build-to width (supports needed housing without being forced into main-street retail form)

Form Standards in Residential Districts

Recommended amendments to Article 4.2 Residential Districts

- **Increase flexibility for missing-middle housing and age-in place designs**
 - Eliminate lot width requirements in all Urban Residential (UR) Zones
 - Create a standard that limits new driveway on very narrow lots
 - Decrease lot-width requirements in LUR zones.

Legal Existing

Renamed from ‘nonconforming’ title

- A **legal existing** lot, building, or use is one that was lawful when it was created and only became “nonconforming” because the rules changed later.
- Why does this occur:
 - Every time a community updates its zoning or development code, new nonconformities are created.
 - There will always be buildings and uses that don’t match the new rules exactly but were built or established legally under the old rules.
- UDC approach:
 - Respect past decisions and investments while working together toward the collective community vision.
 - Support for legal existing lot, building, or use comes from many aspects of the Land Use Plan including sustainability, preservation of existing housing stock, historic preservation, adaptive reuse, and economic vitality objectives.

Legal Existing

Renamed from ‘nonconforming’ title

Therefore:

- If your lot, building or use was legal when it was created, the new code treats it as a legal existing
- It supports continued use and reinvestment, while putting reasonable limits on changes that would create new or greater impacts on neighbors.
- Encourages maintenance, reuse, and rehabilitation.
- It does not require legal existing uses to shut down. It supports continued operation and, in some cases, careful expansion or substitution.
- Repairs, remodels, and maintenance are generally allowed as long as they don’t make the nonconforming part worse.

Recommended Amendment:

- Retitle 4.13 from Nonconformities to ‘Legal Existing’

Additional Consideration

- Feedback that we need to allow for greater than 20% expansion.
 - Staff is still considering adjustments.

Proposed Corrections

Other Recommended Amendments

Article 4.8 Uses

- Allow wineries as a permitted use in OP2
- Eliminate Parking requirement for Day Care Center (13+)

Article 4.6 Historic Preservation & Historic Overlays

- Definition of Historic Resource in 4.6.02– Add the word "individually" in the definition of Historic Resource (4.6.02) so it should read:
 - Historic Resource means any prehistoric or historic building, structure, object, or site individually listed in the National Register of Historic Places, Missoula Inventory of Historic Resources or included in a Historic Resource Overlay under Division 4.6.08.



Zoning Map/Place Type Map



Policy Objectives

- Ensure that zoning increases housing opportunities near multi-modal transportation infrastructure
 - Update Zoning that matches the adopted Place Types and associated Map
 - Establish transitions between high intensity commercial and residential neighborhoods
 - Collapse overlays into the zoning districts and mapping
- Do not limit higher density to neighborhoods vulnerable to gentrification and displacement
 - Zone for higher densities near places of employment, higher education facilities, and other appropriate population centers
 - Incorporate recommendations related to Street Types into the UDC and the map

Amenity Based-Zoning

- Data Layers Used
 - Mountain Line Routes with Timing
 - Developed Parks
 - Commuter Trails
 - Grocery Stores (accepting WIC)
 - Local Food (Farmstands, Farmers Markets, Community Gardens)
 - Public Schools

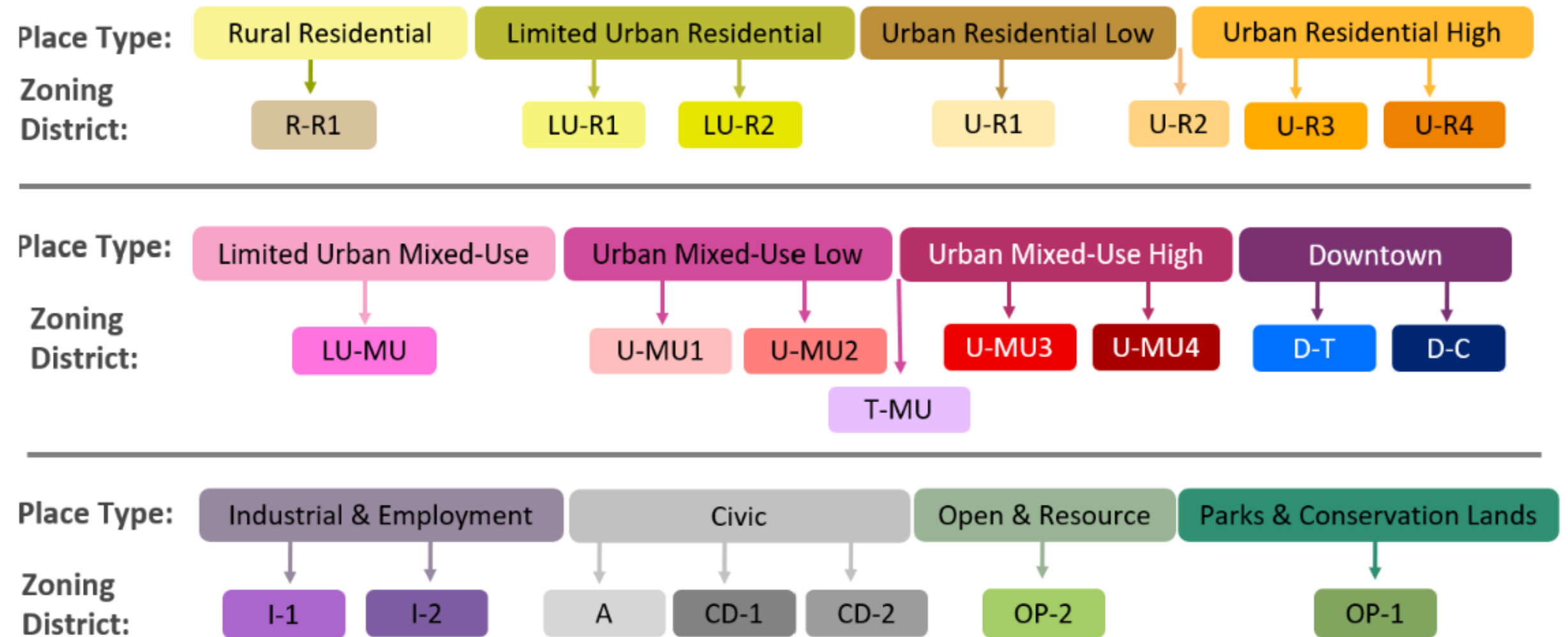
Street Types Based-Zoning

- Data Layers Used
 - Street Typologies

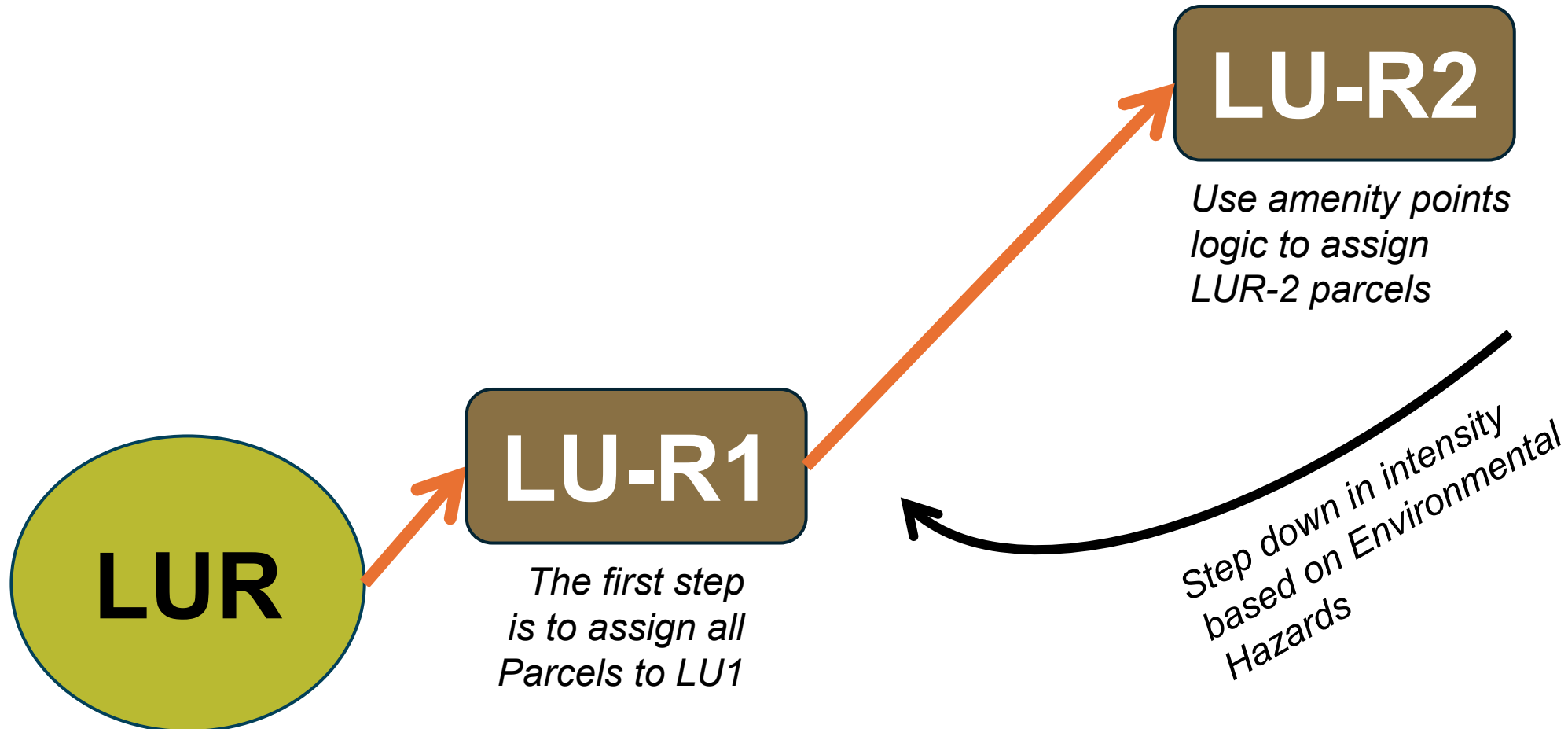
Constraints

- Data Layers Used
 - Floodway and Flood Fringe Areas
 - Equity in Land Use Zones
 - Streets (Grid/Connectivity Patterns)
 - Historically & Culturally Significant Sites

Place Types to Zoning Districts



Zoning for Limited Urban Residential



Responses to Map-related Questions/Comments

Ben Hughes/Easy Street Amenity Points

Multi-Modal Facilities

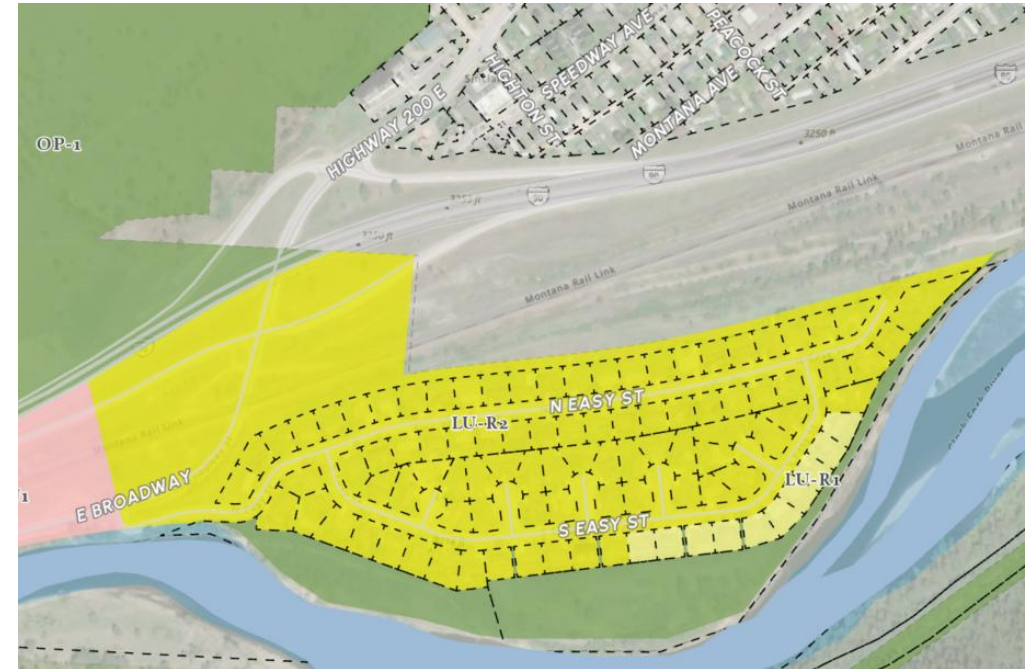
- 86 out of 96 parcels are within ¼ mile walk of a transit stop
- 86 out of 96 parcels are within ¼ mile of a bike lane

Developed Park

- Entire Subdivision is within ¼ mile walk of a developed park

Floodplain

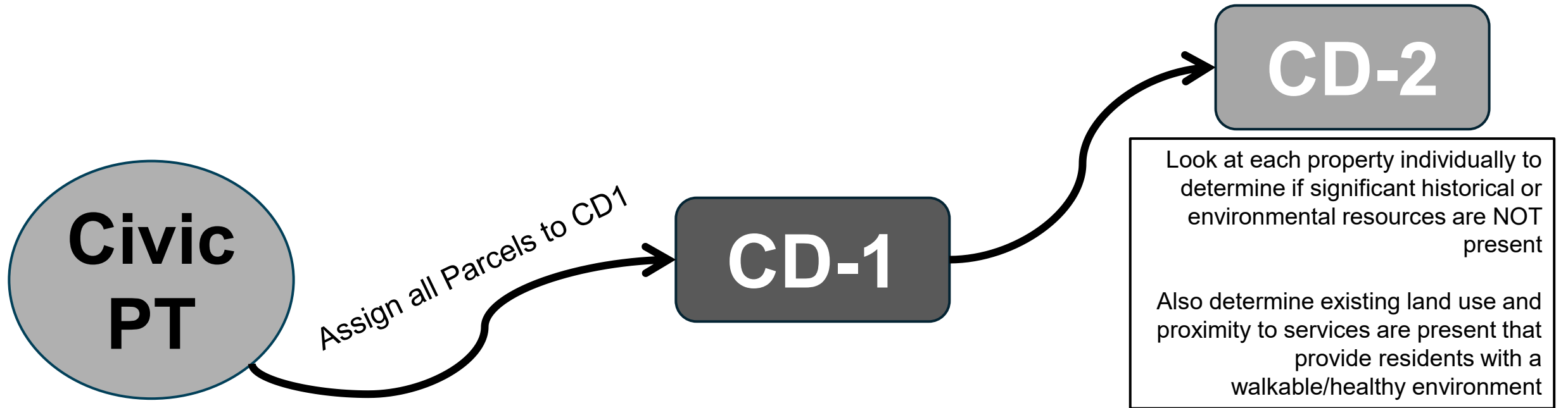
- 10 out of 96 parcels are within 100-year floodplain



Mapping Civic Zoning Districts based on Civic Place Type

From the Land Use Plan

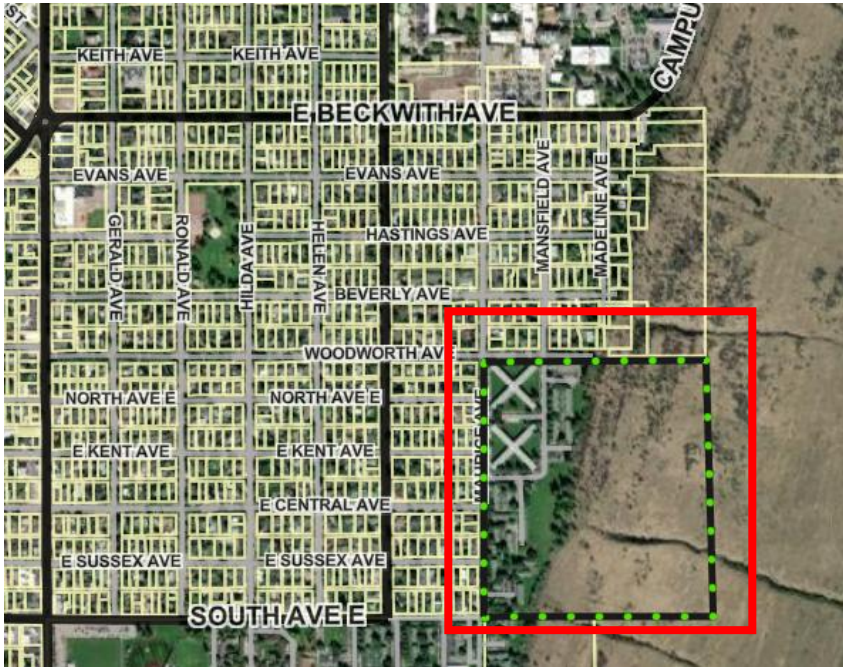
“Residential (*and commercial*) development may be permitted, dependent on context and adjacent land use types”



Responses to Map-related Questions/Comments

Civic District Mapping

2150 Bannack Ct



VS

20 Fort Missoula Rd



East Missoula Place Types/Zoning

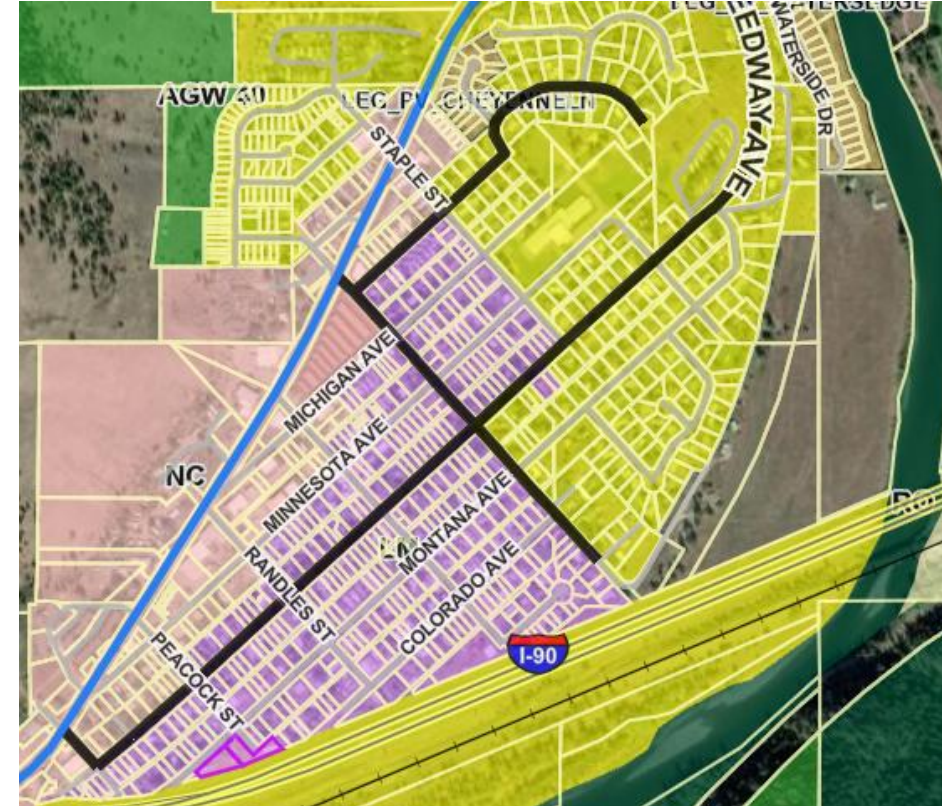
Aspire Subdivision

Missoula County Land Use

- Residential Land Use (3-11 units per acre)
- Density bonuses may be available if development creates permanent affordable housing

Missoula County Zoning

- Residential Zoning (yellow)
 - Building Types: 3–4-unit buildings with small multi-plexes available with permanent affordable housing
 - Max Height: 36ft
- Live/Make (purple)
 - Building Types: up to small multi-plex and commercial
 - Max Height: 36ft

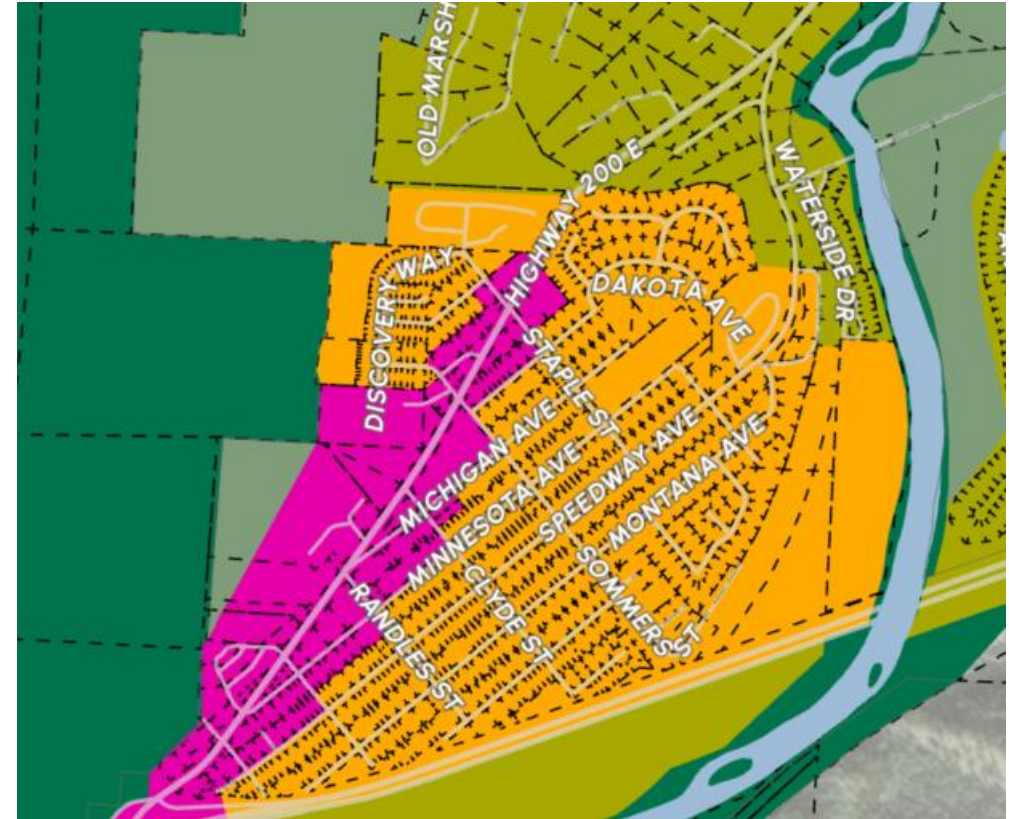


East Missoula Place Types/Zoning

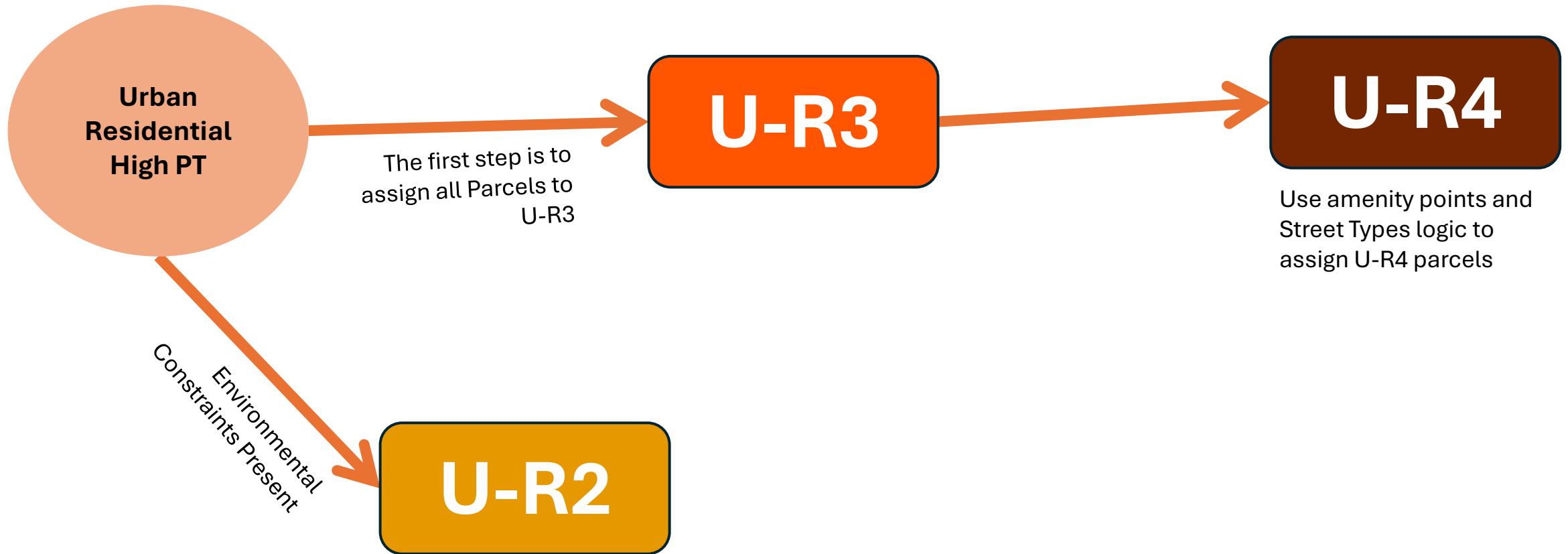
Aspire Subdivision

Urban Residential High Place Type

- Compact Grid Pattern
- Multi-Modal Options Present
- Has high housing diversity
- Little to no environmental constraints
- Little to no covenants restricting development
- Current county zoning: R and LM



East Missoula Place Types/Zoning



Process



Future Code Maintenance and Updates

A Living Document

From static code to a living framework

- Old code often felt set in stone, updates were larger projects every few years
- New UDC is built to be iterative and actively managed

What “iterative” means in practice

- We don't expect perfection on day one
- We will test the code on real projects, see what works and what doesn't
- Bring back targeted tune-ups instead of waiting years for a big overhaul
- Core map and district structure stay predictable, while details can adapt



Future Code Maintenance and Updates

Collaborative Improvements

A Team Effort

- Development community: flag what works on the ground, and what blocks good projects
- Neighbors & residents: share what feels right or off in your neighborhood
- Partners & staff: identify infrastructure, school, and operations impacts

Our Commitment

- Clear ways to share feedback (meetings, email, online tools)
- Transparent public process for updates (Planning Commission & City Council)
- Swift, reasonable changes when we see clear problems
- A living document that keeps improving, while staying consistent and reliable enough to depend on



QUESTIONS

