



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: December 4, 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), Shane Morrissey (City Appt), Danny Oberweiser (County Appt), Danny Tenenbaum (City Alternate), Sean McCoy (County Appt),

Members Absent: Lynn Davis (City Appt), Tung Pham (Mayor)

I. CALL TO ORDER [Time stamp – 00:00:29]

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

II. ROLL CALL [Time stamp – 00:00:40]

Analeshia Rodriguez called the roll. Five regular members and two alternates were present at the time of roll call. City alternate, Danny Tenenbaum and County alternate, James Fountain were promoted to voting members for the evening. A quorum was met. Member, Josh Schroeder (Conservation District) effectively joined the meeting following roll call.

III. APPROVAL OF MINUTES [Time stamp – 00:02:25]

There were no minutes for approval on the agenda.

IV. PUBLIC COMMENT ON NON-AGENDA ITEMS [Time stamp – 00:02:41]

There were no public comments on non-agenda items.

V. STAFF ANNOUNCEMENTS [Time stamp – 00:05:37]

There were no staff announcements.

VI. PUBLIC HEARINGS [Time stamp – 00:05:42]

1. Continuation of the November 18th, November 20th and December 2, 2025 Public Hearings 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 18th, November 20th and December 2, 2025 Public Hearings 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 – 00:07:01]

A team from the City of Missoula Community Planning, Development & Innovation Department appeared for a continuation of the public hearings previously held on November 18th, November 20th and December 2, 2025.

The City's team included, but was not limited to the following:

- Ben Brewer (Ben), Long Range Planning Supervisor
- Cassie Tripard (Cassie), Planning Supervisor
- Laval Means (Laval), Community Planning Manager
- Marc Hendrickson (Marc), Associate Planner/GIS Focus
- Eran Pehan (Eran), Director of Administration
- Aaron Wilson (Aaron), Planning Manager for Transportation Planning
- Nathan McLeod (Nathan), Associate Director of Planning, Design and Projects for the Parks and Recreation Department
- Elizabeth Johnson (Elizabeth), Preservation Officer
- Emily Gluckin (Emily)
- Senior Planner, Ryan Sudbury (Ryan), City Attorney for Civil Services

The Missoula Consolidated Planning Board (Board) is also sometimes referred to as the Planning Commission (Commission), as it serves in both capacities. 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 18th, November 20th, December 2nd and December 4, 2025, hearing agendas.

Marc pointed out that there are not many municipalities that have undergone this type of broad scale zoning change and that many municipalities often adopt new regulations and rename zoning districts, but the maps often remain stagnant. Unlike many jurisdictions that do not publish its methodology behind their zoning maps, the City stands to be transparent throughout the process by publishing its methodology. Marc presented staff's recommended methodology for overhauling the City's zoning map.

A. Policy Objectives

First, Marc explained that the policy objectives originated directly from the LUP and related to how staff "right sized" the City's zoning map to correspond with the Place Types set forth in the LUP. The most important policy objectives were to:

- Ensure that zoning increases housing opportunities in residential areas that have sufficient access to services and amenities via walking, biking, and transit.
- Ensure equitable access to parks and open space to support community wellbeing.
- Prioritize housing and multi-modal transportation infrastructure near major employment centers to improve regional connectivity and reduce commute distances.
- Build new housing near key transit and commuter corridors, to enhance accessibility and support transit-oriented development.
- Avoid concentrated upzoning in vulnerable neighborhoods, preserve naturally occurring affordable housing, and promote equitable ownership opportunities, to mitigate displacement and address historical inequities related to housing development.

B. Implementation Action Items – Zoning Map

Next, Marc briefly displayed the action items taken by the City to determine its mapping methodology:

- Updated zoning districts to align with Place Types and land use context.
- Collapsed overlays into equivalent base zones and developed unique base zones.
- Zoned for higher density housing near transit stations, places of employment, higher education facilities, and other appropriate population centers.
- Avoided concentrating higher-density housing in neighborhoods vulnerable to gentrification.
- Prioritized neighborhoods that have historically not hosted their “fair share” of new housing.
- Increased housing opportunities in residential areas that have strong access to services and amenities via walking, biking, and transit.
- Delineated floodways and floodplains to reduce flood risk and manage peak flows and support groundwater infiltration.
- Established transitions between higher intensity development in commercial zones and adjacent residential neighborhoods.
- Identified appropriate locations for a varied scale of industrial uses.
- Acquired, restored and protected river and stream corridors as open space.

C. Policy and Place Type to the Zoning Map

At the prior hearing, Marc explained that the zoning districts in the City were created using amenity based, constraint based and street type or policy-based zoning methodologies to translate the LUP Place Type map into the legislative zoning map, guided by the policy objectives and implementation action items to support data-driven decisions.

Marc explained that the amenity based zoning approach first mapped existing amenities and services, including Mountain Line routes, parks, trails, WIC-accepting grocery stores, local food sources (farm stands), and public schools. Next, the areas that were within a quarter mile or 15-minute walk to those existing amenities were mapped, creating individual data layers for each category. The data layers were combined and the proximity to amenities were ranked high to low.

The LUP also requires the City to consider future services, environmentally sensitive areas and findings from the Equity in Land Use Report conducted by Cascadia Partners in 2023 (Equity in Land Use Report). To accomplish this, the City used additional data layers which included:

- **The Bus Rapid Transit (BRT) Route.** The BRT enables residents to have access to very high frequency transit. Marc noted that the Missoula Redevelopment Agency (MRA) and Mountain Line are working to expand rapid transit throughout the City, but it requires 30 residents per acre as well as 15 jobs per acre to implement.
- **Street Typologies.** The designations of street typologies used to determine zoning districts were both community and regional in scale where the designations included community residential, community mixed-use, regional connection and regional mixed-use focused on lowering trip times and enabling multimodal transportation opportunities.
- **Equity in Land Use.** The Equity in Land Use Report showed that there were multiple areas within the City vulnerable to gentrification. As one of the City’s action items, the City made a policy decision to avoid concentrated upzoning in vulnerable neighborhoods to mitigate displacement and address historical inequities related to housing development. Marc presented a map that depicted the potentially vulnerable areas where softer constraints were applied.

- **Environmental Constraints.** The City utilized data layers that included the floodplain and floodway maps, the species of concerns maps from the Montana Natural Heritage Center, and slope maps to identify potentially hazardous steep slopes, similar to the hillside associated with the 2014 avalanche on Mount Jumbo.

Marc discussed the comparable zoning designations in relation to the Place Types adopted in the LUP and noted that there is normally one or two zoning districts associated with each Place Type, with the exception of the Urban Residential High (URH), Urban Mixed-Use Low (UML), Urban Mixed-Use High (UMH) and Civic Place Types, which each have up to three zoning districts. The zoning designations are a tiered system. Marc reiterated that each Place Type has a corresponding automatic zoning district that was initially applied to all parcels. If a parcel met the criteria for proximity to services and amenities, its zoning was adjusted to a higher intensity district. If constraints were present, it was adjusted to a lower intensity zoning district. Marc walked through the methodology for the following Place Types:

- **Urban Residential High (URH).** Marc acknowledged that at the hearing on December 2nd, Rick Hall (Rick) proposed an amendment to the portion of the LUP and zoning map for the area associated with the proposed Aspire Subdivision. The recommendation was to lower the zoning intensity and by amending the Place Type from URH to Limited Urban Residential (LUR) and the zoning district to from Urban Residential 3 (U-R3) to Limited Urban Residential 2 (LU-R2). Marc explained that the URH Place Type has three possible zoning districts. All parcels were initially designated as Urban Residential 3 (U-R3). Parcels that met the amenity point threshold and supported a walkable, healthy environment were upgraded to Urban Residential 4 (U-R4). Parcels with environmental constraints were downgraded to Urban Residential 2 (U-R2).
- **Urban Residential Low (URL).** In the URL Place Type, all parcels were automatically assigned the Urban Residential 1 (U-R1) zoning district, and then if the parcel was located along or adjacent to the community or regional Street Types, it was bumped up to Urban Residential 2 (U-R2).
- **Limited Urban Residential (LUR).** All parcels in the LUR Place Type were assigned the Limited Urban Residential 1 (LU-R1) zoning district. Then using the amenity points and community and regional Street Types, if a parcel was within close proximity or walking distance to transit routes, parks or public schools the zoning district it was bumped up to LU-R2. If the parcel met the amenity points and Street Types, but had an environmental constraint, then that parcel remained LU-R1.
- **Civic District (CD).** Marc noted that the Civic Place Type includes three different zoning districts. Parcels owned by the Missoula Montana Airport (Airport) were designated as the "A" zoning district. All remaining parcels were initially assigned to Civic District 1 (CD-1). Each property was then individually evaluated based on the presence of significant historical or environmental resources, adjacent land uses, and proximity to walkable services and a healthy environment. Marc clarified that parcels whose development would negatively impact historical or environmental resources and did not provide walkable services remained zoned CD-1.

Marc presented mapped examples of how the zoning methodology was applied to several areas in the City.

1. **Defoe Street.** The first example examined two blocks on Defoe Street. Both blocks were mapped to the URH Place Type and were initially assigned the U-R3 zoning district. However, based on the policy language in the LUP, the mapped services and amenities for each block was different. The first block was only within a 15-minute walk to high frequency transit, while the second block was within a 15-minute walk to high frequency transit, a public school (Lowell School), and a developed park (West Side Park). Based on its proximity to these additional services and amenities, the second block was assigned a higher-density zoning district, U-R4.
2. **Briar Street.** Next, Marc discussed the zoning methodology for two blocks on Briar Street in the Lower Rattlesnake. Both blocks were mapped to the URH Place Type and initially assigned the U-R3 zoning district. However, when applying the LUP policy language, environmental constraints were taken into account. The LUP identifies mapped environmental constraints throughout the City, including the Mount Jumbo area, where slopes can reach up to 40 degrees and pose an avalanche risk during high-snow years. Due to this constraint, staff reduced the residential intensity of the second block and assigned it the U-R2 zoning district, while the first block retained the base U-R3 designation.
3. **River Road.** Marc discussed the methodologies for two areas along River Road. The first area, located near Russell Street, was designated as an UMH Place Type. Marc explained that Russell Street is a major corridor with high connectivity and is also part of the Design Excellence Corridor. When implementing the action items and policy objectives of the LUP, staff consolidated most of the overlay districts in this area. The second area along River Road was designated as an UML Place Type. This area is not located along a major corridor, lacks a gridded block pattern, and contains existing low-intensity industrial uses. Staff acknowledged that while these designations may not fully align with the current LUP, the areas were identified as locations that could transition to a gridded block pattern and higher-density development over time.
4. **Civic Districts.** Marc presented a comparison of two areas within the Civic zoning district, acknowledging that the public comments reflected different priorities, where some expressed a desire to see residential uses and others were in favor of protecting certain areas from development. Both areas were assigned to the Civic District (CD) Place Type. Although the CD Place Type does not include a residential intensity, residential and commercial development may be permitted depending on constraints and adjacent land uses. Marc explained that the first area was constrained by significant historical and environmental factors, including proximity to critical habitat for several species of concern (bull trout, Lewis's woodpecker, and grizzly bears). While the area was within walking distance of a park, it was not within a quarter mile of other services or amenities. Due to these constraints and limited access to services, the area was designated as a CD-1 zoning district. The second area was constrained by historical resources but was within walking distance of multiple services and amenities, including frequent transit, a park, and a commuter trail, and was adjacent primarily to higher education facilities. As a result, this area was designated as a CD-2 zoning district.

Marc concluded that when staff leadership, the Planning Commission, or City Council determines zoning district mapping, clear lines must be drawn, with decisions made in an unbiased manner guided by the LUP.

See PowerPoint presentation slides.

BOARD DISCUSSION [Time stamp – 00:24:10]

Danny Tenenbaum (Tenenbaum) asked about the amendment passed at the hearing held on December 2nd, which placed density caps on residential districts, specifically U-R3 and U-R4. Tenenbaum inquired whether this change would affect the way the map was created, given that the original densities were higher. Marc indicated that, while involved in the planning process, the mapping methodology focused on the policy language in the LUP and its application in mapping higher intensity residential zoning districts. Marc stated that the policies adopted by the Planning Commission and City Council were the primary guide for zoning, rather than the specific density levels.

Josh Schroeder (Josh) then asked about the importance of matching Place Types with compatible Street Types. Josh provided the example of an industry and employment area being served by a neighborhood residential street. Aaron responded by explaining that Street Types were generally mapped to align with the associated land use designation and indicated that some flexibility exists, particularly in mixed-use areas where residential and commercial zones are adjacent. The Street Types in the LUP can be updated as needed to accommodate various land uses, ensuring that streets are designed to meet the needs of the surrounding Place Types.

With no further discussion, the Board moved to public comment.

PUBLIC COMMENT [Time stamp – 00:29:22]

The following public comment was presented to the Board:

- Aimee Hurt, a resident of the northside expressed excitement about the zoning reforms. Aimee is looking forward to being able to provide additional living space in that neighborhood in addition to being able to develop aging in place ability. However, Aimee raised concerns about the lack of specific language or imagery in the UDC regarding potentially more common over garage accessory dwelling units (ADUs). Aimee wanted to see more mixed type development with the option for a garage and living space and noted that it was not clearly represented in the UDC. Aimee asked for more detailed language related to this type of structure with clarification regarding Floor Area Ratio (FAR) and the exceptions which apply to garages with living spaces above them.
- Brian Ellestad, Director of the Airport, thanked City staff for their responsiveness, but advocated for a motion to reconsider certain zoning aspects for areas near the Airport due to safety concerns. Brian noted involvement in two aviation accidents, both of which were off airport property and reiterated concerns about potential future development. Brian asked the Board to review the previously presented motion regarding zoning around the Airport and urged the Board to be proactive in addressing future growth.
- Shane Getz owns property located at 2403 River Road. Shane voiced concern about a zoning change for this property located at the corner of River Road and Reserve Street. The property is currently zoned B3-2 for commercial use and the UDC rezones it to an LU-R1 zoning district. Shane disagreed with the new designation and believed that the zoning designation should be geared towards commercial use. Shane requested that the area be treated similarly to the opposite end of River Road, which remains zoned for commercial use due to its high traffic and need for commercial development.

- Larry Chase, represented the Ben Hughes neighborhood and thanked Marc for the helpful presentation. Larry asked the Board to consider changing the zoning designation across the entire Ben Hughes neighborhood to LU-R1 as it would better align with the LUP. Ben stated that the neighborhood had several environmental constraints, such as being within a high annual burn probability zone and being situated in a low amenity zone that lacks access, within a quarter mile, to developed parks and schools. Larry was of the opinion that LU-R1 would better align with the neighborhood's characteristics and needs, as opposed to the proposed LU-R2 zoning.
- Max Wolf, a private landowner in Fort Missoula, expressed frustration with the City's proposal to rezone the area to CD-1. Max noted inconsistencies with other properties in the University District that were rezoned to CD-2 and explained that Fort Missoula is currently zoned OP-3, and that other OP-3 properties, such as Community Hospital and the Village Senior Residence, were rezoned to Urban Mixed-Use districts (U-MU2 through U-MU4) under the UDC, while the Fort Missoula area was rezoned to CD-1. He expressed concern that, despite similar proximity to amenities, those properties may prosper under the UDC while Fort Missoula would be left without a viable path for meaningful, community-benefiting development. Max encouraged the Board to review recent comments submitted by David Gray and requested the following UDC amendments: (i) remove CD-1 and replace it with CD-2 citywide, and (ii) limit the Fort Missoula Historic Resource Overlay to owners who elect to participate or to properties with individually listed historic buildings.
- Bruce Baxter, a homeowner of East Missoula, stated that the residents of East Missoula were not officially informed of the City's project and that rezoning portions of East Missoula to high density residential, was inappropriate. It was noted that the eastern half of East Missoula from Sommers Street to the river has been zoned for several decades at a maximum of four units per acre. Bruce suggested that the area should either be excluded from the City's zoning map or changed to LU-R1 or LU-R2 to reflect its current development patterns as that area contains larger residential lots that do not correspond to the high density standards.
- Kirsa Shelkey, representing Lee Bridges, raised concerns about the riparian protections in Chapter 4.11.02 of UDC, which require development within a 100-feet of a riparian resource to provide a riparian buffer. Kirsa questioned the adequacy of the proposed 50-foot buffer for the Clark Fork and Bitterroot Rivers. In Kirsa's experience, that size buffer was insufficient to protect the Clark Fork River a manner consistent with the intent of the Growth Policy. Kirsa referenced a letter submitted to the Board that included Water Course Commons attachments, summarizing science driven riparian set back recommendations from the Montana Department of Environmental Quality (DEQ) and Montana Fish, Wildlife and Parks (FWP). Kirsa noted that DEQ guidelines recommend a 100-foot set back to protect water quality and aquatic life and a 300-foot setback for wildlife and wildlife habitat, while FWP requires 250-feet of vegetative riparian buffer, plus an additional 50-feet of building setback from rivers. Kirsa encouraged City staff to reevaluate the setback and riparian requirements in the UDC. Kirsa believed that an LU-R1 zoning district (even less dense than the recommended LU-R2 zoning district) would be most appropriate for the area associated with the Aspire Subdivision due to the lack of amenities and environmental constraints in that area.
- John Wolverton, a volunteer with Pro Housing Missoula, cautioned against complicating the zoning process with Euclidian zoning layered onto a form-based code. John emphasized the

importance of decomplexifying the UDC to facilitate the development of more affordable housing, aligning with the goals of the land use plan to increase housing availability.

- Chris Everett, a resident of the Ben Hughes neighborhood, agreed with the comments made by Larry Chase and reminded the Board that an email with additional details had been sent to City staff as well as the Board as part of the agenda packet for the hearing. Chris urged the Board to consider the additional input submitted by Larry Chase.

BOARD DISCUSSION [Time stamp – 00:56:10]

In response to Shane Getz's comments, Danny Oberweiser asked staff to clarify the LU-R1 zoning designation along River Road and Third Street, noting the floodplain constraints and questioning why areas north of the river were zoned differently than those to the south, citing the Limited Urban Mixed-Use zoning north of the Reserve Street bridge, compared to the LU-R1 zoning applied to commercially developed property across from Shane Getz's property, south of the Reserve Street bridge.

Cassie explained that staff relied on updated draft floodplain maps showing the area south of the river within the 100-year floodplain, where flood events could overtop Reserve Street, limit north south access, and trap water behind the Orchard Homes levee, placing Shane Getz's property on the wrong side of the levee. Cassie noted that although some commercial strip malls exist south of the river, the area is predominantly residential, and that the Place Type north of the river was based largely on existing larger-tract commercial and industrial development despite floodplain conditions.

In response to public comment, Derek Kanwischer (Derek) asked staff for clarification regarding the determination of riparian area designations. Cassie stated that Phase II of the UDC will include a more in-depth review of riparian areas with state and local agency engagement, but for Phase I, staff codified the existing Title 20 riparian buffers based on prior Conservation District guidance, while acknowledging the need for additional research to be addressed more fully in Phase II.

Josh noted that the Conservation District does not use fixed riparian buffers, clarifying that the 310 law is applied on a site-specific basis and that a uniform 50-foot buffer may be insufficient for some sites, potentially requiring larger buffers. Josh indicated the issue warranted further consideration and would put forth a recommended amendment.

Tenenbaum posed a procedural question related to the tie votes and failed votes from the previous hearing held on December 2nd and if those would be forwarded to City Council. Staff clarified that while all results may be provided for informational purposes, only items approved by a majority vote are forwarded as formal recommendations in the UDC package.

BOARD'S REVIEW OF THE UDC [Time stamp – 01:06:48]

With no further questions, the Board proceeded into code review.

1. **Mixed Use Districts - Article 4.3 [Time stamp – 01:07:27].** Shane Morrissey (Shane) started the discussion with Article 4.3, Mixed-Use Districts and pointed to a letter in the agenda packet dated November 26, 2025 submitted by Colin Lane of MMW Architects.

BOARD PROPOSED MOTION

Shane made the following motion to approve the request for consideration, and Oberweiser seconded the motion:

THAT the UDC be amended to include all proposed revisions, as set forth in Colin Lane's letter dated November 26, 2025, with the exception of items 1, 2, and 3 of the letter as those were previously incorporated by Staff Recommended Amendments dated December 1, 2025.

BOARD DISCUSSION

Eran confirmed that the Board could vote on the full slate of recommended changes in Colin Lane's letter by an up or down vote. The Board then walked through each line item in Colin Lane's November 26th letter beginning with Urban Mixed-Use (U-MU) zoning districts and specifically the build-to zones. Shane noted that the build-to zones in the UDC are the opposite of setbacks in the City's current zoning code established in Title 20, the Missoula City Zoning Ordinance (Title 20) where the build-to zones require buildings to be placed within a specific distance from the front property line.

With regard to the proposed change set forth in item 4 of Colin's letter, Cassie pointed out that the provisions referencing the build-to zone and build-to width pertains to large parcels where a structure may be too small to meet the build-to width. Shane pointed out that in some areas, with irregular lots, it may be difficult to comply with this provision. Consistent with Colin's letter, Shane recommended Section 4.3.03-D.2.(d).2.a be struck from the UDC.

Item 5 in Colin's letter recommended adding a new subsection 4.3.03-D.2.(d).3. Shane explained that the recommendation was to provide flexibility by allowing property owners to request relief from build-to zone requirements to accommodate the City's Long Range Transportation Plan, particularly along Urban Mixed-Use corridors with inadequate rights-of-way, such as Brooks Street, Russell Street and Stephens Avenue.

Aaron described the Public Works review process and noted that when working in a variety of contexts, where there were insufficient rights-of-way, street standards were first evaluated. If the right-of-way was insufficient to meet those standards, it triggered a design exception, during which staff evaluated building setbacks to accommodate the future width of the roadway. Using Brooks Street as an example, Aaron noted that many areas will require design exceptions because there are insufficient rights-of-way. While the City does not have the authority to require a right-of-way dedication through a building permit, it can require buildings to be set back far enough so that future expansion remains an option and future rights-of-way acquisitions do not require removal of entire buildings. On other projects, such as community-level or neighborhood-level streets with a very narrow existing right-of-way, a developer may also be unable to meet the standard street type, which would also trigger a design exception, and setbacks could be used to help justify an alternative design that does not fully meet the standards.

Cassie confirmed that staff supported the recommendations in item 5 of Colin's letter, particularly for properties along the Brooks Street corridor. Although there is already a fair amount of flexibility with a 20-foot maximum build-to zone, incorporating the provision in item 5 of Colin's letter could be useful for unforeseen situations.

Shane recommended codifying the setbacks along arterials to achieve the necessary right-of-way, rather than assuming there was an inherent right to build directly up to the property line. Aaron agreed that the flexibility proposed in item 5 of Colin's letter was preferable given

the wide range of corridor types and evolving infrastructure conditions, noting that a single setback standard would be difficult to apply universally. Shane added that while Missoula is transitioning from traditional setbacks to the build-to standards, clearer definition of infrastructure is necessary to avoid losing pedestrian oriented elements, emphasizing that successful implementation of the Midtown Master Plan, particularly along Brooks Street, depends on ensuring pedestrian amenities are fully integrated into the UDC.

Oberweiser agreed that the recommendation would allow flexibility, from the current standard that requires the front of a building to be located within a range of zero feet to 20 feet. Shane noted that the burden would be on the property owner to request an exception, rather than on the City to require it, and recommended that the language which states “by request of the property owner” be removed from this provision in the UDC. City staff agreed to strike that phrase.

Moving to item 6 in Colin’s letter, Shane explained that Item 6 recommended the addition of a new subsection 4.3.03-D.2.(d).4 for purposes of addressing the fact that many build-to areas in mixed-use zones occur along Brooks Street, which run diagonally through an otherwise orthogonal grid, ultimately creating a number of irregular shaped lots. Shane noted that similar conditions exist along Higgins Avenue where it intersects with the slant streets. The intent of this recommended provision was to give the planning administrator and landowners flexibility to waive the build-to requirements on those irregularly shaped lots.

Next, item 7 in Colin’s letter recommended adding a new subsection 4.3.03-D.2.(d).5 and stemmed from feedback from the design community. Shane noted this recommendation was more complicated as it proposed exempting certain use types from the build-to requirements in U-MU zoning districts. A list of exempt uses was included in the recommended provision to accommodate building types that are not well suited to the build-to standards.

Staff expressed concern about the number exempted uses proposed in item 7, as the uses conflict with the intent of the LUP and UDC. Cassie noted that build-to standards were an important tool for implementing walkability goals to bring buildings closer to the sidewalk. Using grocery stores as an example, Shane noted that while they fall under food and beverage retail sales, large grocery stores such as Albertsons or Ace Hardware are often auto-oriented and not always conducive to the build-to or transparency standards. Many customers drive to those stores and expect clear, direct entrances from parking areas, which may not face streets like Brooks Street or Orange Street. The intent was to anticipate those realities while acknowledging that revisions to the list of exempt uses may be appropriate.

Laval noted that some uses on the proposed list are not allowed in mixed-use zones. Laval explained that Brooks Street is envisioned as a more pedestrian-focused corridor, and that the UDC already exempts additions to existing buildings from the build-to requirements. The broader approach was to focus on separating building type from use type, noting that there are examples of grocery stores that successfully engage the sidewalk while still accommodating vehicle access. Shane clarified that the intent of this recommendation was not to make these exemptions permanent, but rather to allow flexibility where infrastructure was still lacking. Staff stated that as written, the proposed amendment would leave only a small number of uses, such as restaurants, offices, personal improvements services, sports and recreation participant services, and financial services, subject to the build-to requirements, with all others exempt.

The Board initiated its review of the proposed exemption list set forth in item 7 of Colin's letter and began with the removal of cannabis dispensaries, acknowledging that it also involved transparency standards. Staff clarified that state law does not require dispensaries to obscure windows and that the UDC prohibits fully obscured frontage. However, state law does require dispensaries to obscure cultivation and manufacturing of products. Shane referenced item 10 of Colin's letter, which proposed corresponding amendments to Table 4.3.03-5 in the UDC related to transparency standards and explained that the proposed revisions did not remove the provisions entirely, but rather allowed the infrastructure to align with the updated requirements.

Item 8 in Colin's letter proposed eliminating the build-to requirements entirely in the U-MU1, U-MU2, and U-M-3 zoning districts shown in Table 4.3.03-3 of the UDC, along with associated amendments to the zoning map. These areas included Orange Street, Third Street, and segments along the Bitterroot Branch Trail. Shane noted that many of these locations lack the infrastructure needed to support parking and pedestrian-oriented development. Removing the build-to requirements in these districts would provide more flexibility for development while accommodating existing infrastructure limitations.

Item 9 in Colin's letter proposed amendments to Table 4.3.03-4 of the UDC and addressed building length limits in U-MU zoning districts. Shane explained that while controlling building form was important, some buildings naturally need to be large. Hospitals, grocery stores, and schools are examples of uses that exceed typical length limits, and exempting them from those standards would be prudent.

Item 11 of Colin's letter proposed modifying Table 4.3.03-5 as it related to Street Adjacent Entrance Requirements. Shane explained that UDC requires a building entrance from the street, but often in locations that do not correspond to the location of the parking area or the single primary entrance, creating accessibility and operational challenges, especially for uses like banks that prefer a single, secure entry. Until streets become more pedestrian-oriented, Shane expressed the importance of maintaining flexibility in entrance placement. Item 13 of Colin's letter proposed additional amendments tied to entrance requirements.

In response to ongoing concerns raised by the development community, Shane noted that the proposed revisions in item 12 of Colin's letter addressed transparency requirements, proposing that the transparency requirements apply only to U-MU4 zoning districts and not to U-MU1, U-MU2 or U-MU3 zoning districts.

Before leaving the mixed-use section of the UDC, Eran provided broader context associated with the UDC noting that throughout the land use planning process, pedestrian connectivity and street interaction ranked barely second to housing needs as community priorities. Eran explained that Place Types were applied based on existing urban development patterns and infrastructure. After hearing that the form standards were "dialed a little bit too high" staff worked collaboratively to recalibrate form-based standards to better align with both community goals and current redevelopment realities.

The Missoula Organization of Realtors, the Midtown Association and the Missoula Chamber of Commerce engaged ECONorthwest (a land use firm that previously completed the Midtown Master Plan) to conduct additional testing with the standards. ECONorthwest provided the City with recommendations associated with refining the transparency standards. With regard to other form-based standards, such as the build-to zones and

building width, EConorthwest identified those as best practice across the nation for cities attempting to increase its connectivity and create pedestrian-oriented streetscapes.

Shane responded that the development community supports creating standards that are workable under current conditions while allowing for evolution as infrastructure improves, noting that areas such as Southgate Mall and portions of West Third Street lack the street network necessary to support full build-to development. Shane stated that, without changes to the zoning map, the proposed exemptions were viewed as an appropriate interim solution.

Rick expressed concern about exempting all uses under the build-to provisions when some could meet current UDC standards. Shane suggested tabling the motion to avoid consuming the entire meeting or forcing a vote and asked staff to study the issues more thoroughly so that UDC text changes would align cohesively with any necessary zoning map updates.

Shane was willing to withdraw the motion, noting it was intended primarily to prompt discussion and identify areas for further staff review, emphasizing that the UDC is a new, form-based code differing from the City's previous zoning framework. Shane stressed the importance of preventing development delays in mixed-use districts while allowing corridors like Brooks and Russell Streets to become walkable.

Oberweiser expressed concern that without a unanimous recommendation on Colin's letter, City Council might not act, noting the material's complexity and limited time to draft recommended amendments. However, many items could likely pass if unresolved items from Colin's letter were removed from the motion, providing City Council with a useful recommendation. Oberweiser also suggested temporarily tabling the motion to allow the Board to consider its options. Sean was of the opinion that reviewing mixed-use districts and associated uses could be productive, but time-consuming and asked if a more efficient approach existed. Shane offered to explain the uses in Section 4.8 and then table the motion, avoiding a forced vote while allowing the Board to proceed with other items.

Shane stated that item 14 in Colin's letter which recommended an amendment to Table 4.8.02-1 for purposes of clarifying "urban districts" in the Parking Table. It was unclear whether the term "urban uses" related to Urban Mixed-Use or Downtown transitional areas. Shane also noted that several uses were no longer allowed in U-MU zoning districts across most of the City such as gas stations, car washes, and motor vehicle repair shops, but argued those uses still need to exist somewhere in the community to serve daily needs.

Item 16 in Colin's letter proposed amendments to Table 4.8.02-1 that would disallow Residential Storage Warehouses in Transitional Mixed-Use (T-MU) zoning districts and would also disallow Compost Services in certain residential, U-MU, and Downtown districts. The proposed amendment would accommodate future improvement in infrastructure.

Item 17 of Colin's letter recommended an amendment to Section 4.9.03-B.5.(c) for purposes of providing more flexibility with drive-throughs. Shane acknowledged the City's goal of creating a more walkable community but noted that additional drive-throughs will be needed in the future. Shane explained that the parking and drive-through location standards are closely tied to build-to zones and to areas where parking is allowed.

Due to concerns raised about City Council's consideration of the Board's recommendations, Sean suggested that the Board identify areas in Colin's letter to either: (i) make a formal

vote to recommend amendments to the UDC or (ii) ask staff to review further. Board members raised additional concerns about the ability to vote on clear and concise recommendations based on Colin's letter if the recommendations were not specifically synced to corresponding changes in the zoning map.

Shane reiterated that the purpose of bringing these topics set forth in Colin's letter was to discuss some of the issues raised by the development community with the hope of finding solutions. Ultimately, Shane withdrew the motion. Before moving forward, Ryan reminded the Board that it could vote on specific recommended amendments to the UDC, but that an alternative could be to make a recommendation to City Council to explore an issue.

2. **Civic Districts – Article 4.4 [Time stamp – 02:15:25].** Acknowledging that the Board had received a large amount of public comment surrounding Civic districts, Tenenbaum initiated a motion regarding Civic districts.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Derek seconded the motion:

THAT that the CD-1 zoning district be eliminated from the UDC and consolidated into the CD-2 zoning district, where all parcels currently designated as a CD-1 zoning district be changed to the CD-2 zoning district.

BOARD DISCUSSION

Tenenbaum was in support of public comment received and agreed that the amendment to the UDC would provide more flexibility and more opportunity for different types of residential development.

Josh was also in support of the motion as the CD-2 zoning district more accurately aligned with the City's long-range plan, by permitting more residential and commercial uses on private property within those Civic Place Types. Sean, Derek and Oberweiser were also expressed support for the motion, with Oberweiser noting that natural hazards may have previously been a concern, but those protections would likely occur even if the CD-1 zoning district was removed from the UDC.

Eran highlighted that eliminating CD-1 across the board would capture places like the wastewater plant and the cemetery, where having additional uses may not make sense. Going back to the LUP, the City expanded housing opportunities broadly across the community, so that in areas where housing may not make sense, there would be ample opportunity elsewhere.

In support of the motion, Rick noted that there are other ways to deal with geographical or environmental concerns and that building housing on a parcel with CD-1 characteristics would be unlikely.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

Commercial Parking Requirements [Time stamp – 02:22:45]. In response to parking issues that have been discussed over the years, Tenenbaum initially recommended amending the UDC to remove all commercial parking requirements, by deleting the first column in Table 4.8.02-1 but later revised the motion, to make it exploratory in nature and as shown in the final motion below, with the understanding that eliminating the first column in Table 4.8.02-01, would likely trigger extensive corresponding changes elsewhere in the UDC.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Shane seconded the motion:

THAT City Council explore eliminating commercial parking requirements from the UDC.

BOARD DISCUSSION

Tenenbaum pointed to examples of other cities of a similar size and characteristic to Missoula, that have taken steps to eliminate parking requirements for residential and commercial developments such as Bend, Corvallis, Regina, Eugene, and Ashland all located in Oregon, as well as Duluth, Minnesota, La Crosse, Wisconsin, Longmont, Colorado, South Bend, Indiana, Bremerton, Washington and Ann Arbor, Michigan. Tenenbaum explained that those cities were thriving small to medium sized cities with colleges and universities.

Tenenbaum acknowledged that some cities had been hesitant to eliminate parking regulations out of concern that leaving parking decision to property owners may result in chaos, rather than following standards set by planners. In Missoula, many argue that the hesitation is often justified by the lack of extensive public transit. Tenenbaum, explained that when looking at other cities that have eliminated parking minimums, none appear to have exceptional public transit systems such as light rail or bus rapid transit, yet were successful in taking this step.

Citing an article from the American Planning Association titled “*A Business Case for Dropping Parking Minimums*” and focusing on economic development, Tenenbaum stated “in the smallest of towns and the biggest of cities eliminating parking requirements helps boost small businesses, promote housing development, and put people over parking.”

Tenenbaum commended staff for incorporating Table 4.8.02-1 in the UDC, noting it was a major improvement over the current code, where small businesses seeking to locate in Missoula would face a much better environment under the UDC. However, Tenenbaum encouraged the City to discuss simplifying the code and remove the commercial parking requirements in their entirety.

Tenenbaum believed there were several requirements that appeared to be arbitrary, such as in the case of breweries, taverns, and bars that would be required to provide one parking space per 4,000 square feet, while restaurants were required to provide one space per 1,500 square feet and was unclear as to the reasoning behind stricter requirements for restaurants.

Tenenbaum noted other inconsistencies which did not align with parking demand and which included: art galleries and libraries being required to provide four to six times more parking than casinos and dispensaries only being required to provide one space per 1,000 square feet, while food retail businesses would need twice as many parking spaces. Tenenbaum suggested following the lead of cities, such as Spokane, that have simplified its code and eliminated commercial parking requirements altogether.

Oberweiser stated that this type of change in the UDC could help promote neighborhood commercial uses, seen as important to residents based on public comment, noting that this type of change would not affect large scale commercial projects, as those types of projects often prioritize parking from the start. Rick and Derek were also in support of the motion.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

3. Townhome Exemption Developments - Section 4.12.04-B.2 [Time stamp – 02:32:42].

Oberweiser pointed out that neighborhood commercial uses have repeatedly been expressed as something the community prioritizes and initiated a motion in support of making it easier to incorporate neighborhood commercial uses in residential areas that already allow multiple buildings on a parcel.

BOARD PROPOSED MOTION

Oberweiser made the following motion, and Tenenbaum seconded the motion:

THAT Section 4.12.04-B.2 of the UDC, applicability of the Townhome Exemption Developments (TED) standards, be amended to state the TED process shall be not be used for nonresidential developments, *except* for neighborhood commercial uses, and THAT any other necessary amendments be made throughout the UDC to support this change.

BOARD DISCUSSION

Oberweiser explained that allowing neighborhood commercial uses within the Townhome Exemption Developments (TED) it would provide more flexibility and benefit to the community, particularly by enabling it to exist on its own ownership parcel as part of a mixed-use development.

Oberweiser explained that although the TED process is similar to a subdivision process, it is exempt from subdivision law. Oberweiser provided the example of ten row homes being constructed on a single parcel as townhome units, similar to condominiums, but with individual ownership of some surrounding land. The UDC stated that the TED process may not be used for nonresidential developments. Oberweiser clarified that the intent of the motion was to propose adding language that would allow an exception for neighborhood commercial uses.

Rick raised concerns about unintended consequences, referencing past limitations on home-based businesses in residential-only subdivisions. However, support was expressed

for the proposed mixed-use approach. Oberweiser indicated that neighborhood commercial is already permitted in all residential districts under the UDC.

Josh inquired about whether this change could help mixed-use or neighborhood commercial projects secure financing. Oberweiser believed that allowing neighborhood commercial on its own ownership lot could potentially make it easier for small businesses to finance its operations independently from the larger mixed-use development.

Cassie and Laval acknowledged that implementing this change would require updates not only to the applicability section, but also to other related sections of the UDC and confirmed that staff could draft language to ensure consistency throughout the code.

VOTE

With no further discussion, the Board voted by roll call, and the motion passed with 7 ayes and 1 abstention.

AYES (7): Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

ABSTENTION (1): Derek Kanwischer

4. **Cottage Court Building Standards - Table 4.7.02-3 [Time stamp – 02:40:41].** Next, Shane introduced a motion specifically aimed at making infill more flexible for Cottage Court developments.

BOARD PROPOSED MOTION

Shane made the following motion to approve the request for consideration, and Oberweiser seconded the motion:

THAT Table 4.7.02-3 of the UDC, Cottage Court Building Standards, be amended to (i) reduce the Shared Court Minimum Width – A to 15 feet and (ii) change the Shared Court Minimum Depth – B from a fixed number to “not applicable.”

BOARD DISCUSSION

Shane explained that the rationale for this proposal was that Cottage Courts could be built on smaller lots and there was nothing in the building code preventing a 15-foot court width, especially since five feet between units side to side was already allowed. A functional and reasonable court could be achieved within 15 feet, while the depth of the court should be determined by the number of units it serves. The court depth could be more than 25 feet or less, depending on how many units are included.

Oberweiser expressed support for the amendment, particularly for small infill Cottage Court developments where courtyard space is limited and flexibility is necessary to make the building type viable.

Cassie indicated that the amendment was reasonable. In practice, the shared court would likely include a five-foot sidewalk and approximately five feet of yard space in front of each unit facing the court. Under the current draft of the UDC the 25-foot requirement, effectively

becomes a 10-foot yard. Cassie explained that the Cottage Court building type is typically intended for three to eight units, so the court depth only needed to be long enough to serve at least three units. Based on this, staff did not identify any issues with the proposed change.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

5. **Street Facing Entrance Requirements - Table 4.7.02-5 [Time stamp – 02:44:17].** Shane introduced a motion to address building standards as they related to common entries in multiplex buildings.

BOARD PROPOSED MOTION

Shane made the following motion to approve the request for consideration, and Tenenbaum seconded the motion:

THAT Table 4.7.02-5 of the UDC, Apartment Building Standards, be amended to delete the shared building entrance requirement language which states “At least one shared building entrance must be provided on the façade adjacent to the street or right-of-way (other than an alley). The entrance must be covered and at least six (6) feet deep. Parcels with less than 10 feet of frontage on a street are exempt from the entrance requirement below.”

BOARD DISCUSSION

Shane explained that the purpose of the proposed amendment was to address public comment received by Mike Morgan, regarding building types such as fourplexes and six plexes that do not typically have a shared entrance and instead use outdoor stairs or individual unit entrances. Shane noted that these types of buildings often function without a common entry. Staff confirmed that in the adoption draft of the UDC, the word “shared” was removed from the requirement, meaning the code no longer required a shared entrance but instead required a street-facing entrance, so that if a building contained multiple units with individual doors, at least one of those doors must face the street.

Shane clarified that the proposed amendment would go further by completely removing the street-facing entrance requirement as well, noting that many multifamily buildings are designed to extend from the street to an alley, with units oriented toward side yards or interior spaces. This configuration could allow for a greater number of units and still function well without a required street-facing entrance.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

6. Wireless Communication Facility Supports - Table 4.8.09-1 [Time stamp – 02:48:01].

Shane had initial questions for staff regarding how the setback standards were intended to be applied. Staff confirmed that under Table 4.8.09-1 in the UDC, the minimum setback is 20 feet, but if a radio tower is 100 feet tall, it must be set back a distance equal to its height. Shane expressed concern about allowing radio towers up to 100 feet tall in residential districts and introduced a motion to address wireless communication facilities, specifically radio towers in residential districts.

BOARD PROPOSED MOTION

Shane made the following motion to approve the request for consideration, and Derek seconded the motion:

THAT Table 4.8.09-1 of the UDC, Wireless Communication Facility Supports, be amended to so that the maximum height of a radio tower is limited to the maximum structure height allowed in the underlying residential zoning district. For example, in a U-R4 zoning district the maximum height would be limited to 45 feet.

BOARD DISCUSSION

Cassie provided additional context noting that under the current Title 20 zoning code, radio towers in residential districts are conditional uses and require City Council approval. These types of structures are also exempt from the Wireless Communication Facilities section, meaning there are effectively no height or setback standards. Staff explained that the proposed language in the UDC was an effort to place additional parameters on this type of structure to ensure stronger protections for residential areas. Shane believed that the conditional use provisions currently in Title 20 are useful as they do not automatically allow the structures by right, but rather as a conditional use that must be approved. Shane further explained that the intent of the motion was to put stronger guardrails in place in residential areas.

Staff confirmed that feasibility could be an issue at a height of 45 feet, as tower height requirements depend on factors such as ground elevation and location, and further research may be needed. In response, Shane acknowledged that the proposed amendment was intended primarily to flag the issue and encourage further review rather than present a fully developed solution.

Following a question from Rick, staff clarified that the provision subject of the motion applied only to radio towers, not cell towers, which are regulated separately and which often function at lower heights, even attached to the top of buildings. Cassie indicated that while wireless communication facilities are regulated by the FCC, the City retains authority to zone radio towers and regulate the height under federal law.

Rick inquired as to how often radio towers were located in residential areas and staff confirmed that radio towers in residential areas are extremely rare, with only one current case known in recent decades. Board members shared experiences with cell towers and noted the tension between neighborhood concerns and the practical need for communication infrastructure.

Sean asked for clarification between amateur (ham) radio and commercial radio towers. Cassie clarified by explaining that amateur radio stations does not mean non-professional stations, but rather two-way communication stations are protected under state law which allows a height of 100 feet and ultimately limits the City's authority to regulate them. Those facilities are distinct from broadcasting radio towers, which are subject to local zoning standards.

In general, Board members expressed concern about limiting tower heights to a level that could make them nonfunctional, emphasizing the need for flexibility to accommodate engineering requirements. Staff confirmed that the UDC provides minimal siting standards beyond setback requirements, and that additional regulations could be developed.

VOTE

With no further discussion, the Board voted by roll call, and the motion passed with a 5 to 3 vote.

AYES (5): Shane Morrissey, Josh Schroeder, Danny Oberweiser, James Fountain, Sean McCoy

NAYS (3): Derek Kanwischer, Danny Tenenbaum, Rick Hall

7. Driveway Standards – Section 4.9.03-B.4 and Setback Determination – Figure 4.10.01-1 [Time stamp – 3:00:53].

Shane requested staff review Section 4.9.03-B.4, which addressed driveway standards. No motion was proposed. Clarification was requested on whether the requirement to keep garage doors at least 20 feet from a sidewalk or pavement applies to alleys. Staff confirmed that this requirement applies only to streets, not alleys, and that it originated from Public Works and Mobility. The intent was simply to clarify that alley pavement was excluded, and no motion was proposed on this item.

Shane also addressed Figure 4.10.01-1 of the UDC, which illustrates setback determinations. Shane pointed out that in the diagram, parcels adjacent to an alley were labeled as having side yards. Concerns were raised that this classification limits certain uses that are otherwise permitted in rear yards, where regulations are generally more relaxed. Examples include allowances for accessory structures and certain equipment, such as satellite dishes. Shane noted that under the UDC accessory structures may be built up to an alley in a rear yard, but it was not clear whether the same allowance applied when the alley-adjacent yard is classified as a side yard.

Shane suggested that this issue could be resolved either by revising the diagram to classify these yards as rear yards or by updating language in the UDC to ensure that alley-adjacent side yards are treated the same as rear yards for applicable standards. Staff noted that the current interpretation was carried over from Title 20 and has been a longstanding setback standard. Although these sections should be reviewed for clarity, Cassie expressed concern that reclassifying these areas as rear yards would require extensive revisions to related to parking standards in Article 4.9, which rely on the distinction between side and rear yards, particularly on corner lots.

Cassie reiterated that although rear and side setbacks are now generally the same distance in most zoning districts, the distinction affects how other standards are applied throughout

the UDC. As an alternative, Shane suggested making targeted amendments to allow alley-adjacent side yards to follow rear-yard allowances, particularly for accessory structures, rather than changing the yard classification itself. This approach would require fewer revisions and could be implemented by aligning the tables and language to allow the same uses and setbacks for side or rear yards abutting an alley.

Shane supported staff investigating this approach and making the appropriate adjustments without requiring a formal motion, noting that the issue appeared to be an oversight that could be corrected through cleanup amendments.

8. **Comprehensive Review of Riparian Zoning Areas** [*Time stamp – 03:08:43*]. In response to issues raised during public comment, Josh initiated a motion in support of recommending to City Council that a review of the riparian area protections set forth in the UDC be completed.

BOARD PROPOSED MOTION

Josh made the following motion to approve the request for consideration, and Shane seconded the motion:

THAT the City Council request a comprehensive review of riparian area zoning regulations, including setbacks and protections of rivers and perennial streams, within one year; the review shall include public engagement and coordination with relevant agencies, including the Missoula Conservation District, to ensure the regulations align with the latest science-driven standards and best practices for stream corridor management.

BOARD DISCUSSION

Josh clarified that the motion was solely a recommendation to City Council to request staff to conduct a review of the UDC within one year and to involve relevant agencies to ensure updated zoning regulations reflect current science and best practices.

Marc confirmed that this review was already planned and aligns with the adopted LUP. It was identified as a sensitive lands implementation action item scheduled to occur within one year and includes actions to strengthen floodplain and riparian protections. As such, the motion is consistent with existing plan commitments.

Sean raised about whether the motion was redundant or whether stronger language, such as making the review required, was necessary. It was concluded that since the review is already planned, codifying it was not necessary, though the recommendation could still reinforce its importance.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

9. **Long-Term Bicycle Storage Requirements – Table 4.8.02-1 and Section 4.9.04 [Time stamp – 03:12:51].** In response to comments from the development community, Tenenbaum introduced a motion to remove the provisions for long-term bicycle storage in the UDC.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Oberweiser seconded the motion:

THAT the Table 4.8.02-1 of the UDC, Use Table, and Section 4.9.04 of the UDC, Bicycle Storage, be amended to remove long-term bicycle storage requirements.

BOARD DISCUSSION

Tenenbaum reiterated that the proposal was to remove long-term bicycle storage requirements and indicated that this issue had been discussed extensively, noting that while short-term bicycle storage such as bike racks and locks are very useful, long-term bicycle storage requirements are expensive and difficult to implement misused, left empty, filled with junk, or experience theft by people who have access to them. As a result, the amenity frequently fails to serve its intended purpose.

Long-term bicycle storage should be built when and where it is appropriate, particularly along Missoula's primary bicycle corridors. Tenenbaum argued that developers are more likely to include it voluntarily, where feasible, but a City-wide mandate, however, is costly and unfunded, and those costs will ultimately be passed on to residents and businesses living and working in those places. If the City were consistently meeting its permitting targets of 1,100 to 1,400 housing units per year, then it could be appropriate to revisit requirements that incentivize multi-modal transportation. Until then, long-term bike storage should be considered a want rather than a need, because the long-term bike storage requirement currently makes housing and commercial development harder to build and may be premature under current conditions.

Shane inquired as to whether the UDC could be amended to remove the requirement from the Use Table at this time, with the option to preserve the requirement in the future. Cassie indicated that keeping design standards without the actual requirement would be confusing, since the code links the standards directly to the requirement in the Use Table.

Oberweiser supported the motion and agreed that short-term bicycle parking aligned with the City's climate and resiliency policies, but that long-term bicycle storage, however, should be market-driven and left to developer discretion. In Oberweiser's opinion, removing the requirement or long-term bicycle storage did not conflict with the City's sustainability or transportation policies.

Aaron explained that when the City looked at short-term vs. long term bicycle storage it reviewed how the space was utilized where short-term parking is largely for people who are visiting and long-term parking is critical for residents who rely on bicycles as a primary mode of transportation, especially for overnight storage and protection from theft and weather deterioration. Aaron provided an example of a duplex where there was only one outdoor bike rack with a bike attached missing both wheels. Aaron recommended providing developers with additional flexibility to implement long-term bicycle storage noting that the

market has historically underprovided adequate long-term bicycle parking, resulting in requests to retrofit developments after construction.

Derek expressed difficulty supporting full removal of this provision and acknowledged affordability and development barriers, recognizing the importance of supporting bicycle transportation and indicated that a middle-ground approach might be preferable.

Tenenbaum indicated that current bicycle usage in Missoula remains in the single digits as a percentage of trips and that many residents of multi-family housing do not utilize bicycles as a primary form of transportation and instead rely on cars or transit.

VOTE

With no further discussion, the Board voted by roll call, and the motion passed with a 5 to 3 vote.

AYES (5): Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, Sean McCoy

NAYS (3): Derek Kanwischer, Shane Morrissey, James Fountain

10. Neighborhood Commercial Building Standards – Section 4.7.02-G.3 [Time stamp – 03:25:57].

For purposes of securing a majority vote, Tenenbaum initially introduced a combined motion addressing neighborhood commercial building standards in Section 4.7.02-G.3 and Table 4.7.02-6. Initially the combined motion proposed allowing neighborhood commercial uses mid-block and it also proposed an increase the allowable square footage of neighborhood commercial from 2,000 to 7,500. The figure of 7,500 square feet was chosen based on a comparison to the Rattlesnake Market, which is an existing neighborhood commercial building consisting of approximately 6,900 square feet. Ben clarified that the Rattlesnake Market contains about 3,500 square feet of non-residential ground-floor space.

Rick inquired as to whether the proposed changes would apply across all districts or only to limited urban and rural zoning districts. Tenenbaum confirmed that the intent of the proposed amendment was to apply to all districts for new structures. For clarity, the motion was then split into two actions, the first addressing Section 4.7.02-G.3.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Derek seconded the motion:

THAT Section 4.7.02-G.3 of the UDC, Neighborhood and Commercial Building Standards, be amended to allow neighborhood commercial uses to be located mid-block, rather than limiting them exclusively to corner lots, and requiring those neighborhood commercial buildings to comply with the setback requirements of the underlying zoning district.

BOARD DISCUSSION

In discussing the first motion related to corner lots, Tenenbaum explained that corner locations often make the most financial and operational sense for neighborhood commercial businesses and there should be no reason to prohibit mid-block locations. Allowing mid-block business would significantly expand the number of eligible parcels for neighborhood

commercial uses, as most parcels in Missoula are not corner lots, and the proposal addressed strong public interest recently received.

Shane raised concerns about how setbacks would be affected with the proposed amendment. Cassie explained that in UDC, neighborhood commercial buildings on corner lots in the U-R4 and LU-R2 zoning districts are exempt from front and side street setbacks, but if those same exemptions were applied to mid-block parcels it could allow buildings to be constructed directly on property lines.

Emily shared recent survey data from Embold Research that indicated a majority of respondents supported allowing small neighborhood businesses in the middle of residential blocks, not just on corners. The data showed that more than half of the respondents either strongly or somewhat supported this change. Staff clarified that the UDC permits neighborhood commercial uses mid-block if they are located within an existing building footprint; however, new neighborhood commercial structures are not allowed mid-block. Josh raised parking and circulation concerns, including trash access and emergency response. It was noted that neighborhood commercial uses do not require parking in Urban Residential zoning districts but do require parking in Limited Urban Residential and Rural Residential zoning districts.

Although not opposed to the motion, Shane expressed concern about the potential for buildings to be constructed on property lines. Shane proposed modifying the motion to require mid-block neighborhood commercial buildings to comply with the setback requirements of the underlying zoning district, while maintaining existing setback exemptions for corner lots. Tenenbaum was agreeable to this modification and clarified the motion to include proposed language provided by Shane, as shown in the final motion above.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

11. Neighborhood Commercial Building Standards – Table 4.7.02-6 [Time stamp – 03:41:28].

Taking into consideration comments from Ben and the suggestion made by Rick, Tenenbaum moved to the second action associated with neighborhood commercial buildings and re-introduced the motion addressing square footage requirements.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Rick seconded the motion:

THAT Table 4.7.02-6 of the UDC, Neighborhood Commercial Building Standards, be amended to increase the maximum allowable square footage for neighborhood commercial from 2,000 to 5,000 square feet.

BOARD DISCUSSION

Shane stated that the proposal was similar to the previous discussion and expressed opposition because neighborhood commercial uses would remain exempt from FAR limits. This exemption would, by right, effectively allow up to 5,000 square feet of additional bulk to buildings.

Derek noted that support for the proposal depends heavily on lot size and site orientation stating that in some cases, the additional square footage could be appropriate, while in others it may not be a good fit.

Oberweiser expressed support for the motion and responded that the proposal would still be regulated by the setback requirements of the underlying zoning district. For example, a 4,000 square foot parcel could not accommodate a 5,000 square foot neighborhood commercial building unless it met setback and height limits, potentially through multiple stories. Staff clarified that FAR applies only to residential uses and does not regulate neighborhood commercial uses so if a development met setback and height standards, a multi-story neighborhood commercial building could exceed a lot's square footage. Rick viewed the concern as largely hypothetical and unlikely to occur frequently noting that even if a larger mid-block neighborhood commercial building were proposed, it would likely be acceptable to nearby residents. Rick supported mixed-use configurations, such as ground-floor commercial with residential units above and was of the opinion that this type of development is appropriate and desirable for neighborhood commercial forms.

Shane maintained that the scenario could occur more often than expected and argued that a uniform square footage standard does not account for wide variations in lot size and suggested tying allowable square footage to a percentage of lot area rather than a fixed maximum, which would better tailor development intensity to site conditions.

Tenenbaum declined to modify the proposed motion, stating that it would be a positive outcome if demand for neighborhood commercial were strong enough for this issue to arise. Tenenbaum noted community interest in distributing restaurants, coffee shops, and studios more evenly throughout neighborhoods in the City. The existing 2,000 square foot cap was viewed as particularly restrictive for restaurants with kitchens on second floors.

VOTE

With no further discussion, the Board voted by roll call, and the motion passed with a 5 to 3 vote.

AYES (5): Derek Kanwischer, Danny Tenenbaum, Danny Oberweiser, Rick Hall, James Fountain

NAYS (3): Shane Morrissey, Josh Schroeder, Sean McCoy

12. Fort Missoula Historic Resource Overlay– Section 4.6.08-H [Time stamp – 03:49:40].

Tenenbaum addressed extensive comments received pertaining to Historic Resource Overlays, specifically in the Fort Missoula area and proposed a motion to amend the UDC.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Josh seconded the motion:

THAT the UDC be amended and the Historic Resource Overlay (HRO) for Fort Missoula (HRO-FM) be limited to property owners who voluntarily elect to participate or to properties that are individually listed on the Historic Register.

BOARD DISCUSSION

Tenenbaum clarified that the motion was based on extensive public comment expressing concern about restrictions placed on private property owners within the HRO. Tenenbaum noted that several other HROs in the City were created through direct conversations and agreements with property owners. In contrast, the Fort Missoula HRO was an exception to that. Tenenbaum encouraged City staff to have a conversation or negotiation with private property owners when implementing an HRO.

Tenenbaum agreed with many of the concerns raised about provisions within the HRO that property owners found restrictive. One example discussed was the prohibition on permanent alcohol-serving establishments, which appeared inconsistent given that alcohol is sometimes served at events at facilities within the HRO zoning district. More broadly, there was concerns that insufficient dialogue occurred between the Historic Preservation Office and affected property owners before the overlay was established.

Elizabeth clarified that the Fort Missoula Historic Resource Overlay is not new, but rather that it was carried forward with the Fort Missoula Neighborhood Character Overlay that has been in place since approximately 1993. Elizabeth noted that the property owners who commented on the UDC purchased properties with the overlay already in effect. The proposed UDC would make the overlay more permissive than the current regulations, allowing additional permitted uses and greater opportunities for adaptive reuse. Laval added that whenever an HRO is implemented, it is done with public notice. In response to a question from Josh, staff explained that government-owned properties are exempt from local zoning enforcement under state and federal law, though still subject to other review processes such as the federal Section 106 historic review process when federal funding or permitting is involved.

Josh raised concerns about whether the HRO effectively achieves its goals if government-owned properties are exempt while private property owners are not. Elizabeth reiterated that although government entities are not subject to local zoning enforcement, those agencies typically engage in historic preservation review process and respect the intent of the HRO. Laval pointed out that the UDC incorporates baseline language which states: "Public agencies proposing development on public lands are encouraged to meet, but may deviate from the applicable zoning standards of the subject zoning district."

Tenenbaum asked an event center such as the Northern Rockies Heritage Center would be authorized to serve alcohol. Cassie clarified that permanent alcohol-serving establishments are prohibited within the Fort Missoula HRO to protect the area's historic character. However, temporary alcohol service associated with facilities such as event centers, that do not serve alcohol as its primary use, is allowed. Tenenbaum questioned whether an Applebee's or McDonald's would be allowed in the Fort Missoula HRO. Elizabeth confirmed that restaurants that do not serve alcohol are permitted, provided they meet the historic design standards of the district.

The City does not look at who owns the restaurant, but whether that restaurant will meet the zoning standards. Staff explained that while national chains could theoretically operate

within the HRO, any new construction or adaptive reuse would be required to comply with historic design guidelines, limiting corporate branding and architectural features that conflict with the historic character.

Tenenbaum questioned the UDC's flexibility on constructing a McDonald's in an HRO, but not the flexibility on building additional housing in an HRO. Cassie explained that the UDC improves clarity by incorporating list of permitted and prohibited uses, ultimately providing clearer expectations for people purchasing properties in an HRO.

VOTE

With no further discussion, the Board voted by roll call, and the motion failed with a 3 to 5 vote.

AYES (3): Danny Tenenbaum, Josh Schroeder, Danny Oberweiser

NAYS (5): Derek Kanwischer, Shane Morrissey, Rick Hall, James Fountain, Sean McCoy

- 13. Height Restrictions [Time stamp – 04:04:48].** With the intent of supporting infill development and housing production, Tenenbaum introduced a motion to address height limits across various zoning districts and recommended adding 10 additional feet to the height limits in all Urban Residential, Mixed-Use and Downtown zoning districts. Note, that following the Board discussion which is summarized below and receipt of comments from staff, Tenenbaum revised the initial motion settling on proposed amendments specifically to the U-R3 and U-R4 zoning districts, as shown in the final motion below.

BOARD PROPOSED MOTION

Tenenbaum made the following motion to approve the request for consideration, and Oberweiser seconded the motion:

THAT the UDC be amended to add 10 feet to the building height limits U-R3 zoning district and adding five feet to the building height limit in the U-R4 zoning district.

BOARD DISCUSSION

Tenenbaum explained the motivation behind the proposed amendment was to stress the importance of growing inward rather than outward. Tenenbaum was of the opinion that the height limits were a remaining constraint that could limit housing capacity, noting that even in areas slated for increased density, such as Urban Residential zoning districts, the proposed height limits remain unchanged from Title 20, thereby limiting the practical impact of upzoning.

To support the motion, Tenenbaum referenced a recent presentation made to City Council that included polling data from registered Missoula voters. In that poll, respondents were asked whether the City should prioritize creating more homes and lowering housing costs or protecting neighborhood character from change. Approximately two-thirds of respondents favored prioritizing housing production and affordability. The argument was made that modest height increases would not undermine neighborhood character and would significantly expand infill housing opportunities.

Staff asked for clarification regarding which districts would be affected by the original motion which initially included all Urban Residential zoning districts (U-R1 through U-R4), all Urban Mixed-Use (U-MU1 through U-MU4) zoning districts, and all Downtown districts. Emily raised concerns about alignment with the LUP, which sets height expectations for specific Place Types.

Further discussion clarified that Urban Residential districts correspond to different Place Types, including Urban Residential Low and Urban Residential High. Height increases in U-R1 and U-R2 would conflict with the LUP's story limits, while U-R4 could exceed the four-story expectation for Urban Residential High if increased too much. Urban Mixed-Use and Downtown districts were already calibrated closer to their maximum allowable heights under the LUP.

To address these inconsistencies, Tenenbaum then revised the initial motion and removed Urban Residential Low zoning districts from the proposal due to conflicts with Urban Residential Low Place Type standards. The motion proposed was then revised to add: 10 feet of building height limit in the U-R3 zoning district, 5 feet to the building height limit in the U-R4 zoning district, while maintaining the proposed 10-foot increase for all Urban Mixed-Use and Downtown districts.

Discussion followed on public perception and neighborhood impacts. Sean expressed concern that height increases could affect viewsheds, sunlight access, and neighborhood character, noting that public support for density often changes when taller buildings are proposed nearby. Tenenbaum countered with examples from community engagement sessions showing strong public support for larger buildings when they enable more housing and lower costs. One informal engagement exercise showed overwhelming preference for housing that is more feasible to build, even if larger in scale.

Rick expressed concerns noting that the City has already made significant changes to increase density and should allow time to see how those changes perform before increasing heights further. Rick emphasized that height limits are only one factor in housing feasibility and that recent reforms to parking, density, and use regulations already represent substantial progress.

Cassie noted the height limits in the UDC associated with Urban Mixed-Use zoning district U-MU2 and U-MU4 as well as the Downtown zoning districts were already at the maximum height allowed by the Place Types in the LUP. Tenenbaum revised the motion a second time to confirm that the motion only proposed adding 10 feet height limit in the Urban Residential zoning district U-R3 and only five feet to the Urban Residential zoning district U-R4, as shown in the final motion above.

Tenenbaum was of the opinion that restrictions in the UDC are limiting infill housing and that that the Mixed-Use zoning districts are not problematic, noting that height limits have remained unchanged and therefore undermine the broader goals of the UDC. Tenenbaum emphasized that incremental changes alone are unlikely to meet current and future housing needs.

Shane was not in support of the motion, agreeing with the comments made by Rick noting that the UDC was calibrated reasonably well to the maximum heights allowed in the LUP.

Oberweiser emphasized the urgency of Missoula's housing needs and stated that if the Board is not extremely bold today, the next generations will continue to deal with the housing issues our community currently facing, only compounding future shortages. Oberweiser argued that if zoning districts are not calibrated to the maximum heights envisioned in the LUP, the City would be falling short of its goals. People, not buildings, define community character, and that adding one story to buildings would not destroy neighborhood identity, including in historic areas.

[See attached slide presented by Tenenbaum]

VOTE

With no further discussion, the Board voted by roll call, and the motion passed with a 5 to 3 vote.

AYES (5): Derek Kanwischer, Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, James Fountain

NAYS (3): Shane Morrissey, Rick Hall, Sean McCoy

Before moving to the zoning map, Derek asked how increased height limits interact with fire code requirements in Residential districts. Specific examples were cited, including the Northside near First Street, Westside areas near Franklin, parts of the Fort, and the Lower Rattlesnake, neighborhoods characterized by narrow streets and relatively high density.

Concern was expressed about situations in which fire code requirements trigger the need for additional street width to accommodate large fire trucks. In some cases, that has resulted in the removal of on-street parking to create 20- to 26-foot-wide fire access lanes. It was noted that these parking losses were sometimes not fully communicated to neighboring residents during the development process, leading to unexpected and disruptive impacts on neighborhoods that were already parking constrained.

Staff explained that when a street is too narrow to provide fire aerial access, building height is limited to 30 feet, measured either to the top of the parapet for flat roofs or to the eave where the roof meets the wall. Staff acknowledged that the City does not currently have comprehensive map data showing exact paved street widths throughout the City, though several problem areas were identified. To address these constraints, staff adjusted zoning in certain locations during the mapping process. In several cases, blocks initially designated as U-R4 were downgraded to U-R3 because the height limits allowed under U-R4 would not be feasible under fire code. This approach helps prevent situations where developers either discover late in the process that they cannot build to the maximum height or are forced to remove parking to meet fire access requirements.

Staff clarified that the zoning adjustment is intended to ensure life safety by allowing fire services adequate access to buildings, rather than to protect neighborhood character, aiming to safeguard residents and prevent conflicts between zoning allowances and fire code requirements.

Oberweiser raised questions about UDC implementation and the transition from the current code. Staff clarified that the draft code includes a 60-day transition period starting from the effective date, meaning 30 days after adoption plus two months. Cassie explained that a longer transition period allows developers more time to proceed under the existing code, but requires

staff to administer two codes simultaneously, potentially slowing permit processing. It was noted that many projects take a year or more to plan, so sudden code changes can significantly impact ongoing developments. While the concern was understood, the group agreed it could be addressed more fully in future meetings given the late hour.

BOARD'S REVIEW OF THE ZONING MAP [Time stamp – 04:29:48]

With no additional motions pertaining to the UDC, the Board proceeded to its initial review of the zoning map.

- 14. Zoning Map – River Road Area [Time stamp – 04:31:59].** The Board agreed to open discussion on zoning maps, focusing specifically on the River Road area, with the understanding that broader map review would continue at a future meeting.

BOARD PROPOSED MOTION

Sean made the following motion to approve the request for consideration, and Derek seconded the motion:

THAT the City Council and City staff holistically reevaluate the River Road area's Place Type, zoning designation, and related text in the UDC to ensure the designations are the best fit for the area.

BOARD DISCUSSION

In response to public comment, Sean asked staff for clarification regarding equitability within certain neighborhoods. Sean noted that the River Road area was not identified as an area subject to the City's equity analysis. Emily explained that the designation was based on the City-wide risk analysis of vulnerability, displacement and gentrification, which did not show River Road as a high-risk area, even though pressures may still exist there. The areas that were identified as high risk were areas such as Franklin to the Fort, portions of the Northside and downtown. River Road was not identified as a high-risk area.

Sean pointed to public comment regarding the application of a Transitional Mixed-Use (T-MU) zoning designation to the southeast corner of the River Road area, which is largely residential in character. Many residents view this area as Mixed-Use or Urban Residential. Staff explained that the area's current RM2.7 zoning designation under Title 20, already reflects a unique mix of residential, commercial, industrial, and institutional uses, and that the LUP calls for a UML Place Type. T-MU was selected in the UDC to align with the LUP while accounting for limited connectivity, irregular parcels, and infrastructure constraints that make full urban mixed-use zoning impractical at this time.

Staff explained that the T-MU zoning district allows residential uses to continue and is intended to reflect the area's existing mix of uses while allowing gradual evolution over time. The UDC describes the T-MU zoning district as designed for areas with large lots, disconnected street patterns, and limited infrastructure, distinguishing it from more urban mixed-use districts that assume a grid pattern and higher connectivity. Ben tied this back to the Board's conversation regarding Mixed-Use zoning districts and indicated that in designating this area as a T-MU zoning district, the City evaluated the development patterns over time, which have often been disconnected.

Sean expressed ongoing concern that the T-MU zoning designation could be perceived as prioritizing non-residential or industrial uses, potentially creating uncertainty for residents. The River Road neighborhood was described as a successful example of existing mixed-

use with strong walkability and access to services, and there was a desire to ensure that zoning does not undermine or discourage its residential character.

Sean indicated that the intent of the motion was to revisit the designation with a clearer understanding of residential priorities, public concerns, and long-term neighborhood outcomes. Tenenbaum and Oberweiser supported the recommendation, noting that a second look would help address public feedback and clarify intent. However, Oberweiser pointed out that there are no FAR requirements in the T-MU zoning district and believed that residential development could still be supported in this type of district.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

BOARD'S ADDITIONAL REVIEW OF THE UDC [Time stamp – 04:48:37]

The Board had one additional item to address in its code review.

15. UDC and Zoning Map - Urban Mixed-Use, Build-To Standards and Rights-of-Way [Time stamp – 04:48:37].

Circling back to the UDC, Shane proposed a motion related to reviewing the language in the UDC associated with Mixed-Use zoning districts, build-to standards and rights-of way mapping with a focus on addressing immediate needs while accommodating future growth. With regard to the Mixed-Used zoning districts, Shane specifically suggested breaking mixed-use zones into different tiers, similar to how U-R3 and U-R4 function, to better reflect varying neighborhood conditions and development readiness.

BOARD PROPOSED MOTION

Sean made the following motion to approve the request for consideration, and Oberweiser seconded the motion:

THAT City staff (i) reevaluate Urban Mixed-Use (U-MU) zoning districts in both the UDC and the zoning map to define areas that are ready for immediate build-to standards and those that are not, potentially by creating separate U-MU subdistricts or categories based on readiness, (ii) identify specific use types that should be exempt from build-to, transparency, and front-parking requirements, even if located within a build-to zone and (iii) account for existing and future rights-of-way by accurately mapping real street widths and ensuring long-term protection of boulevards, sidewalks, and bike and pedestrian facilities to ensure that build-to lines and setbacks are designed with adequate foresight to accommodate future transportation and streetscape needs.

BOARD DISCUSSION

The Board acknowledged it had discussed these topics at length and had no further discussion.

VOTE

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

AYES (8): Derek Kanwischer, Shane Morrissey Danny Tenenbaum, Josh Schroeder, Danny Oberweiser, Rick Hall, James Fountain, Sean McCoy

NAYS (0): None

Following Shane's motion, Sean returned to comments made by Shane Gatz. Ben explained that the property is located at the intersection of River Road and Reserve Street, on the southeast corner with existing commercial properties nearby, many of which are currently zoned B-3, which is a Business zoning district under Title 20.

Staff explained that under the LUP, this area, including that intersection, is designated as a Limited Urban Residential (LUR) Place Type, with the corresponding zoning district of LU-R1. This designation most closely aligns with the area's previous growth policy and land use classification, which was also residential in nature, and reflects consistency between the new Place Type, existing zoning, prior plans, and current on-the-ground conditions.

Sean indicated that the intent was not to propose a motion, but rather to better understand how the designation was determined, expressing a broader concern that the planning methodology could unintentionally divide neighborhoods, citing "staircase" zoning patterns in areas like the Lower Rattlesnake and Westside. Sean suggested that considering additional criteria related to neighborhood character might have influenced some boundary decisions, noting this could be addressed in the future rather than immediately. Cassie explained that the unusual zoning boundary in the River Road area reflects updated floodplain data recently received, with revisions intended to account for environmental risks not captured in older maps.

With those clarifications provided, Sean thanked staff. It was confirmed the hearing would be continued to December 9, 2025.

VII. COMMUNICATIONS & SPECIAL PRESENTATIONS [Time stamp – 04:58:29]

There were no communications or special presentations.

VIII. COMMITTEE REPORTS [Time stamp – 04:58:29]

There were no committee reports.

IX. OLD BUSINESS [Time stamp – 04:58:29]

No old business was reported.

X. NEW BUSINESS [Time stamp – 04:58:29]

No new business was reported.

XI. COMMENTS FROM BOARD MEMBERS [Time stamp – 04:58:29]

This was Sean's final meeting as Sean is transitioning to City Council. Sean encouraged the Board to take on new leadership responsibilities think about selecting a new president and vice president. Sean closed by expressing sincere gratitude to the Board, emphasizing that it has been an honor to serve as president and to work alongside a dedicated group of volunteers, praising the Board for its thoughtful discussions, significant time commitment, and the high level of effort put into the work, and thanked everyone for their service before opening the floor for any final comments.

XII. ADJOURNMENT [Time stamp – 05:00:40]

The meeting was adjourned after 11:00 p.m.

Missoula Consolidated Planning Board December 4, 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/10108/media>.

Missoula Consolidated Planning Board

December 2, 2025 -Meeting Recording

AR **Analeshia Rodriguez** 28:21

Welcome everybody.

To tonight's Missoula Consolidated Planning Board for Tuesday, December 2nd, 2025 at 6:02 PM We will call it to order, which will bring us to roll call.

Please annalisha roll call Lynn Davis.

Lynn is absent Derek kanwisher.

Here Shane Morrissey.

Here, Toon pham.

Here, Danny tennenbaum here. Josh Rader.

Josh is absent. Danny oberweiser here.

Rick Hall.

RH **Richard Hall** 29:10

Here.

AR **Analeshia Rodriguez** 29:11

James Fountain.

James is absent. Sean McCoy.

Mr. Chair, we have six regular members present and one city alternate present.

Would you like to appoint Danny Tenenbaum as a voting member for the evening?

Yes, please.

We have Coram outstanding.

Thank you. OK. That brings us to approval of the Minutes and we really only have the November 12th, 2025 meeting minutes.

To.

Approved because everything else is tentatively being deferred because we're in the process.

So does anybody have any changes amendments?

Corrections to minutes from November 12th.

And not seeing or hearing any. I would entertain a motion.
I'll move that we approve the Minutes from November 12th, 2025 S moved by Shane.
Do we have a 2nd, 2nd, 2nd and by Danny Oberweiser?
And we will just do an up and down vote for this.
So all in favor, please say aye.

LD **Lynn Davis** 30:27
So I.

AR **Analeshia Rodriguez** 30:29
All those opposed say nay, any abstentions?
Hearing no abstentions and no nays, the motion passes unanimously.
OK.
So next we will be going to public comment on non agenda items.
So if there's anybody here by small chance that wants to say something outside of the code reform, you're welcome to do that.
Now is the time we will open up public comment for non agenda items and we'll just hold this open here for a minute.
Actually, if I'm not mistaken, last time we had kind of a.
A big meeting.
Somebody got up and thanked us for our efforts.
That was like the only public comment on non agenda items we've had.
Somebody being really nice.
OK. Am I is there anybody online?
OK, since time is of the essence this evening, we will go ahead and close public comment for non agenda items.
And move down to staff announcements.
Ideally everybody it's fine if you didn't got a chance to see that memo. Kind of recapping some of our previous efforts.
And if you were reading other stuff, that's perfectly understandable. So is there anything for that memo?
Follow any feedback or anything anybody wants to say for that.
OK.

Just checking with board members not seeing anything.

OK. That brings us to public hearings.

And moves us into.

Umm.

Our ongoing public hearing that we are conducting for the review of the UDC.

And the lup.

And.

The map and the zoning map.

Thank you.

So with that, I think we're going to start with a short presentation from Cassie Tripart with the city of Missoula and go ahead, Cassie.

Yep, I just forgot to join the meeting.

So give me one second.

Hey, I'm Cassie tripart.

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

Yesterday.

A memo of staff recommended amendments was sent to planning board and attached to the Planning Board agenda. That memo contains 36 recommended amendments from staff.

It includes codec certs for the revised language as well as an explanation for each amendment, and I think 2:00 as.

Planning Commission recommends amendments. It's important to include explanations and findings of fact and tie it back to the land use plan where applicable.

The amendments are a result of public comment Planning Commission comments and identified errors by staff and Planning Commission can vote on these amendments as a package in groups or individually. They are all numbered.

Looking at residential districts, first, staff recommend increasing the threshold for small lot exceptions to floor area ratio from 3000 square feet to 3250 square feet.

3250 square feet better aligns with the historic small lots in town as they're plotted.

Staff recommend eliminating minimum lot width in urban residential districts, with a provision prohibiting driveways from streets on small frontages.

This was a public comment. We are hearing a lot.

Staff recommend reducing minimum lot width in limited urban districts by 10 feet, also in response to public comment and providing more flexibility and exempting cottage court developments from minimum lot width. These cottage courts have a 5 foot minimum building separation when it's a rental project all on one.

Lot and so when they are all on separate lots, staff recommends removing that minimum lot width to align those two developments which have the same 4. And then.

At last on residential districts, staff recommend clarifying site interior setbacks for duplex and row house building types to explain that when a lot line lines up with a shared wall between units, the side set back does not apply to that property line. For mixed-use districts staff recommend exempting purely residential developments from build 2 zone maximums and build 2 zone widths, residential developments that are not mixed-use often need more flexibility and how they use that front area, whether it be a yard or Plaza or just providing more Priv.

To ground floor units.

Staff recommend removing restrictions on additions to existing buildings that do not meet build 2 zone and build 2 width. One of the guiding principles of code reform. Is reuse of existing buildings and this aligns with that by allowing buildings to be expanded and reused.

Staff recommend eliminating side Street build 2 zone and width requirements in response to public comments saying it's too restrictive. That will focus that requirement on the front property line.

In last, staff recommend increasing maximum build 2 zone to 20 feet in urban mixed-use districts.

Onto building standards.

Staff recommend reducing site interior setbacks between dwelling units and cottage courts to 2 1/2 feet.

This aligns up with that 5 foot separation that I mentioned earlier.

Staff recommend removing the requirement to demolish accessory structures as a requirement of subdivision or subdivision exemption today. When someone does a boundary line relocation.

And an accessory structure ends up on a different lot from the primary structure. It has to be torn down this waste.

Useful buildings that could be used in the future, so those will be allowed to stay there as long as they meet setbacks from new property lines.

And staff also recommend removing maximum building coverage for accessory structures.

This code allows for smaller, lots more urban form, and so that requirement can be difficult to meet.

On uses, staff recommend allowing wineries in OP two open and Resource Lands District the corresponding place type does talk about agriculture and wineries do have a strong agricultural component with the vineyards.

Staff recommend changing wineries to prohibited and op one open space districts because this place type focuses on sensitive lands and conservation and does not talk about agricultural use.

And we also recommend eliminating the parking requirements for preschool centers in alignment with state law, which says we cannot regulate parking for daycares and staff.

Acknowledge preschool's function very similarly to daycares.

Article 4.9 site development standards covers landscaping and parking layout requirements.

Staff recommend exempting development and subdivisions that dedicated park land within the past 20 years.

From activity area, the state was selected because we still have subdivisions that got approval 20 years ago and are still filing plots today. The Parkland dedication requirements over the last 20 years have also been fairly consistent.

Staff recommend reducing activity area requirements to 100 square feet per dwelling unit.

That's down from 150 square feet after looking at IT staff.

Did some math and see that this does provide adequate space to meet.

The intent of that standard.

Staff recommend removing the requirement to separate activity areas from buildings and streets.

There is still a requirement to.

Buffer activity areas from parking areas or other vehicular use areas which staff recommend dropping from 5 feet to three feet to provide more flexibility and space

on the lot.

Staff recommend removing minimum activity areas for playground sizes. That standard requires playground equipment, and naturally, that playground equipment is going to create a minimum size, and so a prescriptive minimum size is not necessary.

Another amendments would change the parking lot landscaping so that an island is required every 15 spaces instead of every 10 spaces.

This aligns with the current Title 20 requirements.

And so really it's in response to comments saying that this is more restrictive rather than the same or less restrictive.

On perimeter parking lot landscaping.

There's a clarification that it does not apply to parking lots behind a building.

In other words, that building between the street and the parking is screening it from the street.

And so those extra landscaping treatments aren't necessary in that location.

Staff recommend amendments that align landscaping standards with the definition of driveway.

When zoning code and public works code were brought together, we kind of had a different definition for driveway.

There is only one definition in Chapter 8 definitions, and it refers to both driveways for one unit houses a row house like we commonly think of them, as well as driveways.

Accessing parking lots from the street and the way these standards were intended to read was to exempt driveways for houses, row houses and duplexes.

Staff recommend correcting an error in the transit transit incentive.

Which reduces parking. The word weekday was.

Omitted, but we did not mean to do that.

That incentive requires the bus nearby to run on a certain schedule so that it's actually useful to people.

And that frequency is only available on weekdays, so the incentive does not function otherwise.

Can staff recommend clarifying how drive through setbacks from the street are measured as well?

For some other zoning amendments, there's an amendment to revise the definition of historic resource to correct an error.

It's supposed to refer specifically to structures that are on the National Register or local inventory.

Those words were not included in the adoption draft, and so the applicability of the code is reading much more broadly than it is intended to.

And this corrects that.

There is a labeling error on the set back diagram in Article 4.10.

There's one set back that's labeled as a front that should.

Be a side street set back similar to the other lot that's shown on the diagram next to it.

Staff recommend changing the term nonconforming to legal existing throughout the code in response to public comment.

The term legal existing also aligns better with the.

Sort of intent of the non conforming sections of the code, which are fairly flexible and do allow a lot of changes to happen to non confirming buildings.

Staff recommend allowing construction of buildings and certificates of occupancy before in town home exemption developments prior to filing the declaration.

Today you have to file the declaration before you can get a building permit or do a use use restriction agreement.

All of which is pretty cumbersome.

This also holds up people moving into structures once they're built.

After analyzing the code, the requirements between a Ted and a non Ted that looks exactly the same.

Row houses or single units are exactly the same in terms of parking, location, landscaping and all other standards.

So if someone were not to file their Ted Declaration, we wouldn't run into any zoning non compliance issues, which is the reason we have to do it today.

Staff recommend improving language, describing how floor area ratio and density are applied to townhome exemption developments.

There's no substantive, substantive, sorry change here.

Really it's just improving the language.

So it's easier to read.

And staff recommend amending the building with definition in Chapter 8.

Right now it says it applies to facades that are parallel to the street, which building designs much more creative than that? It sounds like it reads a little bit too narrowly, so staff recommend changing it so it says St. facing facade.

On Chapter 5, we recommend a change that allows trails to overlap with municipal utility easements if approved through a design deviation that is a process in the manual that would allow staff to analyze the impacts of overlapping those utility easements and approve it. If there are no neg.

Impacts.

And then for Parkland, dedication in a previous Planning Commission meeting, it had come up that it could be difficult to track over time.

There is a requirement that the SUBDIVIDER estimate the number of dwelling units in the subdivision up front at the time of preliminary plat application and then if more building or more units are built later they'll have to pay cash in lieu.

This is intended to apply to the first develop.

Ments really on lots.

And so staff recommend that after 10 years.

From the point the Platts filed, we would no longer require Parkland dedication for additional units added and then staff recommend removing the DEQ approval requirement from the preliminary plat submitted requirements since DEQ does not issue approval at that stage in the process.

On chapter six, staff recommend clarifying the purpose statement for the chapter.

Just to be clear, that infrastructure needs to be proportionate to the scale of development and the impacts of development.

Another amendment says to eliminate require the requirement to install infrastructure when five or more parking spaces are constructed.

There are a lot of other triggers for installing infrastructure, including building a new drive, access from the street to a parking lot as well as based on number of units.

And there are a few more.

So really this was just an unnecessary added other layer to this that can be difficult to track.

Staff recommend including a clear requirement in code to provide engineering reports such as traffic impact studies.

Those standards are in the manual, but there needed to be a really clear kind of applicability requirement in the code as well.

There is a minor numbering error that's being corrected, or we hope to correct.

And then clarification on connectivity requirements, where some purpose language was moved up to the top of the chapter and it makes it clear that it's talking about connection to off site.

Infrastructure and the last Amendment staffer recommending is to move the driveway requirements to the manual since they get into dimensions and are more the kind of requirements you'd find in the manual versus code. How you design something instead of when it's required? Thank you.

Great. Thank you, Cassie.

Excuse me.

Umm.

OK so.

With that.

We're probably gonna move to public comment for this portion unless there is a real burning need for a board member to have anything clarified about what was just lined out. Otherwise we're gonna.

Keep trucking along here.

We're gonna have ideally time to talk later.

And has Lynn joined us yet?

OK, great.

Sorry Lynn, I just can't scroll so I can't see if you're here.

OK, not seeing anything from board members.

We're gonna go ahead and move to open up public comment for this evening and I just want to take this opportunity to thank everybody for their time and for being here also to just remind folks that we're all volunteers.

Save your frustrations for City Council.

As well as.

If you've had opportunities to speak in the previous.

Meetings allow other folks to get up and say something, and if something has been addressed in Staffs, corrections maybe limit your time and identify that.

But we're really hoping to give planning board some time to chew on this and move

forward tonight. And I'm not saying this to limit anybody's public comment in any way.

But we are trying to ask you guys to be reasonable if you've made public comments. Don't repeat.

See if you can be succinct and if you have, you know new or additional feedback. We're happy and we want to hear that for sure.

But we also we want to get into the meat of this document as a board.

So with that public comment is open. You can feel free to come on up and make your comments.

I will try and make a list as I see folks.

Umm. And we will try and rotate back and forth between online folks and in house folks to the best of our ability. And I will try and lay that out so people know what to expect as we go along.

So we have someone here in house who's gonna come up and speak and then I believe David Gray got your hand up online first.

So you'll be next after this person here and when you.

Make comment. Please come up state your name.

Aim for the record.

Spell it if there's any nuances to your name and we will be fairly strict about the three minute timeline as strict as I can be and I'll try and give you some type of little signal when you've reached your limit.

OK.

Please go ahead.

Hi, thank you.

Audrey Handleman with Cushing Terrell Architects and engineers.

I want to first of all say thank you for the city, for all the work they've done in collaboration.

With the sort of design and construction community, I think one thing that's clear to us and something that we've talked about with the city is that this will be a working document going forward.

So what I would like to recommend is that as part of this process we see a document or schedule for Day 2. After this gets implemented January 1st.

How we're going to go through each of the sections of the UDC and create working

groups to really work through the impacts of each of the code language implications and how we can best align it with community goals. Thank you.

Great. Thank you, Audrey.

OK. We're gonna go to David Gray now.

David, go ahead and floor is yours.

DG David Gray 50:52

Yep, I appreciate the time.

I would hope that the Planning Board will remove all requirements for transparency, which is basically how much window you have to have.

I have done multi family and mixed-use projects that had to meet the city's transparency requirements and the residential units that had the glazing requirements had utility bills 200% higher.

Than the larger units adjacent to them.

That didn't have the transparency.

I think it goes against the cities.

Green goals lowering carbon footprint and it also goes against affordability.

I'd ask you to please remove all of them.

Everywhere is listed in the code.

Remove all build 2 zones and build 2 widths in the code. That is a failed planning attempt from the design standards of the city.

Did they don't give good or they don't create?

Good design in our city and they don't make for efficient and good places for people to be.

I just do setbacks for the building. If you want people to build close to the street, have smaller setbacks.

In the room, one zone, many room 1 zones, and some M1R zones which are all 45 foot height. Limits are being dropped to 35 foot height limits.

I would ask you to change all the zoning.

All the zones in the zoning map, which are RM1-45 or M1R45, which are currently. Are UR3 or shorter zones?

Back into UR4 zones so they can at least be developed at the same intensity they are currently.

The last one is I noticed the gravel pit with the very large. Multifamily project just north of the Interstate on reserve the whole second-half of that has been downgraded to a low density residential zone and it was RM 145. It should be made the same as the lower or the southern portion of that development. So we can get a lot of housing built for Missoula's Missoula's. And I appreciate all your time. Thank you.

AR

Analeshia Rodriguez 53:19

Great. Thank you, David.

That was very succinct. Appreciate that.

OK. Anybody in house or we can go to Sir?

Go ahead.

And then after we're in house here, we have Don McArthur next.

Hi, I'm Brian elsted.

I'm the airport director in Missoula.

Just following up from us here for your previous meeting a couple weeks ago.

We did propose some motion language.

I did bring up Morrison Sync version if, if you're willing for me to pass it out. But again, we're just asking for.

The Airport Hazard overlay to be kind of proposed as as we are directing the kind of include the future 2nd runway.

And.

In today's world, while aviation is the safest mode of transportation, accidents do happen. As you unfortunately saw in Washington.

DC and in Louisville, KY you know keeping that area.

As open land as possible in allowing.

Developers the opportunity to to cluster stuff kind of away from that area is kind of our goal.

We're just kind of asking to keep the zoning as it was prior to what's under consideration.

Today, so happy to answer any questions.

I'll be here for the duration, so as things come up, happy to answer, but OK and you can feel free to pass those out.

We'll we'll take those.

Just one second, Don. I gotta make some notes.

Real quick, Don, before I give you the mic.

My Council Co Counsel member is suggesting that I clarify that this will be the one time for public comment this evening.

There won't be public comment later on. Just to clarify for anybody that might be thinking, there may be public comment later on in the meeting.

We will not be reopening public comment after this portion here.

However.

There will possibly be more meetings.

Maybe we won't know till the end of the night, but.

Where there will be public comment there again.

So depending on how many changes and how much we have here.

Will kind of set the stage for whether we need another meeting here.

So just to clarify for everybody and make sure everybody's on the same page, this is the opportunity to speak.

For the public, OK.

All right, let's see.

Right now I have Don McArthur and then unless somebody gets up in house, it'll be Max Wolf.

DM Don MacArthur 56:38

Hi, Dawn MacArthur architect MMW architects you have in your packet a letter that 7 architects and an ally signed that is specifically addressing the residential portion of Chapter 4. And I guess I just wanted to speak a few words about.

About our recommendations.

It gets pretty complicated pretty fast as you start getting into the regulations and you imagine different projects that you would want to build and what the regulations would either permit or or deny.

But we have spent a fair amount of time. The architect community has spent a fair amount of time testing out these kind of scenarios and seeing the ways in which we want a little more flexibility at times. And then in other times that we think that.

It's prudent to make sure that neighborhood compatibility is insured through the

zoning regulations.

So the the letter that you have in your packet spells out quite a few items.

I'm going to hit a few highlights, but we do think there are some mapping things that need to be corrected.

One of them is that in general, we're trying to make beautiful streetscapes.

This is a form based code.

That the idea behind a form based code is that you might have more than one kind of use along a street, but the street itself is a beautiful public realm with sort of consistency of setbacks and bulk and sort of style of buildings.

And right now we have some great streets in Missoula and the some of the districts particularly.

UR4 seems to me to be a bit aggressive in the way that it treats.

Existing residential neighborhoods.

I don't think that aggression is necessary to get the density and variety of uses that are required by the land use plan.

So I would recommend that and the letter recommends that that we remove from UR4 and move to ur 3IN all areas that were previously.

Zoned as R 5.4 districts.

David Gray spoke about the one of the other issues we had.

We also think that the the alleys should be the edge of a of a of a boundary zone rather than the center of a street that would keep the two sides of the street having the same height and bulk, rather than having it one side 1 character and.

The other side, the other that feels like it's not good St. Public realm design.

So there's a mapping questions.

We suggested in our letter a series of changes to the FAR table.

We're getting pretty wonky here, but hopefully a few of you look through my spreadsheet that calculates how many dwelling units you could get of different sizes depending on lot size and and zone.

And after looking through that and imagining different zones, different places and intensities.

We thought a couple things ought to be done to that far table.

One of them is to.

Is to.

Make it quicker to get to a higher FAR so that when you're remodeling an existing house and wanting to add one or two or three dwelling units behind it, you get more square footage on your lot sooner.

This is the most sustainable way for us to add housing to our existing neighborhoods, and we think it ought to be actually incentivized rather than disincentivized.

And sort of conversely, there need to be a few limits on the upper end of the FAR table to try to ensure compatibility with the neighborhood.

You know, my spreadsheet showed that AUR 4 on a typical 2 lot UR4A lot. You could put 36 studio apartments on a single one family dwelling lot.

And that seems like pretty aggressive.

So we were imagining dropping that top level.

To 1.2 instead of a 2.0 for the FAR and also we introduced.

An idea?

That sort of comes from, maybe from history a bit, but capping the total number of dwelling units based on the total number of square feet in the lot.

This sort of helps align with the land use plan that calls for six or eight dwellings where one dwelling was permitted.

Previously in urban high zones, and that didn't feel like it was being aligned with when 36 dwellings could be put on a single lot.

So those were a couple big picture things and then there were.

The the other part about the and I'm gonna cut myself off quickly here, but the other part about the great public realm is creating buildings that are set back.

And equivalently, along the street, consistent sort of pathways, St. trees, St. Amenity.

And when we have 0 foot setbacks permitted in ur four that seems destructive to that fabric.

And even the 10 foot setbacks that are proposed and and you are for and ur three are too tight in our opinion and we were recommending that all St. setbacks be 15 feet on the primary.

And 10 feet on secondary streets, this would allow St. trees to continue and allow basic sort of form and set back to be consistent.

Gonna leave it there, but there are a number of.

Their number of things that still need work in this, and I'm hoping that we don't look

at this as just a rough draft that we're gonna pass and work out in the future, because as architects, every project that comes up against a stumbling block in the code is.

Delayed and it costs a lot of money and time and effort to try to work through the delays.

So to the extent possible, we're hoping this can the rough edges can be polished off before this gets adopted. Thank you.

AR **Analeshia Rodriguez** 1:03:29

Great. Thank you, dawn. OK, is there anybody in house before we move to the next person online?

OK.

Please come on up, ma'am.

And then after we go in house, we'll have Max Wolf as next. And then after that, it'll be in House and Lynn Broberg, please.

Before I start, I'm wondering could we put the map up?

Oh yes, I'm sorry.

Could I really appreciate it, I forgot.

Thanks for reminding us.

Yes, thank you.

Just you just hang tight until we get the map up and then we'll start there.

It's all good.

We're just waiting for the map to load.

You're frozen. All right, Cassie, can one of you guys?

Share it.

I think so.

Select.

Now we're we're raising, OK.

There we make it a little bigger.

Or could we zoom into an area? Would that?

Yes, could you zoom?

Could you please zoom into the West side?

Right above that blue, that lighter blue.

Little bigger if you can.

That might be it. OK.

OK.

Hopefully people can see.

Thank you all for this opportunity to comment.

I have not commented in front of this board before your name please.

Yes, my name is GAIL Gucci.

Guts CHEI live at 1530 Cooper Street.

And I wanted to comment right after dawn because.

He said a lot of the things that we're thinking about over there on the West side especially.

Especially about the aggressive nature of the UR4 code plan, and I if you can see on this map. So the West side is above the light blue.

Russell's here and then Broadway. You can see the river. So it's above the right above that. It's got the lighter orange and then the darker orange. The darker orange is all you are for. On the West side.

The lighter orange is UR3.

I've looked this map over pretty closely.

I'm not technical and it looks to me like the West side has by far the highest percentage wise, proportionately wise. The amount of UR4 and I agree completely with Don that that's way too aggressive and.

Not just in this neighborhood, but in in particular, this neighborhood has a much higher proportion of it.

So I'm gonna read through some of my comments.

About this because over here this used to be or the current zoning over there is all very similar except right on Broadway there and right on tool.

But other than that, it's very homogeneous, very similar.

Now we have the zig zaggy.

It's hard to see because it's not very big.

Zig zaggy it goes like this.

Stair steps on the top and then zig zags down the middle.

So from.

Top to bottom.

Which is on this map, north to South.

It's zigzaggy with different like right across the street. UR4 is allowed from UR3 and I think that that doesn't make a lot of sense.

And the West side already has a lot of infill.

I mean a lot, including the Trinity, which is, I don't know, 200 units, but it's in two different places.

And a lot of small, medium and larger apartments.

As well as a lot of tiny houses and all the stuff that comes with it.

AD US and all the other things.

So what?

I would like to say is that I was happy to see in the land use plan that the housing development and infill will be based on 6 principles. Not gonna read them all, but I will read two of them because I wanna comment on them, distribute opportunities for.

Affordable housing types broadly throughout the city.

And avoid concentrated up zoning in vulnerable neighborhoods.

This is up zoning in a major way and.

This neighborhood, which is currently very homogeneously zoned, will be divided and I think that is.

The difference between UR3 and UR4 is significant because you are three allows up to.

I believe it's 35 feet.

Which is generally 3 stories, or you are for allows up to 45 feet, which is generally 4 stories.

But also it it varies in the amount of units you can have in the density quite a bit.

So I think that's a valid point and I think there will be other people talking on this as well.

But this UR3UR3.

UR4 designation that splits inexplicably.

I have asked at numerous meetings why are we dividing up our neighborhood like this and no one from the city has been able to give me an answer, including at some of the open houses I've been to?

So I found that curious.

I did get an answer this last week that was emailed to me from my City Council Rep. Who?

It was.

Staff answer and it was that the UR4 rating was based on frequency of bus service and proximity to at least three other amenities, which means within a 5 minute walk, such as shops, schools, parks, most of us on the West side cannot point to three amenities that.

Are within a 5 minute walk of us.

And Pavarello center and casinos don't count.

So that I think if that is the the criteria by which we decide that we're gonna have UR4 and allow density like Don just explained on a on a single lot, you could have up to 36 units.

That means the infill, which is looking now like AD US and duplexes etc, is gonna get very big and very tall and very dense very quickly.

OK. Can we wrap it up?

GAIL, please.

So I just wanted to say that I believe that you are three is proper over there and maybe even some you are too.

But I believe what Don said that the UR for is not appropriate in this neighborhood or really any of them.

Thank you.

Thank you.

OK. Oh, I lost my list on the right.

That happened when we were frozen.

OK.

So we're gonna go to Max Wolf Online here, I believe.

And then we have someone in house and then I apologize.

I can't see your name right now, but.

We'll go to online after we go back in house.

So Max, please take it away.

Thank you.



Max Wolf 1:12:48

Good evening. My name is Max Wolf.

I am a property owner in Fort Missoula.

I'm here tonight to speak about the proposed CD1 zoning and the historic resource overlay.

CD1 does not align with the long range plan.

It restricts civic land across the city, public and private, removing opportunities for workforce housing and mixed-use redevelopment on sites that could support future public needs.

CD2, however, does align with the long range vision by allowing.

By allowing.

Civic land to evolve responsibly, support public services and provide the flexibility Missoula will need over the next 20 years.

CD2 works for both public and private land owners.

CD1 and the new Historic resource overlay do not they undermine adaptive reuse, limit housing opportunity and introduce uncertainty instead of the clear objective standards.

State law requires.

Regarding the proposed resource overlays, this new zoning eliminates more than 20 existing overlays, including nine historic ones, and replaces them with four new historic resource overlays.

Three of those apply only to single parcel properties, who chose to be included. The 4th Fort Missoula is the only remaining historic district covering roughly 30 properties.

There are only four private property owners in Fort Missoula.

FAE in the old post hospital.

The aware property Missoula Country Club in Northern Rockies Heritage Center.

The other property owners are state, county and federal government.

And they do not have to follow the historic guidelines or zoning regulations. We've seen that first hand in the last two weeks with the Forest Service demolishing the old gymnasium building with no application or mitigation process.

Essentially, these three government entities could build and do whatever they want, not having to follow any rules on use or density.

This leaves the the overlay applying to only, applying only to four private owners,

three of which were never elected to be included.

This isn't fair or consistent with the intent of the code. I fully support preserving Fort Missoula's history, but preservation has to be balanced with the ability of properties to function, improve, and avoid deterioration.

I respectfully request 2 amendments.

One replace CD1 with CD2 citywide, consistent with the long range.

Plan and to limit the Fort Missoula historical relay to owners who elect to participate or properties with individually listed historic buildings.

Thank you for your time.

AR

Analeshia Rodriguez 1:15:26

Great. Thank you, Max.

Well done on your time, and while I'm about it, folks online, I cannot.

Give you a little hand signal.

So I will be interrupting you.

I will do it as as respectfully as I can, OK?

We're gonna go in house and then we have Len Broberg, who will be next online.

So ma'am, please take it away.

Good evening. My name is Lisa Thomas, and I live in East Missoula, and I would like to state also support of the the R4 is too aggressive for East Missoula as well as the northwest side. I'd also like to speak in favor of the Amendment 31.

For the clarifying purpose of infrastructure that has become the infrastructure has been a problem in East Missoula and this would be part of an answer.

That infrastructure, however.

On the Amendment 33.

Specifically, talks about traffic impact studies and there are many others. I'm going to focus on traffic impact. We had a traffic study done for the Aspire Subdivision in 2021.

It is now been given another three a three-year extension to 2028. So at that time the traffic study would be 7 years old.

No longer accurate since we have at the last meeting, someone said 15 buildings as part of six apartment complexes since then.

So we have a lot more apartments just since that project became kind of on the

radar. We've had more building and now we're going to wait three more years.

There's one being built right now, so there has to be something in the.

#33 about a relevant time frame.

Something when was the traffic study done?

A decade ago is no longer relevant to the current building situation, so I'd like an addition of some kind of relevant time frame for a traffic study as we all grow.

I think that would be relevant to most of Missoula grow and change. You can't have a document almost a decade old still be counted as relevant.

So those are my things and thank you very much.

Great. Thank you, Lisa.

Appreciate you being here this evening.

Just making a couple notes here.

OK. That brings us to Lambro Berg online and then we'll go in house and then we have Russell.

With nowiski. Oh, I butchered that.

But go ahead, Lynn.

LB **Len Broberg** 1:18:16

Thank you. Planning board and I really appreciate all your efforts, especially as volunteers as I am.

I'm Len Broberg with common.

Good, Missoula.

And just have a couple points tonight that I'm going to cover quickly. First of all, we appreciate the response of city staff to cleaning up the language in the one unit House definition to avoid some of the confusion with respect to second homes being allowed on all res.

Parties on parcels under state law.

And the addition of the parenthetical and maximum density table is a is a step in the right direction, indicating the second unit is allowed regardless of parcel size.

However, that second.

That maximum density table really only applies to rural residential unlimited urban.

And it leaves the impression, potentially with people that, well, yeah, that's great for there. But what about all the urban?

Umm, classes. So we take a better location for noting the two. One unit houses are allowed by right would be in Table 4 point 2.03 dash 10. Sorry for all the legal lingo here, but trying to be specific about identifying it which is in.

The allowed building types section of the code, where it specifies the one unit houses are allowed in all zones, but you could put something as a parenthetical there that says.

Two homes were allowed by right and that would clear it up across all of the zones and perhaps be a better place than the maximum density table.

So just consider that please.

2nd, we do not support the increase or excuse me, the decrease in maximum height allowed in residential zones that has been changed in the adoption draft.

If there was some perception that our requests had not allow shading.

Of solar panel installation. This is going to be addressed by this.

That wasn't our intent in any way.

We wouldn't see it across the board approach like that to be appropriate. Instead perhaps actually.

The solar panels shading issue is better handled in the manual or in policy to try and work on a case by case basis with developers.

So we would join the building community in their comments about the maximum height limitations and support returning to the largest maximum height.

Allowed under the original draft, but also even better under the current zoning ordinance.

Thank you very much.

AR **Analeshia Rodriguez** 1:20:58

Great. Thank you, Len.

Appreciate your time this evening. OK, that brings us in house and then we'll have Russell. Please, Sir.

Is there green or red?

There we go. Hi. Thanks, Sean.

Mike Wiley, Ben Hughes subdivision and over on Easy Street. I did speak at the last meeting and just want to say a couple things.

Larry Chase, our Association president, sent a series of letters over to you guys and

the City Council.

I just want to add my support to what he wrote. I thought it was well written and we support it as homeowners group.

Two things that I asked at the last meeting.

And I don't know where to get the answers from. This might be from the planning board or you all.

At the open house that we had over at the library several weeks ago, I talked to one of the gentleman that was representing the groups and I said, how does this affect traffic? You know, when you start adding multiple units to a single family housing division and I?

Said what kind of calculation do you use?

And he said.

They use .8 per household .8 vehicles per household.

And so my question is that seems to be an underestimate of traffic that might be added to the neighborhood. If you're using a .8 vehicle per household. I mean, right now, I know it's it's probably two cars per household. And when you do the calculation, you could.

See the kind of increase in traffic patterns.

So that's my first question.

Is that the calculation that the Planning Commission and the board uses to figure traffic 'cause if it's .8 per household, that would seem to be a gross underestimate.

The second thing, and I didn't get an answer on this. This is probably a higher level question I asked the question where has this overall type of plan, not just for Ben Hughes and the various neighborhoods.

Where has this grand plan ever worked before?

Can you point to some kind of example?

Where the type of big changes that were making where has this worked before?

It might be good.

In theory it might be good on paper. I hear a lot of comments here where it just doesn't.

You know there there's nuance that really everybody's neighborhood, but on a bigger picture, where could you point the community to where this?

Very large increase in density has worked to benefit the quality of life in a

neighborhood. In a city in in a you know community like ours and I don't know where to go to get that answer.

Could it be the the Council?

Could it be the planning folks that that work on these things?

Is it you all you know?

Where's that?

Where's that example where this type of thing has worked?

Not where we hope it works, but where has it worked.

And what are the metrics?

What are the you know whether qualitative or quantitative metrics that you use?

Where has this worked?

Thank you.

Great. Thank you, Mike.

And just to reiterate for folks.

That maybe haven't heard this before.

We will take your questions and we will do the very best we can to answer them directly and otherwise.

Staff or your Council members are good people.

People to reach out to, but as far as this hearing goes, we will. We will do our very best to answer your questions as we get them written down and try and address them.

Where do we get that answer?

I mean, I came to the last meeting, asked those same questions.

So I was kind of expecting to, you know, hear something like that today.

I wasn't necessarily counting on it, but so when do we get those answers?

I can't do a back and forth at this point in time, but we will. I will.

I've starred this and we'll address it because I realized that this is the second time it's come up and we'll we'll do our best to work that out.

And then I I'll try and address it more later as well.

Thank you.

OK.

Let's see. We are gonna go to Russell, and I'm not even gonna try 'cause. I feel like I'm gonna butcher your last name, Russell. And then we have somebody in house,

and then we have Rosalie Sheehy.
And I'm sorry, your last name is cut off there a little bit.
Kate's OK.
Somebody in the audience helped us out there.
So that's our our stack right now.
So we have Russell next.
Please go ahead, Russell.



Russell Wisniewski 1:26:04

Good evening.
I'm Russell Honesky, but I go by ski.
That's a lot easier for most people.
I'm an architect in town.
I'm a member of common Good Missoula, and I'm also the vice chair of the Affordable Housing Resident Oversight Committee with the city.
I'm here because I wanted to share, first of all, my support for the staff and all the good work that they've been doing on making this happen and come together, but also because I'm an advocate for more in buried housing and that's been my role with common good.
For me, everything comes back to maximizing the potential for housing opportunities, especially for renting families like mine that have little kids and you know parents that were taken care of as much as I can appreciate all the positive changes that will come from the updated code there are.
A couple things that I wanted to highlight and suggest that maybe there's a little bit more work to be done. The two things that I wanted to bring, the board's attention were the floor area ratio or requirements and maximum height requirements that some other people have mention.
I'm. I'm gonna go a little bit more radical, I think than some of my architectural colleagues on far.
In regards to Fari, notice that it sort of only shows up in the residential zones and it's not. There are no other FAR limits in other zoning typologies. I feel like specifically for residential that this adds an unnecessary, more complex and limiting requirement to residential zones, you know.

In addition to FAR maximum housing and unit density is already controlled by section 4203-C and its associated table.

With the number of units per building.

Far, far as a tool that's used to limit the size of buildings, but in the residential zones between the unit limits by building type, the building envelope limits by setbacks and maximum height and required activity areas for dwelling units. I think that this requirement becomes redundant limiting en.

I think it'll force smaller units in order for developers to hit the maximum unit count by typology as.

As as Don mentioned.

Was talking about studio units and I'd rather see everything be 3 bedroom units so that it works for my family, right?

I would recommend.

That that the section on far be removed in its entirety, and that if there were other additional concerns about building volume that those should be addressed in the same way that it is handled in other zoning typologies.

The the other thing that I wanted to mention was the maximum height and I think I would just echo the other comments that I've heard especially.

David's he mentioned the specific zoning, and really even 5 feet of change can reduce a whole lose a whole story of housing, and that goes against our desire for denser housing in urban areas.

And so I recommend that those lots that have been zoned in such a way get rezoned to match the same height and intensity. Thanks.

AR **Analeshia Rodriguez** 1:28:53

All right.

Thank you, ski.

Appreciate your time this evening.

And that brings us in house.

Please go ahead and then after in house we have Rosalie.

My name is Beth Judy.

BETHJUDY.

And 1st I would really, even though I'm here to make some comments, I really

appreciate the work of the planning staff and board.
It's very difficult, I know. And you've worked on it for a long time.
And I will just say I live in the lower rattlesnake. I am for. I would dream to have you
R2 zoning in the lower rattlesnake and in other historic neighborhoods.
But when I heard last night that 35 feet high buildings had now been.
Proposed versus where I live, it was going to be.
You are 4.
Which was 50 feet high. As I understood it, I felt like I'd gotten a Christmas present.
So 35 feet.
Feet high buildings sounds great to me right now.
And.
My notes are all over the place.
I also agree heartily with Don McArthur.
If that's his name, who spoke so articulately?
And yes you are.
Four was aggressive, is aggressive for where it still stands on the map.
The setbacks were terrible in my opinion.
Community is an important value in Missoula, and when you have such tight
setbacks.
It discourages people from coming close to well. They'll be so close to those
buildings.
It discourages greenery, which is important with climate change, and we we know
there are so many benefits with trees.
It discourages paths and use of paths, which encourages community.
And.
In the lower rattlesnake, this is a special consideration.
It may be true for the historic neighborhoods of the West and N sides too, I'm not
sure.
But we have two ways in and out of the rattlesnake, which I think you've heard a lot
from rattlesnakers about this.
And we're very concerned about congestion this year.
There was an instance where there was a train and an accident on an access Rd.
At the same time.

And there was that that meant that there was only one way in and out of the rattlesnake. And when you add congestion, a lot of congestion, parked cars in the streets, which is already a problem sometimes.

That is.

That's kind of.

A.

A mess for everybody in the Rattlesnake Canyon.

And let's see.

I do want to say this is sort of qualitative.

We've been talking a lot.

Of technical lingo tonight, but the importance of history. These neighborhoods that are old give a feeling of Missoula to Missoula, and it upsets me to think that future generations will be growing up in a city that feels like anywhere USA. Whereas I feel like in those historic neigh.

You do get a sense of history of our particular history in the lower rattlesnake. It was built for.

It was a place of.

Railroad workers.

Humble homes and.

The historic West and N sides are the same way. They have their own histories.

And I would hate for that to be lost when everything is starting to look the same and large.

And there is economic importance to history.

You know, we didn't get a river runs through it. The filming of that here because our downtown was not good looking enough.

We had lost our history.

They filmed it in Livingston instead.

So we lost that revenue.

And.

And finally, I guess back to setbacks.

You know, I just think that it's important that human scale.

There's a reason why human scale has that word. Human. When buildings are lower, people get to know each other better.

And that's something I really treasure in my neighborhood of the lower rattlesnake. I live in an area that's economically diverse. I know my neighbors, even if I don't know them by name. We we see each other because we're out walking and and we are walking our dogs and we know each other and we have come together over wildlife crime avalanche. Flooding, which is hard in the lower rattlesnake. And we know each other and we come together as a community. So I hope you can consider those qualitative factors as well. Thank you. Great. Thank you, Beth. OK. We will go to online. We have Rosa Lee, and then we're gonna have someone here in house, and then we have Susie. And I can't see your last name. So Susie, you'll be after the next in the house. Person. Rosalie, please go ahead.

RC Rosalie Sheehy Cates 1:33:56

Thanks so much.
Thanks for the totally civil circumstances you've created.
I really appreciate it. I'm Rosalie kates.

AR Anaeshia Rodriguez 1:34:02

You're welcome.

RC Rosalie Sheehy Cates 1:34:02

I live near the Dairy Queen on Higgins.
In general, I support what the codes done and just share everybody's gratitude for all the work that's gone into it.
I'm actually OK with things changing.
I know the actual look of our neighborhoods is gonna change over the next 30 years, which is sort of the time frame I'm thinking in.
I just think it's a little too dense, so I strongly strongly support the letter and the work that the folks around Don have done.
And I hope you'll look at those FAR changes.

Can't we just dial this back a little bit?

It's got a feeling of throwing the baby out with the bath, so I can't speak to the technicalities the way dawn can, but those changes in Fari support the that you've decreased the overall heights and you know I think the low hanging fruit for adding density in our.

Neighborhoods is row homes and these cottage courts.

Super promising.

So I want to speak in a lot of support of the amendments that I've seen on the row homes.

Fixing the lot widths and the lot widths in general.

All that work is great and I think it's a really realistic way to add density in Missoula.

I think just jamming in big apartment buildings is just it is not properly accounted for in this code and I and I I agree with the density, is kind of shocking and I hope that we'll just take some time to just dial it back a little bit.

I think the density might be so shocking that no one's brought up the parking.

King and that there are no parking requirements with these apartment buildings, everyone's told me. Don't worry, the market will take care of that.

They'll all provide parking and you know, we've seen that everybody provides at least one space.

Well, if we want one space, let's put it in the code. I really think there should be parking requirements, especially for apartment buildings for off St.

And then I want to combine that with the setbacks.

If we are going to build a lot closer to the lot lines and not require parking.

And probably the first thing that's going to happen here is a bunch more alley houses and you know, two and three houses on a lot.

We're going to see parking in the alleys in those alleys are going to get clogged.

So let's get some parking requirements that make sense in there that say what we want and.

The I understand that state law ties our hands in some ways, but I think we should put in some parking requirements. This is the only time to do it right.

We're all gonna be so sick of this.

I don't believe you'll be changing it very much.

Over the coming years. So I'm fine if it takes a little bit longer to get this done.
Thank you so very much.

AR **Analeshia Rodriguez** 1:36:38

Great. Thank you, Rosalie.
And you're getting some applause here in house.

RC **Rosalie Sheehy Cates** 1:36:42

Woo.

AR **Analeshia Rodriguez** 1:36:45

OK. That brings us to the next person here in House. And then after we're in house, we have Susie.

Online, so please go ahead.

Hello, I'm Anne Cook and I live in the lower rattlesnake and it's it's hard to be here tonight and to talk about the zoning in a way, the whole issue came about.

It was a great surprise to people in the lower rattlesnake, and I realized that the City Council people and the planning people say this has been in the works for a long time.

Time, but I walk extensively throughout the neighborhood and I have yet to come upon a person who understood that all this was happening.

And so it it seems like we're late to the conversation, and it also seems like it's been very hard for us to be able to kind of relay some of our concerns both of our Council representatives live in the upper rattlesnake. And the interesting thing about the code.

Is that?

We think of the rattlesnake as one area.

The lower rattle sink is the historic portion, but it's one area. And yet with the code what was done was one little area of the lower rail stake.

You know the east of the Creek was pulled out for high density and then West of Rattlesay Creek and you know, north of Lowell St. was all also exempt from high density.

So you had this little pocket where?

High density is going to be put and and truly.

It's already an area that feels very dense and it's an area where there's traffic patterns are hard, streets are narrow, so there will be problems with parking. But. But mostly, I think the fear is that that the codes are going to allow a very, very aggressive level of. Housing.

The multiplexes.

The apartments, the condos, things that really aren't consistent.

Into with the the character of the neighborhood as it is, and it it's all it's been just so hard to understand the zoning, even on like something like Harrison St. One side of the street has one zoning. The other side of the street has another. So there's there. Just so little consistency and there's so little predictability in having neighbors understand what their neighborhood is going to look like in in the months.

And let alone years ahead.

It was interesting when we when we talked to City Council people and even when I wrote Laird to the mayor, she talked about the fact that this new zoning would give so much more predictability to neighborhoods. But in fact, it may give more predictability to developers and to.

Realtors rent architects, but it it probably will not give much predictability to residents who have.

Lived in these neighborhoods and have made.

Them home, and in fact they'll probably undermine some of the livability and undermine some of the well-being because of the character of the neighborhood will become so much more dense and so much more congested.

So I just encourage you to to think about the rattlesnake as a unit, not to kind of pull one little section of it and say that that area should have high density while the other areas should be exempt.

And and I ask you to think deeply about what it would look like to have.

This this area of the rattlesnake become so much more congested than it already is.

Thank you.

Great. Thank you and appreciate your time tonight.

OK, we next have. Rosalie, could I get you to lower?

Oh, you beat me to it.

OK, next we are online with.

Susie, you're up next, and then we'll be in house with you, Sir. OK.
OK.
Go ahead, Susie.

SF Suzie Fowle 1:40:51
Hi, can you hear me?

AR Analeshia Rodriguez 1:40:53
Yes, ma'am.

SF Suzie Fowle 1:40:54
OK, great.
My name is Susie Fowl and I live on Howell St. on the West side.
1st Thank you very much for your efforts.
I know this is really complicated.
There are no easy answers and it takes a lot of time and I appreciate it.
I live in an infill house on a split lot.
I live on the House that was newly relatively new.
Built at the back on the back lot on the alley and I'm very much in support of infill
and creative solutions to.
Increasing our housing and our density.
And I feel like the West side's a really good example of all of that.
It's a wonderful mix of.
Sort of.
More historic.
Or more traditional.
Bungalow style Missoula homes and then newer developments and little sort of six
unit apartment complexes on certain corners going up. And I I really enjoy.
The that mix and the creativity here.
So I'm really concerned to see the zoning, proposed zoning be such a dramatic.
Shift from that 'cause. I feel like the West side is a good model.
Of.
Using the space that's available and using it well and efficiently and increasing

housing without altering the character of the neighborhood.

It's just got a wonderful character.

Because of that mix, the old and the new, and then I have two questions and maybe these.

Are for City Council, but going back to the map, I'm wondering why the West Side Park is not doesn't have a green open space designation, a park with Lowell School on it.

And then my second question is.

How does the historic designation of a neighborhood like the West Side and others factor into the plan and is there?

Any kind of overly district or these historic neighborhoods, how does that?

How does that factored into the proposed zoning plan?

And that's it.

Thank you again. And if you want me to direct those questions to staff, I can do that. But I do have those two questions.

AR **Analeshia Rodriguez** 1:43:47

Great. Thank you, Susie.

And we have your questions written down and we will do our very best to address them here this evening.

And hang on to them because you might have to throw them out again at another meeting or to City Council. Actually is what I'm getting at just one second.

Sorry, I make a couple notes here.

OK.

So we're going to go in house here and then we have Heather Online, Heather Lynch.

OK, please.

Hello, my name is Chris Chidi, and I am a resident of the Franklin de Fort neighborhood.

I'm a member of Pro Housing Missoula and I'm a builder and infill developer.

I think that the thing that I want to point out the most right now is that.

The way zoning has traditionally been done is that we have decided what we like and we set that as the top bar and generally speaking that has been dictated by wealthier neighborhoods and the the poorer neighborhoods have been the place where.

All the the sort of intense development has been done and I think that the.
Staff were given a mandate.
To not do that this time.
They spent a lot of time.
They hired consultants.
They did an equity analysis and they decided that the that the the development of
the city was inequitably distributed and and I think the map that we've seen right
right here is is them doing what we told them to do. And I think they did a pretty
good.
Job of it. I think the other thing I would like to point out is that.
People almost never build to the theoretical Max of what zoning?
Allows. So pointing to theoretical maxes isn't actually that useful in in in deciding
what's going to get built.
It's also important to point out that only 1% of the of the built environment gets
touched in any given year.
Up to this point, developments in the UR4 style density have only been allowed in a
small portion of the city in the couple neighborhoods.
Now we're allowing them to be widely distributed through the whole city in the
hopes that.
Those developments won't all be concentrated into a traumatic change in anyone
neighborhood, as certain neighborhoods have experienced in the last 20 years.
So I guess I want to say thank you to staff. I think that we're on the right track. I know
that it's scary and I know that we have to allow more than we really want in order to
get what we want.
The land use plan has said we have to shoot for targets of density.
And we have to zone for more than that if we expect to hit those targets, if we just
zone for those targets, we're never going to get there.
To that, I'd also briefly like to talk about setbacks. I think that there is a sort of
assumption that orderliness and everything being in neat rows is the highest and
best way to build a neighborhood. And I think that we should rethink that.
Our neighborhoods need to be able to evolve.
They need to be able to change, they need to be able to move closer to the street.
Front yards are probably the least used property we have in the city.

Usually it's just a place for pesticides.

It's an amenity that people shouldn't really have to pay for. If that's not what their values are. That being said, I I hear talk of of friendly streets.

Being ones where the where the houses are set far back from the street.

Personally, I've been to places like New Orleans where it's pretty friendly when the when the front porches are close enough, where you can actually have an interaction with somebody as you're walking by.

So I guess I want to say that I think the setbacks have as as proposed are are pretty awesome.

I think they work for.

A lot of the city and I think that what we need to do is open up far more development.

Options that are available to us now, and that this code does that and I'd like to see us keep going in that direction. Thank you.

Great. Thank you, Chris.

OK.

All right, we're getting some more in-house applause, OK.

OK. We have Heather next, Heather Lynch next online and then we'll be in house here. And then after we're in house, we have Mike Morgan.

HL **Heather Lynch-NRHC** 1:48:58

Hello, can you hear me?

AR **Analeshia Rodriguez** 1:49:00

Yes, yes we can.

HL **Heather Lynch-NRHC** 1:49:01

Hi. So I'm Heather lynch.

I'm the executive director of Northern Rockies Heritage Center, one of those private land owners that was mentioned earlier at Fort Missoula.

Thank you for the opportunity to talk. And I just want to thank you guys for your work on this.

This is a huge undertaking.

I do not envy you at all.

I had a chance to look through the staff responses to elevated issues and as they related to Fort Missoula and Northern Rockies, Heritage Center would agree with the staff.

That no changes to zoning should be made to the Fort Missoula Historic District. CD1 and OP one works for Fort Missoula.

I talked to members of the public on an almost daily basis and from pretty much everybody I've spoken to, that's what Mizzouans want.

Some areas are worth preserving.

Fort Missoula has not only local significance, but is nationally recognized.

Allowing residential development would change its primary use as recreational space.

And and as an open air museum, I encourage the planning board to preserve the current proposed zoning at Fort Missoula.

And that's all I have to say. Thank you guys.

AR **Analeshia Rodriguez** 1:50:13

Great. Thank you, Heather.

Just one second.

OK. That brings us to in House and then we have Mike next. So please go ahead.

Hi, Brittany Palmer, executive director at front step Community Land Trust, formerly N Missoula.

CDC.

We run a coalition called Pro Housing Missoula and some of us are here tonight.

We're excited about the improvements made in the draft, UDC and the UDC, and I'm supported the city's public process since it began.

Probably over three years ago now.

We think the draft is an exciting step in the right direction and that it will better put us on a path towards housing for all and towards more walkable connected communities and we just have a few areas of concern that we hope the planning board can address with.

Amendments at the meeting that I want to talk about and from our perspective as an affordable housing provider, we really want to see a code that maximizes the

flexibility for varied sizes and types of homes across Missoula and all neighborhoods. We're also the owner of the well loved burn St. Community Center building on the West side and have been looking at renovating it to offer more warehouse space for the western Montana Growers Co-op and up to 26 new permanently affordable community Land Trust homes, however recent.

We've learned that this project would be possible under today's code, but fails in about 5 different ways under the proposed code, and you all have the opportunity, I think, to make sure we're still going in the right direction with some tweaks.

And so as you consider amendments and passage of the UDC, I hope you'll consider amendments that will unlock the possibility of more affordable housing options.

So I have five really quick things.

First, the city proposed amendments on build 2 zones for existing buildings we really like.

2nd, we encourage eliminating or reducing the requirements for transparency.

Which others have mentioned for mixed-use buildings third?

The general landscaping requirements as proposed are cumbersome.

And we would love to see those reduced.

We would like to see activity areas.

Well, basically let me start over here. So I don't mess up my activity area requirements increase costs for small homes to be developed in existing neighborhoods.

This is the kind of housing we're we're trying to build and I encourage you to eliminate or reduce those.

And then finally, we ask you to support amendments that either lift or reduce the requirement that we arbitrarily.

Pave over open Space, AKA build a lot of parking.

Especially for commercial and mixed-use development and especially near transit routes.

And I wasn't going to comment, just as a person, but I feel like I need to mention that I live on the West side also and some of my neighbors are in the room. It sounds like and I'm really excited about the possibility of having new neighbors in.

My neighborhood.

The West side place development, which is fairly dense, is just a couple blocks away

from my house and it's made our neighborhood so much better.
I've built relationships with the refugee kids, for example, who live there, who now come to my house in the summer to pick fruit and having new neighbors is awesome if you're willing to be a neighbor yourself. And I think to solve the concern about dividing up neighborhoods using.
Different zoning types.
My recommendation, as somebody whose home is zoned UR3 would be to just move the whole thing to ur four. And because that's because I believe that characters make up our neighborhood character, not the height of the buildings.
And so thanks for considering these ideas.
For helping create a Missoula where everyone can afford to live here.
Great. Thank you, Brittany.
Appreciate your time this evening.
OK, it seems like yeah I can you scroll back up. Did we lose our?
I forgot their name, but.
Mike, are you still on there?
All right.
Well, why we see what happened.

MM Mike Morgan 1:54:27

I'm here.
Do you hear me?

AR Analeshia Rodriguez 1:54:29

Oh yeah, go ahead.
We can't see you online anymore, so.

MM Mike Morgan 1:54:32

All right.

AR Analeshia Rodriguez 1:54:34

Go ahead, Mike.



Mike Morgan 1:54:35

All right. Thanks.

Glad you can hear me OK.

My camera doesn't seem to be working, but that's alright.

Thanks everybody.

I spoke last time during hear your hearing and I just want to again say first thanks so much to the Planning board and your time, your attention, all the city staff.

It's a.

It's a big job and I I really appreciate all your efforts and I just want to say thanks to all the public too, who care and are involved and I appreciate.

Appreciate how.

C.

Staff, Public Planning Board and I'm sure City Council when time comes, how you really listened to comment and you're doing your best.

So I just want to applaud you for that.

I I think I can be brief here.

I just I think Don McArthur, I want to refer to him. When he spoke, he referred to in your packet a couple of letters. I I believe you have two letters. One is.

More architectural related.

And then there's another one that gets into the landscape section. I believe you have both of those.

I wasn't able to listen to staff comments today.

I was late getting in, so I'll I'll just feed the question.

Was the letter for landscape recommendations also provided to you?

I think that came from WGM.

So if my all my comments that I would love to raise, which would take much more time than we have tonight, but they're all listed in those two letters and I support those and I encourage you to pay close attention to those and really give those some careful.

Thought I think it's very.

I think you'll find it very useful.

And I I just want to say too that.

I think you can see our sincerity in our comments there where it's not all just demanding more. You'll even see where we're suggesting some things to be a little more restrictive.

So we've given out a lot of hard thought and I I just encourage you to really look at those closely.

That's all.

Thank you.

AR **Analeshia Rodriguez** 1:56:51

Mike, appreciate your comments this evening and being with us and your kind words.

OK.

That brings us to in-house here.

Please come on up.

Thank you.

My name is Christine Everett and I live in the Ben Hughes subdivision, and I'm also a board member. And.

Our Board president spoke to you all on November 18th.

Supporting that, our entire subdivision, the zoned Lu R1 instead of 10.

Lots Lu, R1 and 86 lots lur 2.

And that was on November 18th.

But he also sent a e-mail to planning staff.

On November 21st and it's in your packet and I just wanted to note that to you because it does include questions from our board.

As to why 10 units are lur one and why? Also we'd like to know why we fit within Lur 2 for 86 units.

We see that the our neighborhood is much like many neighborhoods, single family neighborhoods in the upper rattlesnake.

And far views in South Hills and in Lower Miller Creek that are zoned Lur 1.

There are very few areas that are Lur 2 in the city and we do not understand why.

I we are.

Oh, you are two for 86 units. So I wanted to point you to our questions.

That are in your packet.

It's in the section called additional public comments.
12/01/25 and that's in your packet right now.
So that's my intent. And so thank you very much.
Great. Thank you, Christine.
We appreciate you pointing that out and I remember.
In that today and.
Some of my trying to swim through everything.
OK, I am not seeing anybody else online.
Am I missing anybody?
Online. OK, so please come on up and make your comment introduce yourself.
Hi, my name's Adam Cook.
I live over on the north side and I'm affiliated with pro Housing Missoula.
I just wanted to comment and first say that I appreciate this UDC. First of all, as it's written, I think it's a big step forward. I want to encourage the expedient.
A passage of it. I also wanna raise some particular some particular concerns, given that this is a an opportunity to offer feedback on potential changes.
First of all, I'd like to raise the issue of parking requirements in urban mixed-use in downtown transition zones. Currently, the downtown core area is exempted from parking requirements and I support that. However, I think that that should be extended.
To downtown transition and urban mixed-use zones.
These are areas with highland values and imposing fixed parking requirements. Citywide for commercial development imposes much greater penalties on areas with high land values per acre. For instance, A50 stall parking lot that might be required for a grocery store such as yolks or Eastgate. Albertsons would be worth somewhere between half a million.
In \$1,000,000 more in their current respective locations as it would be, for instance, for a further flung development, for instance, out on West, you know Far West Broadway.
And that is in direct opposition to the city's focus inward goals.
And it pushes these types of.
Important services to the urban fringes.
Secondly, and I'd like to draw special attention to that downtown transition zone

where, you know, we we really have not seen substantial infill projects along for instance, East.

West Broadway on either side of downtown. I think we really need to try and pass a substantially updated and clean reform of our existing code to really jumpstart some projects in those areas which are, you know, very valuable areas.

Secondly, I would like to just speak up in favor of maintaining both the extent and the and returning to the previous parameters.

Of of the UR4 zoning.

I think that it's important to to be ambitious in trying to jumpstart housing production to reach our.

To reach our stated goals.

An example I'd give is that I happen to work on campus and I'm lucky enough that I can bike to work 365 days a year.

A lot of people don't have that opportunity. Thousands of people are commuting in from.

The West side of town from Bonner, from Lolo every day because infill development has been effectively illegal in the university area for decades now.

And I really think that, you know, every day that we don't, we aren't providing those opportunities to live near campus.

We're not only burning thousands of gallons more gasoline, we are.

You know causing people to use thousands of hours of their time creating, you know, demand for acres of parking.

And and I would like to.

You know, push the needle in the other direction there.

Thank you.

And anyway.

You know, we are not only diminishing, you know, the the value that the university provides to students and the faculty who work there. We are also diminishing the value that it provides to the town.

In supporting the vitality.

The vitality.

Me and.

And value of the community and social networks around it that we break up by

forcing students and staff to live in further flowing areas.

But that applies to all urban areas of town, in my view, so.

Anyway, thank you for your consideration.

Great. Thank you, Adam.

Appreciate you coming in this evening and making your comments. And let me just double check and they'll be online, right.

OK.

Please come up and state your name and.

Hi.

You know, I will.

I'm Lee Bridges from East Missoula. Earlier today, I emailed all of you the three emails that I had with 24 attachments.

I hope you had a chance to look over those and were able to match up the attachments with what I wrote so that you could more clearly understand what I was talking about.

Please consider that the Aspire Subdivision is currently an open field incremental project by project high density.

Phil like, well, what?

Like will what develop in other already built out core urban areas is not?

What will occur in East Missoula? Add development like that to the physical constraints, aging infrastructure and the revoked funding for Hwy. 200 improvements since there are no traffic calming measures at summers or and at Hwy. 200, urban residential high is not.

Only improper for East Missoula, but creates major and unresolved safety considerations for our E Missoula neighborhoods, based on the city's own qualitative discussions regarding place type designations in the new growth policy and in its new zoning framework, the appropriate place type designation in East Missoula is limited.

Urban residential.

Consistent with the city's own comparable zoning districts for RT, 5.4 Lur 1 and Lur 2 are the appropriate appropriate, comparable zoning districts for the Aspire parcel and the East Missoula County residential properties UR 3 is not appropriate by the city's own comparable zoning Dist.

Diagram.

For RT 5.4, we are not well connected with the city center and the city.

The Spire subdivision creates safety hazards with its many walk sidewalks intersecting.

With its many sidewalk intersecting driveways that reduce walkability to that area.

We do understand the city cannot amend the zoning for the aspire parcel to.

RU.

Excuse me, LUR one or LUR 2 for East Missoula. Unless it first amends the our Missoula 2045 land use plan since as you know lur one and Lur 2 are not available, zoning districts in the urban residential high zoning district.

It's really hard to say all that stuff.

Therefore, our asks are twofold.

Please include two motions tonight, #1 to amend our.

To amend the our Missoula 2045 land use plan and reduce the urban residential high placed type for East Missoula 2 limited urban residential and #2 to amend the R the UR3 zoning district for the Aspire Subdivision parcel from UR3 to excuse me.

To LUR one or LUR 2 consistent with appropriate zoning districts in the limited urban residential place.

Type and comparable zoning districts for the parcel. The parcels current RT 4.

RT 5.4 zoning.

Thank you for your time.

We appreciate all the work you're doing.

I'm sorry, I just can't say all that loud.

It's quite all right, I.

Bubble em over regularly.

I have an issue if you're not a planner, it really doesn't roll off the tongue very well.

It's kind of like legalese, right?

OK, I'm not seeing anybody on the line. Right. OK.

Please come on up and state your name and make your comments.

Can we do the map?

Oh yeah.

Can we bring the map up again?

If it'll let you.

Stand by to stand by.

All right. There it is. Yeah.

So my name is Kyle Pease. I live.

Is this good as far as the location on the map? Yeah, I can work with that. OK. Yeah.

So I live in the southeast quadrant of the River Rd. neighborhood.

And can you state your name?

Did I miss it?

OK, sorry I missed it.

I live in the southeast quadrant of the River Rd. neighborhood.

You can see it's that big pink square, and you might also notice that.

North of there, the West Broadway Industrial Quarter is also a big pink zone.

That's the transitional mix.

Use which was I guess just a couple weeks ago was called Industrial Mix.

Use name got changed, but our neighborhood there has that transitional mixed-use designation.

The proposed plan and myself and many of our neighbors are really concerned about it. As others have mentioned that equity and land use report.

Maybe not.

Is aligning.

With what they're seeing on that map, and that is certainly a case for us.

It uniquely identified our neighborhood as.

A.

The highest tier of residential suitability on the residential suitability index, while also having a number of other compounding factors showing our neighborhood.

It really should be something to concentrate on when it comes to equity, we've got.

About four mobile home courts.

We have lots of high density housing.

You've got about four.

Multi family.

Buildings being built right now.

So it's very densely.

Predominantly residential area. However, we're getting the transitional mixed-use plan, which if you think about West Broadway, it's kind of like kitchen sink of zoning.

As far as most things will go and we only have a few.
Undeveloped lots left in our area that could really affect the character of.
Our neighborhood and the future moving forward.
So we would like to see our zone recognized as a residential area rather than the
TMU designation we have.
We have are working on a letter.
It'll be forthcoming, explaining our concerns there, we're suggesting maybe carving
out the existing industrial lots with the contractor yards to make it fit the rest of your
code.
But that's all I have for comment now. Thank you.
Great. Thank you, Kyle.
Appreciate you coming this evening.
Just one second.
OK.
My apologies, trying to make some notes.
OK.
All right.
Please go ahead.
Thank you.
My name is Laura Fox and I live in the lower rattlesnake. I have been a resident there
for 42 years.
And.
This really was popped. I feel like upon us without.
Much warning, I mean, I know we were told.
Well, you should pay attention.
But I've heard more about the train whistles and the horns.
In the last two weeks than we heard about the zoning changes and that said, I just
have one question.
Basically, what is considered affordable housing?
What? What is the price out there that people think that is affordable?
There was a gentleman earlier that had talked.
About.
This where has this experiment as I kind of look at it, where has this and another area

of the country actually been successful.

Because once we build all of these places in these apartments.

We can undo it. It's done.

And I feel like it's like a freight train coming down the track we have, I'm sure.

A lot of developers that are chomping at the bit to be able to build these complexes, these apartments.

And I'd like for everyone to envision driving up Van Buren St. and seeing these four story complexes along the side, because I'm sure what will end up happening is a lot of these places are in the lower rattlesnake.

They are rentals and they will just.

Buy them up and then they'll put up their, you know, big, tall story buildings, and that's gonna block out the view of the people who live on the West side, who may not be zoned for R3R4 or whatever tall buildings they're gonna be looking into.

That, as they are trying to have a view of mount Jumbo.

There's more to this as far as.

Quality of life.

And the reason we live in Missoula?

I believe you know that people love it here. The majority of people like it for a reason and it's not because it's Seattle.

It's not because it's LA those places once at one time I'm sure were desirable places to live, and they no longer are.

We also are surrounded by mountains.

Here we have inversions.

I don't know if any of that is taken into consideration when they're thinking that 22,000 more people by 2045 is what they plan on packing into this valley.

I don't know.

I just wish that people would just kind of, you know, slow down and think about what is a value other than money. And I appreciate your time.

Thank you.

Great. Thank you, Laura, for your comments this evening. Appreciate you being here. OK.

I think we can just keep rolling in house, please.

Thank you very much.

My name is Bill Junkermeier from East Missoula.

I spoke previous at a previous planning board meeting and the question one of the questions I asked was how was AUR 3 zoning determined for the East Missoula area?

Received my answer that this is based upon 2045 land use plan and trying to get myself up to speed on on this whole process.

But the next question that I that came to mind was OK if you are three is based upon. Land use plan. How was the high high density residential urban?

Determination made within the land use plan from our understanding or my understanding, it's supposed to be based upon existing zoning in the area, the county and zoning which E Missoula worked very hard on is not high density zoning, Canyon River.

Across the river from East Missoula is low residential density.

Leaving only the aspire development as the only area that has a higher density zoning and and we know the problems with aspire and the overlay zoning mess that was created. But it seems like that's been created the model for East Missoula going forward in looking at the land.

Use plan all of East Missoula proper is now.

Rated high residential density.

So how did this occur, and when did this occur?

Well, it occurred in the land use planning process.

One thing I want to remind the Board and state this previously that the Planning Board on August 6th of 24 voted five to zero against the Aspire zoning development, the overlay mass and the concerns of this planning board were one public safety concerns. The inconsistency of that.

Zoning with county.

With the county zoning and the fact and the impact on existing neighbors within E Missoula.

All of which are should be key considerations within developing the land use plan, but the city adopted it and now a high density land high density designation is has been made for all of East Missoula.

You know, there's one aspect of this whole land use planning process that seemed to have been ignored for East Missoula.

And it's a very essential part of the process and that is the public participation plan.

There was a city resolution signed Resolution 8788, signed on July 15th of 24, and it's also key part of the state legislation in order to simplify the zoning process.

The fact that there needs to be an extensive public participation plan.

Well, unfortunately, no one contacted E Missoula.

To be part of that, the development of that plan.

East Missoula seemed to have been left behind.

So now we're coming up to speed on what has occurred in this land use plan without any E Missoula participation in developing that plan.

So therefore, you know in one aspect you could say that the land use plan, the 2045 land use plan for East Missoula is invalid.

Because the public participation requirement was completely ignored.

So what's what?

What needs to be done here?

Well, we're asking the planning board to do what's right once again and that is to go in and amend the land use plan.

So it's a lower density for East Missoula, consistent with the county zoning standards that the citizens of East Missoula worked vigorously to develop.

And then also amend the Aspire.

Development to be consistent with that lower density designation. Thank you.

Great. Thank you, bill.

Appreciate your time this evening.

Just one second.

OK.

Go ahead please.

Thanks. Colin Lane, architect with MMW architects.

I'm gonna be quick.

You guys need to get down to business.

Others have covered our neighborhoods pretty well, but I'm here with.

Mixed-use buildings in mind. Apartments, low income housing and small businesses.

You've got a lot of things in your packet today. Some of those amendments in your packet deal with things like transparency, build two zones where you can put parking where you can put your front door.

Landscape and activity area.

Those requirements will combine to slow projects, increase cost and reduce housing in Missoula.

I urge you to adopt the most extensive amendments you have in front of you. Not doing so will result in real world costs less affordable housing and bad design.

We heard from Brittany Palmer. Just one example.

There are others.

Please don't be afraid.

To to take the most extensive amendments, which may include.

Limiting or.

Or eliminating certain provisions. Thanks.

Great. Thank you, Colin.

OK.

I almost feel like now that I've pointed out public applause in the past, I got to keep doing it.

OK. We're gonna keep rolling in house.

Come on up please, ma'am.

My name is Jermaine Conrad.

I thank you for being here and I sat in your seat.

Many, several decades ago.

And so I appreciate your work.

I have 5 points and I speak 10 minutes on each one. I'm I'm kidding.

Very shortly.

The idea of gentle infill being a skeptic, I find that gives gives very gives a variety of scenarios that can turn out.

You might gently think that certain developments can happen over years, as one speaker addressed that think.

Oh yeah, we think in 10 or 15 years, then there might be a couple of large buildings. It depends a lot of people need money, and then a lot of people cave and they sell their property and the people next door live in shade. So.

It has to be written down.

It has to be as you plan it. If you say you allow unlimited dwelling units in R4 like we have in the West side, that's what we're probably going to get in 20 years. If you put it down, it'll be there and it won't be quite as.

Livable.

As it could be, that's actually two points.

I think the West side has a disproportionate share of the density requirements or not requirements, but allowances and I'm a great one for sharing responsibilities for problems coming up in the Community.

The other thing, two things is traffic.

Are we in an accident on our corner today?

Very exciting and it comes a lot of it comes from all the multiple.

Well, family units coming down through the streets to get to drop Broadway.

And lastly, I'm very concerned about the standard of living. It can look really good, but if you don't have parks nearby and that's mentioned and I realize the work's been done.

I've only given a couple hours to your plan.

I would like several other people wasn't aware of this a couple years ago, so parks, Community centres and parking and standards of parking.

Are going to be extremely important. So thank you for listening.

Great. Thank you. Appreciate you being here.

OK.

Please come on up, Sir.

My name is Bruce Baxter.

I would like to further define some of the previous comments on the Aspire E Missoula property, the 2045 land use Plan has designated E Missoula Aspire as you are three high density, the city's 2024 approval of the Spire properties RT54 is. Incompatible with UR3 high density by at least the following 10 definitions, which are all contained in the 2045 plan.

It does not connect closely with nearby amenities.

It does not connect closely with transit services.

It is not designed to be well served by transit. It allows no space for small businesses. The proposed multi dwelling and two-story structures are in no way compatible with surrounding area as there are no two Storey houses visible in any direction from the Aspire property. The surrounding infrastructure in no way prioritizes Safeway safe safety onto the unimproved streets of East Missoula.

There are existing historic environmental constraints As for decades, the county has

required 175 foot riparian open space from the Clark Fork River.

The RT54 zoning does not limit lot coverage outside of this sensitive environmental area.

The zoning offers no plan for a green space riparian area.

The zoning does nothing to.

Reduce impacts, but instead allows the developer to choose his own construction.

From the river, 20 feet from the top of the riverbank.

The 2045 plan specifically states RT 4 is not comparable to UR3, but is comparable to Lu R2 or Lu R1.

This fits the aspire property much closer, as again from the 2045 plan, there are limited transit options. Aspire relies on driving to access services.

There's an.

There is an existing environmental constraint.

Lur 2 and Lur one allow for green space.

This is in riparian areas. Lur 2IN1 are more compatible to the surrounding areas.

Again, there are no two-story houses in the area.

The traffic density and the health of everyone's river are serious problems.

I ask that the land use plan be amended to rezone this aspire property to Lu R2 or Lur 1. Thank you.

Great. Thank you, Bruce.

Very good comments and points.

OK, nobody's online, right? OK.

Please go ahead.

Good evening. My name is John Wolbert.

I'm a resident of the the near north near north side, and I'm also an active volunteer with pro Housing Missoula.

First, I want to say again.

Kudos to staff for all the great work they've done and it's amazing that the turn around and on these notes that they've submitted to you and all and all of us just in such a short amount of time on the amendments and the the reasoning behind some of.

The changes and some of the things.

Not being changed, I want to adjust some of the things I heard tonight and reinforce

some of the positions that I think have been expressed through the pro Housing Missoula Group.

First off, the I'd like to probably said this last time I spoke to you.

The history, I should say in character of a neighborhood is is wrought by the people who live there.

More so than the form of the buildings in that neighborhood and what would happen if we don't allow our neighborhoods to evolve, is that eventually the housing in that neighborhood will become more expensive.

And that means that.

The people in the neighborhood are going to change.

That means it's going to only be available to the wealthy.

People. And then you're gonna end up with a lot of single brand new single family homes, housing very wealthy people.

And it will be unrecognizable because of the people who will live there in the future if we don't allow more housing and more of the people, like many of the people's room, to stay in Missoula for their children and their grandchildren to stay in Missoula.

I also wanted to address some of the concerns about parking when it comes to parking, we have to consider that it's it's actually a.

It's actually a trade off and granted some of this has already been mandated or preempted by the state.

But then one the big trade-offs that this whole conversation's been about is that we need more homes.

We need more housing.

We need that more than we need places essentially to park our cars and this code doesn't prohibit car parking.

It actually gives someone an opportunity on their parcel to do something without being inhibited by parking.

It basically gives them more flexibility.

The other trade off, so that's a trade off about creating more affordability for housing.

Less parking in town.

It means we can have more homes in town and to me that's means saving the

landscapes outside of our town.

It also means it reduces the urban heat stress due to excess asphalt.

It also means we can save more trees and not have to pave over places to park cars, which also moderates.

The urban heat.

So overall, the the draft codes parking allows for more flexibility and rather than rigidity and that's that's a good thing.

On specific items, I wanted to ask about or recommend is to support the draft setbacks as they are currently proposed, especially if smaller front yard setbacks is actually better for neighborhood engagement and creating good relationships between people because it puts the sidewalk closer to the front of the.

House closer to the porch.

And it means people will engage with each other instead of walking and their engagement feeling like they're engaging with the park cars or the cars on the street.

So I would please keep the draft proposed language for the setbacks.

I'd recommend to increase the building heights in all the UR zones by at least 10 feet.

This would allow for more affordability and in some cases it would allow for someone to put an elevator in a building.

In a taller building, that would make it more accessible on all the floors for everybody.

Also recommend elimination of the activity areas.

It's an unnecessary burden.

It's just gonna add cost to housing and then also right size the landscaping requirements across the whole table by at least by at least a reduction of 5% across the table.

Thank you for your time.

OK.

Thank you, John.

Appreciate your comments and your time this evening.

Just one second.

OK.

Go ahead please.

Hi, I'm Brett bovill.

I'm a renter in the university district and I thought it would be useful to kind of talk from a renting perspective from someone who eventually wants to buy.

Last time I checked, the median income is like 90,000 for a four person family and the median house price is 560.

And so you roughly need to make twice the median income before the median house.

And so I think that's just a useful grounding when we talk about all this and it's it's a useful reminder.

I live in the university district.

Rent. There are plenty of people and students that are trying to make it work, like half the softball team lives on one building across the street from me.

They're like question legally all living in one house, and I'm looking for, excuse me, looking forward to being able to have people build houses that can actually have people live in them at affordable prices throughout the city. And so I appreciate all the work that's been going into.

This.

It's been many years and I'm excited to see this get across the line.

Thank you.

Great. Thank you, Brett.

Appreciate your time this evening.

And being here.

OK.

Please come on up.

My name is Linda Ensen.

My property abuts the appending Aspire subdivision. I've spoken before about how the high density zoning failed to meet the objectives of the plan.

The plan also speaks of the land itself, determining in part the zoning specifically, environmentally sensitive areas such as embankments, riparian areas or wetlands.

The city has described this property as essentially flat.

And mostly it is.

But along the western boundary there is an embankment that is very steep from 6 to 15 feet high at the base of that embankment, there is an area that is much lower

than the flatter valley floor. In the 80s my friends and I ice skated on the Po.

That formed in this lower area.

I don't know how a wetland is defined, but I don't think that an ice skating pond and a multi family.

Developments sound compatible?

My other environmental concern is obviously the river corridor. Did the Planning Commission intend to offer no protection to the river?

And the repairing area in the river corridor, there are parks and wide green areas along the river through most of Missoula.

Why only 60 feet here?

This seems to be a perfect time to create a minimum set back from the river as these sensitive and precious areas cannot be replaced. Thank you.

Great. Thank you, Linda.

OK.

Alright. Well, we'll give it just a minute here.

And I think once we close out public comment, we'll take 10.

And I know I need a little break.

OK, am I missing anybody?

Online. OK, so not seeing anybody online or anybody else in house coming up. We're going to go ahead and close public comment for tonight's hearing.

And we are going to take a 10 minute recess.

And then we'll come back and start weighing in waiting in.

Are going to reconvene here.

And so with a little bit of a pow wow.

We.

Our course of action here is we're gonna try.

Excuse me, maybe these carrots aren't a good idea.

We're going to try and address some of the questions that have been presented to us.

And I'll I'll be real clear as quickly as we can.

Because a lot of your concerns are really going to get tackled if we can get an opportunity to start diving into Chapter 4 and being able to start presenting some of our own amendments.

So.

With that in mind, I'm hoping to ask staff, and if this isn't possible this evening, that's fine, but.

If one of you might be able to address the question of where have we seen this work?

Where in our nation is, you know, there's some type of successful?

Framework to.

Use as a appropriate example.

For why we're moving in the direction we're moving.

Great. Erin was going to address this, but I have her notes since she's still coming back, we can wait a minute.

I could move.

So just going into specific examples and then I might go back to just some broader opener, Umm Fort Collins Co passed a major new land use code in 2023 that increases allow density, opens up more areas to duplexes and multifamily housing and legalizes ad use.



Max Wolf 2:50:58

Yeah.



Analeshia Rodriguez 2:51:04

In Boise, ID, they completed a zoning code rewrite that explicitly aims to create a modern code with more housing along corridors and more diverse housing types. Boise also removed several barriers to missing middle housing include yeah, missing middle homes, which we define as small apartments.

And they have seen a noticeable jump in these housing types since making those changes.

Salt Lake City is also reforming its missing middle zones and broader residential districts to make it easier to build townhouses, duplexes and small multi family. They adopted new incentives.

And Rezonings tied to affordability and density.

Bozeman is currently in the same process we are, so they are working on that as well with increasing density broadly too.

Lakewood, Co. They just modernized their zoning to legalize more missing middle housing, including removing unit caps.

So that's starting in 2027, the number of homes per lot is controlled by building form rather than strict unit limits.

Which is very much the approach we're taking with floor area ratio.

Spokane. They replaced single family zoning with citywide middle housing in 2022 to 2023.

That legalized 4 plexes on all residential lots and allowed up to six units near transit wall, cutting parking and lot size barriers to make small scale infill easier.

And that was in response to Washington state legislation that required them to allow four plexes on every lot.

And then Minneapolis adopted the 2040 plan.

Which also ended exclusive single family zoning and allowed up to triplexes citywide, helping add thousands of new homes while keeping rent growth lower than in many peer cities.

It's a long list, but it's not exhaustive.

But it does look a lot of the Rocky Mountain West, which are doing very similar things to what this code is proposing.

Just one more fact too.

I mentioned Spokane's changes.

During the pilot, when this first came out.

It generated a pipeline of 450 plus duplex townhome triplex and four Plex units and 70 plus.

Sorry, skipping down but it is helping them build more housing with some very similar changes that we're proposing.

And.



Max Wolf 2:53:32

Hello.



Analeshia Rodriguez 2:53:33

Hello.

Can you mute them?

And.

Briefly, can. Is there any examples?

Of and if you don't know this, that's fine.

But are there any examples where this has gone awry and we have we're seeing the Max build out and what most of our you know, public's concerns and fears are manifesting. Are we seeing that taking place?

I couldn't tell you of a specific place.

But there there are trade-offs to consider in these decisions following the land use plan.

You know, longtime homeowners who are used to quieter streets.

Lower density, more parking.

This is going to be changed as units get added and there's more activity, more varied building types. And so really it's kind of going back to those values identified in the land use plan and those trade-offs between affordability, equity, ability for service workers to find units.

It's they can afford versus sort of those changes in neighborhoods.

OK.

Great. Thank you, Cassie.

And I would also just like to take a quick reminder for folks that the entire intention for this is to be amendable to be adjustable, so that if we're not getting it right, we can adjust.

So I know that perhaps feels like a false hope, and it's hard to trust in the city to do that.

But that is truly the intention behind the what we're doing with this UDC, OK.

So we're also gonna just wanna go down a couple of things here.

As far as Mike Wiley's questions on traffic.

Calculations.

We would like to specifically point Mike towards Aaron Wilson and Mark Henderson and it seems like some of Mike's question was answered last meeting.

By Mark Henderson, so maybe.

Refer to that but also please reach out to those specific staff members, Mike, and ask them those questions and ideally they can address it.

It is a A2 technical of a thing for planning board.

To line out and weigh in for you. And we really need our time here, which is, you know.

Finite in order to move this along in some way.

Folks from East Missoula.

We have heard you for sure and we are doing our best to address your concerns.

I know for a fact that you know, Rick Hall is a member of your community and he is looking at that and trying to.

Help address your concerns and that you know.

Suggestion I have is to keep keep doing what you're doing and continue building finding facts to support your desires. Looking for evidence within the Lup and all the other planning guides to support your desires because that is what is going to help give staff and City Council the.

Legal justification for making the changes that they that you want to see, OK.

And it's also really important to try and remind folks that this this body is is a recommendation body and we're going to do our best to make all the recommendations that we can and amendments and changes that we can and ultimately as many of you know, particularly East.

Missoula City Council may have a different opinion, so.

Keep your evidence together and be prepared to keep marching.

Looking forward, I can't applaud you enough for your efforts and for your time, and there is nothing more valuable and important within our democratic society than participation.

And I think we all really, you know, understand that these days, right?

And lastly.

Just to highlight on the concerns from the airport, we we hear that and we feel like.

That really at this point in time, falls pretty squarely for.

Staff to try and weigh that out.

It seems very clear that you're asking for looking at future growth and possible runway construction and growing larger, and that seems like a very valid point that we need to bring into the envelope here and work into our calculations so.

With that, we are now going to start.

Moving into Chapter 4, this is gonna be long and weighty.

So just to give you guys a road map of where we're moving next.

OK.

Where does that bring us?

All right.

How did you guys do this last time?

Are you reading?

You skimmed everything.

OK.

OK.

So can who wants to bring stuff up for us, you guys?

We're going to bring up 4.1.

4.

Chapter 4.

And then we'll probably start working through each section here.

Right. Am I right about that?

Alright, unfortunately there's no road map drawn. We have to.

Kind of create our own road map here.

Mm-hmm.

Yeah.

Yeah.

Yes, I think so.

Sorry Ryan Sudbury from the city attorney's office.

I I was sort of sensing something and I wanted to bring this up.

We aren't sort of inventing this as we're going.

This is the first time we've done this.

We're the first community in Montana that's done something under the new Montana Land Use Planning Act, so I certainly appreciate that we nobody really knows how this goes.

My recommendation.

I think you know you. You just raised two issues.

With E Missoula and the airport, and you're gonna move into chapter four, I would suggest.

Test that if you want and you highlight issues, you're coming up with issues you know, check 4.1 or wherever. If you guys wanna make a vote on a recommended

change, you can do that at any time.

So you could say, you know this provision in chapter 4.1.

I wanna amend it to say this.

You can take a vote and then that would just become a part of the package that would go to City Council. When this leaves and goes across the street.

So I think you could do that anytime with respect to the map or any of the issues in in Chapter 4 it doesn't.

It doesn't need to be sort of directing staff to bring you something different if if you guys settled on something you want to see changed, even if you don't necessarily know what you want to change to be, you could make a recommendation to City Council to say we.

Want you to explore a different alternative with respect to the far.

Or explore alternatives to reduce or increase.

Free CFAR in a certain way.

I think that works and satisfies the requirements found in the land Use Planning Act to make a recommendation to City Council for them to consider OK.

I would say feel free to sort of cross items off your list and and take a vote on things, OK.

Great. Thank you for that suggestion.

And which reminds me, you know, for planning board members.

Most of us are not professionals within this community, so lean on your fellow board members.

If you're not sure about something, don't be afraid to ask questions.

You know for myself, right?

Like this is way over my head.

I've been thinking a ton about my first con law class, right, and trying to figure out how to read legalese right. I can read this all day, but I don't necessarily grok it, right? I don't necessarily completely comprehend it.

So if you need help, ask, you know Danny O or chain or Danny T Danny, go ahead.

I I agree with that 100%.

I was just had an idea.

Procedurally, I think it would make sense to go through the staff recommended amendments as much as possible as a package first and foremost.

And at the conclusion of that, assuming we can get through all of those, which I don't think will take too long because they a lot of them seem very minor.

In comparison to some of the other things that we have before us.

Then I would like to move to Rick's amendment because we have some folks who have been attending multiple meetings about from East Missoula about that amendment and.

Also, Rick proposed that first.

I mean, last meeting.

So I think that would be a good way to go. And then from there maybe move on to the various board members and the amendments that they've discussed or that they wanna pull from from comments that other people have written in about.

That's my proposal for procedure, OK, going forward.

That seems to leave going through chapter four line item by or section by section kind of out. Does that seem agreeable?

To everybody. What's? What's the feelings on that?

RH **Richard Hall** 3:04:05

So.

AR **Analeshia Rodriguez** 3:04:07

Oh, go ahead Rick.

RH **Richard Hall** 3:04:10

Yeah, I I would agree. And I think that we can go through it and see if we have any objections and if we have none, we can even vote on it as a package on the amendments that was suggested when we were told about them. I didn't I.

Mean. Personally, I didn't see a lot that it looked like. It all made a lot of sense to me, so.

This is my feeling on it.

AR **Analeshia Rodriguez** 3:04:35

OK.

Any thoughts?

Procedurally, I don't have any thoughts.

I do have some thoughts on on staff recommend changes however.

Really some questions.

OK. And I guess I just want to make sure that that we're not missing any like amendments that people want to make with Chapter 4, because that seems to be one of the areas where there's gonna be more amendments, maybe.

Yeah, I still intend to make my at least pitch on those amendments, but we can do it in stride if.

Folks wanna do it that way.

OK, staff.

What do you guys?

How you guys feeling about this discussion, right?

Thumbs up.

Alright, OK. All right.

Yes, tune, go ahead.

BB Benjamin Brewer 3:05:24

Umm.

AR Analeshia Rodriguez 3:05:25

So I had.

I had a procedural question a couple things.

One is in the in the interest of efficiency, could we discuss and approve your the staff package as a whole?

Would that preclude us from making?

Then other amendments to potentially might contradict her over overwrite.

The staff amendments or if, if there's a chance that we.

Don't like a particular line item and the staff would.

Should we exclude that explicitly in order to make a different amendment?

Yeah, I I don't think it precludes you. I think that staff can assist as we move on to Planning Commission recommended amendments to just identify any conflicts and we can work it into a motion that something's replacing something else.

You voted on previously or modifying it.

That's great, because that'll be a superficial. And then I have a a larger, more philosophical question.

Because usually.

If we were to my concern is, is that there's a lot of technicality in here and I commend the staff, the YOUR staff responses were tremendous. It was really great.

But there's still some details here that that I'm not comfortable with. If we were to go with something that is less restrictive as a recommendation, and that ultimately gets through to City Council.

With the intent of hey, this isn't perfect, but we don't want it to stop the process.

Let's just strip it out.

What would be the consequences there in the sense of, you know, let's say six months goes by and we have a fairly loose thing?

Could somebody come in and sort of take advantage of that or would that give us sufficient time to say in three months do an amendment?

Just trying to make sure I'm understanding your question right.

So just to clarify, like if we say set a standard too low and saw negative impacts, how quickly could we come back and fix that?

Yes, pretty quickly.

Three months might be a little quick where you wonder if that was just a one off project or if this, you know a special case or if it is really a problem.

But we are thinking, you know the six month at the earliest, but coming back probably multiple times over the next two or three years with varying packages.

But I think that's a pretty quick fix.

And if it was something you know, really, really bad that we needed to fix, I think quicker than six months could happen as well.

Yeah. So I'll, I'll use a real example, something that I I've raised in the past, if we were to again because it's a controversial thing. If we were to remove.

The commercial limitation.

Square footage limitation just because, like we don't if it should be 2000 or 3000 or 6000 or whatever.

And just say just remove it.

Would that open us up for somebody kind of advantageously come in and get a building permit for a 10,000 square foot thing? And there's nothing we could do

about it?

Yes, if the code did allow for that, then that would be legal and they could until the code was changed later.

But that project would have already been approved under those laws. OK.

Thank you.

Hey, good questions.

Tung, Rick, your hands up.

Do you have something?

No. OK, great.

All right, let's dive into stacks recommended amendments.

Umm.

BB Benjamin Brewer 3:08:54

And Shawn, I just wanted to throw out. I'm I'm available to bring it up, bring things up on the screen. If there are materials that we want to be able to.

AR Analeshia Rodriguez 3:08:58

Oh hey.

HB Heidi Boggs 3:09:03

So.

AR Analeshia Rodriguez 3:09:06

Great. Thank you, Ben. Appreciate it.

BB Benjamin Brewer 3:09:07

Look.

At.

AR Analeshia Rodriguez 3:09:11

OK.

Does anybody?

Cassie, can you maybe bring let's try to take these in the chunks that you presented

them? Does that make sense to everybody?

'Cause they were broken up into chunks, if I'm not mistaken, right?

Kind of.

Yeah, I'm more or less broke them up by code article or chapter.

There was one bucket that was kind of miscellaneous, but.

Yeah. And can I have Ben share those slides too if that's a good visual?

OK.

Yeah, let's, let's go ahead and try it that way and we'll see if we can wade through this in in some chunks.

So let's see.

Ben, can you bring up Cassie's slides?

I was that right?

Should I ask Ben?

BB Benjamin Brewer 3:10:02

Sure. Yeah, I'm. I'm working on it right now here.

AR Analessia Rodriguez 3:10:04

I could too, but I might do more swapping around than you.

BB Benjamin Brewer 3:10:05

OK, see.

AR Analessia Rodriguez 3:10:09

Good.

BB Benjamin Brewer 3:10:13

Just give me one more second here.

AR Analessia Rodriguez 3:10:15

Yeah, no worries.

I.

I guess I have one thought. You know, I don't if this is more efficient or not, but if.

All of us generally were to support the staff's recommended.

We we aren't precluded by making further amendments that change those.

No, no.

So maybe what I'm thinking is we don't have to go through each article 1 by 1 if we wanna just say I don't agree with this, but the rest of it I would support and then we can dive in deeper later. OK, because we can make further amend.

Even though we.

Technically said.

We agree with these recommendations.

OK, that's that's what I kind of heard things out from the package.

So you mentioned voting on them as a package. You could say all items except for number X which you want to discuss more later and run that as a separate motion too for just to select few things.

LB **Len Broberg** 3:11:06

Yeah, but tonight they're playing better as a group.

We're not going like Nate Bayless.

AR **Analeshia Rodriguez** 3:11:13

I don't know what game they're watching, but hopefully it's good.

Do we know whose mic that is? No.

Somebody's saying it's Len. Maybe, Len.

OK.

So with that suggestion.

In the staff's recommended amendments, is there any particular line items that people have an issue with and we want to amend or change or?

Where at in this package of amendments.

Do people have some issues?

Otherwise, how do you know?

Like maybe we don't need to go through this whole thing line item by line on Tung.

Yeah, I I don't mean to contradict.

I don't wanna over complicate this, but my take is is that if anything, my suspicion is that some people might have some objections and wanna go further and so I I would

suggest we actually just approve it as a package.

As a fall back 'cause, I think generally speaking it's these are really good amendments and they are. They establish a baseline and that gives us the opportunity to then further discuss individual items.

But if those individual items then fail, we still have the fall back of the amendments of the the staff already made.

OK.

That makes sense to me.

Shane, go ahead.

I mean, I I feel fine with that as long as staff can track that reasonably well enough.

So yes, great. OK.

Do we need to have a motion for this package?

RH **Richard Hall** 3:13:01

Yes.

AR **Analeshia Rodriguez** 3:13:01

Do we have a motion on this package?

I'm sorry, y'all.

I missed the last meeting. I had to take a break.

I guess that that was one of the procedural questions that I was gonna ask.

Mr. Sudbury, do we need to put motions on the floor for the UDC, the zoning map and the land use plan amendments?

1st and then we can start making amendments to that.

If you wanna vote on these amendments as a package and then have them come back and be considered part of the UDC that you're considering.

As a full package, I think that's fine.

I I think at the end of the day, I I I don't need to focus so much on that.

That was formalities at the end of the day, we'll have a package for you, like a final package that you guys vote on with a set of recommended changes.

That will serve as the final motion that will get sent over to City Council.

So if you voted on this package, we would just say, OK, this is incorporated. Now these elements are incorporated into what you're considering for final adoption. And

then if you still wanna interlineate some of these elements.
To increase or or turn the dials on some of them further then then that's fine.
We'll consider that as an additional amendment down the line.
Great. Thanks.
OK.
So that leads us to bringing a motion to the floor.
I guess I'll move that we approve the staff recommended amendments.
As presented, until potentially modified later.

RH **Richard Hall** 3:14:38
I'll second it.

AR **Analeshia Rodriguez** 3:14:39
So moved by Shane, seconded by Rick.
Check it out.
My Co chair stole my agenda.
OK.
Alright, so we have the motion. It has been seconded by Rick.
Discussion or?
For these amendments.
That are on the floor right now.
You guys wanna just move to a vote?
Boy, we're just clipping along here now, aren't we?
OK, Danny wants to vote.
Both Danny's want to vote.
Any objections anybody want to discuss anything, OK.
All right, all right.
Well, with that, we will do a roll call vote on the motion that is currently on the floor.
And Annalisa, please.
Roll call vote Lynn Davis.

LD **Lynn Davis** 3:15:43
Yes.

AR **Analeshia Rodriguez** 3:15:45

Garret kanwar? Sure.

Shane Morrissey. Toon pham.

Danny Tenenbaum Danny oberweiser.

Recall.

RH **Richard Hall** 3:16:01

Yes.

AR **Analeshia Rodriguez** 3:16:02

Sean McCoy.

Yes, and it is unanimous.

The motion passes.

Great. Thank you, analicia.

OK.

Well, look at that.

All right.

Now.

We get back to chapter 4. Is that right?

Bring us back around to chapter 4.

Well, you actually suggested Rick.

RH **Richard Hall** 3:16:25

Danny had suggested that I make my motion.

AR **Analeshia Rodriguez** 3:16:29

OK.

Yeah, yeah, alright.

Mr. Hall, please take it away.

RH **Richard Hall** 3:16:34

You know, so I'll kind of give some background on it.

The request for the residents in Missoula in East Missoula are that we rezone it as limited urban residential.

Too.

Their reasoning behind it is that the description.

I'm sorry, the description of what?

It's zoned for right now, which is you are three urban residential 3.

Is that it be typically compact and multimodal in ways that are walkable?

It it basically does not meet those.

East Missoula is not walkable.

It doesn't have sidewalks.

Yet the limited urban also says some blocks do not have existing sidewalks or alleys and is not uncommon for driveways and garage to be accessed directly from the street.

So in in most ways the.

Lur 2 or the?

UR1 have very similar densities in them, so they're very similar.

So I'm going to put forth a motion that we do a place type change and a map change for the one lot that is in the city and I see.

See how all of East Missoula got zoned in the higher?

Density because they're not part of the city, but they are a target of annexation in the future.

But that's in the future, and as of today, I just don't think that that parcel.

Meets meets the R3 certainly does not meet the urban R3.

So I'm gonna put for the motion 2 motions.

One that we changed the place type.

Believe that's what I've been told I need to do.

You.

Umm.

So that would be first and you know I'm going to put it out there if the board decides that they don't want to go that route.

At least I've done.

We've done what we need to do in listening to the testimony we've had so far, so.

AR **Analeshia Rodriguez** 3:19:10
OK.
So can you read out your motion?

RH **Richard Hall** 3:19:15
Emotion would be to change the place type on the parcel.
I don't know if we can identify the parcel, but it is the what was formerly the Aspire Subdivision or is the Aspire Subdivision.
In East Missoula, from what is recommended, which is urban R3, the limited urban R2?

BB **Benjamin Brewer** 3:19:49
Rick and I jump in there and Sean, just for a second, it sounded like it sounded like you were wanting to start with.

AR **Analeshia Rodriguez** 3:19:49
OK.

RH **Richard Hall** 3:19:51
Sure.

AR **Analeshia Rodriguez** 3:19:52
Yeah, please go ahead, man.

BB **Benjamin Brewer** 3:19:57
A motion on the place type.
Is that was that the intent?

RH **Richard Hall** 3:20:01
The place typed 1st and then the zoning map.

BB Benjamin Brewer 3:20:04
So I think you'd wanna just read.

RH Richard Hall 3:20:06
The other way around.

BB Benjamin Brewer 3:20:08
Yeah, just go those those that you mentioned are the zoning districts.
So I think you'd wanna. Yeah, just to clarify that the place type designation is urban residential high and the.
I I think what you're thinking of is, is the limited urban residential place type.

RH Richard Hall 3:20:24
Limited urban residential too. Yes, exactly.
So that's what my emotion was, was that the place type or the zoning designation?

BB Benjamin Brewer 3:20:36
What? What?
I just what I just put out. There were the place types.

RH Richard Hall 3:20:41
OK.

BB Benjamin Brewer 3:20:42
With.

RH Richard Hall 3:20:42
Yeah, that was my motion to we. We changed the place type from.
Urban R3 to limited urban R2.

AR Analeshia Rodriguez 3:20:56

Can I?

Can I step in, Rick and maybe try to help?

RH **Richard Hall** 3:20:58

Sure.

Yes, please, please.

AR **Analeshia Rodriguez** 3:21:02

I'll move that we change the the area formerly described as the Aspire Subdivision. And the land use plan from limited from urban residential high to limited urban residential.

RH **Richard Hall** 3:21:22

Thank you.

AR **Analeshia Rodriguez** 3:21:24

Great. So moved by Shane and Rick.

Do we have a second?

LD **Lynn Davis** 3:21:31

I'll 2nd.

AR **Analeshia Rodriguez** 3:21:33

Seconded by Lynn.

OK, discussion board members.

And I guess I have a hold on a second.

OK.

Never mind.

All right.

Discussion by anybody, anybody.

Thoughts. Concerns. Go ahead, Shane.

Yeah, I'll speak to it a little bit.

You know.

I.

I mean, I suppose I technically made the motion here so.

But so I agree with myself.

You know, I I do think that in hindsight, you know, you know, it's easier to see this now that the zoning code has been released.

But I do think that we made a mistake in the land use plan with development pattern that was approved.

For the subdivision out there, I don't believe that it.

Has the characteristics of an urban residential high area, and I do think that it is a the development pattern that was approved as part of the subdivision is a limited Urban Development pattern.

And.

I don't think that this is going to preclude the densities that were.

Proposed in the subdivision as as presented and approved by City Council last year.

But what it will do is make sure that they more closely adhere to that approved subdivision plat.

And frankly, the state has already allowed them to build this area out in twice the, you know, density. That would be, that was allowed last year because you can actually put two houses on any parcel.

Just by state law.

So I think that that's it's more fitting with the subdivision as as it was approved by City Council and I intend to support the motion.

Great. Thank you, Shane.

Rick, your hands up, go ahead.

LD **Lynn Davis** 3:23:57
You're muted.

RH **Richard Hall** 3:24:00
When we reviewed this subdivision a year ago.

AR **Analeshia Rodriguez** 3:24:02
Oh, Rick, you are muted there for a second.

RH **Richard Hall** 3:24:05

I know I'm. I'm. I'm starting over again now, so.

AR **Analeshia Rodriguez** 3:24:05

Could you start over OK.

RH **Richard Hall** 3:24:09

Thank you, Lynn.

When we reviewed it there, there was an overlay that allowed this to be a very unusual subdivision and.

There were eight variances as well.

So.

You know, will they, will they?

Do I think that my feeling all along was that there should have been some form of transition between the density that ended up being approved by the city?

And and the rural density that exists in East Missouri. And there wasn't that, it was just. It's just like a chunk of the city just moved to East Missoula. And you look at the R3 designation and it says in city centres, you know, and that is defin.

Not E Missoula.

Nor is it readily accessible, and as I pointed out, without improvements to the infrastructure.

They're not going to be for some time.

There's not even a bike path.

You know it's it's just, you know, the roads are all substandard infrastructure's needs, needs help in these Missoula.

So that's just my point and that's why I put this forth and we'll see how it goes.

Thanks.

AR **Analeshia Rodriguez** 3:25:34

Thank you, Rick. Anybody, anybody else?

Penny. Sure. I kind of said this at the former meeting when we had a pre discussion about it. So I'll just reiterate it briefly.

You know, I I generally don't disagree with any of the comments that my fellow board members are making right now.

My my sentiment, honestly is the.

What went into that approval?

That the city ultimately recommended approval for by staff with all the findings and facts and conclusions of law and ultimately the Council approving it, and and I guess my I'm torn both ways.

But where I'm leaning is that the Council's made their bed there and you know, ultimately it's a court of law.

Who's gonna make a decision if something was legal or not?

And I I don't feel comfortable changing it now in the game.

You know, I don't know what E Missoula does in the next 30 or 40 years, but it may look just like this by your subdivision everywhere.

So maybe it's just a little ahead of the game.

I don't know.

So I'm just inclined to vote no on this motion and then let City Council handle it.

Great. Thank you, Danny.

Uh. Anybody else wanna comment or?

Thoughts. OK.

I'll go ahead and chime in here really quick. I'm gonna have to.

Break out of the norm just a little bit here and ask a gentleman here in the front row with the glasses and maybe car.

What's your name, Sir?

Your Bruce Baxter. OK, so I just wanted to.

Highlight Bruce's public comments because within his public comments were some really good findings of facts and reasons why they feel like this can be changed.

Unfortunately I can't manage the meeting and take notes on all of Bruce's points. So.

From my my part, I am inclined to support this motion.

In large part because.

It doesn't seem to follow the character within the surrounding area.

And.

That's, you know, that's a challenge for me. I don't.

I don't, you know, personally want to live in a neighborhood where one little pocket. Gets to explode while the rest of the you know there's there's a disjunct between the two.

And.

At the same time, I also hear that, you know, like the city had its reasoning for this. So.

Besides highlining those good findings of facts from Mr. Baxter.

A.

Waffle a little bit, but I'm hedging more towards voting in in support of this motion. Lynn, go ahead.

LD **Lynn Davis** 3:28:46

Yes. Well, I'm in support of it obviously, because I seconded it, but mainly mainly because it the comments already made, the density doesn't really fit with the area and then also the change for the riparian buffer for 175 to 0 basically was kind of felt like.

A move by the developer to gain more.

Land for building and not considering the resource in the Clark Fork and we have to.

I mean, it's just.

Seems reckless to not have a riparian buffer.

With any development that butts up to the river, so I feel like.

The change in zoning gives us the opportunity to do that.

That, and I would urge Council to.

File suit and require repairing buffer.

So those are the main reasons and the infrastructure isn't there and it's like we're out of order with this project.

We're not building infrastructure and then saying, oh, this makes sense. We're trying to put those development in and then.

Sometime the infrastructure is gonna come from where there's no plan and it's it's just not fit.

AR **Analessia Rodriguez** 3:30:07

Great. Thank you, Lynn.

And yeah, please standing standing.

Bob, go ahead.

Thank you, Shawn.

I think I'm gonna vote no on the motion.

And.

I think my concern is that this subdivision has already been approved by City Council.

And we could make zoning changes.

We can make land use plan changes or we can recommend them as planning board and maybe in theory, City Council could follow our recommendation.

But it's my understanding that the subdivision has already been approved and it's would be grandfathered in if we were to make changes.

Cassie's gonna speak to that, which will be really nice.

So the subdivision itself in terms of the lot layout, the streets that are planned in those designs, those will, you know, are able to move forward as approved. Those don't need to be brought up to code, but the zoning would change what's allowed on the lots at the.

Time of building permit.

The zoning that was applied with the subdivision would not be carried forward or grandfathered, OK.

So my concern personally with the Aspire Subdivision was what Shane I believe.

Brought up in a prior meeting about the lack of allies, and it wasn't really a concern.

My concern is not with the density.

I think all neighborhoods in Missoula are gonna be seeing more density, and that includes the aspire parcel.

So.

That's why I'm voting no on the motion is I just don't want to, like, create this false hope that the subdivision itself is going to be.

Unapproved.

If we recommend the change in the land use map or the zoning.

That's about it.

Great. Thank you, Danny.

Anybody else got some color tune and then Shane add on to Danny. I I'm with Danny.

I'm I'm with both. Danny's on this one.

One is, is that we're really litigating something that was decided already.

I I appreciate that the Aspire Subdivision is a very controversial thing.

I was thankfully not involved in the initial hearings.

But again, I appreciate that it's very controversial.

The reason?

Part of the reason I'm voting no also, though, is that the underlying I actually agree with the underlying land use policy I.

We we voted on it a year ago.

I think that we needed.

We need the density over there. Whether or not that will impact this buyer, I think is, as Danny T pointed out, the subdivision's approved. So we're not going to stop aspire and I don't think that we should.

Potentially limit other growth and other necessary and potentially productive growth in East Mozilla just because of the swoopdivision.

Great. Thank you. Tune, Shane, go ahead.

Yeah. I just want to follow up on some of these, like really smart thoughts.

I I in no way believe that what we decide here tonight will take away the developer's right to develop.

As the subdivision has been approved, I guess.

That being said, I do think that the UR3 represents.

Far more density than was ever contemplated on that property.

And you know, for instance.

You know the developer could decide to change course I believe and aggregate a couple of lots and you know, two lots that were designed for single family residences and build a departments on it.

You know it was.

It was presented as being, you know, 7.2 dwelling units per acre, which generally matched what the rest of East Missoula was zoned as. And you know, I think that's one of the reasons why I passed City Council.

You are three, you know.

Represents it could represent about 90 dwelling units per acre.

That's the type of density that could happen, and that's why I'm I'm in agreement

that we should bring it back to about where it was as it was approved as.

As an RT 5.4 or whatever it was.

OK.

Thank you, Shane.

Alright, I'm gonna ask a question.

Here it seems like.

Outside of the Spire subdivision isn't the rest of East Missoula being designated UR 3?

Am I correct in that?

I can take a stab at it.

Or do you want to go for it, Cassie?

I see Mark is on here too.

I believe that it's the rest of East Missoula land use type is.

Urban residential high.

If we're talking about the land use map.

Across the river and the Canyon River area is the only other area in East Missoula that's a part of the city, I believe, and that's limited urban residential too, maybe.

Took me a second to pull it up, but kind of all of the central part of East Missoula within the growth policy.

Area is urban residential high.

There is a strip of.

Urban mixed-use, low kind of along the main kind of commercial road.

And then just a reminder that you know most of it's not in the city, so it will not be zoned at this time.

OK.

Thank you for that clarification.

I'm sorry I can't.

Great. Thank you very much.

OK.

Anything else before we move to a vote?

Does everybody ready to weigh in on this one?

OK.

All right. Annalicia, can we get A roll call? Vote, please.
Roll call vote on the motion to amend Lynn Davis.

LD Lynn Davis 3:36:36
Yes.

AR Analeshia Rodriguez 3:36:39
Garrett kanwisher.
Yes, Shane Morrissey, yes.
Chun Fong? No. Danny tennenbaum? No.
Danny Oberweiser no.
Recall.

RH Richard Hall 0:24
Yes.

AR Analeshia Rodriguez 0:26
Sean McCoy.
Yes. And the motion to amend passes 5:00 to 3:00.
Great. Thank you, analicia.

RH Richard Hall 0:40
Now do we need to make a motion to change the zoning map?

AR Analeshia Rodriguez 0:45
Yes, the this would now be the time for the second motion, yes.

RH Richard Hall 0:54
I flipped the last one up to.

AR Analeshia Rodriguez 0:57
Well, get get us rolling. And then if you need help, we'll jump in.

RH Richard Hall 0:59

OK.

I move that we that we.

That we changed the the zoning map.

For the parcel designated Aspire Subdivision in East Missoula.

From.

Urban R3 to limited urban R2.

AR Analeshia Rodriguez 1:26

All right, anybody.

Had suggestions on how to.

Make that a little better, or is that good enough?

Everybody thinks that working alright.

Great. OK, I'll second it.

So moved by Rick.

Seconded by Shane.

Discussion.

Thoughts. Feelings.

No. Everybody's ready for a vote.

OK.

Sorry, I'm just trying to take some notes here.

OK. Annalicia, can you bring us to A roll call vote, please.

Roll call vote on the motion to amend Lynn Davis.

LD Lynn Davis 2:18

Yes.

AR Analeshia Rodriguez 2:21

Eric kanwisher.

Shane Morrissey.

Tune Farm no.

Danny Tennenbaum no.

Danny Oberweiser no.
Recall.

RH **Richard Hall** 2:41
Yes.

AR **Analessia Rodriguez** 2:44
Sharma, coy.
Yes. And the motion to amend passes 5:00 to 3:00.
OK, great.

RH **Richard Hall** 3:00
Thank you. At least I know I can hold my head up high in East Missoula now.
By the way, I live in Bonner.

AR **Analessia Rodriguez** 3:05
Maybe for a week or two.

RH **Richard Hall** 3:06
I live in Bonner, not East Musilas.

AR **Analessia Rodriguez** 3:12
OK.
All right.
Well, where's that?
Bring us where we at.
Start going through chapter four, OK, so.
Didn't seem like we needed to go section by section per SE, so maybe I should throw it out and say is there. Are there sections within Chapter 4 that board members have amendments or recommendations or changes to?
Please go right ahead, Shane.
I guess I wanted to.
Talk about FAR.

And I have Al wrote a letter into the city and.

With a recommended table adjustment, it's the same table that is in Don MacArthur's letter, if that's easier to find.

And essentially what it's doing is it does does a couple of things in my mind.

It's.

It does put a unit, you know, a square foot per unit throughout all residential districts.

With the intention that we more closely align with land use plan.

And I can speak to that a little bit.

You know, in a in a ur four district you know we've.

We've created spreadsheets and all sorts of things to show what a yield could be in those UR4 districts.

And you know, it could represent depending on the lot size obviously. But on a 7800 square foot, lot could be 35 units on a 5400 square foot lot, it could be 25 units.

And I do not believe that that fits the land use plan, the land use plan and the urban residential high calls out 68 units.

It's allowed.

So.

The recommended table does put a.

Square, you know units per square foot.

Cap on all units and essentially what it does is you know for A50 hundred, 5400 square foot lot which would be pretty typical I believe in Missoula.

In AUR 4, it would be a 600 square feet per per unit.

Which puts you at 9 units allowed on a 5400 square foot lot, which I still think is above and beyond what's called for in the land use plan, but more in line than 35 units or 25 units or whatever.

Similarly in Ur three it would allow for six units on a 5400 square foot lot using a 900 square foot per lot per unit.

Number.

And so the goal with those bottom line numbers is to, you know, just more closely adhere to the land use plan and not have.

A.

You know a a shock in odd development happen in any area of Missoula.

That just stops us in our tracks from developing something that are so then.
You know, I don't think anybody really wants a 35 unit apartment on a single lot happening next to them with no parking.
You know it, it could.
Blow up a neighborhood pretty quickly, so if we can keep it to the land use plan, which I think was fairly well thought through.
That's what my table represents I guess.
A couple of other things in there that I want to point to.
You.
Are, you know we've had. We've had a lot of discussions with other architects in town.
We realized that in order to save houses on existing lots and save that we needed to bring up the the far at the lower at the lower end.
So you know, as soon as you build a house or two, we're recommending that you get pretty darn close to full FAR build out.
And I think what that does is let's take the same 5400 square foot lot if that has a 2000 square foot house on it right now. As the code's written, you actually couldn't really build anything more on it because you've already used up your.
They are.
You'd have to tear down the house and then start from scratch, which I don't think is the highest and best use of our resources.
I'd rather increase the FAR at a lower level of a lower number of units.
In order to achieve the densities that we need and still preserve the character of the neighborhood.
Conversely, at the upper end of the FAR, especially in UR 4.
You know a 2.0.
FAR seemed pretty excessive to me, and you know the the real difference between UR3 and AUR 4Z FAR in the height.
So I tried to calibrate the FAR to represent one more story of additional height, which increases the FAR. In additional, you know .2 or something like that.
So it was really.
Be in trying to right size it to the land use plan.
Allow for creative reuse and allowing these small lots with existing structures to

pencil out in the long run.

By saving those existing structures and being able to build a four Plex on the back of it.

Or whatever we need to do to increase density without.

Ripping everything down.

If anybody has any questions on the table or wants to discuss it further, I'm happy to. Talk about it.

Go ahead, Danny.

I got one question.

I don't know if it's for your staff. Technically there, I guess so. The the county had something similar and we just amended that a couple months ago because there was contradictions.

So I guess my question is if the developer.

Were to propose something that is compliant with the FAR calculation, but then it's not compliant with the Max density cap. What governs?

The density cap would govern OK. I mean they both govern, but they they couldn't exceed the number of units allowed by the density.

OK.

If we were to adopt Sheng's potential motion to amend, I think that needs to be explicit in the code.

Just to make it very clear that even if your FAR calculation were to work for more units, you can't have that many units because it's governed by the Max density.

Yeah. So it'd be similar to limited urban.

And I do just want to throw out that staff are looking at the FAR and running a lot of analysis, looking at what we received.

Our hope is to make some tweaks to it and that Planning Commission would recommend to Council that we bring that forward.

We just really need a couple more days to kind of work through those and come to agreement.

OK, with that feedback, do you have a motion in mind or how you wanna proceed?

Oh, I'm sorry, Lynn. I saw you and I ignored you. Go ahead, Lynn.

LD **Lynn Davis** 11:38

What?

I just have a question.

I think it was brought up in some of the architectural.

Public comments about removing the far and so I'm wondering if we have the density cap that governs and if we have setbacks.

Do we need the FAR?

AR **Analeshia Rodriguez** 12:02

So far is a tool that controls the scale of the overall building.

So without that tool and just density, you're really just leaving the scale of the building up to number of units per structure. These setbacks and the height, and so you you can get larger buildings that way.

It's not necessarily what every developer would propose, but you do lose that form control.

OK.

LD **Lynn Davis** 12:33

OK.

AR **Analeshia Rodriguez** 12:33

Go ahead, Lynn.

LD **Lynn Davis** 12:35

I don't know.

It just seems like if you were in.

You are.

Four, like it's just gonna be big and dense anyway.

So anyway, interesting. I'll try to wrap my head around that.

Thank you.

AR **Analeshia Rodriguez** 12:50

Yeah. And if I can, I think I'd maybe also like to share a little bit of information on

where these numbers are coming from. The land use plan and where we're seeing a couple potential changes that we wanna look at.

LD **Lynn Davis** 12:51
Go ahead.

AR **Analeshia Rodriguez** 13:03

So this is the urban residential high.

For example, it lists a typical parcel size of 5400 square feet.

And then down here you have your typical parcel would allow up to 6 to 8 units. And so those are the two numbers that are really.

Used to calculate.

Wrong slides and so just reanalyzing that and kind of setting districts at that various 6 to 8 level bumping up towards ur four. We still have a lot of work to do and just looking at what happens in those lower rungs of units. But that being said so.

Far this is where we're at with kind of potential changes to the upper limit.

UR2 and UR3. We got the same numbers as in the code now.

At that upper limit, which is really where the density starts to be controlled, whereas in UR1 so far we're thinking that should likely be bumped down.

It might be a little bit too high for that lower intensity district and then you are four as well, bringing it down from 2 to 1.2 like was suggested in the letter.

However, staff are not sure. We'd recommend bumping all of the lower tiers up yet.

That's something we are still trying to study.

Go ahead, Jay.

Or were you done? Lynn, I'm sorry.

OK.

Go ahead, Shane.

Yeah, I I guess I'd like to, if I'd like to make the motion and just see where it goes, I suppose go for it.

So I'll move to adopt the.

FAR table.

Suppose I should have been ready for this modify table 4.2 point O3-3, floor area

ratio and density as presented.

In the letter from Shane Morrissey and also the letter from Don McArthur.

RH **Richard Hall** 15:06

I'll second it.

AR **Analeshia Rodriguez** 15:07

So moved by Shane, seconded by Rick.

Any discussion, questions, tune, go ahead.

Yeah, Shane, can you?

Kind of summarize your the goal of what you're getting at here with this amendment.

I think it's a.

I think there's a lot of goals in it, to be totally honest with you.

By bringing the floor up, I think what it allows for is for more development to happen where existing structures exist on existing parcels.

Without having to tear down the existing house, so by bringing the floor up a little bit, you can preserve the 1000 or 1500 square foot house.

And still build 3 or 4 units or however many units you want behind it.

So that was the reason for bringing the floor up, for bringing the cab down, which I think staff just alluded to.

I think that they generally agree with that and the you are four. It was to more closely match you know a three you know a three story structure to a four story structure you get an increase of .2 give or take.

As opposed to an increase of 2X, which was what the with the code, the adoption draft presented.

And like, I guess ultimately that results in bigger out of scale buildings.

In in these primarily residential areas, so at the upper end that would essentially potentially reduce the Max density.

Is that the idea at the at the upper end?

I think it would potentially reduce the Max density, but it actually in my opinion makes it aligned with the land use plan as opposed to going.

3X over what?

The land use plan suggested.

Got it.

And then a question for staff.

What's the over?

I I know we've talked about it so much, but flow rate ratio is.

Clearly complicated.

But but what is the overriding goal of of of relying on Florida ratio?

Is it to control the form or is it to control the density?

Or or some combination of both and and what I'm ultimately getting at is that do we still need to have the Max density as a as an upper limit because a lot of what I've read is that if your goal is to ultimately manage the form, then you.

Don't really need to worry about the density.

That is the goal is that far manages the form. It's more flexible.

Where at the upper end you've naturally come to a density cap. Just because you've ran out of floor area.

But you could, if you made all your units smaller, squeeze more in.

Or choose to do fewer, larger units. Another goal of FAR is also to control forum, even at the lower end, so that even single family homes, duplexes, triplexes, quadplexes, all of that missing middle housing.

We've been talking about is also within.

Character of the neighborhood.

But, but it sounds like you you got based on the feedback from Shane and Don and others, you're open to reducing the upper limit just because of the form concerns.

Yes. And you are one and you are four specifically is where we found those could be brought into better alignment with the land use plan and then we would like to take a more more of a look at the middle range because if we bump those down there.

Are some cascading effects.

Yeah, I appreciate that. Thank you.

That's super helpful.

My concern really is I want to maintain the density.

While respecting the the form, so it sounds like you've done all the math like you.

You believe that this will certainly help in the lower end.

I think your point about.

Existing structures are a good one, and so we would allow for more.

I'm I'm hopefully ultimately looking for to give developers anyone really the most flexibility.

Agreed. And I think that you know.

This our recommended table was not the first thing that we came to.

I mean, honestly, we workshopped it with other architects and developers and heard, you know, actually this doesn't work for, you know, our first proposal. You're missing an entire section here.

Like we pretty quickly realized that what we needed to do is bring the floor up, not just bring the top down.

You know, we were concentrate like, you know, we were concentrating on scrapers and we were not concentrating on building just more.

You know, duplexes and backyards.

Triplexes and backyards for plexes and backyards on existing lots that might already have single family residence on it.

So that was the purpose of bringing, you know, the the floor up. So it I mean in in reality the table.

A little bit more truncated as proposed.

Danny T. Go ahead. Thanks, Shawn.

If the amendment was just about bringing the floor up, I really like that idea and what you said makes sense about making those.

Projects pencil out easier.

I like the idea of that a lot.

Bringing the ceiling down, I think that's something I don't agree with.

For for.

Sort of the same reason that tune mentioned.

I like the densities in the current.

UR districts. And I mean I'll be frank.

Like, I don't really like FAR I think a lot of the discussion that we've had over the past few years about form based code when talking with people who are not in the weeds on a regular basis. The way I explain it to them is.

You know, we're talking about the form of the building and not really the density.

Who lives there?

And it's really easy to describe that when you're talking.

About setbacks, people know what.

Those are.

It's really easy to just talk about height limits.

People know what those are, but once you start talking about far, it really is something that's only understood by professionals in the industry.

And if this was an amendment to just get rid of, Fari know, there are other comments that were in support of that. I would be backing that 100%. I think the code should be very.

Intelligible to everyone in the city, and everyone should be able to look into it.

It and understand their neighborhood and understand their parcel, and I think FAR cuts the other way.

I think it makes it more complicated.

I think that's all I've got.

Great. Thank you, Danny.

Let's see. I got. Oh, Erin, do you wanna just add something really quick?

Rick, I see you were gonna let Erin speak here real quick. I think one way to explain why we are looking at rightsizing far on the upper level too. When we originally proposed far, we were using it as a tool to accomplish a couple things. The primary purpose.

Is really looking at context inform.

Ation, it's a way for us to introduce this kind of more gentle infill into neighborhoods.

It's maintaining a neighborhood context.

We were also looking at floor area ratio as a tool to try to incentivize more units per lot. So the more homes you build, the higher far you achieve. I think what we found when we started to raise that base, which we heard in response to the develop.

Community both for just a single family home, but then also for some of those duplexes or smaller unit counts. When we continue to to raise in the larger unit counts to keep that progressive incentive.

Things started to get out of whack.

We started to get out of context, so we do feel like the far the 2.0 far overshoots what we anticipated in the land use plan, which is why we're taking a look at those numbers too and maybe with where we're at in introducing this tool, SER.

As an incentive, doesn't quite work for us yet. Maybe we do just need to focus on the

context and the scale function, which we do feel like is really important for introducing.

This missing middle housing multiple.

Kind of small.

Scale apartment and new housing types into our neighborhood and it's a tool that we can continue to evaluate and grow over time. 'cause it will take our community some time to get used to it, but just wanted to explain some context around why we are interested in rights.

It's not a reduction in density based on what we plan for in the land use plan.

It gets us right there.

It kind of protects us from overshooting, which we started to do when we applied that progressive lens to the floor area ratio.

Great. Thank you, Aaron.

Cassie's gonna go.

And then you, Rick.

Just want to put out an offer for the discussion too.

I mentioned it's still a work in progress, but I've modeled 7 seven different lot sizes.

The gross floor area you get at all different Fars as well as the unit size. If you were to divide it.

I've done that up to a sixplex so far, so if you want some examples in that middle range I can provide some numbers just OK.

Great. Thanks.

We're gonna let Rick comment and then if we want some and then?

Danny Rickman. Danny. Oh, go ahead, Rick.

RH

Richard Hall 24:41

You know, I couldn't agree more that it should be easily understandable.

And I've been in planning.

In some respect, for over 30 years.

In three different states.

And it's complicated and.

You know, I think one of the things that.

Is brought up is that it's present.

It's preventing an unintended consequence.
And I'd like to say that, you know, a developer's not going to build a 35 story.
Building on a 5400 square foot lot, but it can happen.
You know when they're, when it, when it's allowable, people can do what's allowed.
So I definitely support having the maximum density.
And I also think infill is definitely meets what you try to do as a.
And that is, you know.
Grow without sprawling.
And give people opportunities to to provide additional housing on existing parcels,
so.
I'm glad that I'm glad that you know.
That we figured it out that that that planning figured it out as well.
So I'm I'm think it's a great idea.
Yeah.

AR **Analeshia Rodriguez** 26:13
Rick Daniel, weather.

RH **Richard Hall** 26:13
And if someone wants to introduce a motion to eliminate Farr, we can always vote on that. So.

AR **Analeshia Rodriguez** 26:20
All right. Danny Oberweiser, please.
Thanks, Shawn.
So I think I agree with you know, 90% of this recommended change.
Where I start to have hesitation is with the Max density cap.
You know when we talk about form and neighborhood context, it's very it's opinion based.
Everyone has their own opinion about what that means.
Is it the people that live there that drive the character of the neighborhood, or is it how buildings look?
We've heard that a lot in in all the public comments to date and and I personally

believe that the people make the Community, not the building.

Things and and I don't see.

A issue with a 24 Plex across the street from the university and you are 4.

I think that's appropriate.

I also think to Rick's point that if it's possible someone will do it is true.

But the likelihood of this popping up all over town is so unlikely.

We're gonna see a few.

We're gonna see some data points over the next one to two years, and if this is a disaster, it'll get changed.

So you know.

Outside of opinion.

The only hard facts that I keep coming back to is what the land use plan said we need for housing and you know, we have maybe 600 permits to date this year. We need to be closer to 4000 over the last year to just get caught.

Up to an appropriate vacancy rate and then from there on out we need 1100 to 1500 a year for the next decade, followed by another thousand per year for the following 15 years.

If we don't see that my kids aren't gonna be able to afford a house when they enter the workforce and I'm trying to write the ship now because we're ten years behind so.

I support all of that, especially bringing up the bottom. I love that idea. I did not think about that when I evaluated this, you know, scraping buildings, because that's the only way to get 2 units on it.

Three, maybe I that's a terrible idea. So.

I think I support the motion except for the Max density.

I don't wanna see those in there.

OK, Ben, please.

BB Benjamin Brewer 28:48

Hey, thank you.

Hey, I just wanted to.

Bring up, I think maybe a clarification, maybe not.

I'm not sure if I'm.

Hearing some of the comments right, but it sounds like there's a concern.
That the and, and I'm gonna talk about the low end of the FAR.
So I'm gonna bring up the table as it is in the in the code for now.
But it it sounds like there's a concern.
That in order to add additional units that they that that.
Type of redevelopment would be held to the low end of the FAR.
And I just want to make it clear that the idea of the progressive far is that in order to incentivize adding more units that the FAR allowance goes up with those additional units and so.
The the low end FAR is really kind of.
Relevant to any single family home single Unit 1 unit home.
And potential expansion of that home addition to that single family home.
Replacing it with a larger single family home.
But it it it wouldn't.
That's a different scenario than if there was a interest or a.
You know to add additional units around an existing home on a property, you know that would depending on what you know, number of units were talking about that would open up additional.
Floor area ratio, you know, buildable area.
Really, the floor area ratio?
So I I just heard it being talked about a few different ways.
I just wanted to clarify that if that's helpful.

AR **Analeshia Rodriguez** 30:44

Great. Thank you for clarifying that. Ben. Shane, you got any?
You got any feedback? You wanna respond?
Not really, I mean.
I am, you know, I guess what's I think, what's clear to me is that work needs to be done on this FAR and.
I guess that I'd ask that we.
Vote on the motion and you know, I guess I also think that, you know, in a in the next meeting or.
If we last that long.

If staff wants to come back with an amend, an amended version of it that you know shows something, that something else that's totally workable, I'd be open to to looking at that too.

But yeah.

Not seeing anything in the packet being contemplated, I felt like I needed to speak up and present something to.

Allow the types of projects that I think we're talking about this, this missing middle stuff to happen.

While also not.

You know, frankly impacting a single neighborhood drastically, and I think that if and when those projects did happen, it would happen. And in the lower income places where it's our ur 4 like where the land is a little bit less expensive, it would scrape it and build 30.

5 units on a single lot.

OK, Derek, please.

Yeah, I'll just echo your comments there, Shane, and acknowledge everyone on the board who's spoken up about this is my question is more kind of you know, what is our process?

I think Shane has definitely brought up a, you know, a different table to consider. You know, that addresses some of our some of our concerns about far.

And so my question to staff, I think is.

And I think changes proposed 1.

Is that using the table that he has come up with or is it and or you know, asking staff to come up with something for consideration?

I'm just wondering like from your standpoint and I'm not asking you to speak for the board, but like what makes the most sense for us to move forward?

I think you have quite a few options you could go with Shane's motion on the floor. You could also.

There's kind of three concepts in there. You could break out into three different motions, like, you know, applying density is one, raising or lowering the upper end of the cap could be one. So hearing that there might be some disagreement on specifics rather than the package or you.

Could choose to go with the broader you know, staff should look into it with certain

parameters.

So I think there's quite a few choices here.

OK.

So, well, just to clarify, we will be voting on this motion one way or another and then once we get through that, we'll see where we're at and see if we need to tackle something else.

I got just a couple clarifying questions kind of from myself.

I want to say that what I've heard is that this motion doesn't impact.

Maximum density. Is that correct?

I believe it it would.

Just because you know, even in staff's findings, you are four was a bit overshoot.

And so it it would impact it in that way. But in closer alignment with the land use plan, OK. And that maximum density is closer in lineman with the the.

Land use plan.

And how big of a margin are we talking about here in the impact? I think I'd need to do some more math.

And just to clarify my last point too, that's looking at specifically the UR 4 I'd need to look back at the proposal for each of the other districts.

Yeah, I can sit down and try to figure out an approximation for two versus 1.2.

It's probably not necessary. I think I was just open to get a sense of it.

I think is all of you know, staff and board members know my stick is flexibility. What I've been arguing for for years is flexibility.

And so.

That's where I'm trying to lean into is creating flexibility and I guess.

You know, correct me if I'm wrong, but I feel like even though this lowers our density, it also gives us more flexibility.

By raising the floor is that is that an accurate assessment of this?

I think your second statement is correct.

Raising the floor.

I think increases flexibility and allows more units to develop on standard parcels, especially when there's an existing structure involved.

I guess.

The lowering the density thing I would maybe take.

A little bit of issue with 'cause I feel like.

It could lower.

It could potentially lower density, but I believe it brings it, in my opinion, into compliance with the land use plan which called for 6:00 to 8:00. You know, dwelling units on a single parcel on a single 5400 square foot parcel.

So the way that I've tried to structure it is so that out of 5000, fifty 400 square foot parcel.

You know you can get.

6 units on it and you are three and you can get 9 units on it and you are 4.

OK.

So I believe that that's in like in in the realm of what the land use plan called for and maybe slightly in excess of that. OK.

Anything else from board members before I bring us to a vote here? Everybody ready?

I see.

And everybody online. OK, Annalicia, could you give us a roll call vote, please.

Roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 37:22
Yes.

AR **Analeshia Rodriguez** 37:25
Garrett kanrishor.
Yes.
Shane Morrissey, yes.
Toon farm, yes.
Danny Tennenbaum no.
Danny oberweiser.
No.
Recall.

RH **Richard Hall** 37:47
Yes.

AR **Analeshia Rodriguez** 37:49

Sean McCoy? Yes.

And the motion passes 6:00 to 2:00.

Great. Thank you.

And before I forget again.

Just to be clear, for board members, if there's a motion on the table that you don't necessarily agree with, you can second it just to get it on the floor for discussion.

You do not have to support the motion per SE to 2nd it.

Just to clarify that for everybody, you know you can choose to be supportive of the person making the amendment and give them the opportunity to discuss it.

If you if you want to go that route.

OK.

Well, where's that get us to now.

We got FAR.

Landscaping.

What's the big ones?

I guess just procedurally.

With that table adjustment, I think that there's probably gonna need to be a few other text amendments that need to be made in the code.

I don't think we necessarily need to vote on them, but should this stand, you know, stand up through City Council, I guess I'd point you to 4.2 point, O3D, point 1B, floor area ratio intensity.

Because we put a cap on, you know, units per square foot.

Before it, the text described that that only applied in limited urban residential settings.

It would now potentially apply in urban residential settings.

Just a note, you guys probably are all over this stuff.

Do we need to do anything beyond?

Note that for y'all do we need to rec OK?

Great.

If somebody else has something, feel free to go ahead onto my next point, but I don't want to take up everybody's time.

I just threw that out there because I know landscaping is one of the more.
I don't know how to put it right.
Right now I'm getting tired.
I know it's one of the things that's on the agenda.
You know, people can I do one more related to FAR and then we can jump into landscaping. So we're not jumping around so much.
So there are some exceptions to FAR in the table.
So there are things that are essentially not counted towards your floor area ratio to brought one up. You know the neighborhood commercial.
Is not counted towards your FAR, so I suppose if we were to raise the cap of, you know, how much neighborhood commercial was allowed in residence in residential districts, none of that square footage would apply to your far other things that don't apply. Our indoor activity areas which.
Is not exactly sure what they are, but they're related to the activity areas that are also found outside.
I guess.
The point of the FAR is to control size and bulk of these buildings and by excluding. Large, you know, potentially undefined and bulky items within that FAR, excluding them from the calculation.
I don't feel it was really in the spirit of the, you know, FAR calculation in general.
So just just reading through what what what exceptions to the FAA.
RR, currently, as they're written accessory structures.
I'm fine with that, basements.
They don't really contribute to the bulk of building.
They're below ground.
I don't have a problem with that vertical circulation.
I actually don't really have a problem with that.
It incentivizes people to, you know, build indoor stairs rather than outdoor stairs to apartment buildings.
Don't really have a problem. Garages.
I guess the two things that I was hoping that we would entertain striking in this exceptions is.
Or activity areas.

And the neighborhood commercial. And I think that those two things, you know somebody could put in a 10,000 square foot indoor activity area in their house or something like that.

None of that theoretically.

Is is that doesn't go against your FAR. You know right now the CAP on neighborhood commercial is 2000 square feet.

I would actually like to see that potentially go up in the future.

But I don't want to increase the.

Increase it without.

You know, first making it count as a part of the FAR.

So I guess I would move that.

In four point 2.03 D .4 floor area ratio and density exceptions to FAR we strike E indoor activity area with within principal buildings.

And floor area containing non residential uses in neighborhood commercial buildings.

So moved by Shane, do we have a second seconded by Rick?

And then I have a question.

It seems like there was a recommendation to eliminate activity areas altogether.

Is that like? Is that separate from this or?

I think that it's somewhat related, like I believe that you are allowed to have outdoor activity.

Nathan can probably answer this far better than I can, but you're allowed to have.

You need 100 square feet per unit over 7 units.

As written right now, so you know if you have a 7 unit building you need 700 square feet of activity area as it's currently written.

You can do that outside. You can have some portion of that inside, but that does not count towards your FAR. If it's inside activity area.

But in my opinion it does add to the bulk of the building.

RH

Richard Hall 44:24

Reducing the activity area was in our amendments, I believe.

AR

Analeshia Rodriguez 44:24

Similar to.

Yes, OK.

That's right.

And then there was maybe some suggestions to eliminate it altogether by some folks.

I'm just trying to distinguish between what we've.

I know it's hard, but I think so far where our amendments are is we've accepted the staff recommended amendment.

Of reducing activity areas to 100 square feet and it applies to areas where there are 7 residents, residential units or more. OK, great. Thank you.

Oh, there's only 5 minutes left in our meeting, folks.

That's awesome.

OK, Board members, any discussion on the motion Toon, go ahead.

Oh, I'm sorry.

To.

Give this a quick justification for the commercial exclusion.

Lee might refer this to somebody else because it was something that we amended for the adoption draft.

Think we started in the same place as you were discussing now or it was not exempt?

And then we heard a lot of feedback that it would reduce people's ability to add housing to these structures. And so for the adoption draft, we did make the change to exempt it. And so I think there are arguments both ways.

Yeah, because because the way I'm reading it is.

In theory, if you had an existing structure and you converted it to commercial and then you wanted to basically make it mixed-use, you would build on top and therefore the commercial space wouldn't count against. Yeah, OK.

Is that your understanding, Shane?

Is that it is. But I mean, we're really talking about residential zones here.

We're not talking about mixed-use zones where the far does not apply.

So if we're yeah, I should have said, yeah, I'm just saying like like.

Like rousing garden, for example, has apartments on top so.

Like, how would that work out in in what you're talking about?

It would just revert back to the.

The far of the lot, so you know if the lot was large enough and it had.

You know, you know it's you are one or something like that.

You are two.

Then it would revert back to the allowable FAR, but both uses would count towards the FAR.

OK, Danielle then Danny T.

Yes, my train of thought is removing the neighborhood commercial exclusion would then work against the promotion of neighborhood commercial in residential zones.

And I think through the lup, we kind of heard the Community say we want more walkable neighborhoods with neighborhood commercial, and I think I get the bulk point, but it's just not a concern to me if we're talking about 2000 square foot neighborhood commercial.

Units within a mixed-use building. You know, I don't think it's gonna dramatically change the bulk of the building enough. So I would like to leave that exclusion in. I think that's I think that that's fair.

You know, I've also heard comments that we should increase the size of the neighborhood commercial allowable.

You know, and I guess that's also on my list later on is to undertake that to allow neighborhood commercial to be 3500 square feet or the entire ground floor.

And then those numbers start to scare me in terms of, you know, the size of these buildings.

Things that could exist.

Another scenario that could exist and I believe would be allowable is you're allowed to turn an entire building into your neighborhood commercial. You are not limited by size.

So that somebody could say I've got a 6000 square foot house on my block, that's all neighborhood commercial and it none of it counts towards my far. So that means I can build up to my maximum F, Arkansas.

In addition to that.

Ben, you got some color to add here.



Benjamin Brewer 48:58

Yeah, I think it's just.

Clarifying or or just pointing out, you know that the.

Size limitations for the neighborhood commercial building type are differentiated between a a new structure versus the conversion of an existing structure and. And so when you think of how the the rules are set up to work for.

Enabling.

You know, new neighborhood commercial businesses and neighborhood commercial kind of uses there.

Is that that kind of distinguishing between those two paths where, you know a new structure?

Has a specific size limitation and and they have location standards on a on a corner you know parcel, but there is the ability to convert an existing structure within a neighborhood.

To a business as is, whatever the size is. And so when you get into so just just those are kind of different scenarios that play out a bit and and to think about as far as how that might.

Implications for how that might play out with potential.

Redevelopment or or additional like housing development alongside something like that.



Analeshia Rodriguez 50:23

Great. Thank you, Ben.

Any other thoughts? Feedback.

Oh, I'm sorry, Danny T.

Thanks Sean.

As I understand it, this amendment would make it more difficult to open up neighborhood commercial.

And for that reason, I I think I'm in opposition. One thing that struck me when attending community engagement sessions that the city put on for the past few years is.

I'm gonna hold it up.

I'm not gonna expect you to put this on the screen.

And though I apologize for everyone online, this is just one of the poster boards that they put up and it was shocking to me.

But it's basically, how do you feel about neighborhood commercial, you know, allowing commercial and residential neighborhoods. And I think there's. 41 dots under the big, big :). There's one dot under. I could go either way. Sort of in the middle and there's no one opposed to it. Neighborhood commercial is more popular than the Greys. It's more popular than ice cream. It's more popular than all the things that we know and love. You could put support for the Griz and the cats together and it would not approach the level of support the city has for enabling neighborhood commercial. So for that reason I I'm going to be a no on this, but I thank you for bringing it forward because I think we're going to do more on neighborhood commercial going forward and it's good to have that discussion. Definitely does it. Makes sense to break these two pieces out and vote on them individually. Does that. Help anybody on planning board folks accept a a friendly amendment from myself? I would accept that. Umm. I guess. I will. I will. I will strike my motion to. Exclude. Nonresidential uses in neighborhood commercial buildings from my motion. So really my motion is is that removing indoor activity spaces from principal dwellings would, from the exclusions of the FAR is on the table. And I do want to come back to neighborhood commercial if you guys will allow me. Do we have a second for the amended motion of the motion?

RH **Richard Hall** 53:12
I'll second that again.

AR **Analeshia Rodriguez** 53:13

Seconded by Rick. Do we need discussion.
OK.
Annalicia, can you give us a roll call? Vote please.
Roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 53:28
Yes.

AR **Analeshia Rodriguez** 53:31
Derek kanrishor.
Yes, Shane Morrissey.
Yes. Tune pham. Yes.
Danny Tunenbaum, yes.
Annie oberweiser.
Yes. Recall.

RH **Richard Hall** 53:48
Yes.

AR **Analeshia Rodriguez** 53:49
Sean McCoy.
Yes, and it is unanimous.
The motion passes.
Can I make a second motion for consideration absolutely related to the neighborhood commercial?
I guess I'd like to modify the point G floor area containing nonresidential uses in neighborhood commercial.
To read floor area uses containing non residential uses in neighborhood commercial buildings.
Up to 2000 square feet.
Has a cap so.
I guess what I'm trying to get at is it's not changing anything as the code is written right now, I don't believe.

But if we do adjust the amount of allowable neighborhood commercial to exist in these buildings.

Where you're only able to exclude 2000 square feet from your FAR calculation.

Does that make sense?

And I think that that should probably pertain to existing structures also that exist on a lot.

So you're not allowed to double up on your far potentially.

Go ahead.

If I think we might have momentum on a amendment to lift or raise that 2000 foot CAP, would it make sense to do that first before this motion?

Not before I have protections for my form.

You geeks.

OK.

Any other discussion questions?

LD **Lynn Davis** 55:40

Let me ask, is there a motion on the floor that needs seconding?

AR **Analeshia Rodriguez** 55:41

Actually, go ahead, Lynn.

Thank you. I was gonna, can we get a a clearer like succinct motion please?

I would like to limit the amount of exempt FAR in neighborhood commercial up neighborhood commercial uses.

In this exceptions to FAR table to 2000 square feet.

Do we have a second?

LD **Lynn Davis** 56:10

I'll 2nd.

AR **Analeshia Rodriguez** 56:12

Seconded by Lynn.

Umm.

Do we need any more discussion?

Thoughts. Questions.

Right, tung.

Yeah, I know.

We're we're kinda doing this on the fly.

We put you on the spot, Shane.

Is a concern specifically for the commercial exemption.

Are there other exemptions that we might wanna consider here?

I guess what I'm getting at is that I'm curious if you can make this more of a formula as opposed to very.

Singling out specifically commercial and specifically 2000 square feet.

I gravitated to to 2000 square feet because that's essentially what's allowable, as the code is written. Right now, I am doing this on the fly. I also didn't.

I mean.

You're suggesting like doing a a ratio of allowable like accept like a percentage.

I'm probably not gonna be able to do that on the fly.

We could potentially direct staff to look at that.

However, if our intention is to, you know, keep the buildings within the FAR roughly that's outlined in the code, then this this was my way to get to that without penalizing, you know.

Indoor stairwells and.

You know, garages that exist and things like that.

Yeah, I generally like what you're trying to do here, 'cause to preserve the the form.

I just don't wanna be overly specific about 2000 square feet and specifically one use 'cause. I feel like that's incredibly limiting, but.

If you're open to it, I would say we direct staff to to come up with some type of again, more flexibility here.

Where'd that table go?

I was gonna have staff.

Great. Put it back up. Go. There was just to remind folks, it is 2000 square feet and the.

Urban residential zoning districts for that building type, but in limited urban enroll, the size cap is 3500 square feet.

Understanding that those areas typically have larger homes and larger lots.

OK.

And does that adjust anything for you? OK, all right.

I guess.

Go ahead. Do you have more?

No, I don't.

I I mean I'm I'm fine either way.

I do think that we should probably vote on this and then if, if it does fail, then hopefully there's at least enough discussion here to, or at least I I I would hope that maybe folks can.

Speak about why they're voting for or against it, because that will allow us to direct staff if to make any changes.

Or to make make any changes to what this proposal is.

More specifically, I suppose.

I I agree with that and I'll take a stab at it real quick.

Go ahead, Danielle.

I'm gonna be in opposition of this one. I think that neighborhood commercial is not gonna be rampant across our city.

It's gonna be here and there. So it's OK for the form of that specific neighborhood commercial parcel to be different than the rest of the neighborhood.

I want to leave the exception in there that the FAA excludes neighborhood commercial.

Danny TI.

I agree with Danny O.

I I personally just don't want to penalize businesses for exceeding 2000 square feet.

I think there's a lot of great restaurants that we would love to have in our neighborhoods down the street from us that exceed 2000 square feet.

And that's fine.

I don't think anyone.

I.

I don't want to speak for anyone else other than myself.

I would not consider that.

To be a negative in the neighborhood, I would love to have lots of restaurants walking distance to where I live.

And I think a lot of people like that as well.
And I don't particularly.
Care too much about the square footage of the restaurant or whatever
neighborhood commercial business.
Would.
Would take advantage of this type of of neighborhood commercial so.
Rick, go ahead.

RH **Richard Hall** 1:01:20

Yeah, I'm kind of on.
I'm kind of agree.
I just don't think it's going to become an issue much, and if it did happen.
It will be First off rare and and I think that we've had such a hard time getting.
Mixed-use developments in neighborhoods.
So.
I just don't want there to be a limiting factor either, I think.

AR **Analessia Rodriguez** 1:01:52

OK.
Thank you, Rick. Anybody else?
Here you guys have well spoken.
I guess I can jump in here.
But I'll be honest with you, this one is maybe a little over my head.
I think the.
The thing that I'm concerned the most with this motion is is limiting, you know.
Commercial and residential areas on the bottom floor.
And I know we're, you know, like that's a struggle to create like.
And so I think you know for that reasons, I I just don't want to limit the potential for
that to happen. I think I'd rather err on the side of us having an issue and then
correcting it.
And you know, getting possibly more commercial space or bag, you know, too big a
commercial space, I think is what I should be saying.
And then maybe amending, when we when we find that issue?

That's not typically the way I lean, however, with, you know.

This you know with commercial space in residential areas, I think we've got to lean towards getting it created.

Go ahead please.

Sorry, I just wanna maybe try to clarify one thing in this. This is not limiting the amount of neighborhood commercial that we can build. The amount of neighborhood commercial that we can currently build is limited at 2000 square feet for new buildings as it's written in the.

Code right now, so this is not a barrier to that.

You know I'm more.

It's this is more about the form of the building.

And trying to preserve that FAR limit that we're setting. So in no way is this amendment affecting the amount of neighborhood commercial that would be allowed.

In any district.

OK.

Staff have any color for this?

Comment right now is correct. What it would really do is just limit your ability to add housing on top of or beside or on the same parcel with that neighborhood commercial business. If they already used up the far for that.

Which with the caps, you're likely to still have extra FAR, even if it's not exempt.

It'll just be less than a few exempt the neighborhood commercial space.

And again, this was something that staff started with no exception and then added.

One. And so we we have acknowledged arguments on both sides for scale and form and also the want to add more sort of mixed-use buildings in parcels.

Do you wanna?

And before Erin speaks just to clarify, this is where you guys started and then you amended and Shane is kind of bringing you back to where you started again, OK.

And some of the feedback that we had received came from some small business owners.

Community members that articulated the fact that sometimes residential above commercial can make small commercial more viable.

So it diversifies income source and and makes it more possible.

So adding that residential piece does improve the feasibility of the smaller scale neighborhood commercial.

Go ahead. I mean, essentially what?

I'm what I am hoping to do with this amendment is exempt the 1st 2000 square feet, which essentially is as it's written and then we can be allowed to increase the size of the neighborhood commercial should we want to do that in any district without there.

Being massive, FAR implications.

Because we've exempted every square foot.

Of that neighborhood commercial.

Yeah. To reiterate what Shane is saying, he's worried about someone maximizing their FA RA potential for residential use while also having 2000 square feet of commercial on the same parcel.

And I just don't think it's gonna happen very often.

And if it does, I'm OK with it once in a while.

OK.

All right, let's bring us to a vote here.

We can see where we all stand.

And with a vote, how about that?

And Alicia, please roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 1:06:42
Yes.

AR **Analeshia Rodriguez** 1:06:45
Eric kanwisher.

Yes.

Shane Morrissey.

Yes.

To and from no.

Danny Tannenbaum no.

Danny Oberweiser no.

Rick Hall.

RH **Richard Hall** 1:07:09

No.

AR **Analeshia Rodriguez** 1:07:11

Sharma, coy.

And the motion results in tie.

OK. And that.

Feel like that speaks volumes to staff.

Thank you.

Sure.

I'd like to move to remove the CAP.

The square footage cap on neighborhood commercial just because it is so popular among the people of Missoula, and I feel it would be doing a disservice to our community if we establish an arbitrary square footage limitation on this type of commercial that people are demanding.

I'll just kick off the discussion with that.

And I guess this would remove the CAP.

For.

For for both urban and the rural and urban urban, rural limited urban residential. So both the 2000 and the 3500 square foot.

I also want to point out, Sean, you weren't here at the last meeting.

We were looking up the square footage of existing neighborhood commercial that is beloved in Missoula. I think the den up in the South Hills.

Rattlesnake market in the rattlesnake.

I'm sure there's others.

And I think we concluded that they all exceed that 2000 or 3500 square foot limit.

And yes, there's an allowance for existing neighborhood commercial to so that they don't have to comply with that.

But I personally think that new businesses should be allowed to to play by the same rules that existing businesses should.

So that's sort of why I'd like to remove that cap.

OK.

Can we maybe get some type of succinct motion or where? Where can I help you?
I think it's a table 4.7 point O2-6 neighborhood commercial building standards, and we're talking about the new structures.

Section.

Is that correct?

And so I believe what I'm hearing Danny proposing is to remove the 2000 square feet in urban residential and the 3500 square feet in limited urban and rural.

Correct. Yeah, that's perfect.

BB Benjamin Brewer 1:10:00

I just do another quick.

AR Analeshia Rodriguez 1:10:03

I move to amend table 4.7 point O2 Dash 6.

Eliminate the square footage caps under building specific standards.

And I think that would also sorry and eliminate.

The next row.

Titled Size conversion of existing structure 'cause that would no longer apply.

Also, I can just get us rolling. OK, so moved by.

Excuse me, Danny Tennenbaum and seconded by Shane.

Discussion clarification. Oh.

Anybody you wanna go ahead, Shane?

I think it's well, maybe I this is obvious.

Maybe it's not.

I don't intend to support this.

Because in in theory you know you could build an unlimited size structure in a residential district, which is the exact opposite of what the FAR is intended to do, which is to control the size and bulk.

Form of buildings.

OK. Anybody else?

RH Richard Hall 1:11:29

Yeah, I don't like that.

I mean, there's no cap. I I can't support it either, so.

AR **Analeshia Rodriguez** 1:11:38

Wayne, go ahead and then Danny O.

LD **Lynn Davis** 1:11:41

Well, that was my question was, is there a cap then at all?

I mean is there is it limited by?

Other means.

Within the code? Or is it just open season?

I don't know if staff can answer that.

AR **Analeshia Rodriguez** 1:12:02

They're powwowing amongst each other.

LD **Lynn Davis** 1:12:05

And if there's no cap, then I'm gonna vote against it.

AR **Analeshia Rodriguez** 1:12:09

I can answer that.

There would be no size cap, but we do have different restrictions like uses that would be allowed in neighborhood commercial.

But if we remove the size cap then that would be the only cap.

OK.

Danielle, that's where my train of thought was going was, you know, there is still a use as defined as neighborhood commercial building. So we wouldn't see any commercial use.

Just Willy nilly building as big as they want. We're talking about that neighborhood commercial use.

I don't have that table in front of me, or if that's something that maybe is worth sharing.

You know, I know.

Like maybe office qualifies.
You know, Starbucks probably doesn't.
Or maybe it does?
You know that maybe that's helpful to.
I can run through just most of the commercial uses.
There aren't that many.
These aren't all of them, but I'll kinda hit the big ones that might be more concerning to folks.
Restaurant is permitted in all residential districts, so you could get a larger restaurant.
There are food and beverage retail sales.
With a size cap that's more of a corner store. Without that, you'd have to find a big enough lot and someone who wants to build it there, but that could go up to really a grocery store.
Which may or may not be a bad thing office.
Personal Improvement service, which is kind of a bucket that has salons, yoga studios, a lot of different uses within it and retail sales.
And artisan manufacturing.
But that definition already caps at 4000.
And the way the way.
The the way this is intended is it.
It's a single use, meaning somebody could not put together three different things and make a mini strip mall, for example. They could have several uses, yes.
With the size cap bind, they need to meet that, but without a size cap, yes you could have several uses larger than that.

RH **Richard Hall** 1:14:21
Have a food court.

AR **Analeshia Rodriguez** 1:14:27
Uh. Anything else from board members?
Don't go ahead.
I I feel like I opened up this can of worms, but I I would.
I'm gonna support this.

Not because I believe in unmitigated commercial development, but more because I support Danny.

'S colorful popularity of commercial I'm a big fan of it as well.

And my vote is really is sending kind of a message to staff to to maybe revisit this.

Quickly.

And that's why I think it.

That's that would be my goal in supporting this amendment.

Copy that.

Thank you. Anybody else?

Thoughts. Color ready to move to a vote.

Seeing nods of heads.

All right. Annalicia, can we get A roll call? Vote, please.

Roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 1:15:27
No.

AR **Analeshia Rodriguez** 1:15:29
Derek can rusher.
No.
Shane Morrissey.
No.
Tune farm, yes.
Danny Tennenbaum, yes.
Danny Oberweiser, yes.
Recall.

RH **Richard Hall** 1:15:50
No.

AR **Analeshia Rodriguez** 1:15:53
Sharma, koy.
Yes, and the motion results in a tie vote.

All right, once again.

Clear intentions.

RH **Richard Hall** 1:16:06

I think that's a sign sign from above that it's time to go home.

AR **Analeshia Rodriguez** 1:16:07

Oh.

Yes, we're we're getting close and and that's a perfect segue. Thank you, Rick.

OK so.

My intention is to push this as far as we can tonight.

I'm not going to take us past 11.

But we're going to keep hammering away here.

Because, you know, we got to come back and we got to go through public comments and you know, like I, it looks like we're not going to make it through all this tonight.

So.

Unless there's very strong objections, we're just gonna keep hammering away. So.

What's next?

Who's got?

Who's got what?

Landscaping. Are we ready to dive into landscaping?

All right, let's dive into landscaping.

Who wants to start?

Danny T.

Sure. We got AI think a really good letter from landscaping architects in Missoula.

I'm not going to list all of the firms and individuals who signed on to the letter, but they recommended modifying the landscaping requirements for the various zones into Missoula, and I'm gonna.

Should I make the motion now please?

So I'll move to modify.

The landscaping requirements.

In urban Residential 3 to 15% urban residential, four to 10%, the all urban mixed-use

zones to 10% and then downtown transition.

Should join downtown core as being not applicable to landscaping requirements.

I'll just let the discussion go from there.

Do we have a SEC? OK, seconded by Rick.

RH **Richard Hall** 1:18:08

Well, I'll second it so.

AR **Analeshia Rodriguez** 1:18:13

And anybody wanna start this conversation out?

All right. Well, can we just clarify what were transitioning from N to?

Yes, I can respond to that.

So currently urban residential three is 20%. That would go down to 15 urban residential urban residential four is 20%.

That would go down to 10.

Let's see the urban mixed-use zones are all currently 15.

That would go down to 10 with this amendment and downtown transition.

Just currently 10 that would go down to not applicable, so not necessary.

Obviously this doesn't mean that this eliminates landscaping throughout Missoula.

What it does?

Is it just gives?

Builders more flexibility with their lot and what kind of landscaping they put in and how much.

Sorry, I would.

I don't want to go too far. I was just answering your question.

Great. Thank you, Danny.

Danny T Cassie, do you have something?

Yeah, just wanted to put up a slide that shows for some various different lot sizes, what the resulting landscape area is based on different percentages as well as the number of trees you get from general site landscaping as a reference. And I do want to note that that.

Median lot size for limited urban.

That's specifically limited urban residential.

Not the mixed-use.

Great. Thank you.

Oh, there we go. That's.

OK, any.

Feedback.

Do you guys want to just jump into a vote?

Thank you for that clarification cause initially I saw it's going up.

Which is not what I've been hearing from folks in their desires.

I guess I did want to add one more thing and I can flip between slides wrong way.

We did have a calculator which I can go and enter different lot sizes into, but this is a 7800 square foot lot that non buildable area percentage and square footage you see is just setbacks and so this is the percentage of the lot occupied by.

The setbacks in different districts, which I think is a good comparison to the percentage of landscaping.

There. Go ahead. Yeah, I wonder if.

I guess they a lot of people comment about activity areas.

As well as kind of landscaping, and I'm wondering if.

Are those two separate issues when we talk about outdoor?

Activity landscaped. I mean maybe I'm yeah inflating two things here.

I mean, I'll say yes, they are two different issues. But I mean, Cassie, please explain why.

Yeah, they they are two separate issues in code 2 separate calculations. Your activity area does count towards the general site on landscaping percentage though.

So one works towards the other, but they are separate.

So if we lower these, is that gonna mean activity areas have to be adjusted as well or is that, is that gonna, OK, they're OK.

Thoughts, questions. Opinions. Feelings. Do you guys want to move to a vote?

LD **Lynn Davis** 1:22:06

I say.

AR **Analeshia Rodriguez** 1:22:07

OK, Lynn. All right, we can just vote.

I won't even bother with my color. Do you get something?

Please go ahead.

All I was going to say is this is a portion of the code that is for very few folks to work in, so it's very hard for any of us, I think, to make a judgment call. And and I'm going to rely on the community's feedback from.

The people that operate in this code simply because I think it removes barriers to the missing middle infill projects that we desperately need.

So I support this.

Great. Shane, you want to go ahead?

Yeah, I think that's really well put, Danny.

I mean like just a little bit more color.

I'd hire a landscape architect to do a landscape plan 'cause I couldn't understand the current code.

And so it's it's an area that is difficult to understand and.

There, there's a lot of landscaping standards and we're just scratching the surface with this one, I think.

So I intend to support this one as well.

Yeah, I think.

I'll just very quickly reiterate.

Their points of also basically been the feedback that I've been getting as well is that. Lowering these percentages gives more room for folks to do things.

And you know that's in my mind, flexibility.

So I'm also in support of this motion, which will, before I take us to a vote, Derek.

Yeah, I just wanna, I guess, acknowledge, you know, the work of parks and rec and the post plan and all their, you know, outreach across the whole community and really invalidating, you know, like the way people really.

You know, value our parks trails, open spaces.

This makes it really challenging.

I mean this is I think an issue that was spoken of from climate Smart Missoula.

Amongst other community stakeholders that.

The infrastructure, even though it's not built, you know the landscape is built infrastructure and that is.

I mean it.

It aligns with a lot of our community values that make up our land use plan. So this is, but I definitely hear you from our developers and stuff. If we wanna meet, you know, the goals of the meeting, that missing metal housing. And more density and affordability, that finding some sort of compromise might be the way.

So I just wanted to go on the record there.

Great. Thank you, Derek.

All right.

Sorry, I'm not gonna bring us to a vote all immediately, but just to clarify like this, motion is not gonna affect parks or.

Will it affect parks and green spaces or no? I think the biggest impacts of lowering the landscaping percentage.

Is that you get less trees per lot on this table. You can see in most cases for a median size lots in our districts it would bring it down from 2 trees to one trees which can negatively impact our urban canopy.

Yeah. And I think too just I I'd like to do some more math on this, but with the FAR in place, reducing landscaping likely isn't providing more space for units or structures because it can fit almost entirely within the setbacks.

So really it allows for more paving.

Interesting.

Sounds like more reason to get rid of FAR in my opinion.

I understand this is not shared by everyone here.

I guess the other thing I'll point out is that one of the justifications for the landscaping requirements that I've heard and I talked with people on both sides of this issue generally is that Missoula's the Garden City and we should keep that going. I looked up when Missoula was first called the Garden City and it was 1881. I don't believe there were any landscaping restrictions on development in 1881.

I think we still have a very vibrant.

Gardening community. The Native Plant society is awesome.

I go to their events all the time.

I don't think this will.

Change how Missoula looks or feels at all. I really.

I really do believe that in my heart, and if I thought that it would turn us into like, an

urban hellscape of concrete and asphalt, I would not be supporting this motion.

I would not be bringing this motion.

That's it.

OK.

All right, let's move to a vote.

I'm not going to bother with anymore color.

And Alicia, please roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 1:27:22
Yes.

AR **Analeshia Rodriguez** 1:27:25
Derek kanwisher.
Yes, Shane Morrissey, yes.
To and from.
Danny tennenbaum.
Danny oberweiser.
Recall.

RH **Richard Hall** 1:27:43
Yes.

AR **Analeshia Rodriguez** 1:27:46
Sean McCoy.
Yes, and it is unanimous. The motion passes.
OK, more on landscaping.
I've got one more landscaping.
All right, bring it. OK. This also comes from the same letter from Missoula landscape architects.
I'm not going to do all of their requested amendments because we would be here.
A long time.
But one that stuck out to me because people came up to me and said this is particularly.

Difficult to comply with.

And harmful.

And expensive.

The DBH requirements.

So this is gonna get really far into the weeds, but I'm gonna point to section 4.9 point O2-C tree conservation.

Section 1 is not the problem, it's Section 2.

Section 1 says establish trees with a diameter breast height of 6 inches or greater should be retained and protected whenever possible. Awesome. Totally support that.

The problem with Section 2 is it says that the removal, removal of desirable trees in good condition with a diameter breast height of 6 inches or greater single stem must be mitigated by providing one or more replacement trees with a total combined DBH that is at least equal.

To the total DBH of trees that are removed.

Talking with builders, talking with landscape architects, this is very difficult to comply with.

I can't say I understand the details of it perfectly, but I do understand the concept of trying to find trees of a certain thickness and lanthum and then.

Can be really difficult for builders and I guess I'll just sort of punt. Hopefully the other two people on this.

Board.

Who have experience in building can sort of chime in.

I wish we had some more public commenters to really dive into the weeds, but I'll just throw that out there. It would.

So the motion would be to remove Section 2 of 4.9 point O2-C.

So moved by Danny Tenenbaum, do we have a second?

I'll second just so we can kick it off K, seconded by Shane.

My computer ran out of battery, so I can't exactly look at the section, but I'll try to go from some memory.

I believe you got it printed. I think that. So you have to replace it with with an inkind. You know you have to plant up to six trees with a combined diameter breast height that would equal the tree that was removed.

Set generally right, Nathan.

Yeah. Yes, that's correct.

Yeah. And the that's an existing in Title 20, that's an existing requirement.

So what I think is.

What I find interesting about this 'cause we have heard comments about that the same comments that you've heard, but it hasn't been an issue in the past. And so it's interesting that this is being brought up now because it clearly hasn't been something that's stifled development previously I.

Think the other thing I want to point out with Section 2.

Is that there's some pretty strong sideboards that were put onto this so and I'll read those.

So a minimum of 1 replacement tree.

And a maximum of 6 replacement trees are required per per removed tree.

So if you had.

A 60 inch tree.

You wouldn't have to plant 32 inch trees.

You would only have to plant between 1:00 and 6:00 and then the other thing that's in here, section B says that when landscaping is required, the total replacement trees required for the project shall not exceed 200% of the number of trees required by the article. So.

With the reductions that you all just voted on, you're looking at one tree.

Per site.

So you'd only have to have two trees, maximum replacement, and so even if you had that 60 inch trees tree, you're only gonna have to plant 2 trees to replace that. That makes sense.

I guess because I'm not an expert in this area, I'm just gonna read what the landscape architects wrote and it says that this is limiting for infill projects, particularly on smaller properties.

Any response to that?

Or is it just no it isn't?

I mean, I I don't know that it is.

I think it depends on the the tree, the site where it is. I think there's just so many variables.

There's also there's a potential to pay a mitigation fee where a tree could get planted

nearby. The idea is to try to preserve our urban canopy, and the best way we can do that is by preserving existing mature trees.

And so that's that's the intent of this language.

I think the sideboards make it.

Pretty a a pretty small cost to remove those trees if you have to.

Go ahead, chain.

I mean I I think what you just laid out there, Nathan, is, is good, you know, I guess the the only you know I I can only speak from somewhat personal experience which hasn't actually happened in reality. But you know I've got a 24 inch tree in.

My front yard. I've already gone to the effort of planting.

You know four other.

Fruit trees on my property.

It's the 24 inch tree that is in the way.

Of everything on my house, I don't have any room for any more trees.

So some more sideboards would be helpful.

You know, because that thing's gonna come down at some point.

And.

So I don't exactly know.

What to do about it?

You know, every time you plant a tree, you know the the six to one is a little startling because it doesn't really acknowledge the fact that, like.

Trees will grow, and ultimately those six trees will be, you know, 24 inch, you know, diameter breast trees in the future.

And so.

If it were closer to 1 to one and or we got the opportunity to plant the Boulevard off your premises and replace the tree there, then that might give me some assurance that, you know, rather than paying \$1000 fee.

You could maybe just do it.

You could plant the tree yourself, but just slightly off site might be reasonable for me.

Yeah. Can I just add one more thing?

This is really common in a lot of other communities, so it's not like we just invented this.

So I just wanna throw that out there.

That it's and and the sideboards are actually stronger in this than. I think a lot of other places have.

So just to throw that out there.

Yeah. And I I did just want to reiterate kind of the impacts of the math from the last amendment on this where 6 trees may sound like a lot, but it's capped at 200% of your general site landscaping requirement.

So really you're not getting into a position where you might need to plant 6 trees until my loss sizes don't go big enough.

For instance, 10% landscaping on a 25,000 square foot lot only requires 3 trees.

And so that's where you're getting your 6.

And that's, you know, 25,000 square foot lot is very large. And so everything below that's gonna have far fewer trees even with this replacement like Nathan said, when most lots only require one tree 202 total trees.

Great. Thank you, Cassie.

Anything else?

Questions. Thoughts.

Planning board members danyo.

Sorry, does this apply to all districts?

Yes is the answer.

Frankly, I have 0 experience in this particular point. As you know, the civil of most projects we aren't involved with the building permit landscaping requirements.

So I'm.

I don't have much of an opinion here, frankly, because I don't have direct experience to pull from, but I'm wondering if there's particular types of development where this would be a restriction.

You know, infill project from what I'm hearing from staff, maybe it's not that big of a deal.

But what about like a larger mixed-use development when we're trying to, we're trying to bring density in inward.

I'm just throwing that out there.

I have no idea where this is going, but.

I'm looking at Shane's. OK, OK. I I I think at this point I'm probably going to be

opposed to this motion because I just cannot formulate a true opinion that I think has weight.

Great. Thank you, Danny. Rick Hall.

RH **Richard Hall** 1:37:25

Yeah. I mean, I think with the reduction, I mean, I really honestly think that mature trees should be preserved at almost any cost.

So I really I kind of have an issue with.

Reducing it and eliminating this part so.

I wouldn't.

I wouldn't support it.

AR **Analessia Rodriguez** 1:37:51

All right.

Thank you, Rick.

I think with our last amendment, I'm kind of struggling with with this one.

And if I had my way, we would cut every Siberian Elm in this city down tomorrow.

'cause they're a pest and a plague, but we can't do that.

And that's just me.

So I'm I'm just.

I'm struggling with support of this motion.

And like reference to our last amendment and the effects that the two have on each other.

I don't see this.

A.

I'm with Danielle.

I I got no expertise on this.

I use the cut trees down.

I don't really know much about landscaping.

So I mean, I'm just, I'm struggling with supporting this motion in particular.

Rick, did you have anything else?

OK.

Anybody else need to speak?

I'm gonna call for a vote, OK?
And Alicia, when you're ready, can we get A roll call vote?
Please roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 1:39:09
No.

AR **Analeshia Rodriguez** 1:39:12
Garret kanwisher.
No, Shane Morrissey, no.
Tune from no.
Danny tennenbaum.
Danny Oberweiser no.
Recall.

RH **Richard Hall** 1:39:32
No.

AR **Analeshia Rodriguez** 1:39:34
Sean McCoy.
No.
And the motion fails 7:00 to 1:00.
Great. Thank you, analicia.
Anything else within landscaping?
And we can always come back around.
We'll be here again on Thursday.
I'm assuming no we are.
I don't have to assume.
Do we wanna attack all activity area with our last 10 minutes?
Yeah, you guys wanna do you wanna pose to that?
Yeah, close with activity area.
I'm seeing nods of heads. Shane.
Alright, OK, who's got who's got the activity, area amendments or recommendations?

I'll start before I put any motions on the table.

Maybe I'll hear what other folks have to say, and then I'd be happy to. But.

I.

You know this one.

I have mixed feelings on and I'm really heavily leaning towards the purpose when we're talking about missing middle infill projects.

And right now the standard has been raised from three to seven, with trigger activity area requirements. As I understand it.

And you know, I think a potential developments like A7 unit, Ted, development of row homes having to provide activity area when they're all on their own parcel with their own potential yards and that just doesn't make sense to me.

I also have heard.

And what I hear for why we need activity areas driven by?

Community saying they need rec close to home recreation opportunities.

But I I'm afraid that that is misinterpreted when the community is answering survey questions about parks specifically, not private activity areas in courtyards within a private development.

So I kind of have two potential motions that I've been kicking around.

1st is just removing activity area.

As as I I don't think removing activity area.

You know it. It would one for their support policy themes of focus in order development and housing choices and access.

And it would not conflict with other themes of the lup like quality of life, community. Because.

You know.

As a community, a private activity area doesn't meet that need that goal.

That's where my train of thought is going.

So that's where I've started and I think I am open to making that motion.

After I hear what other people think of this.

You know, maybe the back up plan.

I'm happy to be transparent here. The back up plan would be to raise that 7 to save 30.

You know the pros plan did an amazing job of showing the walkability of our current

community.

There's a 10 minute walkable designated area in the GIS platform.

And nearly all of our urban environment is within 10 minutes of a developed park.

So why do we need additional private activity areas within a small infilled community?

The development so that that's my kind of justification of why I think we really need to amend the current activity area standards and I would like to start by talking about removing it entirely.

And one last thing.

Nathan, our community is great because of people like you that have super passionate feelings.

I don't want you to change because we need that in our community just at this point in time.

I don't think all things can be considered equal within the objectives of the land use plan, and I think housing just has to take the front step right now.

So I want, you know, you do an amazing job for our community in your position and don't go change it man.

I really appreciate what you do.

Your your monologue the other night was moving seriously.

Great. Thank you.

Danny, you wanna jump in there?

Umm.

That was really nice.

Thanks and I echo that.

I'm not gonna do nearly as good of a job as that.

I guess.

I kind of go back and forth on these things too.

I don't have a clear path for which way I think we should go.

I do know that activity area has been a barrier on projects that I've worked on, and yet I do recognize that we should be carving out green space.

Space for our families and our communities, I guess.

The thing that I'd point out is that you know, particularly in our urban mixed-use zones in the building form standards that those that those.

Need to take on to meet the standards.

You know, there's there's a build to line on corridors.

There we're encouraging mixed-use buildings which contain residential which you know these activity areas.

Would be triggered by the residents. Above this, you know, but these are mixed-use buildings. Let's say the parking needs to be in the rear of them.

You know where is the service truck coming and pulling into it?

You know these buildings are.

Occupied on all four sides by parking delivery service dumpsters, things like that.

Like this is a different form than we.

In our urban mix, you sounds and we can even.

Fathom right now.

And.

It's.

I don't know where the activity area fits into that, just to be totally honest with you.

We don't have very many mixed-use buildings in Missoula of scale.

And so.

I think at the very least I'd be in support of removing.

Having it from it's already not required in downtown.

The urban mixed-use zones are slated to have a downtown form in reality.

And they're going to be more urban.

So envisioning that I don't know where they have place in urban mixed-use zones and I guess to connect the dots there, the downtown transition zone is also.

In my mind, an area that we would potentially remove the activity areas from.

So it's not, it's not anything like what you just said, Danny.

But those were my thoughts on it.

OK.

All right. I have a couple of questions here.

What is impacted by activity areas like so you mentioned mixed-use?

Do we need to be maybe more specific about where we're limiting activity areas?

And I'll give you my thoughts on why I bring that question up.

So when I think about this particular issue, I think about big cities, right?

And you know, whether it's New York or LA or wherever and, you know, some

apartments and some places have an activity area because not everybody within that apartment complex can walk 10 minutes down the street.

Park and so the little old ladies and so on and so forth. You know, they they need to have someplace to take their little dog. And you know, you know, if you're in

California, you can grow orange trees down there or whatever. But.

So I see the need for this and so I guess my question comes around to where should we, you know like where does it make sense to remove it or is it already?

Kind of set by staff thoughtfully where it should be and shouldn't be.

And I think maybe some.

Comments from staff on your guys thoughts would also be helpful here.

I'd I'd have just a quick couple color points to exactly what you're speaking to.

You know I, the clients I've worked for over the last 10 years that proposed developments of significant unit count, have they demand to have their own activity or they want their own private activity area.

So, you know, I don't see.

Large scale developments not producing that on their own market driven you know they want pickleball courts at scale.

You know.

I also want to acknowledge that the new code has a mitigation strategy to just pay cash in lieu for this, if it's kept, but.

No infill project.

Is ever going to meet the intent of the activity area and choose to provide it on their own.

I'm talking like 10 or less, 20 or less development, you know? So they're always gonna be be paying cash in Leo, you know? And that just seems like extraction in a way, you know, like what they'll try to do is justify these small little patios counting towards activ.

Areas they're never gonna meet.

The full intent of what the regulation has said today, but at scale it can be done, just not in infill.

It's just too big conflict too much.

So just a bit more color there to what you were getting at.

As for location, in my opinion this isn't a location conversation as much as.

Scale of development that is then required to have activity area.

OK, staff.

Thoughts.

Umm.

I think I hear what you're saying, Danny, in that in that does make a lot of sense. I think the other thing to think about is.

People, whether they live in a 7 unit apartment building or a group of small houses on 7 units where they live in 100 unit complex.

Still, people, they still need outdoor space to go to.

And that's that's really what this is about, so.

And if that outdoor space is not provided on site, then could it be in a park? Yeah.

US and and then the the cash in lieu is a tool that the Parks Department can then use to build amenities in those parks to directly support those people.

So that I mean that's that's why it's that's why it's written the way it is.

It's because it's just about people, regardless of if they live in a small complex or a large a large multi family complex.

OK.

Hmm.

Danny, please, Danny TI.

Just want to quickly support.

Danny O's, one of the two alternative motions just to get rid of the requirement. And it's not because I don't like parks or green space.

I love parks and green space.

It's why I yeah, that's why I live in Missoula.

I would have moved elsewhere if we didn't have parks or green space.

It's because we've just heard, almost unanimously from the development community that this is what is going to make.

Infill more difficult to build.

It's going to reduce the size of projects and it's going to make them smaller and more expensive.

And you look through the land use plan, that's not what we need right now. Right now, as Danny pointed out earlier, we're hitting maybe 600 units this year when we're supposed to be hitting 1100 to 1500.

That's that's a big shortage and I think we should be working through this code amendment by amendment looking to see how close we can get to actually hitting our targets once we're hitting our targets consistently.

Maybe exceeding them? I think I would love to have a conversation about activity area and a bunch of other things. Long term bike storage, some other things that I'm sure we'll be talking about, but until we're hitting those numbers.

That.

Are frankly mandated by state law. I think we need to be focusing on what what this whole process is about and that's really just increasing housing options, making sure we're not living in a constant perpetual housing shortage.

Thank you, Danny. Nathan, go ahead.

I just wanted to say that with.

With the.

With the change to 100 square feet per dwelling unit, what we're seeing is about 9%, nine to 10% of the site would be activity area, which would count towards general site landscaping.

So which is with your amendments, is between what 10 and 15%?

So it so I I I don't know that it's limiting units.

I think what it may affect more than anything is how much impervious hardscaping.

In parking lot area is available and so.

In my mind, it's more of a question of what's the value of our community.

Do we value parking lots more than we value outdoor space for people?

I I've been so I'm not a builder, you know? And just I work with them a lot and I I hear over and over again that the infill missing middle, you know, less than 20.

Let's just say that in my opinion, this code is hanging its hat on to fix our housing crisis.

Not sprawl.

Has such a fine line of being able to make projects pencil that is the little things like this that end up making a six unit Ted project on the north side.

Not work. You know they can't market those at 399 a unit.

They end up being significantly more because it's all these minute small little details that add costs and costs and costs and red tape at permitting, you know.

So.

I'm not formulating this opinion on my own.
It's based off a lot of feedback I'm hearing from the development community.
It's the missing middle, the small scale infill projects where this really has big effect at the bottom line.
Is there I'm gonna come back to my earlier question.
Is there?
Is it possible to target that missing middle more?
Does that make sense for the elimination of this requirement or?
I mean, is that what your motions will be like looking at as as eliminating it entirely as a requirement or eliminating it within, you know this missing middle or?
Do we benefit from trying to be more nuanced about the motion?
And Shane wants to jump in? I think so.
So I hear you in the.
In the infield development.
And that could probably be solved by raising the CAP a little bit.
Maybe your first thing.
And I suppose that you know, back to my earlier point.
With these mixed-use buildings and.
The idea that.
They are urban building forms.
In urban areas.
That are, you know, have residential in them.
I guess maybe what I'm getting at is if we raise the CAP.
And potentially.
Excluded mixed-use buildings as a building type from requiring activity area. Then we are getting to a point where.
It would be amenable to to keep it in a in some form.
I don't know what folks think about that.
Yeah, I'm not opposed to that. I guess part of this is sending a message to City Council to think about this seriously.
So on one hand, if we remove it all together, it's gonna get their serious attention to put some serious consideration into it. If we're trying to draft a recommended motion that could be rubber stamped by Council, then maybe I like the alternative.

Go ahead. We do both.

Should vote on both.

I mean, it feels like we could vote on one and then.

Ask staff to look at it. Maybe.

They're not.

Yeah, no, go ahead responding. I think at this point we would really encourage you to vote on the.

The motion that you would like us to carry forward to Council, right?

OK.

Let's get emotion 'cause. It's late. I moved to amend activity area regulations.

Applicability section. Is that enough?

To new residential and mixed-use developments of 30 dwelling units or greater and existing residential developments that are expanded to 30 or more dwelling units.

And activity areas do not apply to downtown, core District and Downtown Transition district.

So moved by.

Oh, sorry.

So moved by Danny Oberweiser. Do we have a second?

I'll second second it by Danny Tannenbaum.

I guess maybe.

I don't know if I should have second.

RH **Richard Hall** 1:58:36

Could could I hear the motion again? I I'm quite.
Catch.

AR **Analeshia Rodriguez** 1:58:42

Absolutely, yeah. Let me summarize it, Rick.

Basically activity area applies to projects with 30 dwelling units or more and activity areas do not apply to any development in the downtown core, district or Downtown transition district.

RH **Richard Hall** 1:59:00

So activity areas do apply to 30 or more.

Got it.

Thank you.

AR

Analeshia Rodriguez 1:59:08

So my only concern is that this creates a Cliff whereby a twentynnine unit project or 28 unit project.

Makes a lot of sense.

And then once you propose one more unit, you're facing either a very, very large cache in lieu payment, or the difficulties of of fitting in an activity area. I think one way to fix that would just be to start counting the units.

Once you hit 30 and so that way you don't have this Cliff where you really could change.

The behavior of builders to try and sort of get under this 30 unit number.

That incentive goes away if you just start counting at 30. The the 30th unit.

So you you're speaking to like a progressive or like the 1st 30 do not apply and then your activity area begins counting towards 3132.

So if you do 40 units activity area applies to 10 exactly.

Maybe I'd like to hear a little dialogue and I'd be happy to amend that motion if the group is willing to accept it.

You ready?

Go ahead, chain.

Yeah.

I don't.

I don't exactly know how I'm gonna vote on this.

I do like the eliminating the Cliff, so I think that's a pro. The the number of units honestly seems a little bit high.

A 30 minute or 30 unit infill development.

Doesn't seem like it's gonna happen every day.

Either.

So I guess the motion's on the table. I don't think you need to amend it.

I just need to think about.

How I want to vote on it and I guess it's just a I'd ask that, you know, regardless of

what the the result of this vote is, it seems like.

We're clearly directing City Council to take this seriously and consider it and consider how to.

Adjust the numbers to make sure that we're threading the needle with amount of housing created and you know these regulations.

OK.

Any other thoughts from other board members?

All right.

Let's see.

I'll try and be brief here.

I'm struggling with this one.

I see the need. I I I hear what you're saying, but I'm also.

You know, I'm having a hard time not wondering if the developmental community is also experiencing some of what the public feels when they see maximums and, you know, projecting out.

And maybe that's not true for that's a layman's interpretation of things, I think.

But.

I'm just.

I'm not sure if we're going to be helping with this amendment or not.

Staff got any more thoughts on this?

No, everybody's tired, wants to go home.

We have a motion on the table.

OK.

That's right. The Danny's moved and seconded.

Do we need more color?

Do you guys want to try and take a vote and see where we land? Is people need more feedback adjustments? Maybe a procedural question if we were to vote, say it fails doesn't mean that another motion next hearing can be brought forward.

So, Oh yeah, yeah, absolutely.

That's slightly different or, you know, yeah, yeah.

So I would say maybe since it's 1113, let's let's vote on it.

OK.

All right. OK.

Sorry, just to clarify, how are we counting the units with this motion?

The 1st way, not with yours, right?

I I I like that concept, so I I would if I'm able to amend my motion to include the progressive count of activity areas starting at 31 units.

I don't know if there's a better way to say that, but I think everyone understands the intent.

Sounds good.

Please thinking about the 30 units being progressive, so if you did 31 units, you would then have to do 100 square feet of activity area for 31 households or pay cash in low or pay one for one for one unit.

Same thing with eight units under the draft, right?

No. Oh, OK. 'cause you of the activity area?

So yeah, support all of those households.

Yeah, I throw that out there. 'cause it sound that seems weird to me that you would.

If you did a 31 unit project that then you would just be like OK.

We're gonna do 100 square feet.

That's our activity area for this whole entire development.

Right. But is that I think that's what you're saying?

Yeah, I mean, and the purpose is to just.

With this.

With a 30 unit with the Cliff, would it ever make sense to build a 30 unit building in Missoula?

Oh, I hear what you're saying.

Yeah, that sounds like that's a real Cliff.

I'm just throwing it out there that.

100 square feet is not gonna support 31 households, right?

And so I don't know if that's a realistic.

Thing to try to do.

That's all I'm saying.

Sounds like there's trade-offs with both ways.

I understand that that's fair.

Yeah, I I've been struggling with this one as well because I actually would have supported the first idea of eliminating altogether largely just both send a message to

City Council as well as give the staff the flexibility of revisiting the issue.
Now we're getting into specifics of an arbitrary number, and now we're we're confusing ourselves so.
I think the challenge with activity zones is you know you brought a good point.
Like this is a value question and we absolutely value our outdoor spaces.
I think the the challenge is, is that how do we manifest that value?
Is it individual spaces like a balcony or is it making sure that our existing public lands are thriving and accessible?
And all that. And I think the way that the activity zones is written now is a little bit limiting.
And you know my my goal is to get this.
Code passed and like today we could and and I feel like the perfect is the enemy of the good here and and if we can't, we're quibbling over a number. And if we can't figure it out, let's get rid of it and then move on so we can.
Pass this thing.
So that that's that's kind of where I stand.
So I probably would not support this and hope that somebody would.
And maybe I would too.
Then was an amendment to get rid of it again, to give staff the opportunity to revisit it.
Fair enough.
Well said.
Anything else before we move to a vote?
Am I online and Alicia for the last time this evening?
Roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 2:07:25
No.

AR **Analeshia Rodriguez** 2:07:28
Garrett Kanwar? Sure.
No.
Shane warzey.

No.

Tune farm.

No.

Danny tennenbaum.

Danny oberweiser.

Recall.

RH

Richard Hall 2:07:57

No.

AR

Analeshia Rodriguez 2:08:00

Sean McCoy.

No.

And the motion fails 7:00 to 1:00.

62.

622 my apologies.

RH

Richard Hall 2:08:15

When the mic batteries die, it's time to go home.

AR

Analeshia Rodriguez 2:08:18

Yes, yes.

Is indeed, so I've been encouraged to make the motion to eliminate activity zones.

I do that.

I support that just because we're on the topic.

We've had the discussion.

RH

Richard Hall 2:08:31

OK.

AR

Analeshia Rodriguez 2:08:35

All right, you guys are up for it.

OK, make the motion.

OK.

I move that we remove activity zone requirements from activity area requirements from section 4.9 dot O2-D.

So moved by tuned do we have a second?

I'll second seconded by Danny Tenenbaum.

Do we need discussion?

I'll just say that I don't know if I will support this one either.

I would rather just have.

Somebody.

Write a good targeted amendment to the code.

And.

Bring it up.

But if this passes, then I guess that's a signal that we do want that rewritten.

Great. Thank you, Shane. Anybody else?

I agree with Shane's statement that I'm not prepared to vote yes on this.

I would like to see more of an amendment.

You know that where there's compromise and kind of targeted solutions rather than just kind of blanket blanket call?

Thank you, Derek. Anybody else? Danny O.

I would say that what I just proposed did have a lot of thought and consideration. I didn't just make that up on the fly.

That's based off a lot of feedback I've heard throughout the last couple months of, you know, dialogues with the community and staff and everyone.

So I'm afraid that there is.

It's extremely challenging to find a middle ground that's gonna have to come from staff as a supported recommendation, in my opinion.

And this message is loud and clear for staff and City Council to take a hard look at what's possible.

Cool for that middle ground we're hypothetically talking about, I think it's impossible to get there as this board. So I like the idea of sending the message, removing it altogether.

OK.

Any other comments from board members?

And this will be the last boat for the evening, whether it's on whatever annalisha please.

Roll call vote on the motion to amend Lynn Davis.

LD **Lynn Davis** 2:11:09
No.

AR **Analeshia Rodriguez** 2:11:13

Derek kanwisher.

No.

Shane Morrissey.

I did change my mind, yes.

Tune farm, yes.

Danny tannenbaum.

Danny oberweiser.

Recall.

Sean McCoy.

No.

And the motion results in a tie vote.

All right, that's as clear as mud, so.

OK.

What's that?

OK, I'm not even gonna read through the rest of the agenda.

We're adjourned.

Good job y'all.

□ stopped transcription

OUR
Missoula
Growth Policy Update —
— *& Code Reform*



Policy to Implementation Mapping

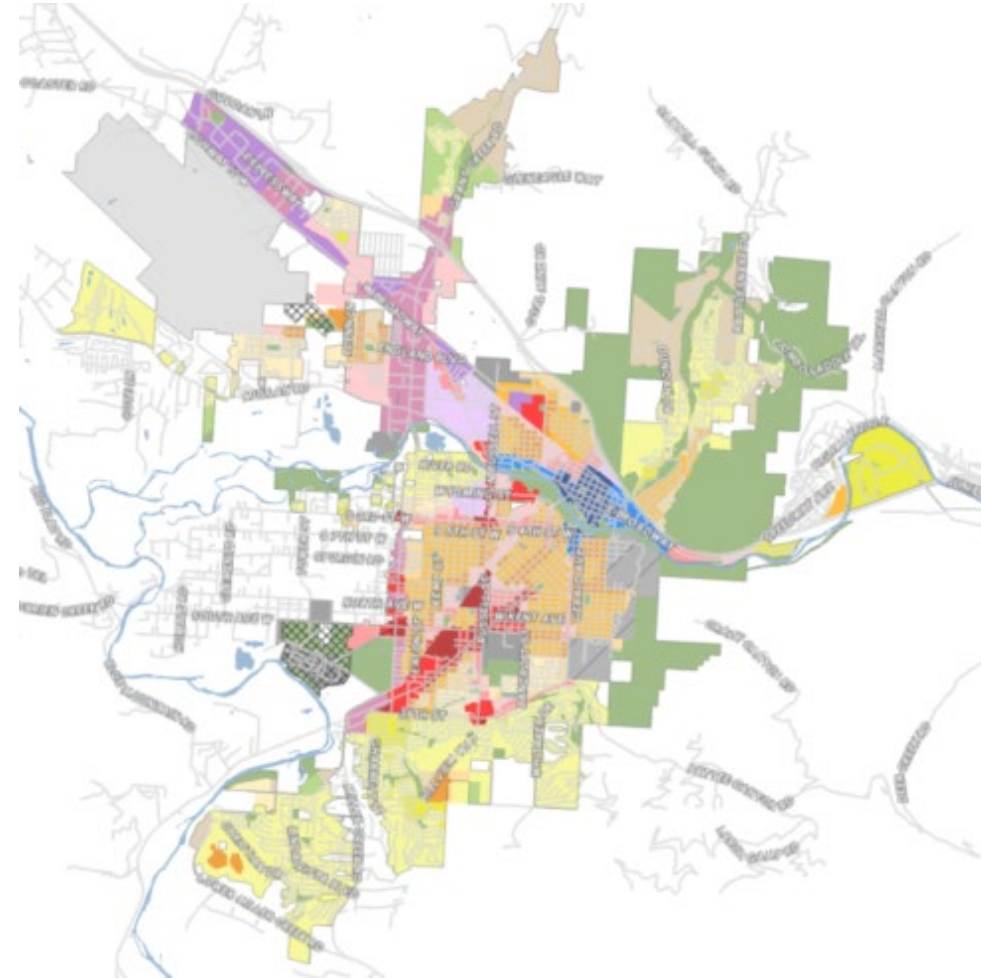
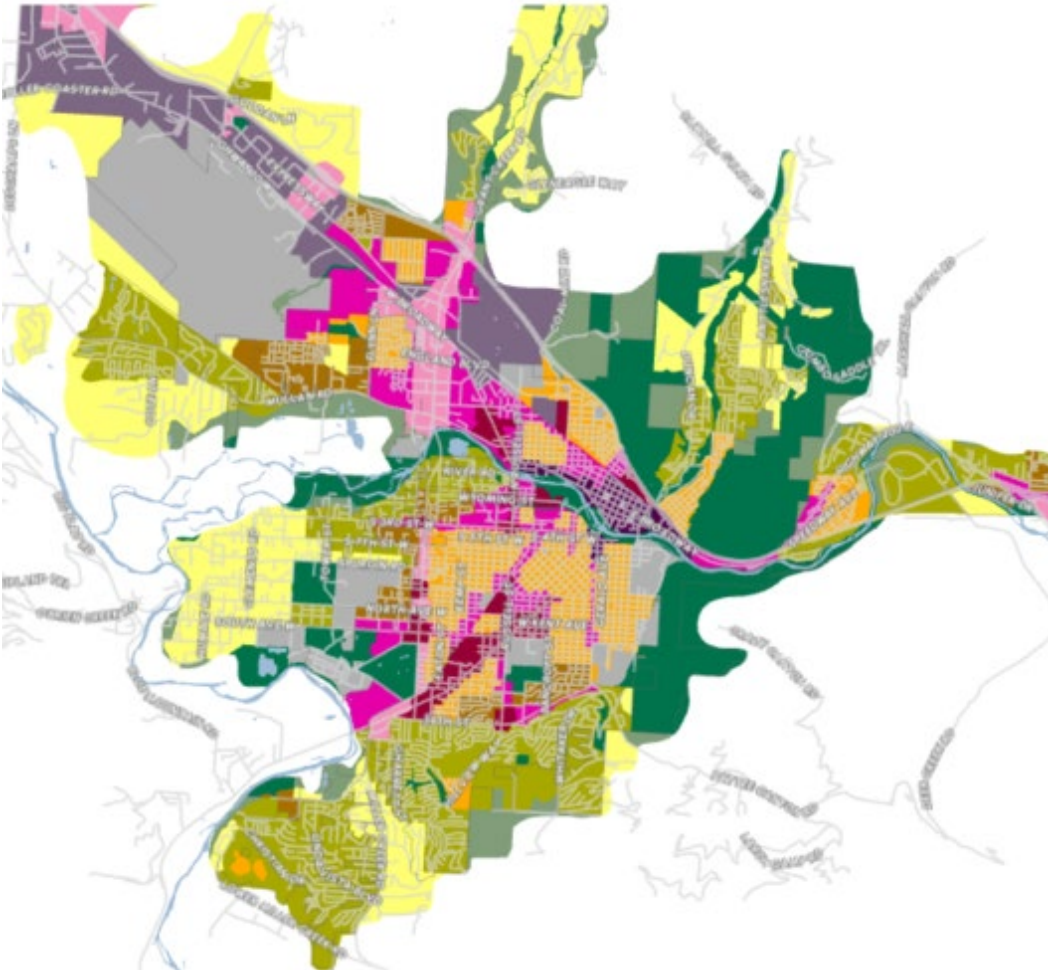
Policy Objectives

- Ensure that zoning increases housing opportunities in residential areas that have sufficient access to services and amenities by walking, biking, and transit.
 - Ensure equitable access to parks and open space to support community well-being, access to recreation, and community cohesion.
 - Prioritize housing and multi-modal transportation infrastructure near major employment centers to improve regional connectivity and reduce commute distances.
- Build new housing near key transit and commuter corridors, to enhance accessibility and support transit-oriented development.
 - Avoid concentrated upzoning in vulnerable neighborhoods, preserve naturally occurring affordable housing, and promote equitable ownership opportunities, to mitigate displacement and address historical inequities related to housing development.

Implementation Action Items

- A7: Update zoning districts to better match land use context and identified Place Types.
- A9: Where possible, collapse overlays into equivalent base zones or develop unique base zones to capture the intent.
- A18: Zone for higher density housing near transit stations, places of employment, higher education facilities, and other appropriate population centers.
- A23: Do not limit higher density housing to neighborhoods vulnerable to gentrification.
- A26: Neighborhoods that have historically not hosted their "fair share" of new housing development may be prioritized for policy or code reforms to encourage new housing development in those neighborhoods.
- A27: Through the Place Type Map and Zoning Map Update, increase housing opportunities in residential areas that have good access to services and amenities by walking, biking, and transit
- A53: Delineate floodway (mapped as Parks and Conservation Lands) and floodplains to reduce peak flood flows, decrease risks to life/property and encourage groundwater infiltration to help sustain late summer flows.
- A61: Establish transitions between higher intensity development in commercial zones and adjacent residential neighborhoods.
- A70: Identify appropriate locations for a varied scale of industrial uses.
- D15: Acquire, restore and protect river and stream corridors and floodplains as open space whenever possible including corridors outside urban service areas

Place Types + Constraints + Amenities = Zoning



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

Transit Routes

- 15-minute Transit Line
- ½ hour Transit Line
- 1 hour Transit Line



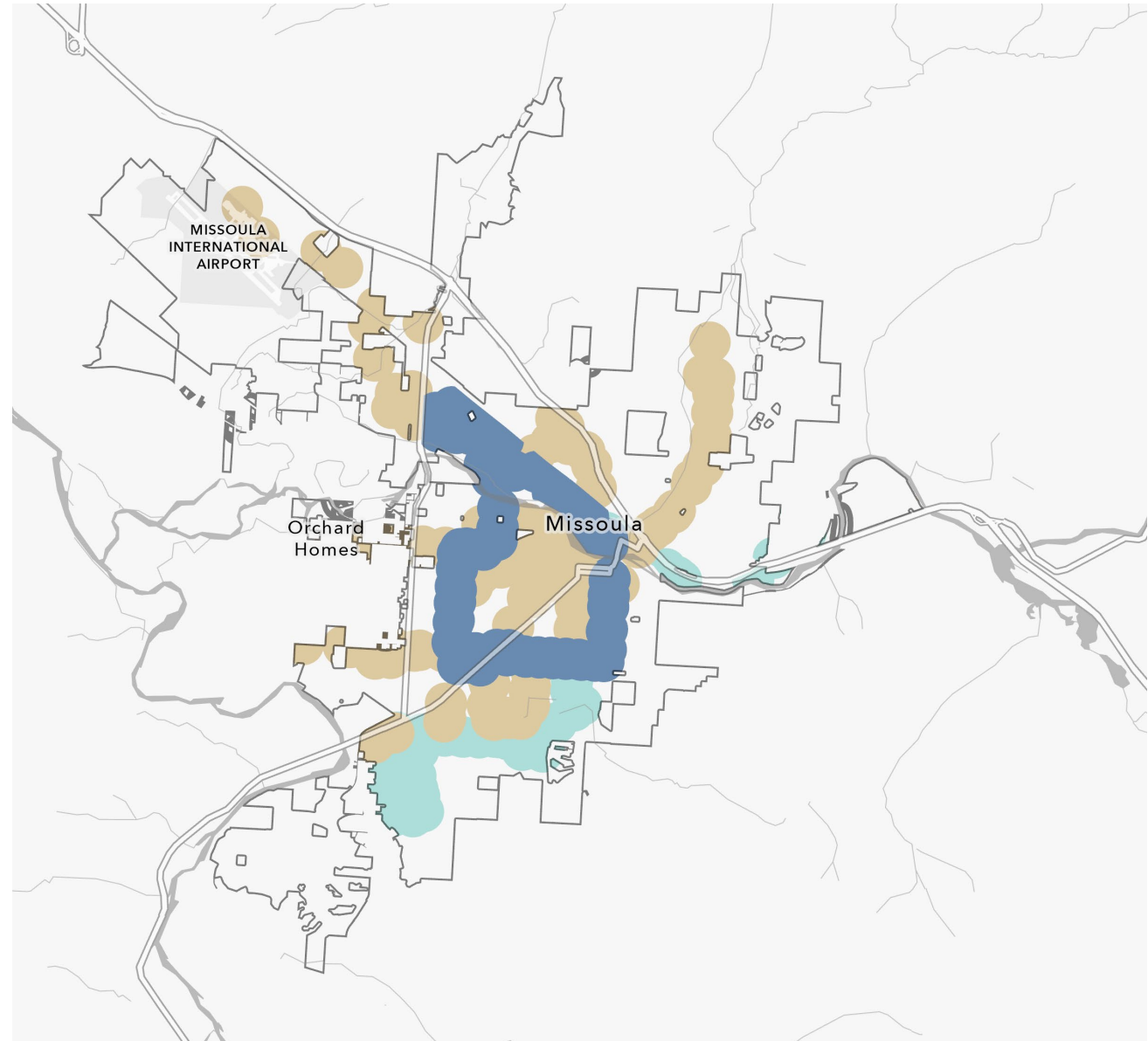
All other Transit



All other Transit

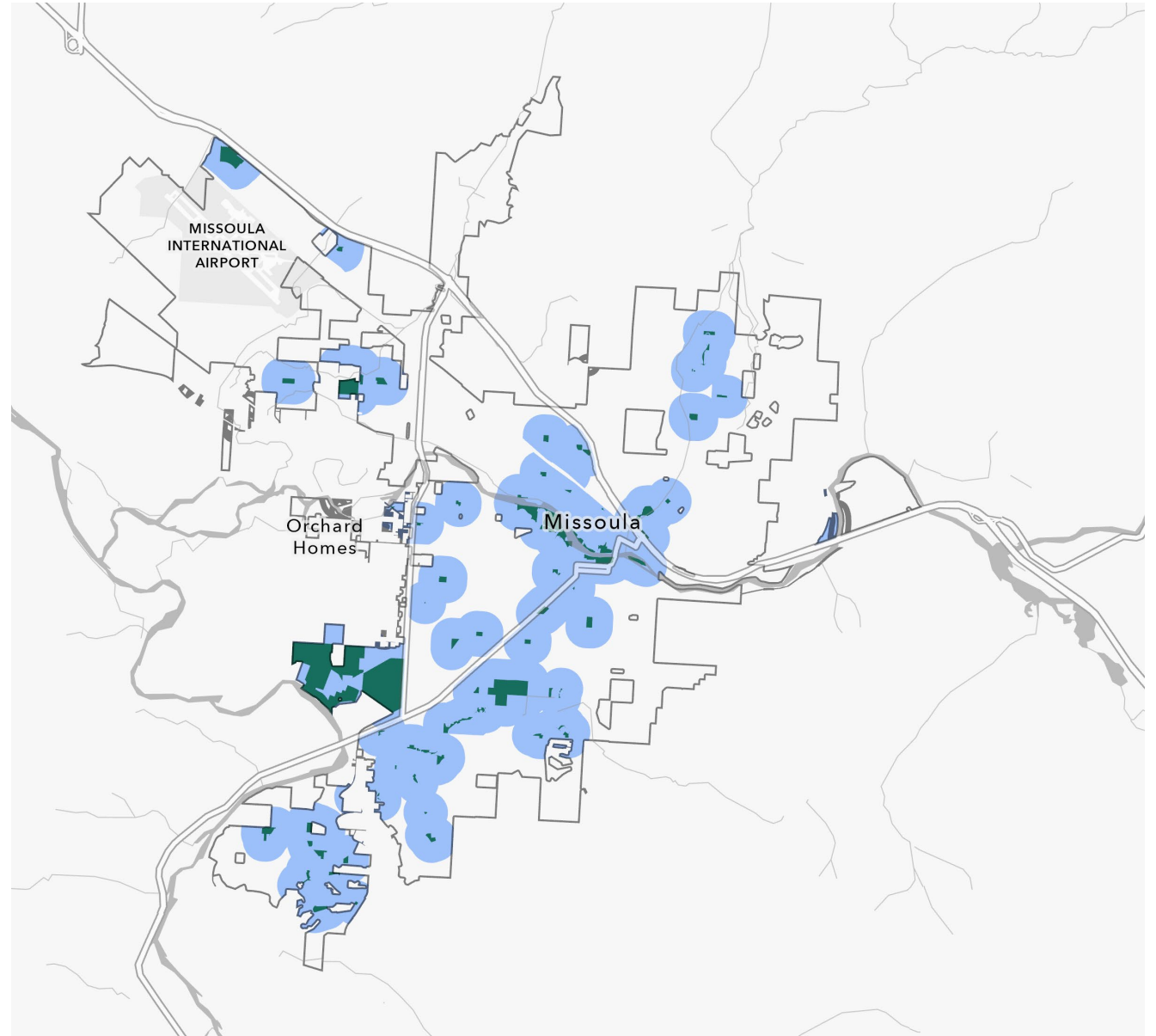


**High Frequency
Transit**



Developed Parks

- Within 15-minute walk of a Developed Park



Commuter Trails

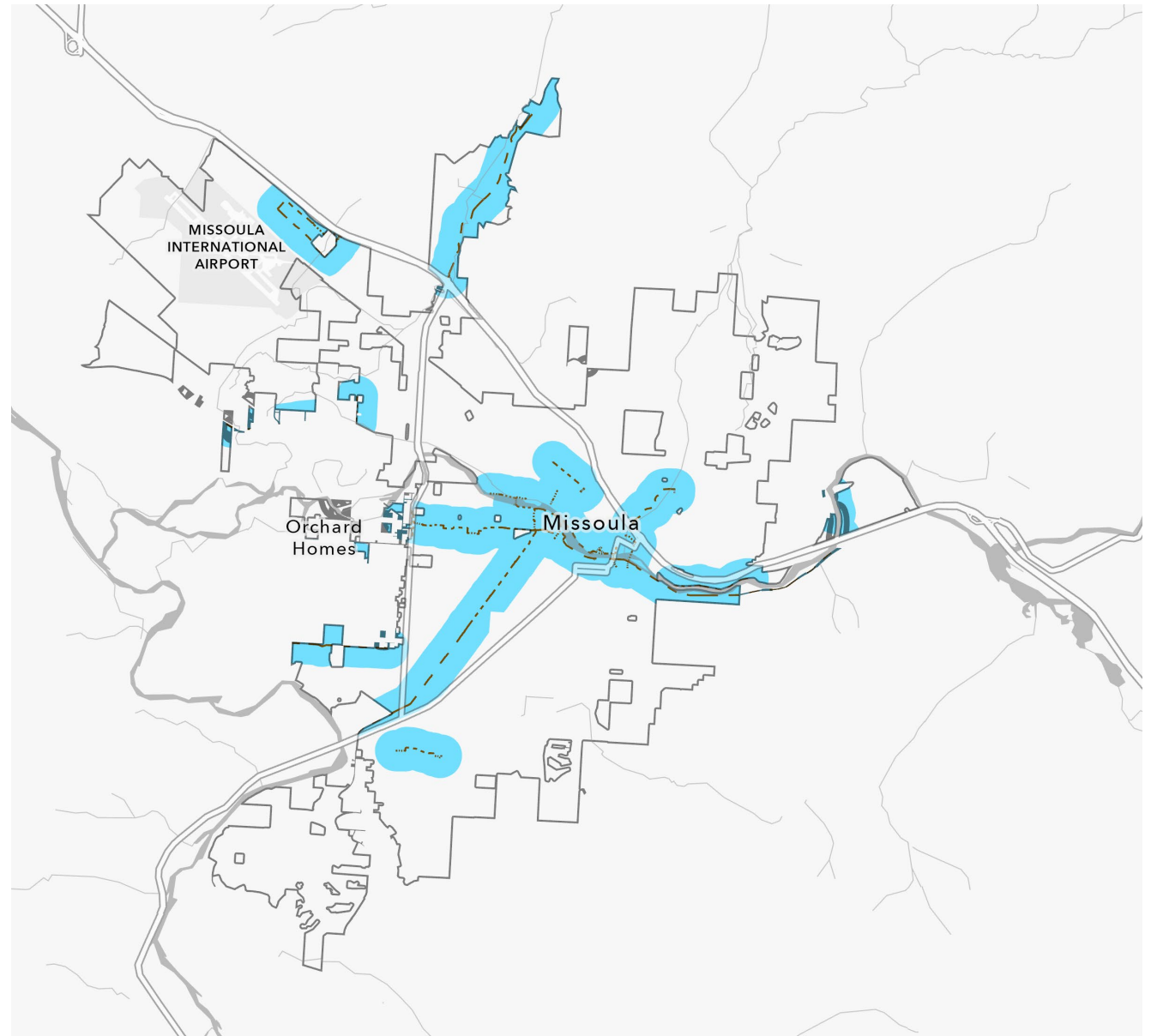
- Within 15-minute walk of a
Commuter Trail



Trails Buffer



Commuter Trails



Grocery Stores

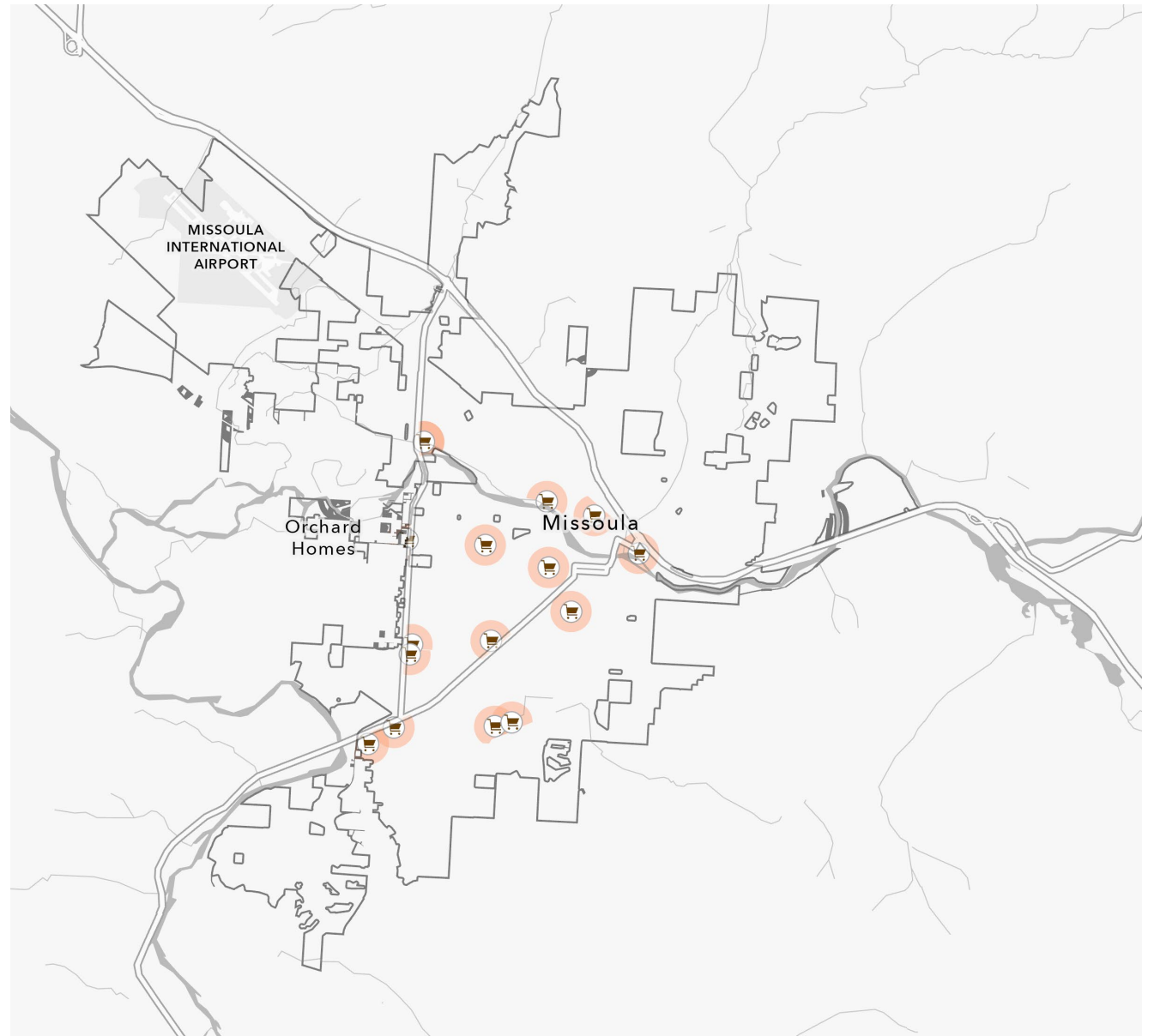
- Within 15-minute walk of a Grocery Store



Grocery Stores Buffer



Grocery Stores



Local Food

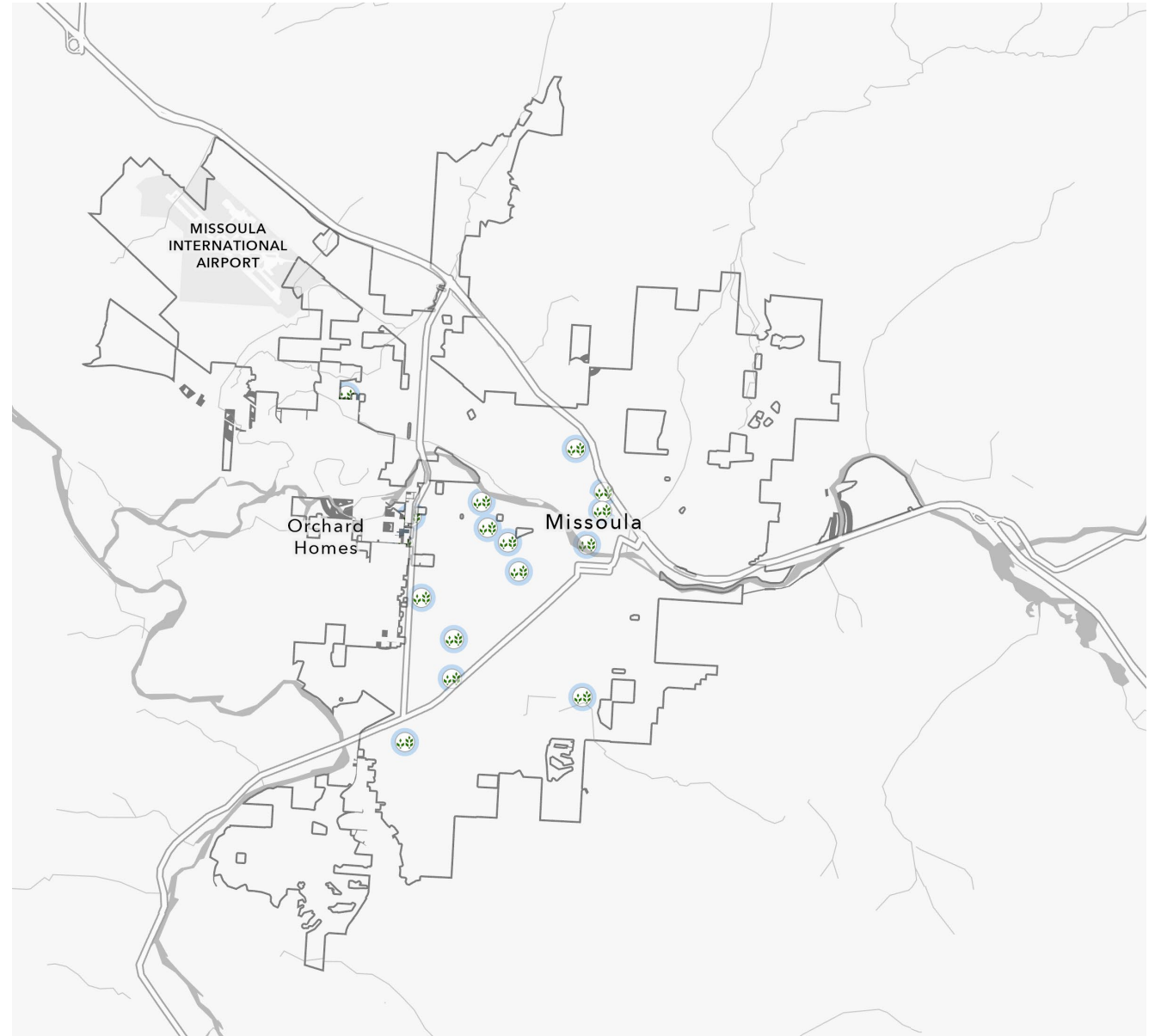
- Within 15-minute walk of a Local Food Source



Local Food Buffer



Local Food Locations



Public Schools

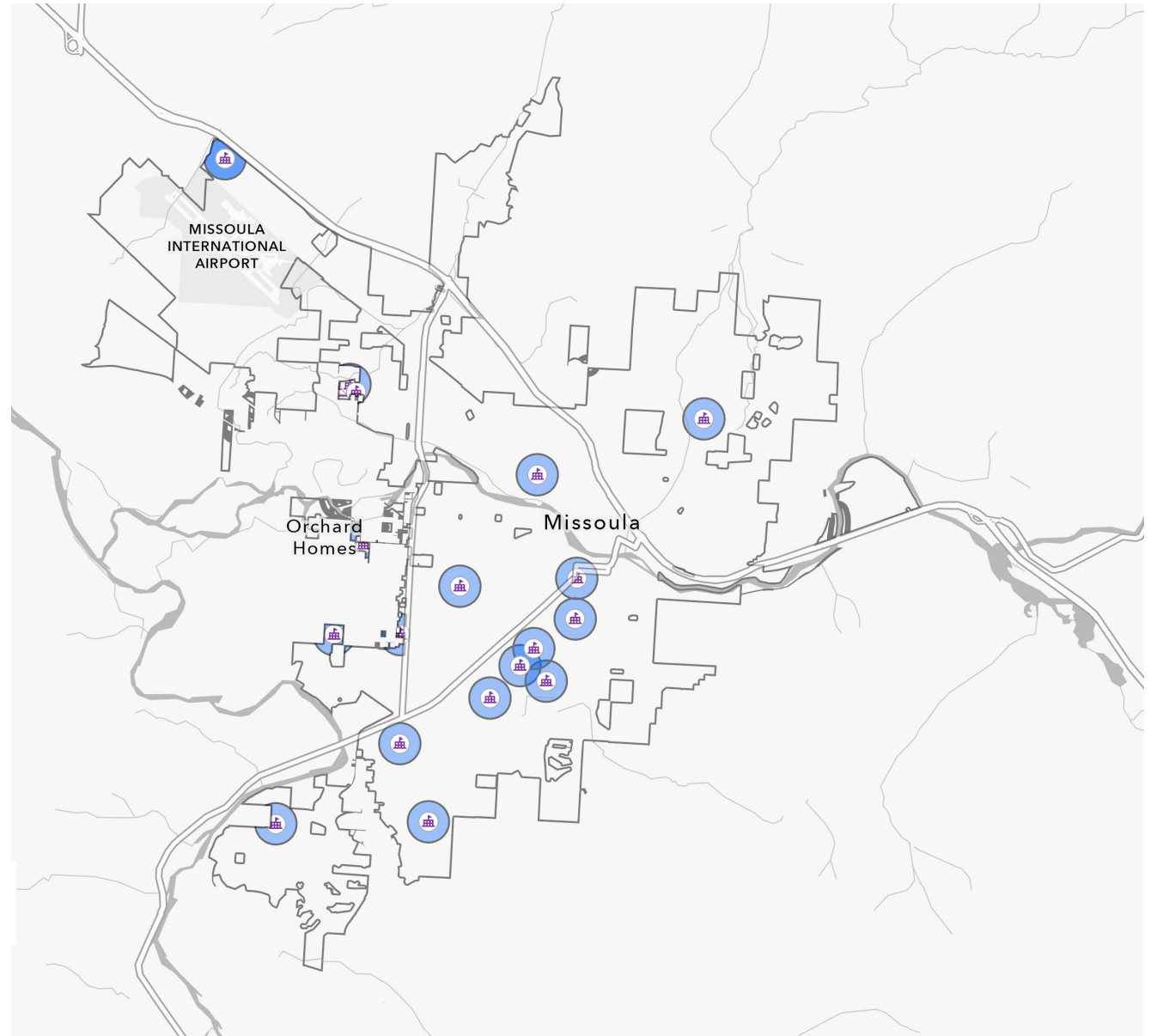
- Within 15-minute walk of a Public School



Schools Buffer

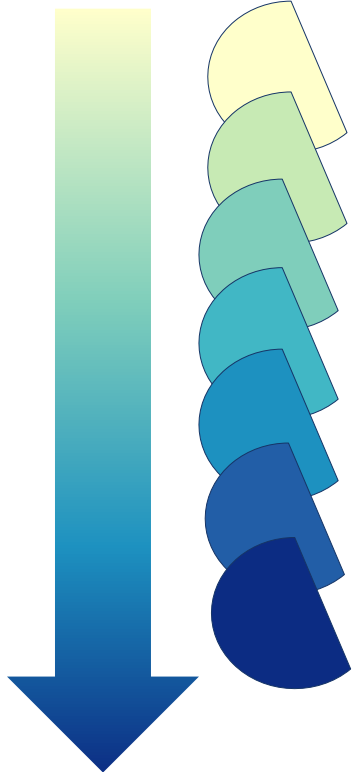


Public Schools

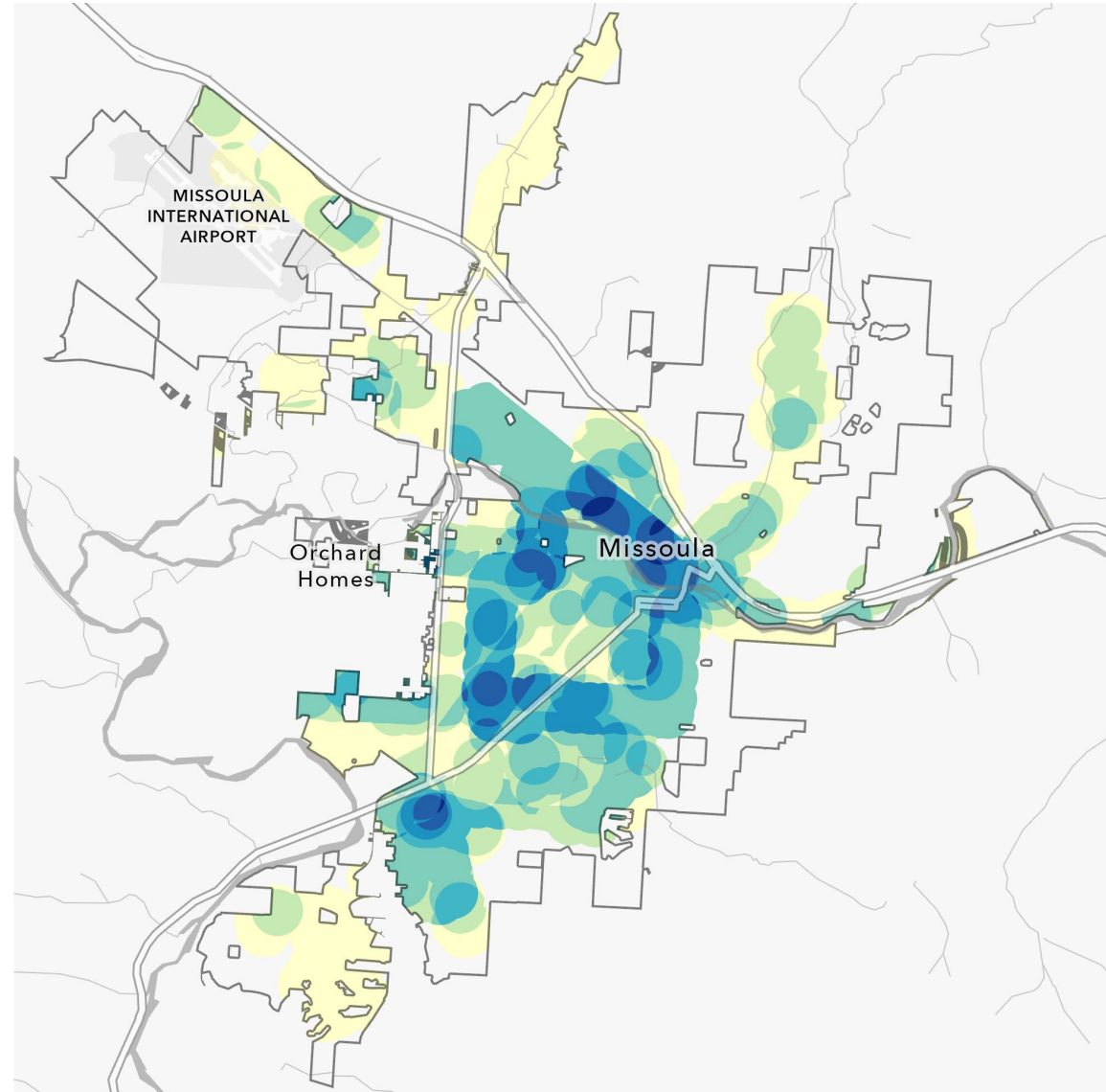


Total Services/Amenities

Low Amenities



High Amenities



Policy, Future Infrastructure, and Constraint Based-Zoning

- Data Layers Used
 - Bus Rapid Transit Route
 - Street Typologies
 - Land Use in Equity Report
 - Environmental hazard areas
 - Environmentally significant lands

Bus Rapid Transit (BRT) Route

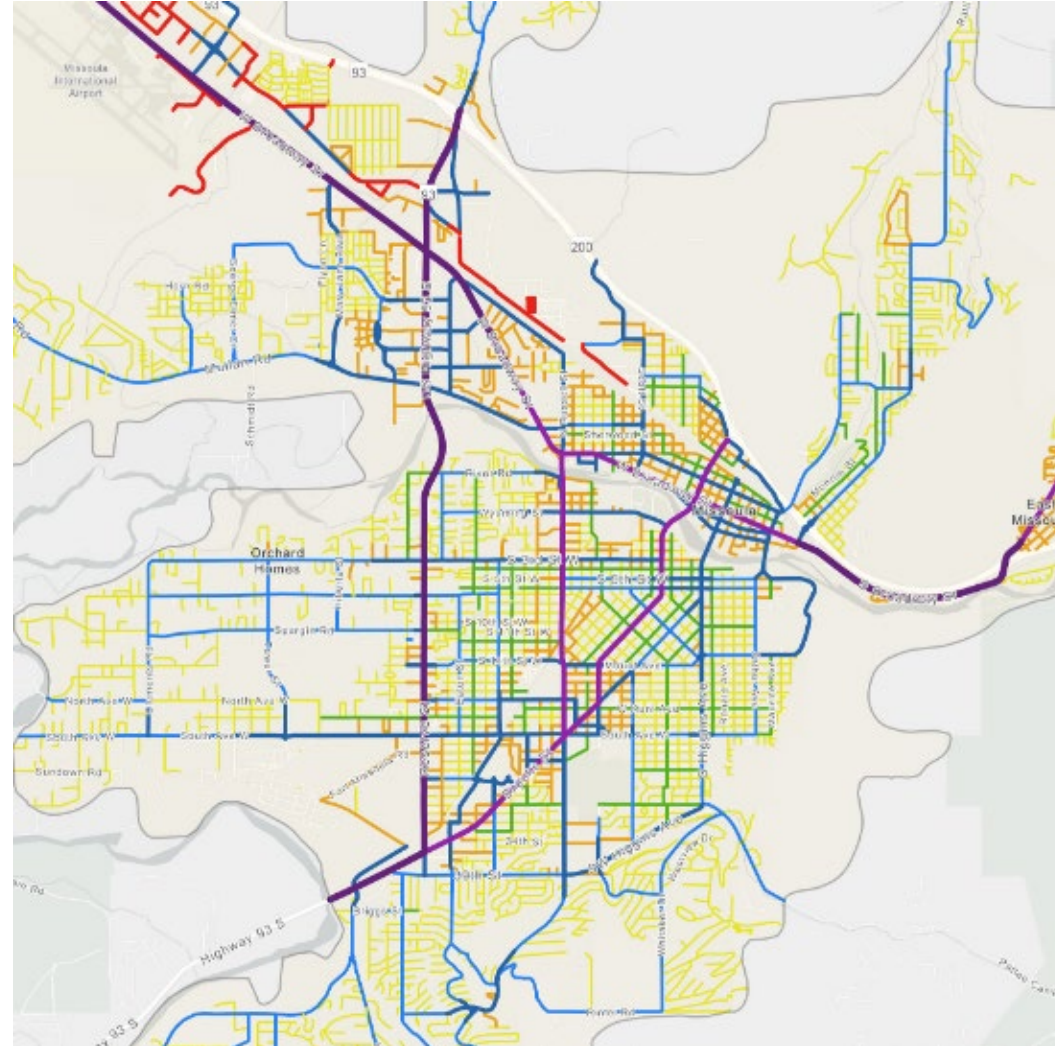
- Preferred Route
 - Start: Current Transfer Station
 - Middle: (Stephens -> Brooks)
 - End: Southern Brooks

LAND USE			TRANSIT	
Land Use Type	Residents per Acre	Jobs per Acre	Appropriate Types of Transit	Frequency of Service
 Downtowns & High Density Corridors	>45	>25	    Light Rail BRT Rapid Bus Local Bus	 10 mins or better
 Urban Mixed-Use	30-45	15-25	   BRT Rapid Bus Local Bus	 10-15 minutes
 Neighborhood & Suburban Mixed-Use	15-30	10-15	 Local Bus	 15-30 minutes
 Mixed Neighborhoods	10-15	5-10	  Local Bus Micro-transit	 30-60 minutes
 Low Density	2-10	2-5	   Micro-transit Rideshare Volunteer Driver Pgm	 60 mins or less or On Demand
 Rural	<2	<2	  Rideshare Volunteer Driver Pgm	 On Demand

Source: Thresholds based on research by Nelson\Nygaard.

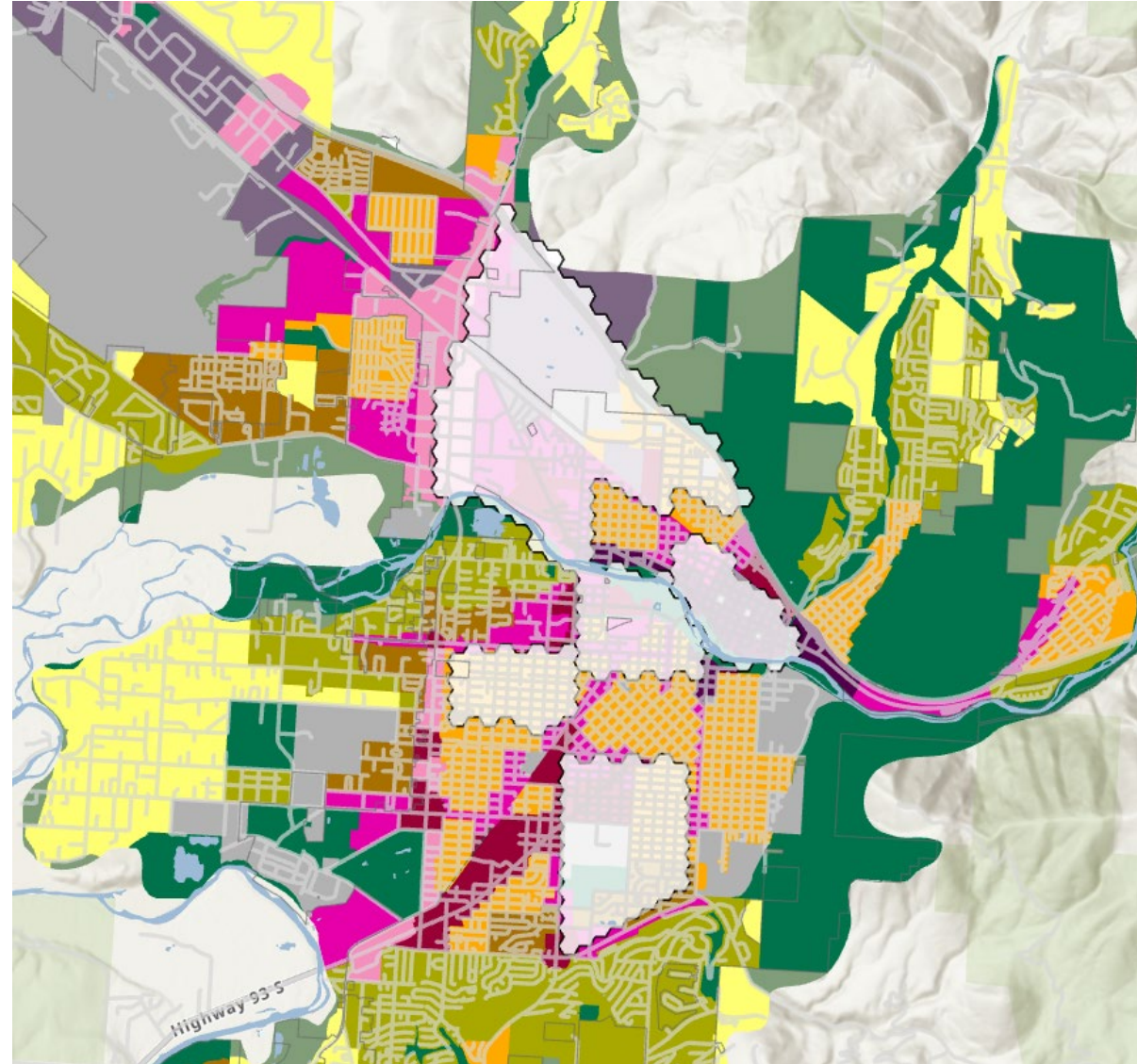
Street Typologies

- Designations used:
 - Community Residential
 - Community Mixed-Use
 - Regional Connector
 - Regional Mixed-Use



Equity in Land Use

- Avoid concentrated upzoning in vulnerable neighborhoods, preserve naturally occurring affordable housing, and promote equitable ownership opportunities, to mitigate displacement and address historical inequities related to housing development.

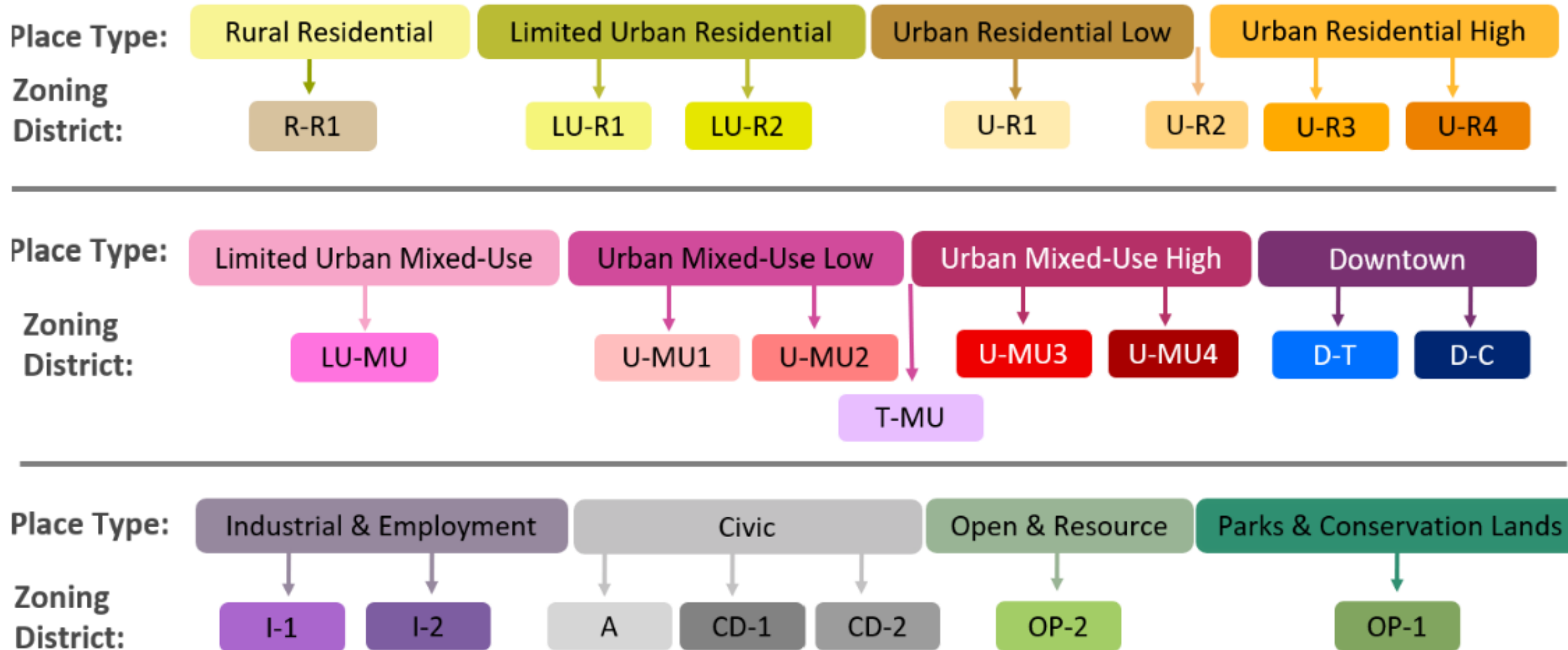


Environmental Constraints

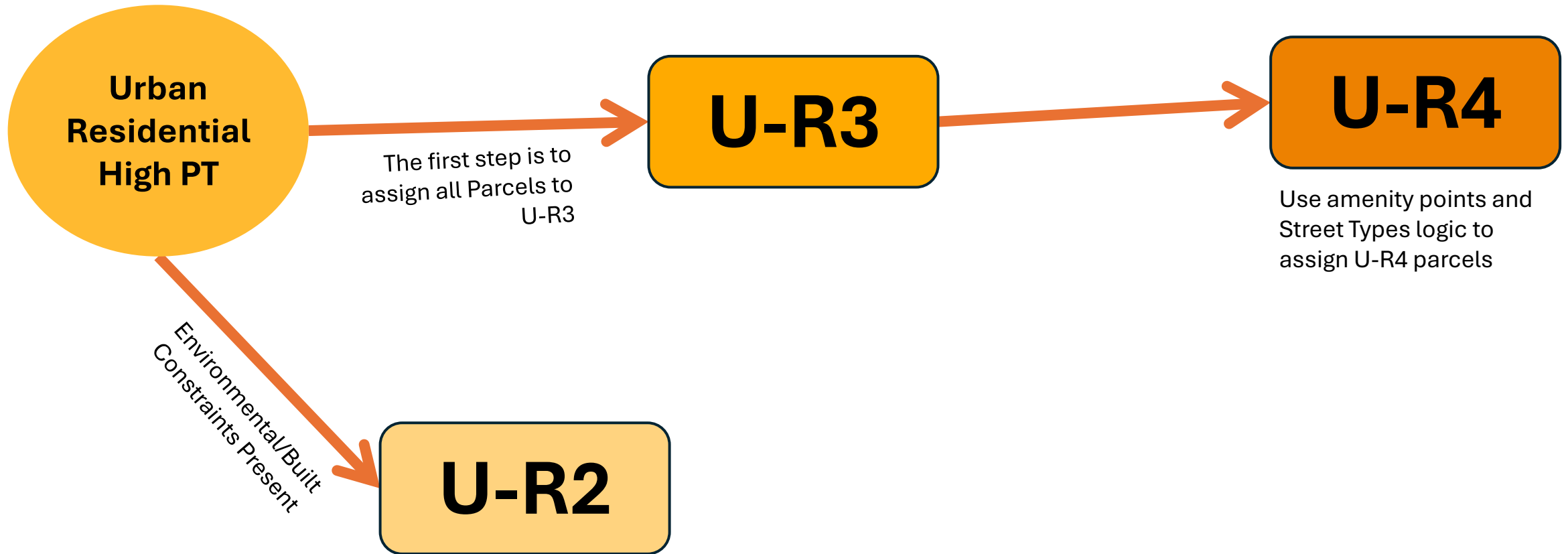
- Layers used:
 - Floodplain/Floodway mapping
 - Species of Concern mapping
 - Steep Slopes



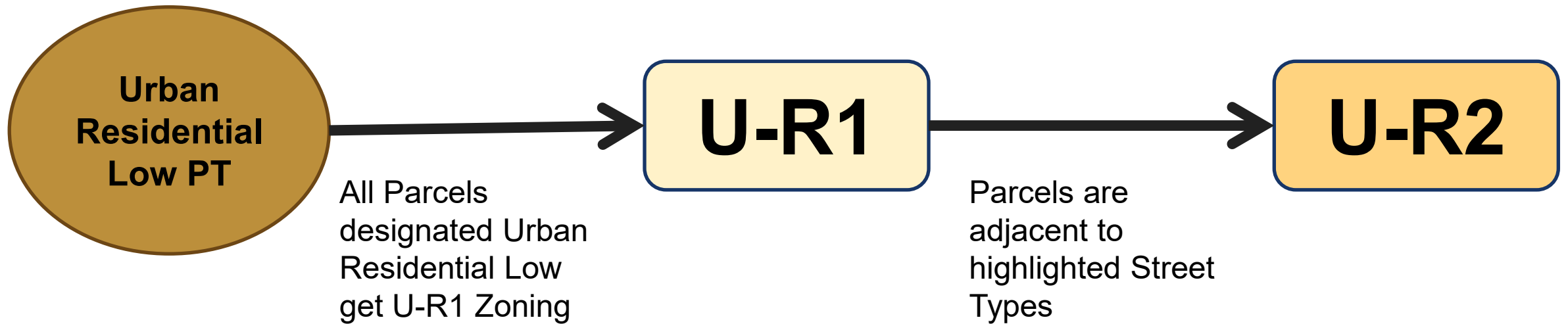
Place Types to Zoning



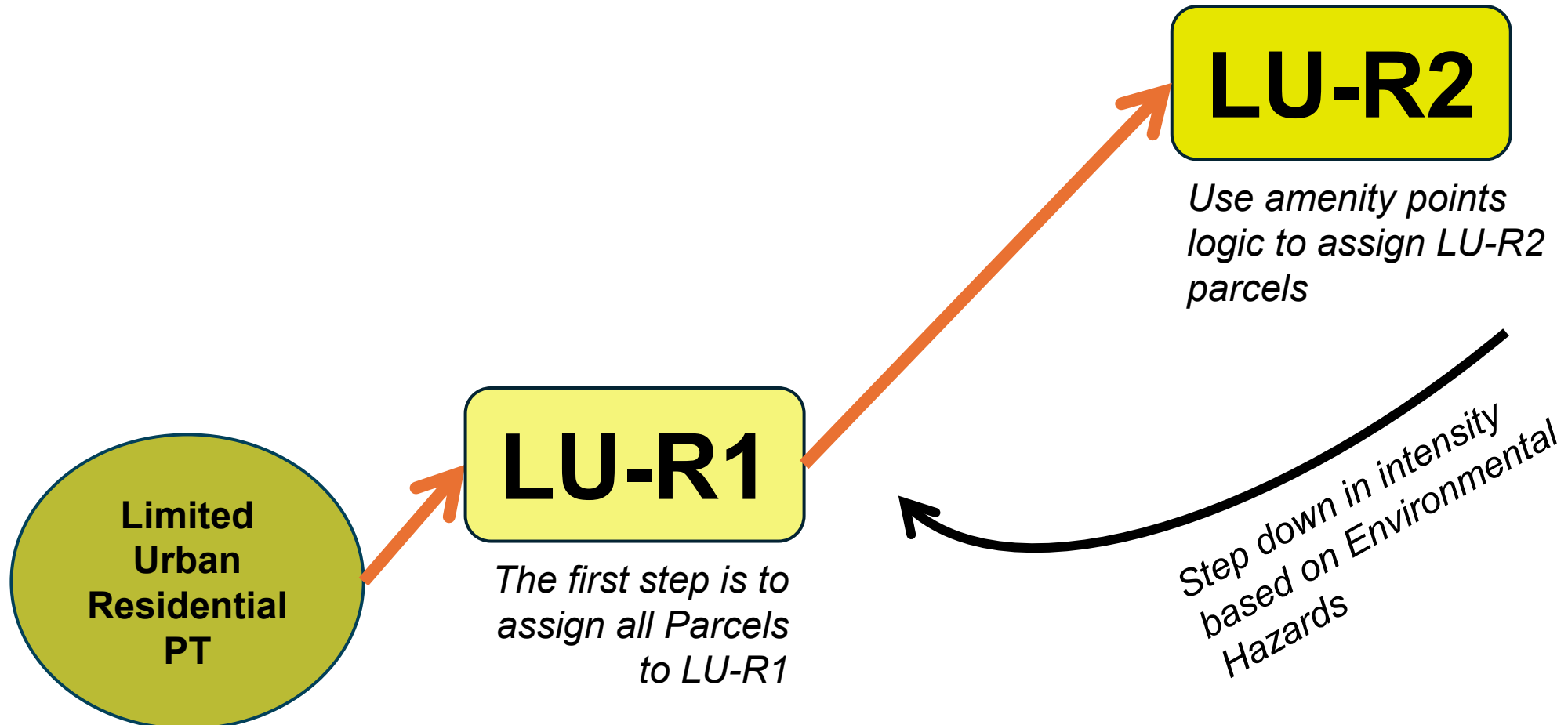
Urban Residential High Place Type



Urban Residential Low Place Type



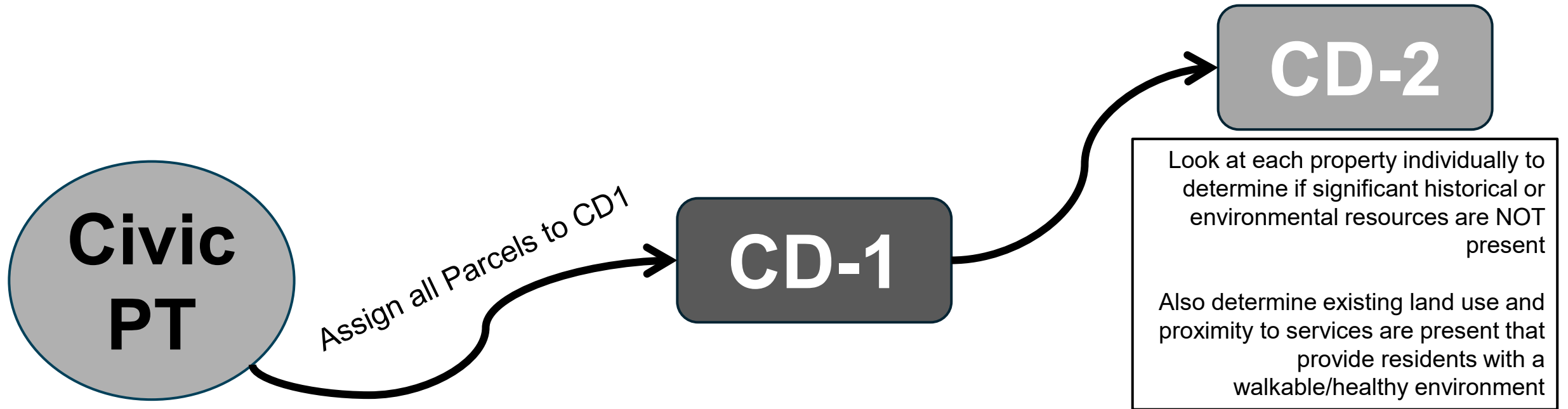
Limited Urban Residential Place Type



Civic Place Type

From the Land Use Plan

“Residential (*and commercial*) development may be permitted, dependent on context and adjacent land use types”



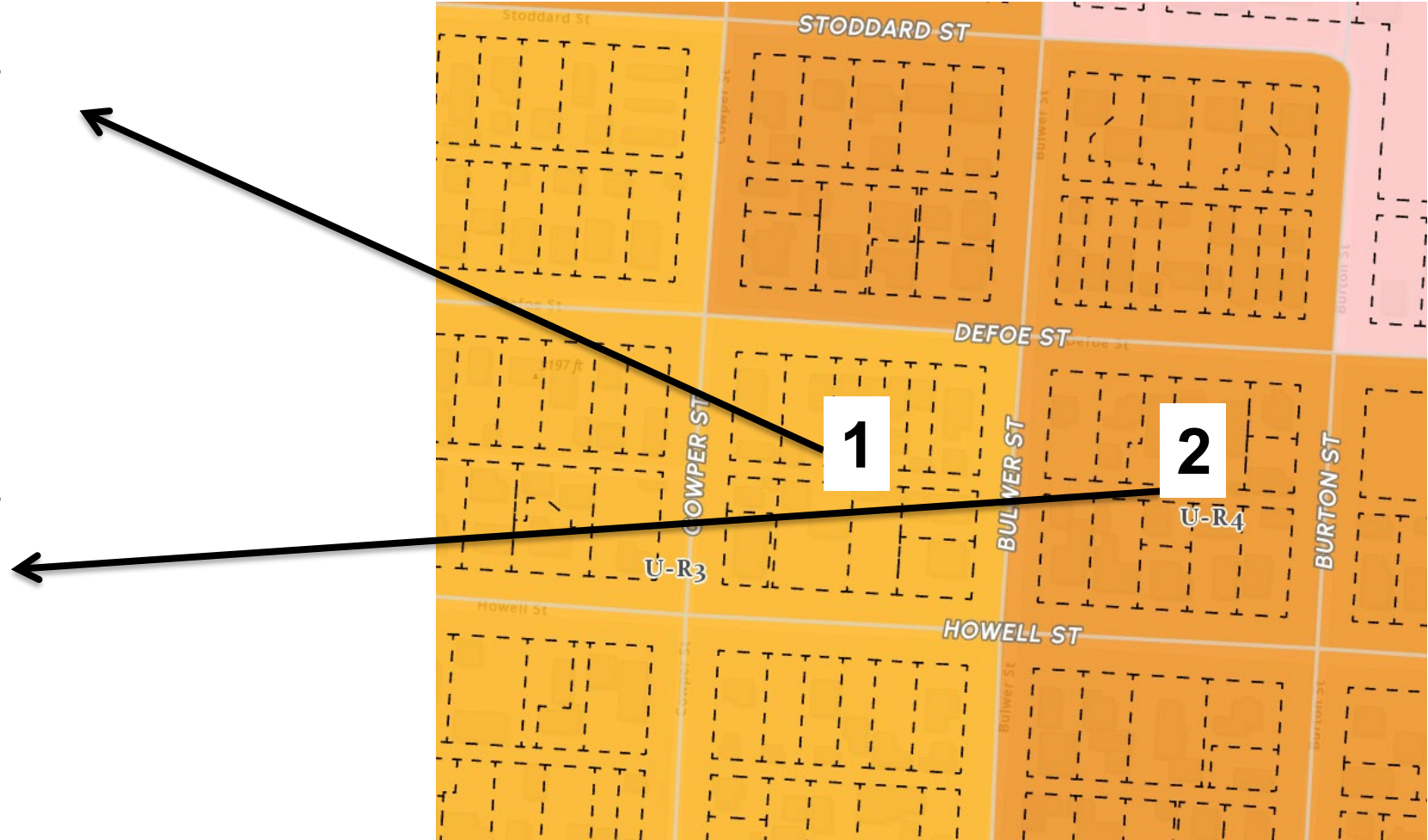
Two Blocks on Defoe Street

Block 1

- Urban Residential High PT
- Within walking distance to:
 - 15 min Transit

Block 2

- Urban Residential High PT
- Within walking distance to:
 - 15 min Transit
 - Public School
 - Developed Park



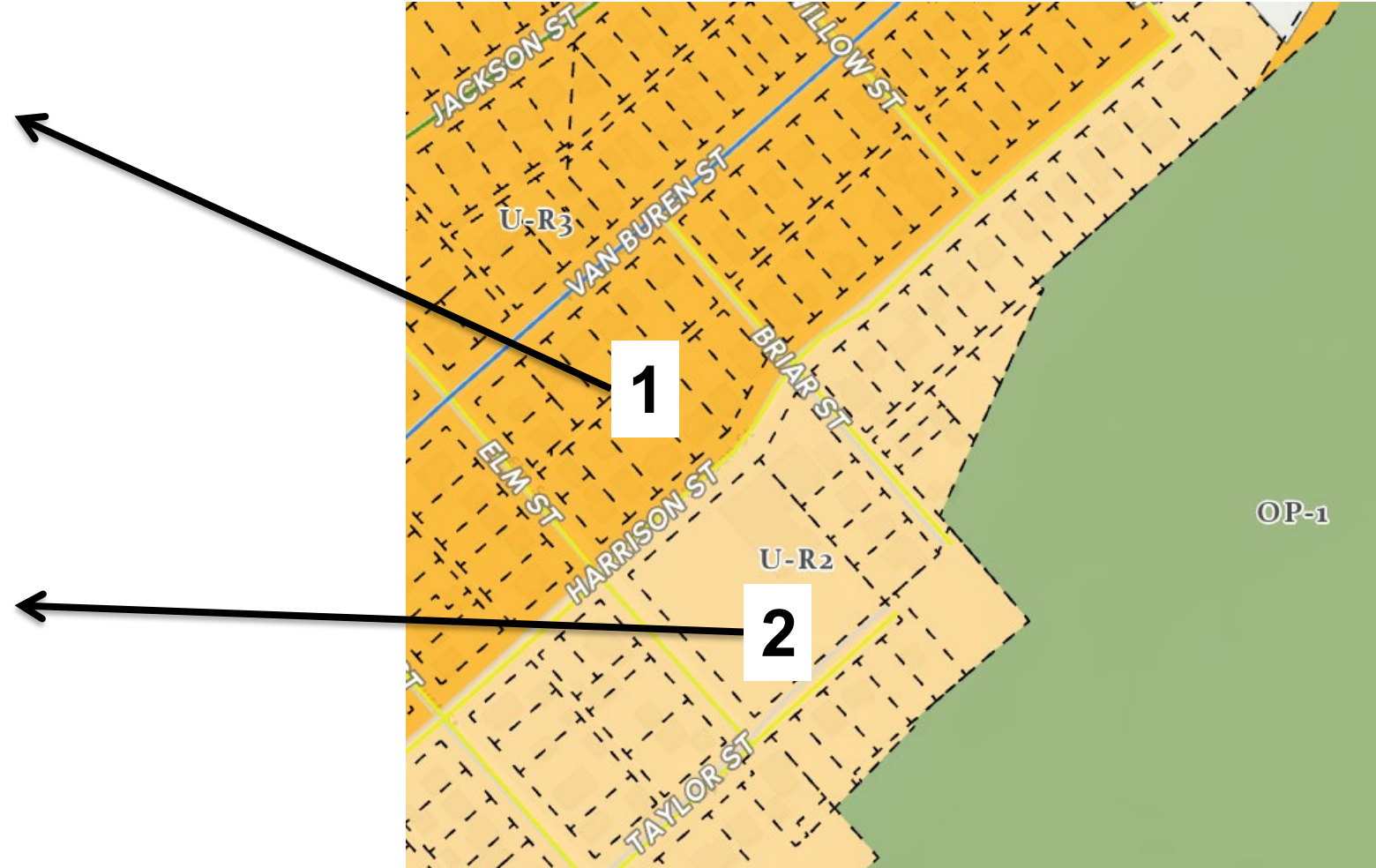
Two Blocks on Briar Street

Block 1

- Urban Residential High PT
- Within walking distance to:
 - 15 min Transit

Block 2

- Urban Residential High PT
- Within walking distance to:
 - 15 min Transit
 - Public School
 - Developed Park



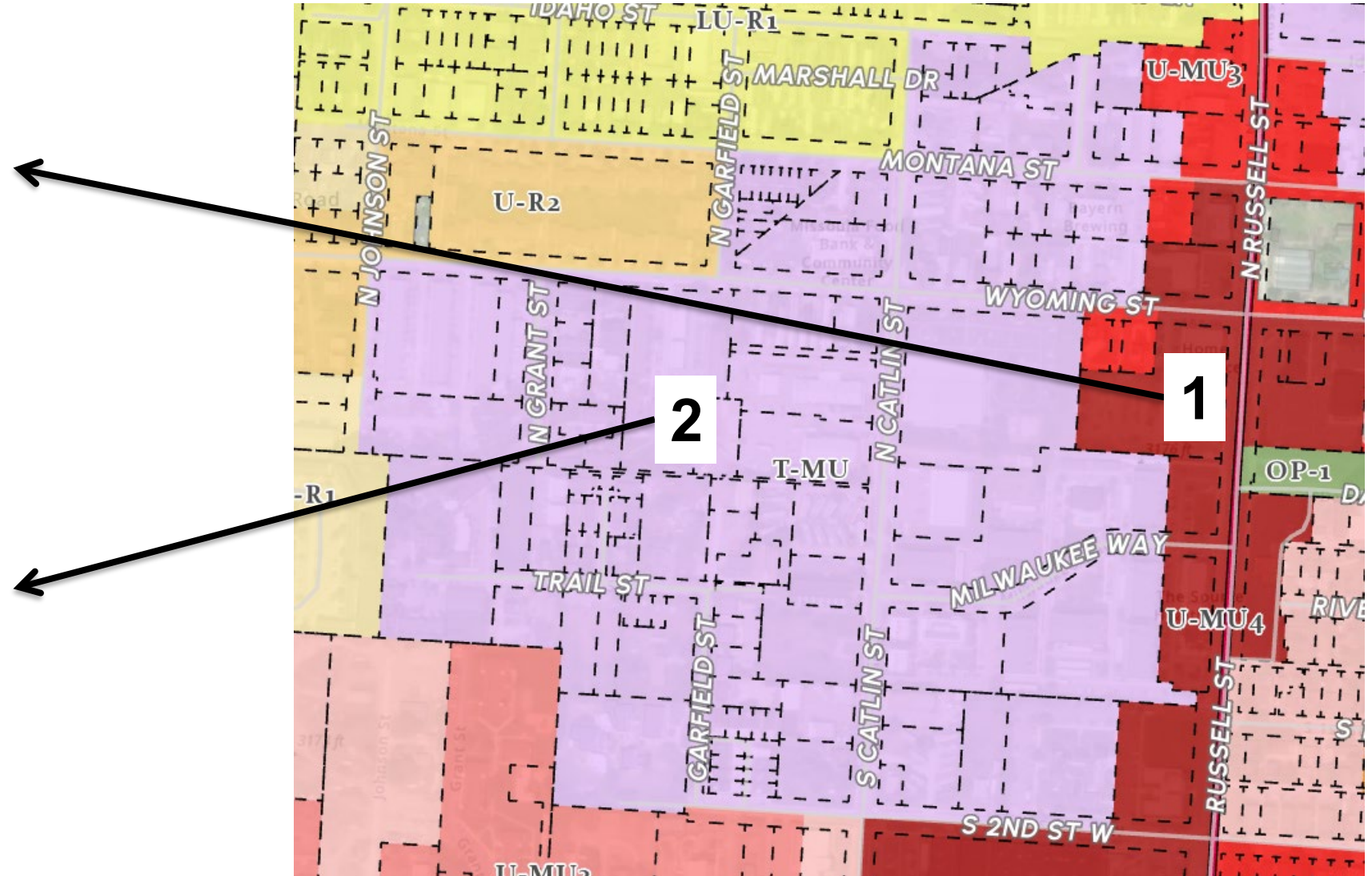
Two Areas In River Road

Area 1

- Urban Mixed-Use High
- Along a major corridor
- High Connectivity
- Design Excellence Corridor

Area 2

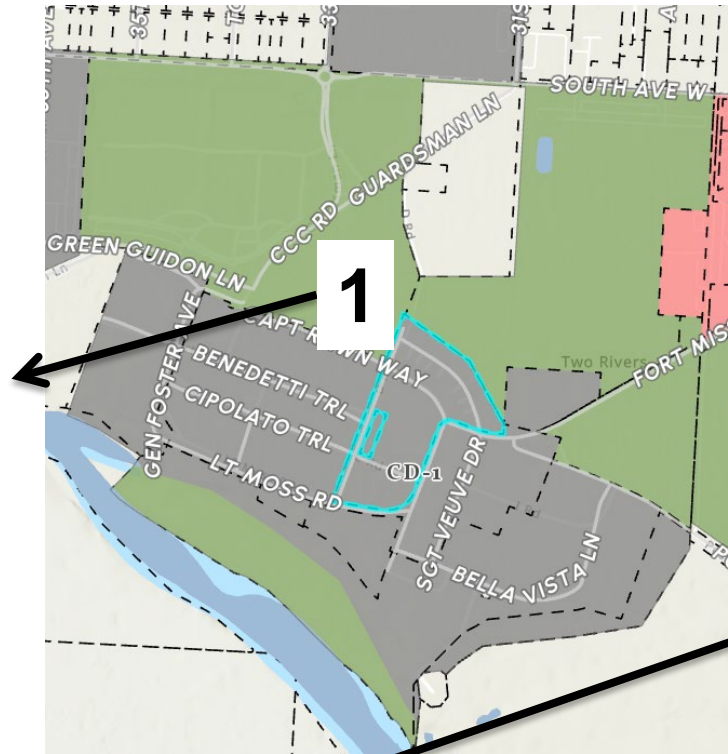
- Urban Mixed-Use Low
- Not a gridded block pattern
- Not along a major corridor
- Has existing low intensity Industrial uses



Civic Districts

Area 1

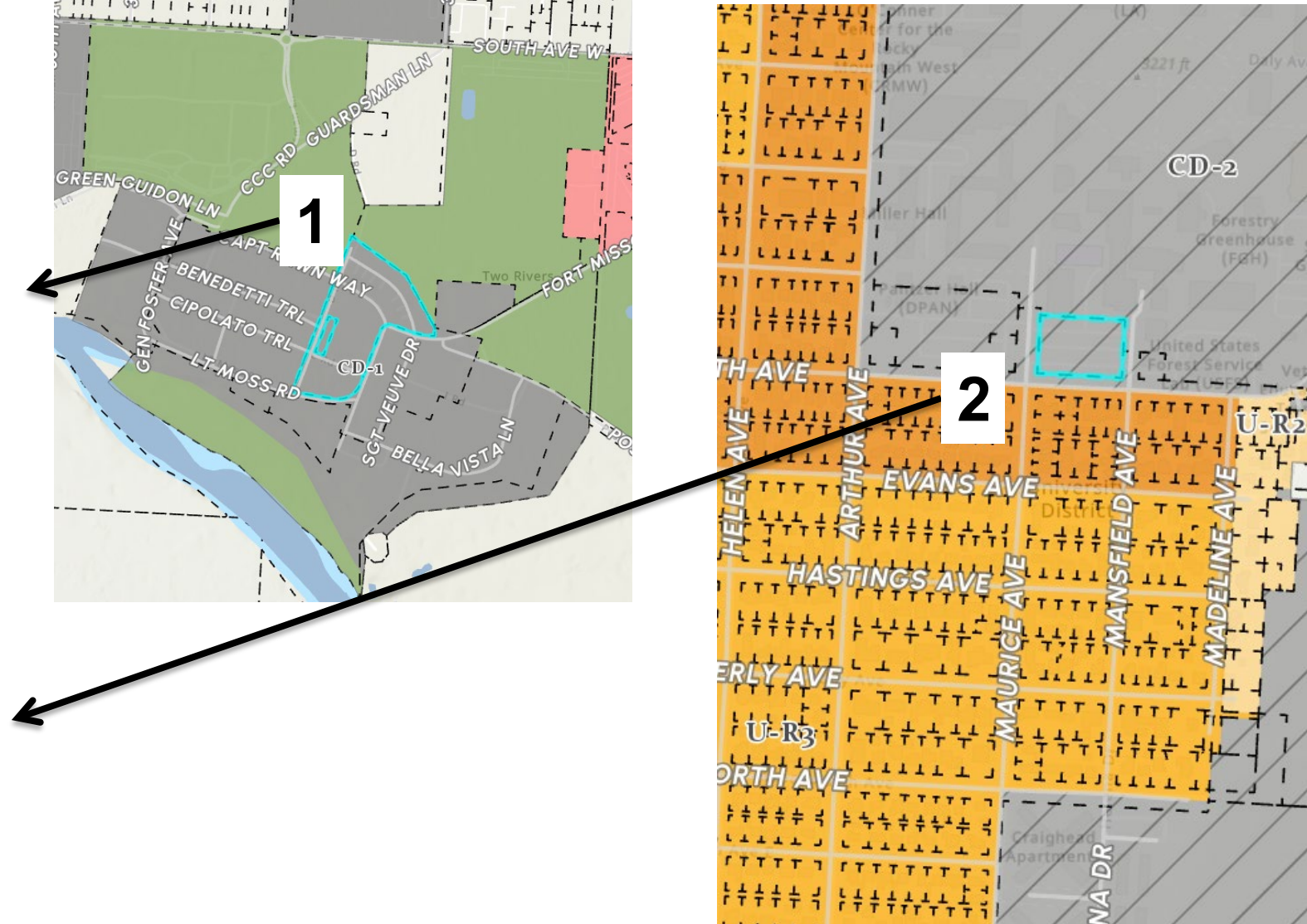
- Civic PT
- Within walking distance to:
 - Developed Park
- Proximity to critical habitat for migratory species
- Historical Resources Present



1

Area 1

- Civic PT
- Within walking distance to:
 - Frequent Transit
 - Commuter Trail
- Historical Resources Present



2

Questions?



You have to draw the line somewhere.

[in as un-biased a way as possible]

EMBOLD research

Should Missoula's city government prioritize creating more homes and bringing down housing costs, or protecting the character of neighborhoods from change?

In light of these challenges, voters express a clear preference for prioritizing the creation of more homes to help bring down housing costs

