



EXECUTIVE SUMMARY

Agenda item:	Interim ordinance to amend Title 20 City Zoning- Extreme Weather Shelter
Report Date:	9/13/2018
Project Lead:	Jen Gress

Public Meetings & Hearings

LUP meeting:	September 18, 2019
City Council public hearing:	October 7, 2019

Applicant:	This is a City initiated request.
Notification:	<ul style="list-style-type: none"> A legal ad published in the Missoulian on September 29, 2019

RECOMMENDED MOTION

September 18, 2019, LUP: Set a public hearing on an interim zoning ordinance amending Title 20, Missoula City Zoning Ordinance Chapter 20.40, creating a new section 20.40.055 and Chapter 20.105, amending Section 20.105.030 establishing a new use entitled “Extreme Weather Shelter” and providing regulations governing the use.

October 7, 2019 Waive the first reading pursuant to 76-2-306 Montana Code Annotated, adopt an interim zoning ordinance amending Title 20, Missoula City Zoning Ordinance Chapter 20.40, creating a new section 20.40.055 and Chapter 20.105, amending Section 20.105.030 establishing a new use entitled “Extreme Weather Shelter” and providing regulations governing the use.

I. PROPOSAL SUMMARY

This ordinance proposes to incorporate the use Extreme Weather Shelter into Title 20 Zoning.

II. BACKGROUND

Missoula lacks adequate services to address the increased need in our shelter system during extreme weather. This results in unsafe overcrowding in our permanent shelter system. It also results in people remaining outdoors, in encampments, or in other places not meant for human habitation during extreme weather, jeopardizing the safety and well-being of these individuals.

Currently, Missoula’s Zoning regulations address permanent Emergency Homeless Shelters (Section 20.40.045) and Temporary uses (Section 20.40.130).

The Extreme Weather Shelter use is meant to be used on an intermittent, as needed basis when extreme weather conditions such as extreme heat or cold exist and is proposed to be an accessory use to the existing primary use of Religious Assembly. Because Extreme Weather Shelter is temporary in nature, it does not fit well with the existing Emergency Homeless Shelter use. Title 20 does address temporary uses in Section 20.40.130 Temporary Uses; however, this section is prohibitive because it contains timelines that are not appropriate for an Extreme Weather Shelter use and applies to uses of small occurrences during a 90-day timeframe.

II. BACKGROUND

Proposed amendments will define an Extreme Weather Shelter use (Section 20.105), provide criteria for that use (Section 20.40), and will apply the use in the Religious Assembly use definition (Section 20.105).

General amendments to incorporate the Extreme Weather Shelter use into Title 20 are in process but will not be implemented until mid-December, well into Missoula's winter and the possibility of extreme weather.

To protect the public health, safety, and welfare of individuals during the fast approaching winter months, staff is requesting City Council set a public hearing to consider the passage of an interim zoning ordinance (76-2-306 MCA), that addresses process and regulation of the Extreme Weather Shelter use. State law requires interim zoning ordinances be noticed at least seven days prior to the public hearing. If the LUP committee concurs with proceeding, the City Clerk will publish legal notice of the public hearing on the Extreme Weather Shelter use ordinance on Sunday, September 29, 2019. The public hearing is scheduled for October 7.

V. ATTACHMENTS:

A. Draft Ordinance – Extreme Weather Shelter