



Community Planning Division

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MEMORANDUM

TO:

Jim Nugent, City Attorney	Jameel Chaudhry, University of Montana
Marty Rehbein, City Clerk	Jeremy Keene, Public Works & Mobility
Dax Fraser/Gordy Hughes, City Fire Department	Corey Aldridge/Dan Stone, Urban
Shannon Therriault, Health Department	Transportation District
Donna Gaukler/Nathan Mcleod/Grant Carlton,	Ellen Buchanan, Missoula Redevelopment
City Parks Department	Agency
Jaeson White, City Police Department	Montana James, Housing and Community
Emily Brock, Missoula County	Development
Rob Watson/Burley McWilliams, Missoula	Kalina Wickham, Office of Neighborhoods
County Public Schools	

CC:

John Engen, Mayor	Brandon Prinzing, Chair, Design Review
City Council Members	Board
Dale Bickell, City CAO	Hans Hoffman, Chair, City Board of
Kent Watson, Chair, Historic Preservation	Adjustment
Commission	

FROM: Emily Gluckin, Associate Planner
Community Planning, Development, and Innovation

DATE: March 16, 2022

RE: Request for Comment on Proposed Title 20 Amendment – Public Forum
Standards

A public forum is a type of public hearing that is held when an agency, including a board, bureau, commission, department, authority, or other entity of state or local government, proposes to develop or use land in a way that does not meet the requirements of the zoning code. When such a proposal is made by an agency, a public forum for comment on the project must be held, as described in MCA 76-2-402.

During the 2021 legislative session, the State of Montana passed House Bill 496, which revised the requirements surrounding the review of a public forum request. These revisions included changing the review authority of public forums from the local Board of Adjustment to the local governing body (City Council), as well as adding a new requirement for the requesting agency to attend the public hearing.

The Missoula City Zoning Ordinance (Title 20) includes guidance that in addition to the requirements of the zoning ordinance, all uses and development must comply with all other applicable city, state, and federal regulations. The following proposed targeted

amendments are intended to align the City zoning regulations surrounding public forums with the amendments to MCA 76-2-402, and include the following sections of the zoning ordinance:

Title 20.85.010 – Review and Decision-Making Authority (Summary Table)

- Changes the review and decision-making authority for a public forum from Board of Adjustment to City Council.

Title 20.85.020 – Common Provisions

- Removes public forums from the Board of Adjustment application types;
- Adds a new line for public forums under Noticing Requirements for Specific Application Types.

Title 20.85.095 – public forum Review and Approval Procedures

- Changes all instances of “Board of Adjustment” to “City Council”;
- Adds that, per the new State Law, an agency requesting a public forum shall attend the public hearing.

The attached document includes a general description and provides amendment language and an explanation for each suggested amendment. Amendments are shown as strike-through and underline. For reference, the City zoning code (Title 20), can be viewed online [here](#).

Your comments are appreciated to refine the proposed amendments. Comments received by **Friday, March 25, 2022**, will be included in an informational packet to the Planning Board prior to their public hearing. Comments received after this time and prior to the public hearing will be forwarded separately to the Planning Board.

After agency and public input, the Planning Board will review and provide recommendations to the City Council for their final review, recommendation, and decision. The Planning Board will hold a public hearing on **Tuesday, April 5, 2022, at 6:00 p.m.**

Please forward your comments to Emily Gluckin at gluckine@ci.missoula.mt.us. Send a notice of *no comment* if you have none so the Planning Board and City Council are aware of your participation. If you have problems viewing the document or have questions, please contact me via email or telephone at 552-6621.

Attachments

Proposed Amendments - Title 20 Public Forum Standards (3/15/2022)
State of Montana House Bill 496