



**City of Missoula, Montana
City Council Committee Agenda Item**

Committee: Land Use and Planning
Item: Comprehensive Code Reform: Consultant Contract
Date: May 4, 2022
Sponsor(s): Community Planning, Development and Innovation (CPDI)
Prepared by: Ben Brewer

Ward(s) Affected:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Ward 1 | <input type="checkbox"/> Ward 4 |
| <input type="checkbox"/> Ward 2 | <input type="checkbox"/> Ward 5 |
| <input type="checkbox"/> Ward 3 | <input type="checkbox"/> Ward 6 |
| <input checked="" type="checkbox"/> All Wards | <input type="checkbox"/> N/A |

Action Required:

Approve and authorize the Mayor to sign a Professional Services contract.

Recommended Motion(s):

I move the City Council to: Approve and authorize the Mayor to sign a professional services agreement with Metta Urban Design for the city's Comprehensive Code Reform Project for the total amount of \$850,000 to be equally distributed between two Fiscal Year Budget cycles - \$425,000 in Fiscal year 2022 and the balance of \$425,000 in Fiscal Year 2023.

Timeline: [Click or tap here to enter text.](#)

Refer to Committee: May 2, 2022

Committee Business: May 4, 2022

Council Consideration: May 9, 2022 [Click or tap here to enter text.](#)

Background:

In 2015, the City of Missoula adopted a bold and comprehensive planning document in the Our Missoula Growth Policy. The foundational policy directive that stems from the City's growth policy is to 'focus inward,' which is a land use principle that encourages new growth in the direction of existing infrastructure, neighborhoods, and public services. The Focus Inward concept prioritizes shifting from developing vacant land on the outskirts of the urban area to redevelopment of central areas with existing services. It promotes sustainable urban development and re-use rather than consumption and expansion into open space, agricultural resources, and natural areas. The Policy encourages

preservation of neighborhoods and community assets while making more efficient use of underutilized or undeveloped spaces, and supporting the types of economic growth and cultural diversity which foster a vibrant and adaptable community. As the foundation for the City's Growth Policy, the strategy is aimed at reducing automobile dominated suburban development which not only helps to improve community health, cost of living, lower city infrastructure and service costs, but also mitigates the effects of climate change and lessens use of carbon-based fuels and subsequent greenhouse gas production.

The City Strategic Framework: 2020-2023, modeled after the City's Growth Policy, emphasizes the need to amend and align development regulations to improve clarity and consistency and to implement land use recommendations from the City's housing policy, "A Place to Call Home." Additionally, the Strategic Framework establishes the need to conduct a zoning audit to assess how current zoning policies impacts affordable housing and its geographic distribution and how they may inhibit the development of inclusive, diverse and equitable housing as well as economic development in all neighborhoods.

In the winter of 2020, the City conducted a review of the City subdivision and townhome exemption development regulations to consider current practices and challenges that impede efficient and effective implementation of the regulations in support of new development. The result of the review was a Recommendations Report that identified key priorities including addressing consistency, clarity, alignment, and balance. Two of the Priority Actions recommended in the Report are to adopt a Unified Development Code, and align regulations to policy documents.

The City's current regulatory codes have not been adapted or modernized to provide us the tools needed to actualize the goals outlined in the growth policy and other related City policy. The most recent zoning code and map were established prior to the adoption of the Growth Policy, and requires modernization and consolidation to provide us with the tools needed to actualize the goals outlined in City Policy. Currently, various development regulations can be found in a series of different codes, manuals, and administrative documents. This dispersed approach increases the instances of conflicting requirements and recommendations and makes alignment, clarity, and consistency challenging for both staff, users, and the public.

In summary, the City seeks to continue its implementation of the vision set forth in the Our Missoula City Growth Policy through the creation a Unified Development Code (UDC) that achieves the aspirational elements of recent City policy. The final UDC will integrate all City development regulations (including but not limited to zoning, subdivision, parks, and engineering regulations) into one code and update the regulations to be responsive to Missoula's current and emergent land use needs with a special emphasis on affordability, equity, and sustainability.

Consultant Selection:

LUP was updated on July 21st, 2021, specifically regarding this project. The presentation spoke to the need for funds to support a comprehensive code reform plan, and that the work would be consultant driven. The CPDI Budget Request for the project was delivered to BCOW on August 4th, 2021, at which time the new budget request and alignment with City strategic plan goals was described. The FY22 budget was approved in August, 2021.

A Request for Proposal was developed within CPDI and posted publicly on December 12th, 2021, in order to conduct a nationwide search for a professional firm to assemble a team that would bring the depth of expertise desired to successfully complete this project. As indicated in the RFP, the consultant should meet the following description:

The primary skill set of the consultant team shall emphasize experience in developing a Unified Development Code. To get there, the City is seeking a multidisciplinary team of land use planners, facilitators, designers, and code specialists with a demonstrated background in innovative community engagement protocols. The team shall offer expertise in zoning and other land use regulations, process auditing, equity in land use auditing, national and Montana land use law, transportation, architecture and design, historic preservation, utility infrastructure, environmental resource protection, development financing, implementation of sustainability initiatives, and community planning including policy development. The team should offer a strong public communications and marketing background that emphasizes community engagement with a focus on equity, diversity, and inclusion.

A Selection Team, consisting of Walter Banziger, Ben Brewer, Jordan Hess, Mary McCrea, Laval Means, Neil Miner, Eran Pehan, and Aaron Wilson led the selection process, and determined that the Metta Urban Design team was the preferred candidate, based on their team composition, and project approach as outlined in their proposal. Some of the key deciding factors were an emphasis and ability to set the stage through early engagement and messaging in order to bring the community along with changes to code and policy; an ability to communicate in a way that draws everyone to the table; a focus on training staff and users along the way rather than all at the end of the process; and a style of work product (including graphics, visuals, and scenario planning) that cuts through the jargon and makes the process more relatable and accessible to the community.

Financial Implications:

The overall project budget is \$850,000, inclusive of all consultant fees, City expenses, and other applicable project fees. Fees and expenses will be payable over the course of the scheduled work. The City will enter into contract with the successful firm to complete the full scope of work. The Missoula City Council has committed to fully funding the project and allocated half of the project funding in the 2022 Fiscal Year Budget, adopted on July 1, 2021. The remaining project funds are anticipated to be available upon allocation by the Missoula City Council in the Fall of 2022.

Source	Amount Requested: FY22	Amount to be Requested: FY23	Total Project
City General Fund	\$425,000	\$425,000	\$850,000

Links/Attachments:

- Professional Services Agreement
- Exhibit A: Scope of Work
- Exhibit B: Compensation
- Exhibit C: Request for Proposal
- Exhibit D: Original Consultant Proposal