

From: [Mike Nugent](#)
To: [Jen Gress](#); [Cassie Tripard](#); [Madson Matthias](#); [Laval Means \(she/her\)](#); [Mary McCrea](#); [Eran Pehan](#)
Subject: Fwd: Interim zoning ordinance to enact changes required by 2023 state legislation.
Date: Monday, October 2, 2023 11:41:09 AM

FYI.

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From: David Gray <david@dvgarchitects.com>
Sent: Monday, October 2, 2023 11:33:08 AM
To: Grp. City Council and City Web Site <Council@ci.missoula.mt.us>
Subject: Interim zoning ordinance to enact changes required by 2023 state legislation.

Good Morning City Council Members,

I just found this proposed ordinance and its changes. For the most part I think this will benefit Citizens, affordable housing and affordable commercial developments.

I have some concern on why all appeals of the zoning officers' decisions for "*design*" must go to the Board of Adjustments for Design Review and not City Council. The Board of Adjustments is a final stop before court proceedings. Why not send all "Design appeals" to the City Council where the elected body makes the decision. The Board of Adjustment is still an appointed board just like the Design Review Board. Let the Elected officials make the choice since citizens appointed them through an election. The Board of Adjustments is looking for hardships while the zoning officer is making a personal choice on aesthetics for their denial of a design or exceptions to the a design requirement. As a citizen and Architect I would prefer to have the conversation of design with a body I and my clients had a say in putting in place which is the City Council.

"55. SB 407 prohibits external boards from being the determining body for Design Review applications" The Board of Adjustments is a Council appointed Board just like the Design Review Board and they can create the same limitation of providing affordable and equitable design in their "Design Review."

Please change any appeal of the denial of the zoning officer for design review issues from the "Board of Adjustments" to "**City Council**" so our elected body has the final say if a development is appropriate.

Respectfully,

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