

Attachment F: UDC Content Summary

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Introduction

The purpose of the UDC Content Summary is to provide a high-level overview of each chapter in the UDC, identifying what’s in each chapter, notable updates from existing code and processes, and key takeaways.

The new Unified Development Code (UDC) will contain the following chapters:

- 1 Introductory Provisions
- 2 Administration and Procedures
- 3 (Reserved)
- 4 Zoning
- 5 Subdivision
- 6 Infrastructure Improvements
- 7 (Reserved for Buildings and Construction)
- 8 Definitions

Executive Summary

Chapter 1: Introductory Provisions

General Overview

Chapter 1 establishes the foundation for the Unified Development Code (UDC). It confirms the official title of the UDC, explains how the code is organized, and provides baseline rules for how to read and apply every chapter that follows. It brings together general provisions, a clear statement that development must comply with the UDC, the rules of language and ordinance construction used for consistent interpretation, and the transitional provisions that explain how projects, approvals, and violations are handled as the City moves from the existing code to the UDC.

Key Takeaways

- It's the UDC's go-to resource for how to navigate the document and understand what applies where.
- Creates a single, consolidated starting point that organizes how Chapters within the code relate to one another, and links the UDC to the rest of City code.
- Sets ground rules so applicants, neighbors, staff, and decision-makers interpret how the code should be used in the same way.
- Ensures a fair, predictable transition by clarifying how prior approvals and existing violations are treated.

Chapter 2: Administration and Procedures

General Overview

Chapter 2 spells out who does what (Planning Administrator, City Engineer, Planning Commission, Historic Preservation Officer, Historic Preservation Commission, Urban Forester, Parks Administrator), and where decision space is located across the UDC: a consolidated Process Crosswalk, standardized Noticing Requirements, a unified Appeals article, and Violations/Penalties/Enforcement (including continuation of prior actions). In effect, it takes the scattered administrative pieces in the current codes and assembles them into a single, predictable system.

Key Takeaways

- Better housing delivery and predictability. One clear process and clear authority reduce handoffs, speed reviews, and lower the risk of delays. Knowing early whether a decision is ministerial or legislative and where an appeal goes helps avoid costly repeats.

- Equity, transparency, and earlier engagement. Using the same notice methods and content for every process creates consistent ways for the public to stay informed. Residents can more easily see when and how to participate, such as posted signs on each street frontage, a newspaper notice at least 15 days in advance, and a required content checklist.
- Cross-department coordination. Clear roles for the City Engineer and Parks/Urban Forester define authority over the right-of-way and technical standards, ensuring land-use decisions align with infrastructure and urban forestry requirements for coordinated, block-by-block growth.
- Appeals clarity lowers conflict costs. A single appeals article for site-specific land-use decisions reduces confusion over where to appeal, limiting procedural disputes and focusing everyone on the merits.
- Montana Land Use and Planning Act (MLUPA) alignment and policy consistency. The UDC creates a Planning Commission with duties and procedures that follow MLUPA and links legislative actions to the Our Missoula 2045 Land Use Plan. This helps keep zoning and subdivision decisions in substantial compliance with adopted policy.

Chapter 3: (Reserved)

This Chapter is reserved for future use.

Chapter 4: Zoning

General Overview

Chapter 4 now consolidates all of the City's zoning in one place, replacing the old system that was spread across Titles 19, 20, and 21. Most of the City was previously zoned under Title 20, but the rapidly developing Sx^wtpqyen area on the urban fringe followed the Title 21 Form-Based Code, and various other areas were governed by Special Zoning Districts (SDs) or Planned Unit Developments (PUDs), many of which still referenced the older, repealed Title 19.

Adding to the complexity, Title 20 includes multiple overlays that modify base zoning rules. Altogether, City staff identified roughly 350 unique zoning designations in the current system.

The new code simplifies this by creating 22 zoning districts, all located in a single chapter. Overlays are largely removed, with standards that are still relevant incorporated into the new districts and unnecessary or outdated rules eliminated.

The updated zoning is designed to align with the recently adopted Land Use Plan, since zoning serves as the primary tool for implementing land use policy and is required by state law to reflect the City's goals.

Key Takeaways

- All City zoning all in one place, no longer spread out amongst multiple Titles and complicated by many overlays.
- Zoning code in alignment with City land use policy through the recently adopted Our Missoula 2045 Land Use Plan.
- Zoning that complies with State law mandates through the Montana Land Use Planning Act.
- A critical step towards addressing important issues of housing capacity, opportunity, diversity and affordability.
- A move towards increased administrative approval with a clear decision-making process, along with a straightforward and transparent appeals process.

Chapter 5: Subdivision

General Overview

Chapter 5 contains the subdivision regulations. The subdivision standards focus on the orderly development of lots and blocks to achieve vehicular and pedestrian access to adjacent development that result in the creation of neighborhoods with a sense of community, parks, open space, schools, shopping and community facilities. The chapter modernizes Missoula's subdivision regulations by simplifying processes, streamlining schedules for preliminary plat review and approval, and removing dimensional standards for streets, sidewalks and trails, while incorporating changes from the 2023 and 2025 legislative sessions. Overall, the subdivision regulations are amended to be more user-friendly and easier to read, as much as possible.

With the shift to MLUPA, the City of Missoula will no longer be subject to MCA Title 76-1, 2, 3, and 8. MCA Title 76-3 is the Montana Subdivision and Platting Act (MSPA). Many definitions, principles, and regulations found in Chapter 5 of the UDC remain the same as previous requirements from MSPA. The main shifts are procedural.

Key Takeaways

- A Predictable, Coordinated, Transparent Process for Subdivision or Subdivision Exemptions

- Administrative, expedited, minor and major subdivision types are collapsed into one subdivision type and one process for all subdivisions.
- Added a new Ministerial Small Subdivision type.
- Administrative review for all subdivisions.
- Fewer steps for application and review lead to reduced timelines.
- Consolidated review criteria focused on substantial compliance with the Land Use Plan.
- Defined public engagement points make the process more navigable for all parties.
- Earlier phasing and capacity triggers sync subdivision with water/sewer, fire access, and ROW requirements.

Chapter 6: Infrastructure Improvements

General Overview

The purpose of this chapter is to establish the design, construction, and permitting requirements for infrastructure improvements required during development. The majority of this Chapter came from existing code in Title 12 and Title 13 that was re-organized and re-written but not substantively altered.

Key Takeaways

- Existing codes for infrastructure improvement requirements are consolidated into one location and simplified to make them easier to read for the user.
- Codes are updated to present day standards and practices; outdated rules that are no longer needed are removed.
- Chapter 6 code requirements are coordinated with Standards and Specifications Manual administrative rules. The Code provides the ‘what’ and the manual provides the ‘how’.

Chapter 7: (Reserved)

This chapter is reserved for future use, likely for addition of building code elements.

Chapter 8: Definitions

General Overview

The purpose of this chapter is to collect and organize definitions of terms that are used throughout the Unified Development Code (UDC). The terms listed here are typically found across multiple chapters of the UDC. As a note, terms that are located specifically in one chapter, or one sub-section of one chapter, are located in those specific sections of code rather than this chapter.

Key Takeaways

- Terms that have been used differently in separate individual existing codes are now unified for consistency and continuity throughout the new code.
- Terms are located in one 'go-to' resource for resolving questions of how to interpret and understand terms throughout the code.

Chapter 1: Introductory Provisions

Summary of Content

- Official title & scope: Chapter 1 identifies the UDC as the City’s consolidated development code and describes where and how it applies.
- Compliance required: this chapter states that land use, subdivision, and development activities must comply with the UDC.
- Rules of language & construction: it establishes how terms are interpreted and how to resolve conflicts among provisions.
- Transitional provisions: it explains the treatment of pending applications, previously approved projects, and existing violations at the switchover.

Chapter 2: Administration and Procedure

Summary of Content:

Notice methods & timing:

- Sets expectations for public noticing of development projects, including whether to provide electronic, mailed, or posted; clarifies that newspaper notice should occur no fewer than 15 days prior to hearings/final decisions.

Notice content checklist:

- When a project must provide public notice, the project information that must be noticed is all detailed here. Project information will typically include the process type, decision-maker, hearing date/time/location, reference to review criteria, effectivity timeframe (if applicable), appeal info, and participation instructions.

Notification matrix by process:

- There is a comprehensive list of which notice types apply to each action (e.g., zoning amendment requires electronic, mailed, posted, and newspaper).

Authority and Appeals:

- Identifies the location, levels of authority, and decision space throughout the code. It also clearly describes how and when the appeals process to land-use decisions are initiated and decided.

Notable Updates from Existing Codes and Processes

- Decision bodies and roles are clearer and broader. (A) This expressly enumerates the Planning Administrator, City Engineer, Planning Commission, HPO/HPC, Urban Forester, and Parks Administrator with duties. The UDC also formalizes a Planning

Commission (replacing “Planning Board” terminology) and ties its duties to MLUPA. (B) Title 20 scatters most authorities throughout Chapter 20.90 Administration (e.g., Board of Adjustment, Planning Board, Zoning Officer, HPO/HPC).

- A centralized “Process Crosswalk” is provided. (A) Chapter 2 adds a plain-language crosswalk that points to the decision-maker and article for each action (zoning, subdivision, infrastructure). Example outcome of how the crosswalk works in practice: zoning amendments → City Council; appeals of administrative land-use decisions → Planning Commission; zoning variances → Planning Administrator. (B) Title 20 lists procedures, but not in one consolidated, at-a-glance location.
- Noticing is centralized, method-specific, and content-specific. (A) Article 2.3 standardizes how notice happens (electronic, mailed, posted, newspaper), when (e.g., newspaper ≥15 days before hearing/decision), and what it must include (content checklist). The UDC also provides a notification matrix by process (e.g., zoning amendments require electronic, mailed, posted, and newspaper notice). (B) Title 20 relies on distributed notice rules inside Chapter 20.85.
- Appeals are gathered into one article and broadened in scope. (A) Article 2.4 governs appeals of land-use decisions made by the City Council or Planning Administrator under Zoning (Chapter 4) and Subdivision (Chapter 5), giving a single “ruleset” for who can appeal and how. (B) Title 20 addresses appeals in 20.85.100 but this UDC-framework also wraps subdivision into the Article.
- Enforcement is collocated and preserves continuity. (A) Article 2.5 groups violations, remedies, penalties, and continuation of previous enforcement actions. The UDC’s transitional language explicitly keeps pre-adoption violations enforceable. (B) Title 20’s parallel structure sits in Chapter 20.95, including 20.95.080 (continuation).
- Administrative practices are streamlined and connected. Chapter 2 establishes the basic rules for ministerial zoning compliance and public notice, which other chapters reference, such as Historic Preservation pointing to Article 2.3 for notice and compliance steps. This approach cuts repeated language and avoids conflicting instructions in the code.

Chapter 3: (Reserved)

This Chapter is reserved for future use.

Chapter 4: Zoning

Summary of Content

The New Zoning Framework:

- A substantial part of the new zoning chapter is new. This section provides information about the key components and shifts that are included in this new zoning framework.
 - New zoning district framework aligned to contexts and Land Use Plan describes Place Types.
 - Recalibrated and consolidated residential and mixed-use standards.
 - Building types and corresponding definitions and standards.
 - Consolidated, clarified, and updated Land Use Standards.
 - An updated, comprehensive Use Table that includes parking and bike storage requirements.
 - Separated building standards from use standards for clarity and organized all Land Use provisions into one article.
 - Standards related to site development are currently spread across multiple articles, making it easy to overlook. These are now contained in one, new Site Development article.

Key objectives of new zoning districts:

- New zoning districts that integrate place types and contexts as an organizing structure.
- Each zoning district abbreviation starts with the context (U, D, LU, I, T), followed by the predominant use (R, MU) and intensity (where lower number indicates lower use/form intensities).
- Simplify the districts by collapsing similar districts and/or overlays.
- Increase usability by presenting standards in table form that is supported by graphics showing key dimensional standards.

Key shifts for Residential districts:

- Consolidate residential zoning districts.
 - Combine existing zoning districts by context as described in the Land Use Plan. Residential districts are organized and named based on urban, limited urban, or rural Place Type Designations, and standards are aligned with related Place Type descriptions.
- Floor Area Ratio (FAR) and Dwelling Units per Building

- Use FAR in limited urban and urban residential districts to control overall size of buildings for compatibility with established neighborhood patterns, and to incentivize more, smaller homes rather than fewer, more expensive homes.
- Continue to use minimum parcel area per unit for rural and limited urban residential districts
- Urban residential districts utilize a progressive floor area ratio calculation that increases with the number of dwelling units that are built. Progressive FAR means the more homes you build on a lot, the more total space you're allowed to build.
- Each zoning district lists a maximum number of dwelling units permitted in a building. Developers will be able to build the number of units that can be accommodated by the floor area ratio, however there is a limit on how many units can be placed in one structure.
- Minimum Parcel Area and Setbacks.
 - In order to comply with the option of the Planning act's menu of housing related zoning tools to reduce minimum parcel area by at least 25%, the new code generally replaces requirements for minimum parcel with minimum parcel width. This requirement provides greater flexibility for lot size and configuration, while controlling for compatibility with established neighborhood patterns.
 - In order to comply with this option of the Planning Act's menu of housing related zoning tools, the new code includes reductions to existing 25%+ setback requirements.

Key shifts for Mixed-Use districts:

- Align Mixed-Use Districts with Land Use Plan
 - A key element of the Land Use Plan's Land Use Strategy is to "unlock the growth potential for mixed-use centers and corridors in order to allow more people to live within walking distance of their daily needs, create opportunities for more affordable housing types, and allow more people to live closer to transit services." The determination of which mixed-use zoning district standards to apply and how they are calibrated in relation to context as described in the relative Place Types in the Land Use Plan are heavily guided by this strategy component.
 - The Mixed-Use Place Types in the Land Use Plan range from Downtown, to Urban Mixed-Use, to Limited Urban Mixed-Use, and the zoning districts are organized accordingly. There is also a Transitional Mixed-Use zoning district, located in the Special Use districts Article but applied primarily to locations

designated with an Urban Mixed-Use Place Type, and this is described further below.

- Place Types, Design Excellence, and existing Zoning Districts.
 - The new mixed-use zoning districts are based on using place types as an organizing element. The new zoning districts are produced out of consolidating and restructuring at least 73 unique combinations of the Design Excellence overlay and existing commercial zoning districts.
 - The most objective and important design standards are integrated into urban mixed-use and downtown zoning districts. Overly burdensome or “subjective” requirements are removed.
 - The standards from the Design Excellence overlay that are incorporated are:
 - Build-to zone/width requirements
 - Maximum building widths
 - Upper story setback
 - This is revised to an upper story setback, which maintains spirit of standard while increasing flexibility.
 - Minimum ground floor transparency
 - This is revised/reduced from existing standards to increase flexibility while maintaining spirit of the standard
 - Street-facing entrances
 - The standards from Design Excellence overlay that are removed are:
 - Materials standards
 - Upper floor glazing
 - Floor to Ceiling Height
- Density in Mixed Use Districts:
 - In order to provide maximum flexibility for development and housing production in the Mixed-Use districts, as supported in the Land Use Plan’s Land Use Strategy and Place Type descriptions, there are no specified limits on density in mixed-use zoning districts.
- Height.
 - In current zoning, height maximums are determined by an "intensity designator", where the only development standard that varies according to these indicators is maximum height, as follows:
 - (-1): 40 feet

- (-2): 50 feet
- (-3): 65 feet
- (-4): 125 feet

Properties that are zoned business or commercial with a ‘4’ indicator are permitted a building height of up to approximately 11 stories, but no buildings in these zones have been constructed to use this maximum height. An 11-story building in these areas is both likely economically infeasible and would not be compatible with the surrounding context in many cases.

In order to both simplify the number of zone districts and to address the issue raised above, which also guided the design of the Mixed-Use Place Types, height maximums are incorporated directly into the new mixed-use districts and vary according to context. All Mixed-Use districts allow for at least a four-story building, which is generally the most economically viable larger scale building for the Missoula market.

Key shifts for Special Use Districts:

- Consolidate Industrial and Open Space zoning districts
 - The new zoning combines the existing Industrial and Manufacturing Districts (Ch 20.15) with the Open Space, Public, and Aviation Districts (Ch 20.20) into one article to simplify the structure and streamlines content.

- Shifts to Industrial zoning districts
 - The new zoning contains two industrial districts, similar in nature and standards to existing Title 20 industrial districts. Only the I-1: Limited Industrial district is applied on the zoning map; the Heavy Industrial district is withheld.
 - The new zoning district T-MU: Transitional Mixed-Use is similar in its standards to the existing Title 20 M1R: Limited Industrial-Residential district. However, whereas the existing M1R district is currently mapped to areas of predominately existing light industrial nature intermixed with residential neighborhoods, the T-MU district is mapped to areas that are designated as Urban Mixed-Use Place Types, but the physical context and existing development pattern requires further transition in order to develop into a more substantial urban development pattern. (The existing M1R zoning district was largely re-designated between residential and mixed-use place types, and mapped accordingly in the new zoning map.) Ultimately, locating

the T-MU in the Special Use Article, rather than Mixed-Use, makes sense for a district that serves transitional areas.

- Shifts to Open Space zoning districts
 - The existing zoning standards for Title 20.20: Open Space, Public and Aviation districts into the new format, generally with minimal updates.
 - The existing OP3: Public Lands and Institutional is converted into two new Civic zoning districts, CD1: Civic District 1 and CD2: Civic District 2. The current OP3 district does not permit residential use, but the adoption of the Land Use Plan involved updating the Civic Place Type to include language that “residential development may be permitted, dependent on context and adjacent land use types.” The primary difference between the CD1 and CD2 districts is that CD2 permits residential uses, while CD1 does not. Staff has evaluated for context and adjacent land use in determining the mapping designations for these two districts as they are applied in the new zoning map.

Key Shifts for Historic Preservation and Historic Overlays

- The new code brings all of the historic preservation sections from Title 20 into the same Article of the UDC.
- Definitions are updated.
- The existing NC overlays, Special Districts, and PUDs related to HP in existing code are consolidated into the Historic Resource Overlays and a process for creating new overlays is established.
 - Four total overlays are carried forwarded: Fort Missoula, Marshall House (SD), Roosevelt Block (PUD), and Sacajawea (PUD 821 S Orange)
 - Within these overlays, some specific uses were evaluated for and amended:
 - Fort Missoula Overlay:
 - Additional permitted uses are added to ensure that compatible uses within the Fort are permitted
 - Additional Adaptive Reuse possibilities are expanded.
 - Integrated the Appendix A Development Guidelines for the Fort Missoula Neighborhood Character Overlay
 - The currently listed permitted and conditional uses are removed from the Marshall House HRO since those uses are all permitted in the base zoning.

- Updated Maps to reflect new names and boundaries
 - Updated and clarified the language around the HPP requirement for HR Overlays
- Established a Division for the Missoula Inventory of Historic Resources.
- Made HPP process consistent with State law
- Removed reference to HPC re: HPP reviews; transferred their authority to HPO
- Clarified a new public notice and public participation process

Building Standards

- Building Types Menu
 - Missoula’s existing Title 20 mixes building type standards and use standards inconsistently in ways that can be confusing and unnecessarily restrictive. The new code provides a short, simple menu of development building types that are purposefully disentangled from use associations and use a light touch in terms of design standards.
 - The new code includes the following menu of Building Types.
 - **Residential:** One-unit House, Duplex, Cottage Court, Rowhouse, Apartment Building, Neighborhood Commercial Building
 - **Other:** Accessory Structure, Mixed-Use Building, General Building, Civic Building
 - The building types menu in the new code does not include Accessory Dwelling Unit’s specifically. This is because the increased density allowances in the new code negate the need for increasing density on a parcel by qualifying the additional unit as ‘accessory’. However, the code remains flexible enough that it is possible to self-qualify a second unit on a parcel as an ADU if there is a need for financing or other reasons.

- Relationship between Building Types and Zoning Districts
 - The zoning districts describe which building types are allowed in each zone and provide further standards by building type when those variations are based on district or context, such as maximum number of units in a building. In this way, although the building type menu is simple and relatively limited, the standards within the zoning districts are a means for calibrating to associated context related to the Place Types in the Land Use Plan.
 - The building types menu in the new code includes a Neighborhood Commercial building type that implements a key piece of the Land Use Plan’s

Land Use Strategy to “Allow certain small-scale neighborhood commercial services in most or all residential neighborhoods in order to provide walkable access to daily needs, enhance neighborhood livability, and foster social connections between neighbors.” This is the building type that has the most standards within the building type description, as opposed to other zoning districts.

Key Shifts for Uses and Related Standards

- Organization
 - The new code implements a new organizational structure that consolidates a combined use tables, use-specific standards, use classifications, and accessory uses into this singular article. In the existing zoning these are spread out amongst several separate chapters, including Chapter 20.40 Use- and Building-Specific Standards, Chapter 20.45 Accessory Uses and Structures, and Chapter 20.105 Use Classification, as well as all of the individual zoning district chapters (20.05, 20.10, 20.15, and 20.20). This new structure significantly streamlines code navigation and organizes all related land use standards.
 - This new organization also clearly separates land use standards from building standards (Article 4.7: Building Standards) for more efficient code administration and/or future revisions.
- Use Table
 - The most notable change from existing practices is that the new code does not include Conditional Use. Designated uses are now either permitted or not permitted. In updating the table of allowed uses for the new code, decision making on which uses that are currently designated conditional should be moved to permitted or not permitted were based on City goals and operational considerations.
 - A variety of Commercial Uses have been added as ‘permitted’ into all residential zoning districts in support of the Neighborhood Commercial building type. The uses that have been added are those that primarily correspond with the existing B1 Neighborhood Business zoning district. Any of those uses occurring in residential districts will need to comply with the building standards of the Neighborhood Commercial building type listed in Article 4.7.
 - Some new uses have been identified and added to the list of uses in the zoning, primarily in response to updates to State law, such as uses related to

digital asset mining. Other uses have been added related to growing trends or needs, such as mobile food vending or food truck parks, EV charging hubs, or various levels of compost services.

- Some uses have been moved into new use categories. Day care: residential has been moved from a Public/Civic use into Residential, and vice versa, Health Care Facility has been moved from Residential to Public/Civic. These are driven by interpretation of State Law updates.
- Use Definitions and Related Standards
 - Use class definitions are revised across the board for clarity. Many definitions remain for all intents and purposes the same as existing definitions.
 - Some use definitions and standards are updated:
 - Wireless communication facility definition is revised for simplicity and clarity, while still aligning with federal law.
 - Shelter-related definitions have been re-organized. Emergency shelter and houseless shelters are combined as sub-uses of a new use 'Shelter'. Houseless shelters are now defined by size so that they can be regulated differently given the scale of the shelter. Emergency weather shelters are now called short term shelters and are defined to address more types of environmental emergencies than cold weather, such as extreme smoke or extreme heat.
 - The use standards were updated to make it easier to install solar panels and wind turbines to support the city's climate goals.
 - Cannabis related use standards were updated to increase the buffer distance between dispensaries from 500 ft. to 1,000 ft., per guidance in the implementation actions of the Land Use Plan.
 - Agriculture uses were clarified to allow the sale and production of products from crops grown on site or animals raised on site.
- Car Parking and Bike Storage
 - Organizationally, parking and bike parking requirements are located within and along with the Use Tables.
 - A key element of the Land Use Plan Land Use Strategy guides that the City "manage parking in a manner in which we strive to meet housing production,

affordability, transportation, and climate goals recognizing that parking is a critical policy choice that affects many other policy goals.”

- State legislation has also followed suit with modern planning practices that support reducing or removing parking requirements in favor of housing affordability, walkable neighborhoods, and efficient land use.
- Within this context the new code includes the following key shifts to parking regulation:
 - Parking requirements for residential uses are removed.
 - Many commercial parking requirements are reduced from existing requirements. Existing or vacant buildings that are undergoing a change of use do not require minimum parking except to provide accessible parking space as required by the American with Disabilities Act.
 - Bike parking requirements are updated from those that exist currently and reflect updated thinking and understanding of best practices. Ensuring that bike parking facilities are included in new development is tied to facilitation of walkable neighborhoods and access to multiple modes of transportation.

Key Shifts for Site Development Standards

- Streamlined Site Development standards, consolidating landscaping with parking and access.
- Parking Standards
 - Parking placement has been updated to ensure driveways are sized to promote permeable areas and to clarify parking is allowed to the sides of structures with restrictions along the street frontage
 - Bicycle storage was updated to create a clear applicability statement, and to clarify which types of bike racks meet design requirements.
- Landscaping Requirements
 - General site landscaping requirements are reduced compared to the current code. Additionally, the trigger for applicability of the standard is updated in the new code to apply at seven or more dwelling units (as opposed to 3 or more units in existing code) in order to reduce barriers to housing.

- The UDC includes new incentives that allow the required area to be reduced even more if a developer plants pollinator gardens, native prairie areas, or installs green roofs.
- Activity Area
 - 150 square feet of activity area is required per dwelling unit, with a maximum requirement equal to 20% of the parcel area. Cash in lieu of activity area is an option in this code. The ability to use a mix of activity area and cash in lieu is available as well. The money from any cash in lieu will be used to improve parks facilities near the development.
 - There are seven new types of activity area, intended to allow developers to count more types of amenities toward meeting the requirement.
 - The trigger for applicability of this standard is set to development with seven or more dwelling units, similar to the general landscaping requirement. Activity area counts towards meeting the general site landscaping requirements, which is an update from the current code.

Measurements and Exceptions

- Measurements
 - This Article contains measurement and exception information for requirements related to setbacks, height, and transparency.
 - The height measurement method is shifted in the new code to be measured from finished grade.
 - The term ‘glazing’ is updated to ‘transparency’ and used consistently throughout the new code.

Natural Resource Protection

- Riparian Resource Protection
 - The only division in this Article currently is riparian resource protection. The current riparian buffer requirements implemented by the City are now documented in code for transparency.
 - The special riparian buffer for the Grant Creek realignment project is brought over into the code from Title 21.

- It is anticipated that this division will receive attention for a near term future amendment to revise buffer protection widths within City limits, which requires time for careful collaboration and data collection and collaboration working with other agencies such as the Missoula Water Quality District, DNRC, and Montana Fish Wildlife and Parks.

The existing approach to restricting development and limiting density on properties on hillsides has historically been a common source of confusion and has been removed. The code removes hillside specific standards.

Multiple Buildings on One Parcel

- This article codified a process for phasing the construction of projects with multiple buildings. This process exists already in practice, but is not clearly described in existing code. Bringing this Article into the new code explicitly describes the process and includes requirements for submitting a phasing plan.
- The process described in this Article allows the Planning Administrator to evaluate projects with multiple buildings placed on larger parcels to determine when subdivision is required. The requirement to subdivide is based on the need to create blocks and street connectivity that implements the place types of the land use plan.
- Processes that are exempt from subdivision are also included in this Article, including process requirements and standards for Townhome Exemption Developments (TED). The standards for TED are largely consistent with existing rules, but have been simplified and streamlined.
- Process requirements for both manufactured housing parks and mobile home parks to go through subdivision, that were previously located in Municipal Title 16, are now located and updated in this Article. The new process allows for manufactured housing parks, where the land is held separately from the units, to be established through zoning compliance permit.

Nonconformities

- Legal non-conformities are aspects of an existing development that were at one time legally permitted, but no longer comply with updated existing codes.
- A key finding of the Land Use Plan process was the recognition that, over time, the zoning code in Missoula grew more restrictive. Some of Missoula's most beloved, older neighborhoods that were developed in the pre-war years allowed greater

housing diversity and were zoned for a mix of housing types, and then were downzoned and converted to exclusively single-family zoning districts in the later 20th century.

- The current Title 20 regulations are almost punitive when it comes to non-conformities, but the new code is much more flexible.
- The UDC acknowledges the existence of non-conforming lots, but does not place any additional restrictions on them. They already exist and can be sold and developed with any use or structure allowed by the zoning.
- Structures that are non-conforming to setbacks have more ability to be expanded compared to the old code. Larger additions will be allowed than is permitted today. Additions can go up to the permitted height, and expand along a non-conforming building line all the way to the point of another setback line.
- Non-conforming structures can be replaced with the same non-conformities. This is permitted today and will be allowed under the UDC. Non-conforming uses have more ability to expand than before. Under the UDC, additions will be allowed as long as the addition doesn't increase impacts on the neighborhood, such as traffic and noise.

Signs

- Standards are streamlined, alphabetized, and consolidated so each sign type has all its regulations in one place rather than scattered across the chapter.
- Every sign type now uses the same regulatory categories, such as size, height, location, design, materials, number, conditions, and exceptions.
- Temporary signs and banner signs are clearly distinguished, and "special signs" are eliminated so all signs fit within a unified system.
- Updated treatment of noncommercial signs and murals. These are now distinct categories, and murals no longer require board review.
- A comprehensive sign package process allows the Planning Administrator to approve deviations from standard requirements when the proposal meets the review criteria.

Zoning Procedures

- Recently updated State law is heavily determinant of the processes that the City can require, and this Article reflects those requirements and brings the City into compliance with state mandates.
- The following processes are updated:
 - There is no longer a Board of Adjustment or Design Review Board; the Planning Commission is designated as the primary quasi-judicial decision maker for Appeals.
 - Rezoning are evaluated based on new criteria. Rezoning will still go through Planning Commission and City Council for approval.
 - Variances will now be decided administratively by staff. Appeals are directed to Planning Commission.
 - Annexations are still evaluated based on City annexation policy, but now the code describes and regulates that process.
- Many existing processes are not directly required by State law, and have historically added a level of uncertainty for the applicants and decision makers. In simplifying the code to be based on more clear and objective standards, and in the interest of efficiency, these existing processes have been removed from the new code.
- The following procedures are removed from existing practice:
 - Conditional Use
 - Design Review generally, and Design Excellence Review as relates to the Design Excellence Overlay.
 - Administrative Adjustments
 - Planned Unit Development (PUD) rezonings
 - Neighborhood Character (NC) Overlay rezonings
 - Public Forum
 - The UDC still includes provisions for government agencies to use land in a way that does not comply with zoning code, but a meeting at Council is no longer required. Instead, staff will post information on engage Missoula as a courtesy to the public.

Key Mapping considerations

- The new zoning Map covers all properties within City limits, with updated and new zoning districts.
- The new zoning Map aligns with the Place Type Map, which is part of the adopted Land Use Plan.
- The new zoning Map is based on the Place Type designations which were evaluated to meet housing capacity needs for projected population growth for the urban area through 2045 .
- Residential opportunities are distributed through mapping of new Residential and Mixed-Use zoning districts so that upzoning is not concentrated in vulnerable neighborhoods.
- Residential districts are differentiated by intensity within individual Place Types based on access to transit, amenities, street connectivity, and constraints.
- Mixed use districts adhere to Place Type contexts, and are differentiated within individual Place Types with consideration for adjacency to main corridors and newly identified Street Types, inclusion in existing Design Excellence Overlay areas, proximity to transit, amenities, street connectivity, and constraints.
- Special Purpose districts adhere to Place Type contexts.
- The T-MU Transitional Mixed Use Special Purpose district is mapped to areas that are designated as Urban Mixed-Use Place Types, but the physical context and existing development pattern requires further transition in order to develop into a more substantial urban development pattern.
- The Civic District Place Type is distinguished into 2 zoning districts in order to distinguish where residential development may be permitted based on context and adjacent land use types (as described in the Civic Place Type description). CD-1: Civic District 1 does not permit residential use, and CD2: Civic District 2 does allow for residential use.
- City owned neighborhood parks and natural areas are zoned to the OP-1: Open Space, regardless of Place Type.
- The zoning map includes four Historic Resource overlays.
- The zoning map includes an Airport Hazard Area overlay.

Chapter 5: Subdivision

Summary of Content

Introduction

- The Introduction generally covers the purpose, intent, and applicability of zoning. The regulations apply to the subdivision and platting of land, and exemptions to subdivision.

Subdivision Design Standards

- Subdivision Design Standards lay out the design standards that proposed subdivisions are required to address as applicable. It covers general considerations as well as specific site planning elements like transportation, utilities, parks, natural resource consideration, and unique development types.

Subdivision Procedures

- Subdivision Procedures address the process that is required to move a project from concept to consideration for final decision of preliminary plats, final plats, variances, and vacated plats.

Preliminary Plat and Final Plat Submittal Requirements

- The focus of this section is to outline the materials that are required for submittal at the time of preliminary plat consideration and final plat review.

Subdivision Exemption

- The State permits a series of exemptions to subdivision that are described in this section. Different applicability requirements and review and approval procedures apply to subdivision exemptions, as well as rules and process that pertain to the assessment of potential evasion of subdivision.

Notable Updates from Existing Regulations and Processes

Design & Infrastructure Standards

- The standards are focused on site development for layout of lots and blocks to ensure connectivity to existing streets and vehicular and pedestrian connections.
- Street types and dimensional standards for right-of-way, streets, sidewalks and boulevards have been removed/relocated to Chapter 6 and the Manual.

Parkland Dedication and Open Space Standards

- Parkland dedication calculations have been greatly simplified.
- The calculations are now based on zoning district and number of dwelling units anticipated for the subdivision.
- Design and development standards for land donation have been updated to ensure that parks, open spaces, and common areas provide the intended public benefit.

- Greater flexibility has been added for meeting parkland dedication by enabling combinations of land, cash-in-lieu and improvements to parkland.
- Three options for determining cash-in-lieu value adds flexibility to the process.

Mobile Home Parks & Manufactured Housing Parks

- Clarifications about the difference in state law between mobile home parks and manufactured housing parks and processes available for each.
- Though new mobile home parks are not permitted within the City, additional units can be added by amending the existing mobile home park.
- Manufactured housing parks are allowed within the City and no longer require subdivision review.

Processing Applications for Preliminary Plat Approval

- Administrative, expedited, minor and major subdivision types are collapsed into one subdivision type and process regardless of size or number of variances.
- Subdivision application process has been greatly simplified with many steps deleted and timelines shortened.
- Scoping and Pre-applications meetings are optional.
- Neighborhood meetings are no longer required.
- Element and Sufficiency review process are replaced with application completeness review.
- Subdivision review criteria have been greatly simplified with a primary focus on substantial compliance with the Land Use Plan, the UDC and the Manual.

Administrative Review and Public Notice

- Administrative review for all subdivisions shortens timeframe from application to preliminary plat approval. No public hearings are required.
- Public notice period occurs after initial administrative decision by Planning Administrator.

Ministerial Small Subdivision Review Process

- Streamlined process for small subdivisions on land one acre or less within City limits that do not require subjective review.
- Subdivision must be served by existing water, sewer and road infrastructure, without development hazards or constraints and complies with the UDC and the Manual.
- Public notification process is not required because the subdivision objectively meets the UDC and the Manual.

Appeal Process

- Administrative decision can be appealed to the Planning Commission.
- Planning Commission decision can be appealed to City Council.
- City Council decision can be appealed to District Court.

Subdivision Exemptions

- All the exemptions must substantially comply with zoning.
- Administrative review for all exemptions except for those from a court order.
- The limit on the number of lots that can be reconfigured or aggregated through administrative review was removed.

Chapter 6: Infrastructure Improvements

Summary of Content

ROW Improvements Triggers:

- UDC 6.2.01-A.2 makes changes to the Right-of-Way (ROW) improvements triggers (formerly 12.10.110) which specify which types of development projects are required to make ROW improvements. Current code requires ROW improvements on all new construction but has a postponement clause that allows City Engineering to waive these requirements on single family or duplex projects. In the past this has been how the City has tried to fill the gaps in its sidewalk network, by requiring these types of improvements when a property is redeveloping. However, these ROW improvements, in particular curb, gutter and sidewalk, can be prohibitively expensive on smaller infill projects. Therefore, the proposed changes would simplify the current language and change our requirements to only require ROW improvements on the following types of projects:
 - New construction that results in a total of seven or more combined new or existing dwelling units, including mixed-use construction;
 - New construction that results in a total of five or more new on-site parking spaces;
 - New construction of a driveway approach onto a public or private street; and
 - Non-residential construction which requires additional new on-site parking.
- Street trees will be required for all new non-residential projects, and all residential projects adding one or more dwelling units. Where other ROW improvements are not required, a maximum of one street tree will be required per dwelling unit.
- Finally, ROW improvements would still be required if the existing ROW infrastructure was determined to be hazardous.

Municipal Utility Systems:

- UDC 6.2.2.B.1 added a requirement that existing ¾" galvanized services are generally not large enough to serve an accessory building in addition to a single-family home and therefore shall be replaced if an accessory building is constructed. This change stems from Missoula Water and City Engineering observations from recent ADU projects and attempts to provide better clarity to property owners early on in their ADU planning process.
- UDC 6.2.2.C.e clarified that excavators installing STEP systems shall follow the STEP Manual in the COMSSM.

Stormwater Management:

- UDC 6.2.3.C.1 added a statement that pre-treatment of stormwater may be required in order to protect surface and groundwater resources.

Street and Trail Type Maps:

- UDC 6.2.05-B establishes street and trail type maps and authority.

Parking Requirements:

- UDC 6.3.02-A was modified to bring driveway paving requirements in line with the Missoula City-County Air Quality Program. Previously the City requirements were stricter than MCCHD's requirements and this effort and future efforts will look to re-evaluate whether existing gravel driveways should be repaved when a property redevelops. This is a good example of a City regulation that works for a single goal (air quality) but may detract from other City goals (affordability, stormwater).
- Finally, separate from this chapter, UDC Chapter 4 - Table 4.8 states that there will be no parking minimums for any residential project moving forward. This topic will be covered in more detail in the UDC Chapter 4 staff report.

Drive Through/Queuing Lengths:

- UDC 6.3.04 added a section of code that identifies the minimum queuing lengths for different types of commercial properties such as coffee shops. This change would codify the transportation standards that City Engineering has been applying to recent commercial projects in an effort to reduce conflicts between customers in cars and other public facilities.

Fences:

- UDC 6.4 clarifies that the authority for fence review shall reside with City Engineering rather than zoning department. UDC 6.4.01.G changes the front yard and rear yard definitions such that
 - Designation of the ‘Front Yard’ and ‘Rear Yard’ shall be determined by the ‘Front Door’ of the home, as constructed.
 - From the front door forward to the street or front property line shall be the ‘Front Yard’, while from the front door rearward to the alley or back property line shall be the ‘Back Yard’.

Chapter 7: NA

This Chapter is reserved for future use.

Chapter 8: Definitions

Summary of Contents

This chapter is made up of one Division, which lists terms and associated descriptions alphabetically from A-Z. The terms listed here are typically found across multiple chapters of the UDC.