

Amendment Tracker

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Proposed LUP Agenda/Order of Topics

Possible Order/LUP Agenda for Council amendments:

1. Package of Staff Proposed Amendments (Code) - first set, second set to be shown at 1/21 LUP. **Motion Passed (with staff amendment #6 related to FAR removed).**
2. Council Amendments:
Order:
 - Article 4.2: Residential
 - Article 4.3: Mixed-Use
 - Article 4.4: Special Purpose
 - Article 4.6: Historic Preservation and Overlays
 - Article 4.7: Building Standards
 - Article 4.8: Uses
 - Article 4.9: Site Standards
 - Article 4.14: Signs
 - Chapter 6/Infrastructure
 - Map Amendments
3. Circle back on remaining staff recommended amendments that still apply

Amendments by Code Section

4.2: Residential Districts

Floor Area Ratio:

1. Table 4.02.03-2 (units per building) - Amend table, to set maximum number of units per building, for apartment buildings, to “No Max” for UR1, UR2 and UR3. All else as-is (Campbell) **Motion Passed.**
2. Code Section: Table 4.2.03-3 **FAR and Density:** I move that we increase FAR in UR4 to 1.6 to allow for more infill projects. (Savage) **Motion Failed.**
3. **NEW:** Motion to increase FAR in UR4 from 1.2 to 1.4 and to update the LUP Place Type from 6-8 units on a typical lot, to 6-10 units on a typical lot. (Craske).
4. Move to modify Table 4.2.03-3 in 4.2.03-D **Floor Area Ratio (FAR) and Density** to allow more flexibility in developing small infill projects while maintaining growth described in the Land Use Plan. Respectfully request staff include the table from the Planning Board related to the amendment (McCoy).
Motion to Adopt Planning Commission Recommendations on FAR, Failed.
Motion to Adoption Staff Recommendation #6, Related to FAR, Passed.
Motion to Adopt Planning Commission Recommendation on Maximum Densities, Failed.

5. **Increase FAR Exemption** Lot Size to 4,000 Square Feet (Nugent) - **Motion Passed**
Move that the City Council amend Section 4.2.03-D.4 (Floor Area Ratio FAR and Density, Exceptions) of the Unified Development Code to increase the lot-size threshold for the FAR exemption for one-unit houses and duplexes, as follows:
 - a. In Section 4.2.03-D.4, revise the exception for one-unit houses and duplexes to read: “One-unit house and duplex building types are exempt from floor area ratio (FAR) requirements on parcels/lots with an area of 4,000 square feet or less.”
 - b. Replace any previous numeric reference to 3,250 square feet for this exception with 4,000 square feet for consistency.

6. **FAR Exemption** for Residential Over Neighborhood Commercial (Nugent) **Motion Passed** (with approval for staff to further refine language to clarify intent)
Move that the City Council amend Section 4.2.03-D (Floor Area Ratio FAR and Density) of the Unified Development Code to encourage residential units over Neighborhood Commercial in Limited Urban and Urban Residential districts, as follows: Section 4.2.03-D.4 – Exceptions to FAR (add new subsection):
 - a. In the LU-R1, LU-R2, U-R1, U-R2, U-R3, and U-R4 zoning districts, gross floor area devoted to residential dwelling units located above a ground-floor Neighborhood Commercial use on the same building footprint is exempt from maximum allowed gross floor area when calculating Floor Area Ratio (FAR).
 - b. To qualify for this exemption, the ground-floor Neighborhood Commercial use must meet the Neighborhood Commercial building type standards in Article 4.7, and the exempt residential floor area must be located on stories above that Neighborhood Commercial space.
 - c. This exemption does not alter other applicable height, setback, or building width standards.”

Height:

- ~~7. I'm also working with other colleagues on increasing height limits in UR3 and UR4. (Savage) (Removed)~~

8. Move to amend Table 4.2.03-7 Building Form and Components to **increase the maximum height** in the U-R3 district from 35 feet to 45 feet and in the U-R4 district from 45 feet to 50 feet (Craske) **Motion Failed.**

- ~~9. Retain staff recommendations for 35' max height in UR3 and 45' in UR4 (Melson) (Removed)~~

- ~~10. Guarantee one ADU or one second unit on any existing house lot (Nugent): (Removed)~~

Add a new subsection to Section 4.2.03-C (Number of Dwelling Units per Building):
Section 4.2.03-C.— Infill Second Units and ADUs on Existing House Lots

- a. In the LU-R1, LU-R2, U-R1, U-R2, U-R3, and U-R4 zoning districts, on any legal lot developed with an existing one-unit house as of the effective date of this ordinance, the following infill units are permitted as-of-right, regardless of minimum lot area, minimum lot width, or maximum density:
 - a. One accessory dwelling unit (ADU); or
 - b. One additional primary dwelling unit, such as a duplex unit, courtyard unit, or other allowed building type configuration on the same lot.
- b. For projects using subsection (1), Floor Area Ratio (FAR) may not be applied to prohibit the addition of the ADU or the second primary dwelling unit, provided all applicable building, fire, and health codes are met.
- c. This section applies only to infill on existing lots with an existing one-unit house and does not alter standards for the creation of new vacant lots through subdivision or aggregation.

11. Remove Driveway Access Restriction on Narrow Lots (Nugent): Motion Passed

Move that the City Council not adopt the staff-recommended amendment creating Section 4.2.03-E.3 “Driveway Access Restriction on Narrow Lots” (prohibiting street-accessed driveways on lots with street frontage less than 40 feet), and that this subsection be deleted from the adoption draft in its entirety.

4.3: Mixed Use Districts

~~1.—Design excellence standards having some exclusions (Savage) (Removed)~~

~~2.—Design Excellence Elements in different zoning districts (Becerra) (Removed)~~

~~While I agree that many of these elements (entrance/transparency/build to) provide some predictability in design and a pedestrian scale type of building design, they also hinder important uses such as grocery stores, medical office/facilities, etc. I'd like to explore exclusion of some uses.~~

3. Build To and Entrance Locations (Nugent) (Return)

Move that the City Council amend Article 4.3 and Article 4.9 of the Unified Development Code to limit the previous design-excellence form standards—specifically build-to-zone and build-to-width, ground-floor transparency minimums, required street-adjacent entrances, and the strict limits on parking located between the building and the street—to the U-MU4 Urban Mixed-Use Community 2, D-T Downtown Transition, and D-C Downtown Core zoning districts, as follows:

- A. Projects in the T-MU, U-MU1, U-MU2, U-MU3, and LU-MU districts may voluntarily comply with these design-excellence standards, but such compliance is not mandatory outside U-MU4, D-T, and D-C.
- B. Amend Section 4.3.03-D.1–2 and Table 4.3.03-3 so that build-to-zone and build-to-width standards apply only in U-MU4, D-T, and D-C, and entries for

U-MU1, U-MU2, U-MU3, and LU-MU are shown as “na” for build-to and build-to-width.

- C. Amend Section 4.3.03-E.3 and Table 4.3.03-5/6 so that ground-floor transparency minimums and street-adjacent entrance requirements are mandatory only in U-MU4, D-T, and D-C, and not in, U-MU1, U-MU2, U-MU3, or LU-MU.
- D. Amend Table 4.9.03-2 and Table 4.9.03-3 so that the tight limits on surface parking between the building and the street remain in place for U-MU4, D-T, and D-C, but are relaxed or removed for T-MU, U-MU1, U-MU2, U-MU3, and LU-MU to allow auto-oriented formats such as grocery stores and fueling stations in those districts subject to general landscaping and buffering standards.
- E. Amend Table 4.8.02-1 Allowed Uses to allow uses such as Gasoline & Fuel Sales, Car Wash/Cleaning Service, Motor Vehicle Repair General, and Warehousing General.

4. Flexibility for Transparency and Entrances by Use and Layout (Nugent) (Resolved Item B, Return to Items A and C)

Move that the City Council amend Section 4.3.03-E (Building Form and Components) and related transparency and entrance standards in the Unified Development Code to allow reasonable flexibility for certain uses and building layouts, as follows:

- A. Add a new subsection to Section 4.3.03-E.3: Section 4.3.03-E.3.e – Use-Based Transparency and Entrance Flexibility:
 - a. In all zoning districts where ground-floor transparency and street-adjacent entrances are required, the Planning Administrator may approve alternative compliance for the following uses when located on a parcel with more than one street frontage:
 - i. Health Care Facilities, Hospitals, and medical clinics as defined in Article 4.8;
 - ii. Warehousing, Manufacturing, and similar industrial or logistics uses where primary operational areas require limited glazing for security, climate control, or interior layout; and
 - iii. Food and Beverage Retail Sales, Grocery-type retail, and other Retail Sales uses where store layout, merchandising, and loss-prevention practices require windows and primary customer entrances to face on-site parking areas rather than all street frontages.
 - b. Alternative compliance under this section may include:
 - i. Reducing the required percentage of ground-floor transparency on one or more street frontages;

- ii. Allowing spandrel glass, tinted glass, or screened windows to count toward the transparency requirement; and
- iii. Allowing the primary public entrance to face a parking area rather than the street on frontages that are not the primary customer access.

B. Explicit privacy criterion for medical uses (Nugent): **Motion Passed**
Waive transparency requirements for healthcare facilities, hospitals, and medical offices.

Section 4.3.03-E.3.f – Medical Privacy Finding

1. ~~For Health Care Facilities, Hospitals, and medical clinics, the Planning Administrator may waive or further reduce required transparency on specific frontages when:~~

~~a. The facade contains exam rooms, treatment rooms, or similar spaces where visibility into the interior would compromise patient privacy or conflict with health care licensing or accreditation standards; and~~

~~b. The applicant demonstrates that windows on other facades, including parking lot facing facades, provide adequate daylight and visibility for safety and wayfinding.~~

2. ~~Where transparency is waived under this subsection, the facade must incorporate other design elements such as articulation, materials variation, or landscaping to avoid blank, inactive walls along the street.~~

END OF MEETING #1

C. Clarify non-primary street frontages for entrances (Nugent):
Add to the street-adjacent entrance standard in Table 4.3.03-5 / Section 4.3.03-E:
For buildings on parcels with more than one street frontage, the required street-adjacent entrance may be located on the frontage that provides the most direct access from on-site customer, patient, or client parking, and other street-facing facades may meet the standard through secondary entrances or enhanced pedestrian connections instead of a primary entrance.

4.4: Special Purpose Districts

1. **Replace CD-1 with CD-2 citywide** (this was unanimously voted for and approved for recommendation from the planning board to city council) (Jordan)
2. **Folding CD1 into CD 2** (Savage)

3. Section 4.4.02-C (Civic Special use district) - Amendment to **combine in integrate CD1 and CD2** together into one “CD” zone. This will necessitate changes to various tables in this section to reflect consolidation (Cambell)
4. Section 4.4.02-C(1): Amend “purpose” as follows to reflect consolidation of CD1 and CD 2 into “CD” –
 - a. Purpose: (CD) Civic - supports the city's long-term vision for a people-centered environment that is responsive and adaptive to the evolving economic, social, and cultural aspects of the community while preserving and celebrating our history. It accommodates public and privately owned facilities that serve essential community, cultural, educational, and governmental functions. The district is tailored to support public-serving uses, airport-related activities, significant historic resources and landmarks, exhibit spaces, museums, and compatible commercial, industrial, transportation, and limited residential uses.
 - b. (A) Aviation - provides a specific zoning district for aviation and industrial, service, and commercial uses related to or compatible with Airport operations. (Campbell)

4.6: Historic Preservation and Overlays:

1. Section 4.6.08-H, 4b(2) - Strike “serving eight or fewer residents” (Cambell)
2. Section 4.6.08-H 5a(3) - Strike “and drive-thru services” (Campbell)
3. **Remove the Fort Missoula Historic Overlay** or limit the overlay to owners that elect to participate or for properties with individually listed historic buildings (Jordan).

4.7: Building Types

1. **Rowhouse amendments** (Cambell):
 - a. Section 4.7.02-E - Add to header “Rowhouse / Townhouse”
 - b. Section 4.7.02-E(2) - Change description as follows: “A rowhouse is a series of townhouse units touching on one or two sides, on a parcel or multiple parcels. A townhouse unit is a single family dwelling unit that extends from foundation to roof and has a yard or public way on not less than two sides, and no fewer than 2 dwelling units per building. Garages may be attached or detached.
 - c. Table 4.7.02-8 Rowhouse / Townhome building standards - Change number of units per building to: 2 min
2. Neighborhood Commercial (Craske):

Motion to amend Table 4.7.02-6 to **allow neighborhood commercial buildings mid-block** and require neighborhood commercial structures mid-block to comply with the setbacks for the districts.

4.8: Uses

1. Cannabis as a Use (Jones)

- a. Increase buffer to 1000 feet (already reflected in adoption draft).
- b. Cannabis dispensaries shall not be located within 250 feet of a residential zoning district. Distances shall be measured from parcel line to parcel line.
- c. Cannabis dispensaries shall not be located on parcels abutting Montana Departments of Transportation right of way or routes on the Montana Highway System.

For reference, the MDT On System Routes are shown in this map:

<https://mdt.maps.arcgis.com/apps/mapviewer/index.html?webmap=1eab4f286f61456b87fa28dc42e49e8f>.

2. Animal Boarding/Kennels as a Use (Jones)

- a. Currently Dog Boarding Kennels are allowed in UMU-1 and UMU-2 zones. + propose amending this usage not allow this use in UMU-1 and UMU-2, but to allow them in; prohibiting this use within 400 feet of a residential district:
 - 1) UMU-3
 - 2) UMU-4
 - 3) Transitional Mixed Use
 - 4) Limited Industrial
 - 5) Downtown Commercial

3. ADU access and driveway flexibility on infill lots (Nugent):

Add to the ADU use standards in Article 4.8:

~~Section 4.8. — Accessory Dwelling Units — Infill Access and Parking~~

- ~~a. On existing lots developed with a one-unit house, ADUs may obtain vehicular access from alleys, side streets, or driveways from the primary street frontage. When alley access exists and is usable, alley access is encouraged but not required.~~
- ~~b. On such lots without alley access, ADUs may use existing or new driveways from the fronting street, subject to driveway spacing, safety, and sight-distance standards in Chapter 6 and the Manual, and are not prohibited solely due to lot width.~~

Add to the **ADU use standards** in Article 4.8:

Section 4.8. — Accessory Dwelling Units — Infill Access and Parking

- a. On existing lots developed with a one-unit house, ADUs may obtain vehicular access from alleys, side streets, or driveways from the primary street frontage. When alley access exists and is usable, alley access is encouraged but not required.
- b. On such lots without alley access, ADUs may use existing or new driveways from the fronting street, subject to driveway spacing, safety,

and sight distance standards in Chapter 6 and the Manual, and are not prohibited solely due to lot width.

4.9: Site Standards:

Landscaping:

1. Landscaping/activity area tweaks to make it more flexible (Savage)
2. Table 4.9.02-1 (residential landscaping) - **Set minimum landscaping to 15%** for UR1, UR2, UR3, UR4. All else as-is. (Campbell)
3. **Retain Current Landscaping Minimums and Activity Area Requirements** (Melson) Move to amend the Article 4.9 to retain the Adoption Draft with staff recommended amendments for minimum landscaping and activity area requirements and strike any additional amendments that reduce these baseline requirements.
4. Activity Area/Cash in lieu (Becerra):
I'd like for this to allow for more flexibility. Proximity to parks could be one trigger. I also think we need clarity on the land cost assessment that would be used to calculate the cash in lieu.
5. **Activity Area Exemption for Infill/Development Near Parks** (Nugent):
Activity areas are one strategy for providing close-to-home recreation; however, where the PROST Plan's goal of a 10-minute walk or roll (approximately one-half mile) to a public park is already met, infill housing near existing park infrastructure is prioritized to advance the City's housing and climate goals without requiring duplicative on-site recreation facilities.
Move to amend Article 4.9, Section 4.9.02-D (Activity Area), to add a new subsection 4.9.02-D.2.c as follows: Section 4.9.02-D.2.c – Exemptions for Infill Development Near Existing Parks
 - A. Activity area is not required for development that meets all of the following:
 - i. The development is located in one of the following zoning districts: U-R2, U-R3, U-R4, U-MU1, U-MU2, U-MU3, U-MU4, D-T, D-C, or LU-MU.
 - ii. At the time a complete zoning compliance permit application is submitted, the parcel is located within one-half mile walking or rolling distance of an existing public park or trailhead identified in the adopted Parks, Recreation, Open Space, and Trails (PROST) 2040 Master Plan or its successors.
 - iii. The one-half mile distance in subsection (b) is measured along an existing or planned public roadway, sidewalk, trail, or other pedestrian route that does not require crossing a barrier identified

in the PROST Plan definition of “10-Minute Walk,” including interstate highways, railroads, major rivers, or other similar obstacles.

6. **Adopt Planning Board Landscaping Recommendations** (Nugent):

Move that the City Council adopt the Planning Board–recommended amendments to the Site Development Standards for landscaping in Article 4.9 of the Unified Development Code, as transmitted in the Planning Commission Public Hearing Summary, including but not limited to the following items:

- A. Corrections and clarifications to the Landscaping Division, including typo fixes and internal consistency edits in Article 4.9.
- B. Clarification that all landscape areas and plant material provided to meet any requirement in the Landscaping Division, including required activity area, count toward satisfying the general site landscaping requirements.
- C. Allowance for plazas in mixed-use districts to count toward general site landscaping when they meet specified minimum tree, shrub, and seating standards.
- D. Updates to activity area standards, including:
 - i. Adjusting the unit threshold at which activity area is required;
 - ii. Reducing required activity area per dwelling unit;
 - iii. Exempting qualifying recent subdivisions and Downtown-Transition/Downtown Core from activity area; and
 - iv. Adding and refining allowed activity area types (e.g., common courtyards, gardens, lawns, rooftop decks, and “other activity area” options).
- E. Adjustments to parking-lot landscaping requirements, including:
 - i. Increasing the site size threshold that triggers interior parking-lot landscaping;
 - ii. Reducing the required frequency of parking-lot landscape islands;
 - iii. Clarifying that buildings can satisfy some perimeter screening requirements; and
 - iv. Simplifying buffer widths and related fence standards.

All such amendments to Article 4.9 shall be incorporated as shown in the updated staff-recommended amendments document dated January 5, 2025, where they reflect Planning Board motions, and as summarized in the Planning Commission Public Hearing Summary.

7. **Retain Tree Conservation and Tree Class Standards** (Melson) Move to amend Article 4.9 to **retain the Adoption Draft’s Tree Conservation requirements** and staffs recommended amendments in Section 4.9.02-C and the tree class-base planting standards in Section 4.9.02-B.2(b) and to strike any additional amendments that reduce tree conservation, mitigation, or class standards.

8. **Retain Parking Lot Landscaping Standards** and Tree Requirements (Melson)

Move to amend Article 4.9 to retain Adoption Draft and staffs recommended amendments for parking lot landscaping requirements in Section 4.9.02-E, including the 10% interior parking lot landscaping minimum and associated tree requirements, and to strike any additional amendments that reduce these baseline standards.

9. **Preserve and Expand Cash-in-Lieu** Authorities for Activity Areas, Trees, and Landscaping (Melson)

Move to amend Article 4.9 to A) Retain activity area cash-in-lieu authority in Section 4.9.02-D.5; B) Retain tree mitigation fee authority in Section 4.9.02-C.4 and related ROW tree mitigation payment options in Chapter 6; C) Add a new subsection to Section 4.9.02-B (General Site Landscaping) authorizing cash-in-lieu only when the Planning Administrator (in consultation with Parks/Urban Forester as applicable) finds that on-site compliance is infeasible due to site constraints, and requiring that funds be dedicated to urban forestry improvements serving the area.

Parking:

10. Allowed Use Tables under 4.08.02- **Delete all Motor Vehicle minimum parking standards** from the “Allowed Use Tables” for Commercial and Industrial uses. (Cambell) As such, this will necessitate changes to 4.09.03 - (Vehicle Parking) to reflect no minimum parking requirements for these use types, although use, placement and drive thru standards would remain.
11. **Eliminating commercial parking** mandates/Bob’s amendment (Savage)
12. I would also like to make sure we **keep some parking requirements for commercial so we can have ADA spots available** and will await staffs' recommendations on this since it was flagged last night (Jordan).

4.14: Signs

1. Section 4.14.01-A (Signs – Purpose) - Add the following paragraph after subsection (9): In no event shall consideration for approval under this chapter be based upon the message content of a sign.
2. Section 4.14.01-C (prohibited signs): Delete subsection (9): Human signs, human directional signs, and sign walkers that display, advertise, or promote commercial activity or provide direction to commercial activity.

Chapter 6: Infrastructure requirement

1. ROW improvements (Becerra): **Councilor Becerra has updated language.*

The proposed trigger **for sidewalk installation** is 7 units or more. I am working with staff on ways to ensure that development in higher classification streets (collectors, arterials, and higher intensity) is required to improve the ROW. Not sure what that will look like but exploring options.

2. **Curbside Sidewalks on Low Impact Local Streets (Nugent) Updated**

Move that the City Council amend Chapter 6, Infrastructure Improvements, of the Unified Development Code and associated references in Article 4.9 to allow curbside sidewalks on low impact local streets while maintaining boulevard sidewalks on higher order streets, as follows:

Section 6.. – Curbside Sidewalks on Local Streets

A. On existing platted local streets that are not designated as collectors, arterials, or main thoroughfares in the adopted transportation functional classification map, curbside sidewalks may be used instead of boulevard sidewalks when:

1. The street is classified as a local street;
2. The project is an infill or retrofit project (including building permits, change of use, or small subdivisions) on an already platted block; and
3. The sidewalk design is consistent with applicable right-of-way cross sections and safety standards in this Chapter and the Manual.

B. For new plats and greenfield development, boulevard sidewalks remain the preferred standard on all streets, including local streets; however, the City Engineer may approve curbside sidewalks where needed to:

1. Achieve consistency with existing built street sections on the same block face;
2. Accommodate site or environmental constraints; or
3. Advance adopted City goals for connectivity, safety, or housing feasibility, based on written findings.

C. Nothing in this section alters boulevard sidewalk requirements on collectors, arterials, or other designated higher order streets, except as otherwise expressly allowed in this Chapter.

3. Move that City Council add section 10. as follows:

10. Exception for curbside sidewalk on Neighborhood street types:

- a. Curbside sidewalks shall be allowed instead of boulevard sidewalks on existing platted low-volume streets when all of the following apply:
 1. The street is designated as a Neighborhood street type (NR, NG, or NMU);
 2. The project is an infill or retrofit project (including building permits, change of use, or small subdivisions) on an already platted block;
 3. On-street parking lanes are available for snow storage, and;

4. A curbside sidewalk design is consistent with existing adjacent sidewalks.

4. **Section 6.1.01-A. Purpose**

Add section 3. as follows:

- a. The Infrastructure Improvements Chapter establishes the design, construction, and permitting requirements for infrastructure improvements required during development. Infrastructure improvements are necessary to promote public safety, create facilities and systems for private and public use, allow efficient and effective movement of people and goods, and to improve quality of life, mobility and access.
- b. The intent of this chapter is to require infrastructure improvements proportionate to the scale of the development impacts, while balancing affordability and community needs in support of applicable goals and policies of the Land Use Plan, facility plans, and community planning documents. Infrastructure improvement requirements may be waived for small infill projects when doing so will not substantially increase the overall impact of the development. Additional flexibility is provided through the design exception process, as outlined below and in the City of Missoula Standards and Specifications Manual (the “Manual”).
- c. Where full compliance with the standards is not feasible, design exceptions and any administrative flexibility shall consider the following priority order, so long as life-safety and accessibility requirements are met:
 - i. Construction of housing units consistent with the zoning designation;
 - ii. Continuous, ADA-compliant Sidewalks;
 - iii. Boulevards and Street Trees;
 - iv. On-Street Parking;
 - v. Bike Lanes;
 - vi. Driveways.

5. **Section 6.2.01-A. Requirements (Nugent) New**

Replace section 2. in its entirety:

2. Right-of-way infrastructure shall be installed directly adjacent to new development in accordance with the Manual where existing infrastructure is incomplete, missing, or otherwise inadequate to mitigate the impacts of the development for the following conditions:
 - a. All non-residential construction which requires new additional on-site parking;

- b. New construction that results in a total of three (3) or more combined new or existing dwelling units, including mixed-use construction on Community, Regional or Industrial street types (CR, CMU, RC, RMU, and IN), as defined in the Manual;
- c. New construction that results in a total of seven (7) or more combined new or existing dwelling units, including mixed-use construction on Neighborhood Street types (NR, NG, and NMU), as defined in the Manual.
- d. New construction of a driveway approach onto a public or private street, except new construction of a driveway serving an Accessory Dwelling Unit (ADU).
- e. New construction directly adjacent to a parcel with existing sidewalk, where installation of right-of-way infrastructure will extend or complete a missing link in the sidewalk network.
- f. Requirement for street trees:
 - 1. Street trees shall be required when other infrastructure improvements are not required where none currently exist for the following:
 - a. Residential projects that create 1 or more new dwelling units with a maximum of 1 tree required per dwelling unit, where exiting street trees are not present.

6. Section 6.2.05-E. Approaches (Nugent) New
Section 6.2.05-E. Approaches

Add (f) to section 6. as follows:

- 6. Approaches shall be located per the following:
 - a. Mid-block parcels shall prioritize approaches in the following order:
 - 1. Alley access
 - 2. Fronting street access
 - b. Corner parcels shall prioritize approaches in the following order:
 - 1. Alley access
 - 2. Side street or lowest traffic volume street access
 - 3. Fronting street or highest traffic volume street access
 - c. Through lots shall prioritize approaches in the following order:
 - 1. Side street or lowest traffic volume street access
 - 2. Fronting street or highest traffic volume street access
 - d. Approaches onto Community or Regional streets shall be avoided when other options are available especially for driveways where vehicles enter the street with a backing movement.

- e. An approach to any Montana Department of Transportation (MDT) State Route, shall be reviewed and approved by MDT prior to City Engineer review and approval.
- f. Exceptions may be granted by the City Engineer where the preferred approach location is not feasible or creates an unreasonable economic hardship.

7. Right of Way Improvement Exceptions Decision Making Matrix (Nugent):

Section 6. – Right of Way Improvement Priority Hierarchy

- A. Purpose. This section guides City staff and applicants when right of way constraints make it infeasible to meet all standard cross sections, so that required improvements prioritize housing feasibility while maintaining safe, accessible public infrastructure.
- B. Applicability. This section applies to frontage improvements required by this Code, in coordination with the City’s Standards and Specifications Manual and adopted street typologies.
- C. Priority Order. Where full compliance with right of way standards is not feasible, design and any administrative flexibility must follow this priority order:
 - 1. Housing feasibility. Choose design options that allow construction of housing units consistent with base zoning, ahead of aesthetic or noncritical streetscape features, so long as life safety and accessibility requirements are met.
 - 2. Minimum pedestrian access (sidewalks). Provide a continuous, ADA compliant sidewalk at least five feet clear along the frontage, even when a wider sidewalk or furnishing zone is shown in the standard cross section. Sidewalk construction may proceed and be accepted independently of new curb and gutter where needed to deliver timely, safe pedestrian access on infill projects.
 - 3. Street trees. Require street trees consistent with chapter 6 in UDC and the Standards and Specifications Manual to the maximum extent feasible. Where rightofway width, utilities, or safety constraints prevent required street trees in the boulevard, equivalent tree planting elsewhere on the site, or at another location approved by Parks and Recreation in the same district, may be used to satisfy the requirement.

Map Amendments

- 1. Upzone corridors to UR4 (Johnson, Arthur) (Jordan)
- 2. The small triangle of land bordered by Addison, Woodford and Mount is currently designated on the Land Use Plan as Urban Mixed Use High, and proposed to be zoned U-MU3. I propose to amend this to a LUP designation of Urban Mixed Use Low, and a proposed zoning of U-MU1. (Jones)

3. The north side of the 400 block of Mount between Brooks and Blaine is currently designated on the Land Use Plan as Urban Mixed Use High, and proposed to be zoned U-MU3. I propose to amend this to a LUP designation of Urban Mixed Use Low, and a proposed zoning of U-MU1. (Jones)
- ~~4. The north side of the 1400 and 1500 blocks of S. 4th Street West between S. Washburn Street and S. Prince Street are currently designated on the Land Use Plan as Urban Mixed Use High, and proposed zoning of U-MU3. I propose to amend the LUP designation of these two half blocks to Urban Residential High, and then UR-4 to match the adjacent zoning on the south side of S. 4th St. West between Washburn and Prince. (Jones)~~ Council identified error in mapping. This will be corrected and included in the staff amendment package.
5. Amend the code to readjust the boundaries between U-R3 and U-R4 where there is an alley split running parallel to the zoning between these two zoning districts, specifically (Jones):
 - a. Along Stephens Ave, changing the zone from UR-4 to UR-3 on the east side of the blocks between Stephens and Edith along the alley from East Harlem Street to Tremont Street; and changing the zoning to UR-3 between Stephens and Rollins on the west side of the blocks along the alley from Knowles to East Florence St.
 - b. Along East Beckwith, changing the zone from UR-4 to UR-3 on the north side of the blocks between Beckwith and Keith along the alley between Gerald and Helen Ave, and changing the zoning to UR-3 between East Beckwith and Evans on the south side of the blocks along the alley between Gerald and Madeline Ave.
 - c. Along South Ave, changing the zoning from UR-4 to UR-3 between South Ave and W. Sussex Ave on the north side of the blocks along the alley between Lester St. and Bancroft; changing the zoning to UR-3 along South Ave on the north side of the block between South and E. Sussex along the alley between Gerald and Ronald Ave; and changing the zoning to UR-3 on the blocks on the south side, between South Ave. and Livingston St. along the alley between Lester St. and Bancroft.
 - d. Change the UR-4 zoning to UR-3 on the south side along the alley that runs between Ronald and Helen, with Eddy Ave at the north, and Connell Ave at the south.
 - e. Change the UR-4 zoning on the north side of the block between S. 12 St, S. Catlin, S. 13th St. and Garfield, making it UR-3 north of the alley.
 - f. Here are some additional blocks that have UR-4 zoning which could be split by an alley to UR-3, to include in Amendment #6;
 - 1) Ward 6 blocks:
 1. Kensington/Johnson/North/Kemp
 2. S. 13th/Garfield/14th/Johnson
 3. Schilling/North/Kemp/W. Kent.
6. Move to amend the Official Zoning Map to change the zoning designation of the Missoula County Public Schools parcel legally described as S05, T12 N, R19 W,

C.O.S. Plat P6-EXEMPT-W2SE4, 20 acres, from OP-2 (Open and Resource Lands) to LU-R1 (Limited Urban Residential 1), so that the parcel zoning matches the zoning of the adjoining properties as requested by property owner. (Nugent)

7. Change Urban Residential 1 (U-R1) zoning for the areas east of Paxson, north of 39th Street / Southwest Higgins, west of Lester Street and south of Benton Avenue to Urban Residential 2 (U-R2) (Jordan).
8. Aspire Subdivision Parcel (McCoy):
 - a. Move to change the land-use place type designation for the parcel formerly described as the Aspire Subdivision in East Missoula from Urban Residential High to Limited Urban Residential.
 - b. Move to change the zoning map designation for the Aspire Subdivision parcel from Urban Residential 3 (U-R3) to Limited Urban Residential 2 (LU-R2).
9. Change zoning layer at the following properties to OP-1 (Melson):
 - a. PEAS Farm/Duncan Field
 - b. Westside Park (shared with Lowell Elementary School):
 - c. Northside Annex (between Cooley and Turner; Worden and Holmes St.)
 - d. Sergeant Gregory Park
10. Change zoning layer for the entirety of the Ben Hughes HOA neighborhood from LU-R2 to LU-R1 (Melson)
11. I will be working towards bringing an amendment related to the TM-U zoning designation within the East side of the River Road neighborhood. I am working with staff in order to determine what possible options could be available to address the problems I see with this zoning designation. This amendment won't be ready until next week based on all of our current schedules. Thank you for your time and consideration (McCoy).
12. Motion to amend the zoning map to step down (transition from higher to lower intensity) from corridors at the alley (or first ownership parcel) for UR4 and URM Districts (Sherrill).
13. UR-3 and UR-4 Zoning Districts (Becerra) (**Moved to Mapping Section**)

I need more clarification on FAR, heights and densities in general as well as a visual for mass of buildings that could be allowed in an average UR3 and UR4 lot. I'd also like to see a map of amenities that is used for the density assignment methodology. After that I will know if I have to bring an amendment. Language sent to Councilor Becerra: "I move to amend the zoning map on the Westside neighborhood to adjust the U-R4 zoning district be applied only along Community Mixed-Use Street Types. These street segments are highlighted in the attached graphic.

 1. North to South along the west side of Scott Street
 2. Along both sides of Philips Street from the intersection of Scott Street moving west to the intersection of Bulwer Street.

This does not include the half blocks of U-R4 along Cooper Street, between Bulwer Street and Byron Street next to the zoning district of Downtown Transition.

Councilor Becerra

1. ROW improvements- The proposed trigger for sidewalk installation is 7 units or more. I am working with staff on ways to ensure that development in higher classification streets (collectors, arterials, and higher intensity) is required to improve the ROW. Not sure what that will look like but exploring options.
2. Design Excellence Elements in different zoning districts- While I agree that many of these elements (entrance/transparency/build to) provide some predictability in design and a pedestrian scale type of building design, they also hinder important uses such as grocery stores, medical office/facilities, etc. I'd like to explore exclusion of some uses.
3. Activity Area/Cash in lieu- I'd like for this to allow for more flexibility. Proximity to parks could be one trigger. I also think we need clarity on the land cost assessment that would be used to calculate the cash in lieu.
4. UR-3 and UR-4 Zoning Districts- I need more clarification on FAR, heights and densities in general as well as a visual for mass of buildings that could be allowed in an average UR3 and UR4 lot. I'd also like to see a map of amenities that is used for the density assignment methodology. After that I will know if I have to bring an amendment.
5. I am also going through some of Planning Board's recommendations. I think some of them align with the growth policy very well and would like to further explore those recommendations. I will wait until staff is done presenting those to see if an amendment is needed.
6. I move to amend the zoning map on the Westside neighborhood to adjust the U-R4 zoning district to be applied only along Community Mixed-Use Street Types.
 - a. North to South along the west side of Scott Street.
 - b. Along both sides of Philips Street from the intersection of Scott Street moving west to the intersection of Bulwer Street.
 - c. This does not include the half blocks of U-R4 along Cooper Street, between Bulwer Street and Byron Street next to the zoning district of Downtown Transition.

Counselor Melson

1. Rezone Long-Term Leased Park Parcels to OP-1
 1. Move to amend the Official Zoning Map (GIS 'Zoning' layer) to apply OP-1 (Parks and Conservation Lands) to the following properties, consistent with long-term lease-based park use:
 - 1) PEAS Farm / Duncan Field – apply OP-1 to the full parcel covered by the City–MCPS lease extending through at least 2054.

2. Westside Park / Lowell Elementary shared parcel – apply OP-1 to the leased park area only, per lease boundary.
- 2) Northside Annex (Cooley/Turner; Worden/Holmes) – apply OP-1 to the leased park area only, per lease boundary.
- 3) Sergeant Gregory Park (MDT lease) – apply OP-1 to the full leased parcels on both sides of Van Buren.
Direct staff to include lease boundary exhibits in the map amendment record.
2. Rezone Ben Hughes HOA from LU-R2 to LU-R1 (Melson)
3. Move to amend the Official Zoning Map (GIS ‘Zoning’ layer) to change the base zoning designation of the Ben Hughes HOA neighborhood from LU-R2 (Limited Urban Residential 2) to LU-R1 (Limited Urban Residential 1) for the full HOA boundary as recognized by the City.
4. Retain Current Landscaping Minimums and Activity Area Requirements
5. Move to amend the Article 4.9 to retain the Adoption Draft with staff recommended amendments for minimum landscaping and activity area requirements and strike any additional amendments that reduce these baseline requirements
6. Retain Tree Conservation and Tree Class Standards
7. Move to amend Article 4.9 to retain the Adoption Draft’s Tree Conservation requirements and staffs recommended amendments in Section 4.9.02-C and the tree class-based planting standards in Section 4.9.02-B.2(b) and to strike any additional amendments that reduce tree conservation, mitigation, or class standards.
8. Retain Parking Lot Landscaping Standards and Tree Requirements
9. Move to amend Article 4.9 to retain Adoption Draft and staffs recommended amendments for parking lot landscaping requirements in Section 4.9.02-E, including the 10% interior parking lot landscaping minimum and associated tree requirements, and to strike any additional amendments that reduce these baseline standards.
10. Preserve and Expand Cash-in-Lieu Authorities for Activity Areas, Trees, and Landscaping
11. Move to amend Article 4.9 to A) Retain activity area cash-in-lieu authority in Section 4.9.02-D.5; B) Retain tree mitigation fee authority in Section 4.9.02-C.4 and related ROW tree mitigation payment options in Chapter 6; C) Add a new subsection to Section 4.9.02-B (General Site Landscaping) authorizing cash-in-lieu only when the Planning Administrator (in consultation with Parks/Urban Forester as applicable) finds that on-site compliance is infeasible due to site constraints, and requiring that funds be dedicated to urban forestry improvements serving the area.

Councilor McCoy

1. Move to modify Table 4.2.03-3 in 4.2.03-D Floor Area Ratio (FAR) and Density to allow more flexibility in developing small infill projects while maintaining growth described in the Land Use Plan.

Respectfully request staff include the table from the Planning Board related to the amendment.

After hearing further reasoning from staff in Council, I still believe that this amendment warrants a much deeper analysis. My cursory investigation indicates there are enough small lots sizes for us to maximize their potential, while also creating an environment that promotes maintaining older structures per our guiding principles within the LUP. I believe that we should allow more square footage with a lesser number of units, which I believe makes adding units to a lot more feasible, rather than tearing down units and building new ones. Sorry, that is repetitive.

2. Move to change the land-use place type designation for the parcel formerly described as the Aspire Subdivision in East Missoula from Urban Residential High to Limited Urban Residential.

Evaluating this from my perspective the Missoula County Land Use Element calls for 3-11 dwelling units per acre in East Missoula (which the residents of east Missoula had input on). Placing Urban Residential High place type, with a stated goal of 6-8 units per 5400sf parcel is 5-6 times denser than what is called for in the County Land Use Plan, which still is the guiding document for the majority of east Missoula. I also recently read a letter from County Commissioners encouraging us to consider public input.

3. Move to change the zoning map designation for the Aspire Subdivision parcel from Urban Residential 3 (U-R3) to Limited Urban Residential 2 (LU-R2)

I believe that the LUR2 district is a better density fit for the proposed Aspire subdivision, although they would undoubtedly have to adjust their current apartment buildings. One solution that has been suggested to me regarding this is to split the LUP and the zoning map to follow their proposed development pattern. I also think it is important to keep in mind the developer could choose to terminate their current plan and submit new plans that would allow for a greater density than the current plan which would also be out of character for this area. Furthermore, evaluating amenities, infrastructure, and transportation options it also seems like the zoning designation is too high.

4. I will be working towards bringing an amendment related to the TM-U zoning designation within the East side of the River Road neighborhood. I am working with staff in order to determine what possible options could be available to address the problems I see with this zoning designation. This amendment won't

be ready until next week based on all of our current schedules. Thank you for your time and consideration.

Councilor Jones

1. The small triangle of land bordered by Addison, Woodford and Mount is currently designated on the Land Use Plan as Urban Mixed Use High, and proposed to be zoned U-MU3. I propose to amend this to a LUP designation of Urban Mixed Use Low, and a proposed zoning of U-MU1.
2. The north side of the 400 block of Mount between Brooks and Blaine is currently designated on the Land Use Plan as Urban Mixed Use High, and proposed to be zoned U-MU3. I propose to amend this to a LUP designation of Urban Mixed Use Low, and a proposed zoning of U-MU1.
3. The north side of the 1400 and 1500 blocks of S. 4th Street West between S. Washburn Street and S. Prince Street are currently designated on the Land Use Plan as Urban Mixed Use High, and proposed zoning of U-MU3. I propose to amend the LUP designation of these two half blocks to Urban Residential High, and then UR-4 to match the adjacent zoning on the south side of S. 4th St. West between Washburn and Prince.
4. Modifying the cannabis dispensary buffers, to:
 - 1,000 feet, up from 500 feet
 - Instituting a 250 buffer from nearest residential parcel
 - No dispensaries on MDT routes.

NOTE: Staff are working on language for these amendments.

5. Currently Dog Boarding Kennels are allowed in UMU-1 and UMU-2 zones. I propose amending this usage not allow this use in UMU-1 and UMU-2, but to allow them in:
 - UMU-3
 - UMU-4
 - Transitional Mixed Use
 - Limited Industrial
 - Downtown Commercial(And I hope staff can weigh in...possibly this use is already allowed in some of these categories? My goal is to NOT allow them in UMU-1 and UMU-2.)
5. Amend the code to readjust the boundaries between U-R3 and U-R4 where there is an alley split running parallel to the zoning between these two zoning districts, specifically:
 - a. Along Stephens Ave, changing the zone from UR-4 to UR-3 on the east side of the blocks between Stephens and Edith along the alley from East Harlem Street to

- Tremont Street; and changing the zoning to UR-3 between Stephens and Rollins on the west side of the blocks along the alley from Knowles to East Florence St.
- b. Along East Beckwith, changing the zone from UR-4 to UR-3 on the north side of the blocks between Beckwith and Keith along the alley between Gerald and Helen Ave, and changing the zoning to UR-3 between East Beckwith and Evans on the south side of the blocks along the alley between Gerald and Madeline Ave.
 - c. Along South Ave, changing the zoning from UR-4 to UR-3 between South Ave and W. Sussex Ave on the north side of the blocks along the alley between Lester St. and Bancroft; changing the zoning to UR-3 along South Ave on the north side of the block between South and E. Sussex along the alley between Gerald and Ronald Ave; and changing the zoning to UR-3 on the blocks on the south side, between South Ave. and Livingston St. along the alley between Lester St. and Bancroft.
 - d. Change the UR-4 zoning to UR-3 on the south side along the alley that runs between Ronald and Helen, with Eddy Ave at the north, and Connell Ave at the south.
 - e. Change the UR-4 zoning on the north side of the block between S. 12 St, S. Catlin, S. 13th St. and Garfield, making it UR-3 north of the alley.

Counselor Nugent

1. Activity Area Exemption for Infill/Development Near Parks: Activity areas are one strategy for providing close-to-home recreation; however, where the PROST Plan's goal of a 10-minute walk or roll (approximately one-half mile) to a public park is already met, infill housing near existing park infrastructure is prioritized to advance the City's housing and climate goals without requiring duplicative on-site recreation facilities.

Move to amend Article 4.9, Section 4.9.02-D (Activity Area), to add a new subsection 4.9.02-D.2.c as follows:

Section 4.9.02-D.2.c – Exemptions for Infill Development Near Existing Parks

1. Activity area is not required for development that meets all of the following:
 - a. The development is located in one of the following zoning districts: U-R2, U-R3, U-R4, U-MU1, U-MU2, U-MU3, U-MU4, D-T, D-C, or LU-MU.
 - b. At the time a complete zoning compliance permit application is submitted, the parcel is located within one-half mile walking or rolling distance of an existing public park or trailhead identified in the adopted Parks, Recreation, Open Space, and Trails (PROST) 2040 Master Plan or its successors.
 - c. The one-half mile distance in subsection (b) is measured along an existing or planned public roadway, sidewalk, trail, or other pedestrian route that does not require

crossing a barrier identified in the PROST Plan definition of “10-Minute Walk,” including interstate highways, railroads, major rivers, or other similar obstacles.

2. Build To and Entrance Locations:

Move that the City Council amend Article 4.3 and Article 4.9 of the Unified Development Code to limit the previous design-excellence form standards—specifically build-to-zone and build-to-width, ground-floor transparency minimums, required street-adjacent entrances, and the strict limits on parking located between the building and the street—to the U-MU4 Urban Mixed-Use Community 2, D-T Downtown Transition, and D-C Downtown Core zoning districts, as follows:

Projects in the T-MU, U-MU1, U-MU2, U-MU3, and LU-MU districts may voluntarily comply with these design-excellence standards, but such compliance is not mandatory outside U-MU4, D-T, and D-C.

- Amend Section 4.3.03-D.1–2 and Table 4.3.03-3 so that build-to-zone and build-to-width standards apply only in U-MU4, D-T, and D-C, and entries for U-MU1, U-MU2, U-MU3, and LU-MU are shown as “na” for build-to and build-to-width.
- Amend Section 4.3.03-E.3 and Table 4.3.03-5/6 so that ground-floor transparency minimums and street-adjacent entrance requirements are mandatory only in U-MU4, D-T, and D-C, and not in, U-MU1, U-MU2, U-MU3, or LU-MU.
- Amend Table 4.9.03-2 and Table 4.9.03-3 so that the tight limits on surface parking between the building and the street remain in place for U-MU4, D-T, and D-C, but are relaxed or removed for T-MU, U-MU1, U-MU2, U-MU3, and LU-MU to allow auto-oriented formats such as grocery stores and fueling stations in those districts subject to general landscaping and buffering standards. Also adjust Table 4.8.02-1 Allowed Uses to allow uses such as Gasoline & Fuel Sales, Car Wash/Cleaning Service, Motor Vehicle Repair General, and Warehousing General.

3. Flexibility for Transparency and Entrances by Use and Layout

Move that the City Council amend Section 4.3.03-E (Building Form and Components) and related transparency and entrance standards in the Unified Development Code to allow reasonable flexibility for certain uses and building layouts, as follows:

Use-based exception for transparency and entrance location

Add a new subsection to Section 4.3.03-E.3:

Section 4.3.03-E.3.e – Use-Based Transparency and Entrance Flexibility

1. In all zoning districts where ground-floor transparency and street-adjacent entrances are required, the Planning Administrator may approve alternative compliance for the following uses when located on a parcel with more than one street frontage:

- a. Health Care Facilities, Hospitals, and medical clinics as defined in Article 4.8;
 - b. Warehousing, Manufacturing, and similar industrial or logistics uses where primary operational areas require limited glazing for security, climate control, or interior layout; and
 - c. Food and Beverage Retail Sales, Grocery-type retail, and other Retail Sales uses where store layout, merchandising, and loss-prevention practices require windows and primary customer entrances to face on-site parking areas rather than all street frontages.
2. Alternative compliance under this section may include:
 - a. Reducing the required percentage of ground-floor transparency on one or more street frontages;
 - b. Allowing spandrel glass, tinted glass, or screened windows to count toward the transparency requirement; and
 - c. Allowing the primary public entrance to face a parking area rather than the street on frontages that are not the primary customer access.
4. Explicit privacy criterion for medical uses
Section 4.3.03-E.3.f – Medical Privacy Finding

1. For Health Care Facilities, Hospitals, and medical clinics, the Planning Administrator may waive or further reduce required transparency on specific frontages when:

- a. The facade contains exam rooms, treatment rooms, or similar spaces where visibility into the interior would compromise patient privacy or conflict with health-care licensing or accreditation standards; and

- b. The applicant demonstrates that windows on other facades, including parking-lot-facing facades, provide adequate daylight and visibility for safety and wayfinding.

2. Where transparency is waived under this subsection, the facade must incorporate other design elements such as articulation, materials variation, or landscaping to avoid blank, inactive walls along the street.

5. Clarify non-primary street frontages for entrances

Add to the street-adjacent entrance standard in Table 4.3.03-5 / Section 4.3.03-E:

“For buildings on parcels with more than one street frontage, the required street-adjacent entrance may be located on the frontage that provides the most direct access from on-site customer, patient, or client parking, and other street-facing facades may meet the standard through secondary entrances or enhanced pedestrian connections instead of a primary entrance.”

6. Increase FAR Exemption Lot Size to 4,000 Square Feet

Move that the City Council amend Section 4.2.03-D.4 (Floor Area Ratio FAR and Density, Exceptions) of the Unified Development Code to increase the lot-size threshold for the FAR exemption for one-unit houses and duplexes, as follows:

1. In Section 4.2.03-D.4, revise the exception for one-unit houses and duplexes to read: “One-unit house and duplex building types are exempt from floor area ratio (FAR) requirements on parcels/lots with an area of 4,000 square feet or less.”
2. Replace any previous numeric reference to 3,250 square feet for this exception with 4,000 square feet for consistency.

7. Guarantee one ADU or one second unit on any existing house lot

Add a new subsection to Section 4.2.03-C (Number of Dwelling Units per Building):
Section 4.2.03-C.– Infill Second Units and ADUs on Existing House Lots

1. In the LU-R1, LU-R2, U-R1, U-R2, U-R3, and U-R4 zoning districts, on any legal lot developed with an existing one-unit house as of the effective date of this ordinance, the following infill units are permitted as-of-right, regardless of minimum lot area, minimum lot width, or maximum density:
 - a. One accessory dwelling unit (ADU); or
 - b. One additional primary dwelling unit, such as a duplex unit, courtyard unit, or other allowed building type configuration on the same lot.
2. For projects using subsection (1), Floor Area Ratio (FAR) may not be applied to prohibit the addition of the ADU or the second primary dwelling unit, provided all applicable building, fire, and health codes are met.
3. This section applies only to infill on existing lots with an existing one-unit house and does not alter standards for the creation of new vacant lots through subdivision or aggregation.

8. ADU access and driveway flexibility on infill lots

Add to the ADU use standards in Article 4.8:

Section 4.8. – Accessory Dwelling Units – Infill Access and Parking

- a. On existing lots developed with a one-unit house, ADUs may obtain vehicular access from alleys, side streets, or driveways from the primary street frontage. When alley access exists and is usable, alley access is encouraged but not required.
- b. On such lots without alley access, ADUs may use existing or new driveways from the fronting street, subject to driveway spacing, safety, and sight-distance standards in Chapter 6 and the Manual, and are not prohibited solely due to lot width.

9. Remove Driveway Access Restriction on Narrow Lots

Move that the City Council not adopt the staff-recommended amendment creating Section 4.2.03-E.3 “Driveway Access Restriction on Narrow Lots” (prohibiting

street-accessed driveways on lots with street frontage less than 40 feet), and that this subsection be deleted from the adoption draft in its entirety.

10. Adopt Planning Board Landscaping Recommendations

Move that the City Council adopt the Planning Board–recommended amendments to the Site Development Standards for landscaping in Article 4.9 of the Unified Development Code, as transmitted in the Planning Commission Public Hearing Summary, including but not limited to the following items:

1. Corrections and clarifications to the Landscaping Division, including typo fixes and internal consistency edits in Article 4.9.
2. Clarification that all landscape areas and plant material provided to meet any requirement in the Landscaping Division, including required activity area, count toward satisfying the general site landscaping requirements.
3. Allowance for plazas in mixed-use districts to count toward general site landscaping when they meet specified minimum tree, shrub, and seating standards.
4. Updates to activity area standards, including:
 - a. Adjusting the unit threshold at which activity area is required;
 - b. Reducing required activity area per dwelling unit;
 - c. Exempting qualifying recent subdivisions and Downtown-Transition/Downtown Core from activity area; and
 - d. Adding and refining allowed activity area types (e.g., common courtyards, gardens, lawns, rooftop decks, and “other activity area” options).
5. Adjustments to parking-lot landscaping requirements, including:
 - a. Increasing the site size threshold that triggers interior parking-lot landscaping;
 - b. Reducing the required frequency of parking-lot landscape islands;
 - c. Clarifying that buildings can satisfy some perimeter screening requirements; and
 - d. Simplifying buffer widths and related fence standards.

All such amendments to Article 4.9 shall be incorporated as shown in the updated staff-recommended amendments document dated January 5, 2025, where they reflect Planning Board motions, and as summarized in the Planning Commission Public Hearing Summary.

11. Curbside Sidewalks on Low-Impact Local Streets

Move that the City Council amend Chapter 6, Infrastructure Improvements, of the Unified Development Code and associated references in Article 4.9 to allow curbside sidewalks on low-impact local streets while maintaining boulevard sidewalks on higher-order streets, as follows:

Section 6.. – Curbside Sidewalks on Local Streets

- A. On existing platted local streets that are not designated as collectors, arterials, or main thoroughfares in the adopted transportation functional classification map, curbside sidewalks may be used instead of boulevard sidewalks when:
 - 1. The street is classified as a local street;
 - 2. The project is an infill or retrofit project (including building permits, change of use, or small subdivisions) on an already platted block; and
 - 3. The sidewalk design is consistent with applicable right-of-way cross-sections and safety standards in this Chapter and the Manual.
- B. For new plats and greenfield development, boulevard sidewalks remain the preferred standard on all streets, including local streets; however, the City Engineer may approve curbside sidewalks where needed to:
 - 1. Achieve consistency with existing built street sections on the same block face;
 - 2. Accommodate site or environmental constraints; or
 - 3. Advance adopted City goals for connectivity, safety, or housing feasibility, based on written findings.
- C. Nothing in this section alters boulevard sidewalk requirements on collectors, arterials, or other designated higher-order streets, except as otherwise expressly allowed in this Chapter.

12. FAR Exemption for Residential Over Neighborhood Commercial

Move that the City Council amend Section 4.2.03-D (Floor Area Ratio FAR and Density) of the Unified Development Code to encourage residential units over Neighborhood Commercial in Limited Urban and Urban Residential districts, as follows:

Section 4.2.03-D.4 – Exceptions to FAR (add new subsection)

- h. In the LU-R1, LU-R2, U-R1, U-R2, U-R3, and U-R4 zoning districts, gross floor area devoted to residential dwelling units located above a ground-floor Neighborhood Commercial use on the same building footprint is exempt from maximum allowed gross floor area when calculating Floor Area Ratio (FAR).
 - 1. To qualify for this exemption, the ground-floor Neighborhood Commercial use must meet the Neighborhood Commercial building type standards in Article 4.7, and the exempt residential floor area must be located on stories above that Neighborhood Commercial space.
 - 2. This exemption does not alter other applicable height, setback, or building width standards.”

13. Allow Sidewalks Independent of Curb, Gutter, and Street Improvements

Move that the City Council amend Chapter 6, Infrastructure Improvements, of the Unified Development Code to clarify that required sidewalks may be constructed and accepted separately from curb, gutter, and full street improvements, as follows:

Section 6.. – Separation of Sidewalks from Curb, Gutter, and Street Improvements

- A. Purpose. The purpose of this section is to allow timely delivery of safe, accessible pedestrian facilities in support of infill housing and redevelopment, even where full curb, gutter, and roadway reconstruction is not yet warranted or feasible.
- B. Independent Sidewalk Installation. When frontage improvements are required under this Chapter, the City may require and accept construction of sidewalks independent of, and prior to, installation or reconstruction of curb, gutter, or full pavement section, provided that:
 - 1. The sidewalk location, width, and grade are consistent with applicable cross-sections and ADA standards, or with an approved alternative design;
 - 2. Drainage, driveway, and access conditions are addressed to the satisfaction of the City Engineer so that the interim condition does not create safety or flooding hazards; and
 - 3. The design does not preclude reasonable future installation or adjustment of curb, gutter, and street improvements along the frontage.
- C. No Automatic Trigger for Full Street Reconstruction. The requirement to install or upgrade sidewalks under this Code does not, by itself, obligate the applicant to reconstruct the entire street section, including curb, gutter, or travel lanes, unless such work is specifically required by another provision of this Chapter or by a development agreement.
- D. Coordination with Future Projects. In reviewing proposed sidewalk-only frontage improvements, the City Engineer shall consider planned capital projects and may require reasonable design accommodations (such as grading or temporary transitions) to facilitate future curb, gutter, and street improvements along the corridor.

14. Right of Way Improvement Exceptions Decision Making Matrix

Move to amend Chapter 6, Infrastructure Improvements, to add a new Section 6,___, Right-of-Way Improvement Priority Hierarchy, to read as follows:

Section 6.___. – Right-of-Way Improvement Priority Hierarchy

- A. Purpose. This section guides City staff and applicants when right-of-way constraints make it infeasible to meet all standard cross-sections, so that required improvements prioritize housing feasibility while maintaining safe, accessible public infrastructure.
- B. Applicability. This section applies to frontage improvements required by this Code, in coordination with the City's Standards and Specifications Manual and adopted street typologies.

C. Priority Order. Where full compliance with right-of-way standards is not feasible, design and any administrative flexibility must follow this priority order:

1. Housing feasibility.

Choose design options that allow construction of housing units consistent with base zoning, ahead of aesthetic or non-critical streetscape features, so long as life-safety and accessibility requirements are met.

2. Minimum pedestrian access (sidewalks).

Provide a continuous, ADA-compliant sidewalk at least five feet clear along the frontage, even when a wider sidewalk or furnishing zone is shown in the standard cross-section. Sidewalk construction may proceed and be accepted independently of new curb and gutter where needed to deliver timely, safe pedestrian access on infill projects.

3. Street trees.

Require street trees consistent with chapter 6 in UDC and the Standards and Specifications Manual to the maximum extent feasible. Where right-of-way width, utilities, or safety constraints prevent required street trees in the boulevard, equivalent tree planting elsewhere on the site, or at another location approved by Parks and Recreation in the same district, may be used to satisfy the requirement.

15. Amend MCPS Parcel off Rimel Road to LU-R1

Move to amend the Official Zoning Map to change the zoning designation of the Missoula County Public Schools parcel legally described as S05, T12 N, R19 W, C.O.S. Plat P6-EXEMPT-W2SE4, 20 acres, from OP-2 (Open and Resource Lands) to LU-R1 (Limited Urban Residential 1), so that the parcel zoning matches the zoning of the adjoining properties as requested by property owner.

Counselor Kraske

1. Move to amend Table 4.2.03-7 Building Form and Components to increase the maximum height in the U-R3 district from 35 feet to 45 feet and in the U-R4 district from 45 feet to 50 feet.
2. Motion to amend Table 4.7.02-6 to allow neighborhood commercial buildings mid-block and require neighborhood commercial structures mid-block to comply with the setbacks for the districts.

Councilor Campbell

1. Table 4.02.03-2 (units per building) - Amend table, to set maximum number of units per building, for apartment buildings, to “No Max” for UR1, UR2 and UR3. All else as-is.
 - a. Cassie thoughts – I will take my FAR by different lot size excel sheet and calculate a rough number of units based on GFA to help them talk through this. I think this is a neighborhood compatibility values discussion and we can support by letting them know how many units FAR would allow in these districts on common parcels.
2. Section 4.4.02-C (Civic Special use district) - Amendment to combine in integrate CD1 and CD2 together into one “CD” zone. This will necessitate changes to various tables in this section to reflect consolidation
3. Section 4.4.02-C(1): Amend “purpose” as follows to reflect consolidation of CD1 and CD 2 into “CD” - Purpose:

(CD) Civic - supports the city's long-term vision for a people-centered environment that is responsive and adaptive to the evolving economic, social, and cultural aspects of the community while preserving and celebrating our history. It accommodates public and privately owned facilities that serve essential community, cultural, educational, and governmental functions. The district is tailored to support public-serving uses, airport-related activities, significant historic resources and landmarks, exhibit spaces, museums, and compatible commercial, industrial, transportation, and limited residential uses.

(A) Aviation - provides a specific zoning district for aviation and industrial, service, and commercial uses related to or compatible with Airport operations.

4. Table 4.9.02-1 (residential landscaping) - Set minimum landscaping to 15% for UR1, UR2, UR3, UR4. All else as-is.

Cassie thoughts – I think I can add to my lot size/FAR excel sheet to calculate 15% in square feet along with how many trees that is for discussion.

5. Section 4.6.08-H, 4b(2) - Strike “serving eight or fewer residents”
6. Section 4.6.08-H 5a(3) - Strike “and drive-thru services”
7. Section 4.7.02-E - Add to header “Rowhouse / Townhouse”
8. Section 4.7.02-E(2) - Change description as follows: “A rowhouse is a series of townhouse units touching on one or two sides, on a parcel or multiple parcels. A townhouse unit is a single family dwelling unit that extends from foundation to roof and

has a yard or public way on not less than two sides, and no fewer than 2 dwelling units per building. Garages may be attached or detached.”

9. Table 4.7.02-8 Rowhouse / Townhome building standards - Change number of units per building to: 2 min

10. Section 4.14.01-A (Signs – Purpose) - Add the following paragraph after subsection (9): “In no event shall consideration for approval under this chapter be based upon the message content of a sign.”

11. Section 4.14.01-C (prohibited signs): Delete subsection (9):

“Human signs, human directional signs, and sign walkers that display, advertise, or promote commercial activity or provide direction to commercial activity”.

12. Allowed Use Tables under 4.08.02- Delete all Motor Vehicle minimum parking standards from the “Allowed Use Tables” for Commercial and Industrial uses.

As such, this will necessitate changes to 4.09.03 - (Vehicle Parking) to reflect no minimum parking requirements for these use types, although use, placement and drive thru standards would remain.