

## **Missoula City Council Land Use and Planning Committee Minutes**

Date: July 24, 2019  
Time: 10:15 am  
Location: City Council Chambers  
140 W. Pine Street, Missoula , MT

**Members present:** Stacie Anderson, Michelle Cares, John DiBari, Heather Harp, Jordan Hess, Gwen Jones, Julie Merritt, Bryan von Lossberg, Heidi West  
**Members absent:** Julie Armstrong, Mirtha Becerra, Jesse Ramos  
**Others present:** Jim Nugent, Jeremy Keene, Laval Means, Ben Brewer, Randy Frazier

### **1. ADMINISTRATIVE BUSINESS**

#### **1.1 Roll Call**

#### **1.2 Approval of the Minutes**

Minutes from July 17, 2019 were approved as presented.

### **2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA**

### **3. COMMITTEE BUSINESS**

#### **3.1 Ordinance to Amend Title 20 Related to Townhome Exemption Development (TED)**

Ben Brewer, Development Services, spoke on this item along with a PowerPoint presentation attached to the item record.

John DiBari stated that Townhome Exemption Developments are a good tool for housing in our community.

Ben Brewer provided background on the TED Ordinance, information on the Interim Ordinance, the strategy selection, and the proposed amended TED Ordinance. He shared that the State of Montana created an avenue for local governments to allow TEDs within their community. Most TED projects in Missoula, approximately 85 percent, consist of 10 units or less; approximately 15 percent are larger projects which equate to around 60 percent of the total TED units in our community. TEDs are not allowed in all Montana communities; Missoula is considered unique in its allowance of TEDs.

Ben Brewer covered how TED projects evolved over the years. The need to update the TED ordinance has been realized as project complexities had presented themselves. The recommended amendments in this request would address problems such as natural resource constraints, connectivity, off-site improvement needs. An interim ordinance was passed to address these issues and is set to expire; the intent is to have approved amendments to the ordinance passed to avoid a gap between when the interim ordinance expires and the Ordinance to Amend Title 20 related to Townhome Exemption (TED) is enacted.

Heather Harp asked about the public process. Ben Brewer covered the outreach efforts made during the stages of bringing this amendment forward. Additionally, Mr. Brewer covered the TED general ordinance timeline, the goals for the community, and the challenges that had been experienced. Mr. Brewer read the Leadership Statement which was developed to guide the creation of the amendments to the TED ordinance as presented which include: defining TEDs as SFR (single family residence) Townhouse residential building type only; permitting TEDs in T20 zoning districts; capping TED projects to 20 dwelling units or less; prohibiting TEDs from areas with substantial constraints; prohibiting TEDs where connectivity is jeopardized.

Julie Merritt asked if the ordinance changes conflicted with state law. Ben Brewer informed that state law does not provide guidance related to TEDs. John DiBari added that TEDs are not required by state law; a community can determine whether to allow TEDs or not.

Michelle Cares asked if there would be another route for development in areas with challenges. Ben Brewer said that a project could move forward by going through the subdivision process. John DiBari commented on why certain projects are appropriate for TED and others should go through a subdivision process.

John DiBari asked Mr. Brewer to come back to Land Use & Planning to continue this discussion.

#### **4. ADJOURNMENT**