



## DEVELOPMENT SERVICES

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### MEMORANDUM

**TO:**

Jim Nugent, City Attorney  
Marty Rehbein, City Clerk  
Dax Fraser, Gordy Hughes, City Fire  
Department  
Shannon Therriault, Health Department  
Donna Gaukler, Neil Miner, and Grant Carlton,  
City Parks Department

Jaeson White, City Police Department  
Jeremy Keene, Public Works Director  
Corey Aldridge, Vince Caristo, Urban  
Transportation District  
Ellen Buchanan, MRA  
Eran Pehan, Montana James, Housing and  
Community Development

**CC:**

John Engen, Mayor  
City Council Members  
Dale Bickell, City CAO  
John Newman, Chair, Planning Board  
Matt Loomis, Chair, Design Review Board  
Sandy Mitchell, Chair, City Board of  
Adjustment  
Missoula County REALTORS Association  
Chamber of Commerce

MMissoula Building Industry Association  
Office of Neighborhoods  
Missoula Architecture + Design Group  
Interested citizens  
Jamie Lockman, Chair, Historic  
Preservation Commission  
Downtown Missoula Partnership, Linda  
McCarthy  
Missoula Economic Partnership

**FROM:** Jen Gress, Associate Planner, Development Services

**DATE:** June 19, 2020

**RE:** Seeking comment for the proposed Title 20 Update, 2020 – Missoula City  
Zoning Ordinance

The City Zoning Ordinance (Title 20) includes a mandate to maintain and update the Ordinance on a regular basis. This process of regular review and updates allows staff to collect potential amendments and propose changes in an efficient way while also complying with all the amendment procedures set forth in Chapter 20.85 of the zoning code. It also allows us to continue implementing the Missoula Housing Policy.

Part of updating the regulations includes keeping current with City guiding policy and best practices. This project supports the City's strategic framework by continuing to refine and clarify land-use regulations that provide predictability for developers who share our goals and vision as well as implementing recommendations from the Housing Policy and collaborating between divisions to create clear regulatory alignments.

This year's package proposes 40 amendments and include changes that will:

Help implement the recently adopted Missoula Housing Policy by:

- Defining Affordable Housing using terms from the Housing Policy; and,
- Removing barriers to creating accessory dwelling units. Primarily by removing the requirement of owner occupancy and the parking space.

Coordinate interagency regulations by:

- Removing duplicate regulations;
- Coordinating terminology being used between divisions; and,
- Referencing the Building Division instead of the Engineering Division in specific locations, coordinating with Title 12 potential amendments.

Update the Conditional Use process to focus more specifically on the proposed use, rather than specific design details by:

- Removing the necessity of very specific elevation and landscape plans;
- Clarifying projects will continue to be subject to all of Title 20 and any imposed conditions at the time of building/zoning compliance review; and,
- Reorganizing the Factors to be Considered, with no content change, to clarify their use in the review process.

Update the Sign Chapter by:

- Clarifying where dynamic display signs are permitted by addressing a gap in the reference to existing zones; and,
- Clarifying building graphics only need to be reviewed by one decision-making body.

Update Title 20 noticing procedures to enhance coordination, create consistency and help improve the effectiveness of the process, by:

- Consolidating all notice requirements into one location;
- Amend the timeline for final action of an administrative adjustment application to be consistent with other time lines;
- Address the inefficiencies of the current notice requirements by clarifying the intent of notification, removing the requirement to mail notification to physical address within 150 feet of a zoning amendment (while still maintaining state requirements), increasing notification through other means;
- Remove the early notification for a Tourist Home application (while still maintaining staff notice after approval); and,
- Remove the certified mail requirement for public hearings (while maintaining first class mailings).

Additional amendments include miscellaneous amendments that will:

- Clarify Enterprise Commercial projects, Design Excellence regulations for material calculations, and applicability for Hillside Protection regulations;
- Include additional guidance for garden areas in multi-dwelling projects; and,
- Allow members of the Design Review Board to reside in either the city or the unincorporated county.

The attached document includes a general description, provides amendment language, and an explanation for each suggested amendment. Amendments are shown as strike-through and underline. For reference, the City zoning code (Title 20), can be viewed online at [MuniCode](#).

Information and amendments regarding the Title 20 Update can also be found at [Missoula Zoning Code Updates](#) located on the City's new on line engagement platform [Engage Missoula](#). ([www.engagemissoula.com](http://www.engagemissoula.com))

Agency and interested citizen comments are needed to refine the proposed amendments. Comments received by Friday, July 17, 2020 will be included in an informational packet to the Planning Board prior to their public hearing. Comments will continue to be taken by Planning Board after this time until the public hearing is closed. Written comments received by noon on August 7, 2020 will be forwarded under separate cover to Planning Board prior to their meeting.

After agency and public input, the Planning Board will review and provide recommendations to the City Council for their final review, recommendation, and decision. The Planning Board will hold a public hearing on **Tuesday, August 11, 2020** beginning at 6:00 p.m. Due to Covid19 the presentation will be virtual. Should you wish to view and participate in the meeting please refer to the Citizen Participation Guide which is included with this notice.

Please forward your comments to Jen Gress, [jgress@ci.missoula.mt.us](mailto:jgress@ci.missoula.mt.us). Send a notice of *no comment* if you have none so the Planning Board and City Council are aware of your participation. If you have problems viewing the document or have questions, please contact me via email or telephone at 552-6626.

#### Attachment

Title 20 Agency Review Amendments, 2020  
Citizen Participation Guide