



## DEVELOPMENT SERVICES

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### EXECUTIVE SUMMARY

<b>Agenda item:</b>	Mullan Area Neighborhoods Master Plan and Code.
<b>Report Date:</b>	9/19/2020
<b>Project Lead:</b>	Tom Zavitz, Senior Planner
<b>Public Meetings &amp; Hearings</b>	
<b>Planning Board (PB) hearing:</b>	9/29/2020
<b>Planning Board public hearing legal ad:</b>	Published in the Missoulian on September 13, 19, and 20, 2020
<b>Applicant:</b>	This is a City Council initiated request in collaboration with Missoula County.
<b>Notification:</b>	<ul style="list-style-type: none"><li>• Sent agency and interested party memo via email to interested parties and City agencies for review</li><li>• Posted on the city website Engagement HQ</li><li>• Published a legal ad in the Missoulian Sept. 13, 19, and 20, 2020</li><li>• Extensive public outreach process conducted by the City, County and Dover Kohl</li><li>• Held in-person, outdoor open houses on July 29, 30, 2020</li></ul>

### RECOMMENDED MOTION

- 1) **BE IT RESOLVED THAT** the proposed Mullan Area Neighborhoods Master Plan be recommended to the Missoula City Council for adoption as a Neighborhood Plan of the Our Missoula City Growth Policy and to amend the City of Missoula Future Land Use Map to include the Mullan Area Neighborhood Master Plan Land Use Designation, aligning with the Mullan Area Neighborhoods Master Plan and to repeal the Wye-Mullan West Comprehensive Area Plan for the same area. (See Map Attachment B).
- 2) Recommend the Missoula City Council approve an ordinance that establishes the Mullan Traditional Neighborhood Development Form Based Code.

### I. PROPOSAL SUMMARY

- 1) The Mullan Area Neighborhoods Master Plan is a comprehensive neighborhood plan document aimed at guiding development in the plan area. The Master Plan relates to comprehensive planning for Missoula through its consideration as a neighborhood plan as described in the 2035 Missoula City Growth Policy. As such, the Planning Board is required to review the document for its consistency with the Missoula City Growth Policy. This resolution proposes to repeal the existing Wye-Mullan plan in the project area (See Map Attachment A) and establish the Mullan Area Neighborhoods Master Plan neighborhood plan in its place.
- 2) Consideration of City initiated text amendment proposed to establish City Zoning Ordinance Mullan Traditional Neighborhood Development Form Based Code. The proposed ordinance creates new regulations for mixed-use development in the Mullan Area Neighborhoods Master Plan area that become applicable as properties are zoned into the form based code area.

### II. BACKGROUND

In January of 2020, Missoula County and the City of Missoula began a joint master planning project for a portion of northwest Missoula. This area is one of the fastest growing in Missoula County and the plan creates a vision for that growth. (See Map Attachment A).

## II. BACKGROUND

The project planning area encompasses approximately 2,000 acres and is located outside the Missoula City limits east of the Missoula International Airport and generally west of Reserve Street between West Broadway south to Mullan Road. Boundaries of the project area are shown Attachment B.

The study area for the Mullan Area Master Plan is also the recipient of a 13 million dollar BUILD grant. Since the BUILD grant is aimed at constructing major streets and trails and restoring a half-mile of Grant Creek within a 5 year time frame, there is an additional urgency to complete land use planning in the area.

The Project area is mostly undeveloped agricultural land which has been included in at least four recent planning efforts including the Wye Mullan West Comprehensive Area Plan, the Our Missoula City Growth Policy, the Missoula County Land Use Element and Growth Policy and the City of Missoula Annexation Policy. Several other plans and studies also are relevant to planning in the project area including the Parks, Recreation, Open Space and Trails Plan, the City Housing Policy and the Long Range Transportation Plan among others.

Development in this area is already underway as evidenced by recently completed subdivisions including 44 Ranch Estates. This plan is intended to “help ensure that existing and new residents get, as described in the Mullan Area Neighborhoods Master Plan (the Plan), “the most benefit from growing here while mitigating, as much as possible the negative impacts that are typically associated with development.”

Although the Plan addresses many issues, some of the most urgent are housing supply, high housing costs and reducing pressure on agricultural and open space in a valley with limited opportunities for greenfield development. By accommodating new growth and supplying housing stock with well-designed compact mixed use development, pressure will be reduced on other potential preservation areas while limiting expensive sprawl.

In 2015, the City adopted a new growth policy called “Our Missoula,” that includes an “inward focused” directive promoting mixed-use and dense development along major transportation/transit corridors in areas that are near existing infrastructure. Shortly after adoption of the City’s Growth Policy, the City adopted an updated Long Range Transportation Plan, “Activate Missoula”, that established very ambitious mode split goals in order to reduce drive-alone trips by half. The Mullan plan notes that achieving these goals will require ambitious policies and commitment from the City and County.

In spring 2019, the County updated a land use plan for the unincorporated areas of the Missoula Valley, called the Missoula Area Land Use Element. The Missoula Area Land Use Element calls for a “one community” directive that supports the city’s inward focused directive and identifies ways the county can better facilitate growth and development in the unincorporated areas of the Missoula Valley.

In 2005 the comprehensive Wye Mullan West Comprehensive Area Plan was adopted and includes the project area. This Plan builds on the Wye Mullan Plan, especially through the mix of uses and building types and is implemented through the form-based code. Example of development criteria found in the Wye Mullan Plan:

- ☐ *Provide compatibility of residential and commercial uses;*
- ☐ *Develop a variety of residential building types to meet a variety of ages and income groups;*
- ☐ *Encourage pedestrian and transit-friendly development; and*
- ☐ *Encourage placement of residential units above commercial development.*

### Growth Policy Amendment: Establish Mullan Area Neighborhoods Master Plan

The City of Missoula is proposing a two-part amendment to the City’s Growth Policy. The first part is to adopt the Mullan Area Neighborhoods Master Plan as a Neighborhood Plan, repealing a portion of the Wye Mullan West Comprehensive Area Plan for the same area. The second part is to conduct a targeted map amendment for the Future Land Use Map associated with the City’s Growth Policy.

## II. BACKGROUND

One of the primary actions for implementing the goals and objectives of the City's Growth Policy is through development of neighborhood plans. Neighborhood plans should, first and foremost, further the goals of the City Growth Policy but focus on specific issues and ideas to preserve and improve neighborhoods. Neighborhood Plans allow for refinement of the goals, objectives and action in the Growth Policy. They are an opportunity to strategically plan for ways to address needs and priorities for the area and the overall community.

By definition, neighborhood plans focus on a smaller geographic area; a subset of the overall City Growth Policy study area. Neighborhood plans are adopted as attachments (amendments) to the City Growth Policy and must be consistent with the City Growth Policy, but address matters at a finer geographic scale. The Plan is proposed to be adopted as a Neighborhood Plan according to section 76-1-601(4)(a) and Chapter 13 of the City Growth Policy.

The Plan as a vision for the area puts forth five big ideas:

- New development should be compatible, respectful of context, and build great new places
- Connect with agriculture, build parks, and enhance Grant Creek Eco-Health
- Build for a Sustainable Future
- Safe, comfortable, and interesting streets for all
- Decide what you want and create a clear path for getting there.

The proposed plan also accommodates affordable housing and elevates transportation mode shift which are high priorities in Missoula policy plans.

### Targeted Map Amendment: Proposed Land Use Designation

The current land use designations in the City Growth Policy are mostly Neighborhood Mixed Use (See Proposed Land Use Map Attachment) and Residential Medium with some commercial and light industrial designations located along Broadway St. along the north edge of the project area. These designations will result in approximately 3,000 future dwelling units which will likely result in residential densities of around 4-7 units per acre. Suburban residential densities at these levels can be challenging/costly to serve from a City services standpoint as well as a transportation infrastructure and transit standpoint.

The proposed land use designation is "Mullan Area Neighborhood Master Plan Area" which includes Neighborhood Unit sub-districts (similar concept to our existing land uses) that accommodate all of the existing land uses but also guide development more prescriptively through "transects" (more defined development regulations) that comprehensively achieve the vision for the area.

The Proposed Land Use Designation description is:

#### Mullan Area Neighborhoods Master Plan Area Description:

This area is divided into four Neighborhood Units as described in the Mullan Area Master Plan and implemented through the Traditional Neighborhood Development Form-Based Code. The areas promote a predictable built environment based on compact pedestrian oriented development with a mix of commercial and residential uses. Traditional Neighborhood Design (TND) within the code is intended to achieve efficient transportation corridors, walkable streets and an interconnected trail system that provides connectivity between natural areas, open space, parks, civic spaces and neighborhood and workplace areas. Mixed-use development provide a complementary mix of land use and development types to create focal points for community activity and identity and facilitate the use of transit.

The Mullan Area Neighborhoods Master Plan Area designation supports many of the same land uses but with a different mix of allowed uses combined with street design and building-type guidance that assures that the resulting development will achieve the plan vision. In addition, the number of allowed dwelling units is significantly increased in exchange for a well-designed complete community that is supportive of transit, local services, employment and a shift toward a more sustainable type of development.

## II. BACKGROUND

### Zoning Text Amendment: Achieving the Plan Vision

The Plan proposes a form-based zoning code to fulfill the vision detailed in the combined input received from the broad range of citizens and stakeholder groups and the Missoula City and County Growth Policies. Unlike the current type of zoning in use by the City and County which focuses primarily on land use, a form-based code integrates a mix of uses with the public space (streets, trails, sidewalks) and a cohesive mix of building types (“missing middle,” single dwelling, multi-dwelling) so that the entire land area fits together and especially allows promotion of development where people WANT to walk to the coffee place etc. In other words, the development is designed to contain all of the features like grocery, transit, etc. that people need within a walkable distance from their homes. This kind of complete neighborhood development exists in Missoula in places like the neighborhood around the Orange Street Food Farm (which has a mix of zoning districts in a relatively small area and which evolved over many years of zoning change.)

This form-based code contains four Neighborhood Unit types that each allow a unique mix of uses, building types and street designs. The “Workplace” and “Towncenter” Unit types are located along West Broadway and near the airport where light industrial and commercial uses mixed with multifamily residential uses are expected. “Community Center” and “Crossroads” Unit types are located in the central and southern parts of the plan area where less dense residential and neighborhood commercial uses are most appropriate. An airport flight path zone overlays a portion of the project area to promote reduced density under airline traffic.

Also within the proposed code are progressive standards for stormwater handling which promotes green infrastructure, building design which addresses the building impact on the public realm, lot and building standards (similar to what is found in our existing code but that further promote affordability with a mix of building types and reduced building setbacks thereby making efficient use of parcels) and a street atlas that elevates safe pedestrian modes of travel. The forward looking street cross-section designs all include protected bike and pedestrian lanes which prioritize the mode shift goals found in the Long Range Transportation Plan.

Further details about the Neighborhood Unit Types and Transects they require can be found in the proposed code (Attachment D)

### Stakeholder and Public Engagement Process

With Dover Kohl's (Planning Consultant) guidance, Missoula City and County created an ambitious project schedule driven by the need to inform the strictly-deadlined BUILD project which will deliver new arterial streets to the project area.

**March 2020:** The first stage of engagement took place in March. Plans included many in-person stakeholder and public meetings including surveys and drop-in studio workshop opportunities over the course of a week. The sudden national health emergency changed the engagement schedule and plans.

All of the stakeholder meetings were converted to online video meetings with the public invited. A virtual drop-in studio workshop was held over three days and Monday and Friday public presentations were converted to live online video meetings. Additional focused-subject presentations were created for the project website and surveys were conducted online. A second in-person public outreach stage was scheduled for July after a plan draft was created following the March engagement stage. An online public comment portal was created on the project website and through the new Engage Missoula website. Further presentations to community groups and neighborhoods was conducted virtually and in-person throughout the late spring and summer as the health emergency's impact on the project was monitored.

**July 2020:** Two in-person public meetings were held by City And County planning staff with more online public presentations promoted online and through a City and County press release. Additionally several local news stories were printed about the project. The resulting number of individuals engaging with the online portals reached several thousand. (See upcoming Planning Board Presentation for up-to-date engagement and comment totals.)

### III. AGENCY AND PUBLIC COMMENT

The Master Plan public process was extensive from research, outreach and ultimately many public engagement opportunities that brought together background information, stakeholders, community members. Agency and public comments were considered and incorporated as appropriate into the Mullan Area Neighborhoods Master Plan throughout the public outreach process. Most comments were appreciative of the planning effort and thoughtful design, preservation of agricultural and open space, wildlife habitat, population growth, and traffic congestion. The following is a summary of key themes:

- Protect and restore Grant Creek
- Minimize traffic impact / provide new connections (especially east-west)
- Provide housing that is affordable
- Create community and walkable neighborhood
- Provide lots of open space and parks
- Preserve as much agriculture land and high quality soils as possible
- Integrate a trail network
- Include a mix of housing types (especially those between large single-family homes and big apartment buildings)
- A safe neighborhood and a place where everyone can get around comfortably by walking, biking or driving
- Extend transit service to the area

Increased traffic on Mullan Road and England Boulevard is being addressed through added street and trail connectivity proposed by the plan and the added arterial roads currently being planned and constructed with the use of the recently awarded 13 million dollar BUILD grant.

Chapter 2 of the Mullan Area Neighborhoods Master Plan (attached) summarizes the public engagement process for the Plan and recent public comments are attached to this report.

### IV. REVIEW CRITERIA & CONSIDERATIONS

A proposal to adopt a Neighborhood Plan or amend a growth policy does not have statutory review criteria or standards as you find with zoning or subdivision proposals. The only statutory requirement is that they are “consistent” with the Growth Policy. The City’s Growth Policy has some additional considerations for neighborhood plans and targeted amendments. The purpose of the following review is to provide a basis for the governing body’s determination of whether the proposal is consistent with the City’s Growth Policy.

Growth Policy Amendment- Establish Mullan Area Neighborhoods Master Plan

#### Review Criteria

***The plan must be modified to fit the Neighborhood Plan Template.***

The plan fits the Neighborhood Plan Template: As stated in the Master Plan, “The Mullan Area Master Plan is an opportunity to further evaluate and align land use planning and regulations, mobility elements, and plans for amenities in an area of the community currently receiving significant development pressure.” The plan describes and encourages the elements needed to be a great neighborhood. The vision for the area is outlined through five major themes (the “Big Ideas”) with associated assets, issues and opportunities described for each theme. A chapter is dedicated to implementation.

***The plan will not address changes to land use, however, the plan may continue to provide greater detail that guides and remains consistent with the Future Land Use Map that is a part of the City Growth Policy.***

## IV. REVIEW CRITERIA & CONSIDERATIONS

The Master Plan encourages mixed use development which reinforces the “node” and community center concept as desired in the City Growth Policy. It provides greater detail through the use of illustrative concept mapping. It does not specifically change land uses but a separate action is recommended as a part of this consideration to consider a targeted amendment to the City Land Use Map for a proposed land use designation that will help to implement the vision.

***The plan must address the Residential Allocation associated with the area.***

“Residential Allocation” has been replaced by the concept of Suitability in the Our Missoula Development Guide (OMDG). The OMDG document which suggests development occur in close proximity to infrastructure and services to allow a walkable community and to address sustainability as described in the Growth Policy. The Master Plan and associated land use designation creates a path toward a high level of suitability as defined in the OMDG planning document.

***The plan shall address sustainability measures.***

The plan addresses sustainability measures in Chapter 3, Big Idea 3: Build for a sustainable future. Sustainability is directly addressed through compact development that takes pressure off of agricultural and open space resources and supports transit, green infrastructure storm water management, putting walking and biking at the forefront of mobility choices with pedestrian infrastructure and interconnected neighborhoods, allowing neighborhood services in close.

**Prioritization on addressing neighborhood plans is based on the following:**

***Existence of any potential plan variations.***

In large part, the Master Plan project was undertaken in response to recent and current subdivision and annexation activity that request and obtain changes in current land use designations and zoning that is required to allow a variety of building types and a mix of residential and commercial uses that are demanded by the community’s desire for sustainable and affordable residential neighborhood development and transportation options with an emphasis on multi-modal planning, and parks and trails improvements.

***Extent of development activity occurring or anticipated.***

At least four subdivision with annexation project proposals are under different stages of application and review with the City. A new VA hospital is planned in the north area of the project and a 13 million dollar federal grant has been received to construct major arterials, trails, and to improve Grant Creek within the project area.

***Interest from the neighborhood.***

Community outreach for the project suggested a strong interest from the neighborhood and Missoulians in general, with nearly 43,000 website views, over 5,000 views of YouTube films, and 2,900 digital communications, survey participants, and social media followers as well as well-attended outreach and surveying events. Over the past year there has been many public stakeholder meetings and/or conference calls, letters, surveys, meetings, and an extended public comment period to absorb feedback from the community, and several public presentations.

***Age of the plan***

The 2035 City Growth Policy recommends updating neighborhood plans every ten years. The current Wye-Mullan West Comprehensive Plan was adopted in 2005.

Targeted Map Amendment- Establish Mullan Neighborhoods Master Plan Area

Mullan Area Neighborhoods Master Plan Area Description:



## IV. REVIEW CRITERIA & CONSIDERATIONS

This area is divided into four Neighborhood Units as described in the Mullan Area Master Plan and implemented through the Traditional Neighborhood Development Form-Based Code. The areas promote a predictable built environment based on compact pedestrian oriented development with a mix of commercial and residential uses. Traditional Neighborhood Design (TND) within the code is intended to achieve efficient transportation corridors, walkable streets and an interconnected trail system that provides connectivity between natural areas, open space, parks, civic spaces and neighborhood and workplace areas. Mixed-use development provide a complementary mix of land use and development types to create focal points for community activity and identity and facilitate the use of transit.

Plan amendments will be reviewed to ensure consistency with goals and policies of the Growth Policy, State law, and any other applicable policies and standards adopted by the governing body. Amendments may be approved by the governing bodies when the following findings are made:

- ***There is a public need for the change*** – The project area is potentially the last large-scale area of undeveloped land adjacent to the city that also meets the criteria outlined in the City Annexation Policy. By creating a master plan, implemented with a form-based zoning code with potential to significantly increase housing supply, the critical issue of attainable housing is addressed.
- ***The change proposed is the best means of meeting that need*** – The proposed master plan and form based code provide an increased supply of housing by creating a means to achieve a compact and walkable neighborhood community that contains a mix of uses, building types and pedestrian oriented transportation infrastructure within the plan area that the current land use designations are not able to meet.
- ***There is public benefit that will result from the change*** –The public benefits from the land use change by increasing the allowance of well-designed sustainable development dwelling units which directly addresses the critical shortage of attainable housing as detailed in the City Housing Policy.

### Zoning Text Amendment- Establish Mullan Traditional Neighborhood Development Form-Based Code.

Title 20, Section 20.85.040 (G) states “In reviewing and making decisions on zoning amendments, the Zoning Officer, Planning Board, and City Council must consider. . .” a set of criteria. The following is a review of the proposed regulations relative to the criteria listed in Section 20.85.040 (G).

#### **1. Whether the proposed zoning ordinance text amendment is consistent with §76-2-304(2) MCA**

##### **1.(a) Whether the proposed zoning amendment is consistent with a growth policy.**

The proposed code is built around affordability, sustainability, transit and livability and was developed through an public process that distilled the vision for the overlay into five guiding principles (“Big Ideas”) which are based in part on the Growth Policy and other adopted plans.

The proposed zoning code is consistent with the 2015 Our Missoula Growth Policy (Growth Policy) and other adopted plans. The Growth Policy documents generally, “desire to focus future development inward rather than promote urban sprawl and costly extensions of city services. This is viewed as a way of making the best use of existing services, being efficient with the limited resources available, promoting a healthy environment while also accommodating population growth and encouraging development that creates quality places with diverse housing options. For areas that are further from the community core, continuing to support land use patterns that introduce supportive services and the ability to reinforce those areas with a strong sense of community. . .”

The Growth Policy includes policy goals, objectives and actions that specifically supported and informed the planning process for the proposed code. These include:

## IV. REVIEW CRITERIA & CONSIDERATIONS

- Community Design objectives to support future development that enhances the unique characteristics and promote beautification of all aspects of our community, including specific actions to:
  - Support pedestrian-scale design that encourages non-motorized transportation and social interaction.
  - Consider ways to address how development looks and interacts with the street system, higher density housing on transit corridors, and urban design to de-emphasize parking and emphasize pedestrian-scale development.
- Livability objectives to:
  - provide for neighborhoods to have easy accessibility to amenities and local services to meet the needs of an expanding diverse population, including actions to:
  - Locate areas for new housing, mixed-use developments, multi-dwelling development, and commercial nodes to provide convenient access to commercial and local services.
  - Ensure an open and fair development review process

***1.(b-d) Whether the zoning is designed to secure safety from fire and other dangers, and designed to promote public health, public safety, and the general welfare, and is designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.***

The proposed Mullan Traditional Neighborhood Development Form Based Code would have no adverse effects upon the provision of public safety, health and welfare, transportation, sewerage, schools, parks, or other public requirements. Project design through the use of the form-based code would bolster interaction between private property and the public realm, which would help to increase public safety, health and welfare.

***1.(e-f) Whether the zoning considers the reasonable provision of adequate light and air, and the effect on motorized and non-motorized transportation systems.***

The proposed zoning form-based code would bring no adverse effects upon the provision of light and air, and includes new standards that, through the use of Transect Standards that specify residential density, lot and block standards, building heights, parking locations and allowed frontages and encroachments that will enhance the provision of light and air. By providing specific transportation street and pedestrian infrastructure standards that promote pedestrian transportation, the form-based code directly addresses this requirement.

***1.(g-i) Whether the zoning considers the promotion of compatible urban growth, the character of the district and its peculiar suitability for particular uses, and conserves the value of buildings and encourages the most appropriate use of land throughout the jurisdictional area.***

The proposed form-based zoning code is compatible with the promotion of urban growth in alignment with goals stated in the Growth Policy ensuring a sense of place as well as compact and mixed use development in coordination with existing and new city services and infrastructure. The overlay would apply development standards that were developed through an open community process that help to retain and enhance Missoula's unique character. The form-based code specifically takes into consideration the character of the area and its particular suitability for particular uses.

***2. Whether the proposed zoning ordinance text amendment corrects an error or inconsistency in the zoning ordinance or meets the challenge of a changing condition.***

The proposed zoning overlay address the challenge of a changing condition which is the increase in development not in character with the Growth Policy through the standards and guidelines in the proposed plan and form-based code. The proposed zoning code would establishing form-based zoning development standards for commercial, light industrial, a diverse mix of residential building types from single family to "missing middle" to multifamily development, which is desired by the Growth Policy but not available through the present zoning code.

The plan and code also increase the allowed density (in exchange for quality compact design) to address the shortage of attainable housing in the Missoula area and provide form-based code zoning standards that encourage mixed use, walkable development that allows creation of healthy, live-able neighborhoods.



#### IV. REVIEW CRITERIA & CONSIDERATIONS

The form-based code also promotes alternative transportation modes and transit which will help to mitigate the increase in single occupancy vehicle trips (and corresponding traffic congestion) as desired in the Long Range Transportation Plan.

**3. *Whether the proposed zoning ordinance amendments are in the best interests of the city as a whole.***

The proposed form-based code zoning ordinance address a community concern by providing additional zoning regulations to require standards for commercial, light industrial, and diverse residential development as suggested by goals and objectives found in the Growth policy and adopted plans. The form-based code would replace use-based standards that limit creation of neighborhoods with diverse, “missing middle” residential building types, neighborhood service uses within residential areas and walkable neighborhoods. By developing a new review process that balances certainty with flexibility in development that incentivizes well-designed, walkable neighborhoods that address sustainability and efficient use of limited greenfield land, the amendments proposed here are in the best interests of the city as a whole.

**Conclusion:**

The Mullan Area Neighborhoods Master Plan stated principles, strategies and vision are consistent with, and conform to, the overarching goals, objectives and actions from the 2035 Our Missoula Missoula City Growth Policy. The proposed targeted amendment to the general Future Land Use Map will establish further consistency. The Mullan Traditional Neighborhood Development Form Based Code meets the review criteria.

#### V. ATTACHMENTS:

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| A. Project Area   |
| B. Current Land Use Designation Map & Proposed Land Use Area Boundary |
| C. Mullan Area Neighborhoods Master Plan                              |
| D.. Mullan Traditional Neighborhood Development Form Based Code       |
| E. Recent Public Comment  |