

## E X E C U T I V E   S U M M A R Y

**CASE PLANNER:** Andrew Hagemeyer, Senior Planner, A.I.C.P.

**PUBLIC HEARING DATES:** MCPB: September 29, 2020  
BCC: TBD

**AGENDA ITEM:** 1. Growth Policy amendment, adoption of zoning regulations, and zoning map amendment

- A. Amend the Missoula County Growth Policy by adopting the Mullan Area Neighborhoods Master Plan as an Area Plan, and amend the Missoula County Land Use Map (Map 18);
- B. Adopt the Mullan Traditional Neighborhood Development Form Based Code as the zoning regulations for a portion of Missoula County;
- C. Amend the Missoula County zoning map to implement the Mullan Area Neighborhoods Master Plan.

**APPLICANT:** Missoula County Community and Planning Services and the City of Missoula Development Services.

**LOCATION OF REQUEST:** The planning area encompasses approximately 2,000 acres on the northwestern boundary of the City of Missoula (Exhibit 1). The proposed rezoning to the proposed code would affect 685 acres within Missoula County (Exhibit 3).

**LEGAL NOTIFICATION:** A legal advertisement was published in the Missoulian on September 13, September 19, and September 20, 2020. Notice of the proposed rezoning was posted in five locations on September 14, 2020. Property owners within the proposed zoning district and within 300 feet of the proposed zoning district were notified by first-class mail on September 11, 2020.

**GROWTH POLICY:** The Missoula Area Land Use Element was adopted as an amendment to the 2016 Missoula County Growth Policy in June of 2019. The plan called for a joint city-county master planning process in the area located east of the airport in order to develop a shared vision for growth and investment supporting the community's housing, employment, transportation, environmental, and recreational goals. This master planning effort implements the Missoula Area Land Use Element and a key part of Missoula County's overall growth management strategy in the Missoula Valley.

**SURROUNDING LANDS:**

<b>Direction</b>	<b>Land Use</b>	<b>Growth Policy Land Use Designation</b>	<b>Zoning</b>
North	Mix of industrial and commercial uses	City of Missoula	City of Missoula
South	Agriculture, very low density residential	Agriculture	C-RR1
East	Predominantly residential	City of Missoula	City of Missoula
West	Missoula International Airport	City of Missoula	City of Missoula

**STAFF RECOMMENDATION:**

Approve the Mullan Area Neighborhoods Master Plan, the Mullan Traditional Neighborhood Development Form Based Code, and the proposed zoning map amendment.

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## **MISSOULA CONSOLIDATED PLANNING BOARD**

September 29, 2020

### **Agenda Item 1**

#### **RECOMMENDED MOTIONS**

1. **BE IT RESOLVED THAT** the proposed Mullan Area Neighborhoods Master Plan be recommended to the Board of County Commissioners for adoption as an Area Plan of the Missoula County Growth Policy, the Missoula County Land Use Map (MAP 18) be amended to include the Mullan Area Neighborhoods Master Plan Land Use Designation, and the boundaries of the Wye-Mullan Comprehensive Area Plan be amended based on the findings and conclusions contained in the staff report.
2. **THAT** the proposed Mullan Traditional Neighborhood Development Form Based Code be recommended to the Board of County Commissioners for adoption as a zoning regulation for a portion of Missoula County to implement the Mullan Area Neighborhoods Master Plan, based on the findings of fact and conclusions contained in the staff report.
3. **THAT** the proposed zoning map amendment implementing the Mullan Area Neighborhoods Master Plan as shown in Exhibit 5 be recommended to the Board of County Commissioners for adoption, based on the findings of fact and conclusions contained in the staff report.

#### **INTRODUCTION**

##### **Background**

In June of 2019, Missoula County adopted the Missoula Area Land Use Element as an amendment to the 2016 Missoula County Growth Policy. The Missoula Area Land Use Element sets the county's growth management strategy in the Missoula area, roughly from Bonner to the Wye. A joint city/county master plan for the Mullan Area was specifically listed as an implementation step and as a key component in Missoula County's growth management strategy in the Missoula Area Land Use Element.

Missoula County's growth management strategy in the Land Use Element is called the "One Community Approach." The One Community Approach recognizes that even though Missoula is divided by two jurisdictions, how we think about the future of our community should not be dictated by these divisions. There are five components to the One Community Approach:

1. Coordinate on the edges
2. Plan for the physical framework needed to facilitate unique neighborhoods
3. Provide locations for rural neighborhoods
4. Protect public health and safety
5. Preserve working lands, agricultural areas, and naturally functioning systems

The Missoula Area Land Use Element envisioned the city and county working to develop a shared vision for growth and investment in the area to support housing, employment, transportation, environmental, and recreational goals. Specifically, the implementation strategy in the Missoula Area Land Use Element said the following about the joint master planning effort:

*“The Community Mixed-Use land use designation east of the airport represents an opportunity for the county to work with the city, landowners, and other stakeholders to plan the logical and productive transition of this area into a vibrant, livable, mixed-use neighborhood while addressing many of the community’s most pressing needs, such as housing supply and locations for new employment centers. This planning process could identify critical infrastructure improvements, such as road grids, sewer, water, stormwater, non-motorized facilities, locations of urban agriculture, parks, and detailed land use typologies in advance of development. This effort would facilitate orderly development at higher densities with a broad mix of uses and develop a sense of place through public-private partnerships. It could make the community more competitive for federal grants that assist in financing infrastructure.”*

The joint master planning process is listed in the Missoula Area Land Use Element as a high priority to begin immediately following adoption (the Missoula Area Land Use Element was adopted in June of 2019).

Following adoption of the Missoula Area Land Use Element, county staff began coordinating with city staff to include the master plan in Fiscal Year 2020 work plans and budgets. Following budget approval, city and county staff worked together to draft a scope of work for the project, draft and advertise a Request for Proposals, and select a consultant to lead the planning effort. The scope of work included the development of a master plan and zoning regulations to implement the plan. Dover Kohl and Partners, a firm with planning experience in New Urbanism and working in Missoula, was selected. Dover Kohl and Partners proposal included the following subcontractors: IMEG and Jacobs Engineering.

Background and existing conditions work on the plan began in the winter of 2020. A weeklong design charrette was planned to occur with Dover Kohl on the ground in Missoula on the week of March 23 to 27, 2020. The design charrette included over a dozen stakeholder meetings, public office hours, public design workshops and public presentations. In the week before the charrette, Covid-19 halted all in person events, and the charrette moved to an all-virtual format.

The virtual charrette was successful. The consulting team and staff planners found that participation in the stakeholder meetings was higher and more diverse than typical of in-person meetings. The consultants created video content, surveys, virtual meetings and polls for people to participate in the planning process on their own time frame. Overall, more people participated in the virtual charrette than staff expected to see at an in-person charrette.

Following the charrette, the consulting team started drafting the plan, code, and stormwater management concepts. During this time public comment continued to be accepted. Many more meetings were held with local agencies and city and county boards. The first draft of the plan and

code was delivered to staff on July 7, 2020, and a week later the drafts were posted to the project website.

Even though the virtual charrette was well attended and provided high quality feedback, a second round of outreach focusing on the draft was held over July 28 -31, 2020. This second round of outreach was not originally in the scope, but after consultation with both city and county elected officials, staff and the consultant moved forward with a mix of virtual meetings and in person open house events.

The second round of outreach focused on the draft plan and code. Overall public participation was varied, with almost 160 people participating in virtual events, and 30 to 40 attended in person open house meetings. Based on feedback from these events, staff and the consulting team revised the draft plan and code, which was released on September 11, 2020.

### **Planning Concepts**

The Mullan Area Neighborhoods Master Plan (Master Plan) and Mullan Area Traditional Neighborhood Development Form-Based Code (FBC) focuses on Traditional Neighborhood Design (TDN). TDN is an approach to planning and code writing that create high-quality-built environments that encourage a mix of uses and housing types, increased connectivity, and mobility through walking, biking, and transit.

The key element of TDN is form-based codes. The proposed zoning that will implement the plan is a FBC. The city and county currently maintain a Euclidian zoning paradigm, with its roots set in the separation of use. Euclidian zoning typically does not regulate the public realm, which is the place people experience in a neighborhood or community. By not regulating the public realm, traditional Euclidian zoning requires additional layers of regulation to address public standards and building form and placement. A form-based code places less emphasis on uses. It primarily focuses on how the built environment functions in relationship to the public realm and less on use standards in the private realm. Form based codes are successful in building walkable places by aligning the type and intensity of roads with the land use around it, having much stronger connectivity requirements, and creating interesting and safe places to walk and bike.

Stormwater can be an issue in parts of the planning area. The current approach to stormwater management is for each individual development to be evaluated in isolation. The master planning process intends to change that approach, creating a conceptual comprehensive stormwater management plan for the entire area that focuses on the use of green infrastructure.

### **Coordination**

This project is a joint city/county planning effort. In order to promote consistent and orderly development of the Mullan area, it is intended that the city and county will both adopt the plan and code. The county will proactively rezone a portion of the planning area that is predominately undeveloped to ensure the development of the area occurs according to the plan and code. The city is not planning to proactively rezone any property at this time but will be applying the code to areas as they annex. Consequently, the city and county will both be adopting the plan and the code, but only the county is considering a zoning map amendment.

**Agency and Public Comment**

See Exhibit 8, a summary of agency and public comment received as of 9/21/2020 at 5:00 p.m..

## **PROPOSAL**

### **Growth Policy Amendment**

Missoula County is proposing a two-part amendment to the Missoula County Growth Policy. The first part is to adopt the Mullan Area Neighborhoods Master Plan as an Area Plan, the second part is to amend the Missoula County Land Use Map (Map 18) to include a new land use designation for the portions of the plan boundary in Missoula County. By adopting the proposed area plan, the boundaries of the existing Wye-Mullan West Comprehensive Area Plan would be amended to exclude the proposed plan. See Exhibit 1 for the Mullan plan boundaries, Exhibit 2 for the boundaries of the amendment to the Missoula County Land Use Map, Exhibit 3 for the text of the proposed land use designation, and Exhibit 4 for the existing boundaries of the Wye-Mullan West Comprehensive Area Plan.

The Growth Policy statutes in the Montana Code Annotated enable a jurisdiction to adopt what it calls Neighborhood Plans. Neighborhood Plans can address one or more elements of a Growth Policy, and the only requirement in statute is that neighborhood plans are consistent with the growth policy itself. Missoula County has adopted neighborhood plans under this statute, but in a geographically large jurisdiction like Missoula County, these plans might cover more than one or just a portion of a neighborhood; therefore, the Missoula County Growth Policy refers to Neighborhood Plans as Area Plans. The Missoula County Growth Policy includes considerations for the adoption Area Plans beyond what is required in state law.

The Master Plan is proposed to be adopted as an Area Plan (Neighborhood Plan) according to §76-1-601(4)(a) Montana Code Annotated (MCA) and Chapter 4 of the 2016 Missoula County Growth Policy.

The Master Plan is a vision for the project area. It is not a regulatory document. It contains background information, a description of the planning process, the vision for the area, and an implementation table. The implementation table is a critical component. It outlines what the community must do in the near term to long term to achieve the vision in the plan. Please see the draft plan for details.

One of the key implementation steps in the Master Plan is the FBC. The FBC is a stand-alone zoning regulation. It is specifically meant to implement the Master Plan. Zoning must be consistent with the Growth Policy, including Area Plans. To ensure the zoning is consistent with the Area Plan, and that the FBC is applied as appropriate, the Missoula County Land Use Map (Map 18) is proposed to be amended to create a new land use designation specifically for the planning area. See Exhibit 3 for the amendment area and below for the amendment text:

#### ***Mullan Area Neighborhoods Master Plan Area Land Use Designation***

*This area is divided into four Neighborhood Units as described in the Mullan Area Master Plan 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 provides a complementary mix of land use and development types to create focal points for community activity and identity and facilitate the use of transit.*

### **Zoning Code Adoption**

Missoula County is proposing the adoption of the Mullan Traditional Neighborhood Development Form Based Code. The FBC will be a stand-alone zoning regulation separate from the Missoula County Zoning Regulations. The FBC is primarily designed to regulate the development of undeveloped areas, although it can accommodate the redevelopment of already existing developed properties. When FBC is applied through zoning, only areas zoned according to the FBC will be subject to the standards in the code, and the Missoula County Zoning Regulations will no longer apply. Other areas within the project area not zoned according to the FBC will still be subject to the Missoula County Zoning Regulations; however, if they redevelop or need to rezone, they will be required to use the FBC.

The FBC is a linear process intended to give property owners a wide variety of development options that result in livable neighborhoods. To identify what a property is zoned, the FBC has two levels, the Neighborhood Unit and the Transect. The Neighborhood Unit is a general designation that has a menu of more specific options that can apply in that area (Table 2.1 in the FBC). The Neighborhood Unit is applied to undeveloped land. The Transect is the specific zoning designation with typical bulk and dimensional requirements and use standards. The Transects are lot-level zoning designations. When it comes time for the property to develop, the developer chooses how to apply the Transects available to them per the menu (see Division 7 in the proposed FBC for this process).

The FBC contains the elements typically found in a zoning regulation, such as standards for buildings, parking, signs, uses, and deviations. It is designed to be a stand-alone regulation, meaning it does not need the Missoula County Zoning Regulations to function.

The FBC has a special process for reviewing development proposals. It is in essence, a rezoning from the Neighborhood Unit (general designation) to the Transects (specific standards). This happens concurrently with subdivision review or a townhome development. When proposing a development, the applicant submits a Master Site Plan with their development laid out according to the Transects they are proposing. This is considered a rezoning action and will follow that process under state law. With the Master Site Plan approved, they have the zoning entitlements. The Final Site Plan is an in-depth review of the development to ensure it meets specific zoning standards for roads, parking and so on. This process is designed to allow the developer the ability to choose the best development options to meet their needs.



**Zoning Map Amendments**

Missoula County is proposing to rezone approximately 685 acres to the proposed FBC (Exhibit 5, 5, and 6). The rezoning will predominately affect undeveloped areas, avoiding existing neighborhoods and developed commercial/industrial areas.

The county is proposing to rezone from the current county zoning districts to Neighborhood Units Community Center, Crossroads Center, Town Center and Workplace. The Airport Reserve Neighborhood Unit is entirely within the City of Missoula and will not be applied by the county.

## **GROWTH POLICY AMENDMENT**

Missoula County is proposing the Mullan Area Neighborhoods Master Plan be adopted as an Area Plan of the Missoula County Growth Policy (Exhibit 1) and to amend the Missoula County Land Use Map to include the Mullan Area Neighborhoods Master Plan Designation (Exhibit 2 and 3). This action would also amend the boundaries of the Wye-Mullan West Comprehensive Area Plan to exclude the boundaries of the proposed Mullan Area Neighborhoods Master Plan (Exhibit 4).

### **GROWTH POLICY AMENDMENT FINDINGS OF FACT**

A proposal to adopt an Area 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 2016 Missoula County Growth Policy has some additional considerations for Area Plans and amendments. The purpose of the following review is to give a basis for the governing body’s determination of whether the proposal is “consistent” with the 2016 Missoula County Growth Policy based on considerations in state law and elements of the 2016 Missoula County Growth Policy.

#### **Consideration One**

*The Mullan Area Neighborhoods Master Plan is being proposed to be adopted as an Area Plan according to the 2016 Missoula County Growth Policy. According to §76-1-601(4)(a) MCA Area Plans must be consistent with the jurisdiction’s Growth Policy. Below is a description of how the proposal is generally consistent with the Goals and Objectives in the 2016 Missoula County Growth Policy.*

#### **Findings**

The 2016 Missoula County Growth Policy was amended in 2019 to include the Missoula Area Land Use Element. The Missoula Area Land Use Element is the specific growth management strategy applicable to the portions of Missoula County in the Missoula Valley roughly from Bonner west to the Wye, including all the planning area identified in the Master Plan.

The 2019 Missoula Area Land Use Element is a part of the 2016 Missoula County Growth Policy and is consistent the Growth Policy’s goals and objectives.

A joint city/county master plan was specifically identified as a high-priority immediate implementation action of the Missoula Area Land Use Element. The Master Plan is the direct implementation of this action item.

The outcome for the joint city/county master plan, as described in the Land Use Element, is for Missoula County and the City of Missoula to have developed a shared vision for growth and investment in the area east of the airport that supports housing, employment, transportation, environmental, and recreational goals.

The existing Missoula County land use designations for this area include Agriculture, Residential, Neighborhood Residential, Commercial Center and Community Mixed Use. Community Mixed Use is the predominate land use designation.

The stated goals of the Community Mixed Use Land Use designation are:

- Accommodate a substantial portion of future growth.
- Provide for a mix of primarily residential, commercial, and civic activity in a well-connected, walkable pattern.
- Provide opportunities for retail, service, and employment.
- Accommodate higher intensity residential choices that contribute to countywide housing diversity.

Furthermore, the Community Mixed-Use designation anticipates that master planning may be necessary prior to the development of the area.

Part One, Introduction and Background, of the Master Plan contains a detailed description of the plan's relationship and consistency with other Missoula County planning documents including the Land Use Element and all five components of the "One Community Approach." The five components of the "One Community Approach" are:

- Coordinate on the edges
- Plan for the physical framework needed to facilitate unique neighborhoods
- Provide for rural neighborhoods
- Protect public health and safety
- Preserve working lands, agricultural areas, and naturally functioning systems

The Missoula Area Land Use Element identifies the following Values and Ideas that support the county's overall growth management strategy for the Missoula Valley that are represented in the proposed Area Plan:

- Values
  - Additional housing is needed throughout the planning area, specifically housing that is affordable for a range of income levels. In a land use map, this translates to providing for a range of housing types.
  - Focus development toward areas with existing infrastructure or toward those areas with the potential to expand or improve infrastructure to accommodate density and a mix of uses.
  - Integrate land use and multi-modal transportation options, including road enhancements, bus service, and pedestrian and bike facilities.
  - Maintain unique neighborhood character.
- Ideas
  - Create neighborhood centers that include a mix of uses and walkable environments.
  - Identify areas where infrastructure is needed. Closely evaluate land uses in the immediate vicinity of the airport and consider some of the existing characteristics and infrastructure available in this area to serve future development.
  - Increase motorized and non-motorized connectivity between neighborhoods, recreation areas, and to the city. Allow for the continued function of natural systems and fish and wildlife movement corridors.

The proposed Master Plan contains five “big ideas” that represent the vision of the plan and its relationship and consistency to existing Missoula County planning documents. These five ideas are:

- 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
- Create safe, comfortable, and interesting streets for all
- Decide what you want and create a clear path for getting there

## **Conclusion**

The proposed Mullan Area Neighborhoods Master Plan is generally consistent with the goals and objectives of the 2016 Missoula County Growth Policy because it is a direct implementation of the Missoula Area Land Use Element. The foundation of the Mullan Area Neighborhoods Master Plan includes a review of existing plans, and the big ideas in the plan are consistent with the intent of planning effort as described in the Missoula Area Land Use Element.

## **Consideration Two**

*When adopting a new Area Plan, Chapter 4 of the 2016 Missoula County Growth Policy describes the relationship of the new plan to the adopted Growth Policy. According to the 2016 Missoula County Growth Policy, if an area plan intends to address certain elements, it must meet the stated requirements. Below is a description of the subjects, the requirements as stated in the 2016 Growth Policy, and how the proposed Mullan Area Neighborhoods Master Plan meets or does not meet the requirements.*

## **Findings**

*Subject: Future Land Use Development*

*Requirement: Include general designations on future land use maps not fine grained, parcel-by-parcel detail and not to the level of detail of a zoning map*

The proposed Master Plan itself does not recommend changes to the Missoula County Land Use Designation Map, but it does describe future land use conditions throughout the planning area. Therefore, to best reflect the intent of the plan, staff is recommending the adoption of a new land use designation to meet this requirement of the 2016 Missoula County Growth Policy.

The proposed Mullan Area Neighborhoods Master Plan Area Land Use Designation is a general description of the intent of the Plan and will be applied to the Missoula County Land Use Map as a general designation (Exhibit 2 and 3).

*Subject: Housing*

*Requirement: Provide for an adequate supply and variety of housing types*

The proposed Master Plan includes strategies to diversify the type of housing in the planning area and increase the overall supply of housing. If implemented, the plan would accommodate approximately 6,000 units. Estimates of current housing capacity in the area is closer to 3,000 units.

The proposed plan includes implementation strategies to expand affordable housing options and creates a predictable and streamlined development review process.

*Subject: Commercial and/or industrial development*

*Requirement: Provide opportunities for commercial and/or industrial development designed to serve the local community and result in additional employment and a reliable tax base*

The proposed Master Plan envisions a mixed-use series of neighborhoods, which include areas for commercial and industrial uses.

The proposed plan includes implementation strategies to create walkable, mixed-use neighborhoods, and create a predictable and streamlined development review process.

*Subject: Public Services and Infrastructure*

*Requirement: Address how appropriate types of public services, infrastructure and transportation options will be provided, and set out goals and actions to achieve an appropriate level of service delivery*

During the process of developing the Master Plan, the planning team worked closely with engineers designing the BUILD Project, passing along typical road transects, traffic modeling, and allocations of density to be used by the engineering team in designing roads, and sizing water and sewer infrastructure. The planning team also worked with Mountain Line staff to identify a new transit route through the neighborhood.

The proposed plan includes implementation strategies to develop trail networks, create a stormwater district, utilize green infrastructure, expand transit service, build streets that are safe, comfortable, and interesting, carefully design intersections, and plan for low-speed mobility modes. Some of these strategies will be carried out through infrastructure development funded through the BUILD grant.

*Subject: Natural Resources*

*Requirement: Prioritize and provide protection strategies for key resources and resource rich areas and/or demonstrate the plan does not unduly compromise critical natural resources or natural functions*

The Master Planning effort included an analysis of stormwater strategies for the area, recommending that green infrastructure is the preferable route to stormwater management. Past development and site analysis show that stormwater management is the most prominent environmental concern, with potential impacts to Grant Creek, the Clark Fork River, and impacts to properties in the area. The plan envisions a comprehensive system of green infrastructure to serve the area, rather than the piecemeal approach happening today. In addition, 40% of the planning area will remain undeveloped, with most of the undeveloped area being around Grant Creek. The most ambitious goal of the plan is to restore Grant Creek from a sunken channelized ditch, to a meandering natural flowing stream.

The proposed plan includes implementation strategies to continue agriculture, preserve historic structures and protect important landscapes, restore grant creek, increase access to parks, create a stormwater district, utilize green infrastructure, support green transit options, promote renewable energy, and incorporate green building techniques and materials. Some of these strategies are

implemented via zoning and others require additional efforts by local jurisdictions and/or the community to carry them out.

*Subject: Community Character*

*Requirement: Include measures to maintain or enhance the character of the area*

Design and character are two of the main components of the plan. The plan employs a Traditional Neighborhood Design planning approach, which focuses on mix of uses, scale of buildings, parks, public design, and walkability. These approaches in the plan will be implemented through the adoption of the form-based code.

The proposed plan includes implementation strategies to preserve historic structures and protect important landscapes, continue agriculture, increase access to parks, and build streets that are safe, comfortable, and interesting.

### **Conclusion**

The proposed Mullan Area Neighborhoods Master Plan meets the subject requirements in the 2016 Missoula County Growth Policy for new Area Plans, because staff is proposing an amendment to the Missoula Area Land Use Map. The plan would increase housing supply and diversify housing types, there are areas for commercial and industrial development, infrastructure and services have been considered and are being designed to accommodate the planned growth. It includes a comprehensive stormwater green infrastructure strategy, leaves 40% of the area as undeveloped, envisions a restored Grant Creek, and focuses on enhancing community character through Traditional Neighborhood Design.

### **Growth Policy Amendments Recommendation**

Based on the findings and conclusions described in this section, staff recommends that the Mullan Area Neighborhoods Master Plan and the proposed amendment to the Missoula County Land Use Map are consistent with the 2016 Missoula County Growth Policy.

## **ZONING CODE AND ZONING MAP AMENDMENT**

Missoula County is proposing to adopt the Mullan Traditional Neighborhood Development Form Based Code as a zoning regulation and amend the zoning map for approximately 685 acres to implement the Mullan Area Neighborhoods Master Plan. If adopted, the Mullan Traditional Neighborhood Development Form Based Code would replace the Missoula County Zoning Regulations in the 685 acres where the FBC zoning has been applied.

### **ZONING PROPOSAL FINDINGS OF FACT**

Criteria for the review of zoning regulations and zoning map amendments are established in §76-2-203 MCA.

*§76-2-203 (1) Zoning Regulations must be:*

*(a) Made in accordance with the growth policy:*

The FBC and the proposed zoning map amendment are implementation steps of the Mullan Area Neighborhoods Master Plan. If adopted, the Mullan Area Neighborhoods Master Plan would be an Area Plan under the 2016 Missoula County Growth Policy. The Mullan Area Neighborhoods Master Plan creates a mixed-use and Traditional Neighborhood Design vision for growth and development within the plan area.

By adopting the FBC and amending the map as proposed, the zoning would make compliance with the mixed-use vision and Traditional Neighborhood Design that is established in the Master Plan a zoning requirement.

### **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203 (1)(a) MCA for zoning regulations because the code is an implementation step of the Mullan Area Neighborhoods Master Plan, which is consistent with the Missoula Area Land Use Element.

*(b) Designed to:*

- (i) secure safety from fire and other dangers;*
- (ii) promote public health, public safety, and general welfare; and*
- (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.*

The Master Plan was drafted in consultation with Missoula City and County agencies including Missoula Fire, local schools, city and county public works, city and county parks, and the Missoula International Airport.

Hazards are present in the area:

- The Missoula International Airport Extended Approach and Departure Area (EADA) is an area where noise and safety are of heightened concern. The EADA does not regulate use. The code has mapped the EADA and included special provisions such as use and

density requirements to minimize risk and conflicts where applicable. Densities are restricted to no more than four units per acre and new schools or hospitals are prohibited. The zoning map amendment would put these standards into place in areas zoned according the FBC.

- Stormwater has been an issue especially in basements in parts of planning area. The proposed FBC includes special development standards for stormwater management that will implement the comprehensive green infrastructure vision in the plan. The map amendment would put these standards into place in areas zoned according the FBC.

The FBC contains bulk and dimensional requirements intended to separate buildings, a typical step in zoning designed to reduce the ability of fire to spread from one structure to another. The zoning map amendment would put these standards into place in areas zoned according the FBC.

The FBC includes typical road sections that align road design to the surrounding land use. This is a deliberate step so roads are designed for slower speeds and have bike and pedestrian facilities where they are most appropriate, reducing incidents between pedestrians and bicyclists, and cars. The zoning map amendment would put these standards into place in areas zoned according the FBC.

The FBC contains standards allowing schools, parks, and other public facilities. The zoning map amendment would put these standards into place in areas zoned according the FBC.

The land use intensities allowed within the proposed zoning map have been modeled for traffic impacts, and for water and sewer capacity. Infrastructure is currently being designed to accommodate the projected use of these facilities. The map amendment would ensure that the infrastructure would be sized appropriately once development occurs.

## **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203 (b)(i), (ii), and (iii) MCA for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code was developed under the guidance of city and county agencies, has special standards for the Missoula International Airport Extended Approach and Departure Area, has special standards for stormwater, contains bulk and dimensional requirements, aligns road design to land uses, and allows for public facilities.

*(2) In the adoption of zoning regulations, the board of county commissioners shall consider:*  
*(a) reasonable provision of adequate light and air;*

The FBC includes bulk and dimensional requirements, landscape standards, and parkland requirements to ensure access to open spaces and prevent the overcrowding of the land. The zoning map amendment would put these standards into place in areas zoned according the FBC.

## **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203 (2)(a) MCA



for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code includes standards for bulk and dimensional requirements and standards for parks to prevent the overcrowding of land.

*(b) the effect on motorized and nonmotorized transportation systems;*

The FBC contains typical road sections that will mandate the general character of all roads. These typical road sections are all designed to make roads interesting, safe and enjoyable places. This is done by prioritizing space for all users. The zoning map amendment would put these standards into place in areas zoned according to the FBC.

The Mullan Area Neighborhoods Master Plan was drafted in consultation with Missoula City and County agencies including Missoula Fire, Mountain Line, local schools, city and county public works, city and county parks, and the Missoula International Airport. The land use intensities allowed within the proposed zoning map have been modeled for traffic, and for water and sewer capacity. Infrastructure is currently being designed to accommodate the projected use of these facilities. The zoning map amendment would ensure that the infrastructure would be sized appropriately once development occurs.

### **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203(2)(b) MCA for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code designs roads to be interesting, safe, and enjoyable by prioritizing space for all users, and roads are being designed according to the proposed densities.

*(c) compatible urban growth in the vicinity of cities and towns that at a minimum must include the areas around municipalities;*

The FBC is a joint city-county project. The city of Missoula will be adopting the same code. The purpose is to make growth within the planning area compatible with both the city and county plans for the area.

When adjacent to existing neighborhoods, densities in the proposed code are designed to be similar to the densities in the existing neighborhood. The zoning map amendment would put these standards into place in areas zoned according to the FBC.

### **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203(2)(c) MCA for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code is designed for both the City of Missoula and Missoula County, and densities consider existing neighborhoods.

*(d) the character of the district and its peculiar suitability for particular uses;*

The City of Missoula's *Our Missoula Growth Policy* and Missoula County's *Missoula Area Land Use Element* identify this area as a location for future growth. Growth and development have been occurring west of Reserve in this area since the 1990s. The City of Missoula annexation policy identifies this area as one where annexation will be considered.

Key existing characteristics in the area include the airport, Grant Creek, and prime agricultural soils. The proposed code was built on creating a high-quality built environment for the area with special considerations and standards given to agricultural land uses, stormwater management, parks, Grant Creek, and the airport. The zoning map amendment would put these standards into place in areas zoned according the FBC.

### **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203(2)(d) MCA for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code has special standards in place for agriculture, stormwater, parks, Grant Creek, and the airport.

*(e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.*

The proposed FBC is based on a planning principal called Traditional Neighborhood Design (TND) that focuses on character and compatibility of development. This development type will add to the value of the existing neighborhood as the new ones develop. The zoning map amendment would put these standards into place in areas zoned according the FBC.

Overall, the higher intensity uses are planned on the northern end of the planning area where the carrying capacity of the roads are higher. The FBC matches proposed intensity and uses with that of the existing neighborhoods and puts intensity and uses of different scales further away from the existing neighborhoods. The zoning map amendment would put these standards into place in areas zoned according the FBC.

### **Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203(2)(e) MCA for zoning regulations because it is designed so existing land uses are buffered by similar land uses, and character requirements will add value to the area.

*(3) Zoning regulations must, as nearly as possible, be made compatible with the zoning ordinances of nearby municipalities.*

The FBC is a joint city-county project. The City of Missoula will be adopting the same code. The purpose is to make growth in the planning area compatible with both the city and county plans for the area. The zoning map amendment would put these standards into place in areas zoned according the FBC.

**Conclusion**

The proposed Mullan Traditional Neighborhood Development Form Based Code and proposed zoning map amendment are established in accordance with the criteria in §76-2-203 MCA for zoning regulations because the Mullan Traditional Neighborhood Development Form Based Code is designed for both the City of Missoula and Missoula County.

**Zoning Proposal Recommendation**



Based on the findings and conclusions described in this section, staff recommends that the Mullan Traditional Neighborhood Development Form Based Code and the proposed map amendment be approved.

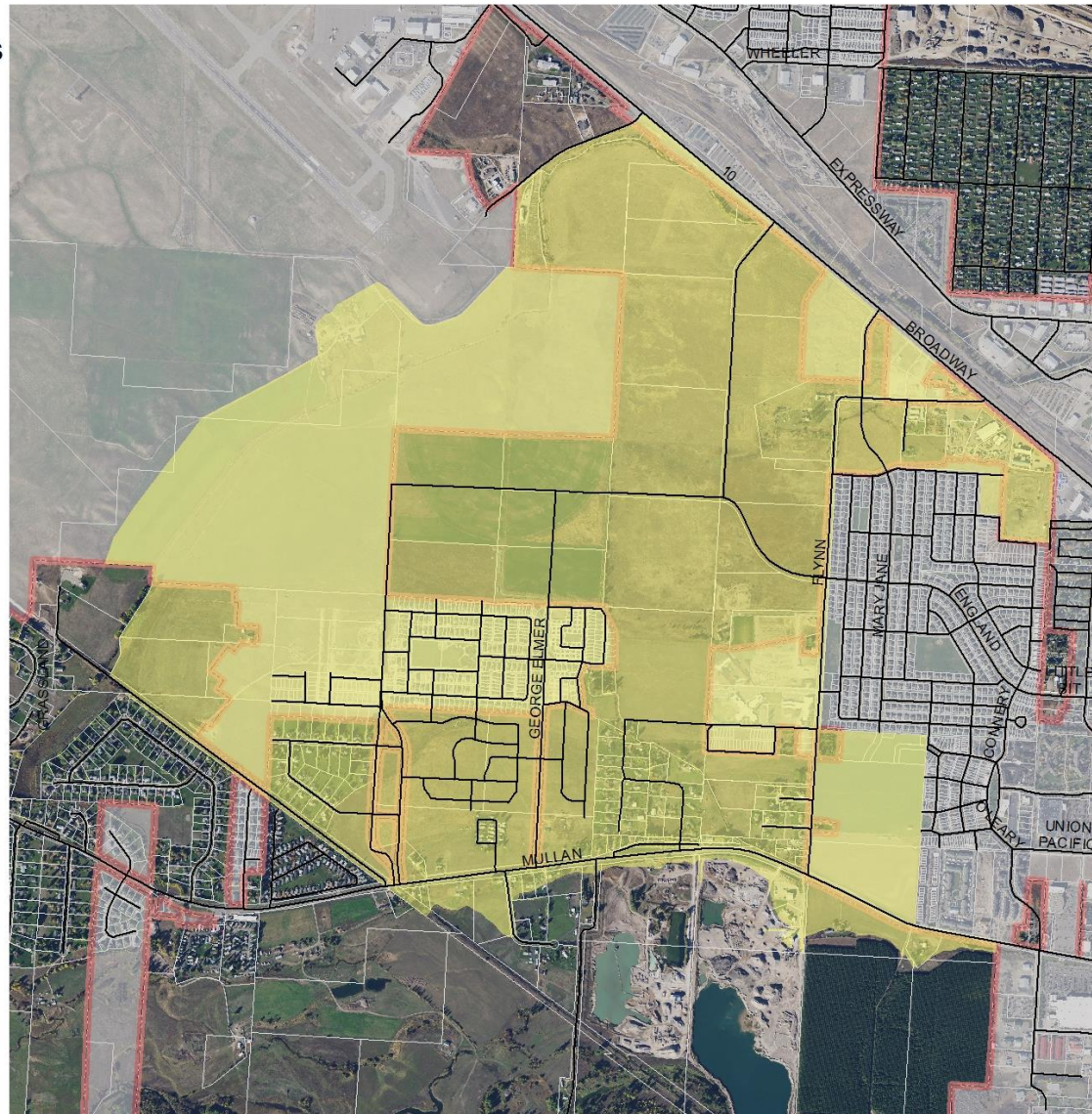
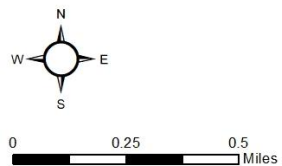
**Exhibit 1: The boundaries of the Proposed Mullan Area Neighborhoods Master Plan.**

**Proposed Boundary  
of Mullan Neighborhoods  
Master Plan**

Mullan Neighborhoods Master Plan Project

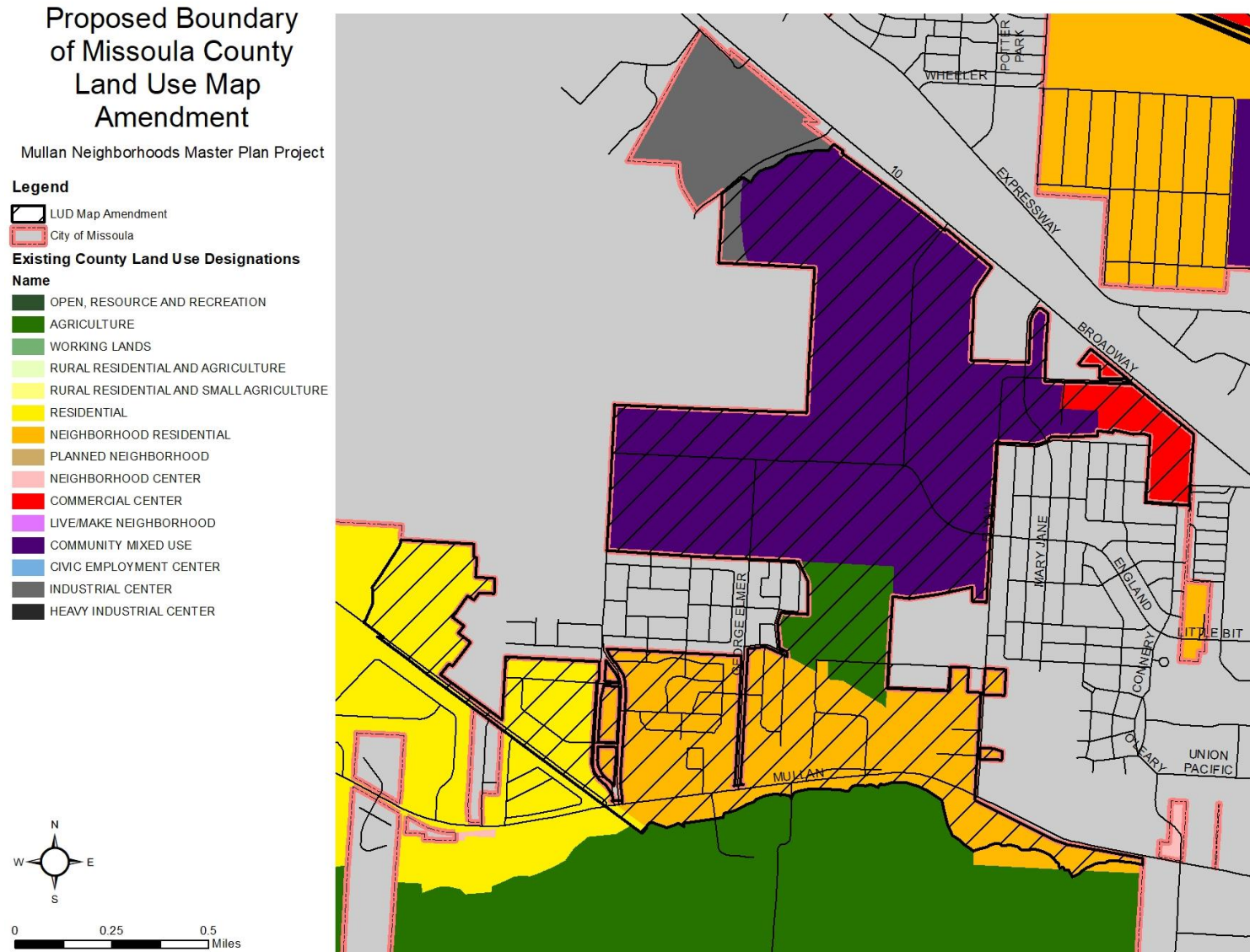
**Legend**

-  City of Missoula
-  Proposed Master Plan Boundary





**Exhibit 2: Boundaries of the proposed amendment to the Missoula County Land Use Map (Map 18) in the 2016 Missoula County Growth Policy**

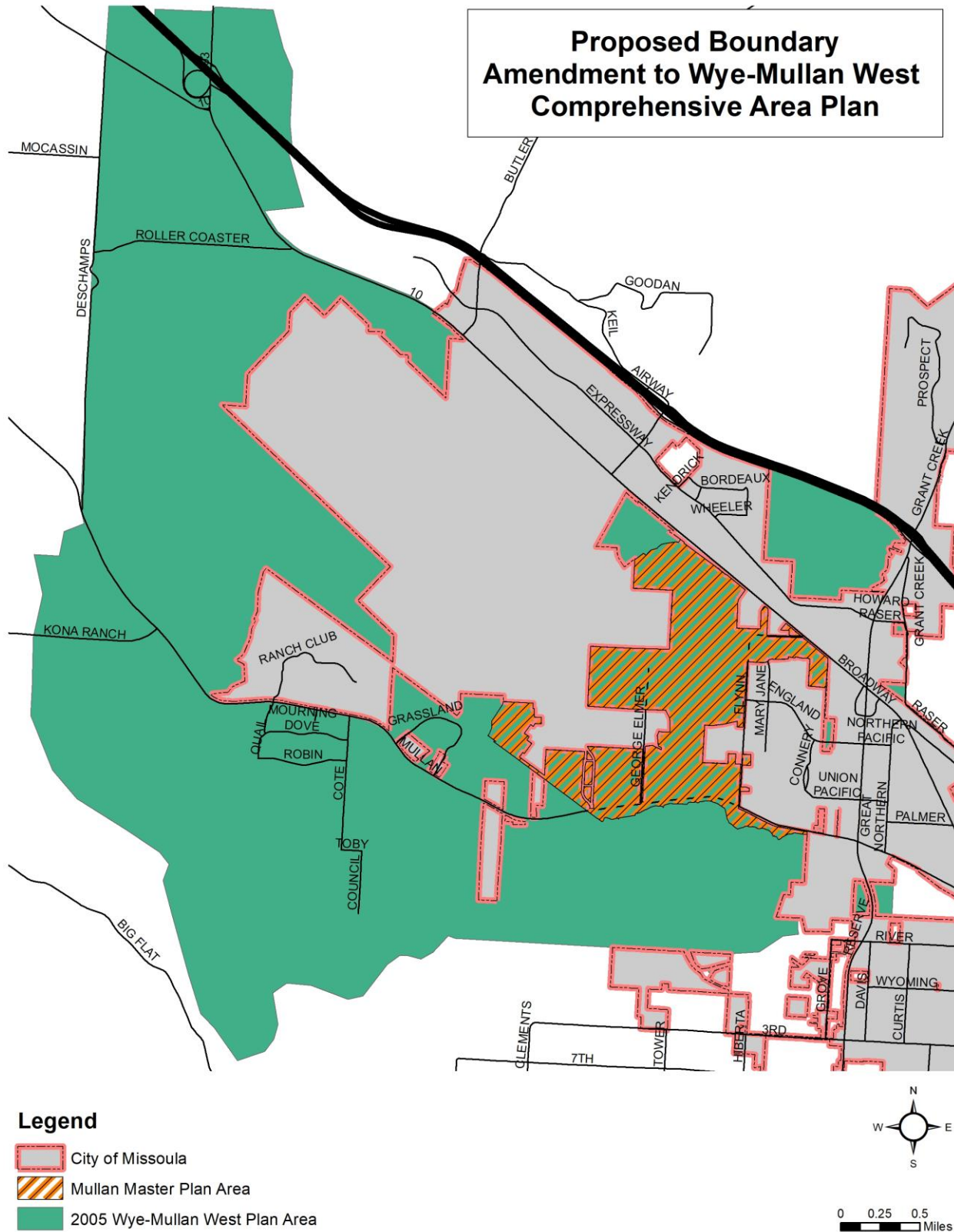


**Exhibit 3: Text for the proposed land use designation.**

Mullan Area Neighborhoods Master Plan Area Land Use Designation

This area is divided into four Neighborhood Units as described in the Mullan Area Master Plan 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 provides a complementary mix of land use and development types to create focal points for community activity and identity and facilitate the use of transit.

**Exhibit 4: Boundaries of the 2005 Wye-Mullan West Comprehensive Area Plan.**



**Exhibit 5 Boundaries of the proposed zoning map amendment and proposed Neighborhood Unit designations.**

**Proposed Boundary  
of Missoula County  
Rezoning**

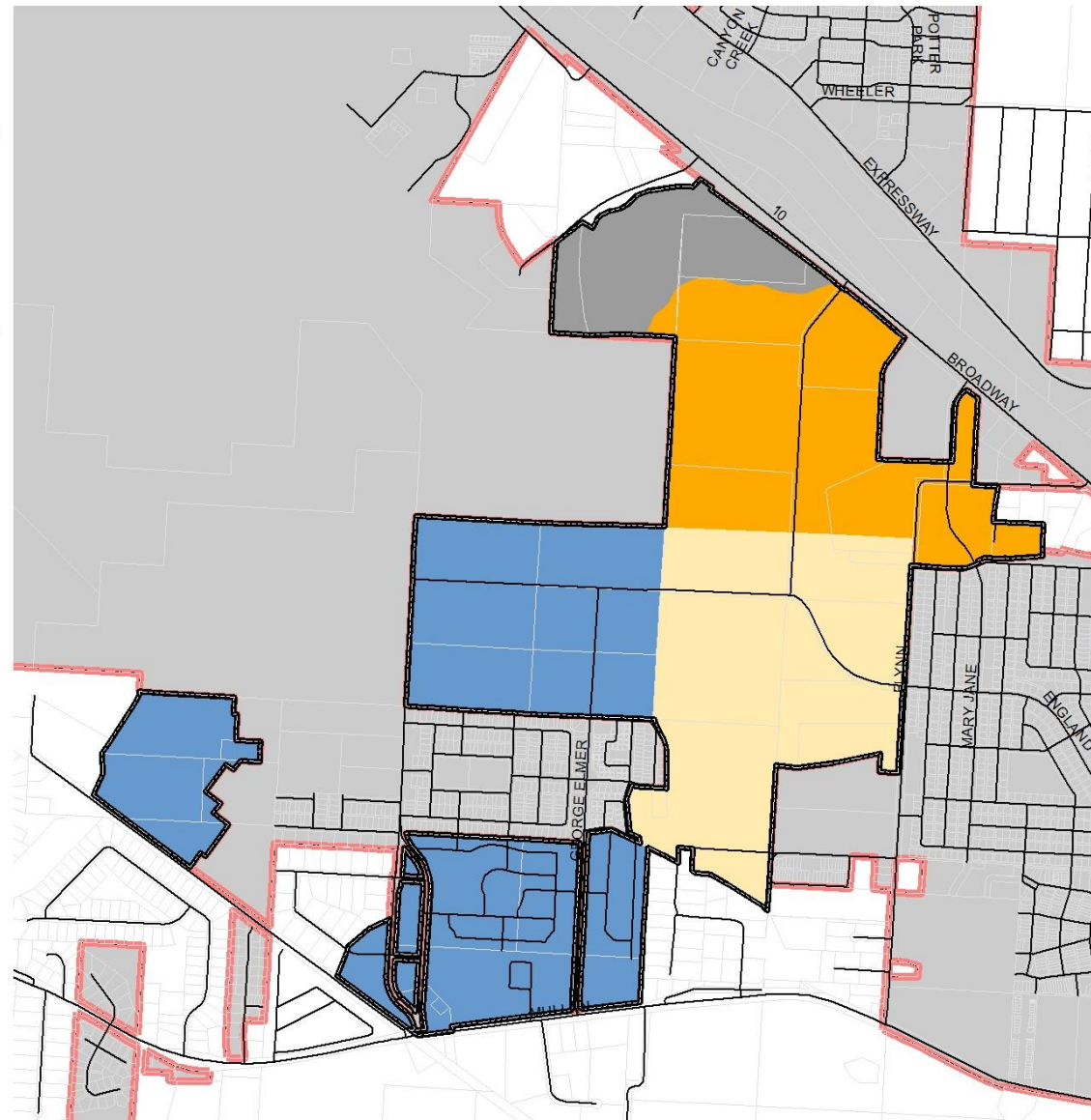
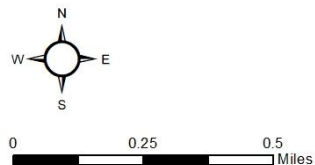
Mullan Neighborhoods Master Plan Project

**Legend**

-  Proposed Rezoning Boundary
-  City of Missoula
-  TaxParcels

**Proposed Neighborhood Units**

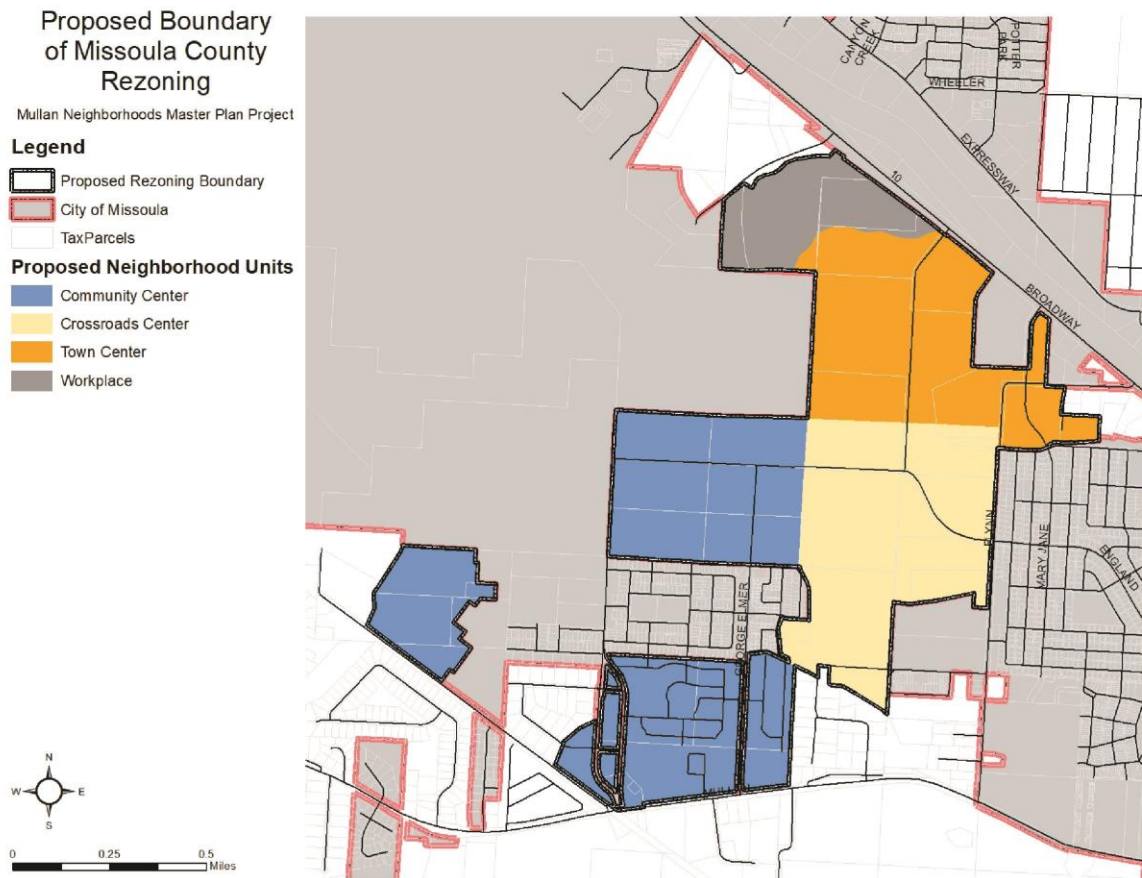
-  Community Center
-  Crossroads Center
-  Town Center
-  Workplace





## Exhibit 6. Proposed Neighborhood Unit map and standards table.

Boundary of the proposed rezoning and location of Neighborhood Unit types. Note: Missoula County is not Applying the Airport Reserve Neighborhood Unit Type because it is located entirely within Missoula City Limits.



Below is Table 2.1: Neighborhood Unit Type Standards. See the FBC for all details

TABLE 2-1: NEIGHBORHOOD UNIT TYPE STANDARDS

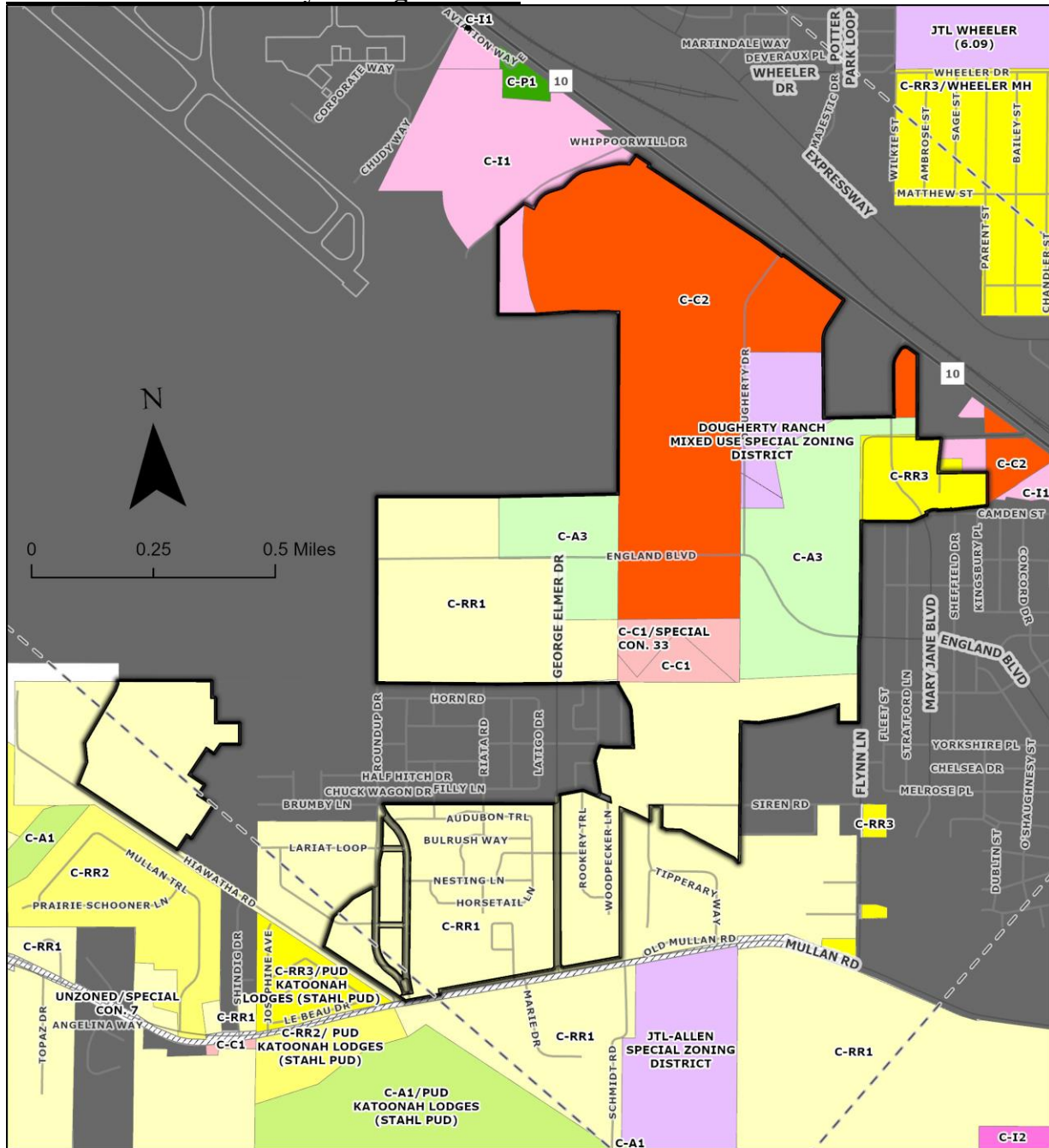
**General Standards**

	Town Center <sup>1</sup>	Community Center	Crossroads Center	Workplace	Airport Reserve
Neighborhood Size	60 - 160 acres	50 - 160 acres	80 - 180 acres	45 - 80 acres	N/A
Max. Average Block Perimeter Per Master Site Plan	2,000 ft	2,000 ft	2,400 ft	3,000 ft	N/A

**Allocation of Transect Zones Per Master Site Plan**

T2: Rural	no min.	no min.	no min.	no min.	no min.
T3: Edge	5 - 30 %	10 - 40%	50 - 89%	no min.	not permitted
T4-R: General Restricted	30 - 60%	20 - 40%	0 - 10%	5 - 15%	not permitted
T4-O: General Open	(Mix of R / O)	10 - 30%	0 - 10%	(Mix of R / O)	
T5: Mixed-Use Center	10 - 50% <sup>1</sup>	0 - 15%	not permitted	5 - 15%	not permitted
SD-W: Workplace	not permitted	not permitted	not permitted	60 - 85%	not permitted
OS: Open Space <sup>3</sup>	22% min.	22% min.	22% min.	22% min.	no min.
C: Civic	no min.	no min.	no min.	no min.	no min.

## Exhibit 7. Current County Zoning Districts.



### Current County Zoning

Unzoned

C-A1

C-A3

C-P1

C-C1

C-C2

C-I1

C-I2

C-RR1

C-RR2

C-RR3

DOUGHERTY RANCH MIXED USE SPECIAL ZONING DISTRICT

JTL-ALLEN SPECIAL ZONING DISTRICT

JTL WHEELER (6.09)

AIRPORT INFLUENCE AREA

Mullan Area Proposed Rezone Boundary

City of Missoula

This map was created by Missoula County Community and Planning Services staff in TBD. All property lines and boundaries are approximate. The information on this map is for reference only. No reliance should be placed on the completeness or accuracy of information without first consulting original records and personally verifying the accuracy of any and all information displayed on this map.

**Exhibit 8. Summary of Agency and Public Comment**

Name or Agency	Date Submitted	Subject (zoning code, master plan, map amendment, growth policy amendment, general)	Comment	Staff Response (and/or subsequent corrispondance)
Dave & Glenda Scott	9/15/2020	Master Plan	Andrew, my name is Dave Scott. Me and my wife Glenda have lived in the Country Crest subdivision off of Mullan Road since 2000. We have seen traffic flows steadily increase over this period of years to the point where obviously the transportation infrastructure is totally inadequate for the growth in the area. I like your master plan for the area and think that by adding those additional routes between Mullan and Broadway it should help ease the situation. My main concern is that i think the implementation of the plan should be bumped ahead several years and that the city, county and state should work together to seek Federal dollars to implement the plan at a much earlier time frame. i noted much of the implementation is 5 years or farther out. In 5 years with the rate of growth in the area we will be drowning in traffic much worse than exists now. Kalispell was able to fund their bypass with Federal dollars otherwise it probably never would have happened. I also like the idea of more roundabouts at intersections versus stop lights. Should help traffic mover easier. One intersection that i think needs to be addressed is the where Flynn Lane meets Broadway. I attended an earlier transportation meeting last year with county and city where the thought by the engineers was that nothing needs to be done there in terms of light. That is a most dangerous intersection for those entering Broadway from Flynn Lane as its a blind spot to the left for those entering Broadway. Appreciate all of your efforts in regards to this plan and thank you for keeping the public informed. Dave Scott	Dave, First of all, thanks for your comment and insights into the area. You are right, traffic and timing of improvements are of a concern. We did receive one federal grant last year, the same grant as Kalispell. It will complete a number of connections and improve a number of intersections. Here is the website on those projects <a href="https://www.mullanbuild.com/">https://www.mullanbuild.com/</a> . You will see construction on those projects start in the spring. Right now, they are in final design. You may have seen that we applied for a second federal grant, to complete the main road framework. We found out this week we were not successful. It sounds like we will try again. Overall, financing is the main hurdle to timing. The sooner we get federal grants, the sooner the improvements can be made. Even with the federal grants, it takes about five years from the grant award to the time the project is finished. I believe the plan is to limit Flynn on Broadway to right turn in right turn out. Mary Jane and Broadway will have intersection controls that will allow full access. That is being designed right now. I hope all this information helps
Nate P	9/15/2020	Master Plan	I respectfully disagree with the planning. I am sick of seeing our town built up with condo after condo, townhome after townhome, making the city 20% more condensed, populated, and crowded than it should be. If anything, there should be actual houses and neighborhoods where people have the space they need to actually live. Utilizing all these condos and such, stacking the population on top of each other you are making the streets even more congested and the city is at its limits of what it can handle as far as transportation logistics. Please stop building condos and townhomes, and please fix the traffic congestion. Look into a bypass like Kalispell has done.	
	9/15/2020	General	I would like to see a free campground funded by the city and county located on land near the prison. Within walking distance of the pov and bus station. Will also provide legal authority to prevent encampments at reserve, broadway island and elsewhere.	

	9/16/2020	Master Plan	<p>The survey responses demonstrate what generally happens with public outreach in Missoula. The people who commute by alternative means (biking, walking, transit) turn out while those of us who drive our cars (a huge percentage of the overall population, especially in the Mullan area) are busy trying to commute through vast amounts of Missoula traffic and possibly traveling to Ravalli County to escape the high Missoula housing costs. The idea that this build-out should include a lot of biking and walking is unreasonable. Make the roads so they can handle the terrible traffic congestion. Mullan Road needs to be 4 lanes for a start, and that's before you add further impacts. Once more traffic is entering from Flynn, George Elmer or the proposed Mary Jane extension, Mullan won't be passable from those points to Reserve Street. The idea that we would cram more houses, and therefore more cars, into an already overcrowded system is insane. I agree with the comments from NateP regarding housing types. Stacking condos and townhomes on top of each other doesn't solve the terrible road infrastructure problem. As a person who was born and raised in Missoula, and has lived out Mullan Road for 16 years, I have seen the city deteriorate precipitously over the last 3-4 years with infill housing to try to accommodate a population that just can't "fit" into Missoula. We're slowly killing the special vibe/environment that has always made Missoula special, making it like any other crowded, polluted urban center</p>	
Sheila McKinnon	9/15/2020-9/17/2020	Zoning code	<p>Andrew –I am one of the owners of the Old Flynn Ranch, owned by the McKinnon Family Trust. I would like to speak with you regarding the proposed zoning changes and its effect on our property. I am told that you spoke with Pelah from Five Valley Land Trust, and that you believe the proposed changes will not affect our property. However, our property is shown in the highlighted section of the map. I believe we should not be included in the new zoning, since our property is in a conservation easement, and no development can take place on our land at any time. The easement is in effect in perpetuity. I would appreciate it if you could give me a call to discuss this. I want to make sure we are on the same page. You can reach me any time at 206-355-5628. (I am in Seattle, but can fly back if it becomes necessary.) Thank you. Sheila McKinnon 206-355-5628 Sheilafrances1872@gmail.com</p>	<p>Sheila-I hear you. I completely understand the implications of a conservation easement. I also wanted to explain in a little more detail how the zoning works. I believe what we are proposing is actually more in line with the terms of the easement than the current zoning. The designation that we are proposing is a general designation. These are called Neighborhood Units. The Neighborhood Unit allows a range of specific zoning designations called Transects. The Transects are the specific standards that set density and use, not the Neighborhood Unit. The transects are not set as of right now. But maybe they should be for your property. I believe the most appropriate Transect designation for your property is the Rural Transect, or T2. It is designed to allow the continuation of agriculture and the preservation of open space. Look at Table 3.1 on page 3-3 of the proposed Form Based Code. Also, look at Section 3.8 (T2) RURAL TRANSECT ZONE STANDARDS in the proposed Form Based Code. You can find the code by following this link. You may remember I was at the meeting at the ranch with the engineers about that trail easement awhile back. I really enjoyed listening to you and your siblings talk about your intentions for the property. I am confident that what we are proposing will bring the zoning on your property more in line with the conservation easement and the intentions that I heard you discuss that day. Even more so than the current zoning of Residential 1 unit per acre. I am really slammed right now preparing for some presentations and responding to comments and questions about the project. Can we talk next week? -Thanks Andrew Hagemeyer, AICP</p> <p>Andrew –Thank you for that explanation. What you say makes sense. My concern is that we do not get looped into a zone that will increase</p>



				our taxes that would be expected from high density development. I will read the information you attached and will get back to you next week. Thands for responding. Sheila McKinnon
Misti	9/17/2020	Master Plan	<p>Good Morning- I had a few questions for you in regards to the proposed development for the Mullan Traditional neighborhood. I live in 44 Ranch, so I have a few concerns I would like more clarification on. 1.) Has an environmental impact study been done? If not, I would like to request one, or need directions on how to get one done. 2.) Will there be other entrances into and out of mullan road other than George Elmer from the subdivision. That is already a mess in the mornings and would be a nightmare if there were more houses. 3.) Will a walking path be constructed from the subdivision to Hellgate elementary. Kids are currently walking down mullan road which is extremely dangerous. 4.) Will another elementary school be constructed to accommodate this addition? If not, how will Hellgate Elementary have to adjust to accommodate more students. 5.) How will this impact my taxes? 6.) Will Mullan road be expanded to account for the extra traffic. 7.) Will stop signs and street lights be put up in the 44 ranch subdivision to help with safety due to heightened traffic. 8.) What impact will there be on the city sewer system. 9.) What impact will this have on the valuation of my home? Will more houses drive down the value? 10.) The current play equipment in 44 ranch was paid for by the homeowners, will they be reimbursed as this is considered a city park? 11.) In this new development will there be special or federal financing involved? (Section 8, section 42, etc.?) 12.) Has a traffic study been done and if not how can I request one? 13.) Will improvements be made to intersections and road signals? 14.) What impact will storm water runoff have? 15.) Has a hydrology study been done? I look forward to your response.</p>	<p>Misti- Thanks for sending in your questions. See my answers in red:1.) Has an environmental impact study been done? If not, I would like to request one, or need directions on how to get one done. Environment Impact studies are not required at the federal, state, or local level for these types of planning and zoning projects. However, one has been done for the BUILD Project, which is a project to build Mary Jane Boulevard and Improve George Elemer. Contact Katie Kleitz, the communications manager for that project. <a href="mailto:katie@bigskypublicrelations.com">katie@bigskypublicrelations.com</a> 2.) Will there be other entrances into and out of mullan road other than George Elmer from the subdivision. That is already a mess in the mornings and would be a nightmare if there were more houses. Yes. There will be two main roads running north south from Mullan to Broadway. There will be other connections in and out of the area as well. 3.) Will a walking path be constructed from the subdivision to Hellgate elementary. Kids are currently walking down mullan road which is extremely dangerous. Yes, it will need to be on the North side of the subdivision to the school, as the property owners to the south will not grant an easement. 4.) Will another elementary school be constructed to accommodate this addition? If not, how will Hellgate Elementary have to adjust to accommodate more students. Most likely yes. The plan identifies a second school further north of 44 Ranch. When that happens is up to the school district. 5.) How will this impact my taxes? The Montana Department of Revenue is the agency that evaluates how much your property is valued for tax purposes. They do not calculate planning and zoning into their formula. The adoption of the plan does not change the mills the city or county assesses your property.6.) Will Mullan road be expanded to account for the extra traffic. Eventually, yes. That has already been planned, but it will be years out. 7.) Will stop signs and street lights be put up in the 44</p>

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ranch subdivision to help with safety due to heightened traffic. If those intersections meet the threshold for a treatment, than yes. 8.) What impact will there be on the city sewer system. The sewer system and capacity has been evaluated and can accommodate the growth. 9.) What impact will this have on the valuation of my home? Will more houses drive down the value? Unlikely. The consultant we work has been doing these projects for decades. Once built, the neighborhoods are very desirable and attractive. 10.) The current play equipment in 44 ranch was paid for by the homeowners, will they be reimbursed as this is considered a city park? The new developments will need to build their own parks, so no. 11.) In this new development will there be special or federal financing involved? (Section 8, section 42, etc.?) That is not prohibited, developers will have the right to seek those subsidize if they choose. 12.) Has a traffic study been done and if not how can I request one? Traffic modeling has been done in partnership with the BUILD Project. Contact Katie Kleitz, the communications manager for that project. [katie@bigskypublicrelations.com](mailto:katie@bigskypublicrelations.com) 13.) Will improvements be made to intersections and road signals? Yes, certain intersections including George Elmer and Mullan Road will be improved within the next five years. 14.) What impact will storm water runoff have? Anytime an area develops stormwater runoff will increase and this area has had some issues in the past. The status que is to address it on a subdivision by subdivision basis. This plan included an Indepth stormwater section, and the framework for a comprehensive approach to stormwater. The zoning will have stormwater requirements not typically found in local zoning. The information is available on the website [www.mullanareamasterplan.com](http://www.mullanareamasterplan.com) 15.) Has a hydrology study been done? The plan recommends one and the city is working on funding it right now. I think the most important thing to consider is this entire area from Mullan to Broadway is going to get developed regardless if this plan is approved or not. Every single major landowner in the area is selling right now, or has already sold to a developer. I know some people see those empty fields and think this plan is saying we should develop them. That is 100% incorrect. Those fields can already be developed, right now, today, without the plan. The plan isn't saying we should develop this area, it says we should develop this area better. Without this plan, the answer would have been "no" or "don't know" to almost every one of you 15 questions. **Andrew Hagemeier, AICP**

Susan Meadowlark	9/17/2020	General	<p>While I was born in Missoula in '47, we didn't move here until '52. I was fortunate to live here in those early days, and to get to enjoy the slant streets for 40 years. I moved to Flynn Ranch last summer. I could no longer take care of my former home, and found a stand alone home with no steps and an HOA who handles mowing and shoveling, important at my age. I am less than a mile from my son. But my peaceful neighborhood is about to change for the worse. George Elmer will go from the dead-end by my house to a major street. The farm land across from me will become a neighborhood with multiple use housing and buildings more than two stories. That field is and its adjacent trees are currently home to red tailed hawks, geese, and so many other birds, and even fox and coyotes. Why can't we keep some farm land and open space? Why do we have to cater to so much new growth? I am aware that my neighborhood is on former Flynn Ranch farm land. But we are a community with covenants and neighborhood pride, not a hodge podge of buildings. I do not like my native city any more!!</p>	
Melany Imes	9/17/2020	Zoning code	<p>Hi Andrew - I reside at 2551 Flynn Lane in Missoula. We received the memorandum regarding the adoption of Mullan Traditional Neighborhood Development Form-Based Code. Our property is in the highlighted area. I'm not sure exactly what this means, as the memo indicates that it is to guide future growth in the area and to rezone undeveloped portions of the area in the proposed Mullan Traditional Neighborhood Development code. What exactly would our property (which contains a single-family residence and a shop) be subject to in this regard? We are currently in the county. I would appreciate some clarification. Thank you for your time. (Please reply to all so my husband receives your response as well.) Melany Imes</p>	<p>Melany and Justin-I see where you are there right next to Hellgate Elementary. We are not intending to rezone properties that are already developed. Your inclusion into the proposed rezoning is not consistent with our intent. I believe it was an oversight, thinking you were part of the school property when we drafted the boundary. I am going to recommend to the planning board and the County Commissioners that your property not be rezoned and remain C-RR1. You would still have the option to rezone to the proposed form-based code at some point in the future. I would only see you doing that if you wanted to redevelop the property. If you are planning to redevelop the property, let me know and I will not recommend you be removed. The proposed code would allow you many more development options than C-RR1. Let me know if you have any more questions. Andrew Hagemeyer, AICP Andrew- We do not currently desire to redevelop our property, but may consider it in the future. Is there some information I can look at to see what the development options would be in case at some point in the future we would be interested in potentially rezoning to the proposed form-based code? Thanks! Melany Imes Melany-The way the zoning works is a little different. We are proposing to zone the area as a Neighborhood Unit. The Neighborhood Units are very general zoning designations. They tell you what development options are available. These development options are called Transects. The Transects are the specific zoning standards, things like use, density, setbacks, ect. That is why this works best in undeveloped areas, or when redeveloping, as the developer gets to choose what their specific standards are. You would be in the proposed Crossroads Center Neighborhood Unit. However, you are in the Missoula International Airport Extended Approach and Departure Area. The maximum residential density in the airport approach area is 4 units per acre. You could have a commercial use in the future, but what could be depends on the use and how many people would gather there. It's to hypothetical for me to make suggestions, you would have</p>

				to have a specific idea. Either way, if you want to be included, your existing home and shop would be grandfathered. So, no worries there. If you don't want to be included, you could also opt in at some point in the future. Right now, the county will include you for free. To opt in later, you would have to go through an application process and pay a fee. Andrew Hagemeyer, AICP
Christine Larson	9/17/2020	General	Andrew- Thanks for the public meeting information, the link to Missoula Connect and for your time today. What a difference good communication makes not only in understanding a project but also in our civic relationships. Thank you for doing the necessary work of a growing community and for being an effective part of the team process. I look forward to meeting you someday. Until then, stay well. Christine Larson 2405 Half Hitch Dr Missoula 59808	



Apryl	9/20/2020	Master Plan	<p>Thank you for this opportunity to submit comments regarding the Mullan Road Redevelopment. After many years of concern for the area behind my home, I am grateful to have this platform with which to communicate. I am commenting today on the issue of conservation. The area at the west side of the proposed plan, labeled “Hiawatha Farm” in one part of the plan, is a riparian ecosystem that allows for an abundance of wildlife. This area was part of a flood plain mitigation that includes the subdivision I live in. This mitigation was within the last 2 decades, and subsequently has created an area that now has water throughout the year. As a result, habitat exists now where a diversity of wildlife are present. There is a family of Red-Tailed Hawks and a family of Great Horned Owls that live in the trees just above the water. Blue Herons fly overhead and use the cottonwoods as nesting sites. There are visiting Sandhill Cranes each summer. Additionally, there are deer, coyotes, skunks, foxes, frogs, toads, ducks, geese, Red-Winged Blackbirds, Yellow-Headed Blackbirds, and many other birds that choose to visit, live, and nest in the area. There has recently been a family of Bald Eagles with two juveniles frequenting the area as well. Is there any type study being done to determine the effects on wildlife as we spread our urban developments? If not, I would humbly request that this be part of the process for this area. And in determining those potential effects, what will you do to mitigate them? After reading much of the proposed plan at mullanareamasterplan.com, I feel like Dover, Kohl, &amp; Partners offers a unique approach to the area. It is inspiring to see an alternative to housing development that is not based solely on how many units they can put in one acre or how much money they will be able to get out of the project in the long term. However, the current plan, as written, seems to focus on conservation for human use and recreation rather than conservation for the wildlife systems that exist in these areas. It is my opinion that the City of Missoula has approved far too many multi-family dwelling units that destroy habitat, block mountain views, create traffic congestion, and do not fulfill the true desires of the people who have lived here for decades. Many of the apartment areas that have been built toward the west end of Missoula are not anything like what is being proposed in the Mullan Area Master Plan. They lack the CSAs and farm areas, community centers, trails and parks. I am concerned that the vagueness of the zoning request would allow developers and the city to take advantage and create further population density in the area. How can you assure surrounding landowners that our wildlife areas, views, and peace will not be impeded? As my main concern is the for the property directly north of the Mullan Trail subdivision, I would like to request that specific measures be required for building sites. As it is stated currently in the plan, the possibility of apartments and multi-family housing exists. This would mean increased population density in the area which brings noise, light, and consumer pollution. It does not reflect abundant wildlife conservation efforts in that area, and I am deeply concerned about this. In the Master Plan documents, I find it confusing and vague that there are multiple maps that indicate “Community Center” or “Hiawatha Farm”. These terms do not have any solidification at this point and seem arbitrary and vague. Please consider the landowners to the south of the proposed plan in the final proposal. I would like to suggest a height restriction on buildings, the elimination of the multi-family units in that area, and fewer through-traffic areas. Many of the residents in the area use Hiawatha Road as a walking trail for our families and pets, and we would appreciate your consideration of our lifestyles in your decision making. In closing, I understand that Missoula is growing and there are many people who want to call our beautiful valley home, regardless of how I feel about it. However, wildlife conservation is fundamental to Western Montana, and Missoula’s growth should reflect our values. I ask that you consider an option for the area I have addressed that is reasonable, applicable, and sound based in conservation standards and goals. Thank you.</p>
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Leslie & Philip Mullette	9/21/2020	Zoning Code	<p>We are residents of the Pleasant View neighborhood. We wish to express our concerns about the Adoption of the Mullan Traditional Neighborhood Development Form-Based Code. We realize that you are in the beginning stages of this approval process, but would like to express our concerns about the traffic burdens that will obviously affect our neighborhood. Based on the boundaries of this proposed district, it appears that little consideration has been made on addressing adequate and safe traffic flow. Specifically, we are concerned that there appears to be limited streets being added to address north/south traffic flow, other than dumping most of the traffic on to England Blvd. Our homes border England Blvd. and we have noticed that traffic flow has increased significantly over the past few years. During the school year, there are no less than 10 school buses that use England Blvd causing increased noise and congestion twice daily. Our neighborhood association has been discussing options to address these concerns for years, but little has been done to resolve the traffic issues. We are hoping that you plan to study and address these traffic issues. There are several areas where traffic bottlenecks occur including both the north and south ends of Flynn Lane and the intersection of England Blvd and Reserve. For years we have been told that Mary Jane will eventually be expanded from Broadway to Mullan Rd to relieve this congestion, but to date no changes have been made to facilitate this. Some of the suggestions that have been made to address these bottlenecks include adding a stoplight at both ends of Flynn Lane and adding a right hand turn lane at the intersection of England and Reserve; but again, we have seen no progress regarding these suggestions. We would be interested in knowing what you plan to do to adequately address the current and future traffic flow issues. Will there be a process for those of us living in this area to be able to provide input to your planning board? Your letter dated September 11, 2020 mentioned that notification went out to all property owners within the proposed rezoning or within 300 feet. We feel that you should expand this notification to all residents of Pleasant View Estates, as the increased traffic flow will affect this entire neighborhood. We look forward to hearing back from you regarding our concerns. Respectively submitted, Leslie and Phillip Mullette 2798 Fleet Street</p>	
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Christine	9/21/2020		<p>The Mullan Master Plan looks great. One important clarification is needed. REFERENCES MUST BE MADE AS WELL AS EMPHASIZED TO INFORM RESIDENTS* that MPO (Missoula Metropolitan Planning Organization – in charge of planning and providing a safe and efficient transportation system), intends to improve Mullan Road. • Residents need to know that the Mullan Master Plan Development Team and MPO have congruent plans, including the need to make Mullan Road safe, convenient, and able to accommodate the ongoing and significant increase in vehicle traffic. • Without a clear understanding, concerned residents are left to imagine the worst regarding normal, daily traffic as well as dangerously obstructed traffic, of personal and emergency vehicles, in the event of evacuation.** Montana’s wildfire history, the current fires on the west coast, and the reality of climate change make evacuation a distinct possibility. The Mullan Master Plan introduces the goal of expanding Missoula’s housing options along with the creation of an attractive, safe, and livable neighborhood community. *City and County proposals often use condensed, vague language. Continue to clarify by using easily understood words and sentences. **Mullan Area offers the appeal of wildland/urban interface as well as classification as a high wildfire risk area. Residents depend on city and county government to continue its obligation to safe guard the public.</p>	
Missoula County Clerk and Recorder	9/16/2020	General	No Comment	
Missoula County Public Works	9/21/2020	General	No Comment	

Home Resource	9/21/2020	Zoning code	<p>To the City and County of Missoula Planning Staff: Missoula is leading the charge throughout Montana in its commitment to environmental sustainability: in 2018, The Missoula City Council unanimously adopted the ZERO by FIFTY goal to reduce Missoula’s waste stream by 90% by 2050; and in 2019 both the City of Missoula as well as Missoula County adopted a joint resolution that establishes a goal of 100% clean electricity for the Missoula urban area by 2030. As part of the effort, Home ReSource, with support from the City of Missoula, has initiated a Zero Waste Infrastructure Task Force. The purpose of the Task Force is to advise the City of Missoula and Missoula County on how to achieve the infrastructure goals defined in the Zero by Fifty Zero Waste Plan adopted by Missoula City Council in 2018. This is an important effort that will help Missoula to reduce the amount and toxicity of waste generated in the county, conserve mineral, fossil fuel and forest resources, and to mitigate the effects of climate change. The Task Force would like to make the following recommendations in regards to the Mullan Area Master Plan, as the City and County consider zoning and code requirements for future development. This is an excellent opportunity to create a model zero waste neighborhood to guide development and redevelopment in Missoula and beyond. The Task Force is available to offer guidance and support as this project moves along, and is fully committed to the success of a zero waste Mullan Area neighborhoods. Our recommendations include: 1. In order to reduce the amount of materials sent to the landfill, ensure opportunities for recycling and composting wherever trash receptacles are located. Initial funding and longterm maintenance for this requirement could be found through a traditional HOA structure or, even better, attaching it to a parks maintenance or lighting SID. Requirements include: 1515 Wyoming Street, Missoula, MT 59801   406.541.8301 office   406.541.8300 store   homeresource.org a. Public areas such as sidewalks and business centers shall have three bin collection systems, with instructional signage, to collect landfill, compostable, and recyclable materials. b. Enclosure areas must have adequate storage space for landfill, compostable, and recyclable materials collection dumpsters and/or compactors. Relevant city code and examples can be seen from the City of Palo Alto. 2. The Mullan Area Master Plan should incorporate sustainable building practices into its requirements and criteria for potential developers. Sustainable building practices include, but are not limited to, deconstruction over demolition, reduction of waste on building job sites, incorporating reuse and sustainable materials into buildings, and increasing energy efficiency and water conservation efforts. These recommendations will help to ensure that the future Mullan Area neighborhood residents have the ability to reduce their environmental footprint, and supports the City’s goals of zero waste. Thank you for your consideration. Sincerely, The members of the Zero Waste Infrastructure Task Force: Chase Jones – City of Missoula Chris Behan – Missoula Redevelopment Agency Mike Kadas - Community Member Amber Sherrill – Missoula City Council Travis Ross –Water Quality District Heidi West – Missoula City Council Katie Deuel – Home ReSource Leigh Ratterman – Home ReSource</p>	