

Location	BEST PRACTICE TOPICS				Description of best practice	Outcomes	How is it applicable to Missoula?
	Public Comment	Streamlined Process	Affordable Housing Opportunities	Aligning with Local Policies			
1 Adams County, CO		X			In Adams County, CO, the requirements for parks dedications are divided into different categories - a neighborhood park or a regional open spaces. For projects that generate a parks requirement of less than 2 acres, the applicant may chose a cash-in-lieu payment by right, but real land dedications are required for projects that have requirements larger than 2 acres.	Clarity and options are provided to applicants related to land dedication required	Missoula could consider adding a standard allowing a cash-in-lieu payment by right for very small dedication standards. This might be most applicable in TED projects
2 Albuquerque, NM		X		X	1-8(A) If two or more of the regulations in this IDO conflict with each other, the more restrictive provision shall prevail, unless specified otherwise, except that when the provisions of an Overlay zone conflict with any other regulation in this IDO, the provisions of the Overlay zone shall prevail regardless of whether the Overlay zone provisions are less or more restrictive than the other regulations.  The City of Albuquerque includes language to establish hierarchy amongst conflicting code language.	The applicant has clarity even when there is inconsistent information in the code and regulations.	Because of the many sections in the Missoula municipal code, and the many agencies involved in the process, sometimes with differing or competing code requirements, the Missoula code and regulation can be confusing and inconsistent. If Missoula added language that establishes a hierarchy or direction about how to resolve inconsistencies then the development process will be more predicable for applicants.
3 Albuquerque, NM		X			The Development Process Manual provides clear guidance to developers in Albuquerque. The sections within the document include: development procedures; impact fees regulation; construction plan standards; recordable and development documents; drainage, flood control, and erosion control; transportation design; sanitary sewer design criteria; water system design criteria; surveys and monumentation; landscape and irrigation.	Developers can quickly find direction on the type of land use application required for their project as well as design criteria for their project.	City staff and developer teams acknowledge that the confusion surrounding the development process in Missoula causes issues. City staff is burdened with frequent repetitive questions about requirements. Applicants often make mistakes or they do not refer to the appropriate code or regulation language for their projects. A Development Process Manual would alleviate some pressure from the City staff and also create more clarity for applicants.
6 Amherst, MA			X		The Amherst, MA code include Cluster Subdivision regulations intended to provide an opportunity for a diversity of housing types in a development. Their code states: "A minimum of 40% of the total dwelling units shall be single-family dwellings. A minimum of 20% of the total dwelling units shall be non-zero lot line, single family dwellings. A maximum of 60% of the dwelling units may be two-family dwellings. A maximum of 30% of the total dwelling units may be attached dwellings, There shall be no more than eight attached dwelling units allowed in one building." (Sec 4.325)	Developer understands preferred unit mix for subdivision development.	While the specific percentages for housing types may not necessarily be applicable to Missoula, the concept of identifying the preferred housing types as part of the code could be an opportunity for Missoula to incorporate the Growth Policy into the subdivision and/or zoning requirements.
7 Bend, OR			X		The Bend Code outlines options for infill on lots that are "overlooked by traditional development patterns," because the lot has unique characteristics. Bend also includes a section allowing Cottage Housing (Sec 4.5.500), which is intended to provide housing that responds to different household sizes and ages (retirees, small families, and single-person households). This is a form of subdivision that creates special land division to enable smaller homes and is only available in certain Residential Zone Districts (Standard Density, Medium Density, and Medium-10 Density), and allow the development of units 1,200 sq ft or less.	Infill development can occur on unusual lots; housing is provided for diverse market segments at an affordable price; smaller dwelling unit sizes are allowed in some residential districts.	The Cottage Homes is a code innovation in Bend, OR that is applicable to Missoula. While Bend addresses this from both lot size and unit sizes, in Missoula adjustments to minimum lot size requirements are likely most applicable. This regulation could provide opportunities on lots that were previously undevelopable because of their size. The reduction of lot size requirements for subdivision exemptions could also be a way to implement this idea.

8	Bend, OR		X	X	<p>The Code includes Minimum Densities for all development which promotes additional residential development in the community. In the Multi-family zone districts (RM and RH), the Bend code specifically prescribes a mix of unit types in order to “ensure a mix of housing types that meet the City’s overall housing needs.” For the purposes of calculating density requirements, nearly all land in a residential subdivision or neighborhood is included, resulting in higher allowed densities than if these common use areas and infrastructure areas were not included. For instance, areas that will be future streets and areas of land that are environmentally sensitive are included in the calculation, even though development would not be located in those areas.</p>	<p>More housing types, more density, density incentives for developers to align with housing policy goals</p>	<p>Missoula has goals related to increasing housing supply and options, and the Bend code could be an example related to incorporating a mix of unit types into its housing inventory through minimum density requirements and more varied standards for building height, lot size, etc. Generally, Missoula uses a density calculation method similar to Bend, which is a good best practice to enable more residential units. The Missoula code has some density reductions related to floodplain and hillside considerations. The City could consider adjusting this to be more similar to Bend, where the same base density is allowed but development is prohibited on these sensitive lands.</p>
9	Bend, OR		X		<p>In Bend, there are a number of specific requirements and policies related to minimum and maximum parking requirements that work together to promote overall walkability and development that prioritizes people over cars. Shared parking, as well as parking reductions to encourage development near transit facilities and affordable housing is promoted in their code. Additionally, the code does not require off-street parking requirement for Accessory Dwelling Units (ADUs), and explicitly states that driveways and carports count towards the calculation of the parking requirement for single-family homes. There are alternative minimums for residential dwelling units within mixed-use developments, regardless of unit mix, and for commercial spaces within mixed-use developments.</p>	<p>Bend, OR has considered progressive parking practices to reduce the burden of parking on new developments and new housing supply.</p>	<p>Parking requirements can be a barrier for developers to provide additional housing units. The flexibility offered in Bend can be considered for Missoula so that parcels are more likely to be developed to their allowable density without limitations from parking. Missoula is currently pursuing changes to eliminate parking requirements for ADUs, which would help reduce one barrier to the creation of different housing types. Missoula could consider extending the reductions allowed in the Design Excellence Overlay to other areas as a way to help support land developed as housing, rather than parking. Reductions for parking requirements in mixed-use buildings would also assist in reducing the need to dedicate land to parking and instead free that land for housing.</p>
10	Billings, MT	X			<p>Billings Code Section 23-302 Major Subdivisions. (A) Pre-application meeting: the applicant submits sketch plans to the Planning Director. Planning Director will schedule the pre-app meeting within 15 days. Appendix C indicates minimal requirements for the pre-application meeting (an early conceptual plan). The Planning Department provides a list of potential additional materials and a list of questions the applicant should anticipate. Regarding the sufficiency review, Section 23-302 (G)(2), affected agency review period is 10 working days with the following language about agencies that opt out: "The affected entities shall respond to the Planning staff within approximately ten (10) working days. A public utility or agency review may not delay the governing body’s action on the plan beyond the sixty (60) or eighty (80) working day review period. Failure of any agency to complete a review of a plat will not be the basis for denial of the plat by the governing body (76-3-504(1)(i), MCA)."</p> <p>A development process flow chart is also included in the subdivision regulation (Section 23-308)</p>	<p>A clear and streamlined process that applicants can anticipate</p>	<p>Missoula can consider adopting some of the Billings approach including a reduced timeline and reduced scope for applicant materials for the pre-application meeting.</p> <p>The agency review period for major subdivisions could be lowered in Missoula with reduced weight on comments from agencies that are tardy or do not participate. Similar language is also included in the Bozeman code. It is important to note that this adjustment should not impact critical life safety regulations. Alternatively, Missoula could consider updating the internal referral process to place additional focus on responses to development applications. This would require a conversation with the departments and City Council to determine what other work would be de-prioritized or take longer given work loads and staff capacity.</p> <p>A development flow chart offers a visual diagram of the various subdivision approval processes and could be further incorporated into Missoula's forms to provide clarity to applicants.</p>

11	Billings, MT		X			Billings Code Section 23-305, Subdivisions Qualifying for Expediated Review for first minor subdivisions, outlines the process for providing a faster review process.	An expediated process for amendments will result in housing supply delivered efficiently.	Expediated review is allowed under current state law but Missoula does not explicitly have this option available to developers. Adding this option will offer another tool for developers to provide fee-simple housing for Missoula residents.
12	Billings, MT		X			Section 23-306 Amended Plats. Amended plats shall be processed as first minor subdivisions if they meet criteria, otherwise they are processed as major subdivisions.	A simple process for plat amendments will result in housing supply delivered efficiently.	The Billings code is clearer about how amendments are processed. There have been comments from the development community indicating projects they feel are minor get pushed to the back of the review queue rather than moved through more expeditiously. This could be a case of the amendments not meeting established thresholds. A simpler and more straightforward way to deal with amendments could allow for developments to be delivered to Missoula home buyers more quickly.
13	Billings, MT		X			The Billings Parks and Open Space requirements include more detailed language about how a cash-in-lieu amount is determined in the review process. There are 3 options the applicant can use to determine the fair market value of the land being subdivided - a Comparative Market Analysis for a licensed realtor (using 3 comparable parcels of land that have sold within the last year and located within 2 miles of the proposed subdivision); a raw land appraisal; or the sale price of the property if purchased within the last year. (Sec 23-1006)	Developers have clear guidance and options for determining a required cash contribution for parks land.	The Missoula code lists an Appraisal Method for the parks dedication requirements. In some of the case study conversations, there were comments raised about confusion around required mitigation, and about what type of cash dedication is accepted. In one case this decision had to be resolved through a Council review. The Billings code provides 3 clear options that are at the choice of the developer, providing clarity and consistency across all projects.
14	Bozeman, MT	X	X			Bozeman required one public hearing in their review process and does not require a neighborhood meeting. (Table 38.220.420) Additionally, the Planning Commission has delegated the review of all minor subdivisions to the Planning Director, and a written public comment period but no public hearing is required for these reviews. (pursuant to MCA 76-1-107, and Bozeman section 38.240.130.A.3)	Reduced scope requirements for the application process as it relates to public participation.	Missoula can eliminate the neighborhood meeting prior to the subdivision application submittal. Knowing that community input is important to Missoula, another option is to adjust the scale of the neighborhood meeting. The meeting could be reduced to an informational mailer to nearby property owners. The mailer could include the conceptual site plan and a list of policies from adopted plans (Housing Plan, Growth Policy, etc) that the development supports. The mailing can make clear that the public contributed to the policies found in the adopted plans and the developer is only executing the planning documents through the development project. The neighbors can participate in the public hearing during the governing body review. This same type of mailer could be used as part of the minor subdivision review process if Missoula were to delegate those reviews to staff.  Additionally, Missoula could consider adjusting the overall public hearing process to a single public hearing for Major Subdivisions, and to an administrative review for Minor Subdivisions. These best practices create a more streamlined process in Bozeman and is worth exploring in Missoula.

15	Bozeman, MT		X		<p>Bozeman has adopted a Unified Development Code (UDC, also sometimes known as a UDO). This means that all zoning, development standards, and subdivision requirements are in one chapter of the municipal code, and are generally clearly cross-referenced. This creates additional predictability and clarity for anyone involved in the process. Additionally, because design standards and dedication standards, as well as application processes and contents requirements are included in individual sections of the code, the subdivision chapter is just 30 pages. The result is that, generally speaking, all development applications have similar requirements and there is not duplication in the documents required when an application triggers multiple reviews.</p>	<p>Staff, Community, and Developer only have 1 set of codes to review and administer, resulting in less confusion and more consistency between regulations.</p>	<p>There are many jurisdictions across the county using a UDC or UDO that could be cited in this best practice. The Bozeman example was included because it illustrates this is an applicable tool in Montana. Missoula could consider an update to the development regulations to bring them into a single document. This would create increased predictability and clarity in the overall process. The UDC or UDO is an effective way to ensure the rules for development work in tandem, do not include redundancies, and are consistently applied. (A short video explaining why a UDO is a good tool is available on the City of Charlotte, NC's youtube channel: <a href="https://www.youtube.com/watch?v=iYU6zAD2SR0">https://www.youtube.com/watch?v=iYU6zAD2SR0</a>)</p>
16	Bozeman, MT		X		<p>Bozeman provides a simple hand out that assists property owners, planners, and the community, in understanding the Subdivision process, including exemptions. The brochure describes where subdivision apply, and articulates the differences between a Major and a Minor Subdivision, and includes a flow chart that clearly shows the steps involved.</p>	<p>Developers can quickly understand the type of subdivision process required for their project as well as timelines.</p>	<p>The Development Process Manual, the use of a brochure or other simple handout to explain the subdivision process would add to the clarity for landowners and developers, as well as community members.</p>
17	Carbondale, CO			X	<p>Carbondale allows "Alternative Compliance" for certain land use review when an applicant can demonstrate that a different design better meets the intent of the code. (Sec 5.1.3) This review is limited to specific design requirements. Important, the Carbondale code states that this alternative compliance is reviewed by the decision making body responsible for the overall development review, and does not require an additional or heightened review.</p>	<p>Carbondale supports developer innovation and current best practices with this code language.</p>	<p>Language for an "alternative compliance" would allow some flexibility for developers to pursue current best practices and innovative concepts. The "alternative compliance" can be assessed against the intent of the current code as well as policy documents that may not be codified yet. This can be limited to certain review types to ensure it is not used in every application. In the context of subdivision, this could be used to adjust design standards for Transportation and Connectivity, Parks and Open Space, and Streets and Block design. The Missoula code includes some of these concepts with the PUD Process, but this adds a level of review and complexity that is not required in the Carbondale example.</p>
18	Langley, WA			X	<p>Cottage housing is generally defined as a grouping of small, single family dwelling units clustered around a common area and developed with a coherent plan for the entire site. They have gained popularity in recent years as a type of infill development on small sites within existing developed areas. The cottage units may have other shared amenities. The shared common area and coordinated design may allow densities that are somewhat higher than typical in single-family neighborhoods while minimizing impacts on adjacent residential areas. As a result, cottage housing can offer its owners a quality living experience that is less expensive than traditional single family housing. The clustered arrangement can also contribute to a strong sense of community within the cottage housing site itself. Even so, its departure from existing patterns and its higher density have generated neighborhood resistance in some communities.</p>	<p>Cottage housing provides a degree of privacy and some of the benefits of single-family housing, combined with the lower cost and maintenance of attached housing.</p>	<p>Cottage Housing Developments could increase the feasibility of developing affordable housing on infill sites with its smaller footprint and reduced impacts on adjacent residents. There may be opportunities to incorporate these ideas in the TED process, or in the cluster regulations.</p>

19	Salida, CO		X		<p>Salida offers several parking reduction options for projects that provide desirable community assets. For example, multifamily developments wherein at least 12.5% of the units provided are affordable can use a parking ratio of 1 space per unit for all units in the development. Existing developments within the CBD that are densifying or changing use without increasing the building footprint are wholly exempt from off-street parking requirements. Salida also offers parking reductions for developments wherein applications can prove a reduced parking demand through shared parking principles or localized parking ratios and other factor (Sec 16.13.50, Sec 16.8.80) .</p>	<p>Parking reductions allow for more parcel area to be dedicated to housing units.</p>	<p>Lower parking requirements for residential uses are good options for Missoula, especially in areas of the community where more residential development is needed. Parking reductions for desirable land uses would also allow Missoula to encourage private creation of community needs—such as affordable housing—while offering a desirable concession to the developer. Finally, parking reductions for a localized, contextual calculation of actual parking needs are a great way to avoid overbuilding or underbuilding parking in the community. Missoula currently has no parking requirements in the CBD, but could consider expanding these reduced parking principles in other areas based on community goals and neighborhood characteristics.</p>
20	Salida, CO		X		<p>Sec. 16-6-120 and Sec. 16-7-40 detail that any planned development, minor or major subdivision project or condominium project with 5 or more units shall dedicate and develop land or pay a fee-in-lieu for the purpose of providing active parks, open space, passive recreation facilities and/or recreation trails for the benefit of those who occupy the property but made accessible to the public. The code lists a consistent rate of two-hundredths of an acre per unit.</p> <p>Where the dedication of land for parks, trails or open space is not possible due to location or geography, the City may require a cash fee in lieu of dedication based on land values. These should be placed into a City development fund to be used for future acquisition of parks, trails or open space.</p> <p>If the land proposed for dedication is an extraordinary contribution that meets a highly desired community purpose, then the Planning Commission may recommend a reduction of the overall dedication requirement. In lieu of dedicating land within the development, the applicant may dedicate an alternate parcel of land to the City, consisting of the same number of acres in another area, if the City determines it is capable of use for recreational purposes and will serve the proposed development.</p> <p>In Sec. 16-7-40 trails and planned developments are detailed; planned developments must provide reasonable effort to connect to nearby trails, parks and open space so that green corridors define urban areas. Any trails in the City's Comprehensive Plan or Parks Master Plan must be included in the PD. And whenever a planned development includes land identified in an adopted community plan, such land shall be dedicated to the City and such dedication shall be credited against any required land dedication.</p>	<p>Salida has options that the developer can choose from to provide a parks dedication requirement.</p>	<p>By allowing for options such as extraordinary contributions, alternate parcel dedication, and fee-in-lieu there is flexibility that is developer friendly while still encouraging the provision of public amenities. By aligning provision of parks, open space and trails with adopted community plans like the Parks Master Plan this ensures there is coordination throughout the City and that the long-term future has been considered. The consistency across types of developments (rate of two-hundredths acre per unit) also provides reliability to the procedure. Creating some predictability in the options could be an improvement for the process.</p>
21	Santa Cruz, CA		X		<p>Like most of California, the City of Santa Cruz has experienced a housing imbalance and a high cost of living for many years. The state of California recently added new legislation to encourage the development of Accessory Dwelling Units as a way to address some of these housing and affordability issues. In Santa Cruz, ADUs are allowed on any property zoned for residential or mixed-use, including single-family homes and parcels developed with multi-family housing. Importantly to ensure these new units are used as housing, they are not permitted to be used as short-term rentals.</p>	<p>ADUs, Carriage Houses, and Granny Flats provide different housing types that can meet increased housing needs.</p>	<p>Montana's state enabling legislation is quite different from California, but the concept of ADUs being allowed in a variety of scenarios is one way to address diversity of housing types. In the ADU regulations, there is a prohibition of ADUs as part of TED Ownership Units. This limitation could be reconsidered as a way to enable additional housing stock in certain areas. However, additional legal review would be needed for this option to ensure it complies with state law relative to primary and secondary units in TEDs.</p>

22	Serenbe, GA			X	<p>Serenbe is a 1,000 acre new community in Georgia developed through a cluster development process that preserved natural areas, created agriculture-based development and programming, and includes plans for 1,200 units at build out. The preservation of land focused on agriculture, walkability, and open spaces was a unique project in the south and is a model for integrating agricultural preservation with new development.</p>	<p>Opportunities to integrate working agriculture with development</p>	<p>This new community has received a great deal of attention for its ability to integrate agricultural production and agri-tourism as a basic tenant of the development. This type of project could be of interest in Missoula as a way to preserve working or high-quality agricultural spaces. This could include updates to the cluster subdivision process, as well as general development standards to minimize paved areas in support of preserved lands and more walkable neighborhood.</p>
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