

# City of Missoula

## Development Regulation Review & Recommendations Report LUP Committee Meeting #2



**DESIGNWORKSHOP**

September 23, 2020



## INTRODUCTIONS – DESIGN WORKSHOP



DESIGN  
WORKSHOP



**JESSICA GARROW**  
PROJECT MANAGER



**ANNA LAYBOURN**  
PRINCIPAL-IN-CHARGE

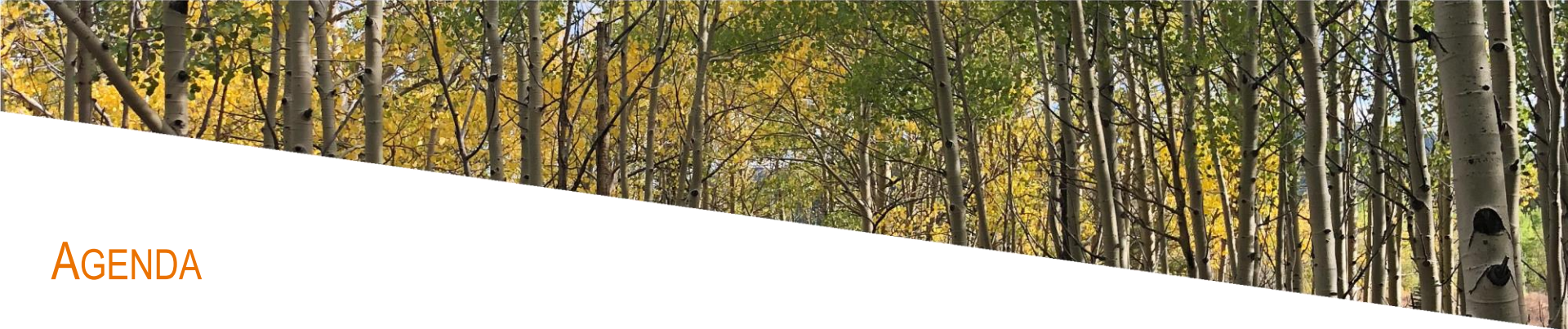


**NICOLE REBECK-STOUT**  
PLANNER



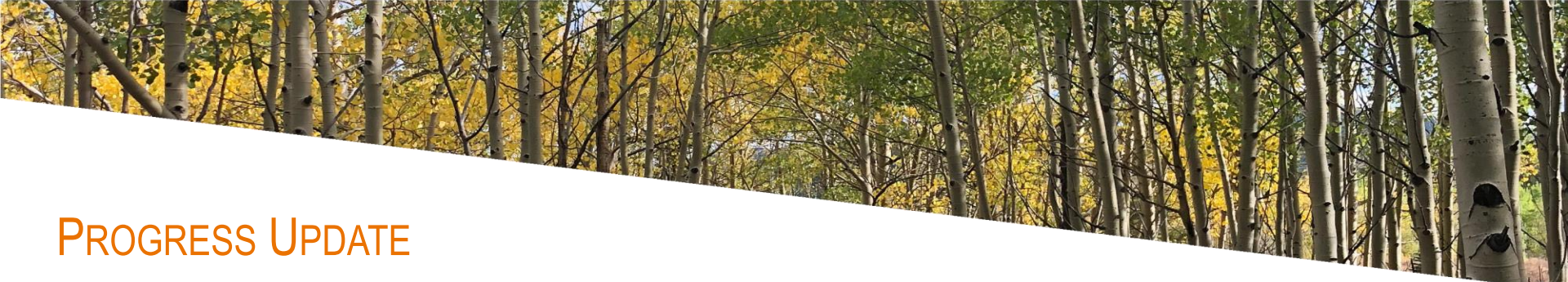
**BROOKS COWLES**  
HOUSING & ECONOMICS





## AGENDA

|                                                                           |
|---------------------------------------------------------------------------|
| Intro & Update                                                            |
| Best Practices                                                            |
| <ul style="list-style-type: none"><li>• Overview &amp; Analysis</li></ul> |
| <ul style="list-style-type: none"><li>• Discussion</li></ul>              |
| Case Studies                                                              |
| Existing Code & State Law Analysis                                        |
| Closing & Next Steps                                                      |



## PROGRESS UPDATE

### ENGAGE MISSOULA

- Project information
- Working Group documents
- Background information
- Open Engagement Opportunity

### INTERVIEWS

- 20 interviews completed
- Multiple perspectives
- Very productive
- City Radio Interview

### COMMUNITY QUESTIONNAIRE

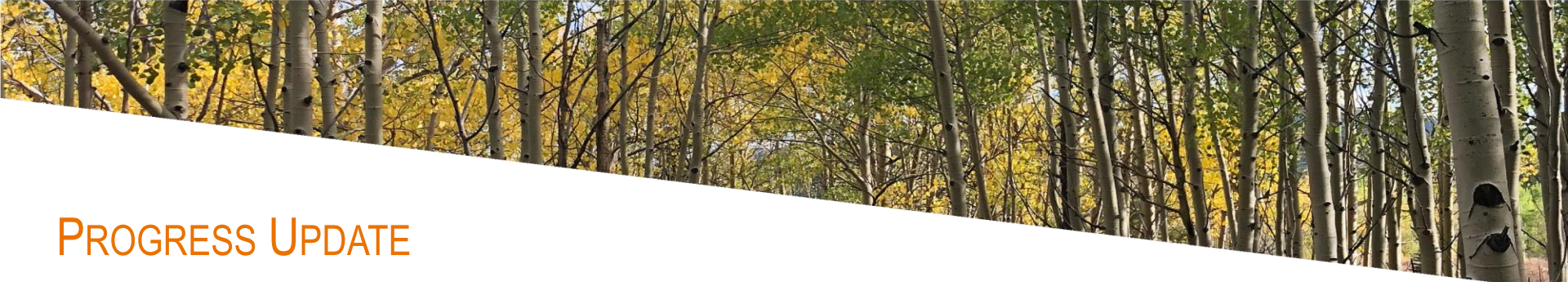
- 120 Participants
- Diverse community representation
- Also completing an Environmental focus group via online questionnaire

## COMMUNITY QUESTIONNAIRE

### MOST IMPORTANT TOPICS

| Create affordable housing (84%) |  |  |  |  |  | Flexibility (43%)                   |  |  |  |  |  |
|---------------------------------|--|--|--|--|--|-------------------------------------|--|--|--|--|--|
| Simplify regulations (48%)      |  |  |  |  |  | Neighborhood specific (68%)         |  |  |  |  |  |
| Faster process (39%)            |  |  |  |  |  | Physical features regulations (88%) |  |  |  |  |  |
| Consistent with values (89%)    |  |  |  |  |  | Align with policy documents (83%)   |  |  |  |  |  |
| Predictability (68%)            |  |  |  |  |  | Align with other regulations (69%)  |  |  |  |  |  |
| Improve comment process (69%)   |  |  |  |  |  |                                     |  |  |  |  |  |





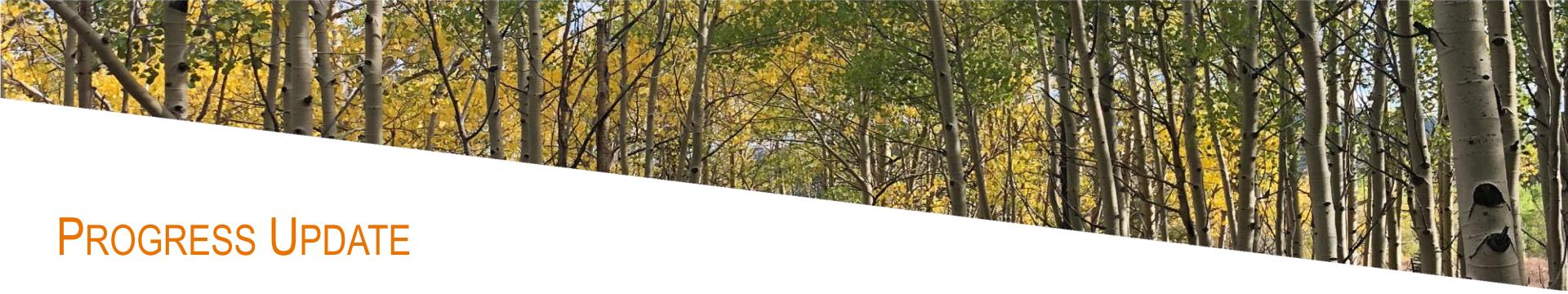
## PROGRESS UPDATE

### BEST PRACTICES

- Final document, includes Montana and National examples
- Focus on code innovations within key themes
- Input today will influence what is included in Recommendations Report

### CASE STUDIES

- Drafts completed with three rounds of review
- Final refinements to be made in coming week
- Input needed from the working group on lessons learned and takeaways



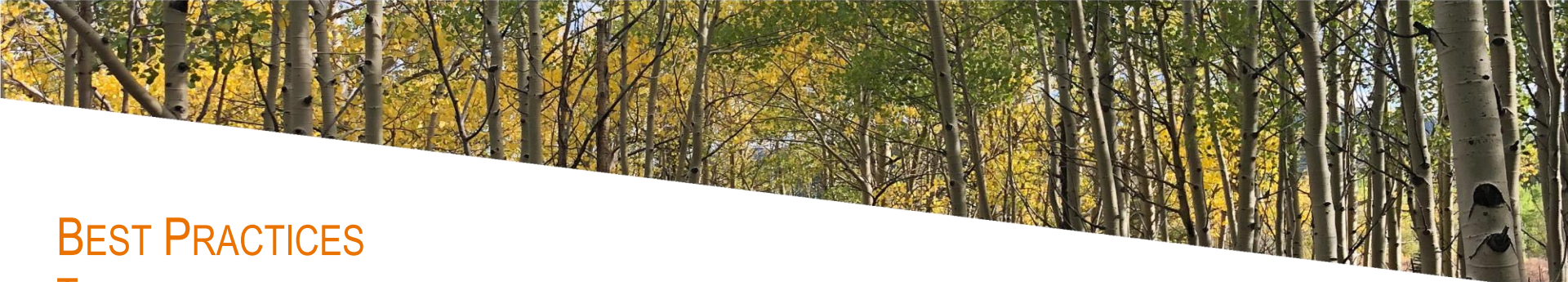
## PROGRESS UPDATE

### STATE LAW ANALYSIS

- Final document focused on exemptions, standard procedures, and application requirements.
- Opportunities for adjustments to Missoula's process under current state law
- Input today will influence what is included in Recommendations Report

### EXISTING CODE ANALYSIS

- Final document focusing on process.
- Process Flow Charts completed and on Engage Missoula.
- Additional detail on review criteria to be incorporated into Recommendations Report.



## BEST PRACTICES THEMES

### **Public Comment**

- Public Hearings versus Written Comments
- Administrative Options

### **Streamlined Process**

- Clarity in dedication options
- Handouts and Checklists
- Unified Development Code

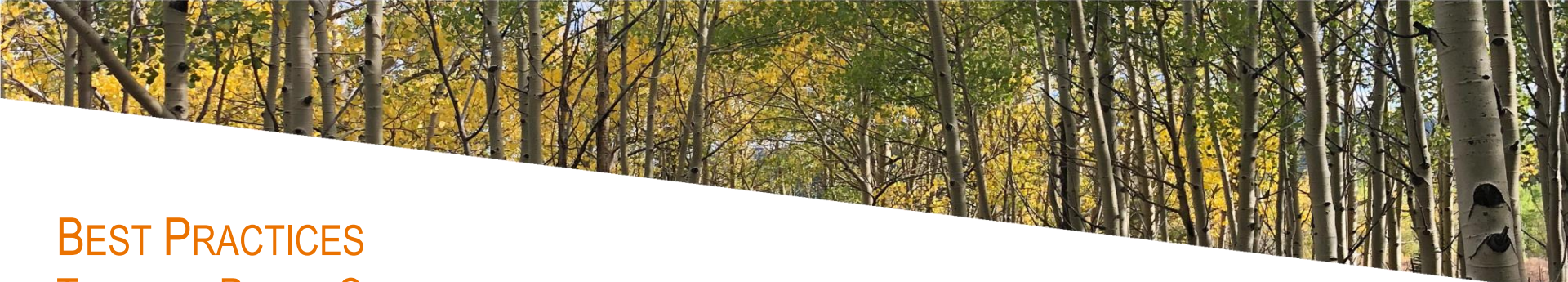
### **Housing Opportunities**

- Allowable Density
- Parking Requirements

### **Policy Alignment**

- Code hierarchy
- Incentives for infill
- Agriculture consideration





## BEST PRACTICES

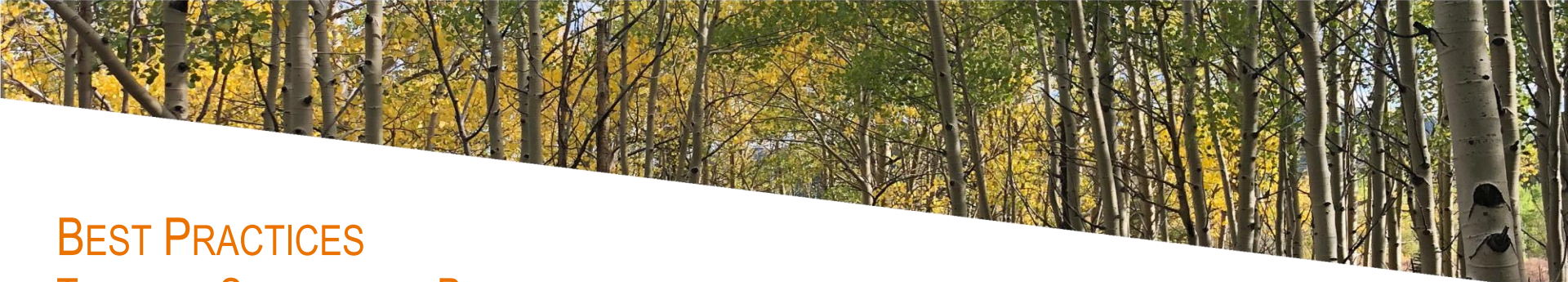
### THEMES – PUBLIC COMMENT

#### **Streamlined Community Input**

- Neighborhood meeting
- Administrative Review of Minor Subdivisions
  - Includes written comment period

#### **Potential Application in Missoula**

- Informational mailer for public notification, and opportunity to comment in upcoming public hearing process
- Adjust timing of neighborhood meeting to after the application submittal
- Administrative Review for Minor



## BEST PRACTICES

### THEMES – STREAMLINED PROCESS

#### **Parks Dedication**

- Allow FIL by right for small requirements
- Clarity on FIL calculation

#### **UDO**

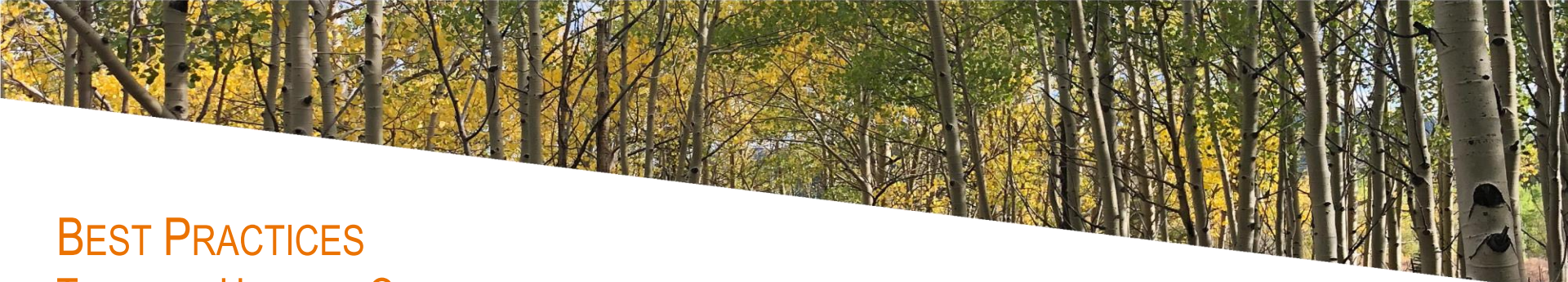
- Create hierarchy in requirements
- Shorter code, with less duplication

#### **Handouts and Checklists**

- Clear flow charts that outline process and timeline expectations
- Development Process Manual

#### **Potential Application in Missoula**

- Clarify parks calculations and options
- Create new handouts
- Move toward a UDO
- Establish hierarchy in regulations



## BEST PRACTICES

### THEMES – HOUSING OPPORTUNITIES

#### **Density**

- Housing type diversity
- Cluster Subdivisions
- ADUs and Cottage Housing
- Gross versus Net calculations

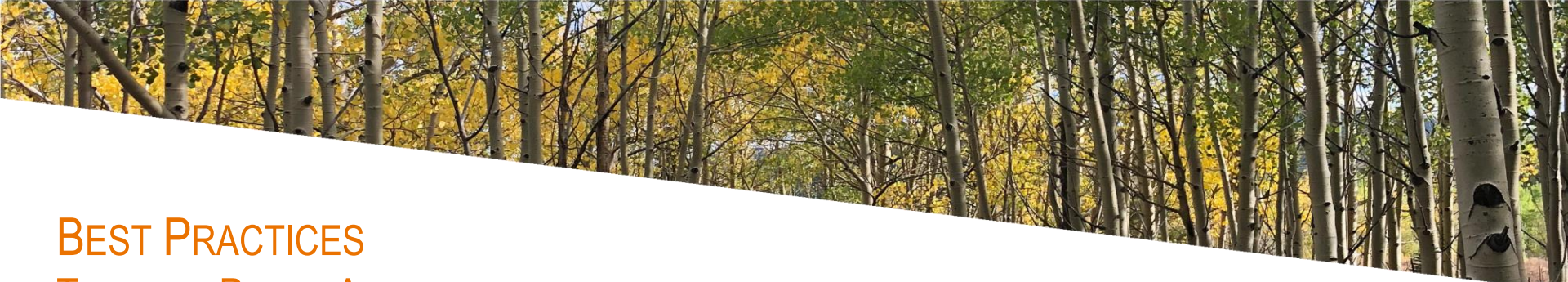
#### **Parking**

- Reduced parking requirements in certain locations, and for certain uses

#### **Potential Application in Missoula**

- Remove density reduction for floodplain / hillside considerations (while continuing to limit development in those areas)
- Expand areas with reduced parking requirements
- Increase allowed density on infill lots or in Cluster Subdivisions





## BEST PRACTICES

### THEMES – POLICY ALIGNMENT

#### **Code Hierarchy**

- State which regulation – type or level of restriction – supersedes others
- UDO

#### **Infill Incentives**

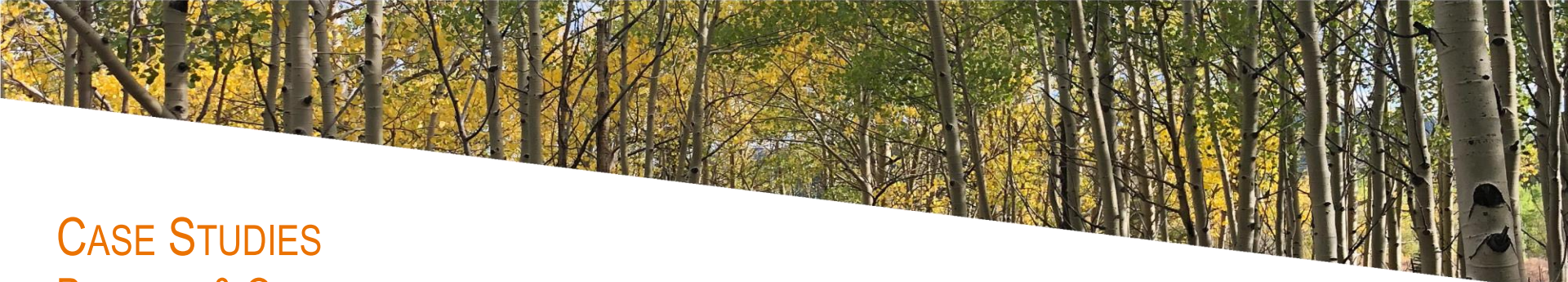
- Allow maximum density calculation
- Alternative compliance

#### **Agricultural Lands**

- Agri-tourism options
- Cluster development

#### **Potential Application in Missoula**

- Move toward a UDO
- Establish hierarchy in regulations
- Consider flexibility in requirements to encourage affordable housing
- Incorporate agriculture



## CASE STUDIES

### PROCESS & OVERVIEW

#### **Developer Perspective**

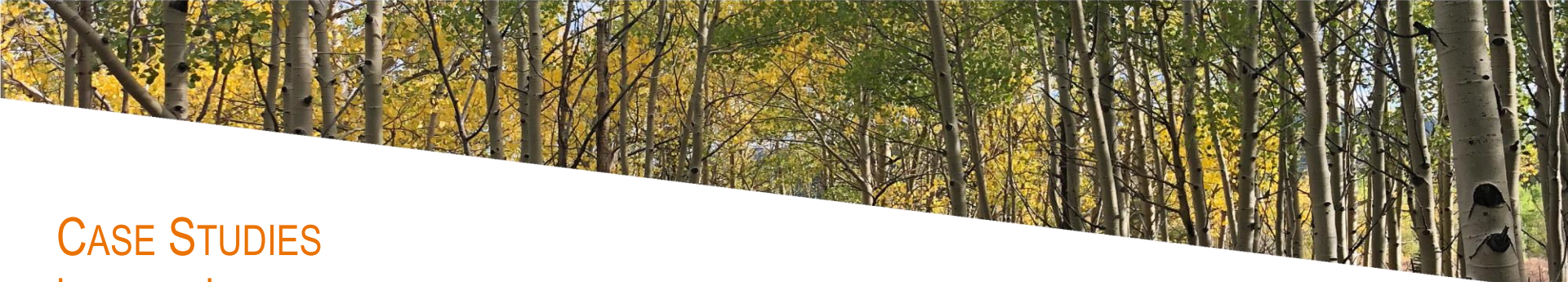
- Interviews
- Meeting record review
- Draft review
- Final input

#### **City Perspective**

- Initial Documentation
- Draft review
- Dev. Services review
- Final input

#### **Lessons Learned**

- Individual takeaways
- Holistic analysis in progress

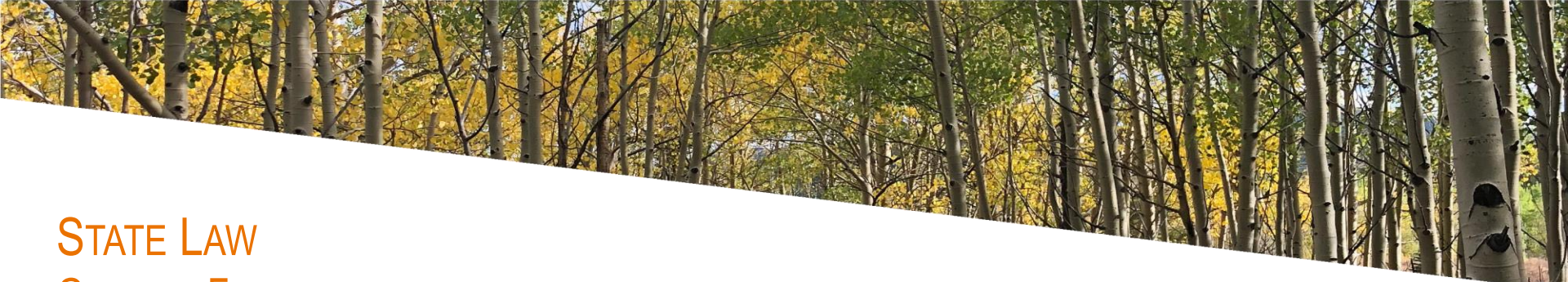


## CASE STUDIES

### LESSONS LEARNED

| Process              | Regulatory                           | Wins                         |
|----------------------|--------------------------------------|------------------------------|
| Concurrent review    | Alignment between reviewing entities | Proactive conversation       |
| Code interpretation  | Open Space/parkland requirements     | Development Services support |
| Overly detailed      |                                      |                              |
| Note-taking/tracking |                                      |                              |
| Politics             |                                      |                              |
| Amendments           |                                      |                              |
| City is understaffed |                                      |                              |





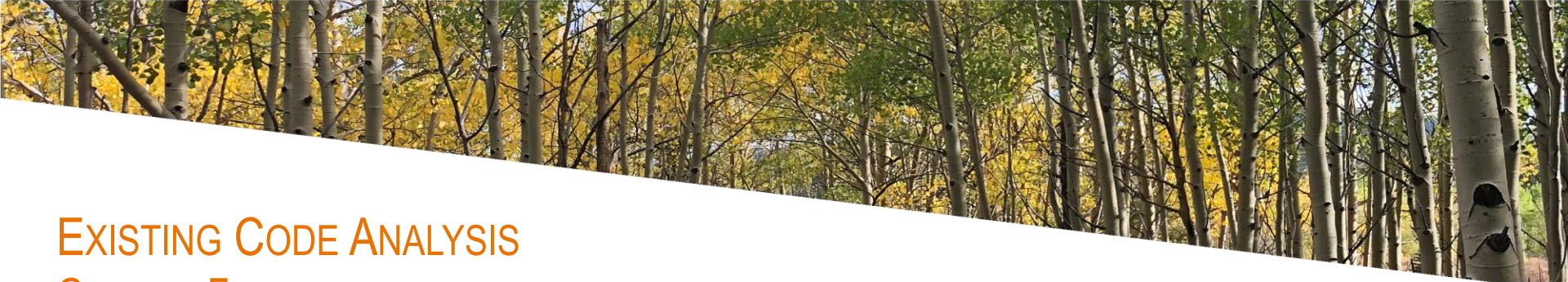
## STATE LAW

### GENERAL FINDINGS

- General Requirements are met
- Missoula's code include requirements beyond minimum state requirements
- Some opportunities for simplification or streamlining
- Some opportunities to complete reviews administratively
- Missoula's Parks calculations when density is not known is lower than state allowance
- State law gives little direction on TEDs

### Opportunities for Missoula

- Clarity in regulation hierarchy
- Pre-Application Documents
- Code Vesting (requires state law change)
- Administrative reviews
- Parks dedication updates



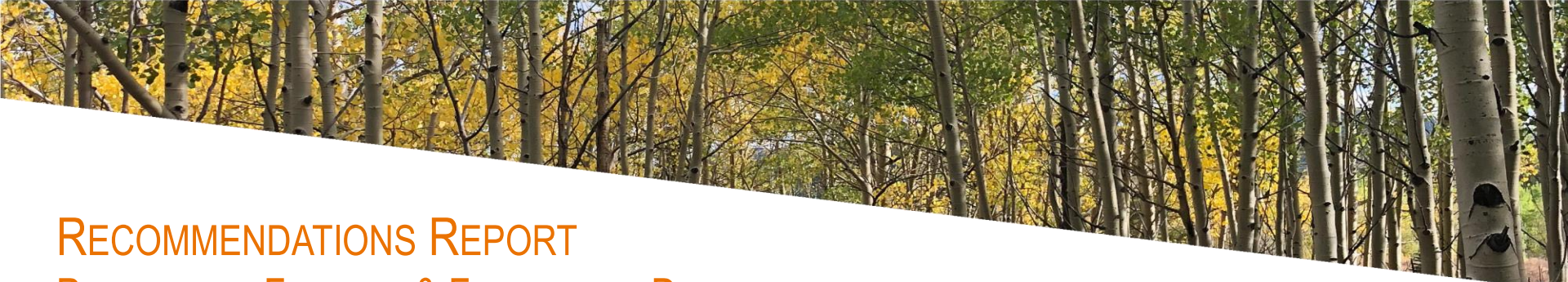
## EXISTING CODE ANALYSIS

### GENERAL FINDINGS

- Timelines incorporated into code
- Clarification of agency comments
- Detailed requirements at pre-application phase
- Neighborhood meeting to enable community engagement
- Specific, detailed requirements for parks dedications
- Implementation of TED exemption, which includes specific criteria

### Opportunities for Missoula

- Ensure all timelines are incorporated in code
- Role of DS in agency comments
- Pre-application phase simplification
- Timing of neighborhood meeting

A photograph of a forest with tall, thin trees and yellow autumn foliage, used as a background for the top of the slide.

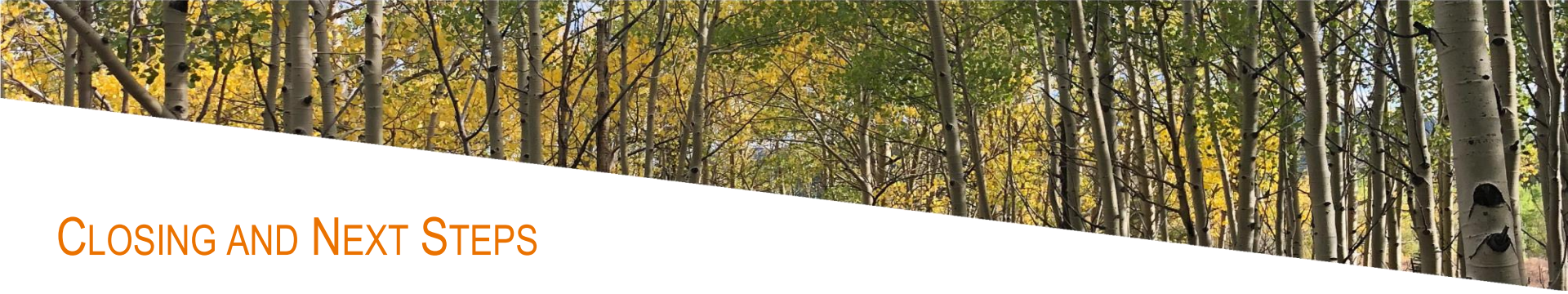
## RECOMMENDATIONS REPORT

### PRELIMINARY FINDINGS & FRAMEWORK DISCUSSION

- What are we missing?

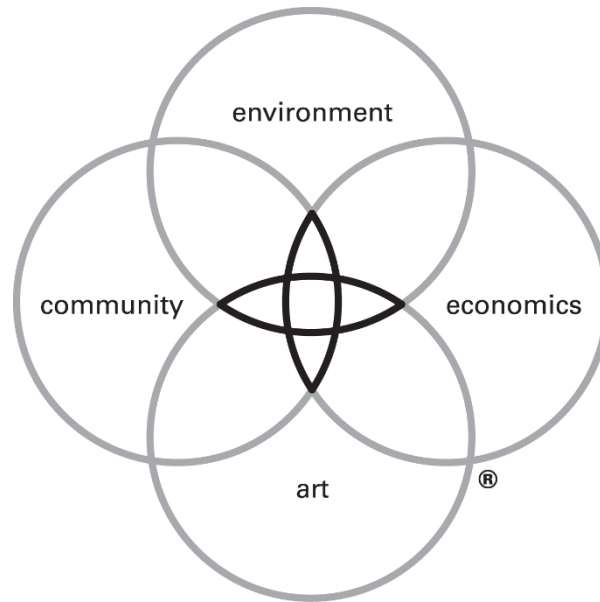
| Developer Impacts                              | City Impacts                                               | Community Impacts                                                     |
|------------------------------------------------|------------------------------------------------------------|-----------------------------------------------------------------------|
| Incurred additional holding costs              | Staff incur additional review time and/or responsibilities | Barriers to new housing supply and reduced access to affordable homes |
| Incurred additional project costs              | Staff answer repetitive questions                          | City policies not fully realized that community helped create         |
| Incurred legal expenses                        | Large city workload                                        |                                                                       |
| Limited in ability to offer creative solutions |                                                            |                                                                       |
|                                                |                                                            |                                                                       |





## CLOSING AND NEXT STEPS

- Next Steps
  - Draft Document – Early October
  - Final Document - November



PREPARED BY

**DESIGNWORKSHOP**

# CASE STUDIES

## OVERVIEW

### Cowboy Flats

**Project/Site Type** Major Subdivision;  
Infill

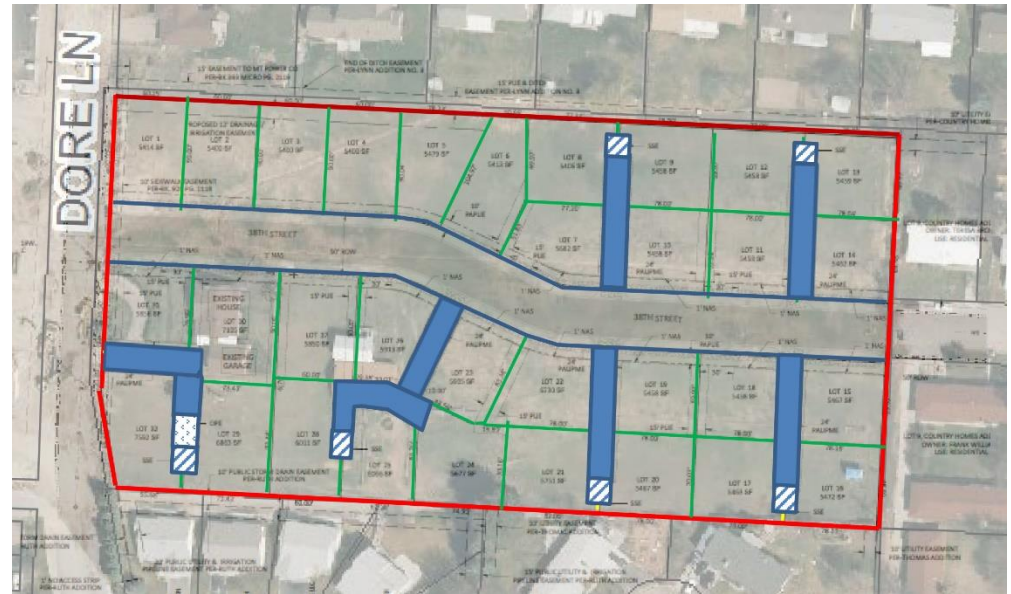
**Location** Southgate  
Triangle

**Size (ac.)** 4.99

**Allowable  
Density** 40 units

**Actual Density** 32 units

**Duration** 8 months, 24 days





# CASE STUDIES

## OVERVIEW

### Orchard Home Estates

|                          |                              |
|--------------------------|------------------------------|
| <b>Project/Site Type</b> | Major Subdivision;<br>infill |
|--------------------------|------------------------------|

|                 |            |
|-----------------|------------|
| <b>Location</b> | Two-Rivers |
|-----------------|------------|

|                   |      |
|-------------------|------|
| <b>Size (ac.)</b> | 5.97 |
|-------------------|------|

|                              |       |
|------------------------------|-------|
| <b>Allowable<br/>Density</b> | RT2.7 |
|------------------------------|-------|

|                       |     |
|-----------------------|-----|
| <b>Actual Density</b> | N/A |
|-----------------------|-----|

|                 |                       |
|-----------------|-----------------------|
| <b>Duration</b> | 21 months, 17<br>days |
|-----------------|-----------------------|





# CASE STUDIES

## OVERVIEW

### Hellgate Gardens

**Project/Site Type** Larger TED;  
Conditional Use

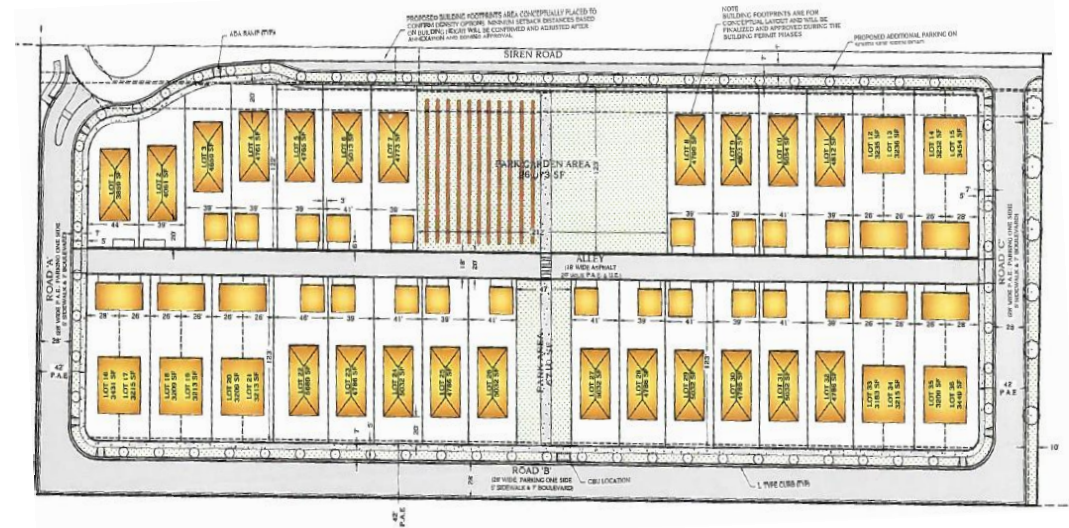
**Location** Mullan

**Size (ac.)** 6.51

**Allowable Density** 52 units

**Actual Density** 36 units

**Duration** 11 months, 15 days



# CASE STUDIES

## OVERVIEW

### Marshall Street

**Project/Site Type** Smaller TED

**Location** Rose Park

**Size (ac.)** .24

**Allowable Density** 10 units

**Actual Density** 5 units

**Duration** 6 months, 6 days

