City of Missoula
Development Regulation Review & Recommendations Report
LUP Meeting

DESIGNWORKSHOP

November 18, 2020

Introductions – Design Workshop

DESIGN WORKSHOP

JESSICA GARROW
PROJECT MANAGER

ANNA LAYBOURN
PRINCIPAL-IN-CHARGE

NICOLE REBECK-STOUT
PLANNER

BROOKS COWLES
HOUSING & ECONOMICS

AGENDA

MEETING GOALS

- Review Recommendations Report and hear feedback
- Answer any questions about the process or the report

1. Intro & Review of Project Goals
2. Conversation on Recommendations
• Administrative Recommendations
• Code Recommendations
• Policy Recommendations
3. Closing Conversation and Next Steps

PROJECT GOALS

- Project work includes **engagement with key stakeholders** – from both inside and outside of the city – to document and understand areas of the Subdivision and TED process that work well and areas that need improvement.

- **Focus on outcomes** and what we are trying to accomplish, not overly processing things. Be clear in language but allow some flexibility.

- Process enables the City to consider **possible new ideas** on Subdivision and TED regulations for the 2021 State Legislative cycle.

- Proposed **solutions are tailored for Missoula** but is based in state and national best practices.

- Recommendations Report that **charts the course for prioritized, comprehensive development regulation changes.**.

- Recommendations Report that **aligns with State Law and Missoula policy documents**, maintaining standards and quality.

- Overall, the Recommendations Report, if implemented, will **lead to a land use review process that is easy to administer and understand.**

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PROJECT PROCESS

PHASE I

STAKEHOLDER INVOLVEMENT

- Technical Team
- Working Group
- Planning Board
- City of Missoula Development Services Department
- Environment Expertise outreach
- Land Use and Planning Committee
- City of Missoula community

RESEARCH & ANALYSIS

Case Studies
four case studies, two subdivision projects and two TED projects

Code Analysis
The Missoula development code is evaluated for process-related findings.

Montana State Law Analysis
this analysis evaluates the City of Missoula development code against the Montana State Law.

BEST PRACTICES REPORT

This report evaluates **development tools and processes** in the State of Montana and across the Country. Best practices are evaluated for **applicability to the Missoula community**.

PHASE II

ADMINISTRATIVE-RELATED DEVELOPMENT ISSUES

- Development process clarity
- City and agency review team consistency
- City staff capacity
- Timelines for the development process

REGULATIONS-RELATED DEVELOPMENT ISSUES

- Limited flexibility/options with regulations
- Conflicts between regulations and policies
- Policies and regulations are not prioritized and/or geographically prioritized

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PROJECT PROCESS

- **Jordan Hess**, City Council, Land Use and Planning Committee, Chair
- **Vince Caristo**, Missoula Consolidated Planning Board
- **Clint Burson**, Missoula Chamber of Commerce, Director of Government Affairs
- **Nick Kaufman**, WGM Group, Land Use Planner; Missoula Building Industry Association, Director
- **Ryan Frey**, Saddle Mountain Construction, President
- **Megan Robson**, Missoula Organization of Realtors (MOR)
- **Chris Chitty**, Hone Architects and Builders, Owner; Franklin to the Fort neighborhood Council, Leadership Team
- **Kathie Snodgrass**, Captain John Mullan Neighborhood Council, Leadership Team
- **Heather McMilan**, Homeword, Project Development Director
- **Jared Kuehn**, First Security Bank, Real Estate Loan Officer; Missoula Building Industry Association, President
- **David Edgell**, Edgell Construction; President
- **Alan McCormick**, Garlington, Lohn and Robinson, Attorney
- **Brian Throckmorton**, 406 Engineering; Vice President

PROJECT PROCESS

PHASE III

ADMINISTRATIVE RECOMMENDATIONS

- Create **updated checklists and process flow charts**
- Establish City **project review team** with a project champion
- Implement a **formal documentation process for established decisions/milestones**
- Require **key agencies to be present** at the scoping or pre-application meeting
- Create a **development process manual**
- **Increase staff capacity** for development project review

PROGRAMS AND POLICY RECOMMENDATIONS

- Establish **incentive for affordable housing**
- Prepare **city research materials** for habitat, slopes, geotechnical, etc.
- Establish **hierarchy for policies** based on geography

CODE AND STATE LAW RECOMMENDATIONS

- Implement **administrative review processes**
- Establish an **expedited review process** based on criteria
- Adjust **neighborhood meeting requirements** and process
- **Align regulations to policy documents**
- Update the **TED process** to prioritize clarity and establish clear criteria for its use
- Embed flexibility into regulations with **options that reward innovation**
- Update code to allow or encourage **accessory dwelling units and cottage homes**
- Update code **density calculations**
- Update code to allow **parking reductions in certain areas**
- Update code provisions **related to Parks Dedication requirements**
- Adopt the **subdivision infrastructure and growth policy exemption**
- Update the **Cluster subdivision exemption**
- Adopt a **Unified Development Ordinance**

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RECOMMENDATIONS
ADMINISTRATIVE, CODE, AND POLICY

Implementation Timeframe

- Short Term: 1-2 Years

- Medium Term: 3-5 Years

- Long Term: 5+ Years

Implementation Cost

- $: $10K and under

- $$: $11K – $50K

- $$$: $50K - $100K

- $$$$: more than $100K

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RECOMMENDATIONS

Missoula Subdivision and TED Regulations
Recommendations Matrix

Recommendations	Cost
Administrative Recommendations	
A1 **Increase staff capacity for development project review**	
Short Term: Evaluate what skill or experience gaps might exist in current staff and focus training efforts to support their growth and development in these areas.	$
Medium Term: Evaluate the skill needs in all departments relative to development applications received and the current development process and update job descriptions accordingly. This way when funding becomes available, there is an opportunity to post a job description and hire the necessary staff quickly.	$
Long Term: Actively recruit and hire staff to fill positions that are currently vacant.	$$$$
A2 **Create updated checklists and process flow charts to provide more clarity on process**	
Short Term: We recommend the following specific documents be created to address the Subdivision and TED processes specifically:	
1 Application Requirements Checklists. This would be a standardized checklist that can be used by all Subdivision and TED Applicants to understand what information is required at each step of the process. This could also be used as an intake form that city staff use to ensure required forms and information are included in the development application.	$
2 Development Process Flow Chart. This should cover Minor Subdivisions, Major Subdivisions, TEDs, and Exemptions. The flow chart should track a development project from Preliminary Plat to Final Plat as well. Information related to parallel process, like annexation and rezoning could also be included. Additionally, triggers for when an application might need to address new information should be included.	$
3 Subdivision Fact Sheet. This should cover how an applicant can determine if their development project can be processed as an Exemption, a Minor Subdivision, a Major Subdivision, or a TED. It could also include key information that needs to be addressed in the initial planning phases, such as ensuring adequate park space, on-site parking requirements, and the like.	$
4 Community Fact Sheet. This should identify when and how community members can be engaged in the development review process. It could also address policy planning efforts.	$
5 Top 10 list. This document would cover the top ten reasons why developments fail to move smoothly through the development review process. For example, this could cover why a subdivision application is not able to be deemed sufficient. This could be accompanied by an education session with developers to ensure they understand all	$

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A1: Increase staff capacity for development project review

A2: Update Checklists and Flow Charts

A3: Establish City project review team with a project champion

A4: Implement a formal documentation process for established decisions / milestones

Implementation

- Understand staffing needs and support learning / hiring

- Clear and updated handouts

- Consistency in Process and Staff

- Clarity in documentation

RECOMMENDATIONS
ADMINISTRATIVE

A5: Require key agencies to be present at scoping or pre-application meetings

A7: Create a development process manual

A7: Update overall development process to address lessons learned

Implementation

- Coordinated reviews

- Complete Public Works Manual

- Continual Process Improvements

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C1: Implement Regular Subdivision Updates

C2: Establish an expedited review process

C3: Adjust neighborhood meeting

Implementation
- Establish regular update cycle
- Expedited Review for small projects

Implementation
- Informational materials
- Staff presence
- Requirements based on project type
- Neighborhood meeting timing

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C4: Align regulations to policy documents

Implementation
- Allow variations that meet Growth Policy
- Zoning Tools Updates

C5: Update the TED process to prioritize clarity and establish clear criteria for its use

Implementation
- Reevaluate TED Ownership Unit
- Review timing of information
- Linkage to Master Plan
- Reevaluate Unit limitations
- Advocate for state law change

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C6: Embed flexibility into regulations with options that reward innovation

C7: Update code to allow or encourage ADUs and Cottage Homes

C8: Update code density calculations

Implementation
- Determine thresholds for code flexibility

- Allow ADUs in TED Development

- Remove minimum lot size requirements

- Use gross density calculations

C9: Update code to allow parking reductions in certain areas

Implementation
- Expand approach to CBD parking

C10: Update code provisions related to Parks Dedication requirements

Implementation
- Update to state dedication amount
- Clarify CIL options
- Update Parks exemption language
- Allow some CIL by right
- Advocate for state law change

C11: Adopt the subdivision infrastructure and growth policy exemption

C12: Update the Cluster subdivision exemption

C13: Adopt a Unified Development Ordinance

Implementation
- Explore exemption requirements and update code as necessary

- Determine which development types should qualify for reduced process

- Implement UDO

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P1: Establish incentives for affordable housing

P2: Prepare city research materials for habitat, slopes, geotechnical, etc

P3: Establish hierarchy for policies based on geography

Implementation

- Implement Housing Policy

- Map constrained lands

- Create plan for targeted policy guidance coordinated with zoning

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RECOMMENDATIONS
HIGH PRIORITY RECOMMENDATIONS

A1 – Increase staff capacity for development project review
SHORT - LONG TERM, $ - $$$$

A2 – Create update checklists and process flow charts
SHORT TERM, $

A3 – Establish City project review team with a project champion
SHORT - LONG TERM, $

C1 – Implement Regular Subdivision Updates
SHORT - LONG TERM, $ - $$

C13 – Adopt a UDO
MEDIUM TERM, $$$$

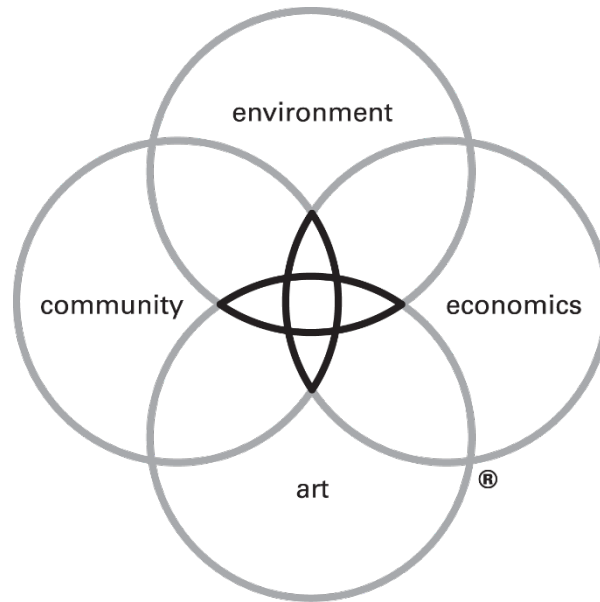P1 – Establish incentives for affordable housing
SHORT TERM, $$

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- Finalize Report

- Work Program alignment

- City to begin Phase 2 of regulation and process updates

environment

community

economics

art

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