

**Community Forum Meeting  
Meeting Minutes  
August 28, 2008  
7:00 p.m. City Council Chambers  
Moderator, Ray Aten**

Captain John Mullan – Dick Hexter (Alt)  
Emma Dickinson – Jen Calder (Rep)  
FarViews/Pattee Canyon – Ray Aten (Rep)  
Franklin to the Fort – Jon Salmonson (Alt)  
Grant Creek – Absent  
Heart of Missoula – Lynn Redding (Alt)  
Lewis & Clark – Absent  
Lower Rattlesnake – Absent  
Miller Creek – Absent  
Moose Can Gully – Lyle Guerts (Rep)  
Northside – Absent  
Riverfront – Absent  
Rose Park – Absent  
South 39<sup>th</sup> – Jeff Stevens (Rep)  
Southgate Triangle – Hans Christiansen (Rep)  
University District – John Snively (Rep)  
Upper Rattlesnake – Jan Hoem (Rep)  
Westside – Absent

City Council Liaison – Jon Wilkins  
Neighborhood Liaison – LaNette Diaz

**Others Present**

Ryan Morton, Patricia Hogan

**Quorum**

Quorum is present.

**Adoption of Agenda**

*Mr. Christiansen* motioned to adopt the Agenda, *Mr. Hexter* seconded, motion passed unanimously.

**Approval of CF Minutes from July 24, 2008**

*Mr. Salmonson* motioned to approve the minutes. *Mr. Christiansen* seconded. Motion passed unanimously.

**Consent Agenda**

Approve request out of Neighborhood Project Grant Committee from the Bus Tour Committee for a small grant in the amount of \$200 to supplement funding of the 2008 Fall Bus Tour.

**Public Comment (non-agenda items from audience)**

Nathan Howard, Homeowners Association President for El Mar Estates, in the process of creating an association and would like to have homeowners associations contact information. He can be reached by email [nathanh@mtwi.net](mailto:nathanh@mtwi.net)

### **Neighborhood Liaison Report–LaNetteDiaz**

- The FY09 budget sheets do not reflect the increase in the mail supplement until it is voted on September 8.
- Bus Schedule change announcement
- Downtown Master Plan consultants will be here next week. A special time has been set aside for neighborhood representatives to give input and feedback. Tuesday September 2, 5-6pm at the Holiday Inn Downtown. Public Workshop will be Wednesday September 3, 6:30-9:00 pm at the Holiday Inn as well.

### **Committee Reports**

#### **Bus tour committee-Proposal for October Bus Tour–LaNette Diaz**

**Ms. Diaz** went over the details for the proposed second half of the bus tour. Date proposed October 11, 9:00-11:30am. Looking for a vote to move forward with that proposal. **Mr. Salmonson** motioned to adopt the proposal. **Mr. Stevens** seconded. Discussion: none. Public Comment: none. Motion passed unanimously.

### **New Business**

#### **Neighborhood Volunteer of the Year–LaNette Diaz**

Looking to get a committee formed to work on this for final recommendation to CC in December. **Mr. Hexter** and **Mr. Stevens** volunteered.

### **Ongoing Business**

#### **Community Forum Complete Streets Resolution–Jon Salmonson**

Before you is the Resolution adopted by the Franklin to Fort Neighborhood Council which has been modified for Community Forum. The grant for the street inventory has been completed. Seven neighborhoods were inventoried. Looking for an alternative method to get the remainder inventoried. The data is being formatted to be used for presentation purposes. **Mr. Salmonson** moved for adoption of this Resolution. **Mr. Stevens** seconded. Public comment: none. Discussion: none. Motion passed unanimously.

#### **Form a Committee to Survey Attitudes on Growth –Jan Hoem**

When Mayor Engen spoke to us and provided the citizen survey results, there were two areas with not so positive attitudes-growth and transportation. Mayor Engen expressed he would like to explore this further and I suggested we survey our neighborhoods to find out more. **Ms. Hoem** offered to be a contact and would like interested persons to get in touch to pursue coming up with a survey with a few comprehensive questions and pass it by the Mayor. She provided her home phone number 327-1290. **Mr. Christiansen** volunteered to be on the committee.

#### **Formally oppose cutting NPG by 50%–Jeff Stevens**

At the time of this proposal, the outcome of CC deliberations was not known. Happy to report that CC decided to not cut this program by 50%. Mr. Stevens would like to propose a Resolution thanking CC for not cutting this program and perhaps a letter of thanks in that regard. **Mr. Wilkins** stated that this was not debated by council and that one member proposed the cut. He suggested including a thanks for not cutting or considering cutting the program in the moderator report to council. **Mr. Wilkins** will include a statement in his address to the Committee of the Whole. **Mr. Stevens** is fine with this suggestion.

### **Neighborhood Council Updates**

- Lower Rattlesnake—absent
- Grant Creek—absent
- Miller Creek—absent
- Westside—absent
- Lewis & Clark—absent
- Northside—absent
- Riverfront—absent
- Rose Park—absent
- Southgate Triangle—nothing new to report.
- University—nothing new to report.
- Lewis & Clark—did have an outstanding ice cream social, hopeful to generate involvement from some new folks (per Mr. Wilkins).
- South 39<sup>th</sup> St.—talking about having a meeting mid- to late October.
- Upper Rattlesnake—a sidewalk will be put in on S. side of Lolo St. next year. Update of comp plan was not approved due to lack of funding. Had a wildfire round table meeting which was well attended, defensible safety around structures was discussed.
- Farviews/Pattee Canyon—nothing new to report.
- Heart of Missoula—encourage all to attend the Downtown Master Plan public meeting.
- Moose Can Gully—the LT meet and set a tentative date for general meeting of October 21 and talked about having a joint political forum with South 39<sup>th</sup> St. council as well. Want to thank Carson Robinson for his work on the LT, he has stepped down.
- Emma Dickinson/Orchard Homes—nothing new to report.
- Cpt. John Mullan—next general meeting will be September 18.
- Franklin to the Fort—NC meet last Tuesday combined with neighborhoods affected by the Russell St. project. The EIS was released and many CC members were present and there was good discussion and feedback. Comments can be submitted until October. We hope the neighborhood representatives take this Resolution on Complete Streets to their meetings with the hope that neighborhoods will adopt one to have widespread support.
- City Council Liaison Report—the Budget of the Whole Committee approved the budget and will go before City Council the 8<sup>th</sup>. There were some fee increases to the development community and business licenses. There is a group of us working on getting some landscaping at Pattee Creek/Higgins.

### **Presentations**

#### **Proposed Amendments to Parkland Regulations—Jackie Corday**

(refer to attached Agency Review of Proposed Parkland Regulation Amendments)

#### **Eben Fodor Video—Jan Hoem presented about 8 minutes from the video**

Myth: growth generates tax revenues. Conclusions: population growth tends to increase the residential tax burden. Places with most rapid growth have the greatest tax increases. There will be consequences for those areas that don't increase taxes—typically a reduction in public services. Mr. Fodor's focus is on capital costs associated with building infrastructure and facilities associated with supporting urban growth. Many cities have been charging impact fees and developer fees to recover some of the costs associated with growth. Look at cost of development vs. land conservation, presented some case studies.

### Alternate Infrastructure Funding Options–Brent Ramharter

\*See Montana State Law cites for Street Maintenance Districts and Park Maintenance Districts handouts attached.

Establishing street maintenance districts has generated some level of discussion. State code creates the choice for cities to pass an ordinance creating maintenance districts. The citizens would have to feel and be assured they were going to receive enhanced benefits over and above current maintenance to be supportive of creation of districts. Park maintenance districts are created differently in that they require voting. Would like to focus on enhancements over and above what we are currently doing. In the last 4-5 years there has been massive escalation in infrastructure pricing and it is getting to the point where the city is very constrained in what they can do with the money available. Some cities have been very creative. The finance office is conducting a study currently on what is the level of service delivery and cost of all these infrastructure elements in the six largest cities in the state. Maintenance districts are designed to be perpetual. Improvement districts are time limited and were established to put in some type of infrastructure and everyone was assessed a share. Certain areas in town would have enhanced assessments for awhile possibly.

### UFDA Update–Roger Millar and Lewis YellowRobe

\*see handouts: memo, residential development allocation map, proposed amendment and review list

The Office of Planning and Grants had an informational briefing to the Planning Board in preparation for the upcoming public hearing September 16 on the Growth Policy Amendment. There are 5,218 acres of developable area in our urban services boundary which allows for 2x the amount of anticipated housing needed for projected growth in the next 20 years.

Staff Recommendation, Scenario D is based on community goals expressed in the growth policy and comments from the public and agencies. Took into account existing zoning, took out the constrained lands, looked at changing market and demographics ( when we put housing into places where it is going to be higher density-apartments, condominiums), look at the entitled lots already approved for subdivisions and areas with infrastructure investment (sewer lines) and overlaid with the suitability analysis in the decision making process. The map result, Missoula County Residential Development Allocation Within Urban Services Area, has three numbers associated with each area which represent zoned capacity of the developable land, recommendation and what's already been approved.

The UFDA process and the office of planning and grants work plan is coordinating with the zoning and subdivision regulations update; the Downtown Master Plan; Mayor's housing initiative and strategic plan; plan updating that is happening for Lolo, the airport and floodplain; and some debate about the wild land urban interface is occurring state-wide.

Next steps:

- Planning Board hearing on the growth policy amendment September 16
- depending on how that goes, County Commissioners and City Council public hearings in late October
- implementation
  - this amendment will provide a broad policy framework, the beginnings of proactive planning
  - hope the policy guidance will lead to some specifics in regulatory reform in rewriting the zoning and subdivision ordinance
  - developing capacity for new ways of doing business-going to need to see condominiums, apartments, combining commercial and residential

Mr. Millar went over the proposed additions/changes to the growth policy amendment specifically. Basically, refer to the Residential Development Allocation Map for consideration in decision making.

**Questions and comments:**

What is the tool used currently for discretionary requests for rezoning? The land use map is used and decisions are made on a development by development basis which is not efficient and is a disjointed approach to development and neighborhoods can't anticipate when/where it is coming from. This amendment will direct zoning for the next 20 years and we can anticipate where and what will occur. This amendment will provide more information to make those discretionary zoning decisions and provide the development community about the direction the community is going as a whole in order to make investment decisions accordingly and with more certainty.

The final breakdown per neighborhood is that available? Yes, the power point presentation is available on the website and in a booklet form.

Some dialogue about development in the Russell St./Wyoming St. area: The vacant mill site between the ball park and Russell Street is already entitled for 564 lots that could be up to 1000 homes. The Housing Authority is developing the old intermountain lumber site with residential affordable housing units, 35-37 units and some other commercial development in that area.

**Monthly report to City Council—moderator prepare**

Mr. Aten made a motion that he will prepare the report to City Council on the grant for the bus tour and details, the Complete Street Resolution will be presented to CC members, give thanks for not cutting the budget for neighborhoods and short summary of the presentations or mention them. Mr. Salmonson seconded. Motion passed unanimously.

**Moderator for the next meeting will be**

**Mr. Gullickson** will be the moderator for the September meeting.

**Adjournment**

Meeting adjourned at 9:35 p.m.

Respectfully submitted,

*Christine Ross*

Christine Ross  
Secretary, Office of Neighborhoods  
City Clerk's Office

\*Copies of any handouts and referenced documents at this meeting are on file in the City Clerk's Office



## MISSOULA NEIGHBORHOODS

# Neighborhood Small Project Grant Application

Small projects must be within City limits or benefit City residents. Criteria on what these funds may be used for are attached. The limit is \$200.00 and can be used for individual projects or combined with other matching funds.

**Submission Deadline:** *First Thursday of each month.*

**Organization Name:** Community Forum – Bus Tour Committee

**Address:** 435 Ryman

**City/State/Zip:** Missoula, MT 59802

**Name/Title of contact person:** LaNette Diaz

**Summarize your organization's mission/purpose:**

The purpose of the Community Forum is to provide an arena for designated representatives of Neighborhood Councils to come together, share information and make recommendations to the City government on City-wide issues.

**Amount of money requested(limit \$200):** \$200

**Are you seeking alternative sources of funding?** Yes, each neighborhood council will provide up to \$47 each for the bus tour.

**If yes, from where?**

**Provide a brief description of the program/project to be funded which must include:** The bus tour provides information to citizens and city officials on aspects of the neighborhood that need changed, improved or conserved. The bus tour is given twice a year and highlights all 18 neighborhoods. This year's theme is complete and completed streets.

1. How will it be funded? From neighborhood funds and one small grant.
2. How will it benefit Missoula area citizens? Provides information to citizens and city officials about neighborhood priorities in regards to complete streets.
3. What is the total cost of this project? \$1022

**Exempt Status**

1. Is your organization tax exempt under 501(c)3?
  - If yes, please provide your tax exempt number from the IRS determination letter.
2. If yes, please give a 2-3 sentence description of the specific charitable activity to be funded by this grant

**Signature:**

**Date:**

**Return Application to:**

Office of Neighborhoods, 435 Ryman, Missoula, MT 59802 OR  
[ldiaz@ci.missoula.mt.us](mailto:ldiaz@ci.missoula.mt.us), fax) 327-2187, phone) 552-6081

*Departmental use only*

Approved	Rejected	Amount	Date
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# Bus Tour October 2009

The bus tour committee would like to submit the following proposal to the Community forum for approval:

**Bus Tour Name:** Complete Streets for Neighborhood Transportation

**Date:** October 11, 2008 9:00am to 11:30 am

**Neighborhoods:** Captain John Mullan, Grant Creek, Heart of Missoula, Lower & Upper Rattlesnake, Northside, Westside, Riverfront.

**Themes:** Completed & Complete Streets

**Start:** McCormick Park by Currents – 9:00 am

**Stops:** Each neighborhood may choose two site stops, without disembarking. One site will be an example of a complete street in the neighborhood and one site will be a priority street to complete. The priority street will be added to the Missoula Curb, Gutter and Sidewalk Inventory after Neighborhood Councils vote on the priority area at a general meeting.

## Approximate prices and funding:

Bus	\$400
Food	\$400 – Biga Pizza with salad (based on 125 people to include families joining after the bus tour.
Beverages	\$42.00 – Coffee before bus ride, water for bus ride and with lunch.
Rental of Currents	\$35– checking with Parks
Currents Passes	\$150 – be able to go to currents after the tour and after lunch

## Other recommendations:

- Anyone from the Neighborhood may attend.
- Contact person will be the Community Forum representative.
- Each Neighborhood will identify 2 attendees and 1 alternate.
- Addresses will include nearest intersection.
- Each neighborhood will be asked if they would like City representatives to address any issues.

<b><u>Bus Tour Budget (October, 2008)</u></b>	<b><u>Approved</u></b>	<b><u>Actual</u></b>
<u>Bus Rental and Fuel</u> (55-passenger beachliner)	\$400.00	
<u>Coffee/Water</u> (for bus ride)	\$42.00	
<u>Lunch</u> includes Biga Pizza, salad, water/lemondade (all based on 125 people).	\$400.00	
<u>Currents Room Rental</u>	\$35.00	
<u>Splash Montana passes</u> (based on the high estimate of 50 adults and 50 kids)	\$150.00	
<b><u>TOTAL EXPENSES</u></b>	<b>\$1,027.00</b>	<b>\$0.00</b>

<b><u>Potential Funding Sources</u></b>		
Neighborhood Council General Budgets = \$45.95 each	\$827.10	
NPF Small Grants program (applying Aug. 2008)	\$200.00	
<b>TOTAL</b>	<b>\$1,027.10</b>	



## Community Forum Complete Streets Resolution

WHEREAS, the Community Forum is a volunteer citizen group authorized by Missoula City Municipal Code Chapter 1.18, to provide a structure for increased citizen participation in the governance of the City, to build cooperation and improved communication between citizens and City officials and to find solutions to neighborhood problems.

WHEREAS, the Community Forum recognizes that Complete Streets accommodate drivers, transit riders, pedestrians, and bicyclists, as well as older people, children, and people with disabilities. Complete streets include most if not all of the following features; sidewalks, curbs and gutters, bike lanes, wide shoulders, plenty of crosswalks, refuge medians, bus pullouts, special bus lanes, raised crosswalks, audible pedestrian signals and sidewalk bulb-outs.

WHEREAS, the Community Forum recognizes that 30 percent of US citizens do not drive motorized vehicles, that over one quarter of all motor vehicle trips are one mile or less, and that obesity poses serious health risks to adults and children.

WHEREAS, the Community Forum recognizes that motor vehicles speeding through neighborhoods are a persistent problem and concern for neighborhood residents.

WHEREAS, the Community Forum recognizes that fossil fuels are a limited resource, destined for scarcity of supply and increased costs and that combustion of fossil fuels has been identified as the primary cause of human induced global warming.

WHEREAS, adoption and implementation of Complete Streets Policies provide for transportation systems that are equitable, calm and safe for all users, of all ages and abilities, including motorists, pedestrians, bicyclists and public transit users thus encouraging our citizens to use alternate modes of transportation and exercise more.

WHEREAS, Complete Streets improve access and safety for those who cannot or choose not to drive motor vehicles.

WHEREAS, Complete Streets are necessary for providing children safe routes to school.

WHEREAS, Complete Streets make transportation alternatives viable, decreasing motor vehicle congestion and the need for expensive reconstruction of existing roadways as well as reduction in the emission of greenhouse gas.

WHEREAS, Complete Streets encourage walking and bicycling for individual and community health.

WHEREAS, Complete Streets decrease crime through place-making and social integration.

WHEREAS, installation of Complete Streets, including sidewalks, bike lanes, transit amenities, and safe pedestrian crossings, during initial construction of new projects spares the expense of retrofits later.

NOW, THEREFORE BE IT RESOLVED, that the Community Forum endorses and promotes the concepts, goals and initiatives of the National Complete Streets Coalition.

BE IT FURTHER RESOLVED, that the Community Forum urges the City of Missoula to apply Complete Streets policies and goals as essential elements of all development and redevelopment projects within the City of Missoula.

BE IT FURTHER RESOLVED, that the Community Forum urges the County of Missoula to apply Complete Streets policies and goals as essential elements of all development and redevelopment projects within the County of Missoula.

BE IT FURTHER RESOLVED, that the Community Forum recommends the inclusion of Complete Streets concepts, goals and guidelines in the Long Range Transportation Plan Update for the Missoula area.

BE IT FURTHER RESOLVED, that the Community Forum supports an initiative to complete construction of all sidewalks, curbs and gutters within the City of Missoula by the year 2020, (Missoula Sidewalk, Curb and Gutter (SCG) 2020).

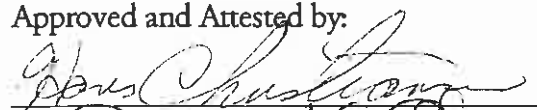
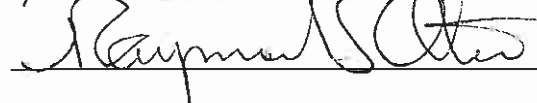
BE IT FURTHER RESOLVED, that the Community Forum supports initiatives to identify and procure enhanced, equitable and just sources of funding necessary for completion of Missoula SCG 2020 and to fund integration of Complete Streets elements into development and redevelopment of City of Missoula and County of Missoula transportation infrastructure.

BE IT FURTHER RESOLVED, that the Community Forum urges the Montana State Legislature to enact a Complete Streets Act that directs the Montana Department of Transportation to provide full and compelling consideration and integration of Complete Streets policies into all surface transportation projects.

Resolved by the Community Forum

On this 28th day of August, 2008

Approved and Attested by:

Community Forum Leadership Team

\_\_\_\_\_  
\_\_\_\_\_

## AGENCY REVIEW OF PROPOSED PARKLAND REGULATION AMENDMENTS

### TO:

Jim Nugent, City Attorney  
Vickie Zeier, County Clerk and Recorder  
Marty Rehbein, City Clerk  
Tom Steenberg, Fire Department  
Mike Sehestedt, County Attorney  
Peter Nielsen, Health Department  
Greg Oliver, Health Department

Mark Muir, Police Department  
Kevin Slovarp, City Engineering  
Steve King, Public Works Director  
Denise Alexander, OPG  
Mark Barton, OPG  
Dave Loomis, OPG  
Ellen Buchanan, MRA

### CC:

John Engen, Mayor  
City Council Members  
Board of County Commissioners  
Dale Bickell, County CAO  
Bruce Bender, City CAO  
Chamber of Commerce  
Collin Bangs  
Ryan Morton, MBIA  
Territorial Landworks Engineering  
Montana Northwest Company  
Morrison-Maierle Inc  
Ginny Merriam, City Communications  
Lisa Moisey, County Parks  
Andrea Davis, MHA  
Ruth Link, MOR

Michael Nave, Chair City BOA  
Kent Watson, Chair DRB  
Pat O'Herren, Rural Initiatives  
Tim Ibey, Chair Planning Board  
Community Forum (each representative)  
Jim Meagher, Neighborhood Network  
DJ&A P.C.  
WGM Group  
Eli & Associates  
PCI, Inc.  
Office of Neighborhoods  
Open Space Advisory Committee members  
Missoula Park Board members  
Aleea Sharp

**FROM:** Jackie Corday, City Parks & Recreation Department, 600 Cregg Lane, Missoula 59801

**DATE:** July 30, 2008

**RE:** **Agency Review Draft of proposed revisions to City Subdivision Regulations Article 3-8 (Parks & Open Space Requirements) and new zoning chapter to require parkland dedication for multiple dwelling units on a single lot.**

### RESPONSE

**NEEDED BY: AUGUST 27, 2008**

Earlier this year, City Council requested the Parks Department to draft amendments to the City's subdivision regulations to address two parkland issues. A third issue was added after discussions at a Council PAZ Committee meeting held on March 26<sup>th</sup>.

1. **Parkland Dedication for Minor Subdivisions:** Montana HB 415 amended the state parkland dedication statute MCA 76-3-621(3) to allow local governing bodies to require parkland dedication for minor subdivisions. To put this option into effect, Missoula Subdivision Regulations Article 3-8(2)(A) need to be amended as shown in the attached Agency Draft. The amendment will allow the City to require parkland dedication for minor subdivisions that create from 4 to 5 lots.

2. **New Method for Calculating Parkland Dedication for Multi-family Lots:** An issue that has arisen in subdivisions lately is the creation of large acreage lots intended for multi-family or condo units (this occurred in Pleasant View #5, Teton, and the Flynn Ranch subdivisions). Based upon state

law, the percentage of parkland dedication required becomes smaller as the lot sizes get bigger (e.g. 11% dedication required for 1/2 acre or smaller lots but only 2.5% for 3 to 5 acre lots). This percentage decrease is based upon the notion that residents with large lots don't have as much need for parkland. However, when 3 to 5 acre lots have dense multi-family housing instead of one single family residence, there is an even greater need for parkland dedication to serve those residents who usually have nothing more than a balcony for outdoor space.

Fortunately, under MCA 76-3-621(2), the law allows local government to adopt an alternative parkland dedication requirement using up to a maximum of 0.03 acres per dwelling unit as the basis for calculating dedication instead of the percentages. After meeting with the Missoula Organization of Realtors and the Missoula Building Industry Association, we agreed that using .03 acres quickly adds up to a substantial amount of parkland required, which would significantly add to the cost of multi-family housing, and thus the attached draft proposes using .02 acres as the basis for calculation of parkland dedication for multiple dwelling units on a single lot.

**3. Parkland Dedication Needed for Multi-family Projects:** The third issue that needs to be addressed is the fact that hundreds of apartments and condos units have been constructed over the past decade without having to dedicate any parkland because no subdivision was involved, just a building permit. Thus, when the City approves a 20-lot subdivision on 5 acres, the developer typically dedicates either cash or land equal to about .40 acres, but a 20 unit condo or apt project that does not go through subdivision review will not dedicate any parkland to offset the recreational needs of the residents. When the multi-family housing is located in residential areas, this disparity in dedication requirements puts a greater burden on new subdivisions and existing development to provide park facilities that are used by all residents. When the multi-family housing is constructed in commercial areas that do not have parks, such as Reserve Street and Expressway, then hundreds of residents go without having active and passive recreation opportunities that are within close proximity to their home. There are numerous studies that show the presence of park and trail facilities within a walkable distance contributes to a person's overall quality of life and health; lack of recreation contributes to obesity and other health problems.

Thus, the third part of the proposed amendments in the attached draft addresses this problem by creating a new chapter in the zoning code that would require parkland dedication for new projects proposing to construct 4 or more dwelling units on a single lot. The draft is modeled somewhat on Bozeman's ordinance adopted in 2004 that addresses this issue. Kalispell and Helena are also contemplating adopting something to address using density to calculate parkland. The draft includes an affordable housing exemption.

The Missoula Consolidated Planning Board and City Council are responsible for conducting public hearings on the proposed amendment and they ask for input from you or your agency on such matters. Please review the proposed changes and provide comments by email or mail. *If you do not have concerns about the proposed amendments, please write that also, so the Planning Board and City Council will know you are not concerned with the proposed changes.*

In order for your comments to be included in the Staff Report to Planning Board, please send your comments to Jackie Corday at the address listed above or email your comments to Jackie at [jcorday@ci.missoula.mt.us](mailto:jcorday@ci.missoula.mt.us) by **AUGUST 27, 2008**. The **Planning Board public hearing** is set for **September 23, 2008**. Written comment will be taken by the Planning Board up until the public hearing is closed. The public hearing for City Council has not been scheduled yet.

**Attachment:**

Agency Draft of Proposed Amendments to City Subdivision Regulations Article 3-8 Parks & Open Space Requirements and New Zoning Chapter to Require Parkland Dedication.

**AGENCY DRAFT OF PROPOSED AMENDMENTS TO CITY SUBDIVISION  
REGULATIONS ARTICLE 3-8 PARKS & OPEN SPACE REQUIREMENTS AND  
NEW ZONING CHAPTER TO REQUIRE PARKLAND DEDICATION FOR MULTIPLE  
DWELLING UNITS ON SINGLE LOTS**

**3-8 PARKS AND OPEN SPACE REQUIREMENTS**

(1) **PURPOSE** - The required parkland dedication includes the following objectives:

- (A) Preserve and protect wildlife habitat, species of special concern and their habitat, agricultural uses, historical and cultural features, scenic views, natural drainage areas and systems, and other desirable features of the natural environment, such as healthy long-lived trees, topography, significant plant communities, ground and surface water, wetlands, and riparian areas.
- (B) Provide open space areas for conservation or passive recreation.
- (C) Provide active recreational areas for use by residents of the development and, where specified, the larger community.
- (D) Meet the goals of the *Missoula Open Space Plan*, the *Non-motorized Transportation Plan*, the *Missoula County Parks and Conservation Plan* and the *Master Parks and Recreation Plan for the Greater Missoula Area*. ~~City Subdivision Article 3-39 Amended August 6, 2007~~
- (E) Provide areas for social interaction and livability.
- (F) Arrange open space to be accessible and functional for use by the residents of the development and where specified, the larger community.
- (G) Protect sensitive environmental features and natural areas by providing landscape buffers within open space areas.

(2) **PARKLAND DEDICATION IS NOT REQUIRED FOR THE FOLLOWING SUBDIVISIONS:**

~~(A) Divisions reviewed as minor subdivisions;~~

~~(BA)~~ Land proposed for subdivision into parcels larger than five (5) acres;

*Note that this section (A-D) is basically word for word taken from MCA 76-3-621(3), which uses the word "parcel" but the next section under Article 3-8(3) uses the word "lot" – we can either continue to use the two different words interchangeably or amend the subdivision regs to consistently use the same term.*

~~(CB)~~ Subdivision into parcels that are all non-residential;

~~(DC)~~ A subdivision resulting in a total of three (3) or less parcels in which only one additional parcel is created;

*See notes on pg 4 about this issue – the intent is to make both subdivisions and zoning projects donate parks or cash when 4 or more lots or dwelling units are proposed. So minors with only 3 lots or zoning projects with only 3 d.u.s would be exempt from parkland dedication. This is a compromise based upon discussions with MOR & MBIA whose members were concerned about keeping costs down for one-time developers who are only adding one or two additional lots to their own property and smaller in-fill projects that often create more affordably priced housing.*

~~(E)~~ A subdivision in which lots are not created; or *(this just repeats D below)*

~~(F)~~ A subdivision in which parcels are not created, except when that subdivision provides permanent multiple spaces for recreational camping vehicles, mobile homes, or condominiums. The park requirement is provided in the design standards (Article 3) for these types of developments.

(3) REQUIREMENTS FOR PARK DEDICATION. Parkland dedication shall be based on the net lotted area of the subdivision. Land area shall be either dedicated or set aside as open space lands for parks, open space lands as defined in these regulations, conservation easements, or common area held by the property owner(s) where lots or dwelling units are leased or rented, a property owners association, a land conservation entity or governing body. Open space lands set aside as common area rather than dedicated to public use may not experience a change of use without the approval of the governing body and the property owner(s) where lots or dwelling units are leased or rented or entity(ies) in whose name the title to the property is held. Except as provided in this section, a subdivider shall dedicate to the City, land or cash equal to the following:

(A) Eleven (11) percent of the area of the land proposed to be subdivided into lots of one-half (1/2) acre or smaller;

(B) Seven point five (7.5) percent of the area of the land proposed to be subdivided into lots larger than one-half (1/2) acre and not larger than one (1) acre or, if more than one dwelling unit will be placed on the lot, then .02 acres per dwelling unit when net residential density of development is known at the time of preliminary plat, and if not known, then the subdivider shall dedicate to the City, land or cash based upon the amount required under Chapter 19.75.040 prior to Zoning Compliance Permit approval;

(C) Five (5) percent of the area of the land proposed to be subdivided into lots larger than one (1) acre and not larger than three (3) acres or, if more than one dwelling unit will be placed on the lot, then .02 acres per dwelling unit when net residential density of development is known at the time of preliminary plat, and if not known, then the subdivider shall dedicate to the City, land or cash based upon the amount required under Chapter 19.75.040 prior to Zoning Compliance Permit approval; and

(D) Two point five (2.5) percent of the area of the land proposed to be subdivided into lots larger than three (3) acres and not larger than five (5) acres or, if more than one dwelling unit will be placed on the lot, then .02 acres per dwelling unit when net residential density of development is known at the time of preliminary plat, and if not known, then the subdivider shall dedicate to the City, land or cash based upon the amount required under Chapter 19.75.040 prior to Zoning Compliance Permit approval.

The area dedication or its cash equivalent shall not be required in excess of 10 dwelling units per acre. For example, if the applicant proposes 32 apartments on a 2 acre lot, the parkland dedication would be calculated as follows: 0.02 acres X 10 dwelling units/acre X 2 acres = 0.40 acres dedication required (as opposed to .02 acres X 32 units).

*The above changes from the first draft to PAZ on March 26<sup>th</sup> represent another compromise based upon comments from MOR & MBIA members – please refer to the explanation following*

*19.75.040 below in regards as to why .02 acres was used instead of .03. If density is not known at time of subdivision review, it will be easier to collect payment of cash-in-lieu at the time of building permit as opposed to trying to calculate it based upon what zoning allows because if the developer ends up building less units than the zoning allows, then we would have to deal with issuing a credit. There may be cases where they have dedicated more parkland with the subdivision that meets the standards under Article 3-8(7) than required. In those cases, the extra land dedicated can be noted in the OPG staff report and can count towards the dedication requirement at the time of building permit.*

(4) The governing body, in consultation with the subdivider, the Planning Board, or pursuant to the recommendations of the Park Board, may determine suitable locations for parks, play grounds, and trails.

(5) Giving due weight to the expressed preference of the subdivider, the governing body may, in consultation with the Planning Board or the Park Board, determine whether the park dedication must be a land donation, a cash donation, or a combination of both. When the park requirement is satisfied using a combination of land dedication and cash donation, the amount of cash donated may not exceed the proportional amount of value in the land not covered by the land dedication.

(6) Cash donation in-lieu of land dedication shall be equal to the fair market value of the amount of land that would have been statutorily required to be dedicated. For the purpose of these regulations, the fair market value is the value of the unsubdivided, unimproved land based upon the zoning designation that will apply to the proposed subdivision (i.e. the existing zoning, if the subdivision application is not accompanied by a rezoning request or the new proposed zoning if the subdivision application is accompanied by a rezoning request).

(A) For major subdivisions, fair market value shall be determined by a Montana State certified general real estate appraiser (as provided under M.C.A. 37-54-201 et seq) hired and paid for by the subdivider, a copy of which shall be provided to the governing body for calculating the cash-in-lieu donation prior to final plat approval. ~~For purposes of this Regulation, appraisals are valid if prepared within one (1) year of the date of the governing body's preliminary plat approval.~~

(B) For minor subdivisions, fair market value shall be determined by a Montana State certified real estate appraiser (as provided under M.C.A. 37-54-201 et seq) hired and paid for by the subdivider, a copy of which shall be provided to the governing body for calculating the cash-in-lieu donation prior to final plat approval.

For purposes of this Regulation, appraisals are valid if prepared within six (6) months of the date of the submittal of an application to the Office of Planning and Grants for final plat approval.

*Making a distinction between the two different types of appraisers that can be used for minor and major subdivisions represents another compromise – State Certified General appraisers typically charge from \$2500-\$3500 for a bare land appraisal. When a significant amount of*

*parkland is at issue for major subdivisions, their expertise is needed. For minor subdivisions, however, there will only be 4-5 lots to spread the cost and thus hiring a residential appraiser will be a substantial savings as they typically charge \$400.*

## **NEW CHAPTER PROPOSED FOR CITY ZONING CODE**

### **CHAPTER 19.75 "PARKLAND DEDICATION"**

#### **Sections:**

- 19.75.010 Purpose and Intent
- 19.75.020 Applicability
- 19.75.030 Exemptions
- 19.75.040 Parkland Dedication Requirements
- 19.75.050 Credit for Parkland towards meeting Multi-family Landscaping Standards

#### **19.75.010 Purpose and Intent**

This chapter addresses the dedication of parkland to provide recreational opportunities and/or open space for passive use for residents of condominiums, apartments, and other types of housing created without subdivision review.

#### **19.75.020 Applicability**

A. The provisions of this chapter apply to any project that involves residential development of four (4) or more new dwelling units on a single lot, including single family houses and multi-dwelling buildings such as apartments, condominiums and retirement homes. They also apply when multiple duplexes or a combination of multi-dwelling residential structures and duplex structures will be placed on a single parcel.

B. This chapter applies to zoned and unzoned land both for new construction and for expansions of existing buildings that result in an increase in the number of dwelling units by four (4) additional units.

*Note: After discussions with MOR & MBIA, 4 d.u.s was chosen as the starting point for this draft as a compromise between 3 (the minimum allowed by state law and what Kalispell adopted in March 2008) and 5 (which is what Bozeman chose in their regulations).*



### **19.75.030 Exemptions**

- (1) This chapter does not apply in the Central Business District.
- (2) Structures that offer and maintain for at least fifteen years all of their residential units as affordable to households with incomes at or below 80% of the area median income as determined by the Office of Planning and Grants (based on HUD and MBOH standards).
- (3) This chapter shall not apply to projects located on a lot within a major subdivision that received preliminary plat approval prior to adoption of these amendments.

### **19.75.040 Parkland Dedication Requirements**

A. Amount Dedicated. The applicant shall dedicate to the City a cash or land donation or a combination of both equal to 0.02 acres per dwelling unit proposed by the applicant.

The area dedication or its cash equivalent shall not be required in excess of 10 dwelling units per acre. For example, if the applicant proposes 32 apartments on 2 acres, the parkland dedication would be calculated as follows: 0.02 acres X 10 dwelling units/acre X 2 acres = 0.40 acres dedication required (as opposed to .02 acres X 32 units).

*Again, using .02 instead of .03 is a compromise based upon my meetings with MOR & MBIA. After calculating many hypothetical projects, it really adds substantially to the cost of the housing to use Bozeman's formula of .03 per unit with a cap of 12 d.u./acre – that's .36 acres parkland per acre or 36%. So a 5 acre project would have to dedicate 1.8 acres of land. So with this proposed formula, it would be 1.0 acres for a 5 acre project or (20%).*

*Most of the sections below are either straight out of Article 3-8 or modified to fit the situation.*

B. Determining Land or Cash. Giving due weight to the expressed preference of the applicant, the Zoning Officer, in consultation with the City Parks Department, may determine whether the park dedication must be a land donation, a cash donation, or a combination of both.

C. Parkland and Trails Location. The Zoning Officer, in consultation with the applicant and the City Parks Department, may determine suitable locations for parks, open space, and trails.

D. Parkland Ownership and Maintenance. Land designated for parkland, trails, or open space shall be owned and maintained as follows: (1) dedicated to the City, (2) designated as common area held and maintained by a homeowners association, (3) owned and maintained by the same entity that owns the apartment complex or multi-family units, or (4) be permanently protected as open space by a land conservation entity.

D. Standards for Parkland Dedication. Parks, open space, and common area dedication shall meet at least one of the criteria set forth in Missoula City Subdivision Regulation Article 3-8(7). Unless the Zoning Officer, in consultation with the City Parks Department, determines otherwise, the areas listed under Missoula City Subdivision Regulation Article 3-8(8) shall not count towards the parkland dedication.

E. Determining Value for Cash-in-lieu. Cash donation in-lieu of land dedication shall be equal to the fair market value of the amount of land that would have been required to be dedicated. For the purpose of these regulations, the fair market value is the value of the unsubdivided, unimproved land based upon the zoning designation that will apply to the proposed project.

1. For projects developing 4-7 dwelling units, fair market value shall be determined by a Montana State certified real estate appraiser (as provided under M.C.A. 37-54-201 et seq) hired and paid for by the applicant, a copy of which shall be provided to the Zoning Officer for calculating the cash-in-lieu donation prior to Zoning Compliance Permit approval.

2. For projects developing 8 or more dwelling units, fair market value market value shall be determined by a Montana State certified general real estate appraiser (as provided under M.C.A. 37-54-201 et seq) hired and paid for by the applicant, a copy of which shall be provided to the Zoning Officer for calculating the cash-in-lieu donation prior to Zoning Compliance Permit approval.

For purposes of this regulation, appraisals are valid if prepared within six (6) months of the date of the submittal of a Zoning Compliance Permit.

#### **19.75.050 Credit for Parkland towards meeting Multi-family Landscaping Standards**

Projects that are subject to the 35% landscaping requirement under Chapter 19.74.030 will receive credit for any parkland dedication approved on-site towards the fulfilling the 35% landscaping requirement. However, projects must still meet the standards required under chapter 19.74.030.C and D, which include parking lot and street frontage landscaping and buffering and screening requirements.

For example, a 3 acre site has a 1.05 acre landscaping requirement (35%) and, if the proposed density is 10 or more dwelling units per acre, a .60 acre parkland dedication requirement (3 acres x .20 acres), which totals 1.65 acres. If all of the standards for landscaping under 19.74.030 can be met with using only .70 acres (as opposed to the 1.05 acres) and the .60 acres of parkland meets the standards in this chapter, then the combined parkland and landscaped area would total 1.3 acres (as opposed to 1.65 acres) after receiving a credit of .35 acres towards meeting the 35% landscaping requirement.

# Montana State Law cites for Street Maintenance Districts and Park Maintenance Districts

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**7-12-4401. Street maintenance district authorized -- definition.** (1) Whenever the council of a city or town desires to create a district for the maintenance of all or part of the streets or avenues of its city or town as provided in this part, it shall provide by ordinance a method of doing the maintenance and of paying for the maintenance under the restrictions and regulations provided in this part.

(2) "Maintenance" as used in this part includes but is not limited to sprinkling, graveling, oiling, chip sealing, seal coating, overlaying, treating, general cleaning, sweeping, flushing, snow removal, leaf and debris removal, the operation, maintenance, and repair of traffic signal systems, the repair of traffic signs, the placement and maintenance of pavement markings, curb and gutter repair, and minor sidewalk repair that includes cracking, chipping, sinking, and replacement of not more than 6 feet of sidewalk in any 100-foot portion of sidewalk.

**7-12-4402. Creation of maintenance districts.** A resolution shall be adopted dividing the whole or any part of the city or town into maintenance districts, to be known and designated by number. Said resolution shall plainly define the boundaries of the district or districts and describe the streets, alleys, and public places or any part thereof constituting the district or districts.

**7-12-4403. Alteration of maintenance districts.** When once defined, maintenance districts may not be changed during the same calendar year but may be changed by resolution in any succeeding year.

**7-12-4404. Manner of providing maintenance.** The maintenance in districts so established may be done by contract or by forces employed by the city or town or by both, in such manner as the council may elect.

**7-12-4405. Improvements within maintenance districts -- ordinance required.** (1) (a) Cities and towns may prepare and improve streets, avenues, and alleys within the maintenance districts so that the maintenance will be of a durable and continuing benefit. The city or town council shall provide by ordinance a method or methods of doing the work and improvements.

(b) For the purposes of this section, "improvements" includes but is not limited to the installation of traffic signs, new curb and gutter construction, and widening of existing streets.

(2) Cities and towns are authorized to maintain the work and improvements made under subsection (1).

(3) At least 12 days must elapse between the day on which the proposed ordinance is introduced and the day on which final action on the ordinance is taken.

**7-12-4406. Notice of ordinance for improvements.** The city or town clerk must give notice of the introduction of the proposed ordinance and of the time it will be up for final adoption. The notice must be published as provided in 7-1-4127.

# Montana State Law cites for Street Maintenance Districts and Park Maintenance Districts

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**7-12-4407. Protest against ordinance for improvements.** No further action shall be taken upon the proposed district for 1 year if a written protest against passage of the proposed ordinance is filed by:

- (1) owners of property within the proposed maintenance district having a taxable valuation, when aggregated, representing not less than 50% of the total taxable valuation of property within the district;
- (2) not less than 50% of the owners of property within the district; or
- (3) owners of property within the proposed maintenance district having projected assessments, when aggregated, representing not less than 50% of the total projected assessments for property within the district.

**7-12-4421. Choice in manner of making assessments.** The assessments for the costs and expenses of maintaining streets, alleys, and public places shall be made against all of the property embraced within each maintenance district by one of the methods provided in 7-12-4422.

**7-12-4422. Assessment of costs -- area, frontage, lot, and taxable valuation options.** (1) For the purposes of this section, "assessable area" means the portion of a lot or parcel of land that is benefited by the maintenance district. The assessable area may be less than but may not exceed the actual area of the lot or parcel.

(2) The city council shall assess the percentage of the cost of maintenance established in 7-12-4425 against the entire district as follows:

(a) each lot or parcel of land within the district may be assessed for that part of the cost that its assessable area bears to the assessable area of the entire district, exclusive of streets, avenues, alleys, and public places;

(b) each lot or parcel of land within the district abutting upon a street upon which maintenance is done may be assessed for that part of the cost that its street frontage bears to the street frontage of the entire district;

(c) if the city council determines that the benefits derived from the maintenance by each lot or parcel are substantially equivalent, the cost may be assessed equally to each lot or parcel located within the district without regard to the assessable area of the lot or parcel;

(d) each lot or parcel of land, including the improvements on the lot or parcel, may be assessed for that part of the cost of the district that its taxable valuation bears to the total taxable valuation of the property of the district;

(e) each lot or parcel of land within the district may be assessed for that part of the cost that the reasonably estimated vehicle trips generated for a lot or parcel of its size in its zoning classification bear to the reasonably estimated vehicle trips generated for all lots in the district based on their size and zoning classification; or

(f) any combination of the assessment options provided in subsections (2)(a) through (2)(e) may be used for the district as a whole or for any lot or parcel within the district.

# Montana State Law cites for Street Maintenance Districts and Park Maintenance Districts

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**7-12-4425. Resolution for assessment of costs of maintenance.** (1) The city council shall estimate, as near as practicable, the cost of maintenance in each established district annually, not later than the second Monday in August. The council shall pass and finally adopt a resolution specifying the district assessment option and levying and assessing all the property within the several districts with an amount equal to not less than 75% of the entire cost of said work.

(2) The resolution levying the assessment to defray the cost of maintenance shall contain or refer to a list in which shall be described the lot or parcel of land assessed, with the name of the owner thereof if known, and the amount levied thereon set opposite.

(3) Such resolution shall be kept on file in the office of the city clerk.

**7-12-4426. Notice of resolution for assessment.** (1) A notice, signed by the city clerk, stating that the resolution levying a special assessment or changing the method of assessment to defray the cost of maintenance in the district or districts is on file in the city clerk's office and subject to inspection, must be published as provided in 7-1-4127.

(2) The notice must state the time and place at which objections to the final adoption of the resolution will be heard by the council and must contain a statement setting out the method of assessment being proposed for adoption or the change in the method of assessment that is being proposed for adoption. The time for the hearing must be at least 5 days after the final publication of the notice.

**7-12-4427. Hearing on resolution for assessment of costs.** (1) At the time so set, the council shall meet and hear all objections which may be made to such assessment or any part thereof and may adjourn from time to time for that purpose and may by resolution modify such assessment in whole or in part.

(2) A copy of the resolution, certified by the city clerk, must be delivered to the financial officer, and the assessments shall be placed upon the tax roll and collected in the same manner as other taxes.

**7-12-4428. Assessment of costs of improvements and maintenance of improvements.** Cities and towns are authorized to assess the cost of the work, improvements, and maintenance authorized by 7-12-4405 against the property in maintenance districts in the manner and as provided in 7-12-4421 and 7-12-4422 to meet the payments required to be made each year.

## Montana State Law cites for Street Maintenance Districts and Park Maintenance Districts

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**7-12-4001. Park maintenance districts.** (1) A city or town may upon petition of 10% or more of the qualified electors of the proposed park maintenance district or upon a resolution of intent adopted by the governing body submit to the electors of the proposed district the creation of a park maintenance district.

(2) The district may be created for the purposes of, but not limited to, mowing, irrigation, turf repair and maintenance, recreation facility and equipment maintenance, tree trimming, tree replacement, tree removal, garbage removal, general cleaning, and leaf debris removal.

(3) The petition or the resolution of intent must state the maximum number of mills or the maximum fee that will be assessed for the district. The fee assessed or the tax levied may not exceed the maximum amount approved by the electorate.

(4) A park maintenance district authorized by this section must be formed and operated in the same manner as a special improvement district.



MISSOULA OFFICE OF PLANNING & GRANTS

435 Ryman  
MISSOULA MT 59802-4292



PHONE: (406) 258-4657

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MEMORANDUM

Date: August 8, 2008

To: Agency Reviewers and Interested Parties

CC: John Engen, Mayor  
City Council Members  
Bruce Bender, City CAO

Board of County Commissioners  
Dale Bickell, County CAO  
Tim Ibey, Chair Planning Board

From: Laval Means, Planner III, Missoula Office of Planning and Grants

Re: **Proposed Missoula County Growth Policy Amendment -  
Urban Fringe Development Area (UFDA) Project**

The Missoula Office of Planning and Grants is proposing an amendment to the *Missoula County Growth Policy*. This amendment proposes specific objectives and a new Map (Residential Development Allocation in the Urban Service Area – Map 18) to address the Urban Fringe Development Area Project. It is not intended as a full rewrite of the 2005 Growth Policy. The proposed amendment is attached to this memo and is also available for your review at <http://www.co.missoula.mt.us/opgweb/UrbanInitiative/index.htm#UFDA>. Copies are also available from the Office of Planning and Grants (435 Ryman). The current Missoula County Growth Policy Update, 2005 can be found on the OPG website at: <ftp://www.co.missoula.mt.us/opgftp/Documents/LRCounty/GrowthPolicy/CurrentGP/05GrowthPolicyLP.htm>.

The Urban Fringe Development Area Project is intended to provide a regional context for residential growth within the Missoula Urban Service Area and addresses both City and County lands. The process involves participation from City and County agencies as well as comments from the public through various avenues – approximately fifty presentations to organized groups, four Open Houses throughout the community and regular website updates. Updates and feedback have been provided at Joint City Council and Board of County Commissioner quarterly meetings, Planning Board informational meetings, Board of County Commissioners informational meetings, City Council Plat Annexation and Zoning committee meetings, and the Community Forum meetings. The project is coordinated with other ongoing processes particularly the "Envision Missoula" Long Range Transportation Plan Update. To review the process thus far (including data analysis maps, suitability analysis maps, scenario development and past presentations) go to <http://www.co.missoula.mt.us/opgweb/UrbanInitiative/index.htm#UFDA>.

The Growth Policy is a general guiding policy document. This Growth Policy Amendment focuses solely on developing a community vision for residential growth within the Missoula Urban Service Area and will help to guide future public infrastructure investments, future neighborhood plans, annexation discussions and development proposals.

The Missoula Consolidated Planning Board, the City Council, and the Board of County Commissioners are responsible for conducting public hearings on this document. The Planning Board, City Council, and Board of County Commissioners consistently ask for input from you or your agency on such matters. Please review the attached documents and note any concerns you have. *If you do not have concerns about the amendments, please write that also.*

The Planning Board public hearing is scheduled for September 16, 2008. Deadlines for printing and mailing require that we receive your comments by **Monday, August 25, 2008**. Written comment will be taken by the Planning Board, City Council, and Board of County Commissioners after this time up until the public hearings are closed. Please feel free to use this memo for comments, or you may e-mail your comments to [ufda@co.missoula.mt.us](mailto:ufda@co.missoula.mt.us).

Should you wish to attend the Planning Board public hearing it will be held on **September 16, 2008** in the Missoula City Council Chambers on 140 West Pine beginning at 7:00 p.m. Dates for Public Hearings before the City Council and Board of County Commissioners are yet to be determined.

Your attendance and your comments are welcomed and encouraged. If anyone attending the meeting needs special assistance, please provide notice by calling the Office of Planning and Grants at 258-4657. Missoula County will provide auxiliary aids and services.

Written or emailed comments should be directed to the Planning Board and sent to one of the following addresses: [ufda@co.missoula.mt.us](mailto:ufda@co.missoula.mt.us), or c/o Office of Planning and Grants  
435 Ryman Missoula, MT 59802.

Comments will be compiled and forwarded to the Planning Board in advance of the September 16, 2008 meeting. If you have questions about the review process or content of the Growth Policy Amendment you may also call: Laval Means at 258-3797

**COMMENTS:**

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**Attachments:**

1. Growth Policy amendment agency review
2. Proposed Map 18 – Residential Development Allocation within the Urban Service Area
3. Agency and others Review List



# Missoula County

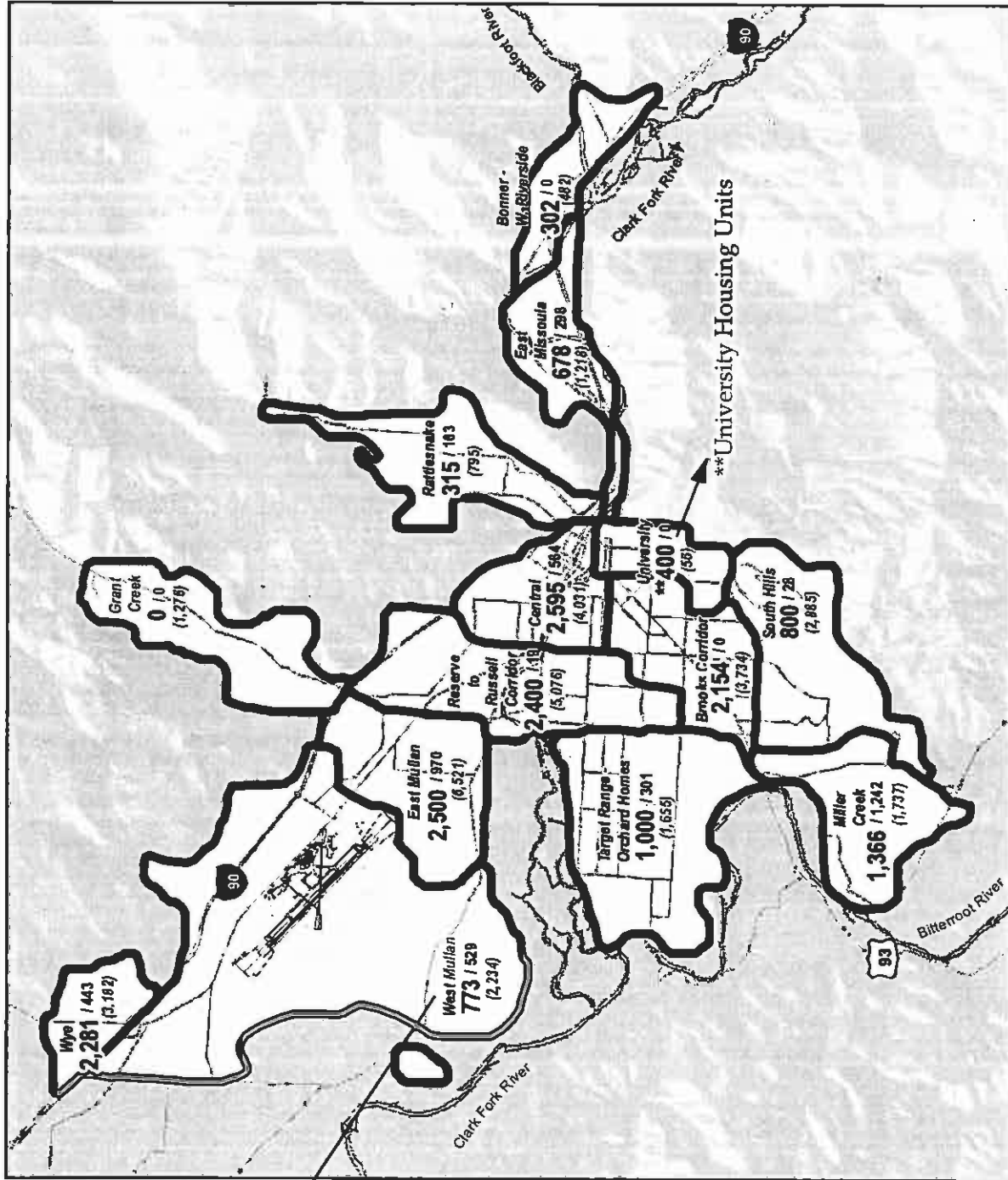
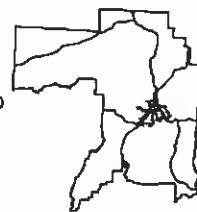
## Residential Development Allocation Within Urban Services Area

### Legend

- Areas in the Missoula Urban Services Area
- Rivers

Area Name #A / #B (#C)
------------------------------

- #A Residential growth allocation - Projected new housing units plus entitled lots.
- #B Entitled lots - Major preliminarily approved subdivisions and Major final plats (2004 - 2008).
- #C Units permitted by zoning plus entitled lots. In unzoned areas as recommended by land use designation.



## PROPOSED AMENDMENT TO THE 2005 MISSOULA COUNTY GROWTH POLICY

### RESIDENTIAL DEVELOPMENT ALLOCATION WITHIN THE MISSOULA URBAN SERVICE AREA (URSA)

A. Add the following section to Chapter 1: Introduction:

Page 1-2: After the section on "2005 Update" add the following section:

Urban Fringe Development Area (UFDA) Project – 2008 Amendment:

Growth trends suggest that the Missoula Urban Service Area (URSA) could see as many as 15,000 new residential units by 2030. The Urban Fringe Development Area Project (UFDA) project provides a regional context for residential growth within the URSA and addresses land within the City and adjacent unincorporated land. The Residential Development Allocation Map allocates residential growth for approximately 15,000 new dwelling units in fourteen areas within the URSA to meet the housing demand.

This City and County joint sponsored project began with collecting data from numerous City, County, and other agencies. The data focused on demographics, existing development patterns, natural resources, and infrastructure elements. The data established a baseline for consideration of where new growth should occur. An inventory of developable lands identified lands suitable for development. Developable lands have an assessed land value equal to or greater than the value of the land's improvements. Land assessed as agricultural was considered "developable" because of its low assessed value. The data, methodologies, and scenarios were presented at over fifty public presentations.

Three growth scenarios – Scenario A: Business As Usual, Scenario B: Suburban Satellites, and Scenario C: Focus Inward – were created from the Envision Missoula Long Range Transportation Plan update and data analysis. At four open houses and subsequent presentations, the public had the opportunity to comment on the scenarios. Public comment emphasized concerns over the growth rate, density, zoning, transportation, agricultural lands, and infrastructure.

OPG staff produced an analysis of suitability for residential development. The suitability analysis balances consideration of efficient public services, preservation of natural resources, continuation of agricultural opportunities, and availability of existing lands. Suitability criteria included Access to Mountain Water, City Sewer, Transit and Bike Routes, City Fire Travel Response Time, Prime Soils and Open Space, Sensitive Lands, and Key Wildlife Habitat. Combined with information regarding lands constrained from development, the analysis identified areas most appropriate for residential development.

A fourth scenario was developed from the Growth Policy goals, public comments, agency input, existing zoning, constrained lands, changing market/demographics, entitled lots, and infrastructure investment and was forwarded to the governing bodies for their review. The Residential Development Allocation within the Urban Service Area Map is a result of the review and approval of the City and County governing bodies and is incorporated as Map 18 in this Growth Policy amendment.

The UFDA project can be implemented through targeted future public infrastructure investments, future neighborhood plans, annexation discussions, and development

proposals. UFDA does not change zoning but provides a context within the Growth Policy for the review and recommendation of future zoning change proposals. The UFDA project directs residential density into certain URSA areas with existing public infrastructure that can accommodate increased residential development.

\*URSA is the same in geographic extent as the Missoula City Waste Water Service Boundary. Area covers the City of Missoula and unincorporated Missoula County land within that boundary.

- B. Add the following amendments to Chapter 3: Community Goals and Objectives:  
**Page 3-4: Development Patterns and Land Use Goals and Objectives: General Objectives:** Add the following objective, and renumber the remaining objectives accordingly:

9. Balance the consideration of efficient public services, preservation of natural resources, continuation of agricultural opportunities, and availability of existing lands within the Missoula Urban Service Area by referring to the Residential Development Allocation Map (Map 18) for identification of where residential development should occur within the Missoula Urban Service Area.

**Page 3-4: Development Patterns and Land Use Goals and Objectives:**  
**Residential Objectives:** Add the following objective and renumber the remaining objectives accordingly:

13. Refer to the Residential Development Allocation Map (Map 18) when determining the appropriateness of discretionary requests for rezoning within the Missoula Urban Service Area.

**Page 3-6: Local Services and Facilities Goals and Objectives: General Local Services and Facilities Objectives:** Add the following objective to the end of the list under this category:

5. Refer to the Residential Development Allocation Map (Map 18) as a tool to inform infrastructure planning and investment within the Missoula Urban Service Area.

- C. Add the following amendments to Chapter 4: Implementation

**Page 4-11: Growth Policy Implementation Strategies:**

8. **Involve the Community in Planning Activities:** Add the following strategy to the end of the list under this category:

- i. Refer to the Residential Development Allocation Map (Map 18) when establishing parameters for neighborhood planning within the Missoula Urban Service Area (URSA).

- D. Incorporate the Map into the series of Growth Policy Maps as Map 18: Residential Development Allocation within the Urban Service Area.

Attachment to Agency Memo

**URBAN FRINGE DEVELOPMENT AREA (UFDA) PROJECT - 2008 AMENDMENT  
GROWTH POLICY REVIEW LIST**

**CONTACTS**

**Office of Planning and Grants**

Growth Policy Team

Roger Millar  
Mike Barton  
Casey Wilson  
Laval Means  
Lewis YellowRobe

Other OPG Contacts

Denise Alexander  
Dave Loomis  
Mary McCrea  
Mike Kress  
David Grey  
Cindy Wulfekuhle

**Governing Bodies**

Planning Board  
BCC  
CC  
Mayor

**AGENCIES**

**County Departments**

Rural Initiatives  
Sheriff's Department  
County Attorney's Office  
Chief Administrative Officer  
Commissioners Office  
Chief Financial Officer  
Public Works  
Parks Office  
Airport Authority  
Urban Transportation District  
Office of Emergency Services  
Bitterroot Economic Development District (BREDD)  
Extension Agent  
Health Department

**City Departments**

Chief Administrative Officer  
Public Works Director

Attachment to Agency Memo

City Engineer  
Bike/Ped Coordinator  
Missoula Housing Authority  
Parks and Recreation  
Redevelopment Agency  
Missoula City Fire Department  
Missoula Police Department  
City Attorney  
City Clerk

**Rural Fire**

Missoula Rural Fire and Missoula County Fire Protection Association  
Frenchtown Rural Fire  
East Missoula Rural Fire

**Schools**

County Superintendent  
District #1 Superintendent  
Frenchtown Superintendent  
Target Range Superintendent  
Hellgate Superintendent  
Bonner Superintendent  
DeSmet School District – Principal  
University of Montana Administration

**State and Federal Agencies**

Montana Department of Transportation  
Montana Fish, Wildlife, and Parks  
Natural Resources and Conservation Services  
Department of Natural Resources  
Department of State Lands

**Tribes**

Confederated Salish and Kootenai Tribes

**Utilities**

Bresnan Communications  
Missoula Electric Cooperative  
Qwest  
Clark Fork Telecommunications  
Blackfoot Telephone Cooperative  
NorthWestern Energy  
Allied Waste  
Mountain Water  
Missoula Emergency Services (ambulance)  
Frenchtown Irrigation District  
Missoula Irrigation District  
Big Flat Irrigation District

Attachment to Agency Memo

Orchard Homes Ditch Company  
Grass Valley/Frenchtown Ditch  
Target Range Sewer and Water District

**OTHER PUBLIC**

Community Forum (all 18 Community Forum Representatives and contact persons)  
Neighborhood Liaison  
Neighborhood Network  
Save our Neighborhoods

East Missoula Community Council  
Lolo Community Council  
Bonner Community Council  
Orchard Home Community Association  
Target Range Neighborhood Association  
Upper Linda Vista Homeowners Association

Missoula Building Industry Association  
Missoula Organization of Realtors  
Surveyors/ Land Use Consultants

Missoula Downtown Association  
Missoula Business Improvement District (BID)  
Missoula Chamber of Commerce  
Midtown Association  
Missoula Area Economic Development Corporation  
Montana Community Development Corporation  
Center for the Rocky Mountain West  
Sustainable Business Council

Clark Fork Coalition  
Five Valleys Land Trust  
Community Food and Agriculture Coalition (CFAC)  
Montana Conservation Voters  
Montana Peoples Action

Missoula Institute for Sustainable Transportation (MIST)  
Missoula Advocates for Sustainable Transportation (MAST)  
Bike Walk Alliance for Missoula (BWAM)  
Montana Rail Link