

# University Neighborhood Council Leadership Team Meeting Agenda

**Date:** April 3, 2018

**Time:** 6:30 pm - 8: 30 pm

**Location:** Hal Fraser Conference Room  
140 W Pine St., Missoula

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1. Approval of [March 12, 2018](#) LT meeting minutes
2. University District Zoning Overlay – Letter of support, Gwen Jones Q&A
3. Correspondence
4. Treasurer’s Report – Peter Drakos
5. ASUM Neighborhood Ambassadors Update- Jordan Lyons
6. Office of Neighborhoods Report- Jane Kelly
7. Community Forum Report – Mike Jakupcak
8. Plan for May 1<sup>st</sup> general meeting
9. Discuss [current bylaws](#) and proposed amended bylaws- Jane and Julie
10. Public comment of non-agenda items
11. Announcements

Jane Kelly, Neighborhood Coordinator  
Karen Gasvoda, Neighborhood Assistant  
Gwen Jones, Ward 3 Council Member  
University District Neighborhood Council

[jkelly@ci.missoula.mt.us](mailto:jkelly@ci.missoula.mt.us) 552-6081  
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[university@missoula-neighborhoods.org](mailto:university@missoula-neighborhoods.org)

**CITY CLERK DEPARTMENT BUDGET  
FUND: GENERAL FUND  
ACCOUNTING CODE: 1000.223**

3/26/2018

**ACTIVITY NAME: UNIVERSITY DISTRICT  
ACTIVITY CODE: 410107**

ACCOUNT	DESCRIPTION	BUDGET	ACTUALS	ENCUMBRANCES	BALANCE	%
310	Mailing Supplement	\$ 1,581.00	\$ 610.45		\$ 970.55	61%
700	Grants and Contributions	\$ 800.00	\$ 236.76		\$ 563.24	70%
<b>TOTAL EXPENSES</b>		<b>\$ 2,381.00</b>	<b>\$ 847.21</b>	<b>\$ -</b>	<b>\$ 1,533.79</b>	<b>64%</b>
<b>UNIVERSITY DISTRICT TOTAL</b>		<b>\$ 2,381.00</b>	<b>\$ 847.21</b>	<b>\$ -</b>	<b>\$ 1,533.79</b>	<b>64%</b>

[EXPENSE DETAIL](#)

[BACK TO BUDGET SUMMARY](#)

**EXPENSE DETAIL**

[BACK TO BUDGET SUMMARY](#)

Sum of AMOUNT	Division		University NC Total	Grand Total
	University NC			
Check Run Date	410107	410107 Total		
	310 - Mailing Sup.	700 - General		
<b>10/17/2017</b>	\$ 4.98	\$ 4.98	\$ 4.98	\$ 4.98
Fresh Market	\$ 4.98	\$ 4.98	\$ 4.98	\$ 4.98
<b>10/31/2017</b>	\$ 610.45	\$ 195.03	\$ 805.48	\$ 805.48
The Directory	\$ 610.45		\$ 610.45	\$ 610.45
Julie Stephensen	\$ 195.03	\$ 195.03	\$ 195.03	\$ 195.03
<b>1/30/2018</b>	\$ 36.75	\$ 36.75	\$ 36.75	\$ 36.75
Missoula County	\$ 36.75	\$ 36.75	\$ 36.75	\$ 36.75
<b>Grand Total</b>	\$ 610.45	\$ 236.76	\$ 847.21	\$ 847.21

## **NEIGHBORHOOD COUNCIL OF THE UNIVERSITY DISTRICT BYLAWS**

NC amended and approved on: April 30, 2015

Adopted by City Council on: May 11, 2015

**Neighborhood Council – Membership and Elections-** All residents of the University District are members of the Neighborhood Council of the University District and are eligible to vote at meetings on all issues that come before the council. Businesses, churches, schools, neighborhood organizations and other entities within the district are eligible to designate a representative to attend meetings but may not vote on issues that come before the council. Leadership Team candidates may nominate themselves from the floor or be nominated by others. The Leadership Team membership may reflect the diversity of their neighborhoods in the district's three major geographic areas: 1) Beckwith Ave., from Higgins to Mt. Sentinel, north to the river, 2) Beckwith Ave., from Higgins to Mt. Sentinel, south to the turn off to Pattee Canyon Rd., and 3) The University of Montana student housing. Decisions shall be made only by a consensus or majority vote of the Neighborhood Council and the Leadership Team. Dissenting members may file a minority report with the Leadership Team to be submitted to the City Council.

**Leadership Team—Membership, Conduct of Business and Vacancies.** The Leadership Team shall have five to seven members. In the event the number falls below 7, the Leadership Team may appoint an interim member or members who will serve until the next Neighborhood Council meeting. A quorum for any meeting of the Leadership Team is set as a majority of the current Leadership Team members. Term of the Leadership Team members shall be 2 years with no limit on the number of terms served.

**Leadership Team – Duties.** The Leadership Team will choose Co-Chairpersons, a Secretary, Treasurer and Community Forum Representative and Alternate from among Team members for 2 year terms. At the discretion of the Leadership Team, the Secretary and Treasurer offices may be held by one person with the role of Secretary-Treasurer or by two people each taking one of the roles. The Team shall divide the following duties among themselves.

1. Preside at Neighborhood Council meetings.
2. Report to Community Forum.
3. Report to City Council.
4. Submit minority reports to the City Council.
5. Set meeting agendas and file them with the Neighborhood Coordinator.
6. Record meetings and file minutes with the Neighborhood Coordinator.
7. Take attendance at the Neighborhood Council meeting.
8. The Leadership Team will meet at least once a quarter.
9. Approve spending and account for and report expenses and income in accordance with city fiscal policy.
10. Set up and host Neighborhood Council meetings.

**Meetings -** General meetings of the Neighborhood Council of the University District shall be held at least twice annually. Additional Neighborhood Council meetings may be called by the Leadership Team or by a petition of at least 20 residents outside the Leadership Team. If needed, a special meeting would be limited to Public Comment and the topic(s) for which it was called. At least 7 day's notice, with a posted agenda, must be given for any General Council meeting. Meetings shall be conducted in an open manner. Neighborhood Council meetings shall be open to the public and are subject to the provisions of the Montana Open Meeting and Public Participation Laws. Notification of pending elections shall be

given at least 15 days prior to the scheduled elections. Notification shall be carried out either by direct mail, postings in the district, notification in the newspaper, posting on the city web site or a combination of the above. Notification shall include the time and place as well as information on the nomination procedure for the Leadership Team candidates.

**Committees** - Committees of the Neighborhood Council shall be formed by the Leadership Team as needed. Voting Members on committees shall be limited to residents of the Neighborhood Council.

**Expenditures** - All expenditures shall be made with the approval of the Treasurer and at least one other member of the Leadership Team. All expenditures of City funds must be done in accordance with City fiscal requirements.

**Amendments** - Proposed amendments to the Bylaws shall be presented for discussion at a General meeting of the Neighborhood Council and must be available in written form at least 15 days prior to the Neighborhood Council of the University District meeting at which they are voted on. At least 2/3rds vote of those voting is required to adopt any amendment to these bylaws.

**Non-Discrimination Clause** - Neighborhood Councils shall always conduct themselves in a nondiscriminatory manner, during their meetings, and committee meetings, functions, etc., in addition to their internal elections. There shall be no discrimination on the basis of race, ancestry, color, physical or mental disability, religion, national origin, sex, age, marital or familial status, creed, ex-offender status, physical condition, political belief, public assistance status or sexual orientation, gender identity or expression.

## Recommended Bylaw Format

These recommended bylaws outline the information that should be included in your Neighborhood Council bylaws. Neighborhood Councils are free to create bylaws that are reflective of their Council. Neighborhood Councils are encouraged to update and change bylaws as needed. All bylaws submitted to the Office of Neighborhoods will be reviewed by the City Attorney for legality and if approved will need to be approved by the Neighborhood Council and then will be submitted to the City Council for a vote.



## City of Missoula

### XXXX Neighborhood Council Bylaws

Approved by Neighborhood Council XX/XX/XXXX

Approved by City Council XX/XX/XXXX

## Purpose

XXXX Neighborhood Council

- To enhance the livability of the area
- To provide an open process by which all neighborhood residents may involve themselves in the affairs of the neighborhood.
- To increase citizen participation in the neighborhood.
- To provide an avenue for citizens to make recommendations and communicate with City Council and City government.

### Or:

We have come together from diverse backgrounds as the XXXX Neighborhood Council to be advisors for the well-being of our neighborhood. The well-being of our neighborhood and that of the larger Missoula community are closely interrelated. We intend to work in clear, caring and accountable ways for the benefit of our neighborhood and for the common good. We welcome this opportunity to let grassroots democratic processes help revitalize neighborhood advisory role. We commit ourselves to working together in a spirit of mutual respect. This Neighborhood Council is organized in accordance with Missoula Municipal Code Chapter 1.18 in order to increase neighborhood and individual participation in city government; to provide a forum for, and promote the involvement of, neighbors in matters affecting our neighborhood; and to increase the awareness of strong neighborhoods as essential components of a strong Missoula community

### **Membership, Elections and Vacancies**

All residents (homeowners, renters and occupants) of the Neighborhood Council residing within the boundaries of the Neighborhood Council are members of the Neighborhood Council and are eligible to vote at meetings on all issues that come before the Council. Membership does not limit anyone's ability to be active politically as an individual.

Decisions shall be made by a majority of those voting. Decisions made by majority vote may be accompanied by a minority report, should the minority opinion choose to submit such report.

The **XXXX** Neighborhood Council Leadership Team shall be 5 to 7 elected residents. Any resident of the **XXXX** Neighborhood Council may serve on the Leadership Team. Leadership Team members will be elected by the Neighborhood Council at a general election meeting. Leadership Team terms are **one/two years** with no term limits. If a vacancy occurs on the Leadership Team, the Leadership Team may appoint an interim member and nominations will be taken from the Neighborhood Council for replacement candidates. The vacant position shall be filled by majority vote at the next general Neighborhood Council meeting.

### **Notification of Elections**

Notification of pending elections shall be given at least **7** days prior to the scheduled elections. Notification shall be carried out either by direct mail, distributions of flyers, postings in the district, newspaper notification, City web site, or a combination of the above. Notification shall include time and place for all elections.

### **Duties of Officers**

The Leadership Team will designate team members as Co-Chairpersons, Secretary, Treasurer, and a Community Forum representative and alternate. Positions and duties will be reviewed annually. Neighborhood Council members shall speak to the specific issue being discussed and shall refrain from making any negative personal comments, personal criticisms or personal attacks on other Council members, city officials, staff members, or the public during debate, discussion, or comment. At no time may any Neighborhood Council member purport to represent the Neighborhood Council to any other public body, city staff or any organization unless the person has been authorized to make such representations at an advertised public meeting where a vote has authorized such representations to be made. The Leadership Team shall divide the following duties among themselves:

- Preside at Neighborhood Council Meetings
- Report to the Community Forum
- Report to City Council
- Submit minority reports, when such reports are available
- Set meeting agendas and file them with the Office of Neighborhoods
- Take attendance at Leadership Team and Neighborhood Council meetings
- Record meetings and file these minutes with the Office of Neighborhoods

- Coordinate volunteers
- Account for and report expenses and income in accordance with City fiscal policy
- May edit and publish a newsletter
- Set up and host Neighborhood Council meetings
- Identify, recruit, and train future Leadership Team candidates

### **Meetings**

The Leadership Team will meet as needed. At least 7 days advance public notice must be given for Leadership Team meetings. A general meeting of the XXXX Neighborhood Council shall be held at least once annually. Additional meetings may be called by a vote of the Leadership Team, by the Neighborhood Coordinator, or if a petition of at least 20 residents outside of the Leadership Team is submitted to the Neighborhood Coordinator. At least 7 days public notice must be given for any general Neighborhood Council meeting. When necessary, a three minute per speaker rule limiting debate may be imposed to expedite proceedings. Neighborhood Council, general and Leadership Team meetings shall be open to the public and are subject to the provisions of the “Montana Open Meeting and Public Participation” laws. Meeting agendas and minutes will be filed with the Office of Neighborhoods in a timely manner.

### **Committees**

The Leadership Team may form Committees of the Neighborhood Council as needed. These may take the form of permanent standing committees or ad-hoc committees focused on specific issues. Committee recommendations must be submitted to the Leadership Team for approval before action can be taken, unless the committee has been authorized by the Neighborhood Council to take specific actions. Membership on committees shall be open to all members of the Neighborhood Council. Individuals who live outside the XXXX Neighborhood Council boundaries may attend and participate in all discussions, but may not vote.

### **Expenditures**

All expenditures shall be made with the approval of the Treasurer and at least one other member of the Leadership Team. All expenditures of City funds must be expended in accordance with City fiscal requirements.

### **Non-Discrimination Clause**

Neighborhood Councils shall always conduct themselves in a nondiscriminatory manner during their communications, meetings, and committee meetings, functions, etc., in addition to their internal elections. There shall be no discrimination on the basis of race, color, religion, creed, political ideas, sex, age, marital status, physical or mental disability or national origin, sexual orientation, gender identity or gender expression, culture, social origin or condition.

### **Conduct of Participants at Meetings**



We consider it a privilege to present, and listen to, diverse views.  
It is essential that we treat each other with respect.

We expect that participants will:

- Be recognized before speaking
- Engage in active listening
- Make concise statements

We further expect that participants will refrain from disrespectful displays, such as:

- Profanity
- Personal attacks
- Signs
- Heckling

The presiding officer may ensure that these activities do not interfere with the conduct of the meeting. Attendees who do not observe these may be asked to leave the premises.

### **Amendments**

Proposed amendments to the bylaws shall be presented at a general meeting of the Neighborhood Council and must be available in written form at least 7 days prior to the Neighborhood Council meeting at which they are voted on. At least 2/3 majority vote of Neighborhood Council residents present is required to adopt any amendment to these bylaws.



Neighborhood Coordinator  
Office of Neighborhoods  
435 Ryman  
Missoula, MT 59802  
[contact@missoula-neighborhoods.org](mailto:contact@missoula-neighborhoods.org)  
406-552-6081

Agencies and Interested Persons,

Please find attached the Agency Review Memorandum and proposed amendments to Title 20 for a University Neighborhood Character Overlay ordinance. The proposed amendments were reviewed at the Land Use and Planning committee meeting Wednesday, December 13th. The committee recommended Development Services send the proposed zoning amendments to you for agency and public review and for consideration at the Planning Board public hearing on April 13. There is a link to background information at the end of the memorandum. I would like to have your comments **back by March 23**.

The amendments would:

- Create a maximum parcel size limit of 65 x 130' or 8,450 square feet
- Require modulation of walls over 40 feet long on corner parcels
- On corner parcels, create a street-side building envelope for new and re-development and additions
- Require new and re-development and additions on large corner parcels to follow existing building front and street-side setbacks
- Require owners of new and re-development and additions in the University Historic District to consult with the City Historic Preservation Officer

I appreciate your time and expertise. Please let me know if you have any questions.

Tom

**Tom Zavitz, AICP**  
**Senior Planner**  
**Development Services, City of Missoula**



## DEVELOPMENT SERVICES

435 RYMAN • MISSOULA, MT 59802 - 4297 • (406) 552-6630 • FAX: (406) 552-6053

### MEMORANDUM

**TO:** Jim Nugent, City Attorney  
Marty Rehbein, City Clerk  
Jason Diehl and Gordy Hughes, City Fire Department  
Shannon Therriault, Health Department  
Donna Gaukler and Elizabeth Erickson, City Parks Department  
Mike Brady, City Police Department  
Ellen Buchanan, MRA  
Eran Pehan, Housing and Community Development

**CC:** John Engen, Mayor  
City Council Members  
Dale Bickell, City CAO  
John Newman, Chair, Planning Board  
Matt Loomis, Chair, Design Review Board  
Missoula Organization of Realtors  
Chamber of Commerce  
Missoula Building Industry Association  
Office of Neighborhoods  
University District Neighborhood Council  
Missoula Economic Partnership  
Jamie Erbacher, CAPS  
Jim McDonald, Historic Preservation Commission  
Interested citizens Kurt McGrane, Missoula Architecture and Design

**FROM:** Tom Zavitz, Senior Planner, Development Services

**DATE:** March 13, 2018

**RE:** Ordinance amending Title 20 City Zoning creating and applying Chapter 20.25.072  
University District Neighborhood Character Overlay

This is a City Council initiated request to amend Title 20 City Zoning Ordinance and create and apply Chapter 20.25.072 University District Neighborhood Character Overlay.

**Timeline:** In the spring of 2016, residents of the University District Neighborhood Council raised concerns about recent large home construction projects that were not in character with the existing home sizes. In response, Council member Gwen Jones distributed a questionnaire to the residents to get a better understanding of their concerns. The results of the questionnaire confirmed most of the concern was about oversized homes.

The University District Neighborhood Council members and Councilmember Jones formed a subcommittee with Development Services providing technical support to review the results of the questionnaire and suggest potential solutions. The subcommittee met three times over the winter of 2016-17. The committee suggested addressing the size and bulk concerns with a Neighborhood Character Overlay which is supported by the Our Missoula Growth Policy.

In the spring and summer of 2017 Councilmember Jones distributed the suggested zoning tools which limit the size and height of new and re-development in the neighborhood and asked for comments. By the end of summer 2017, Ms. Jones had received over 100 responses. More than 80% of the responses were in support of pursuing the zoning tools the subcommittee proposed.

On April 12, 2017 and October 4, 2017 Councilmember Jones updated the Land Use and Planning Committee on the current status of the University Neighborhood's progress on potential zoning amendments and the results of the second questionnaire. At both meetings she received a majority of support from the other Councilmembers to continue exploring a potential Neighborhood Character Overlay. On December 13, the Land Use and Planning Committee directed Development Services staff to write ordinance language for a University District Neighborhood Character Overlay based on the zoning tools created by Councilmember Jones and the Neighborhood Subcommittee.

The University Neighborhood subcommittee used the results of the questionnaires to guide their exploration for solutions with the use of zoning tools that would maintain the character of their neighborhood.

**Background:** The University Neighborhood retains its original overall integrity and association with Missoula's historic period of development. According to the University Area Historic District National Register nomination, the area evolved in the early 1900s with a citizen-led, grassroots movement to establish the University Neighborhood as the most "beautiful" residential area in Montana. Residents joined together in creating and implementing a neighborhood beautification plan with an emphasis on green and pedestrian space, to create a park-like setting with a boulevard feel. By 1915, the neighborhood had successfully applied the plan through gridlines, setbacks and landscaping, and was ultimately declared by Senator Gibson of Great Falls as, "the choicest residential attraction in the State." Such neighborly action led to other beautification movements throughout Missoula. Today, the neighborhood maintains some of the City's most historic, varied and architecturally significant structures within its original park-like setting.

The neighborhood beautification plan, paired with the lack of zoning until 1934, led to a building pattern defined by large setbacks and open green space. The early implementation of zoning reflected neighborhood planning efforts through the use of 20 foot front yard setbacks on primary and side streets although some larger homes were set back much further. Since then the zoning has changed to allow ten foot side street setbacks.

**Issue:** Recently, homes have been built in the University Neighborhood which cover a majority of the buildable parcel area, becoming significantly larger than those that were originally constructed, and altering the original park-like feeling and setting. Further, many parcel sizes purchased from original landowners have been joined and/or subdivided. Such factors have resulted in a variety of parcel and home sizes within the neighborhood, which affords limited options in regulating building envelopes and building placement on a parcel. With that being said, the following zoning tools, which would be applied with a zoning overlay, have been vetted by the University Neighborhood and are proposed for use in a University District Neighborhood Character Overlay. See linked ordinance language below.

The proposed amendments include:

1. University District Neighborhood Character Overlay covering the University District Neighborhood Council:
  - a. Maximum parcel size of 65' x 130' or exceed 8,450 square feet (to prevent tearing down two homes to build one large home – a loss of dwelling units)

- b. Corner parcel street-side façade envelope (increases street side setback and lowers height limit at the street side setback )
- c. Require modulation in street side façade
- d. Require large corner lot parcels to maintain their existing (generally much larger) setbacks
- e. Require a historic character consultation with the Historic Preservation Officer for new and redevelopment (including additions) within the University Historic District

The attached documents provide proposed amendment language. For reference, the current City zoning code (Title 20), can be viewed at

<http://www.ci.missoula.mt.us/DocumentCenter/Home/View/2873>

Agency and interested citizen comments are requested. Comments received by Friday 30, 2018 will be included in an informational packet to the Planning Board prior to their public hearing. Comments will continue to be taken by Planning Board after this time until the public hearing is closed. Written comments received by noon on April 13, 2018 will be forwarded under separate cover to Planning Board prior to their meeting.

After agency input, the Planning Board will review and provide recommendations to the City Council for their final review, recommendation, and decision. Should you wish to attend the Planning Board will hold a public hearing on **Tuesday, April 17, 2018** beginning at 7:00 p.m., in the Missoula City Council Chambers, 140 W. Pine Street, Missoula, MT. Printed material is available for inspection at Development Services, 435 West Ryman Street, Missoula, MT 59802.

Please forward your comments to Tom Zavitz, [tzavitz@ci.missoula.mt.us](mailto:tzavitz@ci.missoula.mt.us). Send a notice of *no comment* if you have none so the Planning Board and City Council are aware of your participation. If you have problems viewing the document or have questions, please contact me via email or telephone at 552-6632.

#### Links

[March12 Draft, University District Neighborhood Character Overlay](#)

[SIRE Link](#)