

## SUMMARY OF PLANNING BOARD MOTIONS FROM APRIL 7, 2009 PUBLIC HEARING

The April 7, 2009 Planning Board meeting is part of a series of Planning Board meetings anticipated to consider the review and recommendations of the Consolidated Public Review Draft (dated 2/3/09) along with Addendum A (dated 3/2/09).

Planning Board recommended revisions will be incorporated into a revised draft of the proposed City Zoning Ordinance – Title 20 and will be available for City Council consideration at a later date.

For a full description of the Planning Board hearing please go to the OPG website at: <ftp://www.co.missoula.mt.us/opqftp/Minutes/MCPB/2009/> and click on the specific date, or go to [www.zoningmissoula.com](http://www.zoningmissoula.com).

Note: The amendments made by Planning Board are shown with a yellow (or grey) highlight and are based on staff notes from the meeting. Motions made for concepts (without specific language suggested) are also described. Additional direction or clarifications requested by the Board (without a motion) are shown in *italics*. Review of minutes from the meetings may yield additional clarifications and corrections. Planning Board reserves the right to revisit previously reviewed chapters to make additional revisions as needed and as additional review of the document occurs.

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### PLANNING BOARD MADE THE FOLLOWING MOTIONS:

1. Rename and reconfigure Chapter 20.50 (Hillside Development) to something like “Resource Protection Standards” so that it can accept other resource protection standards.

#### Chapter 20.25 Overlay Districts:

2. Move Riparian Resource Overlay from 20.25.050 to the newly reconfigured Chapter 20.50.
3. Add a placeholder in Chapter 20.50 for an **Agriculture Overlay**.
4. Create a placeholder in **Chapter 20.50** for a **Wildlife and Biologically Sensitive Lands** and a **Wildland Fire Risk Zones**.
5. Accept the draft with the elimination of the **EC, Enterprise Commercial Overlay District**.
6. Accept the draft with the elimination of the **Parks Environ Overlay and Historic District Overlay**.
7. Accept the draft with the elimination of the **CLB & CLB-1, Liquor/Beer Sales Overlay Districts** and **CG, Commercial Gasoline Overlay**, recognizing that the uses should be addressed in a use category rather than an overlay category.
8. Accept 20.25.070 Planned Unit Development Overlay with the following amendments:
  - Strike “**Specific**” from the title of 20.25.070. A.2;
  - Strike “**sustainable, long-term**” from 20.25.070.A.2.d;
  - Strike “**appropriately designed improvements**” from 20.25.070.A.2.g; and

- Strike “to establish a high quality livable environment” from 20.25.070.A.2.h);
  - Revise 20.25.070.F Approval Criteria as follows:  
A /PUD overlay zoning district may be approved only when the city council determines that the proposed development cannot be reasonably accommodated by other available regulations of this zoning ordinance, and that a the PUD would result in a greater benefit to the city as a whole than would development under conventional zoning district regulations. Such greater benefit may include implementation of adopted planning policies, natural resource preservation, urban design, neighborhood/community amenities or an overall level of development quality.
9. Move the text of 20.25.060 **Rattlesnake Valley Overlay** to an appendix and reference it under subsection 20.25.090 (Neighborhood Character Overlay) as completed text of a Neighborhood Character Overlay that has yet to be applied by the Council.
  10. Rename 20.25.080 **Fort Missoula Historic Overlay** and 20.25.040 **Southside Riverfront Overlay** as types of Neighborhood Character Overlays, under 20.25.090 Neighborhood Character Overlay.
  11. Change “51%” to “**35%**” in both locations under 20.25.090.E **Neighborhood Character Overlay**. **The revision reads as follows:**  
  
**E. Establishment of District**  
/NC zoning districts are established in accordance with the zoning map amendment procedures of 20.85.050, except that an application to establish an /NC district may be initiated only by the city council or by a petition signed either by the owners of **51% 35%** of the area within the proposed /NC district or by at least **51% 35%** of the property owners within the proposed district.
- Note: Planning Board intent was to continue review of Chapter 20.25 on April 8, 2009.*
12. Motion to continue current meeting to April 8, 7:00 p.m.

## SUMMARY OF PLANNING BOARD MOTIONS FROM APRIL 8, 2009 PUBLIC HEARING

The April 8, 2009 Planning Board meeting is part of a series of Planning Board meetings anticipated to consider the review and recommendations of the Consolidated Public Review Draft (dated 2/3/09) along with Addendum A (dated 3/2/09).

Planning Board recommended revisions will be incorporated into a revised draft of the proposed City Zoning Ordinance – Title 20 and will be available for City Council consideration at a later date.

For a full description of the Planning Board hearing please go to the OPG website at: <ftp://www.co.missoula.mt.us/opqftp/Minutes/MCPB/2009/> and click on the specific date, or go to [www.zoningmissoula.com](http://www.zoningmissoula.com).

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### PLANNING BOARD MADE THE FOLLOWING MOTIONS:

1. Move forward with this re-write keeping chapters 19.72.010 and 19.72.020 in mind and bring them up as we go through this document. And if we get into designation changes we will change the process on the review or remove the sections from the review. Be cognoscente as we use these two regulations.

#### Chapter 20.25 Overlay Districts

#### **20.25.090 /NC, Neighborhood Character Overlay**

2. Motion to adopt sub-section 20.25.090 /NC Neighborhood Character Overlay with the following amendments:
  - 090 B 2 Selection Criteria – the area must be covered by an approved neighborhood or area plan, **or approved National Register Historic District**; and
  - 090 B 3 Selection Criteria – the designated area must be a contiguous area of at least 5 acres. Areas of less than 5 acres may be designated if they abut **and extend** an existing /NC overlay district, **or if specific circumstances apply as deemed by the governing body.**
  - 090 C Uses - Remove existing proposed language and replace it with: **"Uses allowed by the underlying zoning district are allowed in the regulatory area of the /NC Overlay District unless expressly modified when the neighborhood conservation overlay is created."**
  - 25.090 F Procedure – *Clean up the language to eliminate redundant language with Chapter 20.85 (general review procedures for Map Amendments) and describe why this process is different from any other rezoning process.*

3. Motion to adopt sub-section 20.25.110 /D Downtown Overlay as placeholder for future ordinance to be developed as a separate process.