



## **Your Opportunity to Comment on the City Zoning Ordinance Update**

**Background:** The City of Missoula has been working on an update of its zoning ordinance. The ordinance has not been updated for over 30 years and as a result, zoning has evolved into a maze of rules and interpretations that do not serve our community well.

**Where we are now:** After a year-long process of listening to concerns about the existing ordinance, the City's independent consultant, Duncan Associates, produced a first draft of the Updated Zoning Ordinance. That draft has been reviewed by a citizen Advisory Group and by City agencies. Now, a **Consolidated Public Review Draft** which incorporates those reviews is available for your input. This draft will be considered at upcoming Planning Board and City Council Public Hearings. **Now is an important time to review the document, ask questions, and weigh in on proposed changes.**

No changes to existing zoning district boundaries are proposed. However, changes to existing zoning regulations are needed to make the ordinance more current and user-friendly. These changes could affect you and you are encouraged to participate. **If you would like to view zoning tables that compare your area's existing zoning regulations with the proposed changes, go to [www.zoningmissoula.com](http://www.zoningmissoula.com) and follow the link to "Side by side zoning comparisons."**

The Planning Board and City Council are responsible for reviewing and approving, revising, or denying the Zoning Ordinance Update. Please submit your comments in person at one of the upcoming public hearings, or in writing to the Office of Planning and Grants, 435 West Ryman, Missoula, MT 59802.

**Your attendance at Public Hearings is encouraged, and your comments are welcome.**

- **Planning Board Public Hearing will be held at 7:00 p.m. on Tuesday, March 3, 2009.**
- **City Council Public Hearing is tentatively scheduled at 7:00 p.m. on Monday, April 27, 2009**
- **All hearings will be held in the Missoula City Council Chambers at 140 W. Pine Street**
- **If anyone attending these meetings needs special assistance, please provide 48 hours advance notice by calling 258-4657. The City of Missoula will furnish auxiliary services.**

You can view a copy of the **Consolidated Public Review Draft** at the following locations:

- [www.zoningmissoula.com](http://www.zoningmissoula.com).
- Missoula Public Library, 301 E. Main Street
- Office of Planning and Grants, 435 West Ryman
- Denny's Copy Stop, 2330 S. Higgins Ave (You must give 24 hours notice to purchase a copy.)

Questions? Contact the Office of Planning and Grants at 258-4657 or [opg@co.missoula.mt.us](mailto:opg@co.missoula.mt.us)

**Purpose:** The update is intended to address many concerns identified by the community including: making regulations easier to use and understand; promoting housing variety and lifestyle choice; creating places to work, shop, play, and live; improving design standards; growing a sustainable city; and reducing reliance on special zoning districts. In addition to the proposed language revisions there are several policy changes for City Council consideration. *(over)*

The proposed policy changes include:

**Consolidating some zoning districts and renaming all zoning districts** (see 20.01.110.F in the draft)

The following zoning districts are proposed to be combined and renamed because of their common standards and uses:

Existing zones A and R-1, renamed R5.4

Existing zones BC and R-V, renamed B2

Existing zones R-XII and Mixed Use, renamed RM2.7

Existing zones R-III, R-IV, and B, renamed RM1

Existing zones C1 and C, named C1

**Minimum lot-size requirements** for structures are changed in two-dwelling and multi-dwelling districts (existing zone districts R-II, R-XII, Mixed Use, R-III, R-IV, B, R-VI, and RH). In most districts this is a rounding down from 3500 or 3600 sq ft to 3000 sq ft. In the current R-II and R-XII Zones, the change would allow two single-family structures where one duplex is allowed now. (See 20.05.050.B and Table 20.05-3 in the draft.)

**Density calculations** would be based only on lot-size (as opposed to the current ordinance which is based on numbers of bedrooms in some districts or on number of dwellings per acre in others). The proposed ordinance results in “rounding” differences in districts like the current RLD-4 where four units are allowed per acre. The revised ordinance would replace this with a 10,000 sq ft lot-size requirement (allowing one dwelling unit per 10,000 sq ft). (See 20.05.050.B and Table 20.05-3 in the draft.)

**Building Height Allowance** would be clarified and limited to 35 ft in existing residential zone districts SRR, LSR, RLD-1, RLD-2, RLD-4, RR-1, R-1, R-II, R-III, R-IV, R-VI, R-VIII, R-XII, and Mixed Use. Currently, 30 ft is the maximum height allowed in most single and two-dwelling residential districts, although it is possible to achieve heights over 35 ft using various measurement methods. To simplify the ordinance, the proposal is to make 35 ft the maximum height, and eliminate existing exceptions to height measurement. There should be no effect on zones that currently have a 30 ft limit while zones with a 40 ft limit will see a lowered allowed height. (See 20.05.050 and Table 20.05-3 in the draft.)

**Conservation Development Option** is proposed for larger lot residential zoning districts (existing zone districts RLD2, RLD1, LSR, SRR). The option creates an incentive to conserve open space by allowing a 20% increase in density while requiring a commitment of 60% of the developed area to open space. (See 20.05.040.B.4 and Table 20.05-3 in the draft.)

**Wind Energy Conversion Systems** will be addressed by the new ordinance. One system will be allowed as an as-of-right accessory use per parcel in all zoning districts. Maximum height may exceed the subject zoning district height maximum depending on setback. Specific-use standards are also included. (See 20.45.070 in the draft.)

**New Housing Options and Building Types**

*Lot Line Residential Building Type* is proposed to allow more efficient use of limited side yard space in small lot projects. This would allow a builder, if building 3 detached houses on 3 contiguous lots, to have reduced internal side yard set backs. **External side yard set backs would still apply**, that is, new houses would have to meet existing set back requirements to existing homes, and existing set back requirements to streets, sidewalks and other existing rights of way. (See 20.40.080 and 20.05.030 in the draft.)

*Accessory Dwelling Units* (small separate dwelling units or interior apartments) are proposed as an overlay zone. An overlay provides additional uses or restrictions in an existing district. It is a re-zoning that requires property-owner notification, right to protest and City Council approval. (See 20.25.100 in the draft.)

**Specific Uses.** The current *Commercial Liquor and Beer Overlays* would be eliminated and replaced by use-specific standards including separation from residential zoning districts and day care, school, religious assembly, or park/recreation uses. These standards would be applied to the use of a site, as opposed to the site itself. (See 20.40.040 in the draft.)

**Procedures** *Administrative Adjustments* is a new section that provides a streamlined approval procedure for minor modifications to selected zoning ordinance standards and minimum lot area requirements. The process provides flexibility to address unusual development conditions. The proposal requires mailed and posted notice of an adjustment application and a waiting period before the zoning officer takes final action. (See 20.85.110 in the draft.)

To find out more about this project, check the website [www.zoningmissoula.com](http://www.zoningmissoula.com).