

SUMMARY OF PLANNING BOARD MOTIONS FROM APRIL 22, 2009 PUBLIC HEARING

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/opgftp/Minutes/MCPB/2009/> and click on the specific date, or go to 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.

PLANNING BOARD MADE THE FOLLOWING MOTIONS:

Chapter 20.55 Cluster and Conservation Development

1. **20.55.010.C:** Delete the term “prime” in reference to agricultural lands.
2. **20.55.040.B:** Restructure the paragraph to establish two sub-sections. The first sub-section begins with the example. The second sub-section introduces new language. This amended section reads as follows:

“The location, size, character and shape of required open space must be appropriate for its intended use.

 1. Open space proposed to be used for recreations, particularly active recreation, should be located and designed so that it can be accessed conveniently and safely by intended users, and open space to be used for ball fields, playing fields or other active recreational facilities should be located on land that is relatively flat and dry.
 2. In the case of resource protection, open space must be designed to maximally protect the resource (or resources) of interest (e.g. continuous blocks of wildlife or wildlife habitat and corridors, plant habitat, agricultural lands (soils), or riparian areas.
3. **20.55.040.C.1:** Amend the statement as follows:

“Open space set-asides that protect wildlife habitat areas and corridors or promote preservation of prime agricultural lands and sustainable food production activities are the highest priority for open space.”
4. **20.55.040.C.5:** Amend the statement as follows:

“Open space areas may not be use for irrigation of reclaimed wastewater with treated sanitary sewage.
5. **20.55.040.D.2.c:** Replace [INSERT] with “governing bodies.” The statement reads as follows:

“Provide that any changes to the management plan be approved by the governing bodies.”

6. Approve this chapter for either zoning or subdivision regulations with the new district RM1.5 incorporated into Table under 20.55.060.B and as amended.

20.45 Accessory Uses and Structures:

7. 20.45.070.Small Wind Energy Conservation System, B: Where Allowed:

- Delete sub-sections 1 and 2. Replace with the following statement:
“Not allowed within the city limits of Missoula.”
- .070.C through H: delete all remaining sub-sections.

20.05 Residential Districts:

8. 20.05.020: Table 20.05-1: Make the following amendments:

- Eliminate reference to “Domestic Violence Residence”. *Eliminate reference to Domestic Violence Residence and Structure from the Use Classifications in Chapter 20.110.*
- Move “College/University” to Conditional Uses where presently shown as permitted uses.
- Add “office, personal improvement services, public parking, and water testing laboratory” (*uses eliminated as permitted from the existing R-IV*) back into the new RM1-35 zoning district as conditional.
- Move “day care centers 13+” back in as a conditional uses to the existing districts where they were previously allowed as conditional and other residential districts where not previously considered conditional. Allow “day care center 13+” in the new zoning district, R3 as conditional.
- Permitted and conditional uses in the new RM1.5 shall be the same as the permitted and conditional uses of RM1-45.
- Change Bed and Breakfast in district RM0.5 from permitted to conditional.
- Accept Table 20.05-2 including a column for the new RM1.5 (the permitted building types the same as RM1-45).

9. 20.05.030: Accept sub-sections A and B with the deletion of “lot line house.”

10. 20.05.020 Approve this section as previously amended.

11. 20.050.060 Approve the section with the following amendment:

- **G.1.c:** Amend the first sentence as follows:
“Any existing building that was in lawful existence before [insert effective date] may be replaced or expanded (same or expanded version) if the following standards are met: . . .”

12. Approve the Chapter 20.05 as amended.

13. Motion to continue the hearing to April 28th.