



*Zoning & Subdivision Regulations Update
Public Involvement Plan*

*Prepared by:
Soapbox Enterprises
for
Duncan Associates
City of Missoula*

December 2007

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Project Description

The City of Missoula Office of Planning and Grants, through the leadership of Mayor John Engen and the City Council, has initiated a project to update the city's zoning ordinance and subdivision regulations. Why? Because the existing development rulebook is outdated. It is difficult to use, administer and implement. Those who deal with the zoning ordinance—whether daily or infrequently—lament its sometimes archaic, often inflexible and mostly incomprehensible nature. And perhaps most important, the existing regulations often fail to produce the results Missoulians desire with any degree of predictability.

These observed shortcomings are not surprising. The last comprehensive overhaul of city's zoning ordinance occurred in 1972 and many of the ordinance's provisions date back to 1932, when zoning was first adopted in Missoula. Yet despite near universal frustration with the existing regulatory system, previous efforts to update it have fallen short...at least partly because of inadequate community involvement. Successful completion this time around will require and be founded on true community collaboration.

Updating Missoula's regulatory framework for growth and development is one of the most responsible and deliberate things the city can do for its future. But before attempting to craft viable regulatory tools, a broad-based community discussion about history, and core values relating to development and preservation, has to happen—and it should be documented.

To that end, the following plan for public involvement is proposed.

Purpose of Involving the Public

The purpose of a public involvement (PI) plan is to provide communication, access, and a framework for coordination of substantive information and robust outreach as a project or a process evolves. This PI plan focuses less upon this project's final product (an updated set of zoning and subdivision regulations) and more on the process that will be followed in crafting the new regulations. A comprehensive, long term, technical undertaking such as this, must offer successive opportunities for meaningful input by all citizens, at key deliberating and decision-making points. This plan operates on the theory that the zoning and subdivision ordinance update project must be accessible and approachable for everyone.

**Reasonable people,
Given a reasonable amount
of information,
And a reasonable period of
time to digest it,
Will make reasoned
decisions.**

Context

Information about the history of Missoula's growth and development can inform the process of dealing with present day challenges. And updating the regulations is about addressing present day challenges more effectively. Research about future development scenarios and how other communities have approached their future, will help Missoula cultivate its own community-based growth direction. But in order for the project to have an authentic, positive impact, people need to become involved and an exchange of ideas and information must occur over a reasonable period of time.

Tools

The City will use print materials, public meetings, slide presentations, maps, email news groups, a website, and interactive tours and other creative collaboration tools to share information about the zoning and subdivision ordinance update and incorporate public input. The community’s existing network of organizations can support this project by offering localized forums for engagement.

Layers of Involvement

Mayor and City Council

Elected leadership, overall direction, and responsibility for adoption

Advisory Group

“Sounding board” appointed by Mayor with City Council recommendations

Neighborhoods

Involved and local leaders, essential, accessible forums at the most local level

Community at Large

The general public and interest-based stakeholders emerging through the process

Project Team

City staff and consultants, charged with executing the project tasks, generating awareness, discussion, incorporating community feedback, and knitting together a product

Schedule

The basic approach and timeframe for updating the zoning ordinance and subdivision regulations is outlined in the following table.

Phase I <i>Listening & Learning</i>	Task 1	Reconnaissance & Issues Identification	May to Oct 07
	Task 2	Report of the Big Ideas & Policy Direction	Feb to Mar 08
Phase II <i>Draft & Feedback Iterations</i>	Task 1	Initial Draft for Advisory Group	Aug to Oct 08
	Task 2	Revised Draft for Public Review	Dec 08 to Feb 09
Phase II <i>Hearings & Adoption</i>	Task 1	Public Hearings Phase of New Code Adoption Process	Mar to May 09
	Task 2	Council Deliberation & Adoption Phase	May to Oct 09

Team

The professional resources supporting this project include the following:

Advisory Group

The advisory group is a group of community volunteers who are recommended by the city council and appointed by the Mayor. Their role is to serve as a sounding board for the project team, during the process and to relay information and feedback within and from the community.

Participation in this group will be on-going throughout the life-cycle of the project.

Technical Team

This group of city staff is charged with providing multi-disciplinary feedback and project support, so that the “parts” of the zoning update effort cohesively, and logically comprise a “whole” revision that is reflective of the city’s comprehensive policy framework for growth and development.

Participation in this group will be on-going through the lifecycle of the project.

Mark Landkammer, Project Manager, OPG
Laval Means, Planner, OPG
Denis Alexander, Principal Planner, OPG
3 members, Permits Section, OPG
1 member Projects Section, OPG
Jim Nugent, City Attorney
Steve King, Public Works
Marty Rehbein, City Clerk

Core Advisors

This group of senior staff will support the project with overall guidance and direction.

Roger Millar, Director, OPG
Mike Barton, Senior Planner, OPG
Bruce Bender, Chief Administrative Officer

Public Involvement Team

The public involvement team is a group of Missoula city staff who help to identify communication priorities and community issues while supporting implementation of the public involvement plan.

Participation in this group will be on-going but only intensive during major the public information-sharing and feedback phases of the project.

Ginny Miriam, Office of Communications
Nick Roberts, Office of Neighborhoods
Bobby Day, Website support
Urban Initiatives

Resource Team

The resource team is a fluid group of external agency and organization representatives who can bring specific and sometimes technical insights and ideas into the conversation about Missoula’s zoning and subdivision ordinance update. Their role is to help ensure that the final product is developed with an integrated understanding of the region’s growth dynamics.

Participation in this group may be continuous throughout the project revision stage or abbreviated and focused on a particular aspect of the revision effort.

Consultant Team

The consultants comprise a technical resource team for the project staff that has been procured through an extensive RFQ/RFP process. Their expertise in public municipal revision and growth management challenges will support and guide the city’s efforts throughout this project. Their participation is on-going throughout the life of the project and their work is defined by a scope developed in coordination with the city’s project team. They are charged with producing the new regulations in a manner that is responsive to the community’s collaborative participation and the legal framework for zoning in Montana.

Kirk Bishop, Duncan Associates
Marya Morris, Duncan Associates
Michelle Gregory, Soapbox Enterprises
Richard Grice, Four Corners Planning

Participation Opportunities

The Mayor's office and the project team are committed to engaging the community in this update effort.

In the spring of 2007, following a thorough selection process, the city engaged the firms of **Duncan Associates** (development ordinance specialists) and **Soapbox Enterprises** (public involvement specialists) to support the zoning and subdivision ordinance update project.

The consultant team came to Missoula in May to meet with community leaders and initiate project planning with the staff team. The team also began the process of information gathering and design of the public participation element of this project.

To that end, a pair of city-wide **Town Hall meetings** is being planned for **late June** and **early September**. These events will be for all-comers, and they will be planned to provide everyone with a basic summary of the project, some history about zoning and development in Missoula and an opportunity to discuss concerns and aspirations together.

Flow and Exchange of Information

All materials related to the project and the process will be centrally available on a **project website**—<http://www.zoningmissoula.com>, that will be hosted and maintained by Duncan Associates. The website will also link directly to and from the city's website and the city's project manager, Mark Landkammer, will monitor all posted questions and comments.

In addition, notice of meeting dates, agendas, and hard copies of related materials will be made available through the City's traditional array of **established public information distribution channels**. These include: public facility bulletin boards and front desks, public access television, the Mayor's Office and the Office of Communications, the Planning Office, the Office of Neighborhoods, and the Public Library.

The city would like to identify **partners in outreach**, in order to conduct a broad-based community dialogue over an extended period of time. By plugging into existing community networks and offering to share information about the project at local community meetings, the project team seeks to actively engage the Missoula base. Local **neighborhoods, community groups** and important **centers of activity**, such as schools, shopping areas, hospitals, parks and farmer's markets can also be **key places** where project materials and important messages might easily reach busy people. *[Note: are we really committing to displaying messages and project material in these locations?]*

Stakeholders at Large – The Community

- Town hall meetings
- Focused listening sessions
- Advisory group representation
- Open houses

Neighborhoods and Wards

- Self-selected bus tour surveys
- Subsequent targeted outreach
- Advisory group representation
- Regular meeting updates

Advisory Group

- 10 to 12 public meetings
- Community liaisons
- Interest-based and area-based
- Hosts for open houses

Consolidated Planning Board

- public hearings and a recommendation

Plat, Annexation and Zoning Committee

- public meetings and a recommendation

Mayor and City Council

- public hearing, deliberation and adoption

In addition to these networks of communication, the project will aspire to earn balanced **media coverage** among Missoula's journalists and their outlets. The *Missoulian's* city beat reporter has been assigned to cover the project and open dialogue with alternative press outlets in the area will also be encouraged. The *Missoula Independent* has expressed interest in helping to spread the word about why and how a community undertakes zoning reform. Advocacy groups, community organizations, neighborhoods, civic groups and clubs may also wish to provide updates in **local newsletters**.

As draft ordinance language is proposed it will be made available for detailed review and discussion by the appointed **advisory Group**, through the course of their project meetings. After materials have been vetted internally, they will be posted on the project website for general public review as well.

Where to Start

Ideally a zoning ordinance and subdivision update or any comprehensive municipal revision effort, is grounded in a solid **policy framework**. Such a policy framework should be relatively recent; it should be accurate in its representation of the community's desired direction for the future, and it should be realistic in its approach to the challenges of future growth. To begin the discussion of updating Missoula's existing development ordinances, the community should consider the following questions together:

- How do the current City Council goals inform this effort?
- What significant, reflective policy guidance sets the course for this project?
- How do neighborhood residents feel about the livability of their communities?
- How do users of the existing ordinance find the current system of regulation and review?
- What shape and form has the existing growth framework created over the past century?
- What shape and form should it take over the next century?
- What went wrong with prior attempts to fix the zoning ordinance?

As the project team prepares to launch this project, some of the answers to these questions will be provided. However, the community will have to supply other answers. Therefore, the first task is to listen and learn.

Phase I: Focused Listening and Learning

Task 1 Reconnaissance & Issues Identification May to Oct '07

The public involvement process for this project must allow enough time for representative members of the community to rationally absorb and critique the existing zoning and subdivision regulations. It must also accommodate a thorough analysis and understanding of the alternatives and priorities for ordinance revision. To this end, the Mayor will convene an **introductory town hall**-style meeting. The meeting will give citizens the chance to get their bearings on a complicated project and provide early expression of their priorities for ordinance reform. Since zoning and subdivision regulations are not a warm fuzzy topic that typically inspires a community to gather and think creative thoughts...the project team will endeavor to make this event fun and approachable for everyone. Food, humor, history, and perhaps music will help cultivate a climate of constructive collaboration.

In addition to the town hall meetings, the consultant team will conduct a series of more focused **listening sessions** in smaller settings to delve into more specific or complex aspects of the code. In this process, key community informants with expertise in a given area, and some depth of experience with the current code, will help to dissect its parts to determine what's salvageable and what's ready for revision. The types of groups might include: neighborhood representatives, builders, developers, real estate agents, planners, design professionals, civic groups, boards and commissions, university officials and others with fairly broad perspective on growth and development issues in Missoula. These meetings will be conducted during the consultant's regularly scheduled visits to Missoula. *The estimated timing for these meetings is the summer of 2007 through spring of 2008.*

To maintain a steady, balanced supply of community perspective as the project proceeds, an **advisory group** will be assembled to serve as a sounding board for the project team's efforts. The Mayor will appoint the advisory group members and their meetings will be open for public observation. Based on feedback garnered at the first town hall meeting, the Mayor will seek out the **interest-based stakeholders** who can grapple with the task at hand, considering a broad spectrum of issues and opportunities. In addition, each city council member will be asked to recommend **one representative**, ideally from their own ward, to balance the interest-based representation with a deliberate recruitment for geographic equity. These citizens will comprise the **advisory group**.

The advisory Group will be expected to **participate in earnest, actively debating and discussing the various approaches to code reform. They will not be charged with formulating a consensus-based recommendation** regarding the zoning ordinance update. But where they find common ground, the greatest progress will be made. Their points of contention and threads of consensus will be tracked and noted by the project team. As a draft zoning ordinance makes its way through the formal public hearing process, the advisory Group members should be **available and attuned to the public conversation** that is generated by the project. They should feel empowered to reflect and elaborate on their period of study. *The estimated duration of the advisory group is 2 years beginning in the fourth quarter of 2007. They will likely meet 10 to 12 times over the lifecycle of the project.*

Task 2 Report of the Big Ideas & Policy Direction Feb to Mar '08

In this phase of the project, the consultant team will develop a report that is a synthesis of what we've heard and learned. It will be delivered to staff, advisory Group and then to the public via a workshop format.

This report will focus on substantive, procedural, organizational, and formatting changes that will be necessary to address the problems and issues identified earlier in this process. In proposing possible concepts, the report will describe how other similar jurisdictions have dealt with similar issues and consider the consultant team's experience of current practices.

Phase II: Draft Zoning Ordinance & Feedback Iterations

Task 1 Initial Draft for Advisory Group Feedback Aug to Oct '08

In this phase of the project the consultant team will be developing the **draft zoning ordinance** based upon information gathered during the listening phase and what their own research has turned up in the way of best practices for the direction Missoula wants to take. A rough draft of the new ordinance will be distributed to the full compliment of project teams and to the advisory group in modules initially, so they can digest and comment on the product in manageable increments.

The consultants will revise the draft modules after iterations of feedback from the advisory Group and technical team. This process may occur more than once for a given module or section of the ordinance, depending upon its relative complexity or the community's sensitivity to a particular development challenge that might surface through this process. After the draft modules have been reasonably refined through advisory Group and technical team review, a draft zoning and subdivision ordinance will be presented for public review in its entirety.

Task 2 Revised Draft for Public Review Dec '08 to Feb '09

During **public review** of the draft zoning and subdivision ordinance, the staff and project team will be collecting community feedback. They will likely host one or two widely publicized **open houses** to provide a general overview presentation and answer questions that citizens have about its structure, its meaning or its effect. During this process, the project team will be in listening mode, and actively interpreting public response to the proposed zoning and subdivision ordinance. As the public review phase winds down, the advisory group will make final recommendations for changes to the proposed zoning and subdivision ordinance. The consultant and staff team will prepare it for a final legal review, after which the formal hearings and adoption phase of the project will begin.

Phase III - Hearings & Adoption

Task 1 Public Hearings Phase of New Code Adoption Process Mar to May '09

During this phase the city will do formal public notification of public hearings per statute. Appropriate meetings will be held with the Plat, Annexation and Zoning Committee of City Council as well as Planning Board. Planning Board will send recommendations to PAZ who upon their own approval will forward a final draft to the full City Council for final adoption. A public involvement report will be included.

Task 2 Council Deliberation & Adoption Phase May to Oct '09

A final draft of the new document will be prepared for City Council consideration. A public involvement report will be included. During this phase the City will again do formal public notification citywide and public hearings will be held at the City Council. The Council will have the option of approving the document as it stands at this point, amending it on the floor of City Council and adoption, denying the document, or sending it back to PAZ for further review and discussion.

Upon final approval of the document an ordinance will be signed by the Mayor, the ordinance and documents will be recorded by the City Clerk and hard copies and electronic files will be available distributed. An ordinance goes into effect 30 days after adoption at which time proposals and projects will be reviewed under the new ordinance.