

Upper and Lower Rattlesnake Neighborhood Council Leadership Team Meeting Minutes

Date: July 10, 2015

Time: 9:30 a.m. – 11:00 a.m.

Location: The Jack Reidy Conference Room
140 W. Pine St.
Missoula MT 59802

Leadership Team Members in Attendance:

Doug Grimm, UR
Max Anderson, UR
Robin Carey, UR
Bill Ruediger, UR
Bev Young, UR
Katherine Brady, LR
Kathy Tonnessen, LR
Bob Giordano, LR

Others in Attendance:

Bryan von Lossberg, City Councilman
Laval Means, Development Services
Mike Haynes, Director Development Services
Corena Maurer, Neighborhood Assistant

Neighborhood Attendees:

Susan Snetsinger, Lincoln school issue
Virginia Braun
Brian Derry
Carol Russell
Marsha Hoem
Jan & Harold Hoem
Kathy Heffernan
Steve Miller
Mary Shafer
Kent Perlman
Wally Condon
Helen Cipolato
Ken Cleaves

Item 1. Consideration of Robin Carey's letter about existing Rattlesnake Valley Comprehensive Plan.

Laval Means, City Development Services discussed Our Missoula Growth Policy. See attached [Powerpoint presentation](#). She mentioned that we have too much detail in the land use plans. Land use is not zoning; they want to consolidate land use designations. Need latitude but also consistency. Want to establish a process for updating neighborhood plans. Plans that are currently attached to growth policy will stay attached to new policy, however, there will be a process to update or retire

existing plans. Want a template for updating/creating neighborhood plans. Want land use discussions to be at the community level when developing new plans.

Where land is unzoned, Development Services will then look at neighborhood plan (NP) for specific direction or guidance (if the NP addresses this). Generally the Growth Policy will be the primary tool and neighborhood plans a supportive secondary tool.

Land Use map is in draft and they are still making adjustments. They are proposing 5 land use residential designations. Dwelling Unit =DU. Rural: 1 DU/2 or more acres; Low density: 1-2 DU/acre; medium 3-11 DU/Acre; medium high 12-23/acre; high 24+ DU/acre.

Draft map tries to simplify the designations. Trying to emphasize important agricultural soils. Considering auxiliary services such as schools, parks, church, café, small neighborhood services. Trying to allow mixed uses rather than just residential.

Public Comments:

Concern for higher density on steep slopes; also changing some zoning?

Robin Carey suggested that the leadership teams endorse (or not) his letter. The problem he perceives is that there is a gap and there will be some time before an updated neighborhood plan can be adopted. If the current NP is attached then it holds legal status, he believes. He's suggesting that the RNP be attached to the new Growth Policy. He thinks the only thing that's outdated is demographics.

What does attaching the current plan to the new growth policy do? Does it have legal status? Mike Haynes, ODS, is not totally sure for unzoned land, but the city council will look at the tools available, including the existing Rattlesnake plan.

Jan Hoem met with folks in 2007 to address some updates to the NP. Wanted to protect rural feeling when driving into upper valley; wanted to keep the less dense zoning. Lots of issues due to the Sonata Park proposed development.

Brian Derry said his understanding was that earlier statements were made excluding the neighborhood plans; he wanted clarification on this. Yes, Development Services approach has changed and will attach existing the neighborhood plans.

Question about why there is unzoned land in the Rattlesnake: Not zoned because in 1992-94 there was a tie vote and the mayor would not break it.

Wally suggests adding this statement (in bold) to Robin's letter: We strongly believe that it should be included in the current rewrite of the Missoula Growth Plan **with public input and comment as part of the process.**

Robin moved that the URNC endorse the proposed letter (only 3 present from LRNC and they have 7 members so could not vote); Max seconds; Doug calls for the question and withdraws. Bev moves that we add Wally's friendly amendment and this was seconded. Max found that there was no opposition to the amendment or the motion. So Robin's letter, with amendment, will be sent to ODS, Mayor and 2 City Council representatives.

URNC will forward this endorsement to LRNC for their consideration.

Item 2. Lincoln School: Sue Snetsinger from Unitarian Church gave update. There were many proposals to Missoula Federal Credit Union and Unitarian Church was selected by MFCU; buy/sell agreement signed 7/9/2015 conditional on getting the conditional use permit. Use as a church and explore with neighborhood and community other uses. On July 22 there will be an open house for community and they want folks to come with ideas & concerns. Website: Uuf-missoula.org. Not seeking rezone; conditional use permit for school or church only. Plan to restore school and update for ADA access. Probably a year before it's upgraded. Will engage with neighbors during that year. Will start this weekend engaging immediate neighbors. Application for Condition use permit will allow comment time and go before City Council. Drafted parking design for 18 spaces. UUC will probably buy 2 lots to accommodate parking.

Item 3. Use of pentachlorophenol on small western/southern bridge near Vine Street. Bob Giordano spoke about this issue. Bob reported that Morgan Valliant, City Parks and Rec, told him that's the project was quickly done and they "made a mistake." 'Bob wants the wood replaced; he's not opposed to using a treated wood product, as long as the product is deemed safe and healthy. Other options include a variety of woods that are more naturally resistant to rot and/or organic, non-toxic finishing oils. Bryan von Lossberg, councilman, is also aware of this and says the Parks and Rec will not use this anymore. Bryan is on the parks and rec committee.

Item 4. Roundup Use in Greenough Park – not discussed due to time constraints.

Item 5. Update on Joint Transportation Committee – not discussed due to time constraints.

Item 6. New Buisness – None

Item 7. Announcements - None

Item 8. Public Comment on Non-Agenda Items - None.

Meeting adjourned at 10:55am.

Respectfully submitted

Bev Young, Secretary, Upper Rattlesnake Leadership Team

The Upper Rattlesnake Neighborhood Council Leadership Team approved the following statement on July 10, 2015:

The Rattlesnake Comprehensive Plan was developed through many hours of deliberation and work by a broad spectrum of residents in the upper and lower Rattlesnake. It has been adopted into every iteration of the county and city Growth Plans since 1988. The 1995 update of the Rattlesnake Plan, as currently incorporated into the Missoula Growth Plan, was arrived at through an extensive public planning process that included citizens groups, university and middle school students, the City Council, the Board of Commissioners, the Mayor's office, the Consolidated Planning Board, the Office of Community Development, the Public Works Department, and others. It was the subject of five public hearings. (View it at <http://www.ci.missoula.mt.us/documentcenter/view/22425>)

The county and city officially incorporated the 1995 version of The Rattlesnake Comprehensive Plan into the Missoula County Growth Policy in 2002, and reaffirmed it in a 2006 update to the Missoula County Growth Plan. As such, it is not a dated policy document. Indeed, in the recent citizens' suit brought against the city of Missoula regarding the Sonata Park Subdivision, both the District Court and the Montana Supreme Court cited the 2002 incorporation and the 2006 reaffirmation as relevant to their decisions favoring the citizens. The Sonata Park subdivision was denied by the courts specifically because it did not "substantially comply" with the Rattlesnake Comprehensive Plan.

(See <http://searchcourts.mt.gov> then click Supreme Court Case Number, then enter case number DA 10-0142)

The plan was written to reduce problems associated with unplanned and uncoordinated growth. Its "Goals and Guiding Principles" brim with words such as "provide," "protect," "preserve," "continue" and "enhance." It is a lengthy document with detailed analysis of soils, slopes, wildlife, vegetation, geology, utility corridors, water and sewer services, public transportation corridors, existing land use, proposed land use, proposed densities, flood plain areas, historic and cultural features, and more. As such it is an invaluable public document expressing the unique character and vision of our Upper and Lower Rattlesnake neighborhoods. **We strongly believe that it should be included in the current rewrite of the Missoula Growth Plan with public input and comment as part of the process.** We also believe that any attempts to discard it should be subjected to the same rigorous and extensive public review that accompanied its adoption.

