

Grant Creek Neighborhood Council – Rezoning Slide Notes

March 12, 2020

These are the notes for the presentation that Development Services staff had planned to present at the March 12th, 2020 Grant Creek Neighborhood Council meeting. The numbers correspond to the slide numbers in the presentation.

1. Good evening. Andrew Boughan, Planner II with Development Services. I have a few slides for the 2920 Expo Parkway site that will show the current zoning, Growth Policy Land Use map and comparison of the current and proposed zoning. Then I will cover the process and review of rezoning applications.
2. The north parcel is currently split-zoned R5.4 Residential (Single Dwelling, up to 8 dwelling units (du) per acre), RM1-35 Residential (Multi-dwelling up to 43 du/acre), and C1-4 Neighborhood Commercial (Commercial and Multi-dwelling up to 43 du/acre).
The south parcel is currently split-zoned B2-2 Community Business (Commercial and Multi-dwelling up to 43 du/acre), RM1-35 Residential (Multi-dwelling up to 43 du/acre), and C1-4 Neighborhood Commercial (Commercial and Multi-dwelling up to 43 du/acre).
3. Title 20, Section 20.01.100.E Zoning Map – Split-Zoned Parcels addresses what standards are followed when existing parcels are split-zoned. The zoning standards of the most restrictive zoning district apply except when the land area covered by one of the base zoning districts equals 75% of the total parcel area AND the remainder of the parcel is less than 5,000 square feet in area.
4. Applying the split-zoned parcel standard from Title 20, the most restrictive zoning district for the north parcel is R5.4 Residential which permits primarily single dwelling residential development at a density of up to 8 du/acre. The RM1-35 Residential zoning covers less than 75% of the north parcel. The portion of the north parcel covered by the remaining zoning districts exceeds 5,000 square feet. Therefore the most restrictive zoning district, R5.4 Residential applies to the entire north parcel under the current zoning map.
5. Applying the split-zoned parcel standard from Title 20, the most restrictive zoning district for the south parcel is RM1-35 Residential which permits single dwelling, duplex and multi-dwelling residential development at a density of up to 43 du/acre. The C1-4 Neighborhood Commercial covers less than 75% of the north parcel. The portion of the south parcel covered by the remaining zoning districts exceeds 5,000 square feet. Therefore the most restrictive zoning district, RM1-35 Residential applies to the entire south parcel under the current zoning map.
6. Title 20, Section 20.50.010 Hillside Protection requires density reductions from what the base zoning allows for portions of a parcel with slopes of 15% or greater. This slide shows the Slope Category Map for the subject property. Areas in green have slopes less than 15%. Areas in yellow have slopes between 15 and 20%. Areas in orange have slopes between 20 and 25%. Areas in red have slopes greater than 25%.
7. This slide shows the amount and type of development that could occur under the current zoning. The north parcel, developed under R5.4 Residential would allow up to 158 single dwelling units after hillside density reduction is applied. The south parcel, developed under RM1-35 Residential would allow up to 344 multi-dwelling units after hillside density reduction is applied.
8. For the north parcel the land use designation recommended by the Our Missoula City Growth Policy 2035 is Residential High, greater than 24 dwelling units per acre. For the south parcel the

land use designations recommended by the Our Missoula City Growth Policy 2035 are Residential High, greater than 24 dwelling units per acre and Regional Commercial and Services.

9. The current relatable zoning designations for lands with the Regional Commercial and Services land use designation are C1-4 Neighborhood Commercial and C2-4 Community Commercial (Commercial and Multi-dwelling up to 43 du/acre), M1R-2 Limited Industrial and Residential (Light Industrial, Commercial and Multi-dwelling up to 43 du/acre), and OP3 Public lands and Institutional. The slide includes a description of uses and activities appropriate for lands with the Regional and Commercial Services land use designation.
10. The current relatable zoning designations for lands with the Residential High (greater than 24 du/acre) land use designation are RM1-35 Residential and RM1-45 Residential (Multi-dwelling up to 43 du/acre), RM1.5 Residential (Multi-dwelling up to 29 du/acre), and RM0.5 Residential (Multi-dwelling up to 86 du/acre). The slide includes a description of uses and activities appropriate for lands with the Residential High (greater than 24 du/acre) land use designation.
11. This table includes a comparison between the development allowed on the subject property under the current zoning (north parcel R5.4 and south parcel RM1-35) and the proposed zoning (both north and south parcel at RM1-45).
12. Per State law (MCA 76-2-304) and Title 20, Section 20.85.040 include the criteria for review of zoning amendments. The slide includes the zoning amendment review criteria.
13. Public notification is required for rezoning proposals and includes a letter mailed first class mail to owners of property and occupants of property within 150 feet of the subject property; legal ads published in the Missoulian on two Sundays 15 days prior to the first public hearing at Planning Board that include the public hearing dates for the rezoning; and posters placed on Expo Parkway and Stonebridge Drive adjacent to the subject property. The slide includes the mailing address and email address for the Development Services staff person for members of the public that wish to send in public comment. Oral testimony is taken at each public hearing and at the Land Use and Planning committee where the rezoning proposal is discussed.
14. State Law requires a supermajority vote for approval of a rezone request, if 25% of the owners of property within 150 feet of the land proposed for rezoning submit valid protest petitions. The slide shows the property subject to the rezone outlined in yellow. The properties within 150 feet are outlined in blue on the slide. If protest petitions were received from 25% of the property owners outlined in blue, the vote to approve the rezone would require an affirmative vote by 2/3's of Council members present and voting.
15. The last slide includes the public hearing dates and locations and the link to the developers rezoning application packet online.
16. The last slide indicates the decision space for City Council action on a rezone:
 - The rezoning can't be conditioned;
 - State Law and Title 20, City Zoning Ordinance require zoning district standards to apply uniformly in all locations throughout the City;
 - City Council can't approve a rezone to different zoning district;
 - The public notification was based on the applicant's request for RM1-45 zoning; and
 - If the applicant or City Council requested/preferred a different zoning designation, a new application would be required for the new zoning designation, restarting the rezoning review process.