



The logo for the Our Missoula 2045 Land Use Plan. It features the words "OUR" in teal and "Missoula" in large blue letters. The "O" in "Missoula" is partially obscured by a stylized green mountain range graphic with a yellow sun at the peak. Below "Missoula" is the text "2045 Land Use Plan" in a blue serif font.

OUR Missoula *2045 Land Use Plan*

Appendix C. Our Missoula Code Diagnostic

December 16, 2024



Code Diagnostic

5/02/24

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Resource Library

Click on the links below to access additional materials related to the content in this document.

[Our Missoula Project Webpage](#)

[Equity in Land Use Report](#)

[Prototype Testing Analysis](#)

[Meeting recording: 10/27 OMCAG Meeting \(RM1-45\)](#)

[Meeting recording: 11/29 OMCAG Meeting \(R5.4 and C2\)](#)

[Recommendations Report: Subdivision & TED Regulations](#)

[Our Missoula Development Guide](#)

[Timeline of Missoula's Development History](#)

[Engage Missoula page: 2023 State Legislative Session and Near Term Code Changes](#)

I. Executive Summary



EXECUTIVE SUMMARY

Missoula's Outdated Development Codes

Missoula's last comprehensive development code update predates the 2015 Our Missoula Growth Policy. Since 2015, the City has adopted and updated many plans and policies related to land development that are not supported by the outdated development codes.



EXECUTIVE SUMMARY

Code Diagnostic Purpose

Missoula is currently updating the 2015 Growth Policy as part of an initiative called "Our Missoula" which also includes a comprehensive update to the development codes.

This Code Diagnostic is a critical first step in understanding what changes are needed to align Missoula's development regulations with the community's future vision.



EXECUTIVE SUMMARY

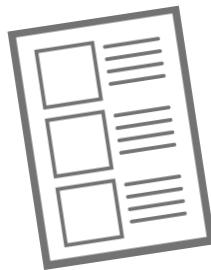
Overview

This Code Diagnostic evaluates three critical aspects of Missoula's current development codes and investigates the following questions:



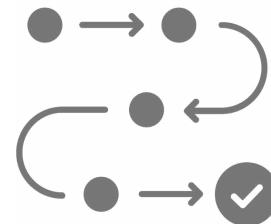
Alignment with Adopted Policies:

How well do the codes implement adopted land development policies?



Code Format & Organization:

How well do the codes communicate expectations clearly and is information easy to find and understand?



Development Permitting Processes:

How well do development permit review and approval processes provide predictable, fair, and timely service?

EXECUTIVE SUMMARY

Overview

This Code Diagnostic includes Key Findings with actionable insights and considerations for improvements to Missoula's development codes to address the following:

Alignment with Adopted Policies:

1. The Growth Policy's "focus inward" vision, other relevant plans, and State law with special emphasis on housing and equity
2. Compatible infill development
3. Mobility, open space, environmental and climate resilience policies

Code Format & Organization:

1. Overall organization, hierarchy, and navigation across multiple codes and manuals
2. Consistency of terms, definitions, and rules of measurement between codes and manuals
3. Clarity and accessibility of code language and standards
4. Effectiveness and consistency of graphics and illustrations

Development Permitting Processes:

1. Predictable, fair, and timely decision-making
2. Coordination and consistency across multiple review authorities
3. Clarity in the level of review and decision responsibilities of boards, commissions, and the City Council
4. Review processes that support housing supply, affordability, and equity

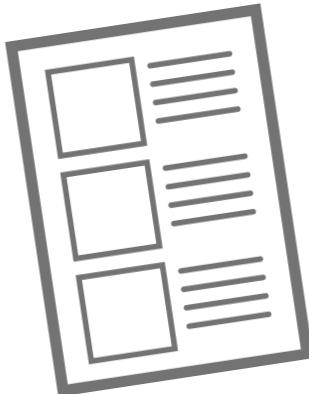
EXECUTIVE SUMMARY

Overview

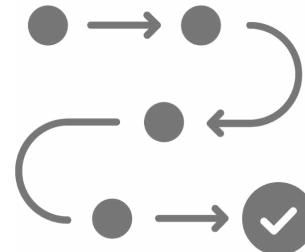
The Key Findings will be used to inform and support the *Guiding Principles for Code Reform*. These principles will be the "North Star" for creation of a new Unified Development Code (UDC) and guide all code and the zoning map changes.



Alignment with Policy



Code Organization



Development
Review Process

EXECUTIVE SUMMARY

Methodology

The project team performed various technical analyses and participated in multiple engagement efforts.

This Code Diagnostic is informed by:



"What we read" - Review of background documents

- Recommendations Report
- Our Missoula Development Guide
- Previous reports and studies provided by staff
- Detailed annotations from staff: an extensive, coordinated, cross-departmental effort



"What we heard" - In multiple listening sessions

- External - community, frequent code users, design professionals, real estate professionals
- Staff from relevant departments
- Leadership/Elected officials



"What we analyzed"

- Housing Costs
- Market trends
- Access to Opportunity
- Permit data



"What we saw and experienced" - Walking & riding

- Community Form Analysis

EXECUTIVE SUMMARY

4 Key Findings

The project team's observations are organized into **four Key Findings** based on what we read, heard, analyzed, saw, and experienced.

For each Key Finding, several **Considerations for Code Reform** are provided. Together, these tell the full story of the Code Diagnostic.

The next four pages summarize the Considerations for Code Reform and are organized by the Key Findings.

1. **Codes present barriers to housing equity, supply, affordability**
2. **Codes present barriers to compatible infill development and limit diversity**
3. **Codes do not support mobility and climate policies**
4. **Codes are difficult to navigate for all users**

EXECUTIVE SUMMARY

Considerations for Code Reform

Finding 1: Codes present barriers to housing equity, supply, affordability

Fostering equitable, affordable outcomes and removing barriers to housing production is a high priority for Missoula. The following should be considered as part of Comprehensive Code Reform:

- Revise codes to increase access to opportunity, services, and amenities.
- Distribute opportunities for affordable housing types broadly throughout the city.
- Calibrate incentives for income restricted Affordable housing.
- Do not limit higher density housing to neighborhoods vulnerable to gentrification.
- Allow higher density levels that encourage smaller, more affordable homes.
- Focus regulations more on the form of buildings, less on density. Calibrate code to allow greater affordability and housing types while fitting in with the existing form and character.
- Reduce barriers to housing production by adjusting zoning standards. Refine standards based on existing context.
- Explore code revisions specific to each zoning district focused on reducing barriers to housing production.

EXECUTIVE SUMMARY

Considerations for Code Reform

Finding 2: Codes present barriers to compatible infill development and limit diversity

Addressing the key findings presented in this section is imperative to foster contextually compatible development, enhance housing diversity, and promote sustainable growth in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Revise codes to support compatible infill development based on existing and historic patterns, simplifying standards for easier compliance.
- Expand housing types allowed in key residential zoning districts, revise ADU regulations, and integrate overlays into base zoning to streamline regulations and accommodate contextual differences.
- Allow "middle housing" types to increase housing diversity and comply with legislative mandates.
- Focus code reform on form compatibility rather than just density and use.
- Integrate Design Excellence Overlay into the base zoning to ensure clear and consistent standards that support pedestrian-oriented development.

EXECUTIVE SUMMARY

Considerations for Code Reform

Finding 3: Codes do not support mobility and climate policies

Addressing the key findings presented in this section is crucial for aligning Missoula's development regulations with mobility and climate objectives, promoting sustainability, and enhancing the quality of life for residents. The following should be considered as part of Comprehensive Code Reform.

- Define right-of-way standards (for both infill and greenfield development) based on the Street Typologies Plan.
- Clarify and resolve conflicts in decision-making authority.
- Adjust parking standards to align with the City's growth, transportation, and climate goals.
- Promote bike parking location and design that encourages bicycle use and aligns with land uses.
- Simplify and streamline parking reduction and shared parking processes.
- Explore parking incentives by reducing minimum spaces and adjusting based on project, size, location, etc., for diverse housing types and affordability.
- Remove barriers to local renewable energy generation and update requirements to support emerging mobility infrastructure, green infrastructure, and local food production.

EXECUTIVE SUMMARY

Considerations for Code Reform

Finding 4: Codes are difficult to navigate for all users

Improving the usability and efficiency of the code, ensuring clarity and consistency, and streamlining the development review process are all essential to foster equitable outcomes and support housing production in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Consolidate manuals and codes to avoid overlapping content; create a Unified Development Code with multi-departmental coordination.
- Clarify and resolve conflicts in decision-making authority.
- Coordinate standards related to right-of-way, including boulevard, thoroughfares, street trees, site triangles, fire, on-street parking to promote expanding the tree canopy.
- Simplify review process and requirements.
- Remove outdated content and organize information in a logical, user friendly way based on most widely used content first.
- Remove legalese and use simple, "plain speak" that is easy to understand.
- Use illustrations, pictures, and user friendly page layouts.
- Update definitions, standards, rules of measurement that are unclear, conflicting or overlapping.

II. Key Findings



KEY FINDINGS Overview

The four Key Findings are detailed in ten sub-findings, which are listed here and found in the following pages.

1. **Codes present barriers to housing equity, supply, affordability**
 - 1.1. Zoning Map and Code Barriers to Housing Equity
 - 1.2. Zoning Code Barriers to Housing Supply and Affordability
2. **Codes present barriers to compatible infill development and limit diversity**
 - 2.1. Code Barriers to Compatible Residential Infill
 - 2.2. Code Barriers to Housing Diversity
 - 2.3. Code issues relating to Context-Sensitive Mixed-Use
3. **Codes do not support mobility and climate policies**
 - 3.1. Mis-Alignment with Climate, Parks, and Growth Policy
 - 3.2. Mis-Alignment with Transportation and Parking Policies
4. **Codes are difficult to navigate for all users**
 - 4.1. Organization & TOC: Overlapping Topics in Multiple Locations
 - 4.2. Illustrations, Tables, Page Layouts and Format
 - 4.3. Unpredictable Permit Review Processes

KEY FINDINGS

Guide to the Key Findings and Considerations for Code Reform



Key Findings are broken down into sub-findings and numbered with prefixes.



Slides with a "white background" provide background and supporting detail with text, tables, and illustrations.

Guide to the Key Findings and Considerations for Code Reform



Each of the 4 Key Findings sections concludes with "Considerations for Code Reform."

KEY FINDING 1.0 - Codes present barriers to housing equity, capacity, affordability

Considerations for Code Reform

Addressing the key findings presented in this section is crucial for fostering equitable, affordable outcomes and removing barriers to housing production in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Design code reforms to increase access to opportunity, services, and amenities.
- Distribute opportunities for affordable housing types broadly throughout the city
- Calibrate incentives for income restricted affordable housing and update the definition of Affordable housing
- Do not limit higher density housing to neighborhoods vulnerable to gentrification
- Allow higher density levels that encourage smaller, more affordable homes
- Focus regulations more on the form of buildings, less on density. Calibrate code to allow greater affordability and housing types while fitting in with the existing form and character
- Reduce barriers to housing production by adjusting zoning standards. Refine standards based on existing context
- Explore code revisions specific to each zone/district focused on reducing barriers to housing production in a way that is compatible with the existing context



Key Finding 1.0

Codes present barriers to housing equity, supply, and affordability

1

Codes present barriers to housing equity, supply and affordability

Fostering equitable, affordable outcomes and removing barriers to housing production is a high priority for Missoula. This section highlights some the following topics.

Background:

- What is Equity?
- Why Focus on Equity?
- *Equity in Land Use Report*

Sub-findings:

- 1.1. Zoning Map and Code Barriers to Housing Equity
- 1.2. Zoning Code Barriers to Housing Supply and Affordability

What is Equity?

66

*The full and **equal access to opportunities, power, and resources** so that all people achieve their full potential and thrive.*

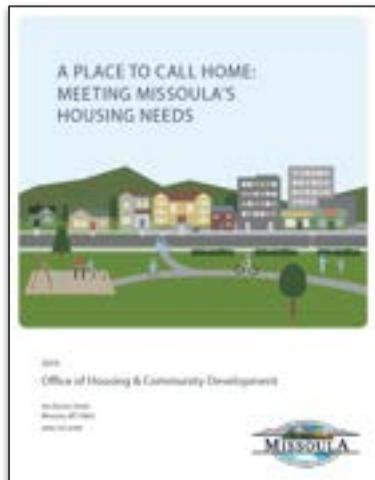


- City of Missoula Justice, Equity, Diversity, and Inclusion Resolution (2021)

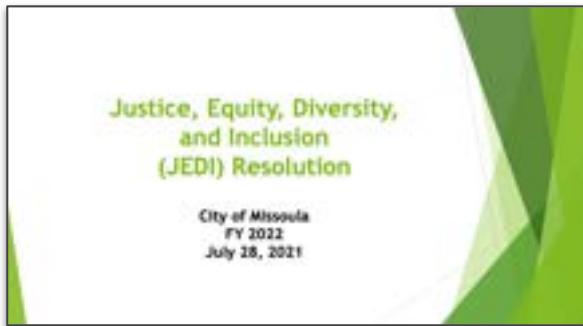
BACKGROUND

Why Focus on Equity?

In 2019, the City adopted a citywide housing policy, which called for the City to evaluate equity issues associated with land use codes and policies. Since 2021, the City has committed to addressing issues of justice, equity, diversity, and inclusion in all of its policies.



Citywide Housing Policy (2019)



Justice, Equity, Diversity, and Inclusion Resolution (2021)



Strategic Plan (2023)

For the full documents of these and other plans and policies, see the [Our Missoula Resource Library](#).

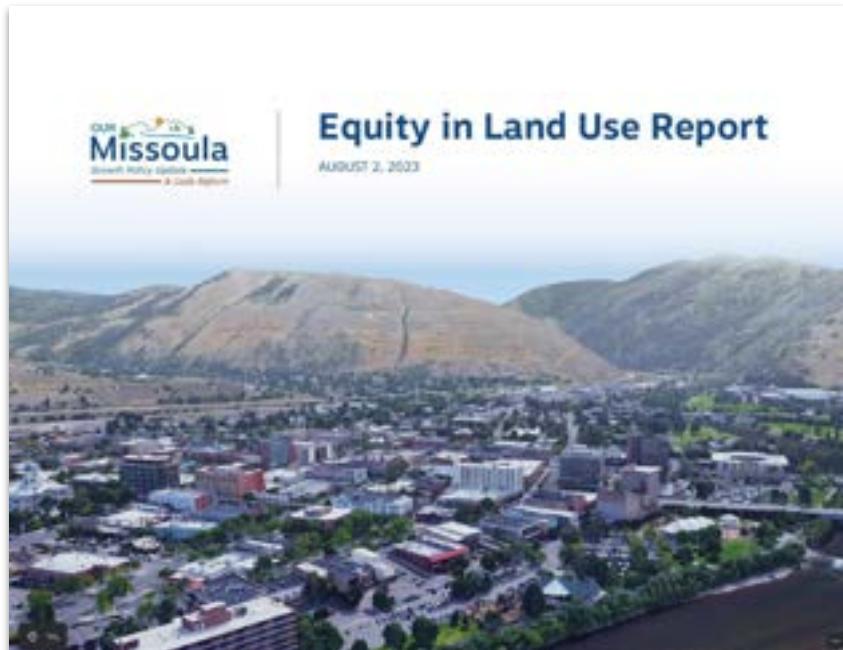
BACKGROUND

Equity in Land Use Report

The *Equity in Land Use Report* evaluates Missoula's land use policy and zoning regulations based on how well they support social equity goals, including **advancing housing affordability and reducing barriers** to historically disadvantaged populations from thriving in the community.

The *Equity in Land Use Report* identified code barriers to housing equity and affordability. These findings are summarized on the following pages.

For more information, refer to the *Equity in Land Use Report*, [available online here](#).



1.1 - Zoning Map and Code Barriers to Housing Equity

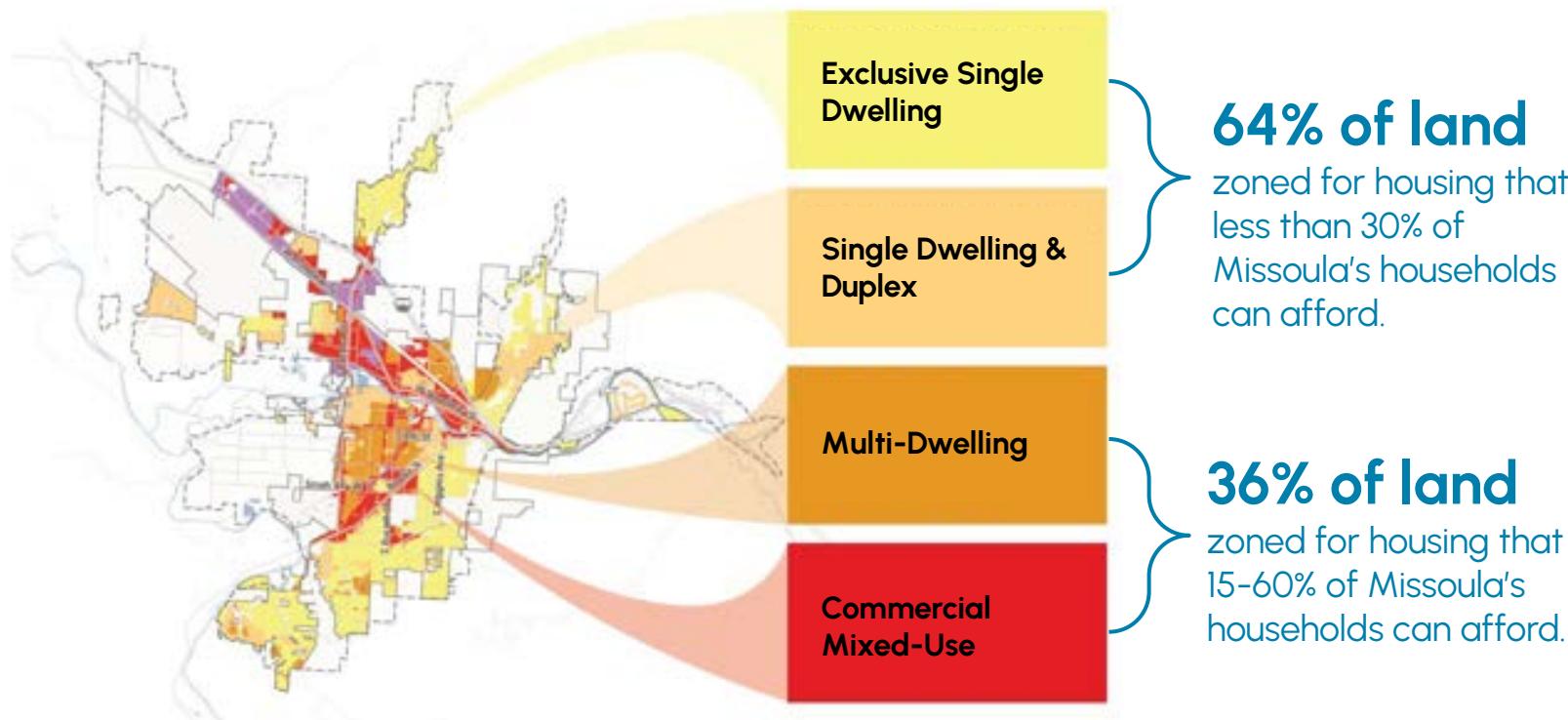


- Missoula's current zoning map and code constrains housing affordability in two ways: by encouraging larger, more expensive homes and constraining the overall supply of homes.
- Missoula's land use policy and zoning contribute to gentrification, displacement and segregation due to widespread single-dwelling and low-density zoning.
- The Future Land Use Map (FLUM) in the current Growth Policy does not do enough to mitigate displacement risk in areas vulnerable to gentrification.

1.1 - ZONING MAP AND CODE BARRIERS TO HOUSING EQUITY

Affordability by Zone District

A large portion of Missoula is zoned for exclusive single dwelling, which enables larger, more expensive housing and reduces the overall supply of housing. This underscores the significant equity issues associated with the current zoning pattern.



What is Gentrification and Displacement?



Zoning regulations not only affect someone's options for where they can afford to live, they also impact whether someone can afford to stay in a neighborhood they currently live in.

When someone is forced to move out of their housing or neighborhood as a result of rising rents, this is known as **displacement**. When displacement is associated with a broader pattern of demographic and housing marking changes across a neighborhood, this is known as **gentrification**."



- From the [Equity in Land Use](#) report Executive Summary; also see pages 56-62

1.1 - ZONING MAP AND CODE BARRIERS TO HOUSING EQUITY

Gentrification Risk Areas

Missoula's zoning map concentrates higher density development in lower income neighborhoods and increases the risk of displacement and gentrification.

The map to the right shows where the data indicates that an area may be in the early stages of gentrification or are susceptible to it occurring in the future. It highlights which neighborhoods may be experiencing gentrification or are vulnerable to gentrification, compared to other areas. Areas that are unassigned, shown in gray, may have populations that are vulnerable to displacement, but they are less vulnerable than areas in yellow in orange.

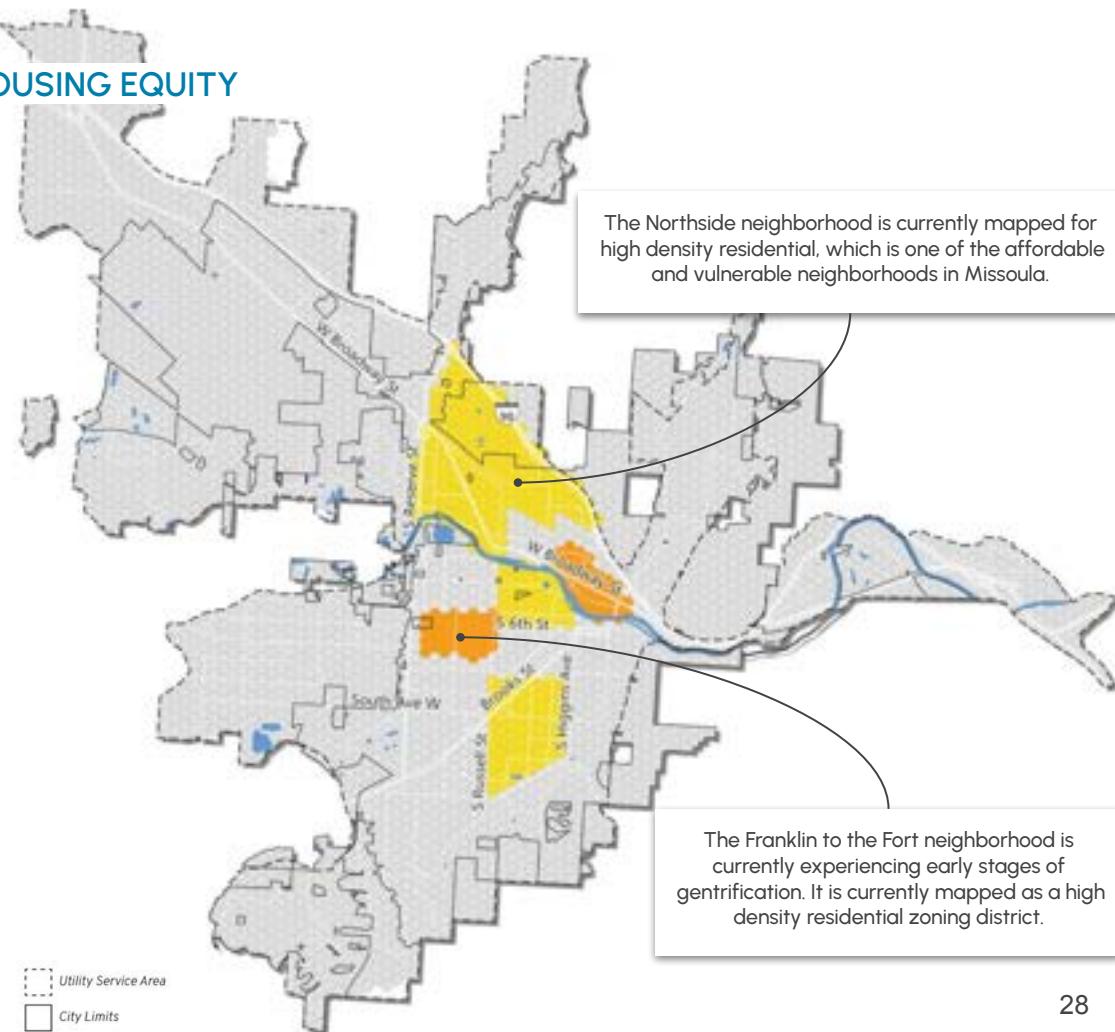
Affordable and Vulnerable

Areas with high rates of residents vulnerable to displacement but no demographic change and the housing market remains stable.

Early Gentrification

Areas with high rates of residents vulnerable to displacement that are not experiencing demographic change but have a hot housing market.

Unassigned



1.1 - ZONING MAP AND CODE BARRIERS TO HOUSING EQUITY

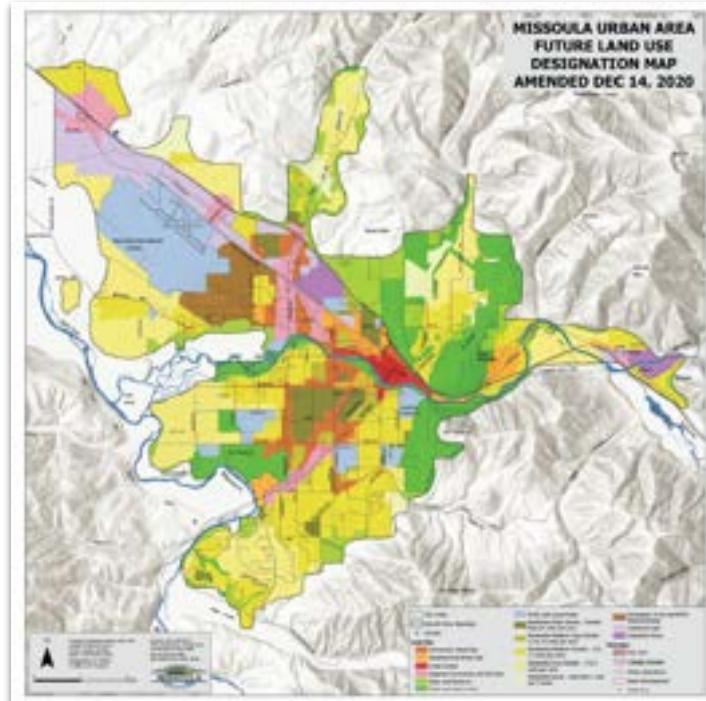
Implementing the existing Future Land Use Map is a positive step, but not enough to fully address equity issues.

The FLUM is an important tool to guide equitable development, however, the current FLUM is unlikely to mitigate displacement risk in vulnerable areas.

To support more equitable growth, Missoula's Growth Policy should actively address impacts of exclusive, low density land use designations.

For a brief introduction describing Missoula's need to increase housing production, please see [this video](#) which summarizes why the City is currently updating the Growth Policy in addition to Code Reform as part of the Our Missoula project.

From the [Equity in Land Use](#) report.



EQUITY IN LAND USE REPORT

Key Takeaways

In Addition to the findings presented on the previous pages, the *Equity in Land Use Report* provided additional context on the following key takeaways.

1. **Historical context is essential.** The impacts of land use decisions are intergenerational.
2. **Missoula significantly expanded exclusive single-dwelling zoning** in the latter half of the 20th century, setting the stage for today's inequities in housing and land use.
3. **Missoula's current land use regulations constrain housing affordability in two ways:** by encouraging larger, more expensive homes and constraining the overall supply of homes.
4. **Density aids affordability.** The cost of land is spread across more homes and there is an incentive to build smaller homes.
5. **Missoula's zoning contributes to segregation by income and race/ethnicity** due to widespread single-dwelling and low density zoning.
6. **Missoula's zoning concentrates new housing development in lower income neighborhoods.** This increases the risk of displacement and gentrification.
7. **Implementing the existing Growth Policy map is a positive step, but not enough** to fully address equity issues.

For more information, refer to the *Equity in Land Use Report*, which is [available here](#).

1.2 - Code Barriers to Housing Supply and Affordability

1.2

- Parking regulations, low allowable densities, setbacks, and landscape/activity area requirements create barriers to housing production.
- Current regulations promote fewer large homes over smaller ones, limiting housing production and contextually compatible development.
- Legislative efforts aim to address code barriers to housing production by increasing housing opportunities.
- Areas designated as hillside and steep slopes have reduced allowable densities.



BACKGROUND

Prototype testing helps identify code barriers to housing supply and affordability

Missoula has recognized the need to increase housing supply as a way of meeting several of the City's policy goals. The following slides provide a brief overview of code barriers to housing supply and affordability, which were identified through testing the current code standards in Missoula's Residential and Commercial zoning districts. All zones were tested to identify key barriers to housing production in each zoning district. Key findings from a single-dwelling district (R5.4), a multi-dwelling district (RM1-45), and a commercial district (C2) were presented to the Our Missoula Community Advisory Group (OMCAG) on 10/27/23 and 11/29/23.

For more information related to the prototype testing work, including video recordings of the OMCAG meetings, please see the resource links on the right side of the page.

For more information related to the Prototype Testing:

Appendix: Prototype Testing (all zones). View the [report here](#).

10/27 OMCAG Meeting (RM1-45). View the meeting [recording here](#).

11/29 OMCAG Meeting (R5.4 and C2) View the meeting [recording here](#).

1.2 CODE BARRIERS TO HOUSING SUPPLY AND AFFORDABILITY

Parking, density, setbacks, and landscape/activity area requirements create barriers to housing production

The testing found that parking regulations, low allowable densities, setbacks, and landscape/activity area requirements create barriers to housing production in Missoula.

While these standards are important to regulate through code as they can guide development toward intended outcomes, the prototype testing revealed that these standards are currently presenting barriers to the type of development that is described in Missoula's policy priorities. As part of Our Missoula's Comprehensive Code Reform, these standards should be reviewed, updated and calibrated to better promote improved housing outcomes that are more closely aligned with the city's goals and policies.

The findings of the prototype testing are not intended as proposed code changes but are meant to focus Code Reform to those standards that will have the greatest impact on improved housing outcomes.

1.2 CODE BARRIERS TO HOUSING SUPPLY AND AFFORDABILITY

Increase affordability in Multi-Dwelling Zoning Districts and Buildings

- **Multi-Dwelling Zoning Districts:** Increases in maximum density would support greater housing affordability, but ideally would be paired with reduced landscaping requirements and parking in order to allow density to be achieved with lower cost construction types (surface parking, 3-4 story wood framed buildings).
 - Adjustments to landscaping requirements may include reductions in size when in close proximity to a City park and greater flexibility in creating usable recreation spaces for residents.
- **Multi-dwelling buildings in Commercial Zoning Districts** would also benefit from increased maximum density and reduced parking requirements.
- For vertical mixed use buildings, need to reduce parking both for residential and commercial uses to enable higher densities.

1.2 CODE BARRIERS TO HOUSING SUPPLY AND AFFORDABILITY

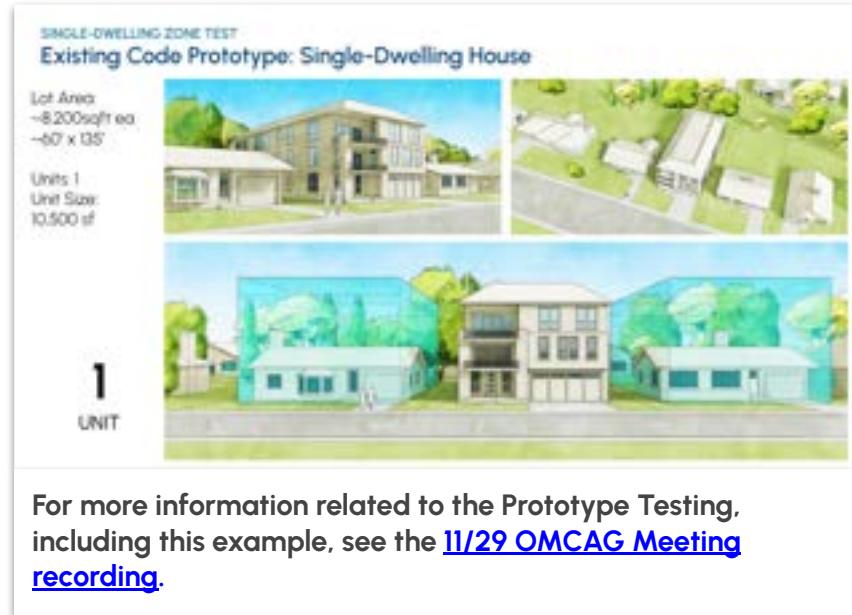
Increase affordability in Single-Dwelling Zoning Districts

The existing code allows new homes to be built that are much larger than the surrounding context. The illustration to the right shows a large, single-dwelling house that can currently be built in R5.4.

Prototype testing in single-dwelling zoning districts showed the following adjustments would have a positive impact on overall housing affordability and would reduce code barriers.

- Increase Allowed Building Types
- Increase Maximum Number of Units Per Lot
- Reduce Minimum Lot Area Per Unit

Allowing higher densities, encouraging smaller unit sizes, and focusing on the form of individual building types can have a positive impact toward supporting compatible infill construction while increasing affordability. See Key Finding 2 for more information related to compatible building form.



1.2 CODE BARRIERS TO HOUSING SUPPLY AND AFFORDABILITY

The state now requires larger cities like Missoula to modify zoning codes to remove some of the known barriers to housing opportunities.

The State of Montana recently passed multiple laws to address housing supply and affordability statewide. This page lists what is now required and additional strategies to consider to comply with state law.

REQUIRED HOUSING STRATEGIES

- Allow accessory dwellings where single dwelling exists*
- Allow duplexes where single dwelling is permitted*
- Allow residential uses in commercial zoning districts

** Pending a legal challenge*

ADDITIONAL STRATEGIES (CHOOSE 2 MINIMUM)

- Zone for higher density housing near services
- Eliminate or reduce residential parking requirements
- Eliminate or reduce impact fees for ADUs or multi-unit housing
- Allow for single-room occupancy (dorm-style housing)
- Allow triplexes or fourplexes where single dwelling is permitted
- Eliminate or reduce minimum lot sizes
- Eliminate or remove half of design and bulk standards for multi-unit or mixed use buildings
- Encourage tiny homes
- Eliminate or reduce setbacks
- Increase residential building height limits
- Allow multi-unit housing on lots where triplex or fourplex are permitted

1.2 CODE BARRIERS TO HOUSING SUPPLY AND AFFORDABILITY

Limited Development Potential

Policies and regulations are in place to protect environmentally sensitive areas, critical habitat, and natural amenities. Sometimes, limiting disturbance area is needed to protect broader natural resource concerns like water bodies, floodplains and gullies/drainages. In addition to other environmental targeted regulations, such as riparian resource protection and floodplain requirements, the Hillside Protection section of Title 20 and the Subdivision Regulations currently reduces development potential on properties with steep slopes (>15%).

Hillside Protection and Steep Slopes are challenging to implement for both applicants and staff. Developers may disturb steep slopes, reconfiguring a site to create building sites with slopes under 15% and areas in between with much steeper slopes. The Hillside standards apply to all sites with an average slope of the building and disturbance area of 15% or greater. The zoning regulations encourage larger homes on hillsides by requiring a set minimum building and disturbance area, rather than relying on modern analysis tools for determining the safety and stability of construction on steep slopes.

The overall density allowed on a site is reduced for sites with an average slope of 15% or higher, rather than reducing the combined building footprint and/or disturbance area.

Steep slopes are also a challenge for subdivision road construction and compliance with the Complete Street Policy.

KEY FINDING 1.0 - Codes present barriers to housing equity, capacity, affordability

Considerations for Code Reform

Addressing the key findings presented in this section is crucial for fostering equitable, affordable outcomes and removing barriers to housing production in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Design code reforms to increase access to opportunity, services, and amenities.
- Distribute opportunities for affordable housing types broadly throughout the city.
- Calibrate incentives for income restricted Affordable housing.
- Do not limit higher density housing to neighborhoods vulnerable to gentrification.
- Allow higher density levels that encourage smaller, more affordable homes.
- Focus regulations more on the form of buildings, less on density. Calibrate code to allow greater affordability and housing types while fitting in with the existing form and character.
- Reduce barriers to housing production by adjusting zoning standards. Refine standards based on existing context.
- Explore code revisions specific to each zoning district focused on reducing barriers to housing production.

Key Finding 2.0

Codes present barriers to compatible infill development and limit housing diversity

2



Codes present barriers to compatible infill development and limit housing diversity

Addressing the key findings presented in this section is imperative to foster contextually compatible development, enhance housing diversity, and promote sustainable growth in Missoula. This section highlights some the following topics.

Background:

- What is Compatible Infill?
- What is 'Focus Inward'?
- Focus on Form
- What is Middle Housing?

Sub-findings:

- 2.1.** Code Barriers to Compatible Residential Infill
- 2.2.** Code Barriers to Housing Diversity
- 2.3.** Code Issues Relating to Context-Sensitive Mixed-Use

What is Compatible Infill?

*Buildings that are added to an existing neighborhood that **fit within the established context** in terms of building size, shape, and location, the relationship between the building and the street, and how people and cars access the property.*



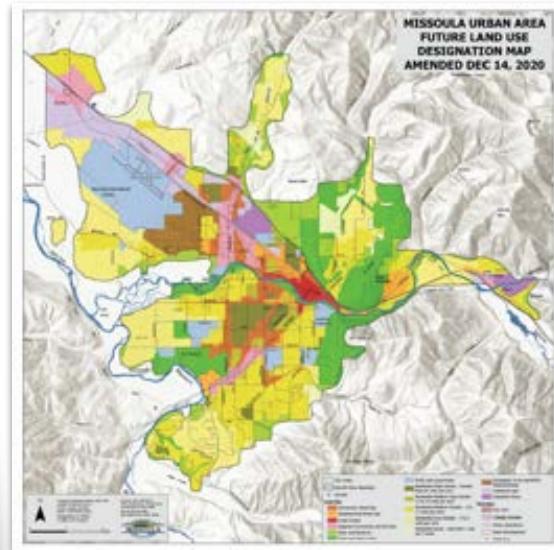
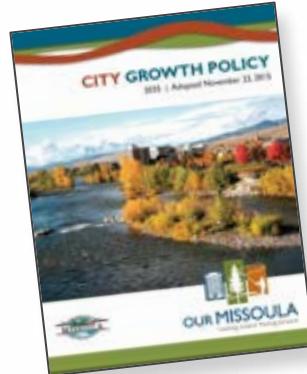
BACKGROUND

What is 'Focus Inward'?

Missoula's Growth Policy emphasizes a "Focus Inward" approach to development, encouraging compact development and infill projects within the urban core where infrastructure is already established.

The policy recognizes the connection between transportation and land use by promoting mixed-use and dense development along major transportation corridors to enhance connectivity and support a multi-modal transportation system accessible to all citizens.

The Growth Policy highlights neighborhood compatibility and promotion of pedestrian-oriented, mixed use development. This points to the need for contextually appropriate code standards, which can support new housing that is compatible in shape and size with the surrounding neighborhood, while allowing an increase in density in support of our equity, housing, climate, and transportation goals.

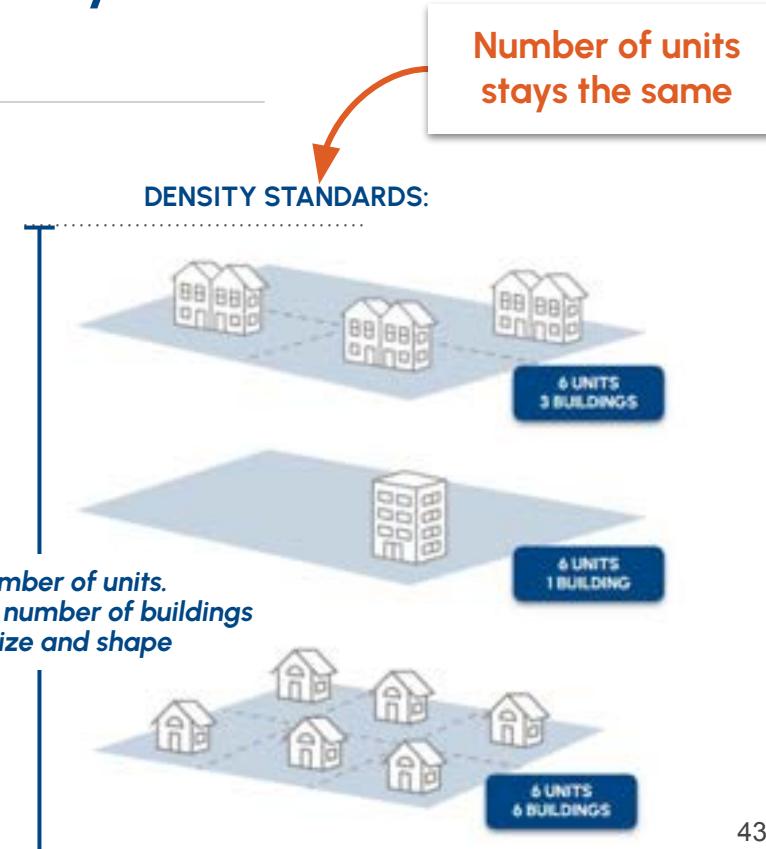
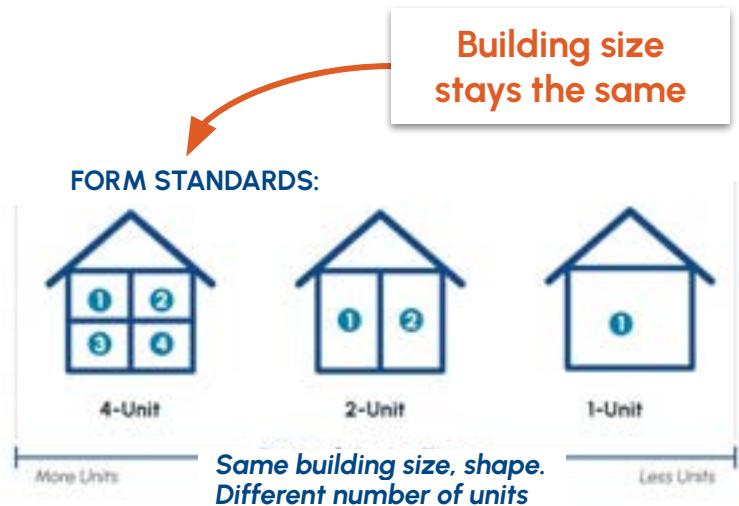


To understand "Why Are We Updating the Growth Policy?" please refer to this [informational video](#).

BACKGROUND

Focus on form, not just use and density, for more predictable outcomes

Modern codes have shifted from a focus on use and density (or the number of units in a given area) to include more form standards, which provide greater predictability over the built outcome and can be calibrated to existing built patterns. As the *Equity in Land Use Report* highlights, focusing on form is a primary strategy to improve housing equity throughout Missoula.



What is Middle Housing?



A range of multi unit or clustered housing types **compatible in scale with single-family homes**, that help meet the growing demand for walkable urban living, respond to shifting household demographics, and meet the need for more housing choices at different price points.



- Daniel Parolek, Missing Middle Housing

BACKGROUND

Compatible infill can take many forms

Existing neighborhood patterns can inform building form standards for "middle housing" to promote compatible infill development. Form standards can be calibrated to allow an overall increase in the housing units while maintaining a similar scale.

EXISTING SINGLE DWELLING HOUSE ON 75' WIDE LOT



EXISTING SINGLE FAMILY
HOUSE ON 75' WIDE LOT

TRIPLEX REDEVELOPMENT



NEW TRIPLEX ON 75' WIDE LOT

3 COTTAGE COMPOUND, RETAINING THE EXISTING HOUSE AND
ADDING 2 COTTAGES IN THE REAR OF THE LOT.



PRESERVED HOUSE WITH 2 NEW COTTAGES
IN REAR (SHOWN IN PINK)



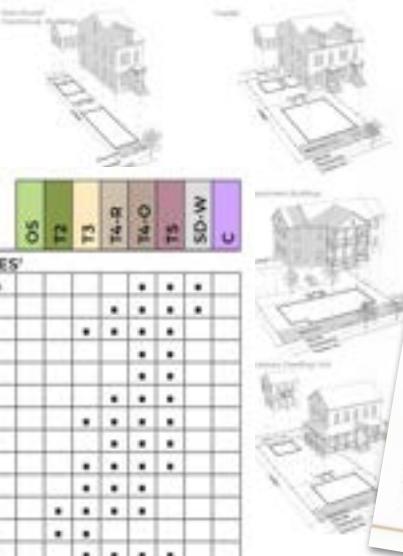
The illustrations to the left show a triplex development scenario. The middle scenario maxes out the current zoning envelope for single-dwelling unit. The scenario on the right shows a context-sensitive approach to 3 units, even preserving the existing cottage.

BACKGROUND

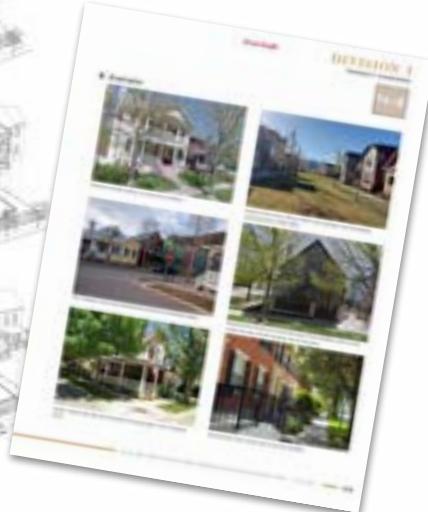
Middle Housing Types are currently allowed in Missoula County and Sx^wtpqyen Form Based Code; local examples can provide lessons

Sx^wtpqyen Form Based Code (2020)

introduced "middle housing" building types.



RESIDENTIAL TYPES	OS	T2	T3	T4-R	T4-O	T5	SD-W	C
Mixed Use Building/Block								
Apartment Building								
Mansion Apartment	■	■	■	■				
Live/Work Unit								
Live/Make Unit								
Townhouse								
Duplex House	■	■	■	■				
Courtyard House								
Sideyard House	■	■	■	■				
Cottage								
House	■	■	■	■				
Villa	■	■						
Accessory Dwelling Unit		■	■	■	■			



Missoula County Zoning

Regulations (2022)

expanded on "middle housing" building types.



Quadplex: A building type that accommodates four homes on an individual lot, both vertically and/or horizontally integrated.

Table 1: Building Types Allowed By District									
District	Building Type	Building Type Allowed By District							
		Single Family	Two Family	Three Family	Four Family	Commercial	Industrial	Commercial/Industrial	Other
Single Family	■	■	■	■	■	■	■	■	■
Two Family		■	■	■	■	■	■	■	■
Three Family			■	■	■	■	■	■	■
Four Family				■	■	■	■	■	■
Commercial					■	■	■	■	■
Industrial						■	■	■	■
Commercial/Industrial						■	■	■	■
Other							■	■	■

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2.1 - Code Barriers to Compatible Residential Infill

- Zoning standards present barriers to compatible infill development because they are out of alignment with the existing form and character of Missoula's oldest residential neighborhoods.
 - Same zoning district, different context
 - Non-conforming parcel sizes, setbacks, and building types
- Neighborhood Character Overlay address underlying code issues in the University Districts, suggesting miscalibration between current code and the existing built patterns. They also expand housing choices and flexibility in greenfield development, suggesting the current code doesn't allow housing in line with current development trends.

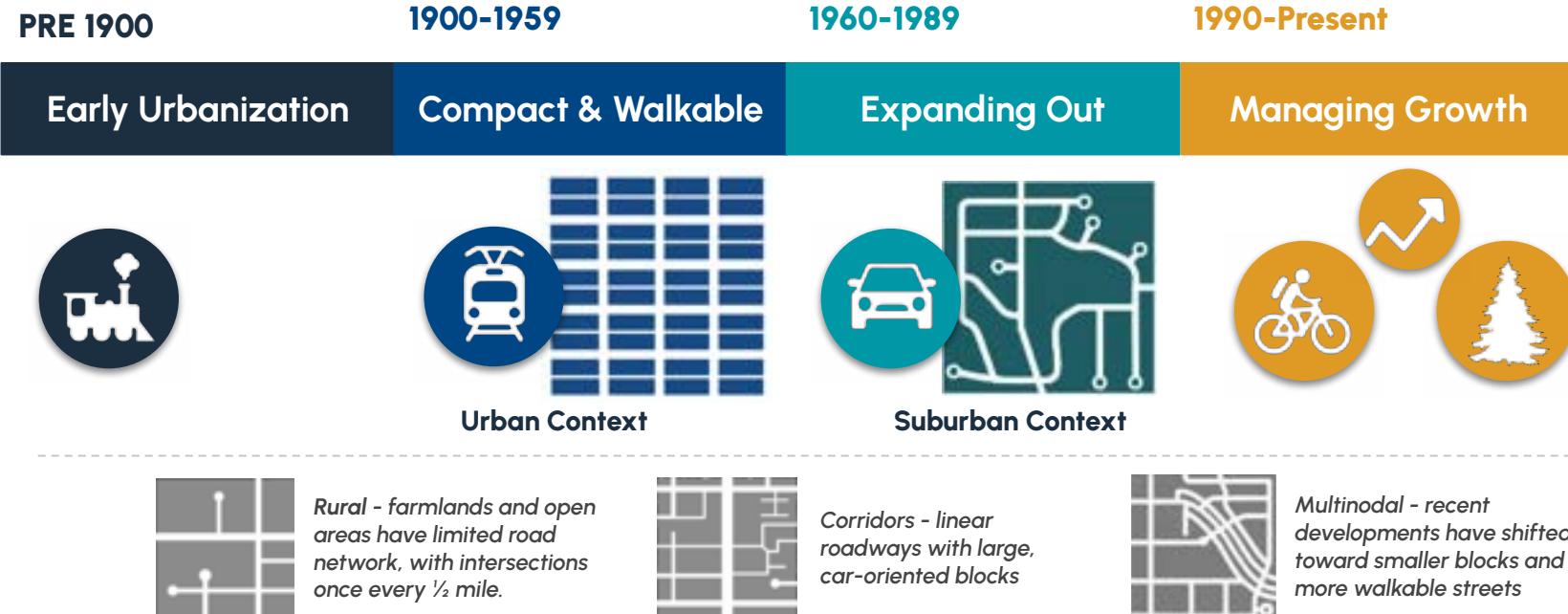


BACKGROUND

Additional information describing Missoula's development history can be [found here](#).

Missoula's Development Patterns

The City of Missoula has evolved over time based on land use priorities, transportation needs, and demographic changes. Four main periods of development are introduced in the graphic below. These periods of development are evident today in looking at the block pattern of an area, which generally is described as urban, suburban, rural, corridor, or multinodal.



BACKGROUND

Missoula's Residential Contexts

Missoula's residential neighborhoods are reflections of the time period when they developed and are typically "urban," "suburban," or "rural" contexts, which are distinct areas characterized by the unique combination of streets, blocks, and lots, as shown below.



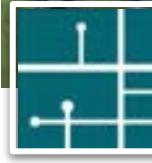
Urban Residential

Compact blocks with sidewalks, alleys, older homes, narrow lots. Examples: University, Lewis & Clark, Rose Park



Suburban Residential

Curvy roads, cul-de-sacs, limited sidewalk network. Examples: Upper Rattlesnake, Grant Creek, Moose Can Gully



Rural Residential

Large lots and blocks, buildings setback far from the street, sidewalks are absent. Examples: Target Range



Highly Walkable



Auto-Oriented

BACKGROUND

Residential Buildings by Context

Residential buildings reflect the varying context as well. Houses in an urban context typically have front doors close to the sidewalk with garages and driveways accessed from the valley. As neighborhoods transition to suburban contexts, driveways and garages face the street and sidewalks are smaller or not existing.

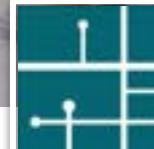


Urban Residential



Suburban Residential

Rural Residential



Highly Walkable

Auto-Oriented



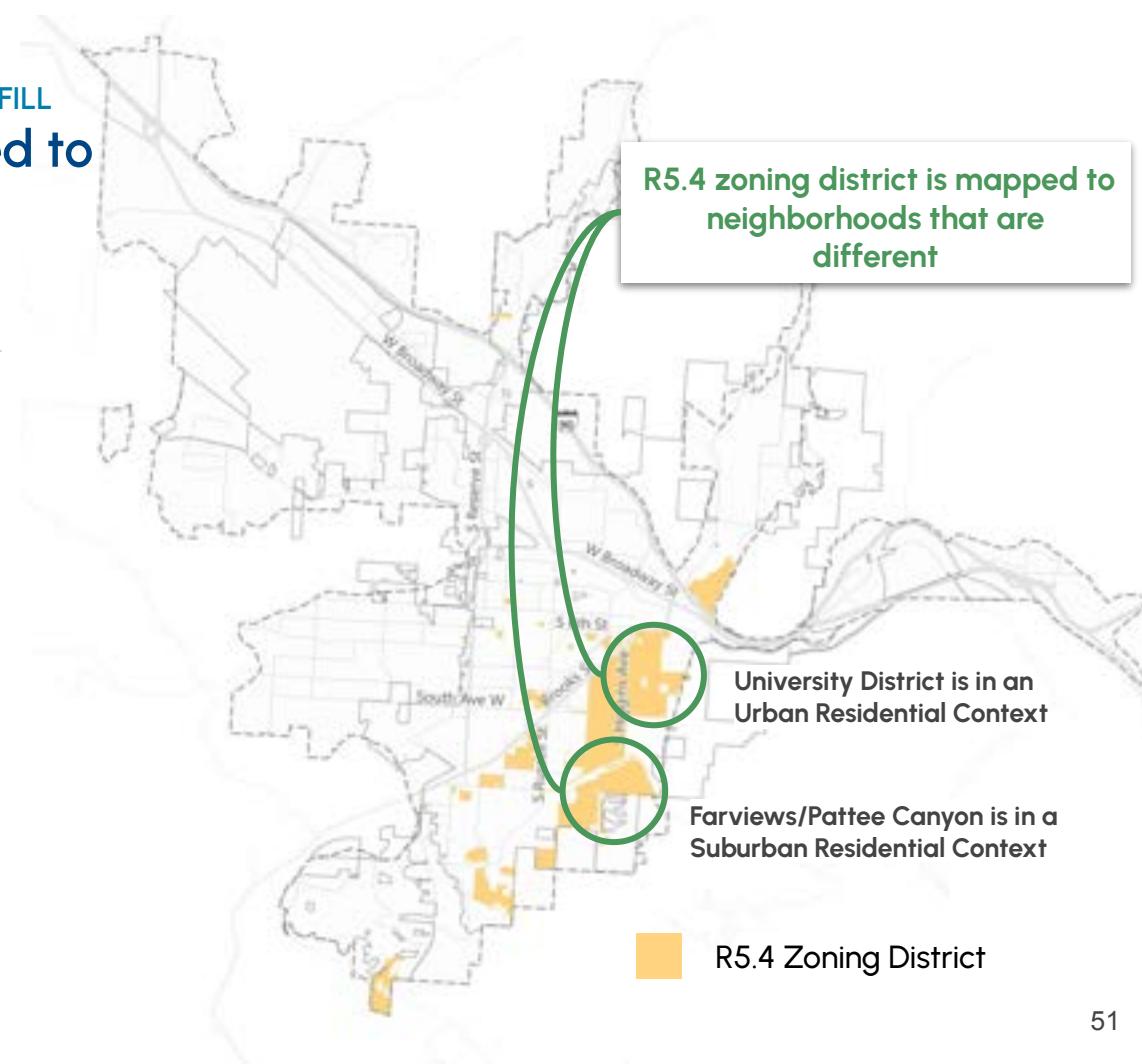
2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL

R5.4 Zoning District is mapped to both Urban and Suburban Residential Contexts

Residential 5.4 (R5.4) is the most prevalent residential zoning district in Missoula, comprising approximately 7.5% of the city. It is also one of the most restrictive.

It is currently mapped to the University District*, Rose Park, Lower Rattlesnake, Lewis & Clark, Farviews/Pattee Canyon, Southgate Triangle, and Moose Can Gully neighborhoods, as shown on the map to the right.

R5.4 is mapped to neighborhoods in both Urban and Suburban Contexts. Examples of how these areas vary by block and buildings are shown on the following page.

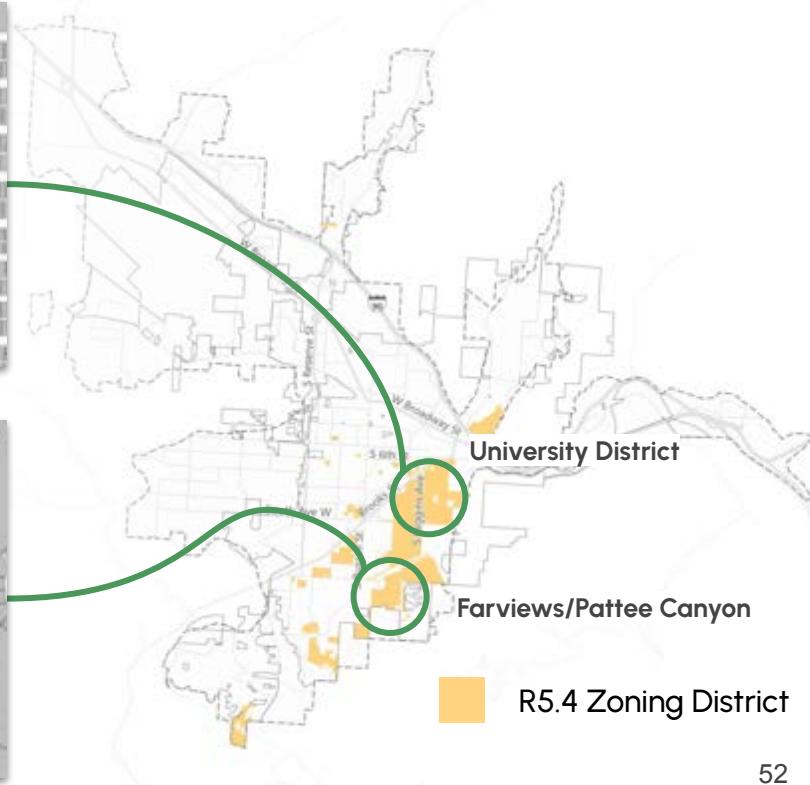


*University District Neighborhood Character Overlay provides additional restrictions to height and bulk.

2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL

Same Zoning District, Different Context

Current zoning standards are not calibrated based on the existing context and historical patterns. This makes it difficult to build compatible infill development, adding complexity and uncertainty to infill developments in these areas.



2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL

What is allowed today, and what is not?

Missoula's oldest neighborhoods, much of which are zoned R5.4, were built before the current zoning was in place. Much of what we see today would not be allowed under our current regulations.

Nonconforming: a lawfully created parcel that doesn't comply with all applicable standards.

The following slides feature examples of common nonconformities in the urban context of R5.4 zoning district:

- Minimum parcel size
- Minimum front setbacks
- Allowed building types

The **University District Neighborhood Character Overlay** provides additional restrictions to the height and bulk of buildings beyond that of the R5.4 zoning.

Over-reliance on Neighborhood Character overlays, PUDs, and Special Districts to address code calibration issues is evident in Missoula. Overlays add complexity to the development review process for both applicants and staff and signal a larger problem with the calibration of the underlying zoning.



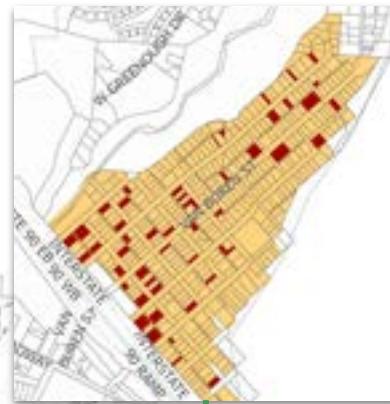
2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL Parcels with Nonconforming Status

~12% of R5.4 parcels are less than 5,400 sf. (which is the minimum required parcel size per zoning). Most of these nonconforming parcels are in the older neighborhoods like the University District, Rose Park, and Lower Rattlesnake (as shown on the maps below). While these parcels historically have "fit in" with the existing neighborhood, their nonconforming status can add complications for property owners when applying for financing, property insurance, or permits to remodel or make additions to their home. The higher minimum parcel size also prohibits compatible infill where the smaller lots are found and in the worst case, promotes parcel consolidations that might result in fewer larger expensive houses rather than more smaller attainable ones.

University District and Rose Park

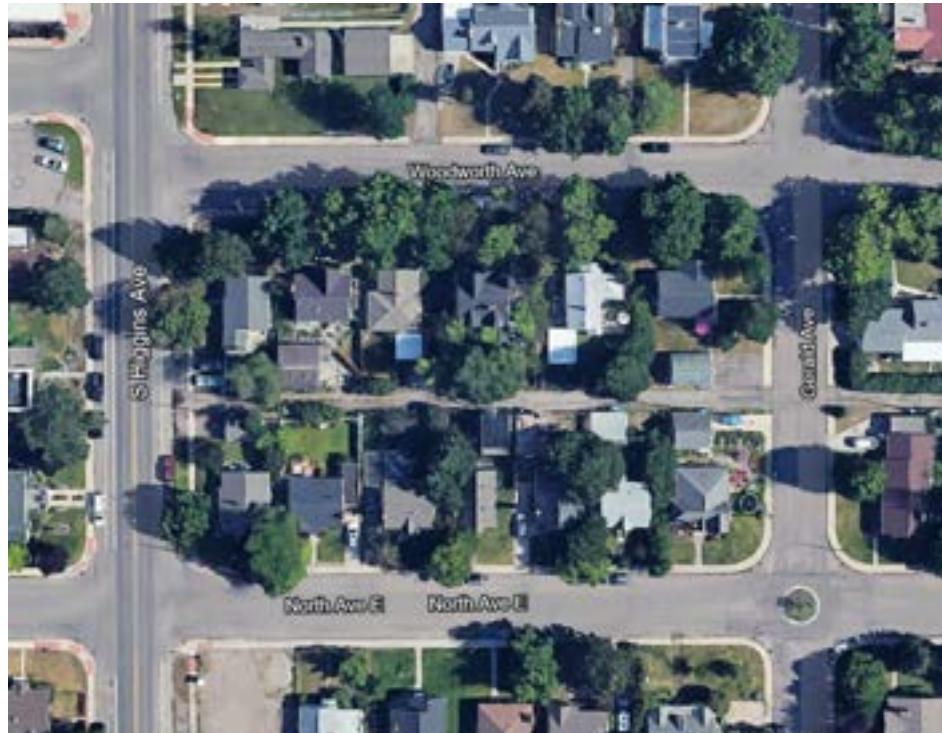


Lower Rattlesnake



2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL Nonconforming Parcels

Blocks east of Higgins Ave, between North Ave and Woodworth Ave have several examples of nonconforming parcel sizes. Small historic homes are contextually scaled and "fit in" with the surrounding neighborhood context, despite the nonconforming parcels.



2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL

Nonconforming Setbacks

Front setbacks, or the distance from the front property line to the front of a building, vary throughout the R5.4 zoning district and don't always conform to current zoning standards.

The first zoning code had a "context sensitive" setback which allowed flexible front setbacks depending on the other houses along the block. This provided flexibility while ensuring development fit within the existing character.

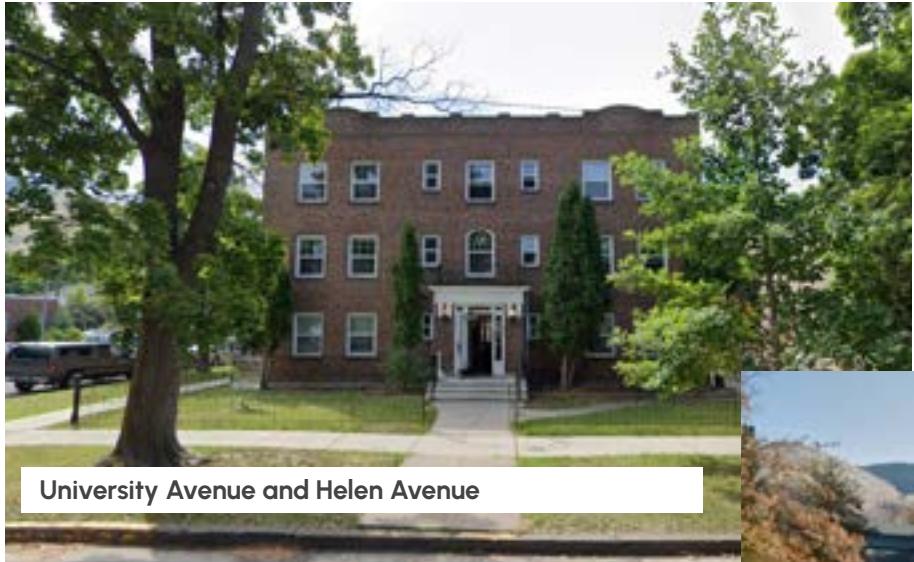
Title 20 still includes a sensitive setback but it's restrictive and not well known; 20.110.050.A.2.

Mount Avenue, between Hollis Street and Park Avenue



2.1 - BARRIERS TO COMPATIBLE RESIDENTIAL INFILL

Nonconforming BUT Compatible Multi-dwelling Buildings



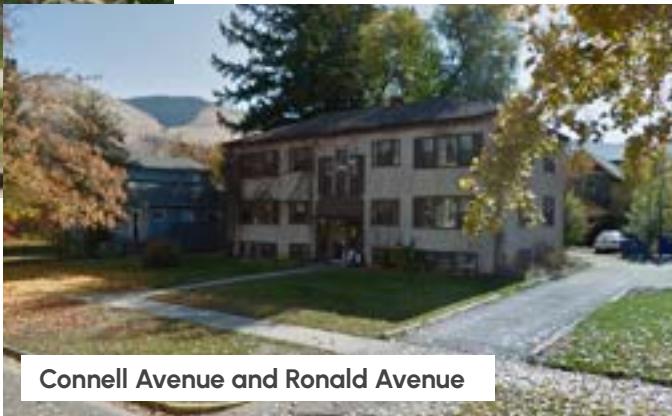
Historic, 3 story, multi-dwelling apartments are seen today in the R5.4 district, even though current zoning does not allow this same development to be built today.

Previous zoning allowed multi-dwelling buildings up to 3-stories tall in areas that are now zoned R5.4.

SECTION 2. "A" RESIDENCE DISTRICT.

In the "A" Residence District:

(a) HEIGHT: No building shall exceed 40 foot or three stories in height.



... shall be erected or structurally altered, or shall be reduced in any regulation hereby imposed, or any building or structure be made for any purpose other than that permitted in the district to which such building or residence is located.

SECTION 2. "A" RESIDENCE DISTRICT.

(a) HEIGHT: No building shall exceed 40 foot or three stories in height.

(b) FRONT YARD: There shall be a rear yard having a depth of not less than 30 feet, provided, however, that, when lots containing forty per cent, or more, of the frontage developed with buildings between two streets, twelve feet in width fronting with a variation to depth of not more than six feet, or building perspective erected at stepped, shall project beyond the average front line as established, provided further, that these regulations shall not apply to front yard of more than forty feet in depth.

... there are no buildings on a block, the depth of the front yard shall be determined by adding 10 feet to the depth on the same side of the street, to the depth of the block.

Front yard shall be measured to the depth of not less than ten feet, in the case of a street not parallel to the block, the front yard shall have a depth of not less than ten feet.

(c) REAR YARD: There shall be a rear yard having a depth not less than twenty feet, where the rear lot line extends

2.2

2.2 - Code Barriers to Housing Diversity

- Over time, Missoula has reduced housing diversity by narrowing allowed building types.
- Most of the residential zoning districts are exclusively single-dwelling or two-dwelling units, and a small proportion of residential areas are zoned for multi-dwelling buildings.
- Allowing “middle housing” and focusing on form would help the City achieve its goals.
- State law requires that cities expand housing choices.



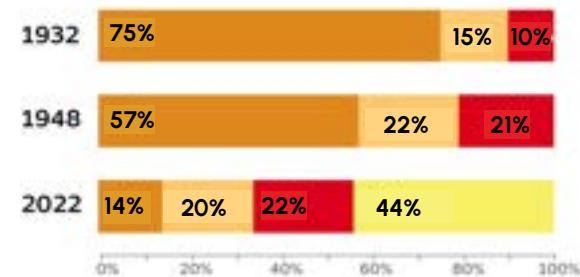
2.2 - BARRIERS TO HOUSING DIVERSITY

More Exclusionary Over Time

44% of the City's land zoned for housing is reserved exclusively for single-dwelling housing. This significantly reduces the diversity of housing types allowed in the City.

This hasn't always been the case; the earliest versions of the zoning code allowed multi-dwelling buildings throughout most of the city.

Percentage of Total Residential Land Area by Zone Category
(excludes Industrial Category)



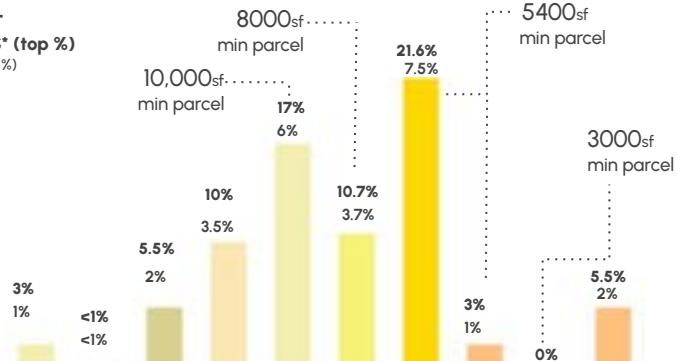
From the [Equity in Land Use](#) report.

2.2 - BARRIERS TO HOUSING DIVERSITY

Single- and Two-Unit Dwelling Zoning Districts

PERCENT OF SINGLE- & 2-UNIT DWELLING ZONING DISTRICTS* (top %) Percent Of Overall City Land (bottom %)

- Permitted
- Prohibited
- Permitted in cluster/conservation development



ALLOWED USE	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7
Detached House	●	●	●	●	●	●	●	●	●	●
Lot Line House	●	●	●	●	●	●	●	●	●	●
2-unit Townhouse	●	●	●	●	●	●	●	●	●	●
3 + -unit Townhouse	●	●	●	●	●	●	●	●	●	●
Two-unit House	●	●	●	●	●	●	●	●	●	●
Multi-dwelling house	●	●	●	●	●	●	●	●	●	●
Multi-dwelling building	●	●	●	●	●	●	●	●	●	●

*PUDs and Special Districts account for 23% of Single- and 2-Unit Dwelling Districts

Figure 20.05-1 Detached House

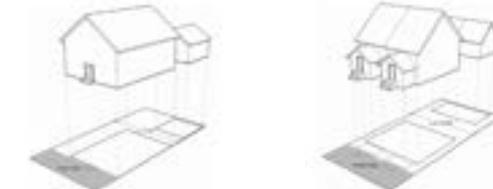


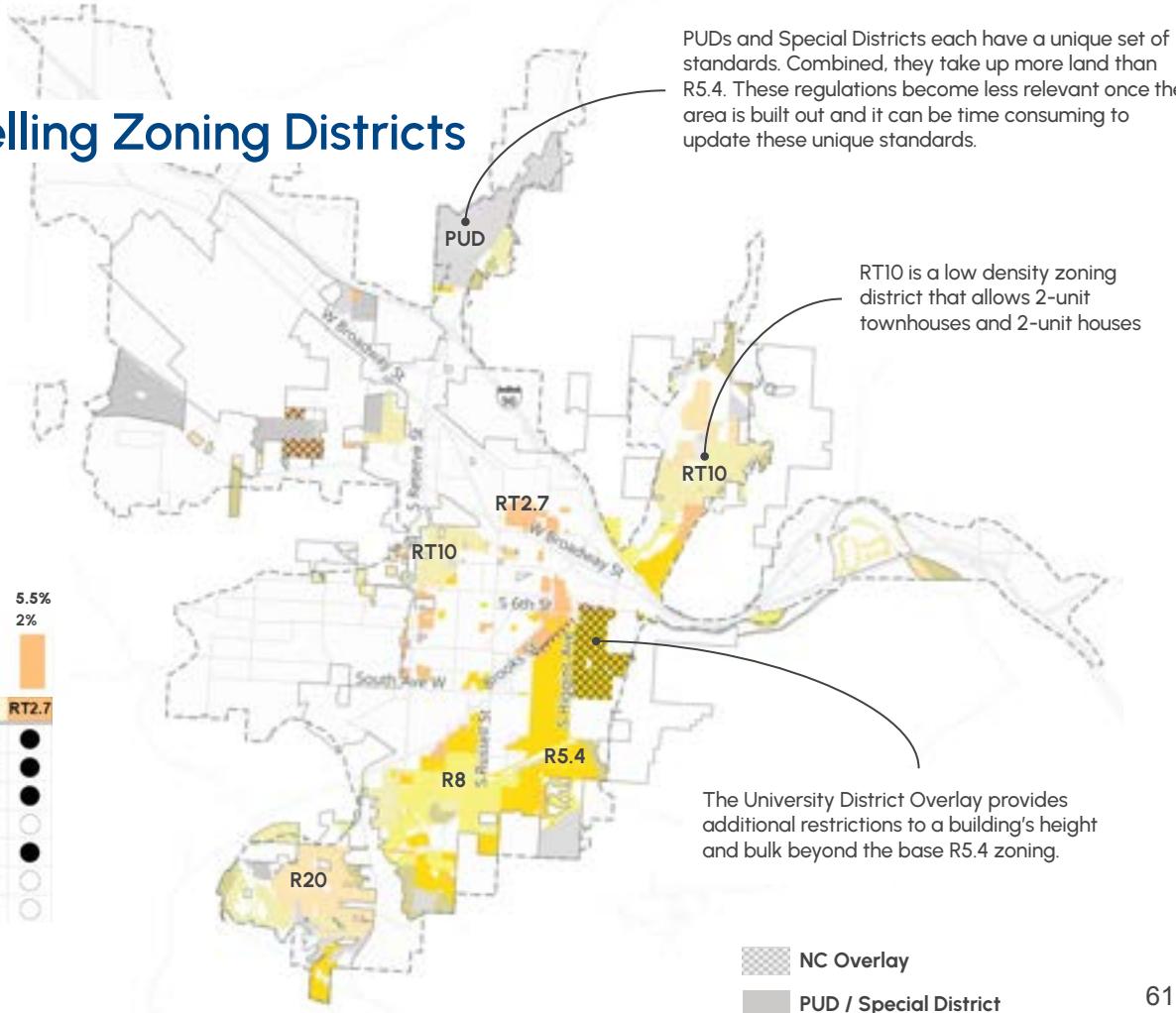
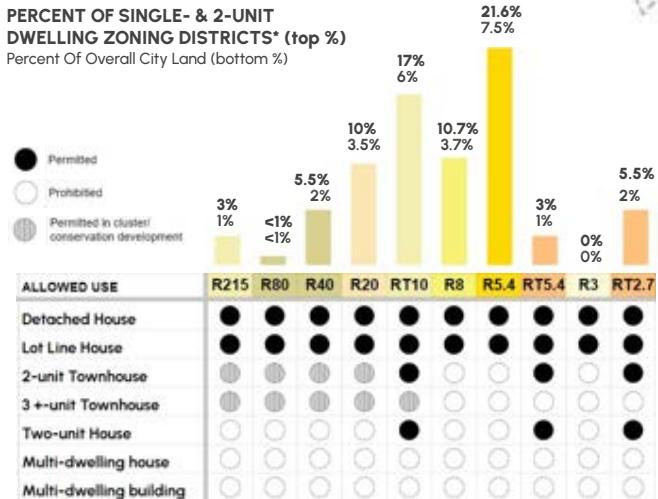
Figure 20.05-2 Lot Line (Detached) House

Figure 20.05-3 Two-Unit House

2.2 - BARRIERS TO HOUSING DIVERSITY

Single- and Two-Unit Dwelling Zoning Districts

R5.4 is the most prevalent residential zoning district in Missoula, and it currently only allows single-dwelling houses.



2.2 - BARRIERS TO HOUSING DIVERSITY

Limited Multi-Dwelling Zoning Districts

Missoula's Multi-Dwelling zoning districts allow all residential uses, including multi-dwelling houses and buildings. The code is limited in "middle" housing building types.

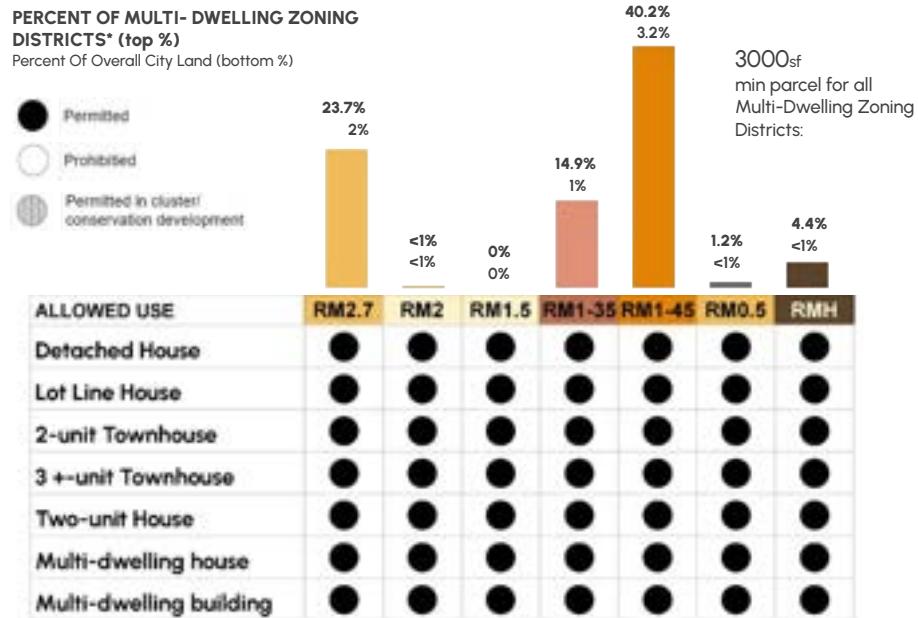


Figure 20.05-6 Multi-dwelling Building

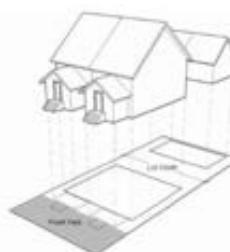
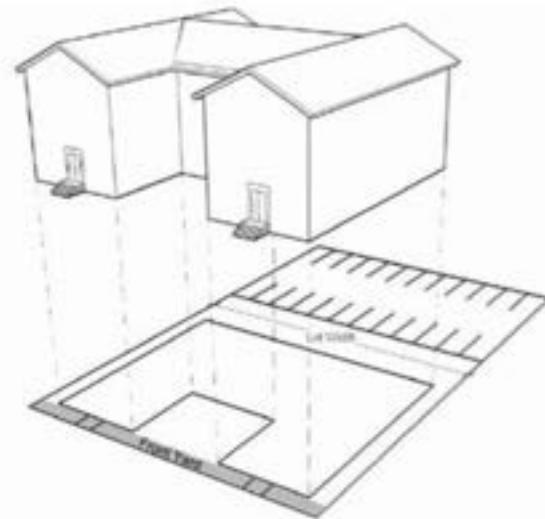


Figure 20.05-4 Two-Unit House



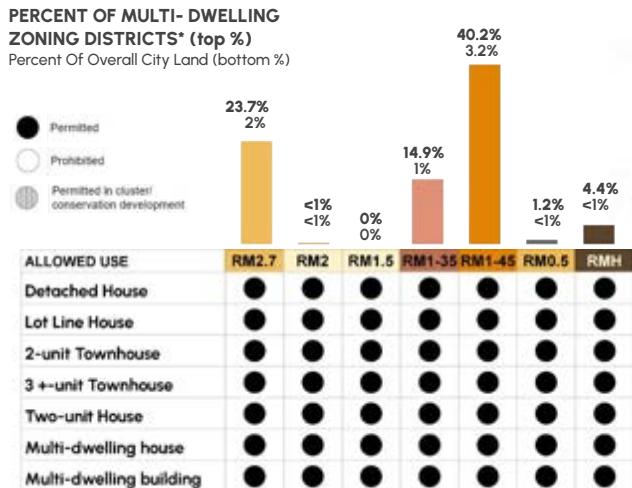
Figure 20.05-5 Multi-dwelling House

*PUDs and Special Districts account for ~15.3% of Multi-Dwelling Districts

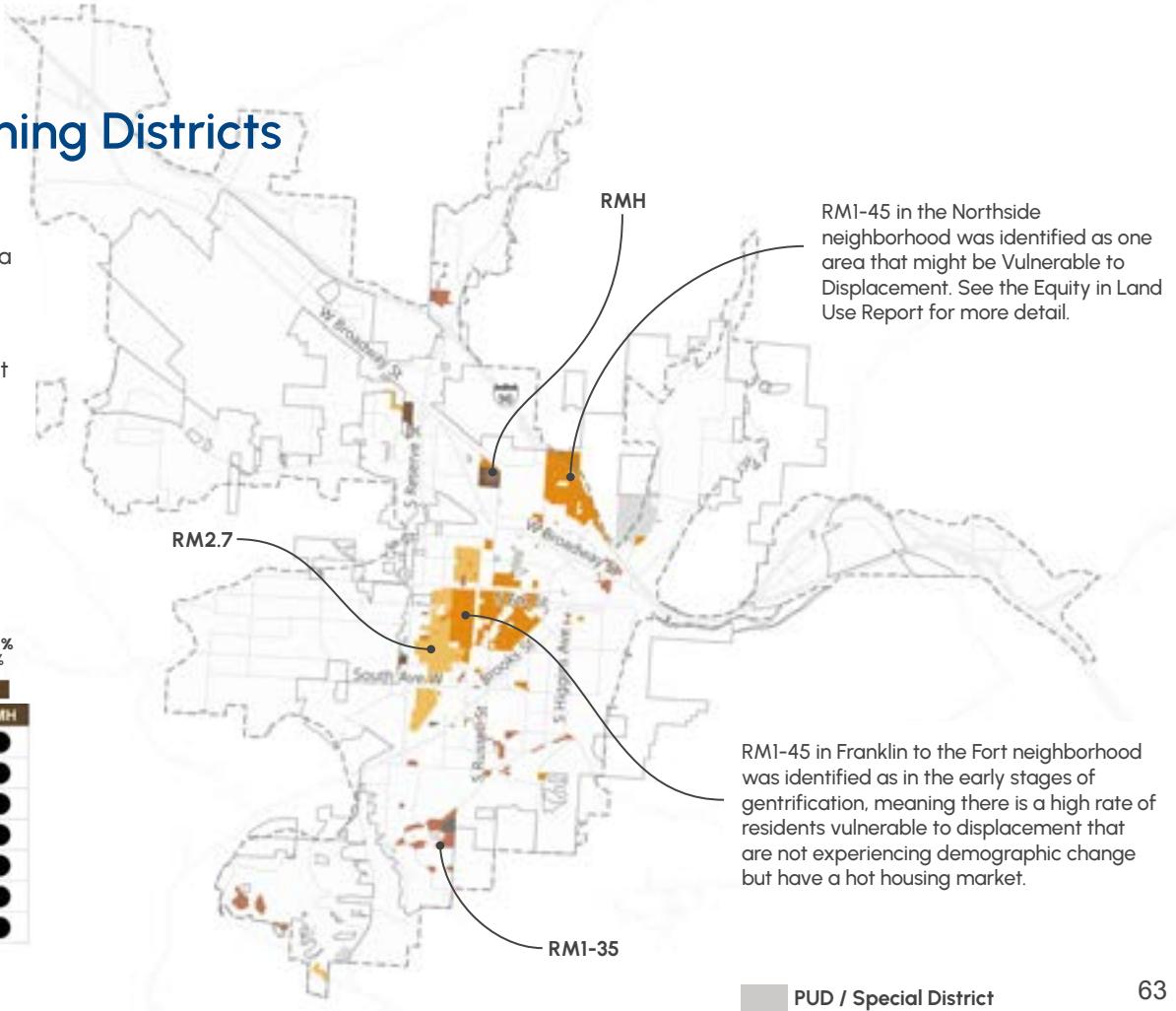
2.2 - BARRIERS TO HOUSING DIVERSITY

Limited Multi-Dwelling Zoning Districts

Missoula's Multi-Dwelling zoning districts are mapped to a limited area, including areas that are predominantly built out with single-dwelling houses. However, they are also mapped along high frequency transit lines, easily accessible biking/walking routes, or near destinations that accommodate density.



*PUDs and Special Districts account for ~15.3% of Multi-Dwelling Districts



2.2 - BARRIERS TO HOUSING DIVERSITY

ADUs for “gentle density”

Accessory Dwelling Units (ADUs) can provide “gentle density,” or additional dwelling units that fit in with the existing neighborhoods and buildings with a similar form and size.

Calibrating ADU standards should include ADU Type (interior conversion, addition, detached structure) and the existing neighborhood context.

Code Barriers to ADUs:

- Not allowed with TED developments.
- Not allowed in PUD's.
- Not allowed on nonconforming parcels.



2.3

2.3 - Code issues relating to Context-Sensitive Mixed-Use

- Strong policy guidance to promote pedestrian-oriented design in mixed-use areas, Downtown, and commercial corridors and small scale neighborhood services (such as corner stores) in residential areas.
- Design Excellence provides form-based design standards, however, but is inconsistent with other code sections.
- Too many overlapping regulations add complexity to design review.
- Recent state law restricts discretionary review and requires objective, clear design standards.



BACKGROUND

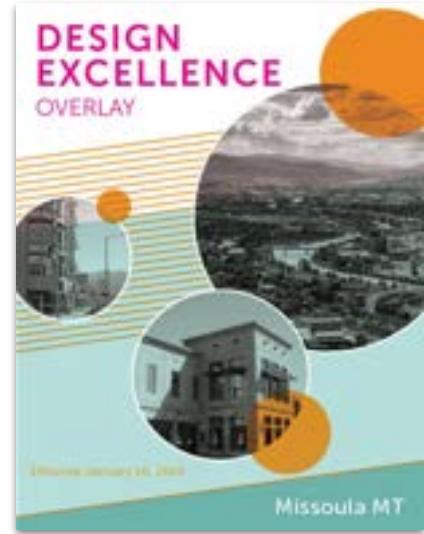
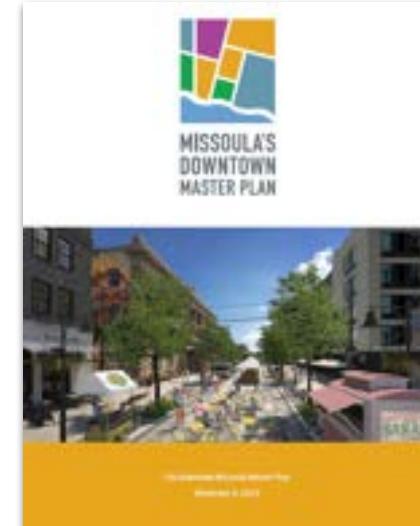
Existing Plans and Overlays

Missoula's Growth Policy supports pedestrian-scale design that encourages non-motorized transportation and social interaction, especially in areas of the city that are now predominantly vehicular-oriented.

The City has adopted additional policies and codes to further clarify the pedestrian-oriented vision for commercial corridors and mixed-use areas established in the Growth Policy, including:

- the Downtown Master Plan (2019)
- the Design Excellence Overlay (2019), and
- the Midtown Master Plan (2023)
- Sx^wtpqyen Master Plan (2020)

The plans and overlay provide greater clarity, guidance and regulations as to how Missoula's mixed-use areas can evolve in line with the vision established.



BACKGROUND

Design Excellence (DE) Overlay



From Design Excellence Overlay (20.25.080)

The Design Excellence Overlay provides form-based design standards for Downtown (lower left) and commercial corridors (lower right).



2.3 - CODE ISSUES RELATING TO CONTEXT-SENSITIVE MIXED-USE **Design Excellence Overlay**

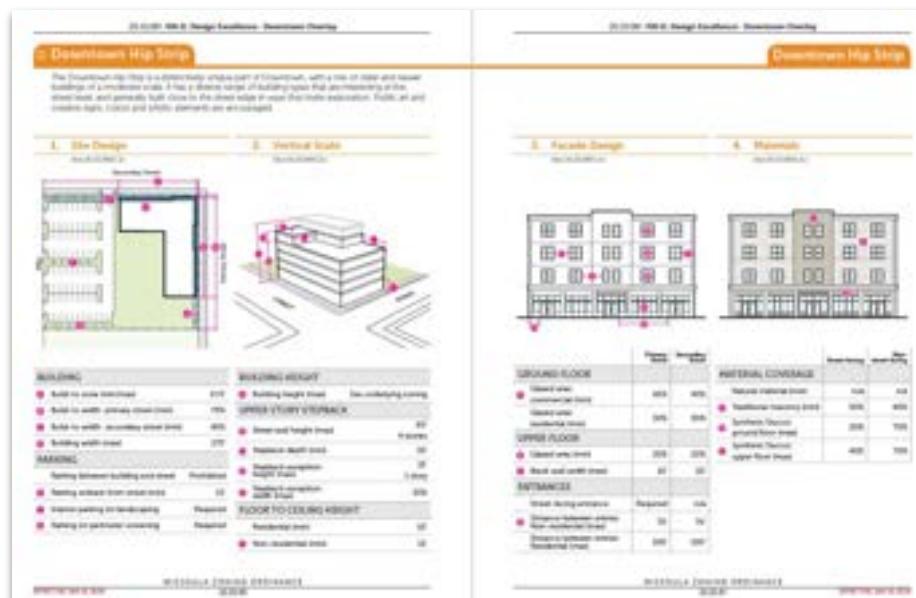
The Design Excellence Overlay has codified context sensitive, pedestrian-oriented design standards.

Specific design topics have been identified as contributing to positive outcomes, which include:

- Location of buildings with build-to requirements and setbacks
- Mass and scale reduction with upper story stepbacks
- Improving the relationship of building to the street with street-facing facade standards, entry treatments, and ground floor requirements
- Parking reductions
- Activity area reductions when in close proximity to a park

Overly prescriptive material requirements have been identified as a challenge, often resulting in design variations that lengthen the review process, though this has been addressed somewhat in recent responses to state legislation.

Incompatible street conditions can pose problems for developers, reviewers, and decision-making authority especially parcels along Brooks Corridor



The DE Overlay was designed as a highly graphic pdf document. The formatting and usability of the pdf was compromised when converting to Municode. Unclear section numbering and hierarchy are particular challenges in using this overlay.

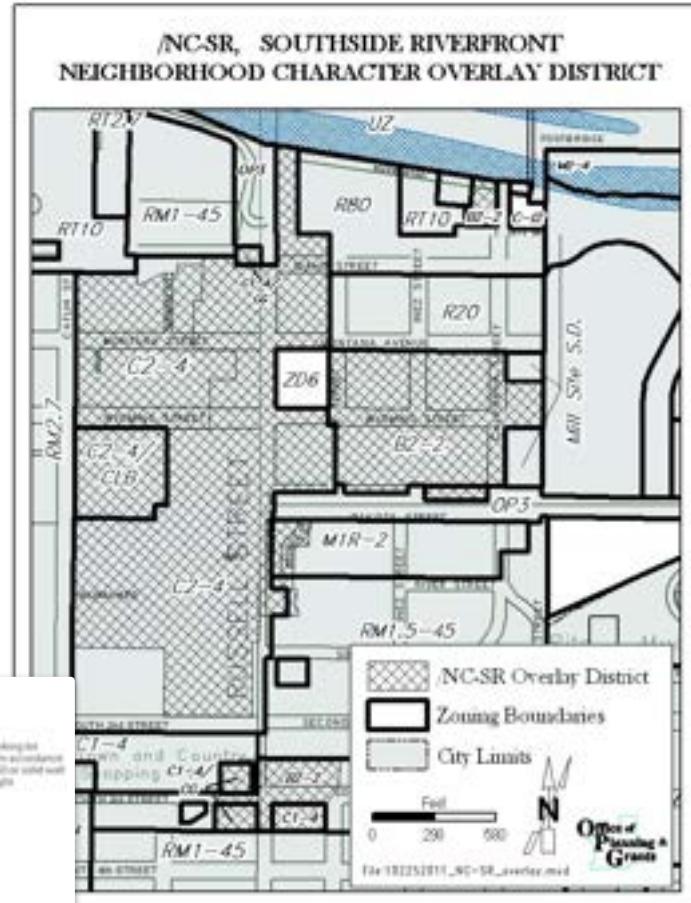
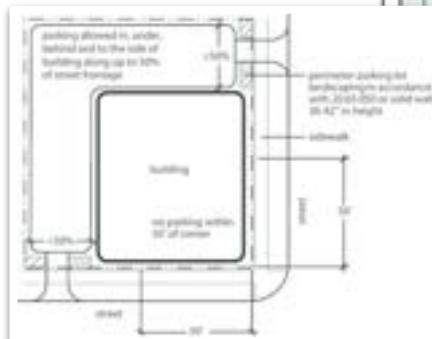
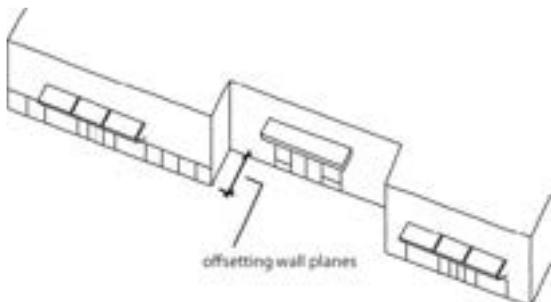
2.3 - CODE ISSUES RELATING TO CONTEXT-SENSITIVE MIXED-USE Overlay Districts

Overlapping standards between the base zoning, Design Excellence, and other Overlay Districts add unnecessary complexity for mixed use developments.

Pedestrian Overlay – provides standards for pedestrian-oriented design, but it's not applied anywhere.

Southside Riverfront Neighborhood Character Overlay (NC-SR)

- Applies to limited areas zoned B2, C1, C2, and M1R zoning districts (see map to the right)
- Adjusts minimum parcel area, setbacks, maximum front setback, impervious coverage, height, allowed uses, parking location, parking ratios, building design, and signs



2.3 - CODE ISSUES RELATING TO CONTEXT-SENSITIVE MIXED-USE Pedestrian-Oriented Design Standards

Frontages and Shopfront Buildings

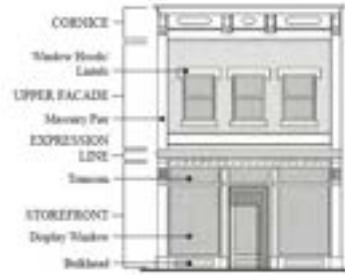
- Sx^wtpqyen Form Based Code (FBC) defines frontage types for mixed-use zoning districts and defines 'shopfront' building type. These standards can be useful in supporting context sensitive mixed use if they apply citywide.

Title 20 uses terms and concepts related to Pedestrian-Oriented Design, but doesn't provide clear definitions, including

- "Designed to be visually integrated"
- Inconsistent use of similar terms: front facade, front yard, front property line, entry requirements



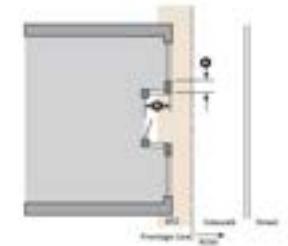
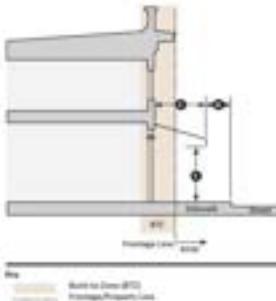
Pedestrian-Oriented Design Overlay (Title 20)



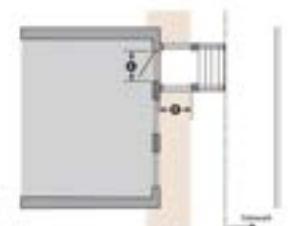
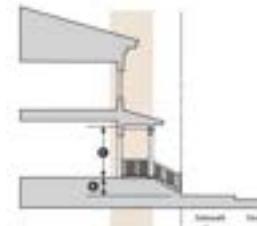
Shopfront Building (FBC)

Frontage Types (FBC)

A. Shopfront



B. Stoop



2.3 - CODE ISSUES RELATING TO CONTEXT-SENSITIVE MIXED-USE

Simplify overlapping design standards, streamline review

Simplify Overlapping and Conflicting Standards

While City policy is clearly in support of pedestrian-oriented development, projects in mixed-use areas and along commercial corridors in Missoula face challenges, including:

- Conflicting terms, concepts and definitions between base zoning, overlays, and other sections of code
- Lengthy review process for design variations
- Overly restrictive standards relating to materials and conflicts between energy code and glazing requirements
- Incompatible street designs that are not ready to support pedestrian-oriented developments.

Creating a Street Typology will help connect gaps between future land use and street design.

Streamline and Simplify Design Review

Discretionary review under Design Excellence was originally preferred to provide flexibility. As part of Comprehensive Code Reform, design review should be reviewed holistically to simplify, clarify, and streamline the review process and codify standards into the base zoning, rather than rely on discretionary review and additional design overlays.

Objective review, versus discretionary review, streamlines the review process, increases predictability, and is in line with state mandates.

~25% of Title 20 is dedicated to overlays.

KEY FINDING 2.0 - Codes present barriers to compatible infill and housing diversity

Considerations for Code Reform

Addressing the key findings presented in this section is imperative to foster contextually compatible development, enhance housing diversity, and promote sustainable growth in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Revise codes to support compatible infill development based on existing and historic patterns, simplifying standards for easier compliance.
- Expand housing types allowed in key residential zoning districts, revise ADU regulations, and integrate overlays into base zoning to streamline regulations and accommodate contextual differences.
- Allow "middle housing" types to increase housing diversity and comply with legislative mandates.
- Focus code reform on form compatibility rather than just density and use.
- Integrate Design Excellence Overlay into the base zoning to ensure clear and consistent standards that support pedestrian-oriented development.

Key Finding 3.0

Codes do not support mobility, climate, and other city policies

3



Codes do not support mobility, climate, and other city policies

Addressing the findings presented in this section is crucial for aligning Missoula's development regulations with mobility and climate objectives, promoting sustainability, and enhancing the quality of life for residents. This section highlights the following topics related to this Key Finding.

Background:

- Adopted Policies
- Land Use & Transportation
- Climate Policies
- Policy Priorities

Sub-findings:

- 3.1. Mis-Alignment with Mobility and Transportation Policy
- 3.2. Mis-Alignment with Climate Policy

3.1

3.1 Mis-Alignment with Mobility & Transportation Policies

- The integration of land use and transportation policies set a clear policy foundation, but codes are not in alignment with the “focus inward” vision.
- Parking regulations are not in alignment with the City's goal of reducing single-occupancy vehicle use.
- Priorities between pedestrian infrastructure, trails, and boulevards and other requirements conflict with city policies and goals. See Key Finding 4 for more information.



BACKGROUND

What is 'Focus Inward'?

Missoula's Growth Policy emphasizes a "Focus Inward" approach to development, encouraging compact development and infill projects within the urban core where infrastructure is already established.

The policy recognizes the connection between transportation and land use by promoting mixed-use and dense development along major transportation corridors to enhance connectivity and support a multi-modal transportation system accessible to all citizens.

The Growth Policy **promotes pedestrian-oriented, mixed use development.**



BACKGROUND

Parking Code and Management



The Transportation Options Action Plan recommends updates to Missoula's code and practices regarding parking.

- Current code and parking management strategies prioritize motor vehicle storage and movement of motor vehicles over walkable environments.
- Parking requirements for most new development allow little variation for local context, such as proximity to transit, efficiencies of mixed-use densities, and affordable housing considerations.

For more information, refer to the Transportation Options Action Plan, which is [available here](#).



3.1 - MIS-ALIGNMENT WITH MOBILITY & TRANSPORTATION POLICIES

Reduce single occupancy vehicle use

Parking Code and Management: The Transportation Options Action Plan highlights the necessity to revise parking regulations to align with the city's growth, transportation, and climate goals.

Code Barriers:

- Parking minimums
- Parking reduction processes are overly complicated
- Pairing bike parking requirements with vehicle parking leads to confusion on both ends

Missoula's Regional Transportation Targets:



3.1 - MIS-ALIGNMENT WITH MOBILITY & TRANSPORTATION POLICIES

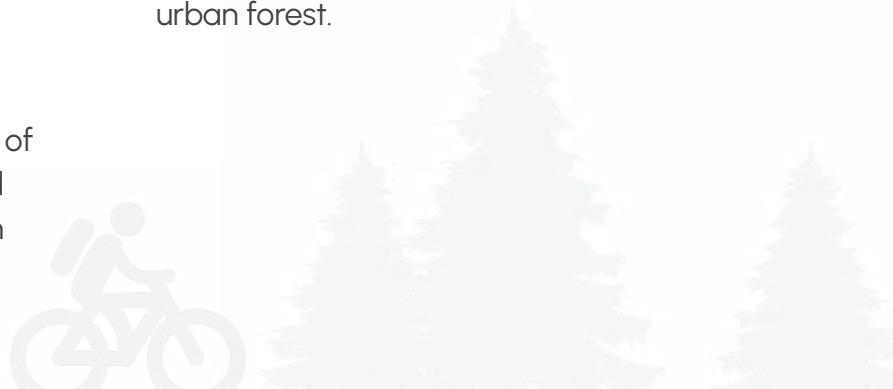
Considerations for the Right-of-Way

Priorities between pedestrian infrastructure, trails, and boulevards and other requirements conflict with city policies and goals.

Pedestrian Infrastructure: A comprehensive review of sidewalk widths throughout all codes is needed to ensure sidewalks are appropriately calibrated to the intended outcome. The Street Typology project will help to ensure streets are designed for future land use and that the appropriate mode is prioritized.

Trails and Multi-Modal Transportation Network: A sustainable and multi-modal transportation network integrates trails that vary depending on the purpose of the trail. Currently, codes have conflicting widths and requirements for trails, which cause challenges when trying to create a robust network of trails.

Boulevards and Urban Forest: Consolidating information across codes and documents can enhance clarity and promote sustainable urban forestry practices. Street tree requirements, plant species, and maintenance requirements need to be aligned and clear to continue building a healthy urban forest.



3.2

3.2 - Mis-Alignment with Climate Policies

- Conflicting and overlapping requirements in codes make it difficult for projects to align with City policies: prioritize inward development, increase urban density, renewable energy development, expand the urban forest, and integrate green infrastructure into street design.
- Misalignments of climate policy and code regulations related to preventing urban sprawl are addressed in Key Finding 1 on affordable housing and Key Finding 2 on compatible infill.
- Current code requirements add additional process and complexity to projects that aim to align with City climate policies: develop local renewable energy and encourage and preserve local food production.
- Current codes do not encourage or describe best practices for emerging mobility such as electric vehicle supply equipment (EVSE), charging infrastructure, and mobility hubs.



BACKGROUND

Adopted Policies



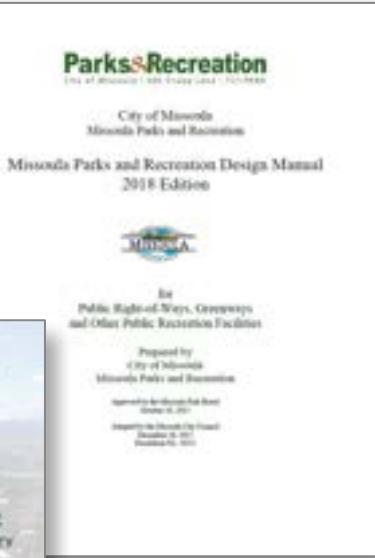
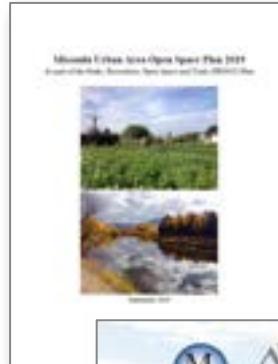
Missoula has adopted policies addressing climate, sustainability, responsible growth, and protection of natural resources, which include:

- City of Missoula Strategic Plan 2024-2026 (2023)
- Climate Ready Missoula (2020)
- Clean Energy Initiative (2019)
- Missoula Parks and Recreation Design Manual (2018)
- Zero by Fifty (2016)
- Municipal Conservation and Climate Action Plan (2012)
- Missoula Community Smart Action Plan (2015)

Zero Waste Plan
2018



Urban Area Open Space Plan
2019



Parks and Recreation
Design Manual
2018

Climate Ready Missoula
2020

BACKGROUND

Climate, Sustainability and Clean Energy Policies

Smart Growth Principles: Prioritize inward development to reduce urban sprawl into wilderness areas, wildfire-prone regions, floodplains, open spaces, and prime agricultural lands. By concentrating development in mixed-use centers with residential uses near businesses and services, residents can enjoy reduced travel distances for essential needs like work and groceries. And, by reducing sprawl, having a code that supports infill development is one of the most effective strategies the city can employ to meet our community's climate goals.

Adaptive Reuse: Repurposing existing buildings to provide neighborhood services reduces waste and carbon footprint. Adaptive Reuse can provide spaces for neighborhood serving mixed use, which will support a more walkable community.

Transition to Clean Energy: Powering our homes, businesses, and transportation with local renewable energy, like rooftop solar, is a key component of meeting our climate goals. Smaller buildings, as well as multifamily and mixed-use buildings, are generally more energy efficient and make it easier to meet our community's power needs with clean energy.

BACKGROUND

Urban Forest, Open Space and Landscape Policies

Urban Forest Expansion: Enhance the urban forest across the city through the strategic planting and protection of trees and the expansion of tree-lined streets. This not only beautifies neighborhoods but also provides essential ecosystem services such as carbon sequestration, air purification, and temperature regulation.

- **Protection:** Mitigate construction impacts to existing trees that we want to retain – those in fair or better condition. Regulations should establish tree protection zones during construction and replacement schedules.
- **Planting:** Any tree that is in poor or very poor condition should be removed and replaced during construction.

Density and Open Space Preservation: Increase urban density to accommodate housing needs within the city limits, thereby preserving valuable open spaces.

Integration of Green Infrastructure: Incorporating green infrastructure into development codes, including rain gardens, bioswales, infiltration basins, green roofs, and permeable paving to help manage stormwater, mitigate flood risk, improve air and water quality, and enhance overall urban resilience to climate change impacts.

Landscape areas: Create standards for landscape areas that are functional and in support of city policies and goals. Balance minimum size requirements with development potential (especially for affordable housing) and for sites within close proximity to parks.

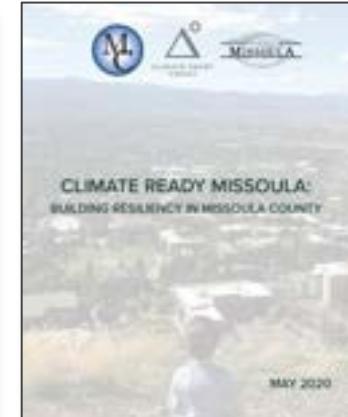
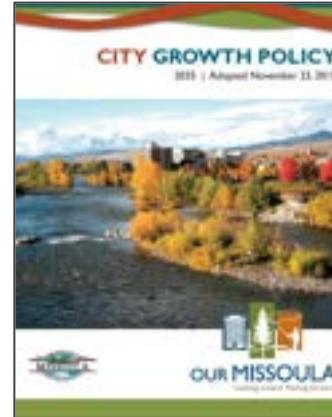
3.2 - MIS-ALIGNMENT WITH CLIMATE POLICIES

Policy Alignment to Code

Growth Policy and Transportation Integration: While there's a clear policy focus on promoting compact, infill development, integrating land use and transportation planning through development codes remains a challenge. Since transportation is a significant driver of land use, growth, and development, clear connections should be made between higher density/infill and multimodal infrastructure and connectivity.

Climate Action: Existing policies emphasize the reduction of greenhouse gas emissions, yet code standards related to environmentally responsible land development are conflicting and hard to implement. Efforts to enhance the urban forest and increase tree canopy coverage are essential for carbon sequestration and mitigating the urban heat island effect.

For specific code topics where overlaps or misalignments occur, see Key Finding 4.



3.2 - MIS-ALIGNMENT WITH CLIMATE POLICIES

Code Requirements add process and complexity to projects that align with City climate policies.

- Current code language around solar development categorizes solar as an accessory use, and limits locations for onsite solar energy generation.
- Current code language around solar development on industrial parcels makes solar a conditional use, meaning there are more hurdles to development.
- Current code language lacks clear standards for food producing vegetation.

KEY FINDING 3.0 - Codes do not support mobility and climate policies

Considerations for Code Reform

Addressing the key findings presented in this section is crucial for aligning Missoula's development regulations with mobility and climate objectives, promoting sustainability, and enhancing the quality of life for residents. The following should be considered as part of Comprehensive Code Reform.

- Define right-of-way standards (for both infill and greenfield development) based on the Street Typologies Plan.
- Clarify and resolve conflicts in decision-making authority.
- Adjust parking ratios to align with the City's growth, transportation, and climate goals.
- Promote bike parking location and design that encourages bicycle use and aligns with land uses.
- Simplify and streamline parking reduction and shared parking processes.
- Explore parking incentives by reducing minimum spaces and adjusting based on project, size, location, etc., for diverse housing types and affordability.
- Remove barriers to local renewable energy generation and update requirements to support emerging mobility infrastructure, green infrastructure, and local food production.

4

Key Finding 4.0

**Codes are difficult to
navigate for all users**



Codes are difficult to navigate for all users

Improving the usability and efficiency of the code, ensuring clarity and consistency across codes, and streamlining the development review process is essential to foster equitable outcomes and support housing production in Missoula. This section highlights the following topics related to this Key Finding.

Background:

- Modernize the Code
- Clarity and Simplify
- Illustrations by Zoning District
- Illustrations for Rule of Measurement
- Streamline the process

Sub-findings:

- 4.1. Organization & TOC: Overlapping Topics in Multiple Locations
- 4.2. Hard to Use: Illustrations, Tables, Page Layout, Format, Language
- 4.3. Unpredictable Permit Review Processes

Modernize the Code

The organization of all codes and manuals is extremely important in creating a system of regulations that the community can understand and follow, that staff can review and apply predictably, and that are closely aligned to city policies and goals.

Presenting information in a clear, logical manner is crucial aspect of a modern code, and creating one cohesive code, also called a Unified Development Code, would be a significant step to improving applicants' and staff's experience in navigating and applying codes and manuals.

Modern codes should consider:

- Format: Print vs digital
- Text: use layperson speak vs legalese
- Hierarchy and Organization: most important and most widely used content first
- Use of graphics
- Accessibility

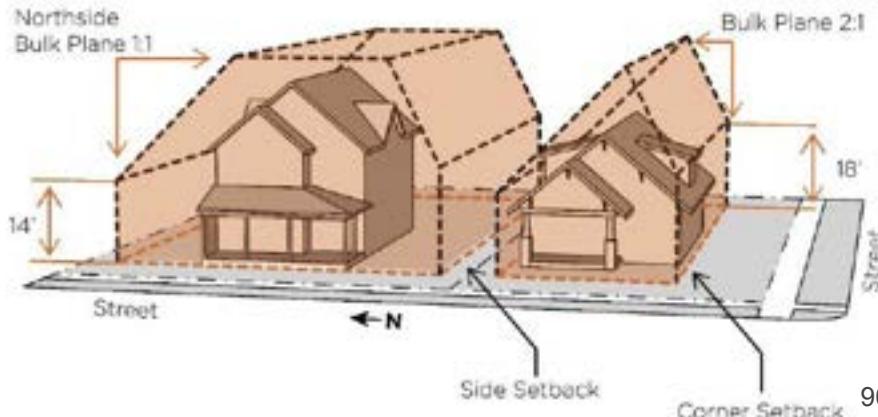
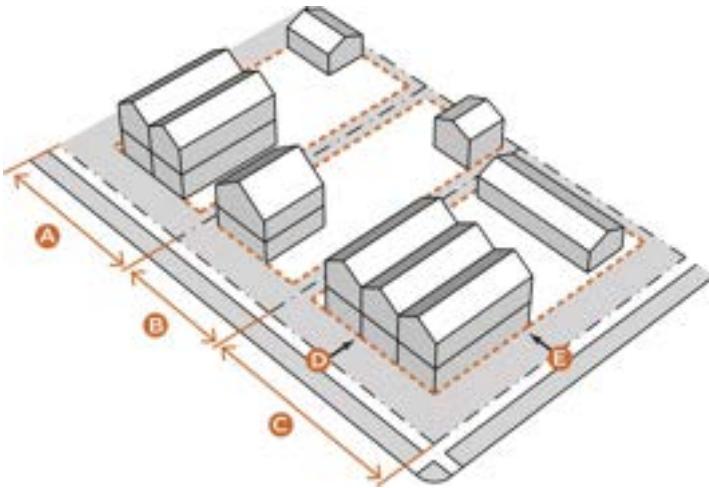
BACKGROUND

Clarify and Simplify

Strategic use of graphics can help to clarify:

- Definitions and Rule of Measurement (see right)
- Building Types and Frontage Requirements
- Intent and description of zoning districts

The Format and publication of the code is also important part of creating a modern, clear, and easy to navigate code. The following pages provide examples of simple, user friendly and graphic right page layout as an example of a model code format.

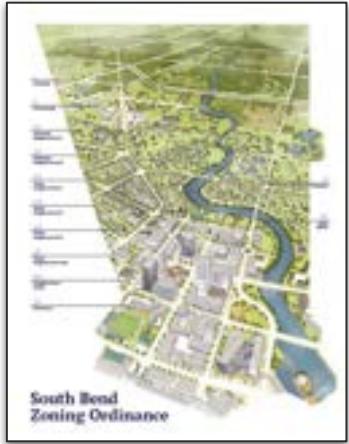


BACKGROUND

Best Practice: Illustrations by Zoning District

CASE STUDY: South Bend Zoning Ordinance (2021)

Winner of 2021
Driehaus Awards



STANDARD DISTRICTS
CP Urban Neighborhoods/Rural

23-03-06

Building Standards

Site Development

Accessory Structures Allowed

Building Materials

Building stone or masonry materials shall apply for all front and corner facades of residential buildings, with 5% or more stone and non-residential buildings.

Building materials used on the front and corner facades shall extend a minimum depth of 12" along the side facades. A 12" is not permitted on the general front except as otherwise required.

Brick or stone with a color matching the building.

Brick or stone with a color matching the building.

Allowed Locations in Extraveneur Nodes

Accessory structures shall not be located in any established front or corner point and shall comply with all required setbacks.

Front Porch/Handing Width

A distance up to 4' is allowed on an established front or corner point if there is greater than 25% open.

A distance up to 4' is allowed on an established front or corner point to provide 100% open.

Building Materials

A minimum of 50% of each front or corner facade shall be constructed of high quality, durable, natural materials such as stone or brick, wood, or other natural materials, or panels that contain board, facing, and glass. High quality synthetic materials may be approved for the following applications:

Each front or corner facade shall include at least one architectural element(s) e.g. arches, columns, ledges, cornices, angles, recessed, recessed, dentils, architraves, etc.

See Section 23-03-06 for all building material standards.

See Section 23-03-06 for building standards.

SOUTH BEND ZONING ORDINANCE

9-01

STANDARD DISTRICTS
CP Densities

23-03-08

Building Standards

Site Development

Accessory Structures Allowed

Building Materials

Building stone or masonry materials shall apply for all front and corner facades of residential buildings, with 5% or more stone and non-residential buildings.

Brick or stone with a color matching the building.

Accessory Structures Allowed

Building Materials

A minimum of 50% of each front or corner facade shall be constructed of high quality, durable, natural materials such as stone or brick, wood, or other natural materials, or panels that contain board, facing, and glass. High quality synthetic materials may be approved for the following applications:

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See Section 23-03-06 for all building material standards.

See Section 23-03-06 for building standards.

SOUTH BEND ZONING ORDINANCE

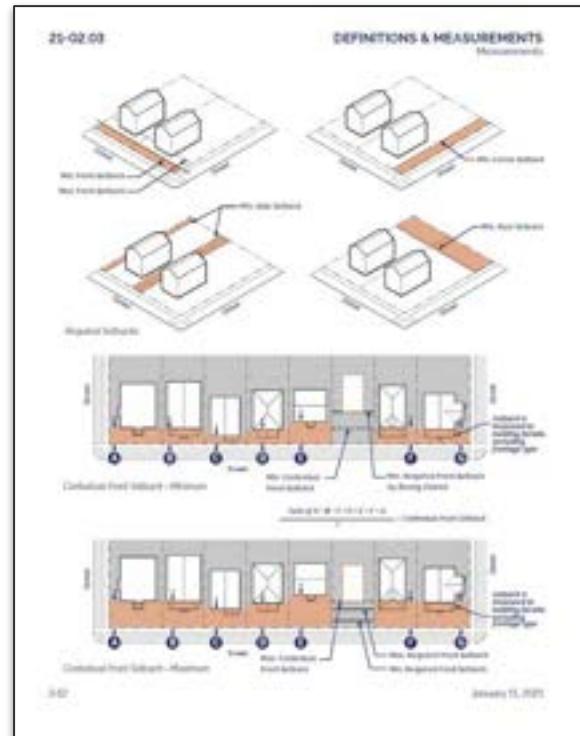
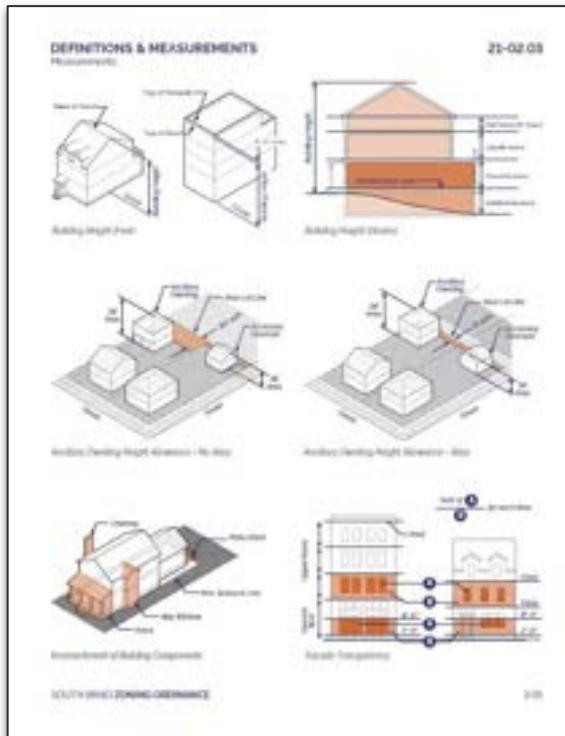
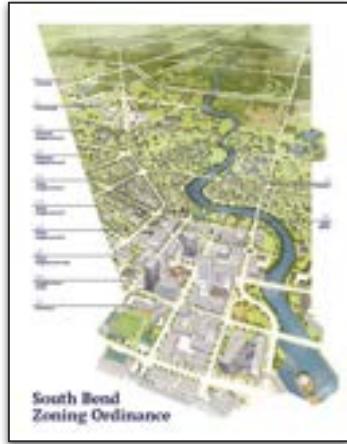
9-01

BACKGROUND

Best Practice: Illustrations for Rule of Measurement

CASE STUDY: South Bend Zoning Ordinance (2021)

Winner of 2021
Driehaus Awards



Streamline process

Clear, predictable standards and review processes will yield faster review times and administrative review of objective design standards will help to streamline and simplify the review process.

The state has passed legislation to require cities to streamline the development review process and to ensure public input is received at strategic points in the process, as described below.

- SB 407 - Removes Design Review Board, requires objective (rather than subjective) design standards
- SB 382 - Emphasizes public participation in creating policy and code, not in the project by project review

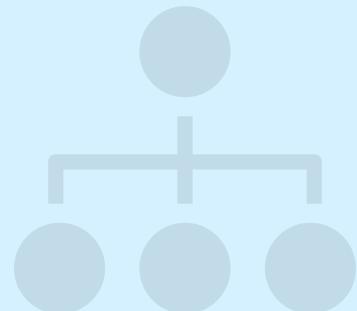
The Subdivision Report also identified the need to streamline the review process, see Finding 4.1 for more information. State bills that affected streamlining of subdivision regulations include the following.

- SB 170 - Allow administrative review for certain minor subdivisions
- HB 211 - Introduced additional changes to the Expedited Review process for subdivisions
- SB 131 - Sets a 20 day deadline for staff review for exempt subdivisions



4.1 - Organization & TOC: Overlapping Topics in Multiple Locations

- Too many sections across different codes and manuals address similar topics. It is difficult for code users to find information.
- Inconsistencies in Table of Contents across codes and manuals (Chapter, Section structure inconsistencies) and inconsistent publication of documents (some in municode, some as standalone pdfs).
- The City's current development codes overlap and conflict with each other, especially related to subdivisions, streets, parks, and landscape requirements. The decision-making authority to resolve these conflicts is not clear.



4.1 - ORGANIZATION & TOC

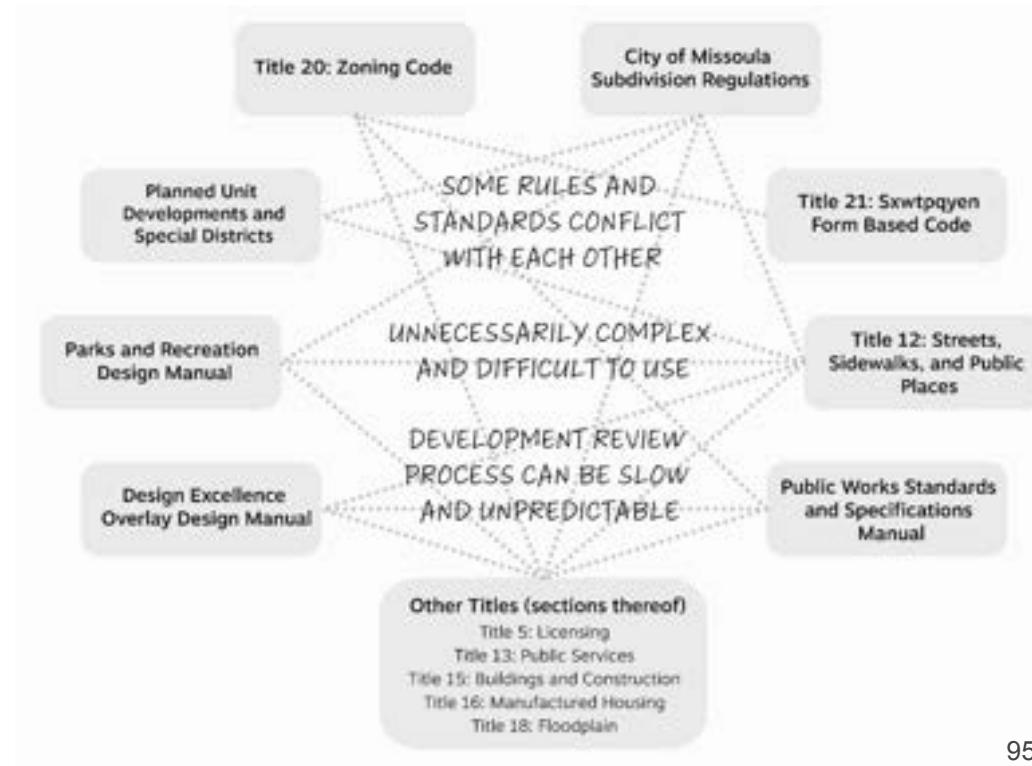
Many codes and manuals address the same topic

Current codes and manuals present similar and overlapping topics across multiple documents.

The graphic to the right lists some current codes and manuals and is intended to highlight the confusion and complexity that results from overlapping standards, topics, and process requirements amongst several sources.

Standards relating to street design, minimum lane widths, landscaping standards, parking requirements, and utilities are addressed in multiple documents and create confusion for applicants and staff.

See the table on the following page for the most common overlapping topics by document.



4.1 - ORGANIZATION & TOC

Many codes and manuals address the same topic

	Title 12: Streets, Sidewalks and Public Places	Public Works Manual	Parks and Recreation Design Manual	Subdivision Regulations	Title 21: Form Based Code	Title 20: Zoning
Definitions and Terms	Definitions	Definitions	Definitions	Definitions	Definitions	Definitions
Procedures	Permits	Plan Requirements, Public Infrastructure Project Submissions, Construction Requirements	Submittal Requirements, Procedures	Review and Approval Procedures; Variances; Submittal Requirements	Development Review Procedures	Review and Approval Procedures
Street, Sidewalks, Trails Standards	Boulevards (landscaping and maintenance), Sidewalk, cafes and maintenance	Street Design Widths, Woonerfs, Alley, Boulevard and Boulevard Sidewalks Driveway, Private Street	Greenways, Paths & Trails, lighting	Streets, Sidewalks, Trails	Thoroughfare, Trail requirements, Frontage Types	Boulevard NC Overlay, Pedestrian Oriented Design Overlay
Parks and Open Space	City Parks, open space acquisition	Shared-Use Paths and Trails	Park Facility Design	Parks and Open Space Requirements; Parkland Dedication	Open Space Requirements	Activity Area Requirements, Riparian Area Guidelines
Landscaping	Tree and Shrub Planting, Pruning, Maintenance	References and Links to the Missoula Approved Street Tree List	Public Boulevard, Median, Roundabout Landscaping, Native plants	Boulevard Landscaping	Park types, landscape standards, walls	Landscape area
Signs	Banner	Traffic Signs	Signage and bollards		Signs	Signs
Utilities	Poles, utilities	Water, Sanitary Sewer, Stormwater	Park Lighting	Utilities, water, sewage	Utilities, lighting	Uses related to utilities

4.1 - ORGANIZATION & TOC

Boulevards, Street Design & Thoroughfare Standards

As introduced on the previous page, a common conflict between codes is how streets and public spaces should be laid out and designed. The conflicts also extend to misalignments between code standards and existing city policies. Common examples of how policy goals overlap and conflict with standards include the following.

- Misalignments between Public Works Street Design standards and utility standards that prevent installation of street trees, as required for subdivisions.
- Public Works Street Design Standards support removing boulevards to replace with angled parking.
- Removing trees conflicts with Climate and Parks goals.
- Pressure to increase on-street parking is often coupled with reducing off-street parking requirements; this becomes an issue with adding bike lanes, which may result in removing street trees

A citywide street typology will help unify both policy and code to ensure streets evolve in line with city vision and priorities.

SECTION 6.6 STREET ATLAS

Figure 6-5: Street Atlass

Main Street Collector	Neighborhood Collector	Canal Street
Main Street - Primary	Neighborhood Collector Existing Segments	Wheeled (Unaligned)
Main Street - Secondary	Neighborhood Street	Realigned (Unaligned)
Main Street One-Way	Minor Puff Street	Great Street
Urban Primary Street	Minor One-Way Street	Tree Street
Urban Secondary Street	Minor Bike Street	Alley
Urban One-Way Street	Minor Bike Street	Plan Lane
Urban Bike Street	Minor Bike Street (One-Way Tracks)	Top



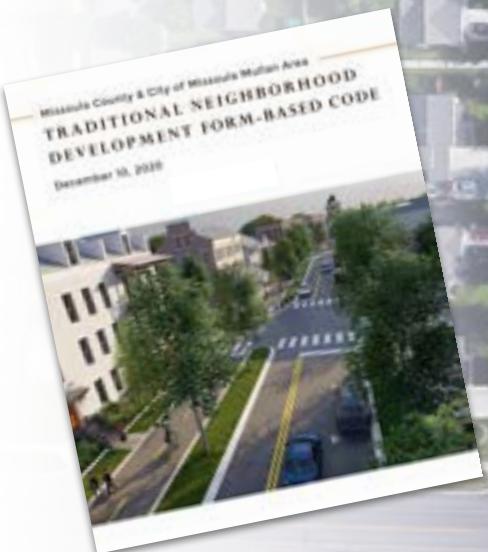
Title 21: FBC includes detailed street sections, however, the prescribed street designs conflict with street standards in Subdivision Regulations and in the fire code.

Sx^wtpqyen

Form Based Code

The **Sx^wtpqyen Form Based Code** supports walkable, compact development and allows for a variety of building types that support pedestrian-oriented, walkable community. This type of development is in line with city growth policy, transportation goals, and climate policy.

Yet, the Form Based Code is extremely difficult for applicants and staff to use, in part because it is not integrated with other city codes and it conflicts with Title 20, Title 12, and Subdivision Regulations. Specific conflicts are listed on the following pages and include block requirements and parkland dedication/open space requirements.



4.1 - ORGANIZATION & TOC

Neighborhood Units & Block/Lot Requirements

The Sx^{wtpqyen} Form Based Code's 'neighborhood units' and 'block perimeters' are overly complex to implement and require complicated calculations. There is a lack of alignment between neighborhood units and property boundaries.

- Process requirements are different than Title 20, adding an unnecessary layer of complication.

Subdivision Regulations have separate block and lot requirements, and these are in conflict with the FBC.

FBC's Neighborhood Units map and table.

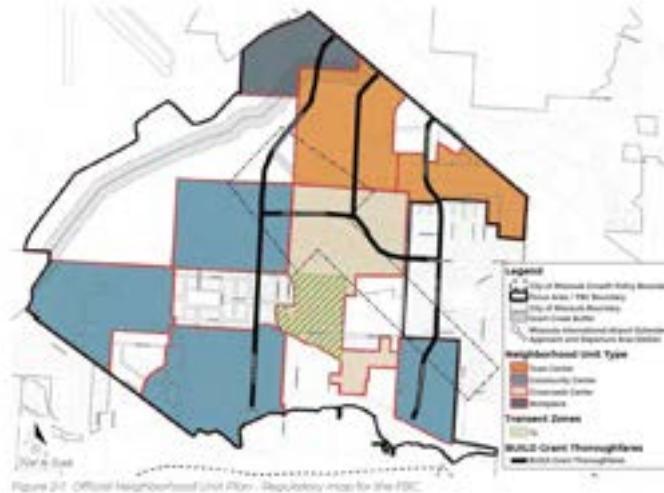


TABLE 2-5: NEIGHBORHOOD UNIT TYPE STANDARDS

General Standards

Neighborhood Size	160 - 1600 acres	80 - 160 acres	80 - 160 acres	40 - 80 acres
Max. Average Block Perimeter Per Master Site Plan	2,000 ft	2,000 ft	2,400 ft	3,000 ft

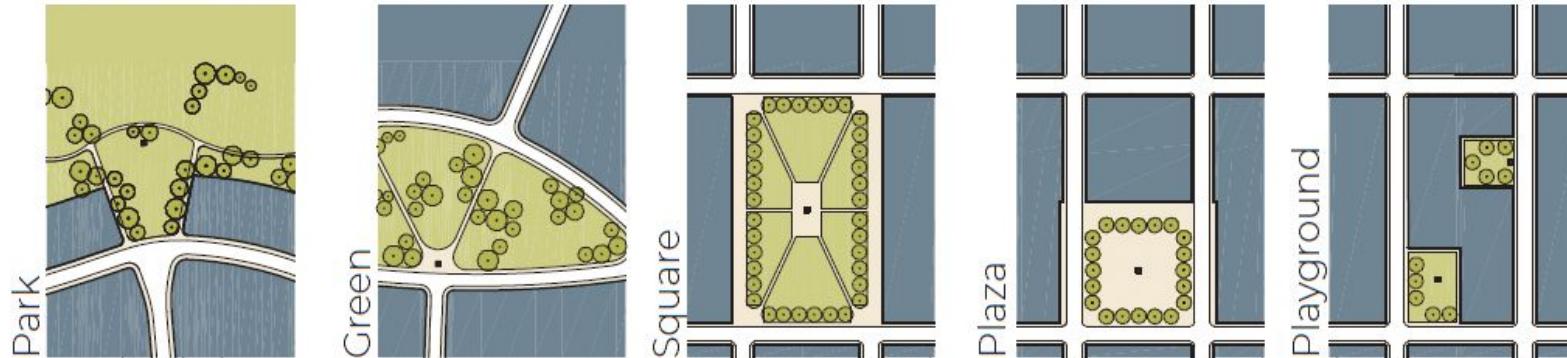
Allocation of Transect Zones Per Master Site Plan¹

TD: Rural	No min.	No min.	No min.	No min.
TS: Edge	5 - 30%	10 - 40%	25 - 80%	No min.
TA-B: Central Restricted	30 - 60%	20 - 40%	0 - 10%	5 - 10% (No TA-D)
TA-D: General Open	10 - 30%	10 - 30%	0 - 10%	0 - 10%
TS: Mixed-Use Center	10 - 50%	0 - 10%	No permitted	5 - 10%
SD-W: Workplace	Not permitted	Not permitted	Not permitted	50 - 80%
OS: Open Space	Required Percentage of Open Space Determined by Section 21C Open Space Requirements			
C: Civic	No min.	No min.	No min.	No min.

Notes:

1. All need 100 linear feet of Frontage that lie ground floor Office or Retail use with a Shopfront Frontage Type per Master Site Plan.
2. Allocation of Transect Zones standards (except for Open Space) do not apply to Master Site Plans less than five (5) acres in size.

Conflicts between Parkland Dedication & Open Space Requirements



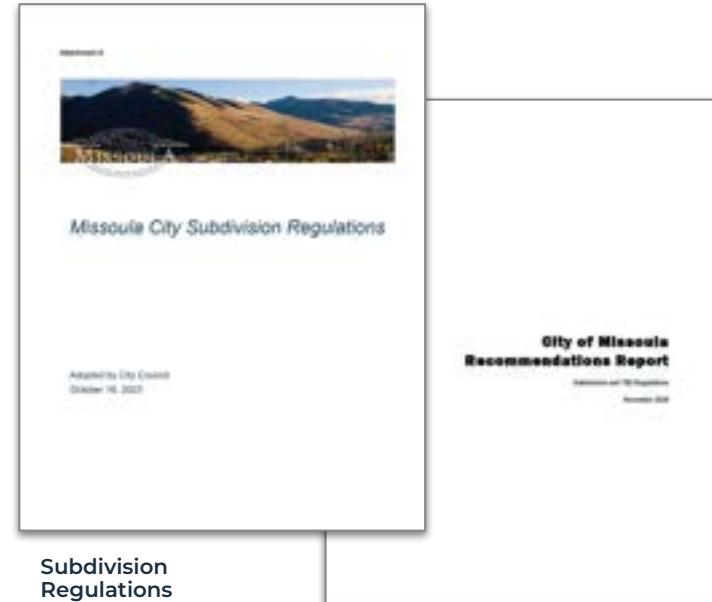
FBC's park type examples.

Form Based Code's 'open space requirements' conflict with 'parkland dedication' in Subdivision Regulations; this misalignment between regulations adds unnecessary complexity for both applicants and staff.

Subdivision Regulations require updating

Current Subdivision Regulations, in particular, require updating to align with City policies. The *Subdivision / TED Recommendations Report* analyzed Subdivision Regulations and made the following recommendations, which have been incorporated into this document:

- Reduce conflicts between review agencies
- Increase consistency in process
- Clarify code interpretations and reduce need for interpretations
- Implement community values by aligning to the Growth Policy
- Communicate through clear, usable materials to increase developer knowledge of process, application requirements, and applicable regulations



Subdivision Regulations & Natural Resources

Parkland Dedication: conflicting terms and standards relating to parkland dedication requirements can complicate development review. Different standards and concepts between codes makes it difficult to align with the public park system.

Street layout, design and block length: connections to surrounding city streets, neighborhoods, and parks are challenging due to inconsistent street design standards in Subdivision Requirements and other city codes.

Hazard mitigation, stormwater management, water and sanitation: important for safety and to address environmental concerns; require coordination with other regulations including fire and engineering

Riparian Areas: unclear applicability and definitions pose challenges; riparian resource is not clearly defined; alignment with county codes and clear buffer width definitions are necessary.

Difficult for users to find information

Topics within Title 20 are scattered across multiple chapters, and for property owners who do not use codes regularly, this becomes another barrier.

Examples of topics and sections that overlap include:

- Residential Districts - information related to zoning districts can be found in multiple section including
 - Chapter 20.05 - Residential Districts
 - Chapter 20.25 - Overlay Districts
 - Chapter 20.40 - Use and Building
- TED Standards
- Historic Preservation
- Process and submittal requirements
- Definitions and rules of measurement

When users cannot find information they are looking for, or when they miss relevant code sections because the information is in another location, the permitting process may be extended, increasing costs or delaying when a project is complete.

This difficulty in simply navigating information makes it especially difficult for small, local developers and property owners, and it is contrary to the City's equity goals.

Unclear standards and decision-making

Overlapping standards and codes that are misaligned to city policies (such as those presented in this section) adds complexity to the permitting review process and can extend the length of time for review. It is not always clear to applicants what document to refer to or who has the final decision-authority when conflicting standards arise.

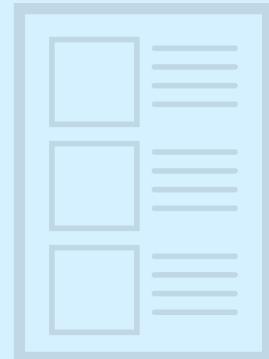
The Design Review Team includes members from all departments involved in Development Review and review project proposals making decisions on the misalignments in our regulations.

If all codes are included in an Unified Development Code, conflicts and inconsistencies would be reduced, the code would be better aligned and clear regulations would increase predictability.



4.2 - Hard to Use: Illustrations, Tables, Page Layout, Format, & Language

- Inconsistent publication of codes and manuals lead to increased confusion and difficulty navigate city codes and manuals.
- Codes rely heavily on long sections of text and legalese. Documents are written in a technical style.
- Tables are difficult to understand and read, and over reliance on footnotes are easy to miss for key standards.
- Terms and rule of measurement are often described in text when a graphic can provide greater clarity.



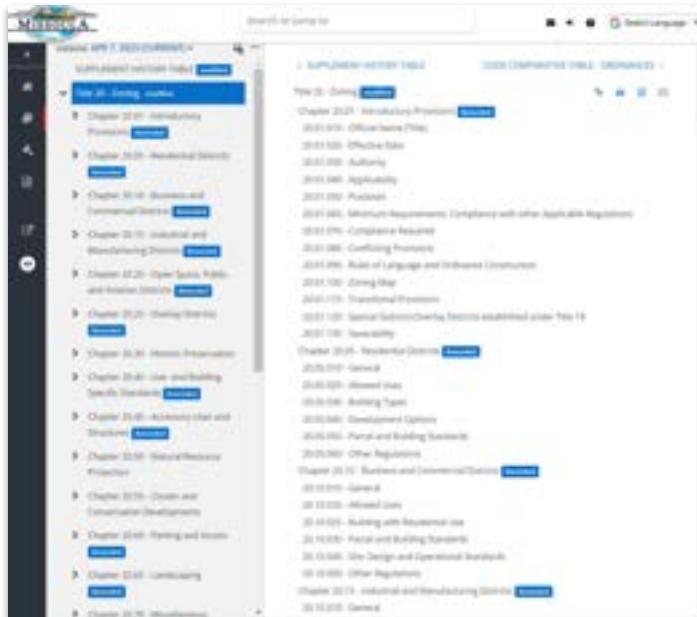
4.2 - HARD TO USE: ILLUSTRATIONS, TABLES, PAGE LAYOUT, FORMAT, & LANGUAGE

Format - Digital or Print?

Inconsistent format and navigation increases difficulty for new code users.

Some current codes are published as standalone pdfs (including Parks Manual and the Public Works Manual) while others are published through Municode (Title 20).

Municode is an online code publisher that allows users to navigate with links. Navigating municode can be difficult for new users, and the format of information is limited, especially in presenting graphics and tables.



The screenshot shows the Municode digital platform interface. On the left is a vertical navigation menu with categories like Parks Manual, Parks and Recreation, Residential Services, Business and Commercial Services, Industrial and Manufacturing Services, Open Space, Public and Aviation Services, General Services, Natural Resource Protection, Conservation, Training and Events, Licensing, and Multimodal. The main content area is titled 'Title 20 - Zoning Code' and shows 'Chapter 20.01 - Introductory Provisions'. It includes sections for 'Official Name', 'Unified Code', 'Authority', 'Applicability', 'Permits', 'Minimum Requirements', 'Compliance Required', 'Conflicting Provisions', 'Rules of Language and Uniform Construction', 'Zoning Map', 'Transitional Provisions', 'Special Subdivision Overlay Districts authorized under Title 14', 'Termality', 'Chapter 20.02 - Residential Services', 'General', 'Residential Use', 'Building Types', 'Compliance Options', 'Permit and Building Standards', 'Other Regulations', 'Chapter 20.03 - Business and Commercial Services', 'General', 'Business', 'Commercial Use', 'Business and Commercial Services', 'Business and Commercial Services', 'Residential Building Standards', 'Other Requirements', and 'Chapter 20.04 - Industrial and Manufacturing Services', 'General', 'Industrial', 'Manufacturing', and 'Residential Building Types'.

Title 20 in Municode



The screenshot shows the Title 20 digital content as a PDF. The table of contents includes:

Table of Contents	
Chapter 20.01	Introductory Provisions
20.01.01	Official Name (Title)
20.01.02	Unified Code
20.01.03	Authority
20.01.04	Applicability
20.01.05	Permits
20.01.06	Minimum Requirements, Compliance with other Applicable Requirements
20.01.07	Compliance Required
20.01.08	Conflicting Provisions
20.01.09	Rules of Language and Uniform Construction
20.01.10	Zoning Map
20.01.11	Transitional Provisions
20.01.12	Special Subdivision Overlay Districts authorized under Title 14
20.01.13	Termality
Chapter 20.02	Residential Services
20.02.01	General
20.02.02	Residential Use
20.02.03	Residential Building Types
20.02.04	Residential Options
20.02.05	Residential and Commercial Services
20.02.06	Other Requirements
Chapter 20.03	Business and Commercial Services
20.03.01	General
20.03.02	Business
20.03.03	Commercial Use
20.03.04	Business and Commercial Services
20.03.05	Residential Building Standards
20.03.06	Other Requirements
Chapter 20.04	Industrial and Manufacturing Services
20.04.01	General
20.04.02	Industrial
20.04.03	Manufacturing
20.04.04	Residential Building Types

Title 20 as a PDF

4.2 - HARD TO USE: ILLUSTRATIONS, TABLES, PAGE LAYOUT, FORMAT, & LANGUAGE

Tables are large and hard to use

Tables are a very useful tool to providing detailed dimensions and standards for various zoning districts or building types, however, when they are too large, contain many empty cells, or not well formatted on a page, they can make it more difficult for readers to find pertinent information.

The Residential Parcel and Building Standards Table (in Title 20) contains all residential zoning districts combined into one table, even though many districts don't regulate all standards that are included in the table. As such, half of the table is either None, N/A or empty cells. This consumes space, makes it more difficult to format the table within Municode, and makes the table itself harder to read.

Table 20.05-3 Parcel and Building Standards (Residential District)

4.2 - HARD TO USE: ILLUSTRATIONS, TABLES, PAGE LAYOUT, FORMAT, & LANGUAGE

Footnotes are easy to miss

Footnotes are used throughout Title 20 to provide additional detail in tables and code sections. However, they are easy to miss and typically add complexity while providing little clarity, as shown in the setback table and footnotes below.

Units not clear, over-reliance on footnotes increases confusion of tables

Table 20.45-1 Minimum Side and Rear Setbacks for Accessory Buildings and Structures

Zoning District	Side Setback	Rear Setback
R21S, OP2	50	50
R80, R40, R20, RT10	5[1]	5[2]
R8, RS, 4, RT5, 4, R3, R2, RT2, 7, RM2, 7, RM1, 5, RM1, RM0, 5, RMH	3[1]	3[2]

Tables often rely on footnotes and comments for significant information, this information is easy to miss, leading to misunderstandings

[1] Accessory structures not requiring a zoning compliance permit and not exceeding 8'0" in height are exempt from side setbacks. No part of the Accessory structure may extend beyond the property line.

[2] Accessory structures not requiring a zoning compliance permit and not exceeding 12' in height are exempt from rear setbacks.

Commentary: Accessory structures also need to comply with sight visibility, drainage, and easement requirements administered through City Engineering.

4.2 - HARD TO USE: ILLUSTRATIONS, TABLES, PAGE LAYOUT, FORMAT, & LANGUAGE

Complex Definitions, Rule of Measurement, and Tables

The residential building height definition is an example of an overly complex definition for maximum height. There are two maximum heights for residential buildings depending on different roof pitches. This adds unnecessary complexity and similar outcomes can be accomplished with a simpler rule of measurement for determining maximum building height of a sloped roof.

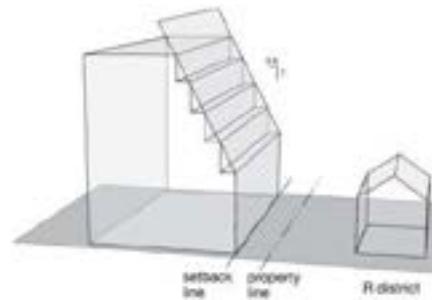


Figure 20.49-2 Multi-dwelling Building, Building Height

Table 20.05-3 Parcel and Building Standards (Residential Districts)

Standards	R215	R80	R40	R20	RT10	R8	R5.4	RT5.4	R3	RT2.7	RM2.7	RM2	RM1.5	RM1-35	RM1-45 RMH [1]	RM0.5
CONVENTIONAL DEV'T																
Max. Building Height (feet) [5]	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	30/35	45	45	35	45	125

Footnote [5] - Maximum height limit is 30 feet for buildings with primary roof pitch of less than 8 in 12 and 35 feet for buildings with primary roof pitch of 8 in 12 or greater.

Similar building types, terms, and illustrations

There is little difference in existing building types as they are currently defined and illustrated in the code. Increasing housing options through additional building types will help support City policies and goals (as described in previous findings). However, building types must include clear definitions, illustrations, and distinct standards to be effective in providing expand housing choices.

The following building types pose confusion as currently described in Title 20.

- **Detached house, Lot line house** are illustrated very similarly; difficult to understand difference in building types without additional context.
- **Two-Unit House (duplexes), Two-Unit Townhouses** are different in ownership and building type standards, yet the similar names are easy for users to confuse with each other.
- **Multi-dwelling Building, Multi-dwelling House** are easily confused with each other due to the similar name, however, they are very different.



Figure 20.05-1 Detached House

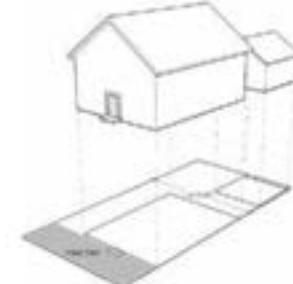


Figure 20.05-2 Lot Line (Detached) House

4.3 - Unpredictable Permit Review Processes

- Difficult process and unclear standards make it especially difficult for small developers, businesses, and property owners to navigate through the permitting process. Unclear review processes are due to other findings presented in this document.
- Long and risky approval processes for small, infill construction, especially on non-conforming lots, coupled with state mandated timelines for specific projects, can result in small projects getting delayed.

BACKGROUND

Common Types of Review

Residential Building Permit

- **One/Two-Dwelling Units** - required for all new construction of, or additions to, single detached dwelling units, duplexes or two-unit townhouses, and accessory structures.
- **Multi-Dwelling Residential** - required for all new construction or additions to residential buildings containing three or more R-2 dwelling units.

Public Infrastructure Review Stage Process

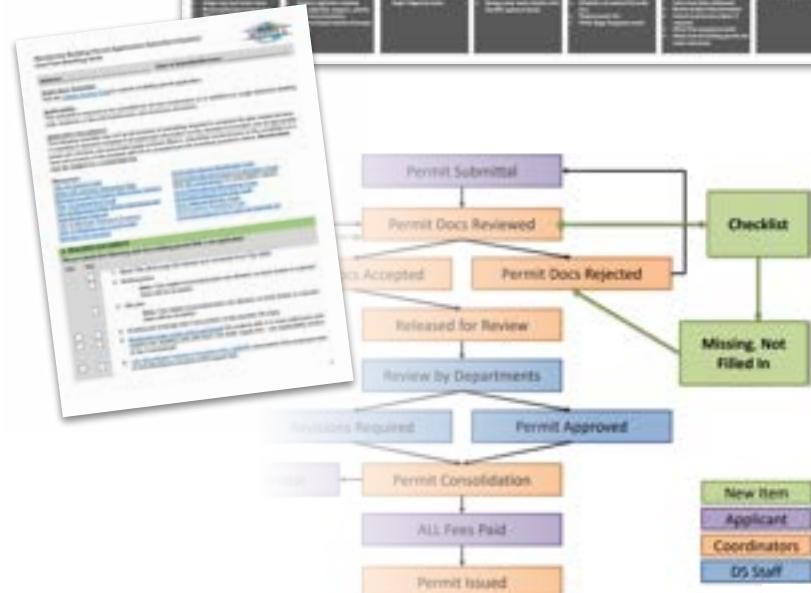
- A seven stage process with the Infrastructure & Mobility Engineering Division.

Design Excellence Review

- Review is required when a project is in a Downtown subdistrict, Corridor Typology 1, or a Node, among others, e.g., when variations are requested, or a project's size in square footage crosses a certain size threshold.

Design Review Team

- Meant to provide a forum for city departments to align our codes and work with developers to ensure that new development contribute positively to Missoula's growth.

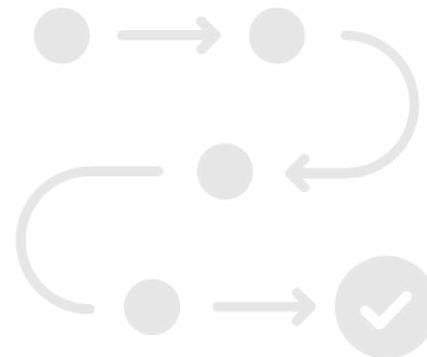


4.3 - UNPREDICTABLE PERMIT REVIEW PROCESS

Challenges add up

The City of Missoula has set out to encourage compact infill development, to transition key centers from auto-oriented to pedestrian-oriented places, to address climate and environmental challenges, and to address historic inequities exacerbated through land use policies and regulations.

However, the misalignments between policies and codes, compounded by challenges in navigating documents and accessing pertinent information, leads to a cumbersome permitting process. Even when information is located, it can be difficult to comprehend, further hindering the intended development outlined in community plans and policies.



KEY FINDING 4.0 - Codes are difficult to navigate for applicants and staff

Considerations for Code Reform

Improving the usability and efficiency of the code, ensuring clarity and consistency, and streamlining the development review process is essential to foster equitable outcomes and support housing production in Missoula. The following should be considered as part of Comprehensive Code Reform.

- Consolidate manuals and codes to avoid overlapping content; create a Unified Development Code with multi-departmental coordination.
- Clarify and resolve conflicts in decision-making authority.
- Coordinate standards related to right-of-way, including boulevard, thoroughfares, street trees, site triangles, fire, on-street parking to promote expanding the tree canopy.
- Simplify review process and requirements.
- Remove outdated content and organize information in a logical, user friendly way based on most widely used content first.
- Remove legalese and use simple, "plain speak" that is easy to understand.
- Use illustrations, pictures, and user friendly page layouts.
- Update definitions, standards, rules of measurement that are unclear, conflicting or overlapping.

III. Recommended Guiding Principles

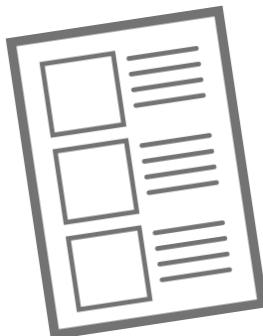


GUIDING PRINCIPLES Overview

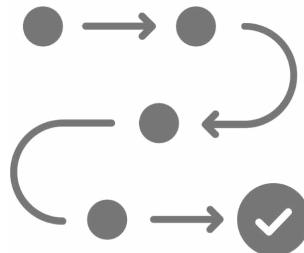
The Key Findings presented above illuminate the imperative for a new paradigm of development codes and approval processes to guide Missoula's more equitable, affordable, sustainable, and resilient future. The Key Findings are the basis for creating the *Guiding Principles for Code Reform*. The City will commit by resolution to use the Guiding Principles as the "North Star" for the Comprehensive Code Reform and the Guiding Principles will guide all changes to the development codes and the zoning map. The Recommended Guiding Principles are listed on the next page.



Alignment with Policy



Code Organization



Development
Review Process

GUIDING PRINCIPLES

Recommended Guiding Principles for the Comprehensive Code Reform

UDC (Format/Process)

1. Organize the codes with a clear and consistent structure that **provides user-friendly navigation**
2. Use plain-language and clear graphics to make the codes accessible and understandable
3. Clarify and consolidate development permit review **decision authority** to increase predictability

CODE/MAP (Substantive)

4. Increase overall housing capacity throughout Missoula and especially near key transit corridors
5. Provide **market-feasible incentives for Affordable housing** (cross-subsidized/deed restricted)
6. Allow for more diverse **housing choices and neighborhood serving uses** throughout Missoula that support the updated Future Land Use Map
7. Promote **adaptive reuse** of existing buildings and prioritize growth **that utilizes existing infrastructure**
8. Map zoning districts in ways that **support equity; sustainability and resilience; a vibrant public realm; and a walkable and healthy community**

Thank you



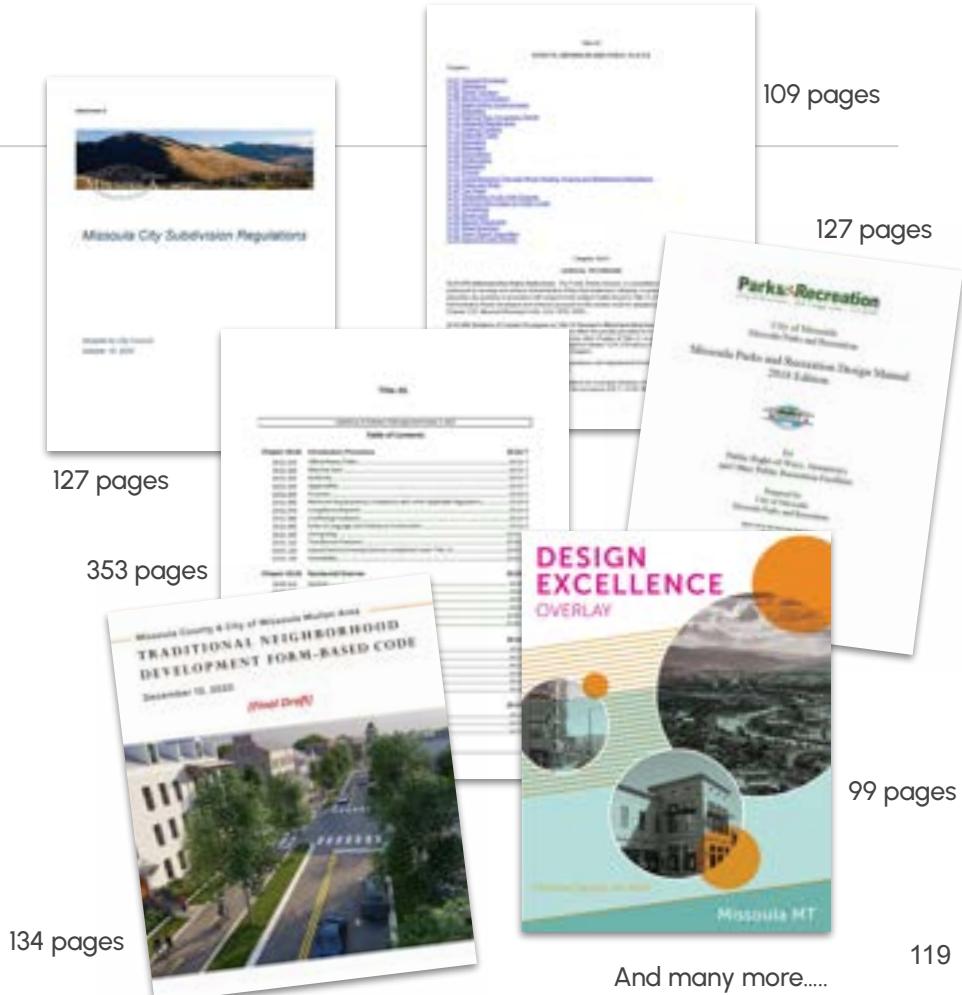
APPENDIX 1

Codes Reviewed

The project team reviewed the following codes and manuals.

1. Title 20: Zoning Code
2. Design Excellence Overlay Design Manual
3. Title 12: Streets, Sidewalks, and Public Places
4. Title 21: Sxwtpqyen Form Based Code
5. City of Missoula Subdivision Regulations
6. Planned Unit Developments, Special Districts, and associated Title 19
7. The Public Works Standards and Specifications Manual
8. The Missoula Parks and Recreation Design Manual

Over 1,000 pages of codes and manuals.



APPENDIX 1

Plans and Policies Reviewed

The project team reviewed the following plans and policies.

1. Our Missoula Growth Policy: 2035 (2015)
2. City of Missoula Zero Waste Plan (2018)
3. Parks, Recreation, Open Space, and Trails Plan (2019)
4. A Place to Call Home: Meeting Missoula's Housing Needs (2019)
5. City Annexation Policy (2019)
6. 2019 Missoula Downtown Master Plan (2019)
7. Design Excellence Manual, Design Guidelines (2019)
8. City of Missoula Strategic Plan: 2020-2023 (2020)
9. Sx wtpqyen (S-wh-tip-KAYN) Neighborhoods Master Plan (2020)
10. Missoula Subdivision and TED Regulations Report (2020)
11. Climate Ready Missoula Plan (2020)
12. Justice, Equity, Diversity, and Inclusion (JEDI) Resolution (2021)
13. Missoula Connect: 2050 Missoula Long Range Transportation Plan (2021)
14. Mountain Line Strategic Plan (2018)
15. Midtown Master Plan (2023)

**Over 800 pages of
plans and policies.**

