



# Planning Board Primer

Development Services &  
Community and Planning Services  
*February 5, 2016*





## TODAY'S AGENDA

### Focus on:

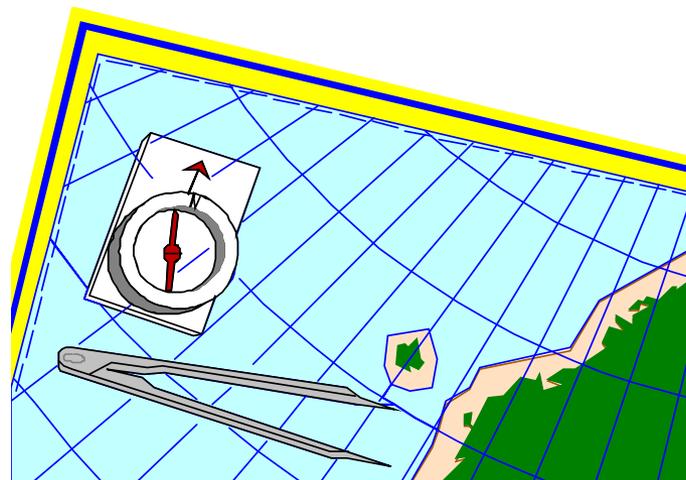
- Growth Policy
- Permits
- Zoning
- Subdivision





## WHAT IS A GROWTH POLICY?

- ❑ Authorized and required by State legislation
- ❑ Used by local governments as a guide for development of a community.
- ❑ Establishes framework for regulations, e.g. subdivision and zoning
- ❑ Establishes a COORDINATED vision for how an area should change over time.
- ❑ Addresses public, health safety & welfare





# Growth Policy



## IT'S COMPREHENSIVE

- ❑ Addresses all aspects of community systems, services and facilities.
- ❑ Address planning at various scales
- ❑ Sets common goals
- ❑ Ideas are tied together – balance between human and natural resources.





## What a Growth Policy Doesn't Do

- It is not regulatory and does not change zoning
- It is not the sole criterion for subdivision or rezoning recommendations
- It does not set budgets or mandate implementation
- It is not the sole ownership of a particular interest, organization, or agency



## HISTORY

- ❑ First Missoula Urban Area Comprehensive Plan - 1961
  - Updated - 1968, 1975, 1990, 1998
- ❑ First Missoula County Comprehensive Plan - 1975
- ❑ Shift to 2002 Missoula County Growth Policy, updated 2005
  - Included the 1998 Urban Area Plan, other existing Neighborhood, Regional Plans, and Issue-Based Plans
  - Included the 2002 Missoula County Regional Land Use Guide (from 1975 County Plan)
  - Urban Fringe Development Area (UFDA) amendment to Growth Policy in 2008
- ❑ Current: 2005 Missoula County Growth Policy & 2015 Missoula City Growth Policy – Our Missoula



# Growth Policy



## Components of the Growth Policy



## Growth Policy Describes





## County Growth Policy Overview

- ❑ Necessarily general – serves the entire area outside City limits
- ❑ Associated community, regional and issue plans are more specific
- ❑ Update to data completed in 2014
- ❑ Policy update 2014-2015
  - ❑ Extensive public outreach process
  - ❑ Policy update – action strategy
  - ❑ PB hearing December 2015 – suggested enhancements
  - ❑ Climate change, affordable housing, wildfire risks, public infrastructure, growth management/ protection balance, land use map & strategy



## County - General Organization



**LANDSCAPES:**  
Natural Resources,  
Cultural Resources  
and Environment



**LIVELIHOODS:**  
Economy and  
Economic  
Development



**COMMUNITIES:**  
Housing, Transportation,  
Land Use, Infrastructure  
and Public Services



## County – Future Action Plan

- ❑ Intended to be reviewed for progress with annual work plan
- ❑ Will be revisited at 5-year review
- ❑ Components
  - ❑ Goals
  - ❑ Objectives
  - ❑ Actions
  - ❑ Timeframe
  - ❑ Lead Partners
  - ❑ Performance Indicators





## City Growth Policy Overview

- ❑ Goals, Objectives, Action
- ❑ Prioritized Action Themes
  - ❑ Includes Biennial Tracking and Report
  - ❑ Informs work plans
- ❑ New Land Use Map with guiding descriptions
- ❑ Guiding Associated Plans
  - ❑ Neighborhood Plan
  - ❑ Issue Plan
- ❑ Comprehensive Community Profile



## City - General Policies

Environmental Quality

Livability (culture, history, local services)

Housing

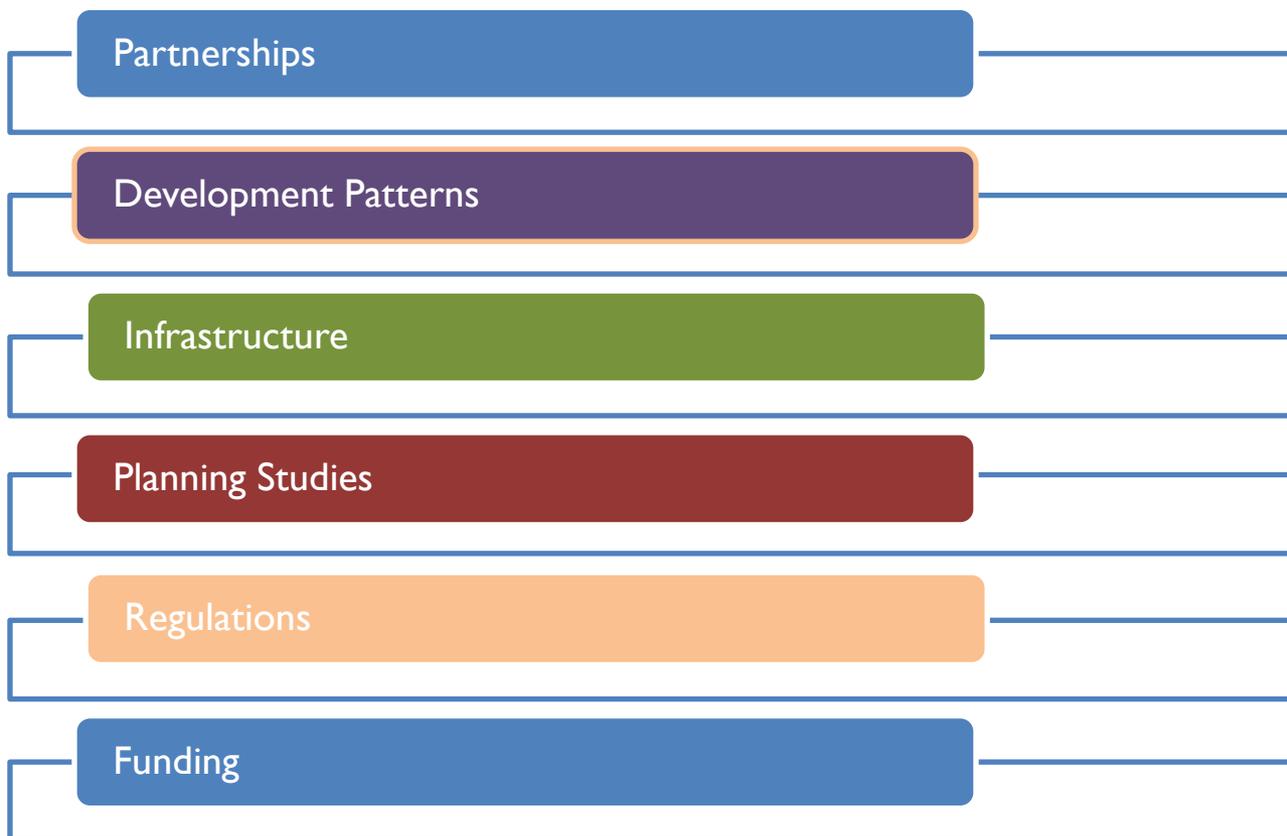
Economic Health

Community Design (public facilities, infrastructure, land use)

Safety & Wellness (emergency preparedness, public health & social service)



## City - Implementation Tools (examples)



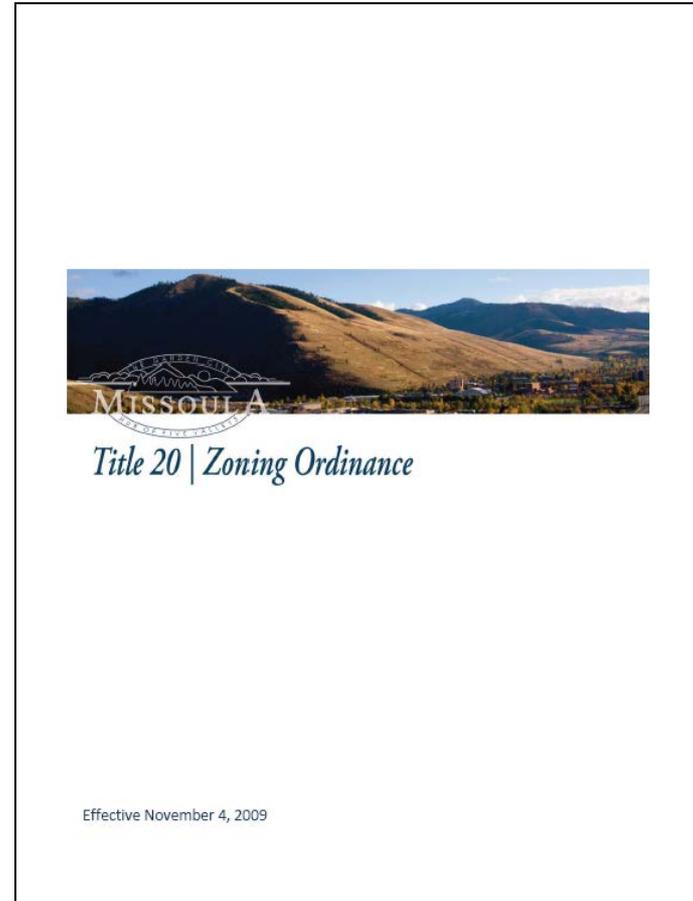


# Zoning



## Zoning Enabling Acts

- State Law MCA Title 76, Section 76-2-201 (County) & 301 (Municipal) Zoning authorized
- Missoula Municipal Code (MMC) Title 20 Zoning
- Missoula County Zoning Resolution (MCZR)
- Missoula City & County Zoning Maps





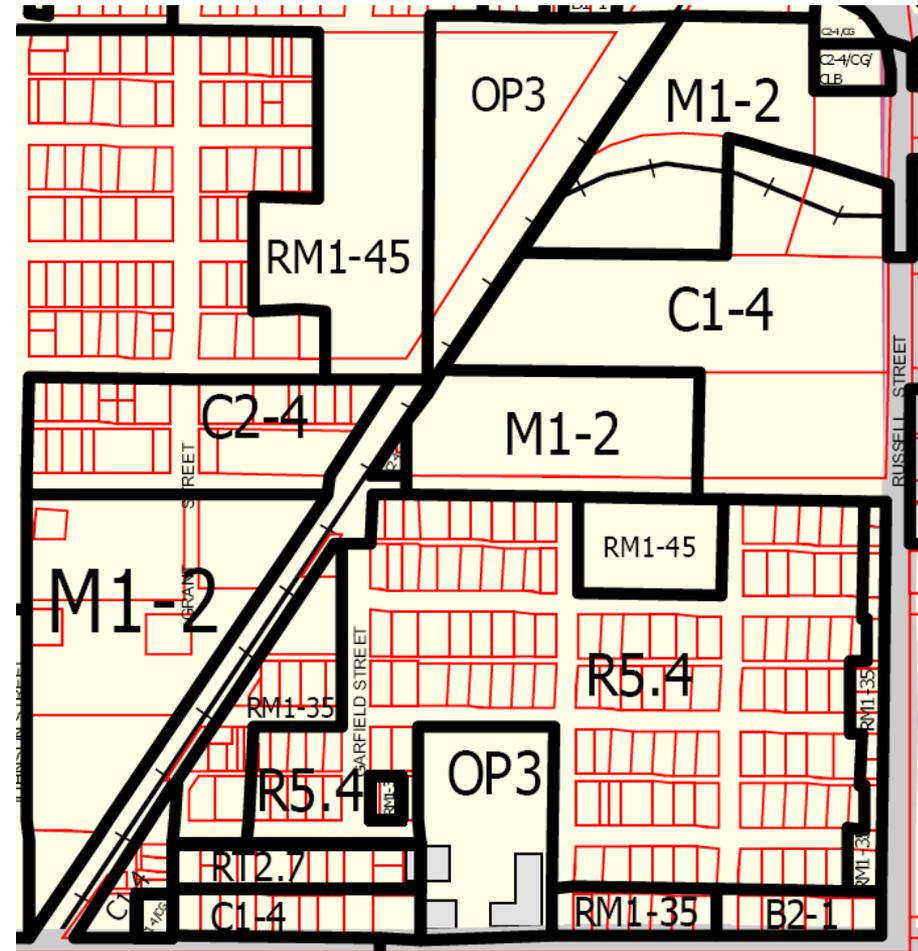
## Purpose

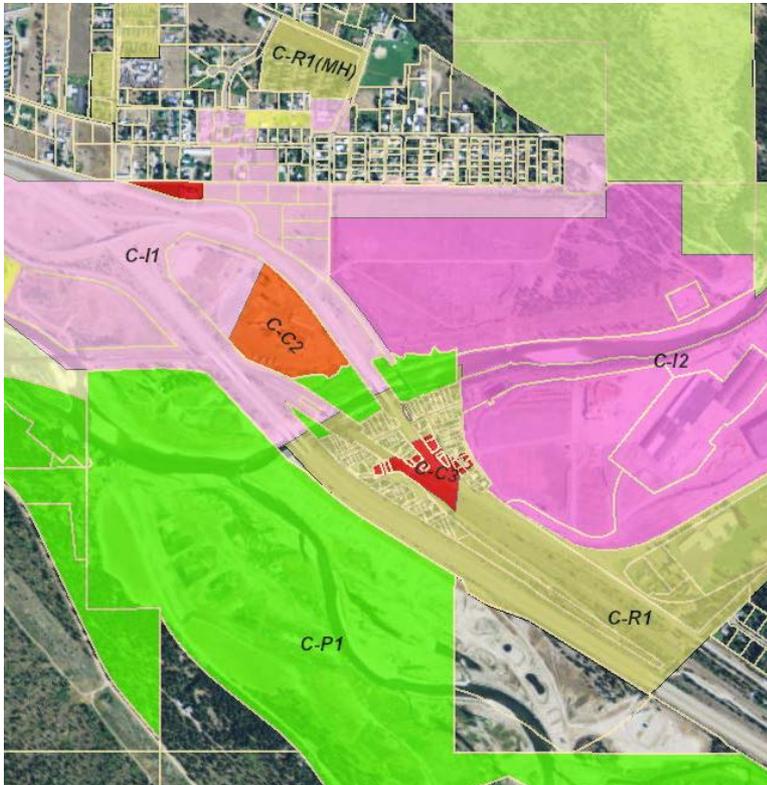
- Implement the Growth Policy
- Protect the health, safety and general welfare of the public
- Maintain property values
- Provide predictability
- Preserve historic, cultural, and natural resources



## City Zoning Districts

- ❑ 1932: A, B, C, D
- ❑ Present Day:
  - 16 Residential Districts
  - 5 Commercial Districts and 3 Industrial Districts (each with 4 levels of intensity)
  - 3 Public Use Districts
  - 8 Neighborhood Character Overlay Districts
  - Planned Unit Developments





## County Zoning Districts

- 1 Open and Resource District
- 8 Residential Districts
- 5 Commercial Districts and 2 Industrial Districts
- 1 Public Use District
- 3 Special Districts (PUD, MH, SC)
- Rural Special Zoning Districts



# Zoning



- ❑ Lot Size & Density
- ❑ Building Types

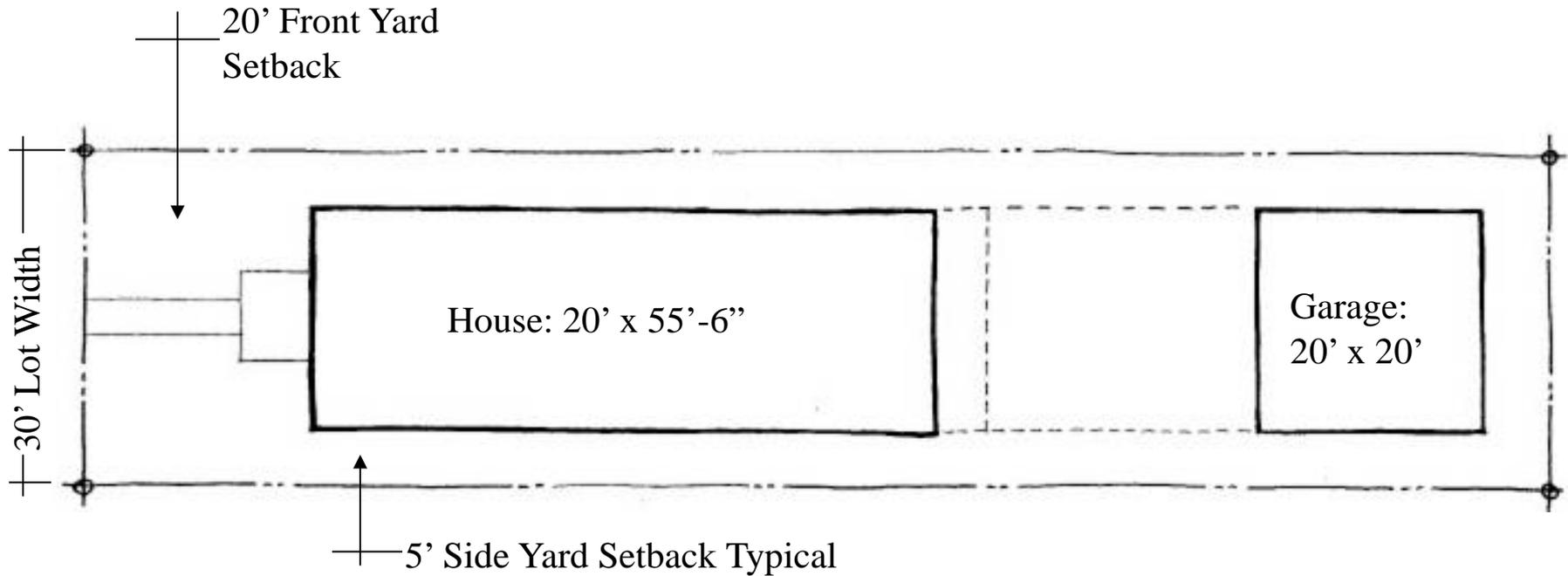
## Standards





## Standards

### □ Building Setbacks



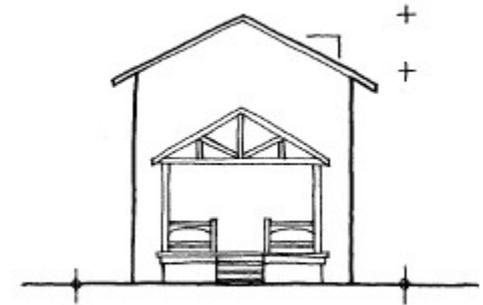
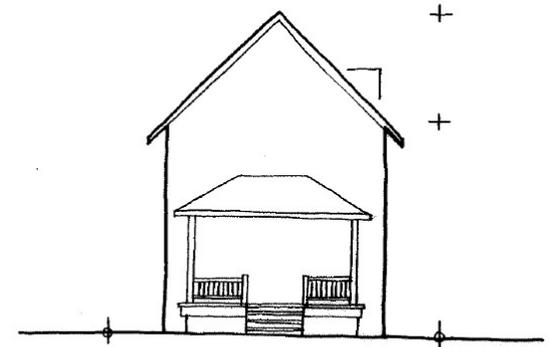


# Zoning



## Standards

### □ Building Height





# Zoning



## Standards

### □ Land Use





## Standards

### General Standards

- Use & Building-Specific Standards
- Accessory Uses & Structures
- Natural Resource Protection
- Residential Building Types
- Parking & Access
- Landscaping
- Signs
- Nonconformities
- Cluster and Conservation Developments



### Types of Zoning Action for Planning Board

- Zoning Regulation Amendments-PB and BCC/CC public hearings
- Zoning Map Amendments (Rezoning)-PB and BCC/CC public hearings

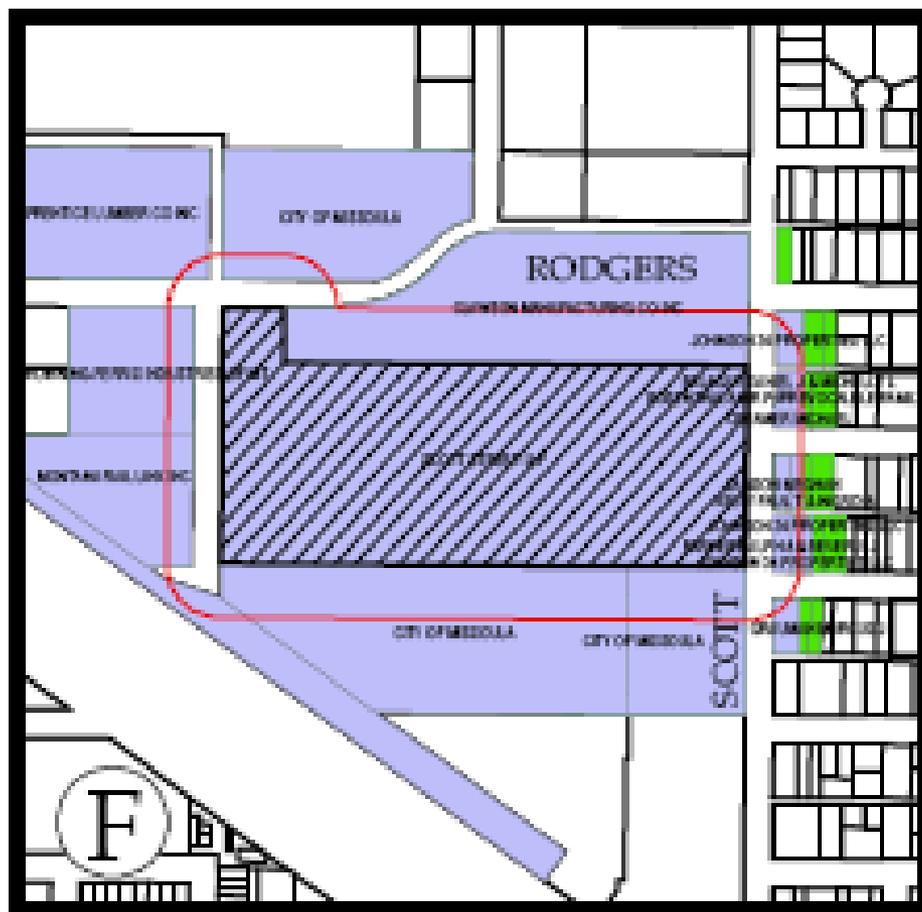


## Criteria

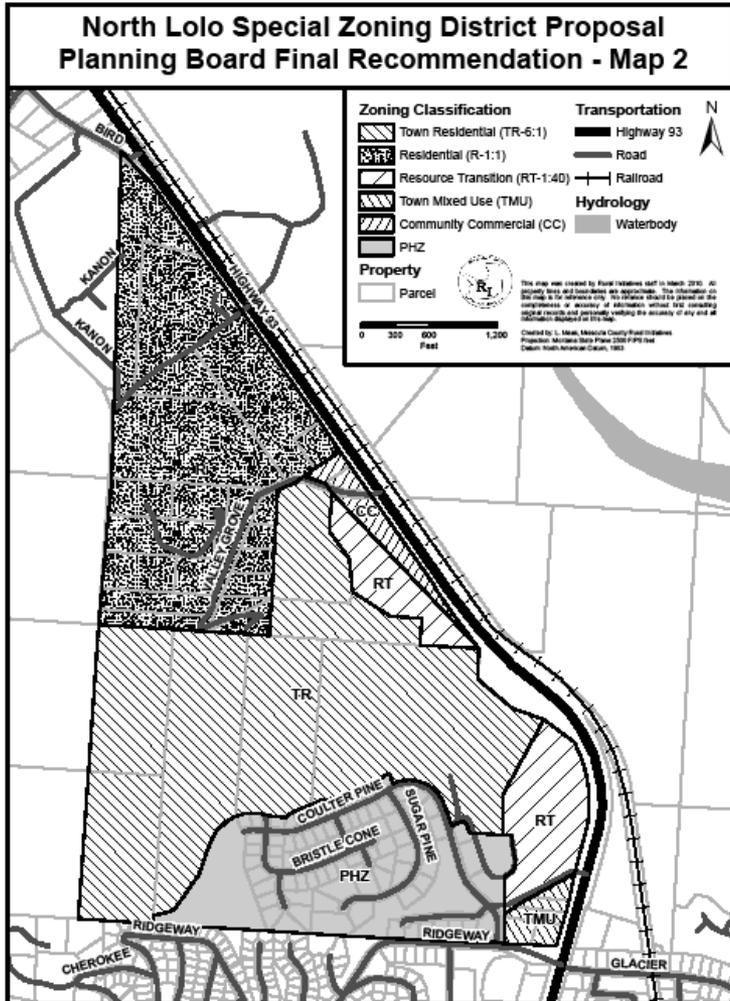
- Compatible with the Growth Policy
- Lessen congestion in the streets
- Secure safety from fire and other dangers
- Promotes health and welfare
- Provides adequate light and air
- Prevent overcrowding of land
- Avoid undue concentration of population
- Facilitates provision of public services
- Gives consideration to the character of the district
- Consideration to the particular suitability of the property for the particular uses
- Conserves value of property
- Encourages appropriate use of land in jurisdiction

## City Zoning Protest

- ❑ Protest valid if received from 25% of lots within the rezoning area or within 150' of the area of rezoning
- ❑ Protested zoning requires two-thirds of present and voting Council members to approve



## County Zoning Protest



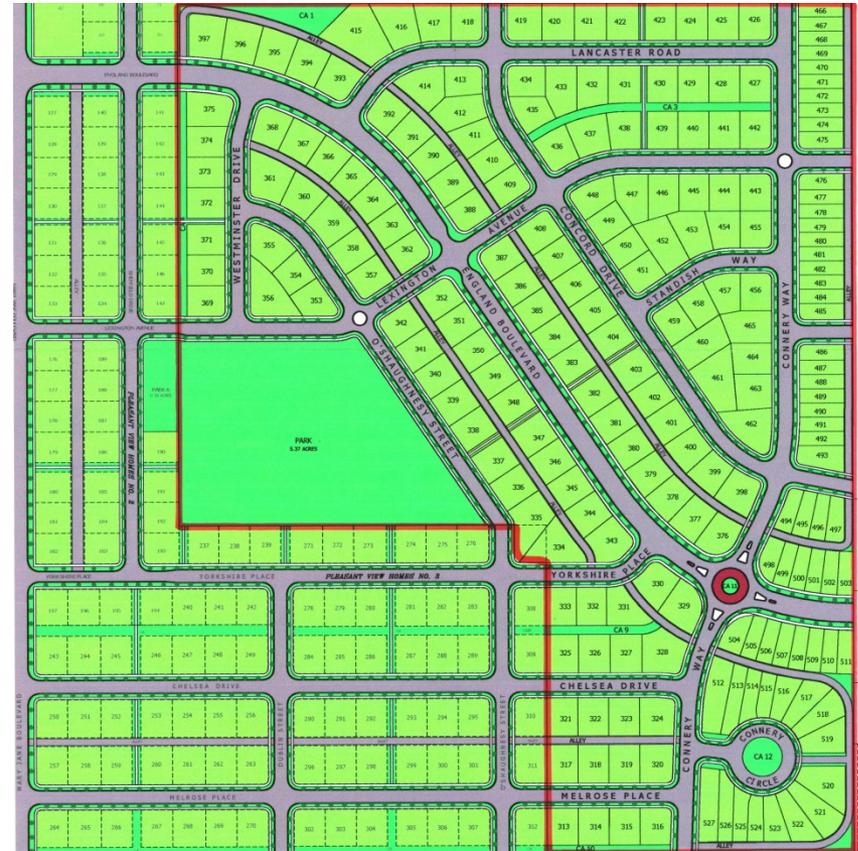
### Statutory Protest Provisions

- 40% of the property owners within the area or
- Property owners representing 50% of the titled property ownership taxed as agriculture or forestry
- Williams Case - Supreme Court Ruling on Protest



## Definitions

- ❑ “Division of Land” segregation of one or more parcels of land from a larger tract of land
- ❑ “Plat” a graphical representation of a subdivision showing the division of land into lots, parcels, blocks, streets, alleys, and other divisions and dedications





## Regulations

General Provisions

Definitions

Design Standards

- Design and arrangement of lots, streets, roads
- Grading and Drainage
- Water and sewage disposal meet DEQ standards
- Location and installation of utilities & easements
- Parks and Open Space
- Hillside and Riparian

Review and Approval Procedures

Submittal Requirements

Variances

Error Corrections and Adjustment Procedures

Exemptions

Public and Private Improvements

## Review Criteria

- Agriculture
  - Agricultural water user facilities
  - Local Services
  - Natural Environment
  - Wildlife
  - Wildlife Habitat
  - Public Health and Safety
- 
- Compliance with survey requirements and subdivision regulations
  - Provision of utility easements
  - Provision of legal and physical access





## Types

- ❑ Major Subdivision – 6 or more lots
  - 60 -80 Working Day Review Period
  - Community & Environmental Assessment
  - Park Dedication
  - Planning Board Public Hearing and recommendation
  - City -Pre-Public Hearing informational item to LUP
  - BCC/City Council Public Hearing and Decision
  
- ❑ Minor Subdivision – 5 or fewer lots
  - 35 Working Day Review Period
  - Community Assessment
  - Park Dedication in some instances
  - No Public Hearings
  - City Council - LUP meeting recommendation to full Council, Council Consent agenda or Committee Reports
  - BCC – Public Meeting



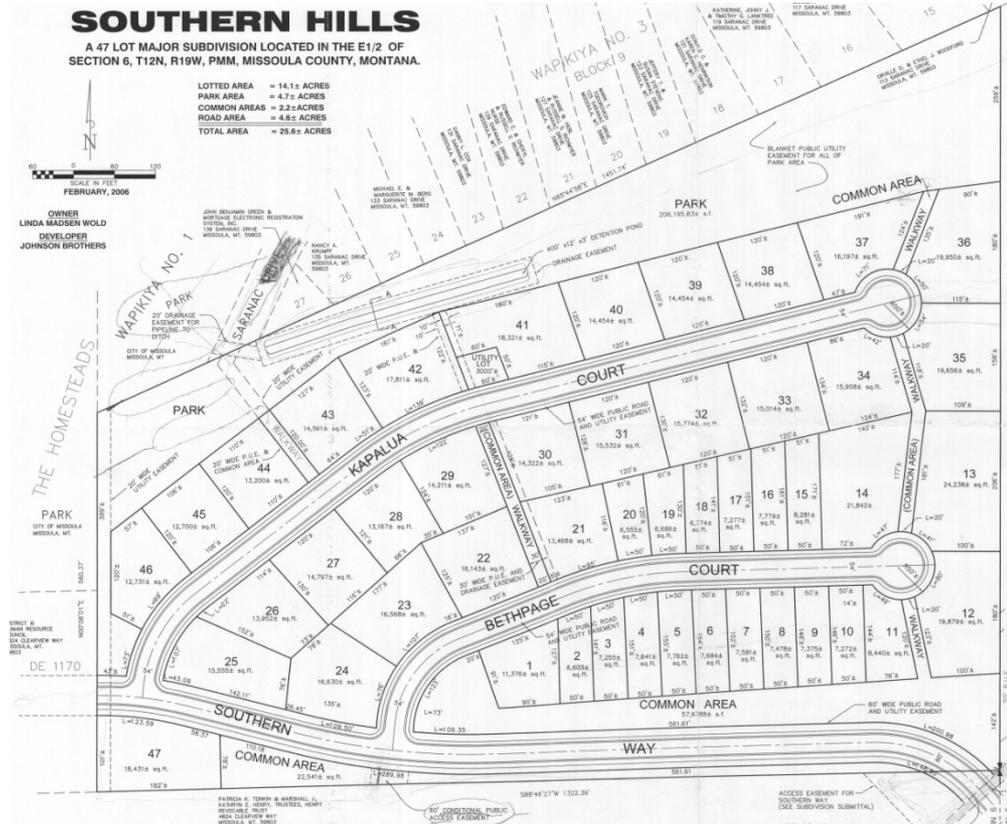
# Subdivision



## Preliminary Plat

### Recommendations

- Consideration of the Primary Review Criteria
- Impacts and adequate Mitigation
- Variances
  - Hardship
- Recommendation
  - Approval
  - Approval with Conditions
  - Denial





## Final Plat

- ❑ 2-3 Year Final Plat approval period; longer if phased
- ❑ Staff review for condition compliance
- ❑ Mayor/BCC signs final plat
- ❑ Final Plat filed at Clerk & Recorder's Office
- ❑ Lots may be transferred

