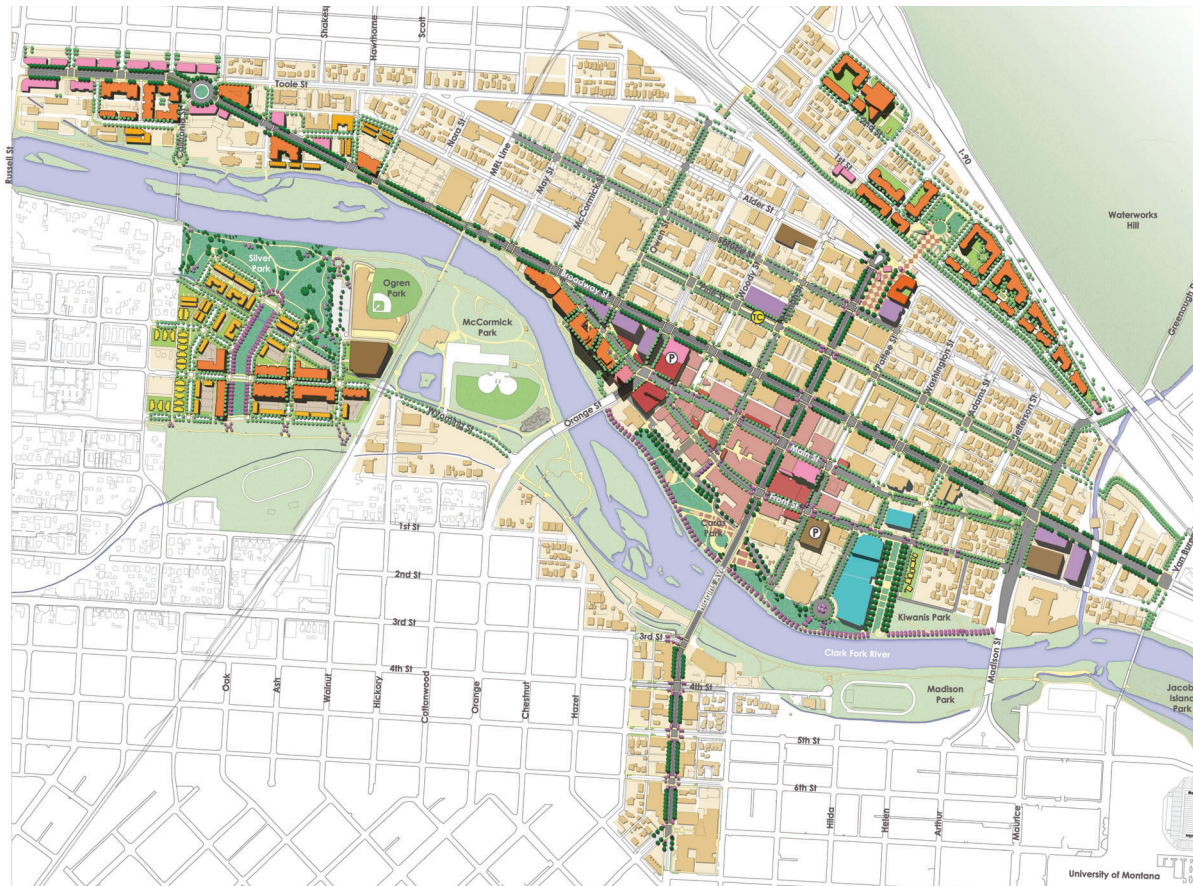




DRAFT Recommended Code and Regulatory Updates Memorandum

November, 2008

Missoula Greater Downtown Master Plan

Missoula Redevelopment Agency
Missoula Downtown Association
Downtown Business Improvement District
Missoula Parking Commission

Crandall Arambula PC



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Regulatory Updates

The following pages describe recommendations for the City Zoning Code and Subdivision Regulations Update and future map amendments that should be initiated following the adoption of the code update.

Recommendations to the Zoning Code Update

A new “Downtown Overlay District” is suggested for inclusion in the zoning code as part of the Chapter 20.25 Overlay District. The current zoning code rewrite lacks the regulatory strength to protect the essential concepts of the Missoula Greater Downtown Plan. The Downtown Overlay District ensures that essential development standards regulating critical components of the downtown are codified within the framework of the existing update. These standards are identified on the following pages and include:

- Required Ground-Floor Uses
- Required Build-to Lines and Active Edges
- No Minimum Residential Single-Use Lot Size Requirements
- Building Heights

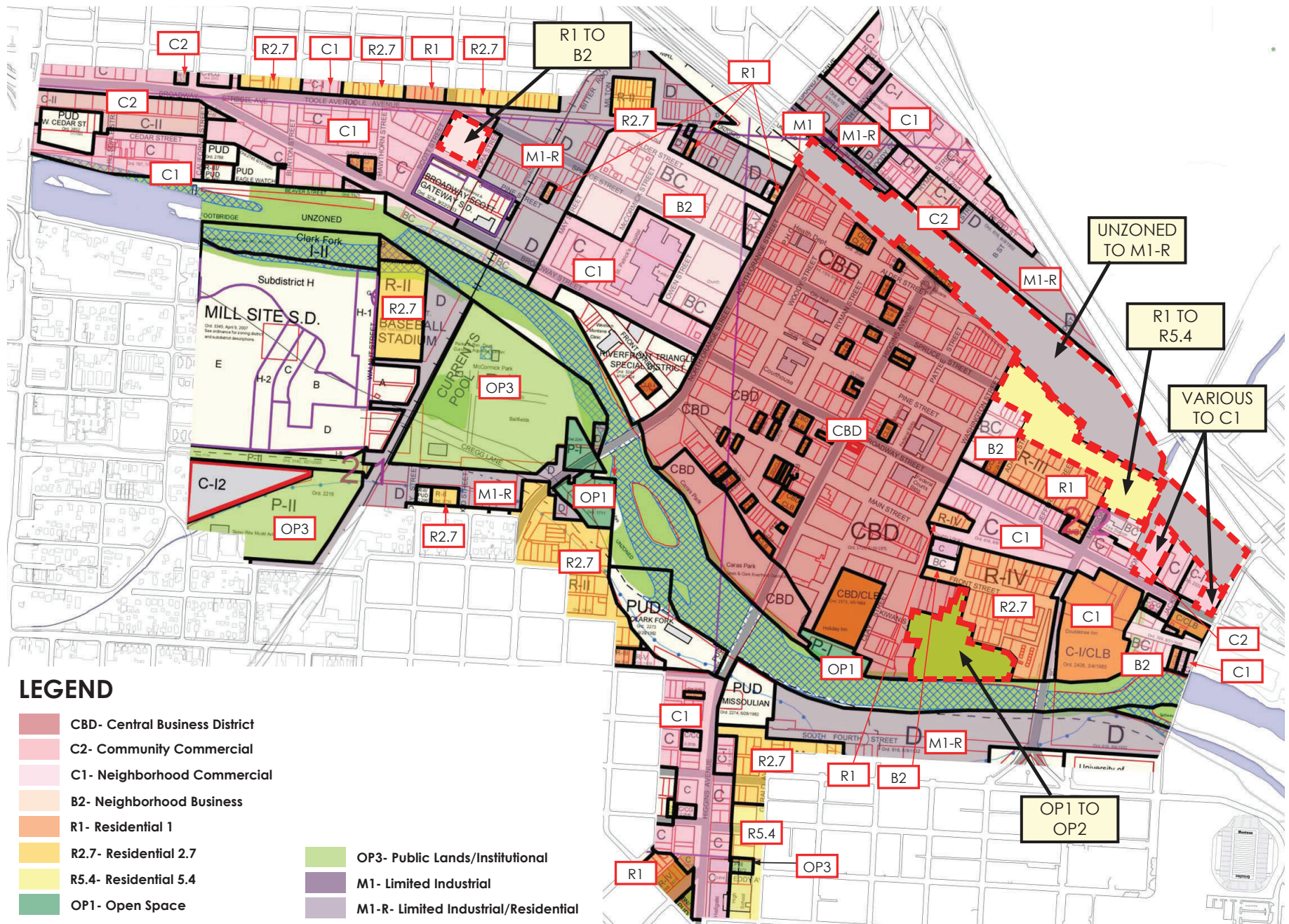
A modification to Module 1:District Framework, Chapter 19.10, Sub-section .030 Residential Building Types is suggested to:

- Allow no density requirement for single purpose residential uses in the CBD

Proposed Map Amendments For Future Consideration

Following adoption of the code update, mapping amendments and new zoning designations for the downtown study area should be considered. Proposed amendments include:

- Provide a zoning designation to unzoned areas along railroad tracks. A new M1-R designation ensures that zoning of the area is consistent with current land uses while allowing proposed residential and cultural uses
- Change R1 to R5.4 in the Historic Pine Street District to discourage “tear-downs” of existing residential dwellings that could be replaced with higher density dwellings that would, in turn, adversely impact the character of the neighborhood
- Upzone numerous existing commercial properties along E. Broadway to C-1 to ensure that any parcels assembled along the corridor to create employment centers are consistently zoned
- Change the OP1 zoning for Kiwanis Park to OP2. The Missoula Greater Downtown Master Plan calls for new public facilities to be built at Kiwanis Park. These proposed changes require the reconfiguration of the park. The OP2 designation is more consistent with this intention
- Change the R1 zoning for the area at Scott and Pine Street to B2. This change avoids a downzoning of existing properties
- Amend building height requirements for the Riverfront Triangle Special Zoning District consistent with the building heights identified in the Downtown Overlay District standards on the following pages.



Suggested Future Zoning District Map Amendments

Downtown Overlay District Standards

The following development standards would only be required as indicated on the diagrams.

Required Ground-Floor Uses

Ground-floor retail and commercial uses are essential components of an active and vital downtown area. However, there is a limited market for these uses. Ground-floor requirements will concentrate these uses along important corridors, thereby ensuring their economic viability. The community will also benefit by having these uses located in one area.

The ground-floor uses diagram identifies the critical locations for these uses that have been identified as part of the downtown plan's retail strategy.

Required Ground-Floor Retail Frontages

Retail uses shall be continuous as indicated on the diagram. Only businesses that engage in the *sale of goods or eating and drinking establishments* shall be permitted. Entrances or lobbies to non-retail, upper-floor uses are also permitted.

Required Ground-Floor Commercial

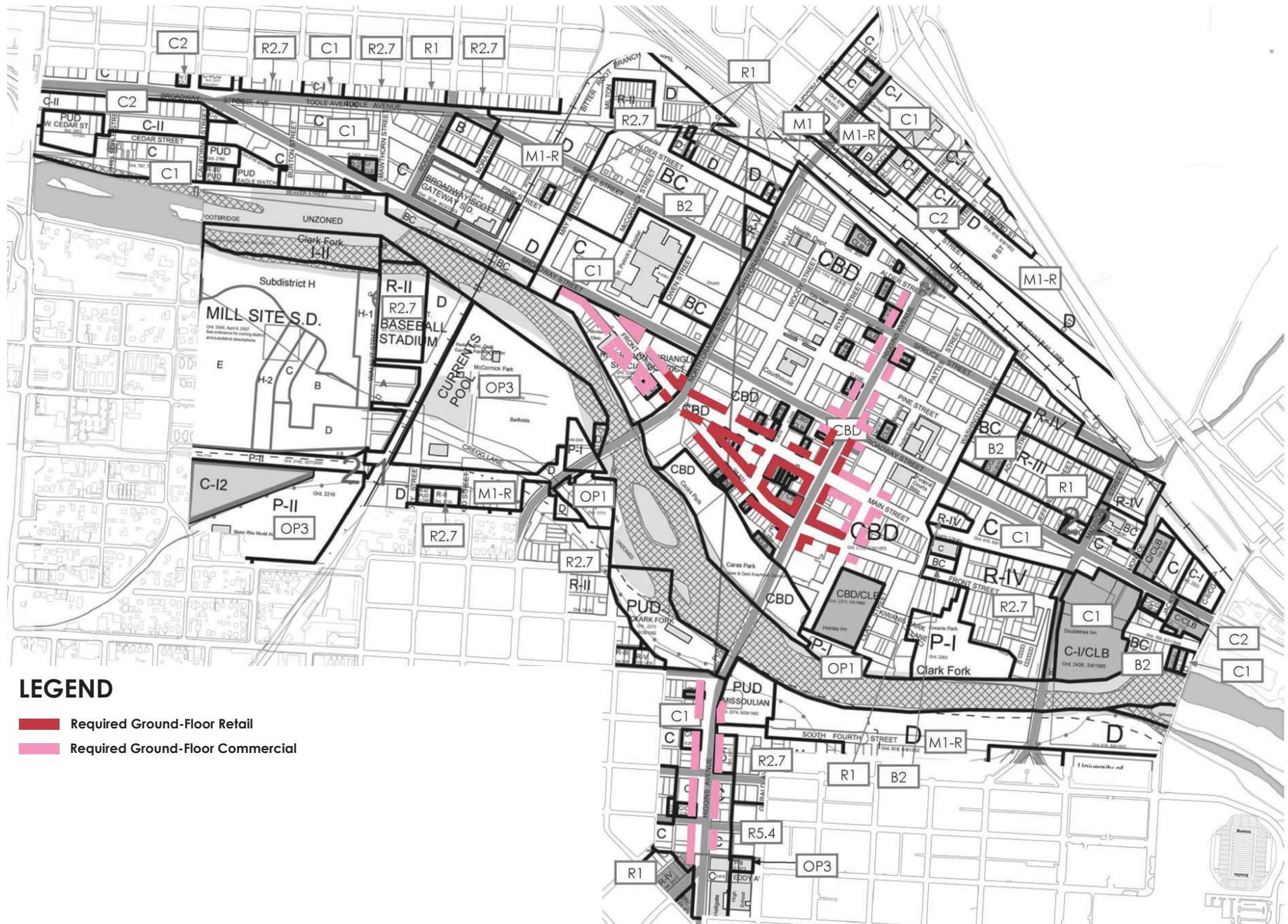
Commercial uses include the *sale of services along with the sale of goods or eating and drinking establishments*. Required ground-floor commercial uses are required along the ground floors of all structures as indicated on the diagram. Live/sell or Live/work home occupation uses are appropriate along commercial frontages. Entrances or lobbies to non-commercial upper-floor uses are also permitted.



Required Ground Floor Retail



Required Ground Floor Commercial



Required Ground-Floor Uses Diagram

Required Build-to Lines and Active Edges

Required Build-to Lines

Build-to lines are required for all building frontages where indicated on the diagram. A build-to line *requires* a zero-foot building front setback from the property line. The diagram identifies only the essential building frontages where ground-floor building facades must foster an active pedestrian environment. Other frontages throughout downtown are encouraged to meet these standards as well, but are not *required*.

Exceptions to the build-to requirements include:

- Ground-floor entrances to buildings can be recessed up to five feet behind the build-to line. Windows and walls can be recessed up to 18 inches from the build-to line to accommodate columns or other architectural elements that engage the build-to line
- Access ways leading to courtyards or other private spaces are permitted *when retail is not the required ground floor use*

Required Active Edges

In addition to the required build-to lines, the following active-edge criteria should be met for all *ground-floor retail and commercial uses*:

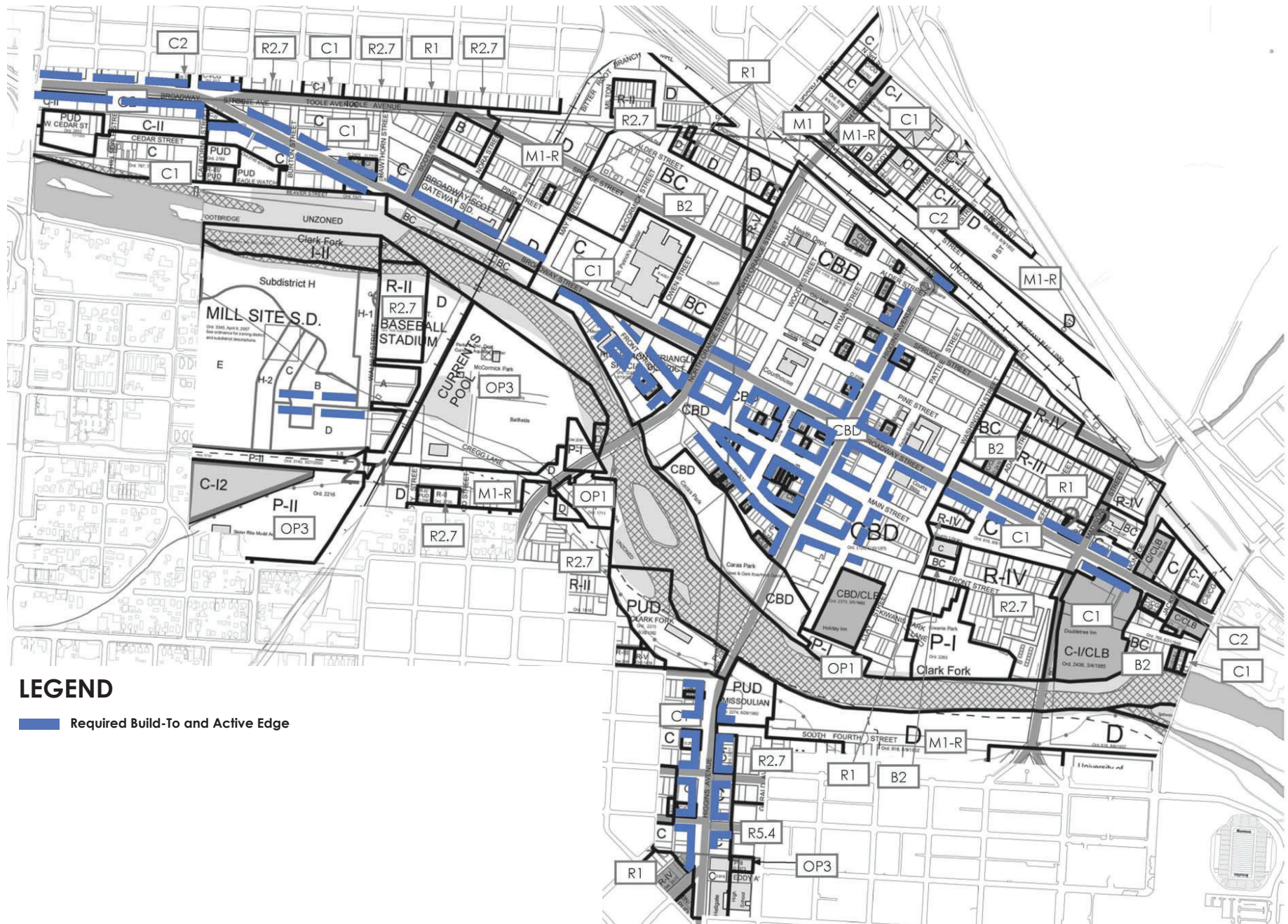
- A minimum of 70 percent transparent glass or screens along ground-floor facades should be used; frosted, tinted, reflective or other types of glass that diminish transparency should be prohibited
- Primary ground-floor entrances must be oriented to the public right-of-way



Required Build-to Line



Required Active Edge



LEGEND

Required Build-To and Active Edge

Build-To Lines and Active Edges Diagram

No Minimum Residential Single-Use Lot Size Requirements

New high-density residential development is an essential component of the Missoula Greater Downtown Plan. This proposed overlay is suggested for only those areas where current zoning requirements may limit or discourage high density residential development. The graphic illustrates commercial zoned areas where residential is envisioned in the Land Use Framework.

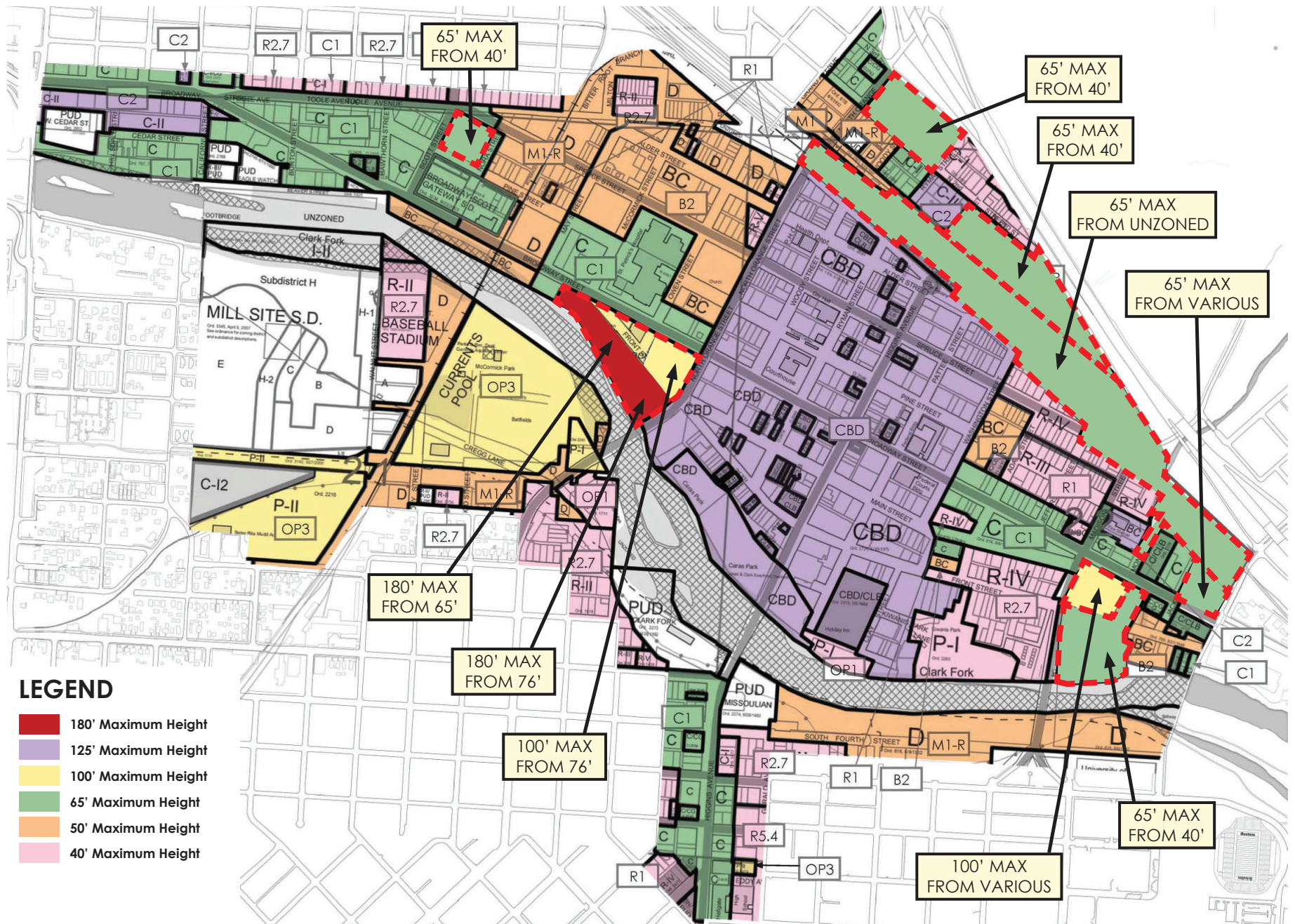
Chapter 19-10 (Business and Commercial Districts) of the zoning and subdivisions regulations limit density of permitted residential uses to the requirements set forth for the R1 district. For areas where density greater than that allowed in the R1 category is desirable, no minimum residential lot size shall be required for single purpose residential buildings in the areas illustrated in the diagram.

Building Heights

The diagram shown to the right identifies proposed maximum building heights. Adjustments are suggested only for key development areas where additional density is envisioned.

Following the adoption of the regulatory update, additional height requirements may be warranted. These may include:

- View corridor protection areas
- “Stair-stepping” requirements that establish transitions to key historic areas or natural resource areas



Building Heights Diagram