

Plat, Annexation and Zoning Committee Minutes

January 4, 2011

10:05 a.m. – 12:00 noon

Missoula City Council Chambers, 140 W. Pine Street

Members Present: Bob Jaffe, Caitlin Copple, Ed Childers, Dick Haines, Adam Hertz, Marilyn Marler, Dave Strohmaier, Alex Taft, Jason Wiener, Jon Wilkins, Cynthia Wolken

Members Absent: Mike O'Herron,

Others Present: John Engen, Laval Means, Tom Zavitz, Kevin Slovarp, Doug Harby, Jason Diehl, Jim Nugent, Lewis YellowRobe, Majorie Heyman, Cathy Bickenhauser, Deni Forestek,

I. Approval of Minutes for [December 14, 2011](#)

The minutes were approved as presented

II. Public Comment on Items not on the Agenda

III. Staff Announcements

IV. Consent Agenda Items

1. Appoint three members to the Historic Preservation Commission for a "Northwest" region position, a "Downtown" position and a "Professional" position for the terms beginning January 1, 2012 and ending on December 31, 2014. ([memo](#))—Regular Agenda (Marty Rehbein) (Referred to committee: 12/19/11) **REMOVE FROM AGENDA**

MOTION: The Committee recommends that City Council appoint the following members to the Historic Preservation Commission: Cathy Bickenheuser to the "Alternate" position, Majorie Heyman to the "Professional" position, and reappoint Joshua Pollarine to the "Downtown" position for the terms beginning January 1, 2012 and ending on December 31, 2014. The Committee recommends that alternate Scott Loken be moved to the "Northwest" position for the duration of his term.

There were no interview questions attached to the Referral Memo, therefore, Chair Jaffe asked that the applicants present to give a brief biography and speak to why they wish to be appointed to the Historic Preservation Commission.

Majorie Heyman

Ms. Heyman has a PhD in Anthropology-Archaeology. She felt that the HPC would be a perfect place for her to meld her background with preserving history in Missoula. She felt that preservation was a good venue for economic development. She felt that preserving the downtown area draws in tourism. She felt that Missoula had a perfect blend of stability and growth. She felt that volunteering for HPC would give her an opportunity to give back to the community.

Comments from Committee members:

- Marilyn Marler commented that Ms. Heyman seemed to have a well-varied background and appreciated her interest.
- Jason Wiener asked if she was familiar with how a historic building would be listed on the National Register of Historic Places. She had done some research and knows the criteria.

Cathy Bickenheuser

Ms. Bickenheuser explained that she works for the Forest Service Historic Preservation Team. Her focus is on the hands-on technology of preservation. She is familiar with the

processes to preserve historic buildings, mitigating lead and asbestos, and repair of historic buildings. She would like to bring her skills to the HPC.

Comments from Committee members:

Cynthia Wolken wondered if she would rather be an alternate. Ms. Bickenheuser explained that she travels all over Montana for her job and might miss some meetings. Mr. Wiener asked for her familiarity with the National Register. She is familiar with it, helped to write two or three nominations and worked as an intern at the State Historic Preservation Office.

Cynthia Wolken made the **motion** to appoint Cathy Bickenheuser to the alternate position, appoint Ms. Heyman to the Professional position, and reappoint Mr. Pollarine. She made the motion to move Scott Loken from alternate to the Northwest position.

Comments on the motion:

- Ed Childers was pleased with the quality of the candidates and was concerned that it is difficult to find people who live within the city limits to serve on city boards.
- Dave Strohmaier and Caitlin Copple were acquainted with Mr. Pollarine and felt he should be reappointed.

There was no public comment.

The motion passed unanimously.

V. Regular Agenda Items

1. Appointment of John Newman to the Missoula Consolidated Planning Board for a three-year term commencing January 1, 2012 and ending December 31, 2015. ([memo](#))— Informational Item (Mayor Engen) (Referred to committee: 12/19/11) **REMOVE FROM AGENDA**

Mayor Engen brought forward this informational to the Committee regarding the mayoral appointment of John Newman to the Missoula Consolidated Planning Board. No action was required by the Committee.

2. A [resolution](#) to adopt amendments to the City of Missoula Subdivision Regulations, Article 3 entitled "Subdivision Design Standards," Section 3-020 entitled "Streets, Access and Transportation." ([memo](#)) ([PAZ](#)) ([PAZ 11/30/11](#)) (Returned from council floor: 12/05/11) **HELD IN COMMITTEE**

Tom Zavitz, Office of Planning and Grants, gave a brief update regarding these revisions to the subdivision regulations, a project that grew out of the Title 20 rewrite process.

The highlights were:

- Throughout the last year, OPG staff has met with local engineers and agencies, held listening sessions, had agency review, taken public comment, been to Planning Board and at this point are considering Planning Board amendments
- The latest draft is dated 10/31/2011.
- OPG staff met with the new council members to bring them up-to-date

Street width minimums:

New information has been received from Public Works which may influence pavement widths to allow a narrower minimum lane width. These factors include:

- Density of less than 12 dwelling units per acre would allow for a narrower width
- Lot frontage of 80 feet or greater

- Alley development may allow narrower street widths
- The grade of the street may preclude a wider street width
- Public Works would like a comment included stating that any changes to the widths require approval of the engineer and fire chief.

Comments and questions from Committee members included:

- Does the fire department respond into alleys? The alley is considered secondary access; however, they will respond if that is the only access.
- Were there any mathematical calculations to determine how density determines street widths? The number they've been using is old.
- Issues to address should focus on traffic safety, reduced development space, and fire safety. Narrow streets can be used as a traffic calming device, as can bulb outs, traffic circles, and the like.
- The recommendations for a public works contingency may not be specific enough.
- Narrowing or eliminating the boulevard would save development space.

Chair Jaffe asked Mr. Nugent to clarify the parameters the Committee needed to keep in mind regarding the International Fire Code. Mr. Nugent explained that there is a state statute that requires that local government adopt administrative rules to be consistent with the state. He advised the Committee to look to Fire Chief Diehl to determine whether the city met that requirement.

Jason Wiener made a **motion** to change the minimum street width to 32-foot back-of-curb to back-of-curb on a local residential street that's 0 to 250 trips per day where density is less than or equal to 12 units per acre or street frontages are greater than 80 feet.

Discussion on the motion:

- Ed Childers felt he could support the motion.
- Mr. Strohmaier asked if Chief Diehl felt this was consistent with the fire code regulations. Chief Diehl felt that going down to 32 feet with the understanding it is low density area was reasonable.

The motion passed by majority voice vote with Mr. Haines and Mr. Wilkins voting nay.

Jason Wiener made a **motion** to change the minimum street width to 34-foot back-of-curb to back-of-curb on a urban local residential street that's 0 to 2500 trips per day where density is less than or equal to 12 units per acre or street frontages are greater than 80 feet.

The motion passed unanimously.

Jason Wiener made a **motion** to eliminate boulevards on local residential streets with 0 to 250 trips per day.

The motion passed unanimously.

Jason Wiener made **motion** to amend the minimum lane width from 11 feet to 10 feet for any functional classification higher than urban local.

Discussion on the motion included:

- Mr. Slovarp cautioned that MDT and ASHTO standards may require 11 feet minimum street widths.
- Alex Taft would support the motion. He pointed out that ASHTO has guidelines, not standards.

- Caitlin Copple wondered if this would be a problem for buses, which are 10 feet, 4 inches wide. Mr. Wiener pointed out that in all cases the parking lane will add to the width of the drive lanes.

The motion passed by majority vote with Mr. Wilkins, Mr. Hertz and Mr. Haines voting nay.

Parking Discussion

Mr. Zavitz went over the topic of parking on subdivision streets. The Planning Board had recommended that parking be mandatory on the both sides of the street.

Mr. Wiener understood why Planning Board made this decision, given the practicality of enforcing parking on subdivision streets.

Mr. Taft felt that parked cars would narrow the street, thereby creating a traffic calming environment.

Mr. Slovarp pointed out that Engineering reviews these plans and they could mitigate the issue by requiring parking areas, parking lanes, pullouts, signs, and curb colors. Engineering can make sure the developer creates a street that is workable.

Jason Wiener made a motion to restore the options of parking on one side, or no parking to the table.

Discussion on the motion:

- Jason Diehl felt that in reality what happens is that both sides of the street gets parked on and if a developer has a street designed for no parking, or parking on only one side of the street, it would become congested and a problem for the fire department.
- Ms. Marler would not support the motion, she felt it would be better to go with the Planning Board amendment and have the developer seek a variance.
- Mr. Childers would not support the amendment.
- Mr Taft felt the Planning Board amendment was the best way to deal with Chief Diehl's concerns.
- Mr. Jaffe would support the motion, knowing that the engineering department's review would mitigate concerns and if not, it would come before the committee and they could make recommendations.

The motion failed with Ms. Marler, Mr. Childers, Mr. Haines, Ms. Copple, Mr. Wilkins, Mr. Hertz and Mr. Strohmaier voting nay.

V. Items to be Removed from the Agenda

VI. Held in Committee or Ongoing in Committee

1. Annexation. (see separate list at City Clerk's Office for pending annexations) (Ongoing in Committee)
2. Request to rezone the property legally described as Lot 3 of Scott Street Lots Subdivision, located in Section 16, T13N, R19W, P.M.M. form D (Industrial) to I-1 (Light Industrial), based on the finding of fact and conclusions of law. (PAZ [05/21/08](#)) (Returned from Council floor: 6/2/08)
3. Ongoing discussion of City planning issues with members of the Planning Board.— Regular Agenda (Bob Jaffe) (Referred to committee: 3/20/06)

4. Resolution repealing resolution No. 7404 and declaring the annexation of Lots 53 and 54 Dinsmore's Orchard Homes No. 5 null and void. ([memo](#))—Regular Agenda (Jessica Miller) (Referred to committee: 01/10/2011)
5. Amendment Article 7. Error Corrections and Adjustments to the subdivision regulations to allow for restrictions or conditions placed on a plat by the governing body to be amended or removed by a future council. ([memo](#))—Regular Agenda (Lyn Hellegaard) (Referred to committee: 11/07/11)
6. Appoint one member to the Consolidated Planning Board for a regular position for the term beginning January 1, 2012 and ending on December 31, 2014. ([memo](#))—Regular Agenda (Marty Rehbein) (Referred to committee: 12/05/11)

VII. Adjournment

The meeting adjourned at 12:01 p.m.

Respectfully Submitted,

Deni Forestek
Recording Secretary
Office of Planning and Grants

The recording of these minutes is available in the City Clerk's Office (for up to three months after approval of minutes). These minutes are summary and not verbatim.