

# Plat, Annexation and Zoning Committee Minutes

January 25, 2012

10:05 a.m.

City Council Chambers, 140 W. Pine Street

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

**Members Absent:** Mike O'Herron and Caitlin Copple

**Others Present:** Tom Zavitz, Jim Nugent, Bobbi Day, Laval Means, Doug Harby, Michael Tree, Kevin Slovark

I. **Approval of Minutes of [January 18, 2012](#)** – approved as presented

II. **Public Comment on Items not on the Agenda**

III. **Staff Announcements**

IV. **Consent Agenda Items**

V. **Regular Agenda Items**

1. 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 reviewed topics for today's discussion ([presentation](#)) that included:

- Clean up items from the last meeting;
- Review [short court standards](#);
- [Public Works comments](#); and
- [Missoula Organization of Realtors \(MOR\) comments](#).

He reminded the Committee of the two motions made in the last meeting to reinstate the short court chapter and to allow the short court street by-right option (this one failed).

## 1) **Clean up items:**

- Insert proposed language from the city attorney regarding private street maintenance. The language reads that it would be the responsibility of the property owner association or owner to maintain private streets.
  - ⇒ The language will be amended so that it reads as a complete sentence.
  - ⇒ The intent of the new language was to clarify maintenance of the street was the responsibility of the residents.
  - ⇒ How would the City enforce maintenance if the neighbors did not comply? Through a maintenance agreement? Add language for enforcement? Mr. Harby answered that staff were adding right-of-way enforcement language in Title 12. If the street were not maintained they would be in violation of the Municipal Code.
- Suggested language change in .7 Woonerfs – change the word 'shall' to 'may' in the comment box. Staff will do this in the final cleanup.

## **2) Short Court Standards:**

Mr. Zavitz reviewed the proposed amendments including an illustration. The short court concept evolved from a shared driveway concept.

- Some items were added that made these streets similar to woonerfs. These amendments would improve the short court standards.
- Language was added for snow removal and for the use of shared space.
- The Committee could decide if the language was too much like woonerfs or not enough.

Committee discussion and questions:

1. Did the 200' length take into account the 150' requirement for buildings to be located near fire suppression? Language will be added that structures need to be located within 150' of fire suppression.
2. Point (11) in the proposed standards regarding a short court (may not be used where a through street was possible) should be moved to the opening paragraph.
3. Engineering preferred to stay with the current short court standards but would be okay with some woonerf standards. They want to see curbs and gutters in short courts. Use the current design standards but put in language for review by engineering and City Council. Woonerfs would not have yards but short courts could have yards. Curb and gutter requirements depended on if there would be a yard or not.
4. Include language that where there were front and side yards, curb and gutter would be required.
5. Pedestrian walkways were a concern. A pedestrian walkway or sidewalk should be required if a curb was required. A short court should be all or nothing; either a woonerf or a short court. Vehicles need to be kept off the landscaping and limited to the street. The question of whether or not sidewalks should be required was discussed.
6. Incorporate a sidewalk strip and have a curb.

Councilman Wiener made a motion to re-draft this section to provide short court standards (if approved by variance). Standards would require sidewalks and gutters on one side if yards present and no curbs/gutters similar to woonerf standards when there were not front and side yards. The motion passed unanimously.

## **3) Woonerf Standards:**

- Question: how was drainage dealt with if there were no curb and gutters? Inverted crowns similar to alleys. The water would drain to the center.
- How was parking managed? The developer would have to provide garages. Overflow parking standards were recommended in the Public Works Comments (.7).

## **4) Engineering and Public Works Comments:**

OPG and engineering staff met to discuss engineering/public works comments and came up with several recommendations and clarifications.

- Change the name for the street standards throughout the document to match engineering's new document title.
- Remove reference to ASHTO and Fire Codes since these standards do not conflict with these guidelines.
- .3B - re-word for clarification regarding public access easement. Staff will take care of this throughout the document.
- .4B is a clarification.
- .4C remove the provision for bus turnouts since it was included in other places and was redundant.
- .4M- public right-of-way use re-wording by staff.
- .5B increased the minimum cul-de-sac radius to 43 feet for fire equipment to turn around.
- .7 add woonerf classification in Table 2a.

- .7A adding language that woonerfs must be a through street and a short court could be used as dead-end streets if approved by variance.
- .7B adding language that traffic speed was restricted to a walking pace.
- .7C clarification.
- .8A clarifying that all driveways must be paved.
- .13D took out SID language in three places; this was used to alert developers that this needed to be addressed. The language was included in Article 5 and was clear so this may be redundant to have here, too. It might be appropriate to have as a commentary.
- .15C include language for the width of a construction easement for sidewalks.

Mr. Zavitz noted that next meeting's discussion would concern comments from the private sector including MOR.

Final Committee comments and questions:

1. In [Mr. Harby's diagram](#) it looked like there was one parking space in front of each unit. Were these above and beyond the parking requirement or do they meet the one space per unit? With zero setbacks there could be two parking spots lost. Parking could be designated separately.
2. Discussion on the MOR letter, item 3-020.4(G) regarding bus shelters. Subdivisions were not always large so consideration should be made for how many units there were and how far away it was from each bus stop. This language could be considered a contingency to give the developers a heads up that bus shelter(s) may be required. Mountain Line would be one of the reviewing agencies and could recommend that a shelter be required. City Council would have the final decision.

Michael Tree, Mountain Line Manager, noted that not every subdivision needed a shelter adjacent to it. He supported the current language with city engineering looking at routes and consulting with the transit agency. This gives the developer a heads up that the transit system may require a shelter. The Committee agreed to retain the language.

## VI. Items to be Removed from the Agenda

Item 6 under Held in Committee - 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. 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)

## VIII. Adjournment

The meeting adjourned at 11:03 a.m.

Respectfully Submitted,

**Bobbi Day**

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.***