

Inside the “Montana Miracle”

How a diverse group of stakeholders found consensus on a wide range of housing and zoning reforms to address Montana’s housing crisis.

Forrest Mandeville, AICP
State Senator, SD 29



Working Group

- Background – Planners brainstorming about how we would improve our planning, zoning, subdivision laws in 2017
- Working group – Planners, Builders, Cities, Counties, Realtors, Bi-Partisan Legislators
- Focus on where we agree
 - Outdated laws, laws don't work together, emphasis was on specific projects not planning documents, lack of predictability, repetitive processes
- Started to formulate and circulate draft bill ideas in 2022

Political Factors

- Housing affordability/availability concerns
 - Governor's Housing Task Force
- Need to do SOMETHING
 - Many bad to very bad bills introduced and not passed in previous session
 - Demand for action and results
- Republican Supermajority
 - 34-16 Senate Republican majority, 68-32 House Republican majority, Republican Governor



Opportunity

- Several Legislators wanting to work on housing/development bills
- Diverse lobbying groups supporting housing
- Committee assignments
 - Young Legislators on key committees (ex: Senate Local Government)
- Governor wanted to sign bills



What We Did

- Legalized ADUs
- Legalized Duplexes
- Allowed Residential Development in Commercial Areas
- Passed the Land Use Planning Act (LUPA) – Focus on long-range planning, provides a “menu” of zoning reforms

Lessons

- Take what you can get
 - Focused on supply-based solutions
 - Can work on fixes later
- Know when you lost an issue and move on
 - Bill doesn't have to be perfect
 - Ex: LUPA Optional for counties
- Know when to compromise
 - Ex: Duplexes instead of triplexes/fourplexes
- Build a coalition
 - Focus on areas of agreement

Work doesn't stop when the bill passes

- How is implementation working?
- Where can the policy be strengthened?
- Legal challenges

Homeowner group files court challenge against pro-construction housing laws

Montanans Against Irresponsible Densification, LLC, v. State

