

RESOLUTION NUMBER _____

A RESOLUTION TO ADOPT AN AMENDMENT TO THE CITY OF MISSOULA SUBDIVISION REGULATIONS, ARTICLE 3 SUBDIVISION DESIGN STANDARDS, SECTION 3-080.7 CASH-IN-LIEU OF PARKLAND DEDICATION REQUIREMENTS.

WHEREAS, 76-3-501 Montana Code Annotated (M.C.A.) authorizes the City Council to adopt subdivision regulations; and

WHEREAS, the City Council has adopted subdivision regulations for the City of Missoula with amendments; and

WHEREAS, 76-3-501 M.C.A. provides for the revision of subdivision regulations; and

WHEREAS, the proposed amendment revises the City of Missoula Subdivision Regulations Article 3 Subdivision Design Standards, Section 3-080.7 cash-in-lieu of parkland dedication requirements; and

WHEREAS, the Land Use Planning Committee of City Council held a meeting on February 10, 2021 to receive and consider the plan, objectives, and background information with respect to the subject amendment; and

WHEREAS, after public notice in the Missoulian, a newspaper of general circulation, on March 14, 2021 and March 21, 2021, the Missoula Consolidated Planning Board held a public hearing on April 6, 2021 to hear and consider recommendations; and

WHEREAS, the Missoula Consolidated Planning Board failed to approve the motion with a vote of five nays to four ayes (5 to 4) for recommendation of approval of the resolution that the Missoula City Council adopt the proposed amendment to the City of Missoula Subdivision Regulations, Article 3 Subdivision Design Standards, Section 3-080.7 cash-in-lieu of parkland dedication requirements on April 6, 2021; and

WHEREAS, after public notice in the Missoulian, a newspaper of general circulation, on March 14, 2021 and on March 21, 2021, the City Council conducted a public hearing on April 12, 2021 on the proposed amendment to the subdivision regulations in order to give the public an opportunity to be heard as required by 76-3-503 M.C.A.; and

WHEREAS, the Land Use Planning Committee of City Council held a meeting on April 14, 2021 to further discuss the proposed amendment and in order to give the public an additional opportunity to be heard; and

WHEREAS, on April 19, 2021, the City Council continued the public hearing on the proposed amendment to the subdivision regulations in order to give the public an additional opportunity to be heard and voted X in favor of and X opposed to adopting this Resolution.

NOW THEREFORE, BE IT RESOLVED that the Missoula City Council adopts this Resolution to adopt the amendment, as shown in Exhibit A attached hereto, to the City of Missoula Subdivision Regulations, Article 3, Section 3-080.7.

PASSED AND ADOPTED this ____ day of _____, 2021.

ATTEST:

APPROVED:

Martha L. Rehbein
City Clerk

John Engen
Mayor

(Seal)