

Public comment received on Engage Missoula, 4/21/21

Re: LUP item "Amendment to Article 3, Section 080.7 Parks and Open Space Requirements "cash-in-lieu" clarifying methodologies for determination of value."

Question

When I served on the Consolidated Planning Board I made a few comments about the cash-in-lieu program. I felt the City government has generally been pro-developer. Land in Missoula is precious. Developers being able to pay their way out of dedicated open space has been abused. Regulations should define carefully how close current parks and open space are to a development before allowing a developer a cash option. Neighborhood open space is very important for children. Being able to walk or bicycle to a park or open space is very important. Think about when you were a child and how important an open space or a park was for you to play, shoot hoops or meet with friends. The developers profit by providing cash and City Parks would rather have the money than maintaining small parks around the city. If cash is accepted it should be clearly earmarked for open space or parks; and the cash should be the going rate of land in the development area. Again, cash should only be accepted if there are parks and/or open space within walking or biking distance and that distance should be carefully defined. Developers are in the business of making money; no matter the rhetoric you hear from their representatives about community mindedness. Thanks for listening. Dudley Improta

Improta asked

about 4 hours ago

Answer from Open Space Program Manager Grant Carlton

Hello Mr. Improta. Thank you for your comments; we will share them with the City Council. If you have further questions or comments, feel free to contact Open Space Program Manager Grant Carlton([External link](#)), or post them here.

You stated: The developers profit by providing cash and City Parks would rather have the money than maintaining small parks around the city.

Not every development has land available that meets minimum standards for parkland. The City of Missoula enforces the subdivision parkland requirement when a parcel is available that meets City standards. Examples include 44 Ranch, Maloney Ranch, Pleasant View, and many other newer developments around town. There are a number of factors the City considers when making these decisions, but the primary metric is community benefit based on objectives and priorities found in City adopted plans.

As you can see in many older developments throughout Missoula, past developers often donated a drainage gully, floodplain area, or a steep, hilly or otherwise undesirable parcel and argued that it constituted a park. That type of "parkland" —random plots of sub-standard land scattered throughout a neighborhood—doesn't meet the community's needs and is not cost-effective to maintain.

Neighborhood parks, with amenities like picnic shelters, sports courts and playgrounds, bring neighbors together. They are also much more environmentally and economically sustainable to develop and maintain.

In every park needs assessment and survey we've conducted, residents have told us they want improved neighborhood parks that serve as community hubs and contain a variety of park features.

>> Again, cash should only be accepted if there are parks and/or open space within walking or biking distance and that distance should be carefully defined.<<

Pursuant to MCA 76-3-621(5), cash-in-lieu funds must be spent within reasonable proximity to the proposed subdivision. National standards and the City of Missoula define "reasonable proximity" as a child's 10-minute walk. Most neighborhood parks are much closer than that to the neighborhoods they serve.

The City consults adopted plans, including the 2004 Master Parks and Recreation Plan, 2019 Missoula Urban Area Open Space Plan, and the Long Range Transportation Plan and park-specific site plans when deciding how to invest cash-in-lieu funds. The development of these plans included significant public processes and input.

>> Developers are in the business of making money; no matter the rhetoric you hear from their representatives about community-mindedness.<<

Our Parks Design/Development team is directly involved with the residential development/subdivision review process every step of the way. The City of Missoula has been very effective in acquiring quality parkland for our community.

The City's primary objective is to serve the needs and desires of our community, and in this particular case, that means providing high-quality park and open space amenities in close proximity and in proportion to growth.

>> If cash is accepted it should be clearly earmarked for open space or parks; and the cash should be the going rate of land in the development area.>>

MCA 76-3-621(5) requires that cash-in-lieu funds be used to acquire, develop, or maintain parks or recreational areas to serve the subdivision and for the purchase of public open space or conservation easements to serve the subdivision.

As Missoula continues to grow at its current rapid rate, it will become more critical to address identified issues to ensure that growth is managed appropriately. The City has experienced quantifiable issues related to the valuation of land in the context of calculating cash-in-lieu funds, which was the impetus for this amendment proposal.