



MISSOULA PARKS AND RECREATION DEPARTMENT

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Lewis Yellowrobe
Missoula County Planning Services
Missoula, MT 59802

RE: City Parks Department Comments – Ch. 1 and 2 County Subdivision Regulations.

Via email only to: lyellowrobe@missoulacounty.us

May 31, 2016

Dear Lewis:

Thank you for the opportunity to comment on the revision of the Missoula County Subdivision Regulations, Chapters 1 and 2. The City of Missoula Department of Parks and Recreation provides the following comments. Chapter 1 contains the following proposed language in red below:

1.4.3 Subdivisions with Annexation

When **the entire parcel a** proposed **for** subdivision is also proposed for annexation to the City of Missoula, **the subdivision application shall be submitted to the City of Missoula. When only a portion of the parcel is proposed for annexation, approval of both the city and county governing bodies may be required. (See Section 5.6, Subdivisions Proposed for Annexation)**

The City of Missoula Parks and Recreation Department must review and accept any parkland that is dedicated as part of a County subdivision but will at some future date be transferred to the City of Missoula ownership. It is unclear from the language above in red what would happen in a situation where a subdivision contains dedicated parkland, but only a portion of the subdivision will be annexed. The proposed language above states that approval of both the City and County governing bodies *may* be required; however, the section referenced above, Section 5.6, Subdivision Proposed for Annexation, outlines a process for City and County coordination of review and approval of a subdivision where only *part* of the subdivision will be annexed by the City.

It is unclear from the language whether there could be a gap in the regulations that would allow parkland to be dedicated in the County, with a future plan to annex into the City, but without review and approval by the City Parks and Recreation Department.

Please don't hesitate to call or email with questions or to discuss further.

Sincerely,

Elizabeth W. Erickson

Elizabeth W. Erickson, J.D.
Open Space Acquisition Attorney

Cc: Chris Boza, Parks and Recreation
Neil Miner, Parks and Recreation
Donna Gaukler, Parks and Recreation