

## **M E M O R A N D U M**

TO: Board of County Commissioners

FROM: Christine Dascenzo, Community and Planning Services

DATE: September 1, 2016

SUBJECT: **Summary of Planning Board Action and Amendments to Chapter 5 of the Subdivision Regulations**

### **Planning Board Recommendation**

On Tuesday, August 2, 2016 with nine members present, the Missoula Consolidated Planning Board voted unanimously to recommend approval of the amendments to Chapter 5.

### **Planning Board's Recommended Motion**

1. **THAT** the proposed amendments to the Missoula County Subdivision Regulations, as shown in Attachments A and B of the Staff report and staff memo dated August 2, 2016, be recommended to the Missoula Board of County Commissioners for adoption.

### **Summary of Planning Board Discussion**

The Board asked what inspired the change to three year reviews for preliminary plat and phasing plan extensions. Staff replied that many of those changes are in response to recent court precedents, as well as providing improved context for questions raised by subdividers throughout the preliminary plat process.

Staff responded to questions on the application of preliminary plat extensions with an example that a subdivision with five phases would have to file the fifth phase within three years of the approval date or request an extension, adding that extensions would not be permitted to exceed the ultimate deadline for final plat as determined by the number of lots in the subdivision, per *5.7.16.4 Phasing Deadlines*.

There was some discussion of whether the regulations address environmental updates. It was acknowledged that those concepts are not contained in this Chapter but they could potentially be addressed when the regulations enter a maintenance phase.

### **Staff Amendments after Planning Board**

In *Section 5.7.16.7.A.1* and *Section 5.7.16.7.A.2*, the phrase "plat approval period" should be changed to "plat approval date" as highlighted below and in the draft regulations.

#### **5.7.16.7.A Process for Minor or Major Phased Subdivisions**

1. Proposed amendments to minor or major subdivision phasing plans with final plat approval deadlines (approved or proposed) within 6 years of the original plat approval **date period**, shall be noticed in accordance with Section 5.7.11, Public Meeting Notice (minor subdivisions) and be acted on by the Board of County Commissioners at a regularly-scheduled public meeting and pursuant to Section 5.7.14, Governing Body Consideration.
  
2. Major phased subdivisions with final plat approval deadlines (approved or proposed) more than 6 years after the original plat approval **date period**, shall be noticed in accordance with Section 5.7.12, Public Hearing Notice (major subdivisions) and subject to the public hearing process pursuant to Section 5.7.13, Planning Board Consideration (major subdivisions) and 5.7.14 Governing Body Consideration.