



City of Helena Parks, Recreation, and Open Lands Departments
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Date: July 8, 2021

TO: City-County Parks Board

FROM: Kristi Ponozzo, Director, Parks, Recreation, and Open Lands

Subject: West Side Subdivision Parkland Dedication

Proposal: By state statute, the developer is required to dedicate a percentage of the subdivision for dedicated parkland. The West Side Subdivision proposes to subdivide an existing 58.85-acre tract into 94 single family residential lots and 4 multi-family lots. The subdivision also includes 4 open space lots, 3 of which will be managed by the HOA and not included in the dedication. Based on the above requirements, the following table outlines the parkland dedication required for each phase. Full parkland dedication calculations are included in this section.

Parkland dedication calculations are based on Montana Subdivision and Platting Act requirements, MCA 76-3-621 that require the following: 1) 11% of the area of land proposed to be ½ acre or less. 2) 7.5% of the area of land proposed to be ½ acre or larger. 3) 5% of the area of land proposed to be 1 acre and not larger than 3 acres; and 4) 2.5% of the area of land proposed to be 3 acres and not larger than 5 acres.

Background: There is one open space lot proposed to be dedicated with Phase 1 of the subdivision. The applicant proposes to dedicate the open space lot shown on the south end of the subdivision with the final plat of Phase 1, identified as Lot 12, Block 7. The lot is 4.49 acres. The proposed lot is located on the south end of the project site and is directly adjacent to existing City of Helena open space land and trail system that follows Hot Springs Drive/La Grande Cannon Trail. The applicant proposes to dedicate the open space lot to the City of Helena to satisfy the parkland requirements for the subdivision.

Parks Board Role: The Parks Board shall provide a recommendation on whether to accept parkland dedication, cash-in-lieu or a combination of the two.

Staff Recommendation: Staff generally supports acceptance of parkland dedication with the following concerns and potential options/recommendations:

- This parcel allows for the City of Helena to take over ownership of portions of the trail (Le Grande Cannon) that is currently used by the public and largely maintained by the City of Helena for public use. The trail, that was on old road bed, currently lies partially on private land.
- The greatest value of the parkland dedication to open land is the ability to manage that trail for/public user access into the future.
- Most of the dedication is on slopes of 25% or more, so would not be developable anyway.
- There will be approximately \$15,000 in initial costs associated with fire/fuels reduction of the new open lands in the urban interface and noxious weed treatment and management.

Options:

- Reject parkland dedication of all areas outside just the existing used trail. Remainder would be alternative

dedicated parks land for sports fields or developed park in the subdivision.

- Reject parkland dedication of all areas outside just the existing used trail. Remainder could be cash-in-lieu for improvements to school district developed recreation playground. Depending on final calculation, and in compliance with Montana Code, the cash-in-lieu payment could be used for local park/open lands improvements.
- Accept proposed parkland dedication with conditions that fuels and noxious weeds treatment are completed before dedication and/or funded by the applicant, potentially through a cash-in-lieu payment.

Proposed Parks Board Recommendation: Motion to (table, approve or deny) a combination parkland dedication and additional cash-in-lieu cash donation to be calculated at the fair market value of the un-subdivided, unimproved land.