

RESOLUTION NUMBER 8363

A resolution of the Missoula City Council to adopt an Annexation Policy based on the Our Missoula: City Growth Policy 2035 for the City of Missoula

WHEREAS, the Our Missoula: City Growth Policy 2035 serves as the official public document to guide current and future growth and development as it relates to land uses, population, housing needs, economic conditions, local services, public facilities, natural resources and gravel resources; and

WHEREAS, the governing body must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in decisions pertaining to public facilities, public ways, public places, public structures, public utilities and zoning ordinances as described in MCA 76-1-605; and

WHEREAS, This Annexation Policy is in conformance with and based on the Our Missoula: City Growth Policy 2035; and

WHEREAS, This Annexation Policy guides the City in maintaining logical planning and governmental service in accordance with the Our Missoula: City Growth Policy 2035 and encourages quality development while minimizing negative fiscal impacts on existing residents, and equitably distributing the costs of local government services over the areas that enjoy the benefits of such services.

WHEREAS, The City of Missoula recognizes annexation procedures often begin with landowners and their desire to have their land included in the municipal boundaries and the timing of municipal expansion is primarily determined when landowners bring petitions for annexation to the City Council for approval; and

WHEREAS, the Annexation Policy was reviewed by the City of Missoula Development Services to meet state law requirements; and

WHEREAS, the proposed Annexation Policy was presented to the City-County Consolidated Planning Board on July 2; and

WHEREAS, the City Council held a public hearing on July 22, 2019 and notice of the public hearing was published on July 21, 2019; and

NOW, THEREFORE, BE IT RESOLVED that the Missoula City Council hereby adopts this Annexation Policy (Exhibit A.)

PASSED this 22nd day of July, 2019.

ATTEST:

/s/ Martha L. Rehbein

Martha L. Rehbein, CMC
City Clerk
(SEAL)

APPROVED:

/s/ John Engen

John Engen
Mayor

ANNEXATION POLICY

Annexation Policy

PURPOSE

City annexation provides orderly development including the efficient delivery of municipal services to developed and developing areas, and the regulatory authority necessary to protect public health, safety and general welfare. City annexation provides a united and effective form of local government for a general community geographic area through uniform regulations with respect to building codes, fire codes, planning and zoning, as well as for addressing community goals and values.

This Annexation Policy is intended to provide City Council with a set of comprehensive policies and objective guidance for making decisions about annexation within Missoula's Utilities Services Area as prescribed by the City Growth Policy. An annexation policy should also have as a goal equal sharing of community resources as well as financial responsibility supporting community resources by the people living in the community who are basically or generally united by social, political and economic interests.

With guidance from the growth policy, the following annexation policies support growth in desirable locations and the effective provision of sewer, water, and other public services. Annexation policies also promote walkable neighborhoods, infill in urban areas, compact development, and ensure that adequate infrastructure is in place to support future development in the urban fringe.

This policy shall apply to all voluntary annexations (hereafter referred to as owner-initiated annexations), and all annexations implemented by the City (hereafter referred to as city-initiated annexations).

The City Council shall have the authority to waive any guiding principles of this policy in order that the City can continue to provide the continued delivery of efficient services and maintain orderly development for the health, safety, and welfare of all citizens within its jurisdiction.

ANNEXATION EVALUATION CRITERIA

Area and Boundary

The City should prioritize the annexation of:

- Areas located within the Utilities Services Area
- Areas located within the Annexation Area 'A' of the attached Proposed Annexation Policy Map
NOTE: Annexation Area 'A' of the attached map indicates areas that largely meet the guidelines of this policy while areas in Area 'B' largely do not meet the guidelines. Area designation is not intended to indicate where annexation will or will not be approved in any given timeframe. The Proposed Annexation Policy Map is meant to show areas that have factors that tend to meet annexation policy guidelines for potential annexation. All annexations should be evaluated on their individual merits based on the criteria in the annexation policy.
- Areas that contribute to the logical growth pattern of the City by creating orderly and contiguous municipal boundaries
- Properties that would fill in gaps left by previous annexations that created islands, and other types of non-contiguous boundaries



ANNEXATION POLICY

Public Improvements and Service

The city should:

- Prioritize annexation of areas that meet current city standards, including but not limited to water, sewer and transportation infrastructure
- Evaluate direct and indirect costs of service and maintenance needs
- Equitably provide the same levels of service and infrastructure as other parts of the municipality with similar topography, land use and population density
- Avoid annexations that would involve substantial utility and service extension obstacles or other physical constraints

Existing Annexation Agreements

The City should prioritize annexations where:

- The annexation is advantageous to the residents of both the annexation area and the City
- Property owners are generally favorable toward the annexation
- There are existing annexation agreements or signed annexation petitions

In cases where annexation is undesirable, the City should:

- Only extend contract sewer in situations that help reach city planning goals or to address environmental issues
- Negotiate agreements with Missoula County in lieu of annexation of areas where required municipal improvements and services cannot be provided in a cost effective or efficient manner

Costs and Benefits

The City should:

- Pursue cost-effective annexation opportunities that advance equal sharing of community and financial resources by those areas of the community who are utilizing and benefiting from the existence of community resources.

Compliance with City Plans and Policies

Any annexation by the City should:

- Be guided by the current City Growth Policy
- Include land uses which help sustain city services
- Support goals included in the City Housing Policy
- Include mixed-use, highly walkable neighborhoods as guided in the current growth policy
- Pursue opportunities to preserve open space
- Avoid development of flood plains, other environmentally-sensitive lands and /or lands with significant development constraints

Approval of Annexations

For an annexation approval:

- City annexations should be conducted in accordance with State law
- The City reserves the right to condition annexation approvals
- Where appropriate, proposed annexation areas should be conditioned to join the Missoula Urban Transportation District.

