

Relevant State Legislation Being Incorporated into the City Subdivision Regulations

The table below provides a synopsis of the relevant House and Senate bills from the 2023 Montana legislative session and which Articles of the City Subdivision Regulations are proposed to be amended by each bill.

Year	Legislation	Description	Applicability to subdivision regulations
2023	HB0211	<p>Revises information a governing body may consider when determining if a subsequent hearing is required for a subdivision.</p> <p>Revises requirements for phased subdivisions changing the need for a public hearing for any phase, to the need for a public hearing only for those phases proceeding 5 years or later after the date of preliminary approval, and specifying the time frame a request to proceed may be made to the governing body. Conditions may be amended or imposed if a determination is made that the existing conditions of approval are inadequate to mitigate potentially significant adverse impacts identified in the original review or based on changed circumstances. All conditions must be met prior to final plat approval for any remaining phases.</p> <p>Allows an expedited process even if a variance from subdivision regulations is requested, if a variance is requested the review period is extended to 45 working days.</p>	<p>Article 4: Review and Approval Procedures</p> <p>Article 5: Submittal Requirements</p>
	SB0131	<p>Requires the governing body to review an exempt subdivision within 20 working days of receipt of a complete application no conditions can be applied to the division or aggregation under this exemption except conditions necessary for compliance with portions of Title 76.</p>	<p>Article 1: Introductory Provisions</p> <p>Article 4: Review and Approval Procedures</p> <p>Article 8: Exempt Land Divisions</p>
	SB0152	<p>Amends the date used to determine if a subdivision can be reviewed as a first minor. Date changes from July 1, 1973 to October 1, 2003.</p>	<p>Article 4: Review and Approval Procedures</p>

Summary Table of Legislative Bills, 2023

	<p>SB0158</p>	<p>Exempts family transfers within an approved platted subdivision from further subdivision review if the split creates a parcel of a size allowed by the subdivision. Parcels outside a platted subdivision but located in a zoning district are exempt from further subdivision review and must be at least 5 acres in size unless the zoning district allows smaller lot sizes. Family transfers made outside a platted subdivision may be transferred to that immediate family member regardless of age and may be owned with that family member's spouse.</p>	<p>Article 1: Introductory provisions</p> <p>Article 8: Exempt Land Divisions</p>
	<p>SB0170</p>	<p>Exempts minor subdivisions from the full subdivision review process allowing them to be reviewed through an administrative process.</p>	<p>Article 2: Definitions</p> <p>Article 4: Review and Approval Procedures</p> <p>Article 5: Submittal Requirements</p>
	<p>SB0331</p>	<p>Exempts a condo/townhouse use when the proposal is in conformance with specific local zoning regulations, a determination on exempt status is required within 20 working days of receipt of a complete application. This form of ownership cannot be prohibited, a determination of exempt status cannot be conditioned, and the use cannot be required to go through the conditional use process.</p>	<p>Article 4: Review and Approval Procedures</p> <p>Article 8: Exempt Land Divisions</p>