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RESOLUTION 2020-15

PUBLIC NOTICE & PARTICIPATION CRITERIA FOR REQUESTS FOR EXTENSION OF SUBDIVISION PRELIMINARY PLAT APPROVALS

It is the intent of the Montana Association of Counties to allow amend Section 76-3-610, MCA, to include public notice and public participation criteria.

WHEREAS, Section 76-3-610(1), MCA sets for the time period for approval of subdivision preliminary plats and the process for requests for extension of subdivision preliminary plat approvals; and

WHEREAS, Section 76-3-610(2), MCA states that after subdivision preliminary plat approval, additional conditions cannot be imposed as a prerequisite to subdivision final plat approval; and

WHEREAS, Section 76-3-610(1), MCA does not set forth a process for public participation when a request is made for extension of a subdivision preliminary plat approval; and

WHEREAS, Section 76-3-610(2), MCA does not allow the public to make meaningful comments during public participation as no additional conditions can be imposed as a prerequisite to subdivision final plat approval.

NOW, THEREFORE BE IT RESOLVED that the Montana Association of Counties will seek to amend the Montana Subdivision and Platting Act to amend 76-3-610, MCA to include public notice and public participation criteria for requests for extension of subdivision preliminary plat approvals.

SPONSOR:	MACO LAND USE, PLANNING & DEVELOPMENT COMMITTEE (ORIGINATING COUNTY: RAVALLI COUNTY)
RECOMMENDATION:	DO PASS
REFERRED TO:	MACO LAND USE, PLANNING & DEVELOPMENT COMMITTEE
ADOPTED:	ANNUAL CONFERENCE – OCTOBER 1, 2020