

# FISCAL NOTE

**Bill #:** SB0479

**Title:** Subdivision review for cluster development

**Primary Sponsor:** Don Hargrove

**Status:** As Introduced

\_\_\_\_\_  
Sponsor signature Date

\_\_\_\_\_  
Chuck Swysgood, Budget Director Date

## Fiscal Summary

	<b><u>FY2002</u></b> <b><u>Difference</u></b>	<b><u>FY2003</u></b> <b><u>Difference</u></b>
<b>Expenditures:</b>	0	0
<b>Revenue:</b>	0	0
<b>Net Impact on General Fund Balance:</b>	<b>0</b>	<b>0</b>

<b><u>Yes</u></b>	<b><u>No</u></b>		<b><u>Yes</u></b>	<b><u>No</u></b>	
	X	Significant Local Gov. Impact		X	Technical Concerns
	X	Included in the Executive Budget		X	Significant Long-Term Impacts
	X	Dedicated Revenue Form Attached		X	Family Impact Form Attached

## Fiscal Analysis

### ASSUMPTIONS:

#### **Department of Environmental Quality**

1. DEQ has no duties under the Montana Subdivision and Platting Act at 76-3-101, et seq, or the other titles in the proposed legislation.
2. DEQ has duties regarding subdivisions only under the Sanitation in Subdivisions Act at 74-4-101, MCA.
3. This proposal does not include changes to any areas of the Montana Subdivision and Platting Act cross – referenced in either the Sanitation in Subdivisions Act or its implementing rules.

**Department of Commerce**

4. SB 479 authorizes local governments to adopt subdivision regulations that promote cluster development and preservation of open space.
5. If a local governing body has adopted a growth policy that meets 76-1-601, MCA, the governing body is authorized to adopt regulations to promote cluster development and preserve open space.
6. SB 479 also requires the Department of Commerce to develop and publish examples of subdivision regulations that provide incentives for, and remove disincentives to, cluster development and to provide technical assistance to local governments that may be developing cluster development regulations. This work could be provided using the budget currently contained in HB 2, so there will be no additional impact on the Department of Commerce.

**EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:**

No fiscal impact is projected for county or other local revenues or expenditures because SB 479 only authorizes local governments to adopt subdivision regulations that promote cluster development and preservation of open space. Adoption of cluster development subdivision regulations is optional for local governments.

**TECHNICAL NOTES:**

1. No fiscal impact is projected for the Montana Department of Commerce because the responsibilities required by SB 479 are consistent with the community development functions already assigned to it by 90-1-103, MCA, and carried out by the department's Community Technical Assistance Program.