

Problems with the Subdivision and Platting Act and Local Review Process  
as provided at October 30 meeting of the  
Local Government Subcommittee

1. *Time*
  - Review takes too long -- developers lose valuable time.
  - It is difficult and takes too long to schedule a pre-application meeting in some jurisdictions.
  - It is unclear what other entities are consulted during the review process, what the expertise of the staff of those other entities is, and whether those entities are held to specific time restrictions.
  - Time frames are not consistent in the code: in some places, time is measured in "days" and in others it is measured in "working days".
  
2. *Incomplete Applications*
  - Incomplete applications or applications that do not meet the standards cost time at the state (DEQ) review level.
  - There is confusion over when an application is considered complete and when the "clock" starts and stops if an incomplete application must be returned to the developer.
  
3. *Multiple meetings*
  - More than one meeting may be held to review application (such as a Planning Board and a Board of County Commissioners) with the possibility of new information being presented at the second meeting after recommendation has been made based on first meeting's testimony.
  
4. *Remainders*
  - Local jurisdictions differ in how remainders are handled and whether or not a survey is required for the remainder.
  
5. *Definitions*
  - "Minor subdivision" is used but not defined
  
6. *Summary Review/Expedited Review*
  - Section 76-3-505, MCA, provides for summary review and exemptions from hearing requirements and certain review criteria. But, to qualify for those exemptions, a proposed subdivision must be located in an area covered by a growth policy and zoning regulations. Many counties do not adopt zoning regulations.