

SJ 11 Working Group
8/16/05 Meeting Results

Working Group's DRAFT goals for the SJ 11 study include:

1) Creating a land use and development review and development process that is based on predictable standards and criteria and that implements the growth policy. This may include:

- Simplifying the subdivision process;
- Making county zoning mandatory for some jurisdictions;
- Making it easier to establish county zoning by drafting clear criteria for zoning and rezoning and by revamping the protest provisions;

2) Investigating the creation tiered planning and land use laws that would only be mandatory for fast-growing and populous cities and counties;

3) Providing funding, education, and technical assistance for land use planning and regulations;

4) Creating a quality planning and implementation process.

Next meeting on 9/19 from 9:30-2:30 will discuss specific legislative proposals for how the committee might reach these goals. We will then prepare a report, including questions, for the interim Local Government subcommittee meeting on October 6th.

The Working Group's DRAFT definition of the problems with the current land use planning and review system in Montana include:

1) The current ad hoc review and outcomes of land use proposals through the subdivision process and annexation is unpredictable, costly, adversarial, and political.

2) Local governments, planning boards and staffs, and commissioners lack the funding, time, and education to do good planning because so much of their time is consumed by the land use review and defending against or heading off lawsuits.

3) The current process does not balance property rights with other rights nor does it address cumulative impacts of development.

Local Government Subcommittee
October 6, 2005

Exhibit #12