

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING SUBDIVISION AND PLATTING LAWS;
5 REVISING CONDITIONS UNDER WHICH A LOCAL GOVERNING BODY MAY EXTEND THE TIME PERIOD
6 THAT AN APPROVAL OR CONDITIONAL APPROVAL OF A SUBDIVISION APPLICATION IS IN EFFECT;
7 REQUIRING A PUBLIC HEARING OR PUBLIC MEETING FOR CERTAIN EXTENSIONS; AND AMENDING
8 SECTION 76-3-610, MCA."

9

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 76-3-610, MCA, is amended to read:

13 **"76-3-610. Effect of approval of application and preliminary plat.** (1) Upon approving or conditionally
14 approving an application and preliminary plat, the governing body shall provide the subdivider with a dated and
15 signed statement of approval. This approval must be in force for not more than ~~3~~ 5 calendar years or less than
16 1 calendar year. At the end of this period the governing body may, at the request of the subdivider, extend its
17 approval for a ~~mutually agreed-upon period of time.~~ period of up to 5 years. ~~The governing body may issue more~~
18 than one extension as long as the total time elapsed between the signing of the original preliminary plat approval
19 and final plat approval is not more than 15 years. Any ~~mutually agreed-upon~~ extension must be in writing and
20 dated and signed by the members of the governing body and the subdivider or subdivider's agent. ~~The governing~~
21 ~~body may issue more than one extension~~

22 (2) The local governing body shall adopt review criteria for preliminary plat extension approval.

23 (3) For proposed extensions of preliminary plat approval for a major subdivision, the governing body shall
24 hold a public hearing with notice of the hearing published in a newspaper of general circulation in the county at
25 least 15 days prior to the date of the hearing before granting approval.

26 (4) For a proposed extension of a preliminary plat approval for a minor subdivision, the governing body
27 shall hold a public meeting noticed in accordance with the standard practices of the governing body before
28 granting approval.

29 ~~(2)~~(5) Except as provided in 76-3-507, after the application and preliminary plat are approved, the
30 governing body and its subdivisions may not impose any additional conditions as a prerequisite to final plat

1 approval if the approval is obtained within the original or extended approval period as provided in subsection (1)."

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