

## 1 HOUSE BILL NO. 527

2 INTRODUCED BY F. NAVE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO PLANNING AND  
5 ZONING DISTRICTS; REQUIRING THE SUBMISSION OF DRAFT PROPOSALS OF DEVELOPMENT  
6 PATTERNS AND ZONING REGULATIONS BEFORE DETERMINING THE NUMBER OF PETITIONS  
7 NECESSARY TO CREATE A CITIZEN-INITIATED ZONING DISTRICT; EXTENDING THE PERIOD TO  
8 PROTEST THE CREATION OF A PLANNING AND ZONING DISTRICT; REQUIRING THE SUBMITTAL OF  
9 DRAFT RESOLUTIONS TO THE BOARD OF COUNTY COMMISSIONERS; PROVIDING THAT  
10 PETITIONERS ARE LIABLE FOR EXTRA COSTS RELATED TO THE VALIDATION OF SIGNATURES OF  
11 MINERAL RIGHTS OWNERS; AND AMENDING SECTION 76-2-101, MCA."

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

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15 **Section 1.** Section 76-2-101, MCA, is amended to read:

16 **"76-2-101. Planning and zoning commission and district.** (1) (a) Subject to the provisions of  
17 ~~subsection~~ subsections (5) and (6), whenever the public interest or convenience may require and upon petition  
18 of 60% of the affected real property owners in the proposed district, the board of county commissioners may  
19 create a planning and zoning district and may appoint a planning and zoning commission consisting of up to  
20 seven members.

21 (b) If the affected real property owners as provided in subsection (1)(a) are determined to include  
22 owners of mineral rights in the proposed district, the petitioners are liable for any additional costs necessary to  
23 collect and verify the names and addresses of the owners of mineral rights if the county does not already have  
24 the information readily available.

25 (2) A planning and zoning district may not be created in an area that has been zoned by an  
26 incorporated city pursuant to 76-2-310 and 76-2-311.

27 (3) For the purposes of this part, the word "district" means any area that consists of not less than 40  
28 acres.

