

1 SENATE BILL NO. 130

2 INTRODUCED BY F. MANDEVILLE, M. DUNWELL, G. HERTZ, C. FRIEDEL, D. ZOLNIKOV, J. TREBAS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A BOARD OF COUNTY COMMISSIONERS TO
5 CONSOLIDATE A PLANNING BOARD OR PLANNING BOARDS, A ZONING COMMISSION, OR A BOARD
6 OF ADJUSTMENT."7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:9
10 **NEW SECTION. Section 1. Consolidated land use boards -- zoning commission, planning**
11 **board, and board of adjustment.** (1) The board of county commissioners may consolidate any combination of
12 a planning board or planning boards as authorized in Title 76, chapter 1, a zoning commission as provided in
13 76-2-220, and a board of adjustment as provided in 76-2-221 into a consolidated land use board.14 (2) The requirements regarding the duties and roles of a planning board as provided in Title 76,
15 chapter 1, a zoning commission as provided in Title 76, chapter 2, part 2, and a board of adjustment as
16 provided in Title 76, chapter 2, part 2, apply to a consolidated land use board.17 (3) A consolidated land use board allowed under this section shall adopt bylaws that clearly define
18 the roles and duties of a member when acting as a planning board member, a zoning commission member, or a
19 board of adjustment member.20 (4) (a) Except as provided in subsection (4)(b), a consolidated land use board allowed under this
21 section must consist of at least five appointed citizen members that reside in the county and who may be
22 removed by the appointing authority. A vacancy on a consolidated land use board must be filled by the
23 appointing authority.24 (b) If a consolidated land use board includes the consolidation of a joint or consolidated board as
25 allowed in 76-1-112 or a city-county planning board as allowed in 76-1-201, the consolidated land use board
26 must consist of at least nine appointed citizen members as required in 76-1-201.27 (5) The requirements provided in Title 76, chapter 1, and in Title 76, chapter 2, part 2, regarding
28 the number, qualification, and removal of members on a planning board, zoning commission, or board of

1 adjustment do not apply to a consolidated land use board allowed under this section.

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3 NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
4 integral part of Title 76, chapter 1, part 1, and the provisions of Title 76, chapter 1, part 1, apply to [section 1].

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