

**Montana
Expedited
Subdivision
Review
MCA 76-3-623**





Overview

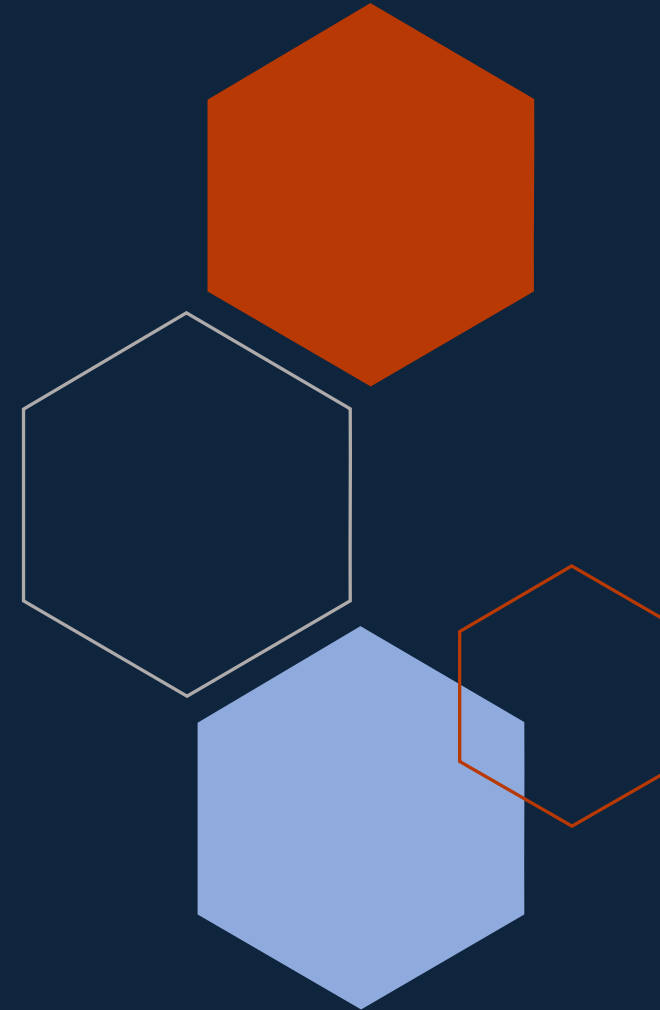
Montana's expedited subdivision review process (MCA 76-3-623) was created to streamline approval of subdivisions that are already consistent with adopted planning and zoning regulations.

The intent is to reduce review time for projects that comply with local development standards and are located in areas planned for growth.

Key Requirements

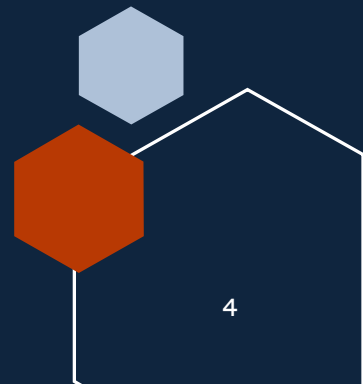
A subdivision qualifies for expedited review if it:

- Is located within a city, town, consolidated city-county, or certain serviced and zoned county areas (County water and Sewer Districts).
- Is subject to an adopted growth policy and zoning regulations.
- Complies with applicable zoning and subdivision standards.
- Includes plans for necessary public infrastructure (roads, water, sewer, etc.) consistent with local regulations.



Major Differences from Standard Subdivision Review

- No Environmental review required.
- No summary of probable impacts.
- No community impact report
- Planning Board is not included in the review process. Only the Council.
- The review is more compliance based.





Review Process

1. Applicant requests expedited review.
2. Local government determines the application is complete and sufficient.
 - a. 5- day elemental review
 - b. 15-day full sufficiency review
3. Public notice and a public hearing are still required.
 - a. Adjacent property notices
 - b. Newspaper of general circulation (2 notices), 15 days prior to hearing
4. The governing body must approve, conditionally approve, or deny the application within:
 - a. 35 working days after sufficiency determination; or
 - b. 45 working days if variances/deviations are requested.
 - i. Provide applicant with written statement of decision to approve or deny proposed subdivision within 30-days of the decision.
5. One time extension can be granted not to exceed 180 days

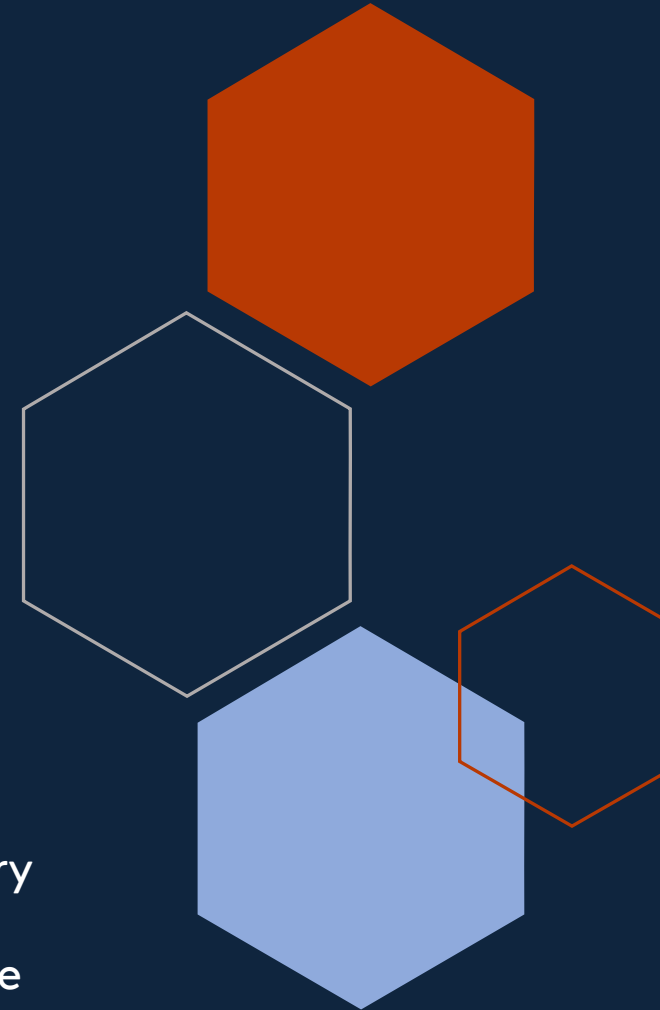
Grounds for Approval or Denial

The governing body generally must approve the application unless evidence shows it does not comply with:

- Zoning regulations;
- Subdivision design standards;
- Variance criteria (if applicable); or
- Public infrastructure requirements

Cities vs. Counties

- Cities and towns must allow expedited review when the statutory criteria are met.
- Counties may choose whether to allow expedited review outside municipal boundaries through action of the county commission.



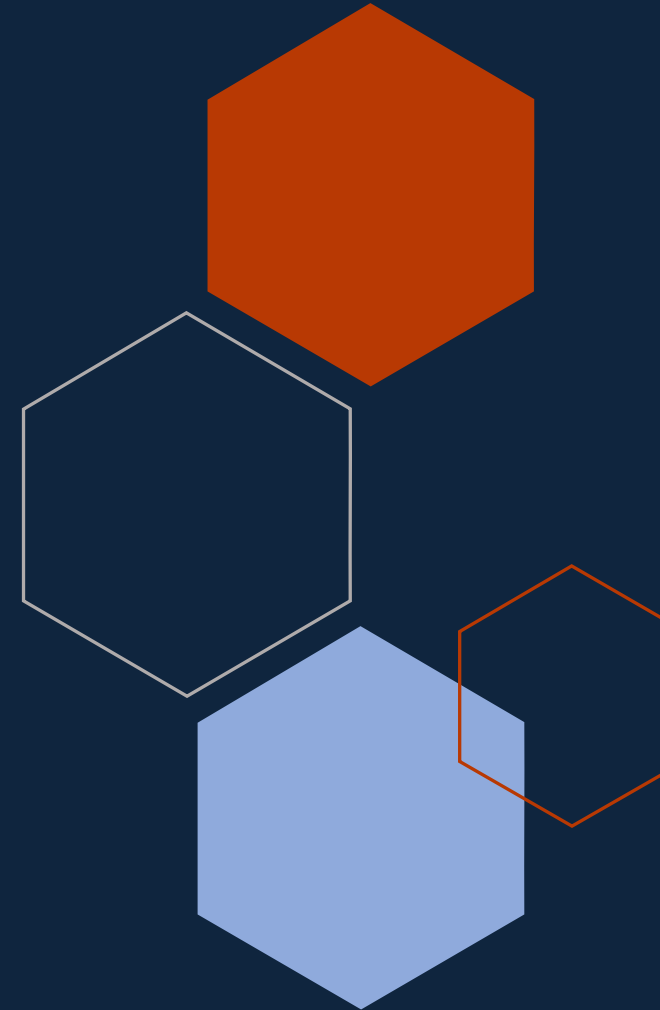
Council Review

Review Tips

- Staff report and findings of fact/analysis – provided by the planner
- Contains analysis and proposed mitigating conditions based on analysis for public health and safety, environmental considerations, infrastructure (public and private), etc.

Questions to Ask

- Will the subdivision create additional demands on City services?
- Are the recommended conditions necessary to mitigate identified impacts?
- Will the development generate sufficient tax base to offset cost services?
- How will stormwater runoff be managed?
- Are there geotechnical concerns? (steep slopes, unsuitable soils)
- Have utility providers confirmed services?
- Can the schools handle an increase in students?
- Does the proposal comply with the Growth Policy and zoning?
- Is emergency services access adequate?
- Does the City have the water and sewer capacity to serve the proposed lots?





Planning Perspective

From planner's standpoint, expedited review shifts subdivision review from a **policy-based review**:

("Should this subdivision be approved?")

To a **compliance-based review**:

("Does this subdivision meet adopted zoning, subdivision regulations, and infrastructure standards?")

Growth Policy + Zoning + Infrastructure Standards = Faster Subdivision Approval.

A decorative graphic on the left side of the slide consists of a cluster of hexagons. The hexagons are arranged in a roughly triangular shape, pointing downwards. They are filled with various colors: shades of blue, orange, grey, and white. Some hexagons are solid colors, while others are outlined in white or orange. The background is a solid dark blue.

Thank You!