



**City
of
Sidney**
Montana's Sunrise City
115 2nd Street S.E., Sidney, Montana - 406-433-2809

Planning Staff Report
2023 Sidney Subdivision Regulations
November 10, 2023

Background:

The 2023 Montana Legislative Session made several changes to the Montana Subdivision and Platting Act. To bring the Sidney Subdivision Regulations into compliance with the changes ten (10) sections of our regulations require modifications.

Process:

Planning Staff prepared draft language to implement the required changes. The Draft was sent to the Richland County, City of Sidney, and Town of Fairview Planning Board for Public Hearing and a recommendation to the City Council. The hearing was conducted on November 7, 2023, the minutes of the meeting once prepared by the Richland County Planning Board will be forwarded to the City Council as a supplement to this summary.

Hearing Summary:

Four members of the public attended the hearing, most attended just to observe the process. Joe Kauffman, PLS asked questions about process for summary review, expedited review, and though he understood the recommendation on the required hold on parcels created using the new Family Transfer within Platted Subdivisions his preference was that the required hold for two years be eliminated. He also noted a typographical error in the Family Transfer within Platted Subdivisions that needed to be corrected.

Specific Changes:

NOTE all changes in the Draft Document are in RED to ease identification.

<u>Page(s)</u>	<u>ALL Change 2021 to 2023</u>
<u>Page 6</u>	<u>§II-A 3rd Bullet increase examination fee from \$200 to \$400.</u>
<u>Page 8</u>	<u>§II-D(3) Add FTAP, Family Transfer Amended Plat.</u>
<u>Page9</u>	<u>§II-F(1), (c),(d),(e), and (f) to July 1, 2003.</u>
<u>Page 11</u>	<u>§II-H(2)(b)(ii) add within or outside of platted subdivisions.</u>
<u>Page18</u>	<u>§II-H(3)(d) Add required certifications Family Transfers and new Family Transfer Amended Plat. Family Transfers within platted Subdivisions section. Extends to page 19.</u>
<u>Page22</u>	<u>§III-H(3)(ii)(a) Expedited Review allowed with or without variance to adopted standards.</u>
<u>Page 22</u>	<u>§III-H(3)(ii)(c) Expedited Review allowed for aggregations 6 or more lots with a platted subdivision with DEQ COSA for water and sewer.</u>
<u>Page 34</u>	<u>§IV-A(6)(a)(iv) increase review time for expedited review to 45 working days.</u>

The City of Sidney is an equal opportunity provider.

Page 40 §IV-A(11)(c) Phase Subdivisions, Phases proposed within 5 years of preliminary approval shall be considered as Final Plats.

Page 41 §IV-A(12)(c) Phase Subdivisions, review and filing processes after end of 5-year initial approval period.

Page 42 §IV-A(13) Expedited Subdivisions, types, processes, exemptions.

Page 50 §V-F(2) Phased Subdivisions implements 5-year initial approval period.

Planning Board Recommendation:

The Sidney Planning Board UNANIMOUSLY recommended that the City Council adopt the proposed 2023 amendments to the Subdivision Regulations as presented by Staff with the correction noted by Mr. Kauffman.

Respectfully submitted,

Forrest Sanderson, AICP and CFM
Sidney Contracted Planner