

SENATE BILL NO. 290

INTRODUCED BY E. ARNTZEN

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A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING A PROCESS FOR NOTIFICATION OF NEARBY MUNICIPAL PROPERTY OWNERS WHEN A CHANGE IN USE IN CERTAIN COUNTY ZONING DISTRICTS OCCURS; AND REQUIRING THE COUNTY TO HOLD A PUBLIC HEARING UNDER CERTAIN CIRCUMSTANCES."

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

NEW SECTION. **Section 1. Wholly surrounded county property -- change of use -- hearing.** (1)

If a county parcel for which zoning regulations have been adopted is wholly surrounded by municipal property and a change of an allowed use in the county zoning district occurs, the county governing body shall notify the municipality and all owners of municipal property within 1 mile of the county property of the change of use.

(2) Upon request of either the municipality or at least 10% of the property owners in the municipality who have received the notice, the county governing body shall hold a hearing on the change of use.

(3) If the county governing body determines, based on testimony provided at the hearing, that the regulations in the county district are no longer as compatible as possible with the municipal zoning ordinances as provided in 76-2-203(3), the county governing body may initiate a revision to the zoning district or amendments to the regulations as provided in this part.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an

integral part of Title 76, chapter 2, part 2, and the provisions of Title 76, chapter 2, part 2, apply to [section 1].

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