

ORDINANCE NO.   -2005

**ORDINANCE AMENDING ORDINANCE 4-2000 AND REVISING MADISON COUNTY SUBDIVISION REGULATIONS DATED NOVEMBER 2000**

WHEREAS, 76-3-501(1) MCA requires every county, city, and town to adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for the orderly development of their jurisdictional areas; and

WHEREAS, in accordance with state law, Madison County first adopted subdivision regulations prior to July 1, 1974; and

WHEREAS, the Madison County Subdivision Regulations require periodic updating to reflect changes in state law and to address changing local conditions and planning and development issues; and

WHEREAS, the Madison County Commissioners have identified a need to provide greater flexibility in the amended plat review process, as allowed by 76-3-207(2)(a), MCA; and

WHEREAS, the Madison County Planning Board held a May 31, 2005 public hearing on a proposed revision of the Madison County Subdivision Regulations and recommended that the attached language be adopted; and

WHEREAS, the Madison County Board of Commissioners have scheduled a public hearing for 2:00 p.m. on June 27, 2005, to consider the proposed revision.

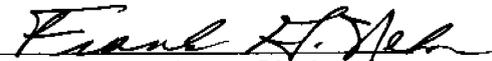
NOW, THEREFORE BE IT ORDAINED as follows:

The Subdivision Regulation revision attached to this document is a part of this Ordinance and is hereby incorporated into the Madison County Subdivision Regulations dated November 2000. All other portions of the Madison County Subdivision Regulations dated November 2000, plus the amendments contained in Ordinance 2-2003 and Ordinance 3-2003, remain unchanged.

PASSED AT FIRST READING by the Madison County Board of County Commissioners this 8<sup>th</sup> day of June, 2005.

ATTEST:

  
Peggy Kaatz-Stemler  
Clerk and Recorder  
Madison County

  
Frank G. Nelson, Chairman

C. Ted Coffman  
C. Ted Coffman

David Schulz

David Schulz  
Madison County Board of Commissioners

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This Ordinance shall take effect as of July 27, 2005.

PASSED AT SECOND READING by the Board of Madison County  
Commissioners this 27<sup>th</sup> day of ~~July~~, 2005.  
June



Peggy Kaatz-Stemler  
Peggy Kaatz-Stemler  
Clerk and Recorder  
Madison County

Frank G. Nelson  
Frank G. Nelson, Chairman

C. Ted Coffman  
C. Ted Coffman

David Schulz

David Schulz  
Madison County Board of Commissioners

# **MADISON COUNTY SUBDIVISION REGULATIONS**

**REVISION**

**June-July 2005**

***For More Information, Contact:***

***Madison County Planning Office  
P.O. Box 278  
Virginia City, MT 59755  
(406) 843-5250***

Amended Plat Review (Page 81, item 2.)

The governing body shall review and approve all other amended plats, pursuant to 76-3-207(2)(a), MCA, as follows:

- (a) A proposal that increases the number of lots, or redesigns or rearranges six (6) or more lots within a platted subdivision, where such change would result in a higher development density, shall undergo subdivision review in accordance with Chapter II of these regulations and the fee schedule outlined in Appendix I;
- (b) A proposal for other types of changes to a filed final plat or plan (e.g., increased number of lots or redesign or rearrangement of six (6) or more lots but no increase in development density, or changes to land uses, building setback requirements or road and utility easements) will be reviewed by the governing body, which has the discretion to determine whether the proposed changes constitute a material alteration to the original plat or plan. If the changes constitute a material alteration, the governing body may require the amended plat request to undergo subdivision review in accordance with Chapter II of these regulations and the fee schedule outline in Appendix I.

3. All amended plats must be filed with the clerk and recorder.

STATE OF MONTANA MADISON COUNTY  
RECORDED: 06/28/2005 4:30 MA-FILED  
Peggy Kaatz CLERK AND RECORDER BY:  
FILE 101-D 5 PGS,



DOC #: 107051

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FEE: \$0.00

**DOC #107051 FILE 101-D**

**ORDINANCE 1-2005**

**Revising Subdivision Regs**