

Major or Minor?

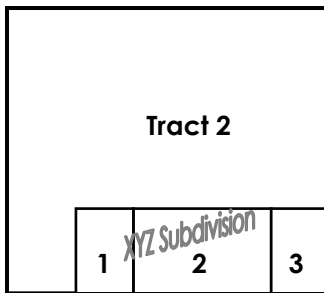
A major subdivision creates six or more lots. A minor subdivision creates five or fewer lots. Sounds easy, right? It's a little more complex than that.

To determine the number of lots being created, we look at the *total* number of lots divided from the original tract of record **since July 1, 1973**. For example, let's say you own lot 2 of XYZ Subdivision and you want to do a three lot subdivision. Normally this would be a minor subdivision.

Let's say though, that XYZ Subdivision was approved in August of 1989.

Because those lots were divided off *after* July 1, 1973, your three lot subdivision would make the *total* number of lots divided

equal six. Therefore, your subdivision would follow the major subdivision process.



Note: Had the owner of Tract 2 created XYZ Subdivision in August of 1969 we would not count them (pre-7/1/73) and your project would still be a minor subdivision.

This is just a brief overview. The process is even more complex, so don't worry about trying to figure this out on your own! Your technical assistant (surveyor, engineer, etc.) should do the historical research for you.

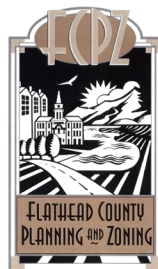
EASY ACCESS

Pre-application meeting request forms and preliminary and final plat application forms can be found in our office as well as our website:
http://flathead.mt.gov/planning_zoning

Mission Statement:

"The Flathead County Planning & Zoning Office is committed to providing the highest level of planning services. We will accomplish this through employees who anticipate public needs, and promote a work environment that encourages creativity, communication and cooperation. The Office will also encourage professional development and training for all staff members."

For more information, contact:



Flathead County Planning & Zoning
40 11th Street West, Ste 220
Kalispell, MT 59901
Phone: 406-751-8200
E-mail:
planning.zoning@flathead.mt.gov
Website: http://flathead.mt.gov/planning_zoning/

Flathead County
Planning & Zoning

A Citizen's Guide to Minor Subdivisions in Flathead County



An informational brochure on the minor subdivision review process.

The Minor Subdivision Process

The Minor Subdivision Process has two parts: preliminary plat and final plat.

Preliminary Plat: The Application

Before you turn in your preliminary plat application, you and/or your technical assistant will have a pre-application meeting with planners from the Flathead County Planning & Zoning office to discuss the project.

The planners will discuss with you any aspects of your project that may be an issue. Because we don't have the complete application, it is impossible for us to guarantee if we would recommend approval or denial, but it should allow us to confront some of the major issues. **The more information we have, the better we can help you!**

Your preliminary plat application consists of two main parts: the maps, and the supporting documentation. Appendix B in the Flathead County Subdivision Regulations lists the requirements for all preliminary plat applications. An environmental assessment is not required for minor subdivisions, however Appendix D explains the requirements for the First Minor Subdivision Impact Criteria Report.

The plat is a map of your project. Information on the required contents of the preliminary plat is found in the Flathead County Subdivision Regulations. The plat will generally be drawn up by your technical assistant.

Water and Sanitation information is required by state law (MCA 76-3-622). This data helps us assess the impacts of your subdivision on water quality and quantity.

Preliminary Plat: The Process

After the Planning & Zoning office reviews your application, it is presented to the County Commission for final approval, conditional approval, or denial. The minor subdivision process does not include a public hearing with the Planning Board.

General Timeline

	⇒ Application turned in
5 days after applying	⇒ Completeness letter mailed
15 days after completeness received	⇒ Sufficiency letter mailed
35 days after sufficiency received	⇒ County Commission approval/denial
Within 3 years of preliminary plat	⇒ Final Plat Application
45 days after final plat application received	⇒ County Commission Approval/denial

First Minor Administrative Review

Some minor preliminary plat applications are eligible for administrative review. In order to qualify for this abbreviated review, the proposal must:

1. Contain 3 or fewer parcels
2. Be zoned in accordance with MCA 76-2 (Part 2)
3. Comply with the Flathead County Subdivision Regulations and Zoning Regulations
4. Not require a subdivision variance
5. Have suitable legal and physical access
6. Have a compliant building site and driveway
7. Have no identified hazards per Section 4.7.4
8. Can support on-site sewer and water services or be served by public water and sewer
9. Not significantly impact primary review criteria

Approval or Denial

If your project is approved, it will be approved with conditions ranging from obtaining the approval of the local fire district to extending utilities to the new lots.

To apply for final plat you must either be able to prove that you have met all conditions or prove that you will meet all conditions within 18 months. To prove that you will meet the conditions within 18 months, you must submit a Subdivision Improvements Guarantee with your final plat application. Information on Subdivision Improvements Guarantees can be found in the Subdivision Regulations.

Final Plat: The Application

If you receive preliminary plat approval, you have three years to meet the conditions and apply for final plat approval. Your final plat application consists of the final plat, and an explanation or proof of how you have met the conditions of approval. More information on the required contents of the final plat can be found in the Subdivision Regulations.

Final Plat: The Process

After the Planning & Zoning office reviews your application, it is presented to the County Commission. **The lots are created with approval of the final plat.**

Just a reminder...

- Schedule a pre-application meeting to get the facts before submitting an application!
- Pay attention to application due dates and corresponding public meeting dates and timelines.
- A Technical Representative may be valuable in completing the application
- Once submitted, the application fee is **NON-REFUNDABLE!**
- There are **NO** guarantees of approval.