

## **VI. PROCEDURES FOR SUBDIVISIONS CREATED BY RENT OR LEASE**

### **A. General Procedures**

1. A subdivision created by rent or lease (such as spaces for mobile or manufactured homes (see Chapter VII) and recreational vehicles (RV) (See Chapter VIII) is any tract of land divided by renting or leasing portions thereof. It is owned, however, as one parcel under single ownership. Placement of two or more mobile or manufactured homes on a parcel with an existing residential or non-residential use constitutes a mobile or manufactured home park under DEQ regulations. Subdivisions created in this manner are exempt from the surveying and filing requirements of the Montana Subdivision and Platting Act but must be submitted for review, and approved by the governing body before portions thereof may be conveyed. As such, no final plat is required for subdivisions created by rent or lease. Preliminary approval must be based on the criteria in Chapter III, Section B.13 (a-k) of these regulations.
2. Subdivisions created by rent or lease shall comply with the appropriate procedures in Chapter III.
3. For all rental or lease subdivisions, the applicant shall submit a site plan conforming to the requirements for preliminary plats. Subdivision application forms, contents and supplements are contained in Appendix B. The preliminary site plan shall show the lot layout and the typical location of the space(s) on the lot(s). The applicant shall submit the site plan to the planning staff.
4. The governing body shall approve, conditionally approve, or deny the subdivision application site plan of a rental or lease subdivision within sixty (60) working days of a complete and sufficient application if it is a major subdivision, and within thirty-five (35) working days if it is a minor subdivision, unless the applicant requests and consents to a suspension of the review period. A suspension of the review period shall not exceed 1 year from the date of the request.
5. If the governing body approves, conditionally approves or denies the subdivision application, it shall inform the applicant of the decision in writing. The letter shall include a copy of the site plan and shall state the reason(s) for denial or enumerating the conditions of approval.

6. Before any portion of a rental or lease subdivision may be occupied or transferred, the subdivider shall have installed all required improvements. Except where deemed unnecessary by planning staff, preliminary plans, profiles, tentative grades and specifications for proposed improvements shall be certified by an engineer registered in Montana, and submitted to the governing body for its approval prior to the construction of improvements. The governing body may provide for inspection of all required improvements in order to assure conformance with the approved construction plans and specifications.