

# CHAPTER 10: LAND USE

## As amended by the City Commission as of February 1, 2011

### INTRODUCTION

Land use and infrastructure (e.g., streets, water, sewer, storm water, parks, etc.) affect development activity inside the city and the surrounding area. The efficient use of land and infrastructure includes conserving and maintaining existing facilities, accommodating efficient development, and integrating multi-modal transportation networks. Inter-jurisdictional coordination and cooperation are crucial to effective public management of land use and infrastructure.

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### GENERAL OVERVIEW

This chapter describes the existing characteristics and features of land use in Helena and the surrounding area, shows current trends and logical progressions, and suggests directions for land-use management over a relatively long time frame. This chapter also incorporates guidance for future land uses in the study area. Land use summaries of this sort do not attempt to exhaustively document land uses, either in detailed use categories or by parcel. Rather, the intent is to present a generalized overview of dominant land uses in place and development trends. On the basis of this overview, more specific and detailed planning efforts may be undertaken that might include functional plans such as transportation planning documents or neighborhood plans.

## CURRENT LAND USE

### [EXISTING LAND USE MAP Link](#)

A map has been developed to give a “snap shot” look at current land uses. Identifying existing land uses helps anticipate, evaluate, and prepare for future growth and land use patterns as the community changes over time. It is not intended to be lot-specific, but to provide a broad view of Helena and the surrounding area. This map defines land uses with the following categories:

- **Agricultural/Low Density:** Tracts of land over five acres that include agriculture, wooded areas, single unit residential, mixed uses, etc. and may also include vacant land and non-residential uses on large tracts of land over five acres.
- **Rural Density:** Tracts generally between one and five acres located outside of the city limits; typically the uses on these properties are single-unit residential, but could also include vacant or undeveloped land, mixed uses, accessory uses, and other uses.
- **Urban Density:** Includes most residential uses within the city and residential uses in the county on lots generally less than one acre; can also include accessory uses and home occupations.
- **Commercial/Industrial:** Lands that are predominantly where people work, including retail, office, restaurants, entertainment, manufacturing, freight terminals, contractor’s yards, industrial parks, and other similar uses.
- **Public/Government:** Land that is in government or quasi-government use, educational, and public service activities, such as the Capitol complex, schools, hospitals, churches and cemeteries.
- **Recreational, Open Space, Parks:** Lands that are developed and undeveloped parks; large areas maintained in natural vegetation; recreational areas such as golf courses and ball fields.

### Residential Development Patterns

The Agricultural/Low Density, Rural Density, and Urban Density categories incorporate various residential uses in the Helena area. As population growth continues, residential development also flourishes in all of these categories. Most vacant residential property within the City has been developed in recent years, fueling an increase in annexations and development outside of the city boundaries to satisfy housing demand. Although agriculture is still the predominant land use in the Helena Valley (extending beyond the Growth Policy study area), large areas of agricultural lands have been converted to residential uses within the last ten years.

Residential development has most recently occurred ~~most significantly~~ on Helena’s southeast and north sides, with a mixture of single-family homes, multi-family apartments,

condominiums, and townhouses. Helena's west side contains developed properties interspersed with vacant lots. It has grown more slowly, but is expected to expand as existing residential development and vacant properties are annexed.

[Subdivision Location Map Link](#)

**Ten- Year Summary of Residential Major Subdivision (consisting of six or more lots) Activity**

Subdivision Location Map #	Year of Final Plat	Number of Residential Major Subdivisions	Number of Lots	Acreage (approximate)	Zoning
1	1999	1 (Burnham Court Condos on southeast side)	1 lot for 26 single-family & 2 4-plexes	3.9	R-2
2	2001	Skelton Addition Phase II	22	5	R-3
3		Fountain Court	7	4.5	R-2
4	2002	Skelton Addition Phase II, Sequence II	21	3.6	R-3
5		Crestview Phase I	14 lots	6.5	R-1
6		Skelton Addition Phase II, Sequence III	43	13.6	2 R-O 41 R-3
7		Anderson Business Park	39	19	R-3
8		*Crystal Springs Phase I	5 25	7	R-O R-2
9	2004	*Crystal Springs Phase II	27	7.8	R-2
10		*Sunrise Loop	29	21.1	R-2
11		Quail Run	20 townhouse	3	R-O
12		*Nob Hill Phase I	5	29.4	R-2 R-O
13	2005	*Nob Hill Phase II & III	85	39.5	11 R-O 73 R-2 1 PLI
14		Skelton 2 <sup>nd</sup> Addition	24	9.3	R-3
15		*Northgate Meadows	89	28.8	R-3 R-4
16		*Nob Hill Phase IV	69	90.5	R-2, R-3, R-O & B-2
17	2006	*Overlook Estates	56	21.9	1 R-O 18 R-3 37 R-2
18		*Crystal Springs Phase III	25	8.7	R-2
19		*Sussex Park	22	7.5	R-2
20	2007	*Golden Estates Phase IV	22 93	38	R-3 R-2
21		Willow's Townhouses	32 townhouses	9.5	R-3

Subdivision Location Map #	Year of Final Plat	Number of Residential Major Subdivisions	Number of Lots	Acreage (approximate)	Zoning
22	2008	*Aspen Park at Mountain View Meadows	41	42.3	R-2 R-3
23		*Stone Meadows Phase 1	104	38.5	R-3 R-4
24	2009	*Antelope Trace Phase of Crossroads at Mountain View Meadows Subdivision	50 lots and two tracts	131.1	R-4 B-2
<b>Total</b>				<u>Approximately 590 acres</u> <u>(of which 512 acres annexed</u> <u>with subdivisions)</u>	

\* Indicates subdivision was associated with an annexation

Some subdivisions are mixed use developments which include B-2 zoning which can be commercial and/or high density residential

Data from City of Helena subdivision records

Infill residential development has occurred throughout the city. Although the amount of vacant properties is limited for infill development, this trend is expected to continue. Additional information is presented in Chapter 4: **HOUSING**.

### COMMERCIAL/INDUSTRIAL DEVELOPMENT PATTERNS

The commercial/industrial land use category incorporates a wide variety of land uses including retail, entertainment, health care, office, manufacturing, gravel extraction, freight terminals, contractor’s yards, industrial parks, and other similar uses that have a different intensity of impacts. These uses may exist separately or in “mixed use” areas such as Downtown. Most of the land uses in this category are associated with areas where people are employed.

Retail, one of the largest commercial categories, has significantly increased its land- use area in the Helena vicinity in the last decade. Although retail establishments continue to flourish throughout Helena, recently a number of large retailers and shopping centers have been established near North Montana Avenue, Custer Avenue, and Washington Street. They have been attracted to this area by large tracts of vacant land within the city and the I- 15/Custer Avenue interchange scheduled to start in for 2011.

Redevelopment and expansion of retail uses are also occurring all over the city, particularly along major streets. Most established commercial areas remain strong and are expected to continue if the economy remains stable, although Capital Hill Mall may be going through a period of transition.

The most noteworthy mixed- use area is Downtown Helena, which features a variety of offices,

banks, restaurants, art galleries, retail stores, and residences. Portions of this area are located in the Helena Historic District, which also includes a walking mall. The downtown area has expanded significantly northward from its original beginning on South Last Chance Gulch, now reaching Lyndale Avenue with the Great Northern Town Center. The northern section of downtown has experienced considerable development in the last ten years, including a hotel, movie theater, and numerous office buildings.

Two smaller commercial clusters that were part of the original historic commercial development have been established near downtown Helena. One is Reeders Alley, located south of the downtown commercial core; the other is the commercial development along Rodney Street between 6<sup>th</sup> Avenue and Broadway.

Another mixed-use area is located near the historic train depot, where a number of historic buildings have been used for commercial, light industrial, and residential uses. The historic core of industrial activity around the depot continues to evolve as scattered industrial uses continue in the area located south of the railroad tracks between Montana Avenue and I-15.

Over time, industrial uses have diminished along both sides of Montana Avenue, from Lyndale Avenue north to North Last Chance Gulch/Cedar Avenue, and have been replaced with commercial uses. Small industrial uses continue to be concentrated in the triangular area located west of Montana Avenue between Lyndale and Last Chance Gulch, and the linear area located north of North Last Chance Gulch to north of Maple Street between Montana and Dodge Avenues.

The area generally located east of Montana Avenue between Cedar Street and north of Marshall Lane continues to contain a mixture of small industrial operations, such as contractors and offices.

The service sector, which includes professional offices, financial institutions, and other services has experienced significant growth with the construction of a number of office buildings within the last 10 years. The area surrounding the hospital has been developed with numerous medical offices and other related uses. The banking industry has expanded within Helena with several new buildings dispersed throughout the city as well.

In recent decades, industrial uses have been concentrated in the area located along Highway 12 East of I-15, and north to the airport. The Industrial Park, established in the 1970s, is located in this area. The airport property has become a location for some industrial development, with ~~Summit Manufacturing~~ Boeing a prominent example. The industrial businesses located east of I-15 seem to be larger than those located west of the Interstate.

## Ten-Year Summary of Commercial/Industrial Activity

Subdivision Location Map letter	Year of Final Plat	Number of Commercial/Industrial Major Subdivisions	Number of Lots	Acreage (approximate)	Zoning
A	1999	*Northside Retail Center	4	20	B-2
B	2000	Airport Road Business park	20	23.3	CLM
C	2002	Shopko Minor in Dakota Square Subdivision	3	29	B-2
D		Anderson Business Park	34 res. and 8 lots B-2	39.8	Residential & B-2
E	2004	*Raven Rock Subdivision	5	18.5	B-2
F	2005	*Nob Hill Phase IV	37	48	B-2
G		Shodair Hospital Minor	2	1	B-2
H	2006	*Cottonwood Bus. Park	5	4	B-1
I	2007	Lowe's Minor Subdivision	3	29	B-2
J		Skyway Regional	17	30	B-2
K		*Cottonwood West	11	9.9	B-2- 6 lots CLM-5
L	2008	Custer Landing	8	20	B-2
M	2009	Shopko Minor Sub. Amended	5	10	B-2
N		HRAA West Minor	5	16.6	B-2
<u>Total</u>			<u>Approximately 299 acres</u> <u>(of which 100 acres were</u> <u>annexed with subdivisions)</u>		

Data from City of Helena subdivision records

### **PUBLIC/GOVERNMENT DEVELOPMENT PATTERNS**

The Public/Government category encompasses large areas of land in and near Helena used by various levels of government. Fort Harrison and the Veterans Hospital, located west of Helena, represent the largest single area within this category, in addition to the Helena Regional Airport property. Both Fort Harrison and the Airport area have experienced significant facility expansions within the last decade.

State government also occupies a considerable amount of space throughout the city, with most concentrated in the Capitol Complex located east of Montana Avenue between Broadway and 6<sup>th</sup> Avenue. In addition, a number of government offices are clustered in the vicinity of the Montana Department of Transportation, the airport, and downtown. This category also includes the University of Montana—Helena, Carroll College, and St. Peter’s Hospital, which have significantly enlarged their facilities in the last 10 years.

### **RECREATIONAL, OPEN SPACE, PARKS DEVELOPMENT PATTERNS**

The Recreational, Open Space, and Parks land- use category incorporates a wide variety of federal and state open- space lands, city parks, and recreational lands such as ball fields and golf courses. Larger open- space lands tend to be located in the southern portion of the city. Parks are located throughout the city, primarily in residential neighborhoods, although several are located downtown. Parkland and open- space lands have been added to the city park and open- space system in the last ten years through the open- space bond, subdivision dedication, private donations, and the recent annexation of the Fairgrounds property. Significant improvements have occurred in many parks, particularly the municipal pool and skate park expansions and expanding network of trails for hiking and mountain biking.

## **FUTURE LAND USE**

### **INFRASTRUCTURE CAPACITY AND EFFICIENCY**

Additional demands will be made on the existing infrastructure as the population of the Helena area increases. Other chapters in this Growth Policy describe current infrastructure conditions and capacity. Although the current level of service is generally adequate, anticipated growth could strain city services. Promoting development of dense and intense land uses both in the city and in close proximity to existing city services would better utilize city infrastructure and could encourage shared use of facilities such as lift stations and stormwater ponds.

Growth that occurs outside of the city often results in people traveling to the city for employment, shopping, entertainment, education, and other services, which can affect city infrastructure capacity. Inter- governmental coordination and continuing to update infrastructure plans, such as the Greater Helena Area Transportation Plan, City of Helena Wastewater Treatment Plan, and Water Master Plan, will help communication and provide guidance to manage changing conditions and their impacts.

Future growth can require funding for infrastructure expansion and increase long- term maintenance costs. The cost of long- term operation and maintenance should be evaluated for budget implications as new facilities are planned, Opportunities to share these expenses through public and private partnerships using various funding mechanisms to support the goals of this Growth Policy should be reviewed. Although the City intends that development will pay its own way, public investment can also be used to provide incentives around key objectives of this document. Incorporating impact fees, establishing special improvement districts (SIDs), and creating tax increment financing (TIF) districts could be considered when requiring developers and property owners to install infrastructure to new subdivisions and annexed properties.

### **CITY OF HELENA AGREEMENTS**

The City of Helena has entered into a variety of inter- local agreements with the State of Montana and the federal government. Inter- local agreements with Lewis and Clark County relate to joint administrative and advisory boards and cooperative programs such as planning, transportation, public health and safety, historic preservation, and technology. Some of these agreements have resulted in joint planning efforts for transportation, watershed and fire protection, identifying future infrastructure requirements, avoid urban sprawl and preserve the surrounding rural character.

Noting the inter- relationship of the City of Helena and Lewis and Clark County for extending infrastructure for development, the two governing bodies adopted a memorandum of understanding (MOU) in 2009 recognizing the value of sustainable land development and its necessity in efficiently providing services and infrastructure such as water and wastewater treatment, parks, transportation networks, and emergency services in the Helena Valley.

The MOU states, “The cumulative impacts of urban- density development that are served by septic systems in the Helena Valley and the pattern of community and individual septic system failures contribute significant amounts of nutrients that affect the quality of groundwater and surface water.” The MOU notes the potential future population increase; that urban density development with City services or County community- wide services is the most efficient use of land and provides essential services most effectively and at the lowest cost; and the need to have development pay its own way.

In the MOU, the two local governments agreed to cooperatively develop a plan for sustainable land development in the City of Helena and southern Lewis and Clark County; continue outreach efforts that educate the community about water quality issues; continue to work together on the development of the urban standards boundary (located within the Growth Policy Study Area) and joint infrastructure standards; and continue to partner to retrofit neighborhood systems. All of these agreements are related to land use.

The City also agreed to work with the County to establish joint development standards and comprehensive zoning for the urban standards area to achieve an efficient and smooth transition for properties being annexed into the City and to promote environmental and land-use compatibility with the City and other properties within the urban standards boundary. In addition to continuing this joint planning effort for the urban standards areas, it will also be important to include discussion with the City of East Helena and Jefferson County.

### ANNEXATION

The City of Helena and the surrounding Helena Valley are facing considerable growth and development pressure. Since 2000, the City of Helena has grown to the north and east with the annexation of approximately 1,497.749 acres or 2.34 square miles. A history of annexations to the City of Helena is shown on the Historic City Limits map.

[Historic City Limits Map Link](#)

Citizens living inside and outside the city have many separate and interconnected concerns related to land use, transportation, and the natural environment. These concerns are particularly important when evaluating developments that may be annexed to the city in the future.

Individual properties, the environment, and the community as a whole benefit by locating development near employment, shopping, entertainment, schools, and other services. Higher density development within the city can reduce the number of miles traveled and the cost of providing services. Development that can be efficiently served by public water and sewer systems can help mitigate its impact on the environment. Public infrastructure systems allow denser development to occur, using land more cost-effectively. Transportation networks serving the development can be concentrated to alleviate the potential for sprawl. Annexation into the city should be promoted where appropriate.

The City of Helena has long recognized its need to grow in a reasonable and sustainable manner. In 2001, a work plan for annexation was adopted that focused on enforcing existing

policies for annexation with extension of water and wastewater services; annexing wholly surrounded areas and properties currently served by City water and wastewater utilities; and promoting annexation of unincorporated fringe areas. This plan might need to be evaluated and updated to address new issues that arise. ~~Review and update the 2001 annexation work plan when necessary.~~

Since its adoption, progress has been made in achieving these objectives. Property owners requesting to connect to City water or sewer have been required to annex or be party to a development agreement waiving future protest to annexation. A number of wholly surrounded properties have been annexed or are in the process of being annexed, and a number of unincorporated areas, such as the Woodland Park and Fairgrounds areas, have been annexed. ~~This plan might need to be evaluated and updated to address new issues that arise.~~

Some adjacent areas include residents who may have difficulty absorbing costs of increased taxes or paying for the necessary infrastructure requirements. The City may, on a case-by-case basis, consider entering into a development agreement to defer or waive the right to protest annexation and to waive the right to protest the creation of a SID for the installation of some infrastructure requirements. With a development agreement, the immediate benefit is for the individual property owner. However, the improvements are delayed, which could affect the efficient delivery of city services, and it may be more difficult to work with the waivers when the ownership changes.

Proposed annexations are reviewed for the effect on local services including fire protection, water, sewer, stormwater drainage, and transportation. Typical requirements for the annexed property include a plan or agreement concerning the extension of City water and sewer, addressing stormwater detention requirements and extending the street system to include curb, gutter, and sidewalks. While the City's capacity to extend infrastructure to serve specific areas is a subject for detailed analysis, it appears that current City water and wastewater capacity is sufficient, as described in Chapters 5 and 10, to support infill and the annexation of additional development to the City of Helena in terms of the projected population. As the City expands outwards, the distance traveled to provide City services may be a consideration with future annexations.

The natural environment boundaries and their issues are not affected by jurisdictional boundaries. Decisions made by one governing body or by the property owners of a particular area can affect their neighbors. Reasonable growth cannot occur without cooperative relationships in place before specific land-use proposals are considered. Optimally, decisions are jointly discussed and a reasonable plan is developed to minimize the effects on the environment and the respective budgets.

Opportunities for urban development and maintaining the surrounding rural character must be

made available while ensuring that adverse impacts related to this development are minimized. Identifying areas where growth is appropriate can help direct the location and design of new development to create a more cohesive community and minimize initial and future costs.

~~In addition to the agreements stated in the City- County MOU, the City and the County agreed to “continue to work together on the development and promulgation of the urban standards boundary and joint infrastructure standards.” An, an Urban Standards Area has been identified on the Future Land use Map. The Urban Standards Area boundary which identifies properties that may be suitable for future connection to city utility systems and would be able to be annexed to the City. It recognizes that utilizing joint development standards would be beneficial to address the most efficient delivery of local services. Prior to annexation, The these joint standards would address the coordination of water, sewer, and transportation within in the Urban Standards Area. County that is closest to the city.~~

~~The “urban standards area” also could function as “urban services area.” The delivery of city services such as fire, police, solid waste, and street maintenance is done more efficiently and at lower cost in compact neighborhoods in areas close to the existing city. An “urban standards area” would require new development to be built according to city standards or in such a manner that the basic infrastructure could be connected to city services at the appropriate time. The establishment of an urban standards area would guide development in certain locations and in a manner that reduces costs to existing and future ratepayers for all city services, not just infrastructure.~~

~~Future annexations and extensions of water and wastewater service areas should be limited to the Urban Standards Area and annexation policies revised accordingly. Undeveloped land should not be annexed until all public facilities are adequate to serve the new development, or a development agreement ensures that those facilities will be provided when needed. For already developed areas, improvement of some public facilities, such as streets, could be deferred to facilitate extension of municipal water and sewer services to areas in need, but only if owners in such areas agree to waive the right to protest annexation and formation of special improvement districts when the City deems it necessary.~~

~~Future developments in areas surrounding the city also should be identified and evaluated for annexation using the following criteria:~~

- ~~1.—Areas already developing in an urban pattern that have existing public facilities and service capacities or that could be served efficiently by public facilities.~~

~~Joint development standards should ensure that:~~

- ~~2.—If not in close proximity to the city but within the Growth Policy study area;~~
- ~~3: 1. development Infrastructure should will be designed so it can be converted to higher densities if urban services become available; and~~

2. New development ~~should~~ will be encouraged ~~required~~ to a. connect to public services whenever practical and provide for the future opportunity for connections when not; and
- b. 3. New development will be encouraged or required to be contiguous or near to existing development in order to avoid the long- term cost to tax payers of providing services to an inefficient development pattern.

The City of Helena, East Helena, Jefferson County, and Lewis and Clark County should continue to cooperatively focus resources on a variety of issues affecting all jurisdictions, including, but not limited to, transportation, land use, public safety, parks, recreation and open space, environment, visual appearance, economic vitality, and social and cultural issues. This coordination between jurisdictions is necessary in order to ensure that mutual land- use goals are reached.

## West Side

The unincorporated neighborhoods of Helena's west side provide a focus for annexation efforts. The west side is located adjacent to the city and is partially developed with residences, commercial uses along Highway 12 West, public and private parklands in the vicinity of Spring Meadow Lake. It includes two County Special Zoning Districts.

The adjacent unincorporated properties located on the city's west side currently consist of residential dwellings and commercial and undeveloped properties. Individual developed properties often suffer from aging or failing septic systems, an elevated level of nitrates in well water test samples, lack of storm drainage, poorly constructed streets, and limited opportunities for pedestrian access. As a result, the area adjacent to the city's west side poses potential problems for public health, safety and the environment. Failing septic systems and wells with high nitrates have led to individual annexation requests; individual property owners requesting piecemeal annexation can make the cost- effective extension of city infrastructure more difficult. In an effort to provide a more comprehensive solution to failing septic systems in this area, a proposal to create a water and sewer district and board for this area was presented in 2009. This district's board would have had the power to explore various options and funding sources to address the current situation. A majority of the west side voters voted not to create the district thus progress in addressing this issue has been stalled.

The area has considerable potential for urban development if City infrastructure is extended in an efficient and cost- effective manner. A study evaluating the infrastructure needs of the unincorporated west side was conducted to facilitate efficient installation and upgrades in the area. Water- quality problems, rocky soils, and increasing stormwater problems appear to limit further development without City services. Extending City sewer and would allow a higher density and more efficient infill development. The 2002 Westside Infrastructure Plan identified

needed infrastructure and financing options that could be shared by all affected property owners. Some of the infrastructure deficiencies were improved with the annexation of Overlook Estates and Kessler School.

The Fort Harrison federal community is located about a mile west of Helena. It serves the National Guard and Veterans Administration Hospital and has been undergoing significant expansion. It is served by municipal water and sewer. The presence of these infrastructure facilities could influence additional development in the area. However, other natural resource values and physical conditions such as high groundwater, wetlands, floodplain, and irrigated agricultural lands, would need to be considered when developing the area. The limited street connectivity—particularly the Williams Street/Country Club intersection, the limited pedestrian access—notably to Spring Meadow Lake, and other transportation improvements identified in the Helena area Transportation Plan should be considered when reviewing development in this area.

### **Northwest Side**

The county area north of the City, generally located between Green Meadow Drive and ~~Interstate 15 Prickly Pear Creek~~, contains a small number of agricultural lands and is primarily relatively high density residential development with scattered commercial uses located primarily near Montanan Avenue and Custer Avenue. and includes ~~A large portion of the area located in the county is within several County Special Zoning District including Districts #2, 5-A, and 32.~~ A number of annexations have occurred in this area in recent years, and the trend is expected to continue within the study area.

Traffic congestion continues to increase in the area although additional street connections have been constructed with new subdivisions. Benton Avenue has been extended north from Custer Avenue; Wolf Road has been installed to connect Montana Avenue and Green Meadow Drive. Additional east-west transportation linkages will need to be developed in the future, particularly those identified in the Helena Area Transportation Plan.

### **Northeast Side**

The county area northeast of the City, generally located between ~~Green Meadow Drive~~ Interstate 15 and Prickly Pear Creek, contains agricultural lands, and primarily low density residential development with some higher density residential development located near Munger Road within County Special Zoning Districts #35 and 41. scattered ~~Commercial uses are located primarily near Custer Avenue and Washington Street and includes several County Special Zoning Districts. A number of annexations have occurred in this area in recent years, and the trend is expected to continue within the study area.~~

Traffic ~~congestion~~ continues to increase in the area due in large part to new commercial uses

~~within the City and continued residential development in the county farther away from the City. The Custer Avenue/I- 15 interchange is scheduled to begin in 2011. It is designed to, relieve some of this congestion and better facilitate the traffic in this area. Additional street connections have been constructed with new subdivisions. Benton Avenue has been extended north from Custer Avenue; Wolf Road has been installed to connect Montana Avenue and Green Meadow Drive. Additional east-west transportation linkages will need to be developed in the future, particularly those identified in the Helena Area Transportation Plan.~~

Considerable growth has occurred in the Helena Valley, some to what may be considered urban densities. These developments are currently served by community water and wastewater systems. Over time, some individual wastewater systems have started to fail and need replacing or connection to a community system. Replacing a septic system can be expensive, and connecting to City sewer is the least costly option over the long-term. As a result, some property owners are considering annexation. Installing lift stations to serve some of these areas ~~could influence~~ would likely stimulate the northward growth of the city. Impacts to the Prickly Pear and Ten Mile Creek watersheds should be mitigated when developing this area.

## East Side

The east side area is located east of Saddle Drive, extends across I- 15, and is bounded by Custer Avenue/Canyon Ferry Road on the north and the Jefferson County line on the south.

The area south of the Helena Airport and north of Highway 12 has high value for commercial/light manufacturing and industrial uses because of access to rail, highway, and air transportation. The area has City infrastructure, including water supply lines, wastewater collection lines, street network and stormwater collection system.

Annexation and development around Highway 12 have resulted in a patchwork pattern of city limits. This area has potential for annexation because of its probable commercial and industrial development. The area south of Highway 12 is largely undeveloped with significant tracts of land in undivided ownership. Future transportation linkages and water and sewer infrastructure will need to be installed to serve this area when it is developed. Although not adopted, the Helena's "East Side Vision" document could serve as a general guide for development in this area.

The southeastern portion of this area is in the process of being developed as a planned community. This new development will abut the East Helena city limits. It will be important to have intergovernmental coordination to accomplish an integrated system for infrastructure and service delivery.

## South Side

The area located outside the southern city boundary contains some single-family residential uses. Several recent open-space acquisitions have occurred in this area. Fire protection is a concern within the wildland-urban area, particularly during drought years.

In 1989, the City extended its extra-territorial zoning authority in the portion of this area located in Lewis and Clark County. The existing Open Space Residential (OSR) zoning district specifies development requirements related to roads, stormwater drainage, weed management, and fire protection with the use of a development permit. The OSR zoning district is discussed later in this chapter under *Subdivision and Zoning Regulations as Implementation Measures*.

## INFILL, REHABILITATION, AND REDEVELOPMENT

Infill development is the development of vacant land within or adjacent to the city and near existing infrastructure. Infill can occur in residential or non-residential areas and can provide opportunities for mixed-use development to reduce the need for automobiles, encourage walking, and save energy. Areas potentially available for infill may not be developed because they may be located in topographically challenging areas, may have undersized or non-existent infrastructure, or may include small lots with multiple property ownerships. Opportunities for infill development are shown on the Vacant Lot Map.

### [Link to Vacant Properties Map](#)

Rehabilitation of existing structures to accommodate a higher density or intensity of use is another method of better utilizing existing resources; conserving land, energy and infrastructure; and minimizing the potential for sprawl. Encouraging rehabilitation of existing building stock is often the preferred option for historic preservation to retain a neighborhood's history and identity. Rehabilitation also can promote maintenance of underutilized or declining properties and encourages neighborhood stability and viability.

Often redevelopment happens after a structure has deteriorated or become damaged to the point of needing demolition. Redevelopment may also occur when an area has been identified as "blighted" and where a redevelopment plan has been established. This option ~~typically~~ includes a public involvement process so that the activity can be carefully evaluated. ~~and it may require relocation assistance.~~ Redevelopment can occur where the property location can support more intense development, such as areas where street improvements can accommodate increased traffic.

These options have their place in a community's economic development program and the neighborhood planning process. These techniques could provide a number of new housing units and mixed-use development. They also can strengthen a neighborhood's viability and stability.

Development should be guided to minimize the impacts to existing neighborhoods and historic structures. Recent changes to the Zoning Ordinance allow more units per lot and smaller minimum lot size requirements. Allowing residential uses by right in commercial areas also encourages mixed use and should encourage infill, rehabilitation, and redevelopment. Allowing taller residential and commercial developments and mixing compatible uses could increase housing and commercial opportunities while using services and infrastructure more efficiently.

As the Helena area continues to grow, impacts from development located farther from the city are becoming more evident. Traffic congestion, reduced water quality, increased cost of providing and maintaining services, including emergency services, to a broader area and loss of agricultural lands are just some of these impacts. Providing residential and commercial options within Helena through infill development, rehabilitation, and redevelopment could help reduce some impacts of expected growth in the area.

### [FUTURE LAND USE MAP Link](#)

The proposed Future Land Use Map acknowledges some existing development patterns and infrastructure that have "committed" certain areas for development although they may have some environmental, service, or other constraints. The Future Land Use Map also reflects the community interest in preserving natural resource values, avoiding environmental degradation, preserving public investments in infrastructure, and providing for efficient, cost-effective expansion of the community.

The Future Land Use Map identifies a proposed Urban Standards Boundary that would assist with establishing joint development standards with Lewis and Clark County for infrastructure and zoning.

The intent and purpose of each of the mapped land-use categories and characteristics follows:

- **Commercial:** Lands where the predominant use is the transaction of goods or services such as retail, office, restaurants, entertainment, etc.; areas are usually near arterials or have good access to major streets; these properties would have limited single-unit residential uses but may include high density residential uses and residences associated with a commercial use.
- **Industrial:** Generally, land in the industrial category has access to utilities and major transportation networks such as highways, railroad, and the airport; could have heavy-

truck traffic; and may be less desirable for other uses. *Heavy-industrial* areas include uses that may emit fumes or constant and loud noise; may include businesses that involve hazardous conditions; typically these areas would not be compatible with residential uses. *Light industrial/manufacturing* includes manufacturing products from previously prepared materials such as assembly of computers and electronics; storage, sales, and distribution of such products; packaging of premade goods, etc., but excludes basic industrial processing; and could be compatible with residential, commercial, and other land uses.

- **Medical:** Predominant uses in this category include health care/medical, nursing homes, assisted living facilities, and medical offices; area might also include other commercial, office, educational and residential uses.
- **Mixed Use:** Places where people can work, live, and play. These areas include a variety of complementary and integrated uses, such as, but not limited to, all forms of residential, office, light industrial/manufacturing, retail, public, or entertainment. Development is usually in a denser comprehensive pattern to achieve a unified, functional, efficient, and aesthetically appealing physical setting; provides opportunities for connectivity, public transportation, and walkability; these areas do not use the traditional segregation of uses.
- **Open Space:** Lands that are parks; recreational areas such as golf courses and ball fields; large undeveloped areas maintained in natural vegetation; stream corridors and significant wetland areas (may include regional stormwater detention ponds); and cemeteries. Some open-space areas may be incorporated into other land use categories.
- **Public:** Land that is in government or quasi-government use; some public uses may be incorporated into other land use categories.
- **Rural:** Includes agricultural uses; residential uses are composed mainly of a single dwelling unit on tracts over five acres; may include non-residential uses on large tracts of land over five acres; and may include areas with significant development constraints, such as steep slopes, flood plain, high ground water, large wetlands, forested areas, etc.
- **Suburban:** Includes low density residential uses (generally one dwelling unit on one to five acres); commercial uses that serve the nearby areas; areas located farther from Helena than the urban category; may provide a transitional area between urbanized denser development and rural areas; areas that may have some development constraints such as located in the 500-year flood plain, high ground water or close proximity to water bodies, limited access to transportation network, etc.; and may include industrial uses.
- **Urban:** Within the city this category includes predominantly moderate to high density residential uses; may include public uses such as schools, churches, and open lands such as parks; and occasional commercial uses that serve the immediate area or are relatively small and low intensity. Within the county, it includes areas closer to the city; areas with few development constraints; areas that may be currently developed or could be redeveloped at higher densities; and may include a variety of uses including commercial and light industrial.

The land use classification boundaries should be interpreted in a broad, flexible manner, but in context with currently existing land uses and development. Therefore, the boundaries shown on the Future Land Use Map are not absolute, but may vary slightly according to the situation. The Future Land Use Map is intended to invite efficient use of land and facilities and encourage property owners to increase development intensity where appropriate.

### **MIXED-USE DEVELOPMENT**

Mixed use development is characterized by places where people can work, live, and play with a variety of complementary and integrated uses, such as, but not limited to, residential, office, light industrial/manufacturing, retail, public, or entertainment. Development should be in a denser comprehensive pattern to achieve a unified, functional, efficient, and aesthetically appealing physical setting; provide opportunities for connectivity, public transportation, and walkability; and not use the traditional segregation of uses.

The concept of mixed-use development is an important growth management policy for the City of Helena. If properly planned and developed, mixed-use areas will mature into quality neighborhoods that enjoy higher densities, a mix of activities, more transportation options, and convenient shopping and services. When combined with improved multi-modal transportation opportunities, mixed-use areas can reduce reliance on automobile travel and the need for costly street improvements while benefiting air quality, slowing sprawl, and providing a greater variety of housing types. Creating neighborhood plans, as described in Chapter 13, “Future Review, Evaluation and Updates, for the mixed use areas would be a useful implementation mechanism for the Growth Policy.

### **Mixed Use Areas**

#### **Mixed Use Area A: Fairgrounds and Woodlawn Park/Dunbar Street**

Current uses in this area include the county fairgrounds, Laborers A. G. C. Training Program, and a mix of residential and non-residential uses within Woodlawn Park. This neighborhood contains large areas of wetlands—some of which are owned by the City—that should be retained and improved to maintain riparian areas and protect water quality. Most of the existing development is on large lots. With the extension of City water, sewer and improved streets, this area could accommodate higher density infill development and redevelopment with a mixture of residential, commercial, public, and light industrial/manufacturing uses compatible with the neighborhood. This area could provide a focal point for the vicinity—particularly the redevelopment of properties near the intersection of Custer Avenue and Green Meadow Drive. This entry corridor should include design features that are sensitive to the first impression of those entering the city and promote the appearance in the vicinity.

**Mixed Use Area B: North of Custer Avenue between Green Meadow Drive and Interstate 15**

Much of the area between Green Meadow Drive and Cooney Drive has been annexed and developed with residential uses, although zoning allows some commercial/service uses. The county shop and other commercial development provide employment and service opportunities to the area. The remaining agricultural and vacant land could be annexed and developed primarily with residential uses, with some service and office uses adjacent to Benton Avenue.

The area between Cooney Drive and McHugh Lane includes properties located in both the county and the city and contains predominantly nonresidential uses. It is anticipated that all of this area will eventually be incorporated into the city. Some areas could be redeveloped with a mixture of residential, office, light- industrial, and commercial uses. Improvement to the transportation network, enhancing connectivity, and promoting a more walkable community could provide services and employment in close proximity to surrounding residential uses.

The area between McHugh Lane and Montana Avenue contains a mixture of moderate density residential uses, medical offices, retail, and other compatible non- residential uses located in close proximity. Although most of this area has been built out, there are still sections that could provide opportunities for additional mixed- use development.

The region between Montana Avenue and Interstate- 15 contains large areas of undeveloped land, Resurrection Cemetery, and the Helena Valley Irrigation District Canal. With annexation and the extension of City water, sewer, and Sanders Street northward, this area could accommodate commercial/office or light industrial, particularly adjacent to I- 15 and the irrigation canal, and moderate to high density residential development located throughout the region.

**Mixed Use Area C: East of Interstate 15 and north of Custer Avenue**

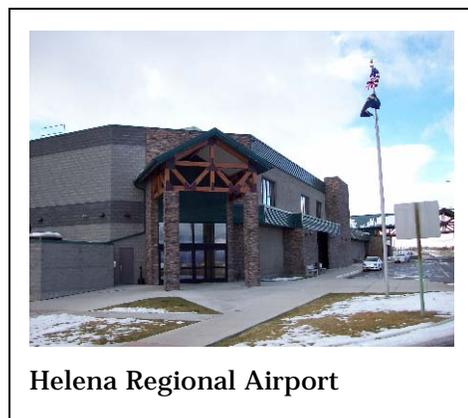
The area includes low density residential and agricultural uses in close proximity to I- 15, and high intensity commercial areas. There are some development constraints in this area that could be overcome with appropriate building techniques. If annexed and city services are extended and the transportation network is expanded with collector and arterial streets, this area could accommodate higher density development with a mixture of low to moderate intensity office/commercial uses and moderate to high density residential uses. Higher intensity uses such as industrial/manufacturing, commercial and moderate density residential uses could be included closer to the intersection of York Road, Canyon Ferry Road, and Custer Avenue. The region could provide a buffer between higher intensity uses near the future I - 15 interchange and possible residential development east of this future mixed- use area. This entry corridor should include design features that are sensitive to the first impression of those entering the city and promote the appearance of the vicinity.

**Mixed Use Area D: Between Canyon Ferry Road, the Airport and Washington Street, Prickly Pear**

### Creek

Portions of the area are located within the city, while the remainder is in the county. Predominant uses include training facilities, military, industrial, offices, agricultural, and vacant and underdeveloped land.

The area has little to moderate development constraints; has potential for development within the city with higher densities; and could accommodate a mixture of industrial, light industrial/manufacturing, commercial, and office uses. The area's proximity to the airport and intense commercial and industrial uses may limit residential development. Development in this area should be compatible with the Airport Master Plan.



Helena Regional Airport

### **Mixed Use Area E: Between Helena and East Helena/south of Highway 12 and north of Jefferson County**

The area has been developed with commercial, industrial, and moderate density residential uses, state government, and office uses, but most of the area is undeveloped land. The area is near major transportation networks such as Highway 12 and a future connection to the Interstate 15 interchange. Much of the area has potential for development/redevelopment to city standards with urban intensity and density, particularly with annexation and the extension of city services and the transportation network.

The area near the South Helena Interchange is largely undeveloped but has potential for predominantly commercial/office use with compatible industrial uses and high density residential. Few if any single-unit residential uses are anticipated near the major arterial streets in this portion of the mixed-use area. This entry corridor should include design features that are sensitive to the first impression of those entering the city and promote the appearance of this area.

This large area could accommodate core commercial development that could serve a wide area. Development could include higher intensity commercial and compatible light industrial/manufacturing uses, especially along future arterials such as Crossroads Parkway, a major arterial that will connect Highway 12 to Interstate 15. Less intense development containing service-oriented low intensity commercial uses intermixed with predominantly residential areas could be encouraged adjacent to more intense development. A portion of this area, Crossroads at Mountain View Meadows, currently has preliminary plat approval and zoning for high to moderate intensity commercial and high to moderate density residential uses. Neighborhood parks and schools adequate to serve the area may be needed as well as other community services.

**Mixed Use Area F: Medical District**

This area is generally located north of 11<sup>th</sup> Avenue southward to Saddle Drive between California Street and Colonial Drive.

Predominant uses in the area include health care/medical such as St. Peter's Hospital, Shodair Children's Hospital, various nursing homes, assisted living facilities and medical offices, and other commercial, office, educational, and residential uses. Expansion and further development, that includes increased walkability with pedestrian and trail connections, within this health care corridor district should be promoted. Land currently in the county could be annexed with development to urban densities consistent with the mixed uses in the area. Undeveloped land within the city should continue to be developed with a mixture of healthcare, high to moderate density residential and commercial uses to promote a walkable area.



**Mixed Use Area G: Capitol Complex**

The Capitol Complex is the predominant use within the area between Dakota Street and Lamborn Street, 9<sup>th</sup> Avenue and Highland Street, although there are some residential uses. Government offices could expand in this area. Converting some structures from residential to small office or combined office/residential use could facilitate higher utilization of the neighborhood. Retaining and encouraging higher density residential uses would promote increased use of a walkable area due to the proximity of higher intensity commercial activity along the Prospect/11<sup>th</sup> Avenue corridor.



**Mixed Use Area H: Montana Avenue/ Harris Street/ Railroad Tracks**

This area contains a mixture of residential, educational, commercial, and industrial uses. Revitalization of the area that preserves the historic character of the district and appropriate redevelopment and infill that continues the mix of a higher concentration of uses, particularly along Montana Avenue, should be promoted.

**Mixed Use Area I: Downtown/Carroll College**

This area is the cultural center of the City, which includes a mixture of the historic downtown with more recent development and redevelopment. Uses are predominantly commercial/office and educational (Carroll College) with some residential uses. It is desirable to encourage continuation of mixed use of this area; promote more residential uses particularly in and adjacent to the Great Northern Town Center; and promote more intense and higher density uses closer to Last Chance Gulch and Lyndale Avenue. Mixed



Great Northern Town Center

use of services and low intensity commercial could be expanded into adjacent areas, including areas between Benton and Davis Street, while preserving the historic character of the district. Better connectivity with all areas should be encouraged.

**Mixed Use Area J: Euclid Avenue between Benton Avenue and Joslyn Street**

This area contains small to moderate sized commercial uses along Euclid Avenue and residential uses north and south of the commercial district with some vacant and underutilized property. The City could increase the potential for more diverse commercial uses in the area to serve the adjacent residential areas and reduce vehicle miles traveled for residents on that side of the city and those traveling into the city; expand existing commercial areas to permit a wider area for non-residential uses; and encourage more intense and larger commercial uses along the western portion of Euclid.

**Mixed Use Area K: Country Club Avenue/ Joslyn Street/ Highway 12**

Most of this area is located in the county and includes residential, recreational, some commercial/light manufacturing uses, the Archie Bray Foundation, plus vacant and underutilized land. Annexation and more intense commercial and compatible light industrial/manufacturing uses could be encouraged between Euclid and Country Club Avenue, Joslyn Street and Spring Meadow Lake. Residential development north of County Club Avenue could provide a more walkable community, particularly with the recreational uses in the area (Spring Meadow State Park and the Green Meadow Country Club golf course) while protecting sensitive areas such as the Ten Mile Creek corridor and large wetlands. This entry corridor should include design features that are sensitive to the first impression of those entering the city and promote the appearance of this area.

**Mixed Use Area L: Ten Mile Creek/Country Club Avenue/Williams Street**

This area is located in the county and contains areas of agricultural land and residential uses. It is near Fort Harrison and the Veterans Administration hospital. City water and wastewater are

in close proximity to this area, so there is a potential for annexation in the vicinity and further extension of city services, including the installation of improvements to Country Club Avenue and Williams Street. These improvements could facilitate the conversion of agricultural lands and vacant/underdeveloped tracts to retail, office and urban density residential uses while preserving sensitive areas such as the Ten Mile Creek corridor.

## **DEVELOPMENT CONSTRAINTS**

The Helena area contains a variety of development constraints that do not always prohibit development but may require mitigation. The following is a summary of these constraints; see the **ENVIRONMENT** chapter for the development constraints map and additional information.

### **Topography and the Wildland-Urban Interface**

Steeper slopes and the wildland-urban interface tend to be located along the southern and southwestern boundaries of the city. The city's southern edge often contains steeper slopes as it extends into the adjacent forested mountains to the south and west, increasing the danger from wildfire. Burning embers from a South Hills wildfire could travel as far north as Broadway under average wind conditions. Wildfires can generate their own winds.

Due to the potential for higher winds in the event of a wildfire due to drought and beetle-killed trees, the entire city has been designated a wildland-urban interface, and all new roofs must have a minimum of class 3 fire-retardant materials.

This area also may contain platted lots that remain undeveloped because of steep slopes and lack of infrastructure. The steeper slopes can also create development challenges to address the potential for subsidence and erosion, changes to stormwater drainage patterns, and the need for effective revegetation. A visually prominent area along the southern edge of the city was developed more than 30 years ago and still lacks sufficient revegetation to reduce the visual appearance of bare hillside. As a result, it may be appropriate to evaluate the current development standards of the Subdivision Regulations and address their applicability to other City Codes to improve vegetative success in development that does not go through subdivision review.

### **Earthquakes and Related Liquefaction**

The Helena area has several earthquake faults and has experienced earthquakes, with the most notable events in 1935 measuring 6.3 and 6.0 on the Richter scale. As a result, all construction is required to comply with seismic design category D<sub>0</sub> (formerly seismic zone 3) building construction standards. The City also has established a hazard mitigation plan containing a

strong public education component to address a variety of hazardous events.

## **Floodplains and Wetlands**

Floodplains and wetlands are located along Ten Mile and Prickly Pear Creeks to the north and east. While development may be permitted in the floodplains, additional development measures may be required for subdivisions and building permits. City Code could be amended to include standards to mitigate development's effects on floodplains and wetlands, and even improve the existing situation when possible. It would be beneficial to coordinate with the adjacent jurisdictions in this regard.

## **Wildlife Habitat**

Wildlife habitat is often located along creek corridors (in addition to floodplains and wetlands), although deer and other wildlife can be found in all areas of the city and surrounding area. Wildlife viewing is an amenity that is generally valued by the community. The subdivision review criteria include evaluating a subdivision's effects on wildlife and wildlife habitat. Montana Fish, Wildlife and Parks and Montana Audubon have developed suggestions to mitigate land-use effects on wildlife and their habitat. As a result, City Code could be amended to include standards to mitigate the effects on wildlife habitat, which may include requiring a wider building setback along the waterways. As previously stated, coordinating with the adjacent jurisdictions would be important for the requirements to be effective.

## **Airport Noise**

The Airport Noise Influence overlay district includes part of the north-central and northeastern portions of the city and extends east of the Helena Airport into the county. The City's Zoning Ordinance identifies prohibited uses in the overlay district: hospitals, convalescent homes and related health-care facilities; elderly, multi-family rental housing; schools; libraries; theaters and other indoor or outdoor performing arts facilities. (See the noise influence area map in the **ENVIRONMENT** chapter.)

Development in areas that have constraints (e.g., areas with steep slopes, within the 100-year flood plain, critical wildlife corridors, wildlife habitat, ground water quantity and quality issues) should be restricted unless constraints can be properly mitigated. Proper mitigation could be addressed by amending the Subdivision Regulations and may be appropriate for amending other City Codes as well.

## **SUSTAINABILITY, HEALTHY COMMUNITY, LIVABILITY, CONNECTIVITY**

As noted in the **ENVIRONMENT** chapter, Helena's *sustainability* is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs into the indefinite future, using currently available technology, and respecting other species' need to survive and thrive. The concept of being sustainable relates to having a community that is healthy and safe and that helps its citizens to be healthy and safe.

Public safety depends upon well-maintained efficient infrastructure and public services, including well-organized, effective police and fire departments and efficient use of public funds. A community is healthy with a clean environment when it enjoys good air and water quality, a stable, affordable energy supply, and adequate recreation facilities for healthy citizens. These factors contribute to the livability of the area, along with a variety of arts and recreational opportunities, a consistent, solid economy, good City infrastructure and services, strong schools, and attractive physical setting.

Overall physical connectivity is an aspect of a healthy community and its livability. Connectivity can be gained through *complete streets* that integrate individual subdivisions through transportation linkages that include sidewalks and bike routes; a choice of multiple routes to a destination; and a walkable block length that has reasonably-spaced intersecting streets. All of these factors can improve health, assist energy efficiency, maintain air quality, minimize noise, and provide a sense of community. Adopting a complete streets ordinance and incorporating such design considerations in subdivision regulations could facilitate some of these objectives. Overall physical connectivity should continue to include discussion with the City's advisory groups such as Non-motorized Travel Advisory Council, Transportation Coordinating Committee (TCC), and Lewis and Clark County, East Helena, and Jefferson County.

Smart Growth principles as they relate to housing, transportation and land use are described as:

1. Mixing land uses.
2. Taking advantage of compact building design.
3. Creating a range of housing opportunities and choices.
4. Creating walkable neighborhoods.
5. Fostering distinctive, attractive communities with a strong sense of place.
6. Preserving open space, farmland, natural beauty, and critical environmental areas.
7. Strengthening and directing development towards existing communities.
8. Providing a variety of transportation choices.
9. Making development decisions predictable, fair, and cost effective.
10. Encouraging community and stakeholder collaboration in development decisions.

These principles could also be used when creating land use development regulations, standards, and guidelines.

## **COMMUNITY DESIGN – OVERALL COMMUNITY FUNCTION AND INDIVIDUAL**

## **PROPERTY DESIGN**

Public concerns have been expressed over community design issues, both for the community as a whole and its function, and for individual properties. At the same time, there is a desire for the efficient use of public funds. Compact development and efficient land use reduce vehicle miles traveled, reduce sprawl and preserve agricultural lands, promote mass transit, maintain pedestrian connectivity, use more cost-effective infrastructure, accommodate a mixture of uses, and enhance neighborhood character. Walkability and pedestrian access can connect neighborhoods, parks and open spaces, schools, and work places. Lots can be orientated to maximize solar gain and reduce infrastructure costs. Overall development functionality can increase energy efficiency, maintain air quality, minimize noise, and provide a sense of community, cohesive neighborhoods and pedestrian-friendly environments.

The beneficial concentration of uses and transportation amenities could be in the form of centers or nodes in particular locations as a land-use option in the future. This concept would have a strong land-use/multi-modal transportation connection, could reduce vehicle miles traveled (vmt), and could be incorporated into sub-area or neighborhood plans. Centers or nodes could be located along around transportation corridors hubs such as arterial intersections—connectivity to surrounding neighborhoods would be an important consideration. Locations for centers or nodes have not been identified at this time, and the concept warrants more discussion.

A mixture of residential uses (single and multiple dwelling units, townhouses, condominiums, and modular and manufactured homes) can help provide housing for persons with a variety of income levels and physical abilities. Historically, Helena neighborhoods were developed over a period of time and exhibited this type of housing mixture. Incentives to accomplish this residential mixture could include density bonuses and parking reductions, to name just a few. Land trusts also have been useful to help with affordable housing efforts, as has coordinating with organizations and programs that address housing issues, such as Helena Housing Authority, Rocky Mountain Development Council (RMDC), HOME, CDBG, God's Love, etc. Affordable housing options could be incorporated in neighborhood plans; the Subdivision Regulations could also be amended for that purpose.

In Helena's past, some residential areas were interspersed with occasional non-residential uses, creating a mixed-use neighborhood. This mixed-use pattern could be continued by locating some nonresidential uses along transportation corridors to improve transit opportunities. An option might require minimizing the negative effects on the established residential neighborhood. Establishing design standards could address concerns related to how mixed uses fit visually and functionally in a neighborhood. Such standards could be extensive or limited and could consider form and bulk (mass and scale as they relate to setbacks, lot coverage and height); relationship of building orientation and a building's placement on a property; vehicular and pedestrian access, including building entrances and window openings; and the location of parking, landscaping, and signs as they relate to the building and the adjacent properties.

Historic Districts often adopt design standards to protect the districts as beneficial to the community's sense of place and the local economy, maintaining their integrity by helping new construction "blend" into the district without negatively affecting the historic district designation. Design standards also could be helpful for entry corridors to encourage site and building design that represents Helena and maintains community identity. For example, such standards could address typical *commercial strip* development and larger *box stores* with their characteristic blank walls and extensive parking lots, and could include block length, landscaping, signs, and overall site design.

Signs used for outdoor advertising can cause glare or distraction for motorists and can ~~contribute to~~ detract from the overall appearance of the community. The current sign ordinance was extensively revised in 1997, with a minor revision for window and temporary signs in 2004. Some public interest has been expressed in reviewing sign requirements related to size, number, and location in the various zoning districts, particularly along the entry corridors. Options may include creating an overlay zoning district that would include signage in addition to other design considerations for a specific area or incorporating additional sign requirements for the whole city.

The ability to see the night sky is valued by many Helena's citizens. Helena's lighting ordinance was originally adopted in 2000 and most recently and revised in 2009, currently requires lighting to be shielded and directed downward configured with a horizontal cutoff, and positioned to minimize any objectionable direct glare source and not create light trespass which can help reduce to minimize the effect lighting has on the night sky. This exterior lighting ordinance affects businesses, residents, and street lights and allows an exemption for non-conforming historic street lights.

Community design and functionality could incorporate the *greenbelt* concept that conserves and connects open space around the community, uniting parks, wildlife corridors, riparian areas and water bodies through pedestrian or bicycle connections, while minimizing development impacts on open space. This concept has been previously included in the 1998 Parks, Recreation and Open Space Plan, and to some degree in the 2004 Helena Area Transportation Plan. The idea may be further studied with the update of the 1998 Parks, Recreation and Open Space Plan. Open-space acquisitions also have helped to further this concept.

The Subdivision Regulation's parkland requirements could be amended to further strengthen greater implementation of the community greenbelt. Conservation easements could be obtained, or another open-space bond could assist with open-space acquisition. Work should continue with the various advisory boards such as the City-County Parks Board, Helena Open Land Management Advisory Committee, Non Motorized Travel Advisory Council, and other related advisory groups who could also help coordinate public outreach and education.

## IMPLEMENTATION MEASURES

Subdivision regulations, zoning ordinances, neighborhood plans, and financing options provide implementation mechanisms to address community design issues.

## SUBDIVISION AND ZONING REGULATIONS AS IMPLEMENTATION MEASURES

~~Subdivision regulations and zoning ordinances provide implementation mechanisms to address community design issues.~~ Subdivision regulations can address parkland requirements for open space acquisition, right-of-way location and connectivity, walkable block length, lot orientation (to maximize solar gain and reduce infrastructure costs), and overall development functionality. Installation of infrastructure in accordance with City standards promotes health and safety, reduces environmental impacts, and supports efficient development. Please refer to the SUBDIVISION REVIEW chapter for more information.

## ZONING REGULATIONS

Zoning ordinances can address issues related to building and lot functionality, building form and orientation, height, scale, parking, landscaping, signs, lighting, and overall building design. Innovative zoning could be reviewed for incorporation into City zoning such as form-based zoning, design standards, and “hybrid” zoning.

The City of Helena has typically used Euclidian zoning which focuses on land uses and their separation or compatibility with surrounding land uses. Other types of zoning options include design standards that address building and site design, including parking, landscaping, and signage. Form-based codes primarily focus on building shape instead of use, and may include an element of site design. “Hybrid” or “composite” zoning uses selected requirements from a variety of sources, and may regulate uses, building form and site design.

The concept of mixed-use development can be an important growth management policy for the City of Helena. If properly planned and developed, mixed-use areas will mature into quality neighborhoods that enjoy higher densities, a mix of activities, more transportation options, and convenient shopping and services. When combined with improved multi-modal transportation opportunities, mixed-use areas can reduce reliance on automobile travel and the need for costly street improvements while benefiting air quality, slowing sprawl, and providing a greater variety of housing types. The mixed use areas are priority areas for developing neighborhood plans described in Chapter 13, Future Review, Evaluation and Updates of this document.

Entry corridors could include design features that are sensitive to visitors’ the first and last impression of those entering the city the community and promote the appearance in the vicinity. For example, additional building height or density must be designed appropriately so that traffic is not increased beyond the carrying capacity of the adjacent streets and the

existing neighborhood is not adversely affected. Incorporating design standards into zoning regulations can be a useful tool to maintain existing neighborhoods adjacent to entryway corridors and could help mitigate impacts.

An entry corridor zoning district could have design standards to address building orientation and exterior design, building and vehicular access, pedestrian accessibility, landscaping, signs, and lighting. Standards for an entry corridor may include design features such as limiting size, lighting and height of signage; building placement; architectural design review; and other characteristics that are sensitive to the first impression of those entering the city and promote the appearance in the vicinity. Design requirements can be simple or complicated, limited or extensive. A mechanism to review site and building design must include clear review criteria. As with any amendments to the Zoning Ordinance, community discussion about the various design elements and review criteria would be important.

Design standards also can help maintain the integrity of historic districts so that new construction “blends” into the district without negatively affecting the historic district designation. The Secretary of the Interior’s Standards for Rehabilitation provide guidance for construction in historic districts. Design guidelines have been created by the Helena/Lewis and Clark County Historic Preservation Commission for two historic areas: the Downtown Helena Historic District and Helena Historic Neighborhoods (on the upper west side or the “mansion area”), and are a valuable resource for property owners. These guidelines are voluntary, but incentives could be used more actively to encourage using design standards with construction projects. Such incentives include public recognition programs and awards, neighborhood help with volunteers, the existing tax abatement, revolving loan funds or grants, and TIF supported activities.

The Open Space Residential (OSR) zoning district is currently identified in the Helena Zoning Ordinance as the area located in Lewis and Clark County between the southern city limit boundary and Jefferson County. The development standards of this chapter were adopted to address stormwater drainage, road standards, and fire protection after the 1985 South Hills Planning Study. ~~The development standards but do not require a building permit since the area is located outside the City of Helena, but a development permit must be obtained from the City.~~ Individual wells and septic systems are allowed instead of requiring installation of city water and sewer in this City extra-territorial zoning district. ~~This development permit is not a typical City review function and has not worked as well as originally anticipated.~~ The City’s extraterritorial zoning could be extended to adjacent Jefferson County located (to the south with that county’s agreement.

Some concerns identified in the South Hills Planning Study about stormwater drainage and fire protection are also applicable to other south Helena development. New issues have arisen as the South Hills have been developed, particularly erosion control, visual impacts of large hillside cuts, view sheds, and hill- top structures that affect the natural skyline. The OSR

chapter was not revised with the 2008 revision to the Helena Zoning Ordinance. As a result, this chapter should be reviewed and revised as necessary to address these issues. Joint standards between the City and the County could also address this area and eliminate the need for the OSR zoning district.

Using zoning overlays and other land use planning to create incentives and requirements can provide a lasting structure for the city to meet the goals of this document. Neighborhood plans for infill, specialized mixed use areas, and other policy objectives would be defined by a second layer of zoning that would grant additional development rights and conditions. These special rights might include special uses, such as a medical corridor, redevelopment of a neighborhood such as the Sixth Ward, or a green district that could include higher lot coverage and building height valuable to the developer if the developer includes energy- efficiency measures to provide long- term saving for the occupants. There should be a mutual benefit to the owner and builder, as well as to the community that will benefit from the goals of this document.

The mixed use designations on the future land use map may create a desire to establish new zoning districts or zoning overlays. For example, some interest has been expressed in establishing a Medical Corridor zoning district in the area located between California Street and Colonial Drive, 11<sup>th</sup> Avenue and the city limits. This area presently has B- 2 (General Commercial), R- 2 and R- 3 (Residential), R- O (Residential- Office), and PLI (Public Lands and Institutions) zoning districts. The area contains health care/medical (such as St. Peter's Hospital, Shodair Children's Hospital, various nursing homes, assisted living facilities and medical offices), and other commercial, office, and residential uses.

The mixed use areas identified on the Future Land Use Map should be implemented through the Zoning Ordinance to:

- Provide a mixture of residential uses (single and multiple dwelling units, townhouses, condominiums and modular homes) for persons with a variety of income levels and physical abilities.
- Encourage mixed- use development that integrates compatible residential, office, and commercial use.

The existing zoning districts would allow development to continue in the area with similar uses. Establishing a medical corridor zoning district could encourage uses that are more supportive for these medical services (creating a synergy of uses) instead of some of the broader uses allowed in the various zoning districts that may not be as fully compatible.

~~Other new zoning districts could include entry corridors, because they provide visitors with their first and last impressions of the community. An entry corridor zoning district could have design standards to address building orientation and exterior design, building and vehicular access, pedestrian accessibility, landscaping, signs, and lighting. Standards for an entry corridor~~

should include design features such as limiting size, lighting and height of signage; building placement; architectural design review; and other characteristics that are sensitive to the first impression of those entering the city and promote the appearance in the vicinity. ~~Design requirements can be simple or complicated, limited or extensive. A mechanism to review site and building design must include clear review criteria. As with any amendments to the Zoning Ordinance, community discussion about the various design elements and review criteria would be important.~~

Clearly identifying the benefits and the disadvantages of establishing a new medical corridor district or an entry corridor zoning district should occur prior to deciding to pursue a new zoning district. This statement would also apply prior to establishing design guidelines. All of these options could incorporate a neighborhood planning process.

## **NEIGHBORHOOD PLANS**

Montana law (76-1-601 (4)) states, A growth policy may:

- (a) include one or more neighborhood plans. A neighborhood plan must be consistent with the growth policy.
- (b) establish minimum criteria defining the jurisdictional area for a neighborhood plan;

Neighborhood plans become an element of the Growth Policy when they are adopted as an addendum to the Growth Policy. The neighborhood planning process should be closely aligned with the process to update or revise the Growth Policy in terms of document format, planning process, and procedures. Neighborhood plans may include elements such as history, population, housing, economics, transportation, parks and open space, and land uses, and could provide recommendations or goals and objectives. Neighborhood- planning can be an ongoing process that is citizen- initiated or city- initiated, requiring volunteer commitment to identify issues and potential solutions through a public process.

Neighborhood plans will not replace the Growth Policy but can provide more detailed information for a neighborhood's desired direction as a "sub- area" plan. Neighborhood plans may also be more limited in scope by not expanding upon all of the areas identified in the Growth Policy. Neighborhood plans must be consistent with state law and with the adopted Growth Policy. The mixed use areas included on the Future Land Use Map would be a priority when creating neighborhood plans.

### **[HCC Districts Map Link](#)**

As neighborhood plans are developed, infrastructure needs and economic development opportunities may be identified. The neighborhood planning process could be used to assist with creating an urban renewal plan prior to establishing a Tax Increment Financing (TIF) district. Implementation can also incorporate zoning overlays, other zoning amendments, or the development of design standards.

Amendments to the Growth Policy for neighborhood plans should include the following principles:

1. Neighborhood plans will not replace the Growth Policy, but can provide more detailed information for a neighborhood's desired direction.
2. Neighborhood plans are more limited in scope and do not expand upon all of the areas identified in the Growth Policy.
3. Neighborhood plans will be consistent with state law and with the adopted Growth Policy.
4. The mixed use areas included on the Future Land Use Map will be a priority when creating neighborhood plans.
5. Adopted neighborhood plans will be presented to the Planning Board and City Commission at a public hearing, and will become an addendum to the Growth Policy after adoption by the Commission. However, the Commission is not obligated to adopt a neighborhood plan.

## **FINANCING IMPROVEMENTS**

As stated in the 2009 City- County MOU, the City's policy is that development will pay its own way. This policy has long been established in City Code for filing a final plat and prior to approving annexations. Current land owners typically are not required to pay for new improvements that are not needed to serve existing developed properties.

Options to finance improvements to accomplish land- use objectives include property taxes, special fees and assessments, impact fees, tax increment financing (TIF) districts, special improvement districts (SIDs), and grants. Impact fees are paid by development to finance the infrastructure requirements. TIF districts are funded by the incremental increase in the taxes generated by development. SIDs can be created at the time of final plat prior to any lots being sold; as a result, the new individual property owners pay the cost of the infrastructure improvements.

Publicly funded improvements could be targeted for mixed- use and redevelopment areas, and efforts could be coordinated with economic development organizations. All funding options should be considered and pursued if warranted.

The Comprehensive Capital Improvement Programs (CCIP) is a major component in the City's annual budget development process. The CCIP provides for:

- ❖ An inventory of the infrastructure;
- ❖ An assessment of the infrastructure condition;
- ❖ Identification of capital costs of the existing system;

- ❖ A comprehensive review of the current funding status;
- ❖ A review of the future expectations through 10 year projections;
- ❖ An awareness of the combined impacts of decisions; and
- ❖ The development of City Commission approved priorities.

This document helps the City government evaluate land use decisions as they relate to providing quality, reliable, basic services and promotes consistency and predictability in the cost and availability of essential services.

## **LAND USE GOALS AND OBJECTIVES**

### **Goal:**

Protect and enhance the natural environment; protect cultural and historical assets; preserve and enhance community aesthetics; protect established neighborhoods and address compatibility of uses; and promote efficient use of community infrastructure, services, and transportation networks, energy and resources.

### **Objectives:**

1. Minimize danger from wildland fires, flooding, soil erosion, and other environmental hazards, and mitigate development impacts in areas with environmental constraints, including adopting measures to mitigate development's effects on floodplains, wetlands, and water bodies and improve the existing situation when possible.
2. Address overall development functionality to:
  - A. Increase energy efficiency, reduce vehicle trips, maintain air quality, and minimize noise;
  - B. Provide cohesive neighborhoods and pedestrian-friendly environments with connected transportation linkages with and walkable block lengths or pedestrian corridors for physical connectivity and a sense of community.
  - C. Provide opportunities for mixed-use development and reduce the need for automobiles, encourage walking, and save energy through infill development.
3. Implement the 2009 City-County Memorandum of Understanding.
4. Limit future extension of services and annexations to the Urban Standards Area.
5. Do not annex undeveloped land until all public facilities are adequate to serve the new development, or a development agreement is in place which assures that those facilities will be provided when needed.
6. Ensure that joint development standards for the urban standards area:
  - A. Require that new development connect to public services whenever practical, and

provide for the future opportunity for connections when not; and

B. New development will be encouraged or required to be contiguous or near existing development in order to avoid the long-term cost to tax-payers of providing services to an inefficient development pattern.

37. Implement the mixed-use areas and urban standards boundary identified on the Future Land Use Map, update the Growth Policy as new issues arise and make ing the mixed use areas a priority when developing neighborhood plans.
8. 4 Minimize functional and visual impacts of entry corridors and non-residential development on existing residential neighborhoods.
59. Foster open-space connectivity around the city to link parks, open spaces, and water bodies through pedestrian and bicycle trails and minimize development impacts on open space.
- | 610. Promote development of dense and intense land uses both in the city and in close proximity to existing city services to better utilize city infrastructure and encourage the shared use of facilities such as lift stations and stormwater ponds to ensure efficient expenditure of public funds.

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