

# ORDINANCES OF THE CITY OF HELENA, MONTANA

## ORDINANCE NO. 3214

AN ORDINANCE CREATING THE RAILROAD URBAN RENEWAL DISTRICT, ESTABLISHING THE BOUNDARIES THEREOF, AND ADOPTING THE RAILROAD URBAN RENEWAL DISTRICT PLAN, INCLUDING A TAX INCREMENT PROVISION PURSUANT TO TITLE 7, CHAPTER 15, PARTS 42 AND 43, MONTANA CODE ANNOTATED

**WHEREAS**, the procedure provided in Title 7, Chapter 15, Parts 42 and 43 of the Montana Code Annotated (MCA) authorizes municipalities to exercise statutory Urban Renewal powers for redevelopment and rehabilitation through urban renewal plans and projects; and

**WHEREAS**, the Helena City Commission adopted Resolution No. 20215, Resolution of Necessity, that found the Railroad Urban Renewal District within the City of Helena is a blighted area, that its rehabilitation and/or redevelopment is necessary in the interests of the public health, safety, morals, or welfare of the residents of the city of Helena, and directing that an urban renewal plan for the Railroad Urban Renewal District be developed; and

**WHEREAS**, pursuant to §7-15-4212, MCA, the City of Helena caused an urban renewal plan to be prepared by WGM Group for the Railroad Urban Renewal District; and

**WHEREAS**, a Railroad Urban Renewal District Plan, attached hereto as Exhibit "A," was prepared to guide the rehabilitation and

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redevelopment of the blighted area established by Resolution No. 20215 by:

- emphasizing the District's historic importance as the "area's most valuable asset" through revitalization of properties and associated streetscapes by historic preservation and heritage preservation;
- increasing property utilization and function through rehabilitation and adaptive re-use of housing, commercial and public buildings, and beautifying streetscapes;
- expanding and diversifying the District's economy through the promotion of the District's historic and proposed mix of residential, commercial, and light industrial uses as a unique, identifying feature for business;
- creating an inviting venue by developing planning tools to address eight (8) key urban design elements: Imageability, Enclosure, Human Scale, Transparency, Complexity, Coherence, Legibility, and Linkage;
- addressing public infrastructure needs by planning and prioritizing public infrastructure in coordination with the City's transportation planning system and capital improvements planning process, planning for primary

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motorized access to and from the District, motorized access within the District, and addressing non-motorized transportation needs;

- providing for the public and environmental health by reduction in crime and environmental pollution problems, the development of green infrastructure and buildings, providing recreational opportunities, and providing complete street access for those with disabilities; and
- authorizing the use of tax increment financing in support of making rehabilitation and redevelopment improvements. As revenues permit, the City of Helena may issue tax increment financing bonds in support of these activities.

**WHEREAS**, on December 8, 2015, the Helena/Lewis and Clark County Consolidated Planning Board found that the proposed Railroad Urban Renewal District Plan is in conformance with the City of Helena growth policy adopted in 2011 and the proposed Railroad Urban Renewal District to be zoned for use in accordance with the Helena Growth Policy; and

**WHEREAS**, the City of Helena is interested in using Tax Increment Financing as a tool to foster rehabilitation and redevelopment in accordance with §7-15-4282, MCA; and

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**WHEREAS**, the Helena City Commission held a public hearing on this ordinance **at 6:00 p.m. on January 25, 2016**, and staff recommended **APPROVAL** of this request.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA:**

**Section 1.** The City Commission hereby finds, determines, and declares that the Railroad Urban Renewal District Plan ("Plan") conforms to the 2011 City of Helena Growth Policy.

**Section 2.** The Plan, attached hereto as Exhibit "A," is hereby adopted.

**Section 3.** The Plan contains a provision for the use of tax increment financing pursuant to §§7-15-4282 through 7-15-4292, MCA, as funds become available.

**Section 4.** For the purpose of calculating the incremental taxable value for each year of the life of the District, the base taxable value shall be calculated as the taxable value of all real and personal property within the District, as of January 1, 2016.

**Section 5.** Lewis and Clark County is hereby authorized to segregate, as received, the tax increment derived in the District, and use and deposit such increment into the District Fund for use

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as authorized by the Act and as authorized herein or by the City Commission from time to time.

**Section 6.** The tax increments received from the District may be used to directly pay costs of approved urban renewal projects and programs in accordance with §§7-15-4288 and 4292, MCA, to pay debt service on bonds issued to finance urban renewal projects as defined under the Montana Urban Renewal Law as may from time to time be approved by the City Commission, in accordance with §7-15-4289, MCA. The City Commission hereby authorizes the use of tax increment financing in the District to pay debt service on internal and bank financed loans issued to finance all or a portion of the costs of eligible improvements in compliance with the Montana Urban Renewal Law and subject to any limitations imposed by the Montana Constitution.

**FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,  
THIS 14<sup>th</sup> DAY OF DECEMBER, 2015.**

/S/ JAMES E. SMITH  
MAYOR

**ATTEST:**

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION

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FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,  
THIS 25<sup>th</sup> DAY OF JANUARY, 2016.

/S/ JAMES E. SMITH  
MAYOR

ATTEST:

/S/ DEBBIE HAVENS  
CLERK OF THE COMMISSION