

RESOLUTIONS OF THE CITY OF HELENA, MONTANA

RESOLUTION NO. 21064

A RESOLUTION AMENDING RESOLUTION 20886 WHICH CREATED A PLANNING COMMISSION FOR THE CITY OF HELENA, MONTANA

WHEREAS, a Planning Commission is authorized by the Montana Land Use Planning Act, 2023 ("the Act"), specifically as outlined in 76-25-104, Montana Code Annotated;

WHEREAS, the State of Montana has established the make-up, duties, roles, and responsibilities of a Planning Commission in the Act;

WHEREAS, as required in the Act, the City of Helena established a municipal Planning Commission for the purposes of the Act;

WEHREAS, the City will continue to use all existing land use boards, including the Board of Adjustment and Zoning Commission, until full implementation of the Act on or before May 17, 2026;

WHEREAS, the City will continue membership on the City-County Consolidated Planning Board for the purposes outlined in the 2001 Inter-Local Agreement and for the purposes outlined in existing State planning and land use statutes and existing City Code until such time the City becomes compliant with the Act, at the latest May 17, 2026;

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WHEREAS, the City Commission adopted Resolution 20886 on October 30, 2023, creating a Planning Commission for the City;

WHEREAS, the City now wishes to amend Resolution 20886 to increase the number of appointed board members and to add all the duties and responsibilities outlined in the Act; and

WHEREAS, the City may appoint existing city commission appointed members of the Board of Adjustment, Zoning Commission, or City-County Consolidated Planning Board to serve concurrently on the Planning Commission prior to the full dissolution of the aforementioned land use boards on or before May 17, 2026, in order to afford for continuity of members' subject matter expertise in land use regulation and to inform the crafting and recommending of zoning and subdivision regulations in compliance with the Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HELENA, MONTANA that a Planning Commission be established for the City of Helena, Montana.

Section 1. Planning Commission Established.

There is hereby established a Planning Commission for the City of Helena, which shall have the duties and responsibilities as provided in the Act.

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Section 2. Duties and Responsibilities.

Upon full implementation of the Act, but no later than May 17, 2026, the Planning Commission shall have the following duties and responsibilities as provided in the Act:

- A. To review and make recommendations to the City Commission regarding the development, adoption, amendment, review, and approval or denial of a Land Use Plan and Future Land Use Map as provided for in the Act.
- B. To review and make recommendations to the City Commission regarding the development, adoption, amendment, review, and approval or denial of Zoning Regulations and Map as provided for in the Act.
- C. To review and make recommendations to the City Commission regarding the development, adoption, amendment, review, and approval or denial of Subdivision Regulations as provided for in the Act.
- D. In accordance with 76-25-503, Montana Code Annotated, the Planning Commission shall hear and decide appeals from any site-specific land use decisions made by the planning administrator pursuant to the adopted Land Use

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Plan and Map, Zoning Regulations and Map, and Subdivision Regulations.

- E. Any other legislative land use planning document that the City Commission designates.

Section 3. Planning Commission Composition.

- A. The Planning Commission shall consist of seven (7) members, with each member being confirmed by a majority vote of the City of Helena City Commission.
- B. Members of the City's Board of Adjustment, Zoning Commission, or City representatives on the City-County Consolidated Planning Board may serve on the Planning Commission concurrent with existing board duties until the aforementioned land use boards fully dissolve on or before May 17, 2026, to afford continuance of subject matter expertise in crafting and recommending zoning and subdivision regulation amendments.

Section 4. Terms.

Members shall serve three-year, staggered terms. For the initial appointments, existing Planning Commission members appointed under the initial creating resolution shall serve one-year terms, two

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members shall serve two-year terms, and two members shall serve three-year terms.

Section 5. Planning Commission Qualifications.

The citizen members of the Planning Commission shall be residents of the City of Helena and residing within the municipal limits of the City or residents within any area outside the City over which the Planning Commission may have jurisdiction.

Section 6. Removal.

Planning Commission members serve at the pleasure of the City Commission and may be removed by a majority vote of the Commission for any reason.

Section 7. Planning Commission Vacancies.

Vacancies occurring on the Planning Commission will be filled for the unexpired term by the City Commission in the same manner as all initial appointments.

Section 8. Meetings of the Planning Commission.

The Planning Commission shall meet monthly, on the date and time established within the Planning Commission By-Laws. Special meetings may be called as often as required to advance the roles

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and duties of the Planning Commission outlined in Section 2. A quorum shall consist of a majority of currently appointed voting members of the Planning Commission. A quorum must be present for the Planning Commission to take official action. A favorable vote of at least a majority of the quorum is required to authorize an action at a regular or properly called special meeting.

Section 9. Meeting Notifications.

All meetings of the Planning Commission shall be open to the public, both in person and virtually. Meeting notices shall be posted according to the adopted Public Participation Plan, as required by MCA for noticing meetings of public bodies, or as otherwise required by Helena City Code or policies set for general City advisory boards and commissions.

Section 10. Officers.

The Planning Commission shall consist of a Chairperson, Vice-Chair, and Secretary. The Chair and Vice-Chair shall serve one (1) year terms. Officer elections shall be held on the 1st meeting of each calendar year. The Secretary of the Planning Commission shall be the staff liaison or other staff member as assigned by the Community Development Director.

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Section 11. Compensation and Budgeting.

All expenses for the operation of the Planning Commission are paid from the City of Helena Budget. Authorization for any related planning expenses incurred by the Planning Commission is the responsibility of the City Commission, or as directed to the City Manager. The Planning Commission has no authority to establish a budget, levy taxes, or indebt the City or itself.

Section 12. Organization and By-Laws.

The Planning Commission shall adopt by-laws and rules of procedure as required by the Act. By-laws, and any amendments, must be based on the City of Helena's standard template for advisory boards and commissions.

**PASSED AND EFFECTIVE BY THE COMMISSION OF THE CITY OF HELENA,
MONTANA, THIS 9TH DAY OF FEBRUARY, 2026.**

MAYOR

ATTEST:

CLERK OF THE COMMISSION