

# ORDINANCES OF THE CITY OF HELENA, MONTANA

## ORDINANCE NO. 3285

AN ORDINANCE CREATING THE CAPITAL HILL URBAN RENEWAL DISTRICT, ESTABLISHING THE BOUNDARIES THEREOF, AND ADOPTING THE CAPITAL HILL 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;

**WHEREAS**, the Helena City Commission adopted Resolution No. 20618, Resolution of Necessity, that found the Capital Hill 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 Capital Hill Urban Renewal District be developed;

**WHEREAS**, pursuant to §7-15-4212, MCA, the City of Helena caused an urban renewal plan to be prepared for the Capital Hill Urban Renewal District;

**WHEREAS**, a Capital Hill Urban Renewal District Plan, attached

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hereto as Exhibit "B," was prepared to guide the rehabilitation and redevelopment of the blighted area established by Resolution No. 20618 by:

- Improving streetscapes and connectivity by developing a brand for the District, evaluate conversion of Prospect Avenue and 11<sup>th</sup> Street from one way to two way streets, working with Montana Department of Transportation to develop street design standards for Prospect Avenue and 11<sup>th</sup> Street that include continuous non-motorized facilities, developing design standards for City streets that include "complete streets" concepts, working with the State of Montana to create walkable corridors, adopting landscaping approaches that promote water conservation efforts, and adding a transit stop;
- Improving Infrastructure for Redevelopment by identifying public infrastructure improvements that can help facilitate new private sector investment, entry corridor improvements to welcome visitors through the corridor, and the Helena Housing Authority's Stewart Homes facility;

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- Developing a Neighborhood Center Area by working with the developer of the former Capital Hill Mall site and other property owners and developing updated zoning and development standards that will help implement mixed-uses and flexibility in development;
- Redeveloping, rehabilitating and re-tenanting underutilized and underperforming properties by encouraging infill development, providing a number of new housing units, and considering allowing taller and mixed-use developments; and
- Supporting and expanding the supply of housing for lower income, senior citizens, persons with disabilities, homeless and others with special needs, supporting the preservation and rehabilitation of existing housing stock, encouraging the maintenance of housing, and adopting policies to ensure single dwelling unit detached rental properties are maintained.

**WHEREAS,** on October 20, 2020, the Helena/Lewis and Clark County Consolidated Planning Board found that the proposed Capital

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Hill Urban Renewal District Plan is in conformance with the 2019 City of Helena growth policy and the proposed Capital Hill Urban Renewal District is zoned for use in accordance with the 2019 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

**WHEREAS**, the Helena City Commission held a public hearing on this ordinance on December 7, 2020, and staff recommended approval of this request.

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

**Section 1.** The Helena City Commission hereby establishes the Capital Hill Urban Renewal District ("District"). The boundaries of the District are as shown on Exhibit "A."

**Section 2.** The Helena City Commission hereby finds, determines, and declares that:

a. Capital Hill Urban Renewal District Plan ("Plan") conforms to the 2019 City of Helena Growth Policy; and

b. the Plan will afford maximum opportunity, consistent with

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the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise.

**Section 3.** The Plan, attached hereto as Exhibit "B," is hereby adopted.

**Section 4.** 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 5.** 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, 2020.

**Section 6.** 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 as authorized by the Act and as authorized herein or by the City Commission from time to time.

**Section 7.** 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,

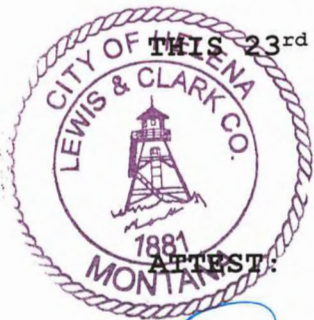
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MCA, to pay debt service on bonds issued to finance urban renewal projects as defined under the Montana Urban Renewal Law as may from time to time be approved by the City Commission, in accordance with §7-15-4289, MCA. The City Commission hereby authorizes 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 Title 7, Chapter 15 of the Montana Code Annotated and subject to any limitations imposed by the Montana Constitution.

**FIRST PASSED BY THE COMMISSION OF THE CITY OF HELENA, MONTANA,**

**THIS 23<sup>rd</sup> DAY OF NOVEMBER, 2020.**



**ATTEST:**

**CLERK OF THE COMMISSION**

**MAYOR**

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FINALLY PASSED BY THE COMMISSION OF THE CITY OF HELENA,  
MONTANA, THIS 7<sup>TH</sup> DAY OF DECEMBER, 2020.



ATTEST:

CLERK OF THE COMMISSION

MAYOR

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**EXHIBIT "A"**

