



Helena
FORWARD

History • Opportunity • Legacy



Preliminary Recommendations Report

September 03, 2026

Introduction

The purpose of the Zoning Regulations Update Preliminary Recommendations Report is to evaluate the strengths and weaknesses of the City of Helena’s existing Zoning Regulations and present Houseal Lavigne’s initial recommendations for updates. These findings and recommendations are based on input from initial outreach, alignment with the Helena Forward Land Use Plan, and the testing and analysis conducted by Houseal Lavigne.

This report is organized into four chapters as detailed below. The first chapter presents the full set of preliminary recommendations and overarching themes that should guide the Zoning Regulations Update. The following chapters provide supporting information, including detailed analysis, research, and reasoning that informed and shaped the recommendations.

1. Key Update Themes

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This Chapter outlines the preliminary recommendations and key themes for the Zoning Regulations Update to ensure regulations align with the recommendations of the recently updated Land Use Plan.

2. Land Use Plan Alignment

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This Chapter provides a detailed review of the existing zoning districts, including Rural, Suburban Residential, Urban Residential, Mixed-Use, Downtown, Commercial, and Industrial Districts, and considers potential updates to streamline the district framework and zoning map and better align with the City’s long-term vision.

3. Proposed Ordinance Structure

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This Chapter presents the recommended structure of the new Unified Development Ordinance (UDO) and summarizes where existing code sections should be relocated within the new document.

4. Comparative Communities Research

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This Chapter of the report details how other communities have addressed issues and topics like those Helena seeks to address as a part of the Zoning Regulations Update process.

Chapter 1. Key Update Themes

The themes described in this Chapter originated from upfront community engagement, discussions with elected and appointed officials, interviews with stakeholders, feedback from staff, research and analysis conducted by Houseal Lavigne, and the Helena Forward Land Use Plan. The Land Use Plan, in combination with the City's other long-range plans, is the aspirational vision for the Helena community. The responsibility of the new Unified Development Ordinance (UDO) is to support that vision and guide future development in the City.

The key update themes include:

Improving Usability and Administration

Expanding Housing Options

Supporting Commercial Growth and Redevelopment

Refining Site and Building Design Standards

Enhancing Sustainability and Open Space Standards

Improving Usability and Administration

Related Land Use Plan Policies/Recommendations

The Land Use Plan includes the following policies and recommendations related to the development process:

- Simplify permitting and regulatory procedures for infill projects to reduce barriers and encourage timely redevelopment.
- Update zoning and subdivision regulations to remove barriers to the construction of missing middle housing, re-modeling and adaptive re-use of existing structures to increase housing diversity and attainable housing options.

Related Outreach Feedback

Public outreach showed broad support for streamlining the Zoning Regulations and reducing approval timelines. Participants were supportive of allowing administrative adjustments for certain standards, such as landscaping and parking, to provide greater flexibility and address common variance requests. Participants also expressed a desire to incorporate diagrams and flow charts to improve clarity and user-friendliness.

Related Research

Chapter 2 – Land Use Plan Alignment outlines how Helena’s Zoning District and Map can be updated to better align with the Land Use Plan. This Chapter also includes recommendations for changes to the zoning districts to effectively implement Plan policies.

Chapter 3 – Proposed Ordinance Structure recommends reorganizing the existing Zoning and Subdivision Regulations into a new UDO and includes updates that will improve clarity and usability by streamlining regulations, reducing redundancy, and organizing content in a more intuitive format.

Preliminary Recommendations

1. **Administrative Approvals.** Expand administrative adjustments allowing Staff to approve (in accordance with specified criteria) minor modifications to specific standards, such as landscaping, parking minimums and maximums, and building height, to provide greater flexibility.
 - a. Additional adjustments may be allowed for dimensional standards, such as setbacks or building height, up to a defined percentage of the applicable standard.
2. **Streamline Review Process.** Identify opportunities to streamline the development review process by reducing overlaps and delays while maintaining appropriate oversight. Aligning the review procedures with the scale and complexity of each project will make the process

easier for applicants to understand and navigate, while promoting the type and quality of development the community desires.

- a. Determine which types of applications should be reviewed by:
 - i. Staff,
 - ii. Planning Commission, and/or
 - iii. City Commission.
3. **Ordinance Structure.** The ordinance structure is proposed to be updated to improve clarity, usability, and effectiveness.
 - a. Consolidate the Zoning Regulations (Title 11) and Subdivision Regulations (Title 12) into the new UDO.
 - b. Relocate all application requirements and processes to the Review and Decision-Making Procedures Chapter of the UDO.
4. **Review Procedures.** Include flowcharts for each procedure to provide a clear, user-friendly overview of the process from submittal through final approval.
5. **Reducing Nonconformities.**
 - a. **Update Nonconformity Standards.** Update existing nonconformity regulations to address legally nonconforming lots, buildings and structures, uses, and site elements, including their continuation, maintenance, alteration, expansion, reconstruction, and redevelopment.
 - b. **Concurrent Jurisdictional Review.** Add provisions consistent with MLUPA to prohibit an applicant from pursuing or obtaining County approval for a development or subdivision that is proposed for annexation into the City. When an annexation application is submitted, any related development application should be reviewed under the City's applicable regulations and procedures. This would help prevent development approved under County standards from being annexed into the City and becoming nonconforming upon annexation.
6. **Updates to Zoning Districts.** The City should evaluate and update its zoning districts to ensure alignment with current and future development needs. Additional details regarding the purpose and intent of these recommendations are included in Chapter 2 – Land Use Plan Alignment of this report.
 - a. Consolidate the R-1 and R-2 Districts to create a **Suburban Residential (SR) District**. This consolidation will reduce redundancy and accommodate low-density, single-family residential development.
 - b. Rename the R-3 District to **Neighborhood Residential (NR) District**.
 - c. Rename the R-U District to **Urban Residential (UR) District**.
 - d. Consolidate the R-4 and R-O District to create a **Mixed-Use (MU) District** to reduce redundancy and accommodate a variety of housing types, compatible commercial uses, and mixed-use development.
 - e. Rename the B-1 District to **Neighborhood Commercial (NC) District**.
 - f. Rename the B-2 District to **General Commercial (GC) District**.

- g. Establish a new **Corridor Commercial (CC) District** to replace the B-3 District and accommodate commercial uses along major traffic corridors.
 - h. Establish a new **Parks and Open Space (OS) District** to include public parks and recreational facilities managed by the City, privately-owned recreational facilities, and other open spaces.
 - i. Eliminate the OSR District since it is located outside of the City’s jurisdictional boundary.
 - j. Eliminate the T District and establish enhanced standards for landscaping, buffering, screening, and lighting as proposed in the Site and Building Design Standards subsection of this Chapter.
 - k. Reclassify existing planned unit developments (PUDs) as legacy districts.
7. **Zoning Map Updates.** Update the zoning map to implement the proposed district changes identified in Chapter 2 – Land Use Plan Alignment.
- a. Consider proactive rezoning of existing developments to appropriate zoning districts where the current zoning does not reflect the existing development pattern or the intended future land use.
8. **Planned Unit Development Overlay.** Establish a new process for PUDs that enables creative and flexible design in exchange for developments that deliver tangible improvements to the community.
- a. **Step 1:** Reclassify existing PUDs as legacy districts, allowing existing developments to remain compliant while transitioning to the proposed Planned Unit Development Overlay process.
 - i. Require properties within legacy districts that redevelop beyond a specified threshold to rezone to the most appropriate current district, allowing legacy districts to be phased out over time.
 - b. **Step 2:** Establish a Planned Unit Development Overlay to require that planned unit developments provide a meaningful public benefit in exchange for flexibility from the base zoning regulations. These public benefits can include environmentally sustainable design, attainable housing, accessible design, etc.

Expanding Housing Options

Related Land Use Plan Policies/Recommendations

The Land Use Plan policies and strategies that relate to updates to housing include:

- Ensure Helena’s zoning code and regulations provide necessary flexibility in housing development, enabling creative solutions and denser housing types.
- Promote a mix of housing options that complement the existing neighborhood character, support the market, meet the needs of residents, and encourage a livable community.
- Update zoning and subdivision regulations to remove barriers to the construction of missing middle housing, re-modeling and adaptive re-use of existing structures to increase housing diversity and attainable housing options.
- Encourage additional missing middle housing types to accommodate renters and homeowners of all incomes and abilities.
- Encourage housing options that allow senior residents to remain in the community in walkable, livable neighborhoods near services and amenities.
- Consider strategies for loosening restrictions and offering incentives to encourage ADU development while discouraging any negative impacts of vacation rentals.
- Support residents’ access to affordable, quality housing throughout Helena’s socially diverse and livable neighborhoods.
- Explore the development and use of attainability benchmarks to incentivize the construction of housing that is affordable to residents at and below the median household income.

Related Outreach Feedback

Feedback from the community indicated interest in expanding housing choices throughout Helena. Participants generally favored a variety of densities and housing types, including tiny homes, townhomes, cottage courts, and small- and medium-scaled multiple-family buildings. There was also support for mixed-use and walkable development patterns, including housing with pocket parks, sidewalks, and neighborhood designs that reduce reliance on driving. Additionally, feedback showed support for housing options that meet a range of household needs, including first-time home buyers and senior residents. Many participants expressed support for incorporating incentives to encourage the construction of ADUs, especially detached ADUs. Community members also emphasized a desire for increased flexibility within the UDO to reduce development costs and support housing affordability.

Related Research

Chapter 4 – Comparative Communities Research discusses strategies for providing housing options for different income levels. Drawing on best practices from these communities, the Chapter highlights tools for incentivizing affordable housing, such as development bonuses, and examines design standards that support high-quality housing options. It also looks at best practices from comparative communities to determine the most effective approach for encouraging the development of ADUs and considers flexible development standards, such as reduced setbacks.

Preliminary Recommendations

In spring 2026, the City completed targeted amendments to the Zoning Regulations to comply with the Montana Land Use Planning Act (MLUPA). These amendments addressed many of the Land Use Plan's recommendations aimed at expanding housing options, streamlining the development process, and reducing barriers to housing development. Additional recommendations to further align the Zoning Regulations with the housing goals of the Land Use Plan include:

- **Encourage Affordable Housing.** Consider tying housing incentives like development bonuses, expedited permitting, fee waivers, or relief from building standards and dimensional requirements to income-based requirements.
 - Incentives would be tiered, with more available for projects that include units for households earning 60 to 80 percent of the area median income (AMI), and some available for those serving households earning up to 100 percent AMI.
- **Multiple-Dwelling Units.** Consider allowing multiple-dwellings units by-right in the proposed SR and UR Districts, as well as the CLM District when located above commercial uses or located to the rear of the site.
- **Accessory Dwelling Units (ADUs).** Consider relaxing certain district dimensional standards, such as lot coverage, setbacks, and building height, for detached ADUs to help reduce barriers to their development.
- **Cluster Design.** Consider expanding and modernizing cluster design standards to allow a reduction in minimum yard setback requirements and flexibility in allowed housing types in exchange for the preservation of natural areas and open space beyond what would otherwise be required.

Supporting Commercial Growth and Redevelopment

Related Land Use Plan Policies/Recommendations

The Land Use Plan includes the following policies and recommendations related to commercial development:

- Encourage regional commercial development including destination retail and entertainment offerings that align with the needs of the community and region.
- Encourage restaurants to develop parklets to allow for more outdoor seating and serve as traffic calming to provide a safer and more inviting streetscape.
- Preserve the city's local landmarks and attractions, encouraging a lively and active tourism economy.
- Promote a series of neighborhood nodes that embody the character of the area and encourage local businesses to grow.
- Continue to revitalize Downtown, cementing its status as the central place for entertainment and activities that serve all ages, ability levels, and lifestyles for residents and visitors alike.
- Encourage industries that are central to the downtown economy, such as retail, hospitality, and creative sectors.
- Prioritize mixed-use spaces that combine residential, retail, and office functions to boost activity throughout the day and night.
- Identify sites in proximity to the airport that are suitable for new industrial development.
- Ensure that all new developments align with the Future Land Use Plan and are compatible with surrounding uses.
- Promote infill development and the redevelopment of underutilized parcels.

Related Outreach Feedback

Feedback from the community highlighted interest in incorporating regulations that limit proliferation of uses such as casinos, gas stations, drive-through facilities, marijuana dispensaries, and banks. There was also support for expanding allowances for outdoor dining in Downtown to support local businesses.

Participants also expressed a desire for neighborhood-serving commercial uses, ensuring that everyday amenities are conveniently located near residential areas. For these areas, participants favored restaurants, cafés, neighborhood grocery stores, and retail. There was also some support for personal services, daycares, schools, and financial institutions. Community members emphasized that standards should be established for these uses that limit their impact on adjacent residential properties and address concerns such as noise, traffic, lighting, parking, and site

access. Reducing car dependency and encouraging walkable, mixed-use neighborhoods were indicated as priorities.

Preliminary Recommendations

1. **Update Allowed Uses.** Consider expanding permitted uses in commercial and industrial districts to support a diverse mix of uses, encourage flexibility, and reflect current market trends.
 - a. Consider adding live-work spaces, co-working spaces, or flex spaces as allowed uses in the MU, TR, DT, NC, GC, CC, CLM, and M-I Districts.
 - b. Consider allowing research and development in the CLM, M-I, and Airport (AP) Districts.
2. **Limit Undesirable Uses.** Consider restricting undesirable uses, such as casinos, vehicle fuel stations, drive-through facilities, marijuana dispensaries, and banks, by limiting them to specific locations identified within each district (e.g., along major roads) or with separation standards. For example, new marijuana dispensaries can be prohibited within 1,000 feet of pre-existing dispensaries.
3. **Neighborhood Commercial.** Consider allowing small-scale, neighborhood-serving retail and service uses in all residential districts to support walkable, mixed-use neighborhoods by providing convenient access to daily needs. Regulations may limit these uses to specific locations, such as corner lots or along major roads, to minimize potential impacts on residential areas.
 - a. Allow as a limited use in the proposed SR District.
 - b. Allow by-right in the proposed NR and UR Districts.
4. **Incentivize Mixed-Use Development.**
 - a. Allow small-scale vertical mixed-use in the proposed MU District, generally two to three stories.
 - b. Support horizontal mixed-use development along commercial corridors within the proposed CC and GC Districts, with clear design standards to ensure compatibility with surrounding uses and existing neighborhood character.
 - c. Incentivize mixed-use development in the proposed MU and NC Districts by including provisions for density bonuses and reduced parking requirements for projects that combine residential and commercial uses. Developers could receive incentives like increased building height or reduced parking requirements when incorporating affordable housing units or meeting energy-efficient building standards.
5. **Support Downtown Vibrancy.** Consider limiting ground floor uses in the DT District to active commercial uses such as retail, restaurants, and recreational uses.
6. **Allow Outdoor Dining.** Establish outdoor dining as an accessory use and allow the use by-right on lots with restaurants, taverns, specialized food production, or similar principal uses. Design standards should be established to address location and design.

- a. Allow Staff to approve minor adjustments to zero lot line setback requirements in the DT and TR Districts to accommodate outdoor dining.

Refining Site and Building Design Standards

Related Land Use Plan Policies/Recommendations

The Land Use Plan includes the following policies and recommendations related to site and building design:

- Improve the community's image through enhanced design-specific standards.
- Preserve Helena's historic integrity and small-town character throughout existing and new development.
- Continue to support outlot development in large retail areas to maximize land use efficiency.
- Implement protected bike lanes and designated bike parking areas throughout commercial corridors to encourage cycling as a viable transportation option.
- Consider removing traffic impact studies for future development.
- Consider updating the zoning ordinance to remove parking minimums.
- Reduce or eliminate parking minimums for commercial land uses and encourage shared parking to reduce land used for surface lot parking and reduce instances of unused/underutilized parking spaces and lots.
- In the Downtown, reevaluate parking requirements to minimize adverse impacts like excess paving and car-centric design.
- Provide access to existing residential trail systems through City pedestrian and bicycle facilities.
- Update zoning regulations to incorporate design standards for new commercial developments including setback and parking design requirements.
- Encourage denser development Downtown minimizing the visual and financial impact of surface parking lots while preserving the unique sense of place that has been established.
- Develop standards for signage, architectural elements, landscaping, lighting, and other design features around gateways into the City.
- Evaluate zoning districts, particularly in gateway areas, to ensure certain districts and land uses align with the intent of activating the streetscape.
- Maintain and enhance the City's unique character, including its charming downtown and neighborhoods, all set within a stunning and accessible natural environment.
- Buffer residential areas from incompatible uses and promote transitions between housing types.
- Encourage the development of gridded street patterns in all neighborhoods to provide greater connectivity for all transportation modes.

Related Outreach Feedback

Public outreach showed broad support for development patterns that are more walkable and pedestrian-oriented. Participants expressed a preference for buildings located closer to the street, active ground-floor uses, connected sidewalks and pathways, and commercial areas designed at a human scale. Traditional downtown main street character was frequently identified as the preferred development pattern for mixed-use and neighborhood commercial development, while strip commercial development, large surface parking lots, and other auto-oriented development patterns were generally viewed less favorably. Participants generally favored standards that provide flexibility while still achieving the desired outcome.

Regarding parking, participants generally supported reducing or right-sizing parking requirements to better reflect current demand. Parking located to the side or rear of buildings and shared parking between uses were preferred for most types of development. Some participants noted that parking in front of buildings may still be appropriate for certain commercial uses to maintain visibility and accessibility, such as along major traffic corridors.

Connectivity between neighborhoods, commercial areas, and community destinations was identified as a priority for new development and redevelopment. Participants supported improvements that make walking and bicycling easier and safer, including connected sidewalks and pathways, secure bicycle parking, and expanded access to trails.

Participants also indicated support for enhanced streetscape design and community gathering spaces. Feedback showed a preference for wider sidewalks, street trees, outdoor dining areas, public spaces, public art, native landscaping, and other features that contribute to an attractive and active environment. For commercial building design, participants supported standards that improve the pedestrian experience through features such as façade articulation, storefront windows, and reduced blank walls along public streets.

Participants expressed a preference for decorative landscaping and a combination of buffering techniques, including landscape screening, fences, walls, and increased separation between incompatible land uses. However, some participants noted that buffering requirements can increase development costs.

Participants supported lighting standards that reduce glare and minimize negative impacts on nearby properties while maintaining safety. Regarding signage, participants expressed a preference for monument signs over pole signs and supported additional standards for temporary signs, including restrictions on placement that may create visibility or accessibility concerns.

Related Research

Chapter 4 - Comparative Communities Research highlights the importance of modernizing parking regulations based on models from other communities. Research shows that strategies, such as limiting the size of surface parking lots, encouraging shared and structured parking, and providing incentives for developments, that incorporate sustainable site design can result in more efficient use of land while supporting walkable, attractive, and sustainable development.

Preliminary Recommendations

1. **Objective Design Standards.** Establish objective design standards to ensure new development aligns with the character of existing neighborhoods and promotes high-quality design.
 - a. Establish context-sensitive and flexible design standards for multiple-dwelling, mixed-use, and nonresidential buildings to accommodate the various styles of development across Helena neighborhoods.
 - i. Include glazing, building entryway design, façade design and articulation, and roof design.
 - ii. Incorporate enhanced design standards at key gateways to reinforce community character and create a stronger sense of arrival.
 - b. Establish height transition standards such as step-downs or step-backs in height, increased setbacks, dormers and sloping roofs, or landscape buffers to create a gradual and aesthetic transition between developments of different heights.
 - c. Establish buffer standards that vary in intensity depending on the compatibility of the subject lot's zoning district with the zoning district of the adjacent lot to reduce potential impacts between incompatible uses.
2. **Building Frontage Requirements.** Establish building frontage standards for nonresidential uses in the proposed MU and NC Districts to require orientation of buildings along a certain portion of the front lot line or front setback line to promote walkability.
3. **Parking and Parking Areas.** Modernize parking requirements to reflect actual demand and support multiple modes of travel, such as walking or biking.
 - a. Update minimum parking requirements to reflect actual demand.
 - b. Consider different approaches to applying minimum parking requirements to change of use, such as:
 - i. Requiring additional parking only when the proposed use increases the applicable parking requirement by a certain percent,
 - ii. Requiring additional parking only when the proposed use is in a different use category than the previous use, or
 - iii. Requiring additional parking for a change in use only when the change also includes a structural expansion of the building or an increase in floor area.

- c. Establish parking maximums for nonresidential uses based on a percentage of the minimum parking requirement.
 - d. Allow administrative adjustments to required parking when the use has a shared parking agreement, provides affordable housing, incorporates sustainability features, such as permeable pavement, or demonstrates a reduced parking demand through a parking study.
 - e. Require all commercial and multiple-dwelling unit off-street parking areas to provide designated snow storage areas.
 - f. Update landscaping standards for vehicular use areas to encourage parking to the rear or side of buildings by requiring enhanced landscaping or the use of outlots for development with parking located in front of buildings to minimize the visual impact.
 - g. Update off-street parking design standards to address drive aisle and parking space dimensions, including angled, parallel, and compact parking spaces.
 - h. Establish internal drive standards for large multiple-family, mixed-use, and commercial developments. These standards should address connections to the public right-of-way and incorporate travel lanes, landscape strips, and parking to promote efficient and safe movement throughout the site.
4. **Trail Connections.** Require connections to existing trails or planned trails identified in the Trail Network Map in the Land Use Plan.

Enhancing Sustainability and Open Space Standards

Related Land Use Plan Policies/Recommendations

The Land Use Plan includes the following policies and recommendations related to sustainability and open space:

- Protect and sustain irreplaceable natural features such as wetlands, stream corridors, and similar high-value areas that provide wildlife habitat, recreational opportunities, improved water quality and safety values such as flood control.
- Encourage the use of xeriscape landscaping, grey water, rain barrels, and other mechanisms to reduce demand on potable water and the amount of effluent.
- Integrate sustainability into new industry development, offering incentives for businesses that adopt green technologies and sustainable practices.
- Encourage permeable surface treatments in new development or redevelopment opportunities.
- Encourage the use of Low Impact Design (LID) techniques to improve water quality and reduce runoff.
- Promote firewise landscaping and structural features in residential and commercial buildings.
- Support an extensive parks, open space and trails network, and continue to monitor opportunities to increase and secure outdoor recreational access and improve the wayfinding and safety of trails.
- Require well-designed, walkable residential developments with access to open space, recreation, commercial centers, and community services.

Related Outreach Feedback

Overall, feedback from the community showed support for regulating sustainable design practices in new development and redevelopment, including stormwater management systems (e.g., rain gardens, bioswales, permeable pavements, and limits on impervious surfaces), landscaping and tree preservation, green building and energy efficiency, renewable energy options, dark sky friendly outdoor lighting, bicycle amenities, and electric vehicle charging stations. While there was broad support for requiring these measures, participants expressed a desire for flexible compliance options rather than prescriptive requirements.

Participants also indicated support for enhanced landscaping standards, particularly for parking areas. Feedback on parking lot landscaping design showed a preference for perimeter landscaping over interior landscaping (e.g., landscape islands, medians, and end caps). Participants also emphasized the importance of incorporating native and drought-tolerant plant species.

Related Research

Chapter 4 - Comparative Communities Research examines how other communities incorporate sustainability measures. The Chapter highlights approaches like water-efficient landscaping, tree preservation, electric vehicle infrastructure, and energy-efficient lighting that can be used to encourage sustainable site design and resource conservation.

Preliminary Recommendations

1. **Water-Wise Landscaping.** Encourage the use of efficient irrigation systems and integrate rain gardens, bioswales, and other stormwater management best practices as options for compliance with landscape requirements.
2. **Native Species and Diversity Requirements.** Establish species diversity requirements to ensure a minimum and maximum quantity of drought-tolerant and native species are provided.
3. **Tree Preservation.** Provide incentives that encourage the preservation of mature trees, such as allowing preserved trees to substitute other landscaping requirements.
4. **Dark-Sky-Friendly Lighting.** Consider relocating the existing lighting standards in Title 10 of the City Code to the new UDO. Standards should be updated to incorporate dark-sky-friendly best practices, including requirements that reduce glare, limit light trespass, and regulate color temperature.
5. **Electric Vehicle Charging Stations.**
 - a. Require new commercial developments with parking lots over a certain size to include a minimum percentage of spaces with electric vehicle charging stations.
 - b. Provide incentives for multiple-family residential developments that provide electric vehicle charging stations, such as a reduction in parking area landscape requirements, minimum bicycle parking requirements, or other applicable development standards.
6. **Solar Energy Uses.** Consider incorporating supplemental standards that address the design, location, and height of solar energy collection systems.
7. **Establish Open Space Standards.**
 - a. **Identify Open Space Types.** Establish a list of allowed open space types that can count toward open space requirements. This may include special flood hazard areas, riparian buffers, areas with retained tree canopy, large contiguous areas with steep slopes, and other natural resources.
 - b. **Require Open Space.** Require a minimum percentage of all development sites to be preserved as open space. The percentage should differ depending on the type of development and district.
 - c. **Activate Open Space.** Consider establishing gathering space standards focused on the functionality of spaces, rather than simply meeting quantitative requirements.

- i. Establish a menu of improvement options for open space amenities with points assigned to each improvement type, with minimum requirements based on the development type and size. This approach ensures that open spaces meet a minimum standard of improvement but allows developers to tailor improvements to their target market.
- 8. **Parkland Dedication.** Expand exemptions for parkland dedication to include:
 - a. Subdivision of five or fewer lots that include affordable housing units, and
 - b. Subdivisions within a certain radius of parks or open space identified in the Land Use Plan.

Chapter 2. Land Use Plan Alignment

For the City's new UDO to be an effective tool in the implementation of the Helena Forward Land Use Plan, the Zoning Map and Land Use Plan must work in concert. An alignment analysis between the Land Use Plan's future land use categories and the existing zoning districts was conducted, comparing the future land use category descriptions and the types of uses and development patterns each category intends to promote with the purpose and intent statements and allowed uses of the City's districts.

The following table identifies the existing zoning districts that are most aligned with the future land use categories of the Land Use Plan and provides recommendations for further alignment. Zoning districts that were identified as aligned with multiple land use categories in the Land Use Plan were only included in the most closely aligned category. Some districts are proposed to be consolidated with similar districts to reduce redundancy, while new districts are proposed where existing districts cannot adequately accommodate a future land use category. In addition to consolidations and new districts, several districts are proposed to be renamed. The new names are intended to better reflect their intended character.

Future land use categories and existing zoning districts not included in the table are addressed later in this Chapter.

Zoning districts that are proposed to be consolidated with other zones are identified by *italicized blue* text.

Zoning districts that are proposed to be renamed are identified by *italicized green* text.

New, proposed zoning districts are identified by *italicized red* text.

Land Use Plan Category	Existing Zoning District	Recommendation District
Suburban Residential	R-1 Residential District	<i>SR Suburban Residential District</i>
	R-2 Residential District	
Urban Residential	R-3 Residential District	<i>NR Neighborhood Residential District</i>
	R-U Residential Urban District	<i>UR Urban Residential District</i>
Mixed-Use	R-4 Residential Office District	<i>MU Mixed-Use District</i>
	R-O Residential Office District	
Downtown	DT Downtown District	DT Downtown District
	TR Transitional Residential District	TR Transitional Residential District
Commercial	B-1 Neighborhood Business District	<i>NC Neighborhood Commercial District</i>
	B-2 General Commercial District	<i>GC General Commercial District</i>
	B-3 Central Business District	<i>CC Corridor Commercial District</i>
Industrial	CLM Commercial-Light Manufacturing District	CLM Commercial-Light Manufacturing District
	M-I Manufacturing and Industrial District	M-I Manufacturing and Industrial District
	Airport District	AP Airport District
Public/Semi-Public	PLI Public Lands and Institutions District	PLI Public Lands and Institutions District
Parks and Open Space	N/A	<i>OS Parks and Open Space District</i>
Utilities and Transportation	Allowed in All Districts	N/A

Suburban Residential District

R-1 Residential District and R-2 Residential District

The R-1 and R-2 Residential Districts align with the Suburban Residential land use category by primarily supporting single-family detached homes. Because both districts share the same intent, lot requirements, and permitted uses, it is recommended to combine the R-1 and R-2 Districts into a single district named **Suburban Residential (SR) District**.

The proposed SR District is intended to maintain the character of low-density, single-family residential areas and serve as a transitional zone between more densely developed urban neighborhoods and rural areas outside the city limits. To further align with the Suburban Residential land use category and support more attainable housing options, the City should consider allowing context-sensitive multiple-family dwelling with three or more units. Design standards for this housing type should be established to ensure new housing is compatible with the scale and character of surrounding neighborhoods. The City should also consider allowing small-scale commercial uses that support the everyday needs of nearby residents, such as personal services, neighborhood grocery stores, and cafés. These uses should be limited to specific locations with the SR District, such as along major corridors or on select intersections.

Urban Residential Districts

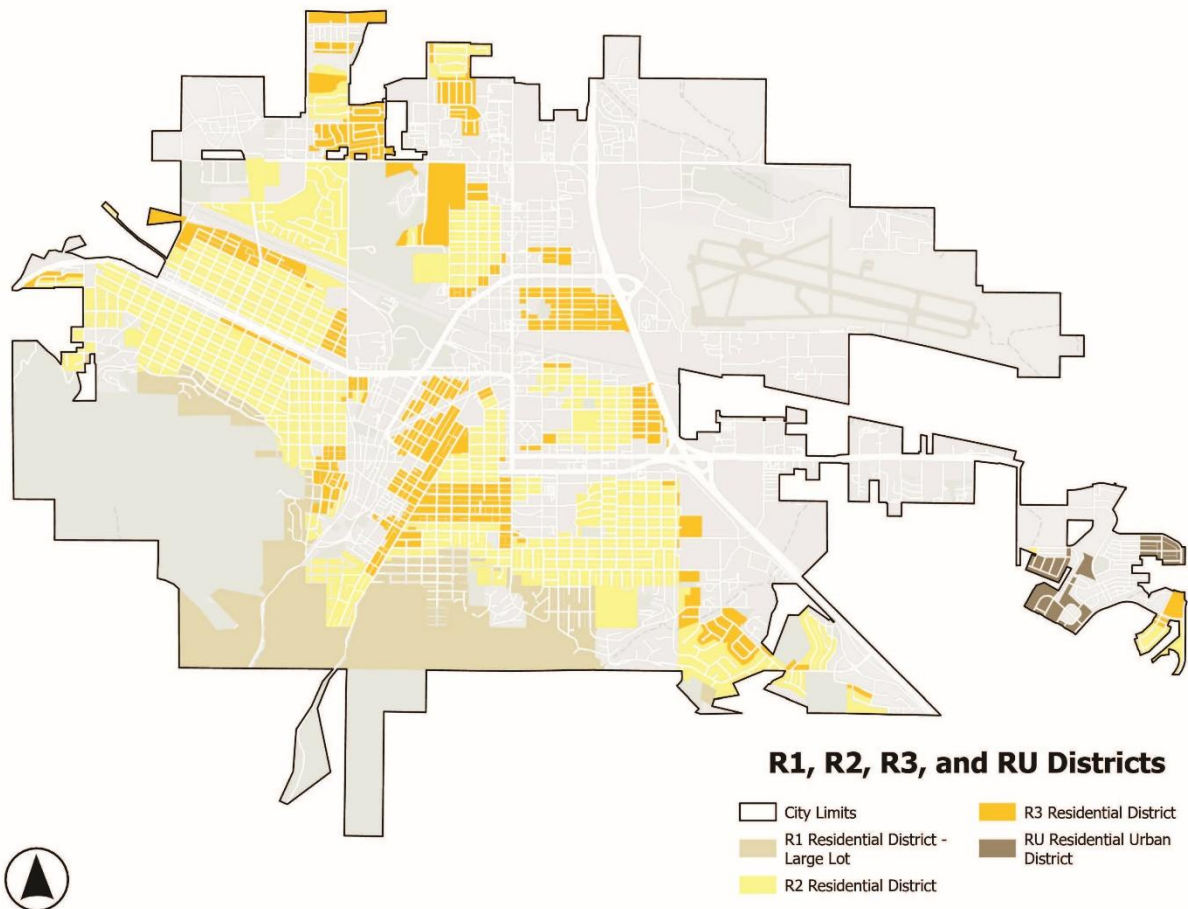
R-3 Residential District

The R-3 Residential District aligns with the Urban Residential land use category's focus on supporting a mix of uses to promote walkable neighborhoods. The R-3 District allows for a variety of housing types, including single-family homes, duplexes, and multiple-family dwellings with three or more units, as well as limited nonresidential uses that are compatible with the surrounding neighborhood, such as community centers and places of worship. It is recommended that the R-3 District be renamed **Neighborhood Residential (NR) District** to better reflect its intended character. The NR District is intended to serve as a transition between lower-density residential areas and higher-density residential and commercial areas.

R-U Residential Urban District

The R-U Residential Urban District generally aligns with the Urban Residential land use category by promoting compact, walkable environments and allowing limited nonresidential uses, such as restaurants, professional offices, and personal service establishments. It is recommended that the district incorporate cluster design standards, including reduced setbacks, to provide greater

flexibility for compact residential development while preserving usable open space and supporting sustainable development patterns. It is also recommended that the R-U District be renamed the **Urban Residential (UR) District** to better reflect the corresponding land use category. The UR District is intended for urban areas or those transitioning to higher-density development.



Mixed-Use District

R-4 Residential Office District and R-O Residential Office District

The R-4 and R-O Residential Office Districts align with the Mixed-Use land use category by supporting a compatible mix of higher density residential development and neighborhood-serving commercial uses, such as small-scale restaurants, retail, and personal services. The R-4 and R-O Districts share the same intent, lot requirements, and permitted uses. To reduce redundancy in the UDO and reflect changing market demand for traditional office space, it is recommended that the R-4 and R-O Districts be combined into a single district named the **Mixed-Use (MU) District**.

The MU District should serve as a transition between residential neighborhoods and more intensive commercial areas and continue to accommodate a mix of housing types and commercial uses that are compatible with adjacent residential areas. Development standards should primarily support vertically integrated mixed-use development, while remaining flexible enough to accommodate stand-alone residential, stand-alone commercial, and horizontally integrated mixed-use development.

The proposed consolidation of the R-4 and R-O Districts into the MU District will also consider the location and existing development pattern of R-O parcels. Parcels that align with the intended character of the MU District will be rezoned to MU, while parcels closer to Downtown that provide a transition between Downtown and surrounding residential areas will be incorporated into the TR District.

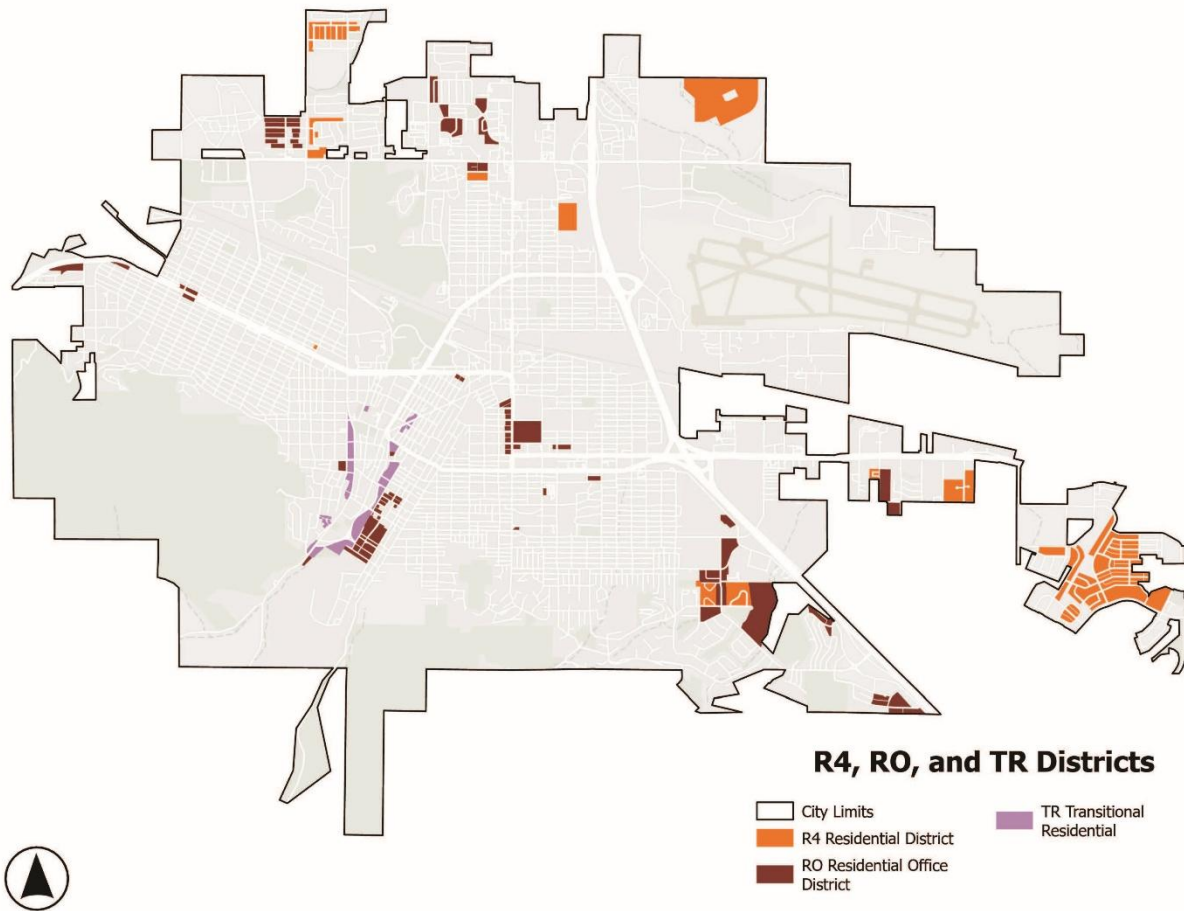
Downtown Districts

DT Downtown District

The DT Downtown District aligns with the Downtown land use category by supporting vertically integrated mixed-use developments that promote pedestrian-friendly environments and activate the City's historic core. The DT District accommodates a mix of uses, including retail, office, entertainment, and service uses, as well as residential uses when located above or below commercial uses or to the rear of the site. The district should continue to support high-density, zero lot line development that contributes to an active and walkable Downtown environment.

TR Transitional Residential District

Similar to the DT District, the TR District aligns with the Downtown land use category by supporting a mix of retail, office, entertainment, service, and residential uses, with residential uses located above or below commercial uses. The district is intended to accommodate compact, mixed-use development at a scale that is compatible with nearby residential neighborhoods through lower building heights. To provide additional development flexibility while maintaining compatibility with adjacent residential properties, it is recommended that the maximum building height be increased and that height transition standards, such as step-backs and increased setbacks, be established for buildings that exceed the current height limit and are located adjacent to residential properties.



Commercial Districts

B-1 Neighborhood Business District

The B-1 Neighborhood Business District aligns with the Commercial land use category by accommodating neighborhood-serving commercial and public uses. The B-1 District should be located adjacent to existing and future residential areas, serving as a transition between residential neighborhoods and more intensive commercial areas. The district should support small-scale commercial and mixed-use development that is compatible in scale with the surrounding neighborhood. Residential uses in the district should be limited to upper floors above commercial uses or the rear of the development. Development standards for the B-1 District should emphasize accessibility from nearby neighborhoods, safe and efficient mobility within the site, and effective buffering to ensure compatibility with adjacent residential areas. To better reflect the intended character of the district, it is recommended that the B-1 District be renamed **Neighborhood Commercial (NC) District**.

B-2 General Commercial District

The B-2 General Commercial District aligns with the Commercial land use category by accommodating a broad range of commercial and service uses. While the district should continue to provide convenient vehicular access to commercial uses, development standards should encourage a more pedestrian-scaled development pattern through building placement closer to the street, parking located to the side or rear of buildings, and shared access between sites. These standards would improve connectivity and enhance the overall character of commercial areas. It is also recommended that the B-2 District be renamed **General Commercial (GC) District** for consistency with the other commercial zoning districts.

B-3 Central Business District

The B-3 Central Business District was intended to support the City's business, governmental, service, and cultural activities. However, many of the purposes of the district overlap with those of the DT District. Because no properties are currently zoned B-3, it is recommended that the district be replaced with a new **Corridor Commercial (CC) District** to better align with the goals of the Commercial land use category.

The CC District is intended to accommodate larger-scale commercial development along high-traffic corridors, such as Custer Avenue, Euclid Avenue, and Interstate 15. The district should provide for a broad range of retail, office, service, and commercial uses that benefit from high visibility and convenient vehicular access. Unlike the B-2 District, the CC District should accommodate larger development sites, setbacks, and parking areas that reflect the character of major commercial corridors.

Industrial Districts

CLM Commercial-Light Manufacturing District

The CLM Commercial-Light Manufacturing District aligns with the Industrial land use category by accommodating light industrial uses that are generally compatible with nearby residential and commercial areas. The CLM District also allows commercial uses and limited residential uses, including single-family homes, duplexes, and multiple-family dwellings, when located above industrial uses or to the rear of the site.

While the CLM district aligns with the Industrial land use category, it also provides an opportunity for alignment with the Technology and Innovation land use category. The Technology and Innovation land use category focuses on encouraging vibrant, modern developments incorporating a variety of uses, including tech, office, and flexible-use spaces, that are integrated into and complement the existing natural and built environment. To better align with the Technology and Innovation land use

category, the CLM district should accommodate additional uses such as research and development and co-working spaces.

M-I Manufacturing and Industrial District

The M-I Manufacturing and Industrial District aligns with the Industrial land use category by accommodating heavy industrial uses that involve the processing or manufacturing of materials or products predominantly from extracted or raw materials. Because these uses may generate fumes, noise, or other off-site impacts, it is recommended to establish development standards requiring screening and buffering from adjacent residential areas and public rights-of-way, as well as building design standards to ensure new development is visually compatible with its surroundings.

Airport District

The Airport District aligns with the Industrial land use category by accommodating airport-related facilities and uses necessary for the operation, maintenance, and protection of airport functions. The district also allows complementary uses, including aeronautical-related manufacturing, public service and institutional uses, and associated retail and service uses that support airport operations.

While the Airport District aligns with the Industrial land use category, it could provide additional opportunities for airport-compatible industrial development. To better align with the Industrial land use category, the district should accommodate additional uses such as warehousing, distribution, and logistics facilities that support the area's role as a transportation and employment center.

Public/Semi-Public District

PLI Public Lands and Institutions District

The PLI Public Lands and Institutions District aligns with the Public/Semi-Public land use category by accommodating governmental and quasi-governmental uses such as municipal, county, and state government buildings; schools; non-profit agencies; places of worship; and community service providers.

Parks and Open Space District

OS Parks and Open Space District (Proposed)

The **Parks and Open Space (OS) District** is proposed to accommodate public parks, recreational facilities, and natural areas managed by the City, county, state, and federal entities, as well as privately-owned recreational facilities and open spaces. It is also intended to protect environmental features such as woodlands and stream corridors by limiting development and restricting permitted uses. The OS district would provide a framework for preserving, expanding, and managing open spaces in alignment with the Land Use Plan.

Other Zoning Districts

Several of the City's zoning districts were not discussed in the land use plan alignment analysis, either because they are not directly aligned with a future land use category or the analysis was not applicable to them. Descriptions of these zoning districts are detailed below.

OSR Open Space – Residential District

The OSR Open Space – Residential District provides for residential development that is compatible with the natural landscape and physical constraints of the land. The district is intended to preserve open space and the natural scenic character of hillside areas while promoting development that protects environmental resources and minimizes natural hazards. However, since this district is located outside of the City's jurisdictional boundary, it is recommended that the OSR District be eliminated.

T Transitional District

The purpose of the T Transitional District is to provide a compatible transition between zoning districts with different restrictions and characteristics. T districts are adopted by ordinance and serve as overlay districts, applying additional standards to an underlying base zoning district. Each T district establishes unique development and performance standards related to setbacks, buffers, screening, lighting, access, signage, and landscaping.

Since T districts are intended to be temporary and phased out over time, it is recommended that the T Transitional District be eliminated and that enhanced standards for landscaping, buffering, screening, and lighting be incorporated into the new UDO to ensure compatibility between adjacent uses and zoning districts.

Planned Unit Development Overlay (Proposed)

Planned Unit Developments (PUDs) are intended to allow for flexibility from the standards of the underlying base zoning district and encourage creative design. The PUD process allows developments on sites of at least two acres to incorporate a variety of land uses, housing types, densities, and site design features that may not otherwise be permitted under the base zoning district, resulting in developments that are responsive to the unique characteristics of the site. It is recommended that existing PUDs be reclassified as legacy districts, allowing the existing districts to remain in place while establishing a Planned Unit Development Overlay. While legacy PUDs would be allowed to remain in effect, properties that redevelop beyond a specified threshold should be required to rezone to the most appropriate current district, allowing legacy PUDs to be phased out over time.

It is recommended that the City establish a **Planned Unit Development Overlay (PUD-O) District** to replace the existing Planned Unit Development process. Rather than relying on a standalone Planned Unit Development plan, the PUD-O District would be utilized in conjunction with existing base zoning. This approach allows for consistent application of standards while providing a method for developers to request flexibility and modifications when the proposed development provides a clear benefit to the community or a creative design connected to specific enhancements (e.g., diverse housing options, environmentally sustainable design, or accessible design).

Chapter 3. Proposed Ordinance Structure

Regulations for development are most effective when they are easy for the City to administer and the public to navigate. A user-friendly format incorporates tables and graphics where appropriate, groups related information to minimize redundancy, and orders sections logically, with the most frequently referenced provisions appearing first.

In the spring of 2026, the City completed targeted amendments to Title 11 (Zoning) and Title 12 (Subdivision Regulations) of the City Code to comply with the Montana Land Use Planning Act (MLUPA). These targeted amendments updated the zoning and subdivision regulations to expand housing opportunities and streamline residential development and land division procedures. The next step is a comprehensive update of Helena's Zoning Regulations to improve clarity and usability, and to align with the City's Land Use Plan.

As part of this effort, both the Zoning and Subdivision Regulations will be combined into a single document called a Unified Development Ordinance (UDO). The UDO will consolidate all development regulations — zoning, subdivision, and all related procedures — into one coordinated, easy-to-use document. This updated framework will streamline regulations, reduce redundancy, and make related provisions easier to reference. The targeted MLUPA updates will be incorporated into the new UDO, which will be organized into the following 10 chapters to create a more user-friendly and accessible document.

Please note that the proposed structure is subject to change as the document is developed.

Chapter 1: Purpose and Applicability

Chapter 2: District Standards

Chapter 3: Use Standards

Chapter 4: General Development Standards

Chapter 5: Building Design Standards

Chapter 6: Subdivision Standards

Chapter 7: Sign Standards

Chapter 8: Nonconformities

Chapter 9: Review, Decision-Making, and Enforcement Procedures

Chapter 10: Definitions

Chapter 1: Purpose and Applicability

Chapter 1: Purpose and Applicability should include high-level information regarding the title, authority, jurisdiction, purpose, and intent of the UDO. These items are currently contained in the following sections:

- **Title 11** – Zoning Regulations
 - **Chapter 1** – Administration and Enforcement
 - **Section 11-1-1** – Title
 - **Section 11-1-3** – Official Zoning Map
 - **Section 11-1-4** – Prezoning
 - **Section 11-1-11** – Severability
- **Title 12** – Subdivision Regulations
 - **Chapter 1** – Title, Purpose, and Definitions
 - **Section 12-1-1** – Title
 - **Section 12-1-2** – Purpose of the Subdivision Review Process
 - **Section 12-1-3** – Authority
 - **Section 12-1-4** – Jurisdiction
 - **Section 12-1-5** – Relationship to Zoning

Chapter 2: District Standards

Chapter 2: District Standards should establish the purpose and intent statements, along with dimensional standards, for all existing and proposed base and overlay zoning districts in Helena. Specific changes to districts are detailed in Chapter 2 of this report. The UDO will modernize and restructure the following sections to provide a clear and user-friendly format:

- **Title 11** – Zoning Regulations
 - **Chapter 2** – Land Uses
 - **Section 11-2-2** – Intent of Zoning Districts
 - **Chapter 4** – District Dimensional Standards
 - **Section 11-4-2** – Lot Requirements for Zoning Districts
 - **Section 11-4-4** – Townhouses
 - **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-1** – Intent
 - **Section 11-9-3** – Applicability of District Standards
 - **Section 11-9-7** – Design Standards (Site, Building Placement, and Height and Massing standards only)
 - **Chapter 16** – Transitional District
 - **Section 11-16-1** – Intent
 - **Section 11-16-2** – Applicability of District Standards

- **Section 11-16-3** – Uses Permitted
- **Section 11-16-4** – Standards
- **Chapter 25** – Planned Unit Developments
 - **Section 11-25-1** – Intent
- **Chapter 35** – Airport Zoning Regulations
 - **Section 11-35-2** – Zones
 - **Section 11-35-3** – Height Limitations and Exceptions
 - **Section 11-35-4** – Use Restrictions
 - **Section 11-35-7** – Variances (as a reference)
 - **Section 11-35-13** – Conflicting Regulations
- **Chapter 36** – Airport Noise Influence District
 - **Section 11-36-1** – Intent
 - **Section 11-36-2** – Noise Influence Area
 - **Section 11-36-3** – Prohibited Uses
 - **Section 11-36-9** – Conflicting Regulations
- **Chapter 41** – Wildland-Urban Interface District
 - **Section 11-41-1** – Application
 - **Section 11-41-2** – Standards

Chapter 3: Use Standards

Chapter 3: Use Standards should establish all allowed uses and any supplemental use regulations. Currently, the permitted and conditional uses are listed in Chapter 2 – Land Uses, while supplemental and associated standards scattered over various chapters of the Zoning Regulations. To improve clarity and ease of navigation, these regulations are proposed to be consolidated into one chapter. Principal, accessory, and temporary uses will be organized into three separate tables with the associated standards immediately following each table. The following sections will be included in this Chapter:

- **Title 11** – Zoning Regulations
 - **Chapter 2** – Land Uses
 - **Section 11-2-1** – General Provisions
 - **Section 11-2-3** – Land Use Table for Zoning Districts
 - **Section 11-2-5** – Supplemental Requirements
 - **Chapter 7** – Mobile Home Parks
 - **Section 11-7-1** – Intent
 - **Section 11-7-3** – License
 - **Section 11-7-4** – Mobile Home Park Site and Development Standards
 - **Chapter 8** – Recreational Vehicle Parks and Campgrounds

- **Section 11-8-1** – Intent
- **Section 11-8-3** – License
- **Section 11-8-4** – Recreational Vehicle Park Site and Development Standards
- **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-6** – Uses
- **Chapter 26** – Home Occupations
- **Chapter 38** – Daycare Facility
 - **Section 11-38-1** – Intent
 - **Section 11-38-3** – Standards
- **Chapter 40** – Establishment of Areas That Allow the Sale of Alcoholic Beverage and Casinos withing City Limits
 - **Section 11-40-1** – Intent
 - **Section 11-40-3** – Locations of Licenses Premises and Casinos
 - **Section 11-40-4** – Exemptions
 - **Section 11-40-5** – Conditional Use

Chapter 4: General Development Standards

Chapter 4: General Development Standards should include standards that are broadly applicable to development throughout Helena, regardless of district or use. This Chapter will incorporate existing standards for landscaping, screening, and off-street parking. Standards in this Chapter may be established to address outdoor lighting, buffering, fences, walls, and community and open space. Where appropriate, standards may vary by use or district to reflect the unique character and purpose of each area. The following sections will be incorporated into this Chapter:

- **Title 11** – Zoning Regulations
 - **Chapter 4** – District Dimensional Standards
 - **Section 11-4-3** – Construction Requirements for Structures
 - **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-5** – Administrative Adjustments (Applicability only)
 - **Section 11-9-7** – Design Standards (Parking and Landscaping standards only)
 - **Chapter 22** – Off-Street Parking
 - **Section 11-22-1** – Intent of Off-Street Parking Requirements
 - **Section 11-22-3** – Minimum Number of Off-Street Parking Spaces Required
 - **Section 11-22-4** – ADA Accessible Parking
 - **Section 11-22-5** – Off-Street Parking Design Standards
 - **Section 11-22-7** – Off Site and Shared Parking

- **Section 11-22-8** – Pedestrian Access and Bicycle Space Requirements
- **Section 11-22-9** – Parking Space Reductions
- **Chapter 24** – Landscaping
 - **Section 11-24-1** – Intent
 - **Section 11-24-3** – General Landscaping
 - **Section 11-24-4** – Parking Lot Landscaping
 - **Section 11-24-5** – Screening
 - **Section 11-24-6** – General Landscaping and Parking Lot Landscaping Standards
 - **Section 11-24-7** – Site Plan Required
 - **Section 11-24-8** – Maintenance

Chapter 5: Building Design Standards

Chapter 5: Building Design Standards may include new standards for the design of multi-family, mixed-use, and nonresidential buildings, including glazing, building entryway design, façade design and articulation, and roof design. The new standards should vary by use or district as appropriate to ensure the individual character of different areas is reflected. The following sections will be included in this Chapter:

- **Title 11** – Zoning Regulations
 - **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-7** – Design Standards (Transparency and Pedestrian Access standards only)

Chapter 6: Subdivision

The City’s existing subdivision standards were part of targeted updates, completed in Spring 2026, to comply with the Montana Land Use Planning Act (MLUPA). The updated subdivision standards in **Title 12** – Subdivision Regulations will be relocated to Chapter 6 of the new UDO. These regulations will only include minor updates to ensure clarity and consistency with the rest of the UDO. This Chapter will exclude the approval procedures and definitions from Title 12, containing only the sections listed below:

- **Title 12** – Subdivision Regulations
 - **Chapter 1** – Title, Purpose, and Definitions
 - **Section 12-1-6** – Lands Unsuitable for Subdivision Development
 - **Section 12-1-7** – Subdivisions for Building Purposes Prohibited
 - **Chapter 4** – Public Improvements

Chapter 7: Sign Standards

Chapter 7: Sign Standards will include minor revisions and modernization to the City’s sign ordinance as it was comprehensively updated in July 2024. The existing regulations are proposed to be updated to ensure consistency with other UDO chapters, include updated terminology as needed, and introduce new diagrams. This Chapter will also include the sign standards located in **Chapter 9** – Downtown District and Transitional Residential District.

- **Title 11** – Zoning Regulations
 - **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-7** – Design Standards (Sign standards only)
 - **Chapter 23** – General Sign Regulations
 - **Section 11-23-1** – General
 - **Section 11-23-3** – Prohibitions
 - **Section 11-23-4** – Exempt Signs
 - **Section 11-23-5** – Regulations for Specified Districts
 - **Section 11-23-6** – Sign Lighting Standards
 - **Section 11-23-8** – Removal of Signs
 - **Section 11-23-9** – Design Guidelines
 - **Section 11-23-10** – Planned Sign Program
 - **Section 11-23-11** – Billboards

Chapter 8: Nonconformities

Chapter 8: Nonconformities should include standards pertinent to nonconforming lots, structures, signs, and uses. Currently, the nonconformity standards are located under various chapters. These regulations are proposed to be consolidated into one Chapter for easier navigation. This Chapter should be based on the City’s existing regulations, incorporating provisions from the following sections:

- **Title 11** – Zoning Regulations
 - **Chapter 6** – Nonconforming Uses and Buildings
 - **Section 11-6-1** – Intent
 - **Section 11-6-3** – Nonconforming Buildings
 - **Section 11-6-4** – Nonconforming Use Limitations
 - **Section 11-6-5** – Repairs, Maintenance and Remodeling
 - **Section 11-6-6** – Americans with Disabilities Act (ADA) Requirements
 - **Section 11-6-7** – Applicability to Work in Progress
 - **Section 11-6-8** – Cessation of Nonconforming Uses
 - **Chapter 9** – Downtown District and Transitional Residential District

- **Section 11-9-4** – Nonconformities
- **Chapter 22** – Off-Street Parking
 - **Section 11-22-6** – Nonconforming Parking
- **Chapter 23** – General Sign Regulations
 - **Section 11-23-7** – Nonconforming Signs
- **Chapter 24** – Landscaping
 - **Section 11-24-9** – Nonconforming Landscaping
- **Chapter 35** – Airport Zoning Regulations
 - **Section 11-35-5** – Nonconforming Uses
- **Chapter 36** – Airport Noise Influence District
 - **Section 11-36-4** – Nonconforming Uses

Chapter 9: Review and Decision-Making Procedures

Chapter 9: Review and Decision-Making Procedures should include all procedures for administering the UDO. The City’s procedures and standards are currently located in various sections of the existing Zoning and Subdivision Regulations, as noted below. Consolidating the provisions below into a single chapter will create a more consistent and comprehensive framework. This Chapter should also include standards for when the City may temporarily pause the review of a land use application when a related application or policy change is already under consideration.

- **Title 11** – Zoning Regulations
 - **Chapter 1** – Administration and Enforcement
 - **Section 11-1-4** – Prezoning
 - **Section 11-1-5** – Administration
 - **Section 11-1-6** – Planning Commission
 - **Section 11-1-7** – Determination of Zoning District Boundaries
 - **Section 11-1-8** – Determination of Use Classification
 - **Section 11-1-9** – Zoning Appeals
 - **Section 11-1-10** – Amendments
 - **Section 11-1-12** – Fees
 - **Section 11-1-13** – Violations
 - **Chapter 3** – Conditional Uses
 - **Section 11-3-1** – Conditional Use Permit Limitations
 - **Section 11-3-2** – Conditional Use Application Requirements
 - **Section 11-3-3** – Review Process
 - **Section 11-3-4** – Conditional Use Permit Review Criteria
 - **Section 11-3-5** – Conditional Approval
 - **Section 11-3-8** – Discontinuation of Use
 - **Section 11-3-9** – Revocation

- **Section 11-3-10** – Reapplication Required If Void
 - **Chapter 5** – Variances
 - **Section 11-5-1** – Variances
 - **Chapter 9** – Downtown District and Transitional Residential District
 - **Section 11-9-5** – Administrative Adjustments (Process only)
 - **Chapter 25** – Planned Unit Developments
 - **Section 11-25-3** – Applicability of District Standards
 - **Section 11-25-3** – Application Requirements
 - **Section 11-25-4** – Review Procedures
 - **Section 11-25-5** – Minor Adjustments
 - **Section 11-25-6** – Major Adjustments
 - **Chapter 27** – Commercial Site Review
 - **Chapter 35** – Airport Zoning Regulations
 - **Section 11-35-6** – Permits
 - **Section 11-35-7** – Variances
 - **Section 11-35-8** – Issuance Subject to Conditions
 - **Section 11-35-9** – Enforcement
 - **Section 11-35-10** – Airport Board of Adjustment
 - **Section 11-35-11** – Appeals
 - **Section 11-35-12** – Judicial Review
 - **Chapter 36** – Airport Noise Influence District
 - **Section 11-36-5** – Permits
 - **Section 11-36-6** – Enforcement
 - **Section 11-36-7** – Appeals
 - **Section 11-36-8** – Judicial Review
- **Title 12** – Subdivision Regulations
 - **Chapter 2** – Procedures
 - **Section 12-2-1** – Applicability
 - **Section 12-2-2** – Subdivision Application Review
 - **Section 12-2-3** – Subdivision Application
 - **Section 12-2-4** – Conformance with Regulations; Variances
 - **Section 12-2-15** – Public Improvements to be Installed
 - **Section 12-2-16** – Extension of Capital Facilities
 - **Chapter 5** – Administrative Minor Subdivisions
 - **Section 12-5-4** – Administrative Minor Subdivisions
 - **Chapter 6** – Amendments; Fees; Violations
 - **Section 12-6-1** – Amendments; Procedure
 - **Section 12-6-2** – Fees
 - **Section 12-6-3** – Violations; Validity

Chapter 10: Definitions

Chapter 10: Definitions will compile all terms relevant to the City’s UDO. Existing definitions from the sections below will be consolidated here for consistency and clarity. New definitions will be added as necessary to ensure streamline UDO interpretation moving forward.

- **Title 11 – Zoning Regulations**
 - **Chapter 1 – Administration and Enforcement**
 - **Section 11-1-2 – Definitions**
 - **Chapter 2 – Land Uses**
 - **Section 11-2-4 – Land Use Definitions for Zoning Districts**
 - **Chapter 4 – District Dimensional Standards**
 - **Section 11-4-1 – Lot Requirement Definitions**
 - **Chapter 6 – Nonconforming Uses and Buildings**
 - **Section 11-6-2 – Definitions**
 - **Chapter 7 – Mobile Home Parks**
 - **Section 11-7-2 – Definitions**
 - **Chapter 8 – Recreational Vehicle Parks and Campgrounds**
 - **Section 11-8-2 – Definitions**
 - **Chapter 9 – Downtown District and Transitional Residential District**
 - **Section 11-9-2 – Definitions**
 - **Chapter 22 – Off-Street Parking**
 - **Section 11-22-2 – Definitions**
 - **Chapter 23 – General Sign Regulations**
 - **Section 11-23-2 – Definitions**
 - **Chapter 24 – Landscaping**
 - **Section 11-24-2 – Definitions**
 - **Chapter 25 – Planned Unit Developments**
 - **Section 11-25-2 – Definition**
 - **Chapter 35 – Airport Zoning Regulations**
 - **Section 11-35-1 – Definitions**
 - **Chapter 38 – Daycare Facility**
 - **Section 11-38-2 – Definitions**
 - **Chapter 40 – Establishment of Areas That Allow the Sale of Alcoholic Beverage and Casinos withing City Limits**
 - **Section 11-40-2 – Definitions**
- **Title 12 – Subdivision Regulations**
 - **Chapter 1 – Title, Purpose, and Definitions**
 - **Section 12-1-8 – Definitions**

Chapter 4. Comparative Communities Research

This Chapter of the report details how other communities have addressed issues and topics like those Helena seeks to address as part of the Zoning Regulations Update process. These issues were prioritized based on feedback from the public, staff, and City officials. The report examines approaches from several comparative communities, including Bozeman, MT; Missoula, MT; Minneapolis, MN; and Berkeley, CA. It also incorporates example best practices to provide a broader range of strategies.

The topics and the comparative communities include:

Modernizing Parking Requirements

Bozeman, MT

Minneapolis, MN

Best Practice – Eau Claire, WI

Incorporating Sustainable Design

Bozeman, MT

Missoula, MT

Best Practice – Thornton, CO

Best Practice – Eau Claire, WI

Incentivizing Affordable Housing

Bozeman, MT

Berkeley, CA

Best Practice – Wake Forest, NC

Encouraging Accessory Dwelling Units

Bozeman, MT

Missoula, MT

Best Practice – Eau Claire, WI

Modernizing Parking Requirements

Modernizing parking standards involves updating regulations to better align with current transportation best practices and sustainability goals. Contemporary standards include reducing excessive parking, integrating alternative transportation options like biking, and optimizing space for different uses, such as outdoor dining or potential outlot development.

Helena's Zoning Regulations include minimum off-street parking requirements but provide several opportunities to reduce the amount of parking provided for developments with access to transit, bicycle parking, electric vehicle charging stations, public open spaces, shared parking, and on-street parking. The Zoning Regulations also require bicycle parking for parking lots with over 10 spaces, supporting bicycling as an alternative mode of transportation while reducing the need for additional vehicle parking. Similar to Bozeman, Helena should consider eliminating minimum parking requirements in denser districts and setting parking maximums for nonresidential uses to prevent excessive parking. Examples from Minneapolis and Eau Claire demonstrate approaches that Helena could include, such as limiting the size of surface parking lots, encouraging shared and structured parking, and providing incentives for developments that incorporate sustainable site design.

Bozeman, MT

The City of Bozeman provides flexibility in its off-street parking standards by eliminating parking requirements in the Urban Renewal Districts and Downtown Core District, and allowing a specified parking reduction for the nondominant use in mixed-use developments based on the residential to nonresidential ratio. Bozeman also establishes parking maximums but permits additional spaces when located within a parking structure. Parking design standards address parking space dimensions, compact parking allowances, maneuvering aisle widths, and snow management requirements. Additionally, changes in use or occupancy that increase the required parking by 10 percent require additional spaces to be provided before an occupancy permit can be issued.

Minneapolis, MN

The City of Minneapolis regulates off-street parking through maximum parking allowances rather than minimum parking requirements. Maximum parking allowances are based on use and are lower within transit overlay districts. The City also limits surface parking lots to 100 spaces and restricts the width of surface parking lots within commercial, mixed-use, and downtown districts to 40 feet of street frontage. Additionally, Minneapolis allows the use of pervious pavement and pervious pavement systems within off-street parking areas. These standards encourage more efficient land use, support alternative transportation options, and reduce the amount of land devoted to paved parking.

Best Practice – Eau Claire, WI

The City of Eau Claire includes both minimum parking requirements and maximum parking allowances. Maximum parking allowances limit parking lots to 125 percent of the minimum required spaces. The ordinance allows deviations to parking minimums through the administrative adjustment process for developments that preserve trees; provide access to transit; incorporate on-street parking; or include efficiency, affordable, or dwelling units that incorporate universal design. Parking maximums may also be increased for developments that incorporate permeable pavement, shared parking, structured parking, or demonstrate a need through a parking study. This approach provides flexibility while encouraging sustainable site design and supporting alternative modes of transportation.

Incorporating Sustainable Design

In zoning ordinances, sustainability is often addressed through landscaping and site design standards, but can also include strategies related to energy efficiency, renewable energy, transportation, and resource conservation. Common approaches include water-efficient landscaping, energy-efficient lighting, electric vehicle-ready infrastructure, tree preservation, green infrastructure, and other site design practices that reduce environmental impacts over the long term. These features may be required as development standards or offered as incentives to encourage sustainable practices. Helena should evaluate which sustainability initiatives are most appropriate for the community and determine whether they should be required, incentivized, or encouraged.

Helena's Zoning Regulations address sustainability mostly through landscaping standards, which promote water conservation and tree preservation. The ordinance also provides flexibility by allowing reduced landscape coverage in certain areas when native or low-water-use landscaping is used, encouraging sustainable site design while reducing long-term irrigation needs. Landscape standards could be updated to incorporate additional practices. Examples from Bozeman, Missoula, and Thornton demonstrate opportunities to require drought-tolerant and climate-appropriate plant materials, preservation of existing vegetation, and efficient irrigation systems. To incorporate sustainable practices in other sections of the proposed UDO, Helena should consider natural resource protection requirements that limit development near sensitive areas such as floodplains, riparian area, and wetlands similar to Missoula and Bozeman. The City should also consider requiring electric vehicle-ready infrastructure for larger parking lots rather than offering it solely as a parking reduction incentive, similar to Eau Claire. The City's existing outdoor lighting standards should also be updated to incorporate dark-sky-friendly best practices to reduce light pollution and improve energy efficiency.

Bozeman, MT

The City of Bozeman addresses sustainability through landscaping standards and natural resource protection. Landscaping standards include requirements for preservation of existing vegetation, use of climate-appropriate plant materials, and site designs that reduce impervious surfaces and manage stormwater impacts. The code also includes incentives for sustainable landscaping practices, such as allowing a reduction in required landscaping up to 30 percent if native plantings are provided. This approach demonstrates how landscape requirements serve aesthetic purposes while supporting water conservation, reducing heat impacts, and improving environmental performance.

Bozeman also incorporates standards to protect sensitive natural resources, including floodplains, wetlands, and watercourses. The code includes separate regulations for floodplain areas, wetland protection, and watercourse setbacks. Floodplain regulations limit development within the 100-year floodplain by restricting or prohibiting uses that may increase flood hazards. Wetland regulations require identification and review of wetland resources and establish standards to avoid or minimize impacts, while watercourse setback requirements protect streams and other waterways.

The City also promotes sustainable growth through its broader zoning framework by encouraging compact development patterns, mixed-use development, and efficient use of existing infrastructure. The code implements goals from the City's Community Plan and Climate Plan through zoning districts and development standards that support walkable development, housing diversity, and reduced reliance on vehicle-oriented growth patterns.

Missoula, MT

The City of Missoula incorporates several sustainability practices in the Unified Development Code (UDC), including allowing and regulating renewable energy systems, emphasizing sustainable landscape design, and protecting natural resources. The UDC permits small wind energy conversion systems as accessory uses in most zoning districts, subject to standards for setbacks, underground utility lines, noise, height, lighting, and design to reduce visual and environmental impacts. The UDC also permits solar energy conversion systems in all zoning districts. Related standards address stormwater management, soil stabilization for larger installations, underground utility lines, and allowances for roof-mounted systems. This approach allows the use of renewable energy while minimizing impacts on surrounding properties.

Missoula incorporates sustainable landscaping and tree conservation practices through standards that prioritize native vegetation, water efficiency, and preservation of existing trees. Like Bozeman, Missoula allows reductions in required landscaping areas when projects incorporate ecological planting systems, such as native pollinator gardens, native prairie areas, or green roofs. Requirements also include specific standards for plant diversity, soil depth, and vegetation

coverage. Missoula also requires protection of established trees six inches or greater diameter at breast height (DBH) whenever possible and requires replacement trees based on the total DBH of removed trees.

Missoula's natural resource requirements aim to minimize impacts on riparian areas, steep slopes, and other environmentally sensitive features. The UDC includes riparian resource protections that require development near streams and other riparian areas to minimize disturbance, protect native vegetation, and maintain water quality and habitat functions. The UDC also includes standards that address hillside development by limiting excessive grading and encouraging site design that works with existing topography. These standards promote development that responds to natural site conditions while reducing environmental impacts and preserving Missoula's natural resources.

Best Practice – Thornton, CO

The City of Thornton's landscape standards promote water conservation through water-efficient landscaping, also referred to as xeriscaping or water-wise design. The standards apply to agricultural and animal-related uses, commercial uses, industrial, automotive and transportation uses, lodging land uses, public and institutional land uses, and residential land uses with landscape areas under common ownership. They require water-efficient practices such as limiting nonfunctional and artificial turf, grouping plants with similar water and environmental requirements (hydrozoning), and installing efficient irrigation systems. As part of the development review process, proposals for new development and redevelopment must include a hydrozone plan to ensure that plants with similar water and environmental requirements are grouped within the same irrigation zone.

Additionally, Thornton's standards prohibit high water-demand plants within parking lot islands, except when incorporated into stormwater quality features, helping to conserve water in areas that are typically exposed to harsh growing conditions. Tree preservation standards within the ordinance provide incentives like counting preserved trees as part of required landscaping requirements, reducing the need for replacement plantings and retaining the environmental benefits of mature tree canopy.

Best Practice – Eau Claire, WI

Sustainability can also be advanced through lighting standards that reduce energy use and minimize impacts on surrounding properties and the night sky. The City of Eau Claire's lighting standards are designed to reduce light pollution and improve energy efficiency. The standards require warm-color LED fixtures, fully shielded (full-cutoff) luminaires, and lighting that meets Backlight-Uplight-Glare (BUG) ratings based on the surrounding context. The ordinance also limits light trespass onto neighboring properties and natural areas.

In addition to lighting standards, Eau Claire promotes sustainability by requiring residential parking lots with 40 or more parking spaces to provide electric vehicle-ready infrastructure for at least five percent of all parking spaces, or 10 spaces, whichever is less. This approach helps ensure that new development is equipped to support the increasing use of electric vehicles.

Incentivizing Affordable Housing

Housing affordability is an important component of maintaining a diverse and resilient community. Providing housing options that are affordable to households at a range of income levels helps ensure that residents, including young professionals, families, seniors, and essential workers, can live within the community. Many communities use a combination of affordable housing requirements, development incentives, and flexible compliance options to encourage the construction of affordable housing while balancing development feasibility and neighborhood character.

While Helena is preempted from requiring developments to provide affordable housing units, Berkeley's inclusionary housing policy provides a useful framework for establishing affordability targets and unit design standards that could inform a voluntary incentive-based program. Helena could also consider using a tiered incentive approach, like in Bozeman, where incentives are scaled based on the type of development, number of affordable units provided, and the income level served (Area Minimum Income, or AMI). Additionally, Helena could offer a similar approach as in Wake Forest, where district-specific incentives are used to balance affordability goals with neighborhood character.

Bozeman, MT

The City of Bozeman uses a voluntary affordable housing incentive program that scales incentives based on the type of development, number of affordable units provided, and the income level served (AMI). The first incentive tier requires a smaller affordability commitment (requiring a minimum of five to eight percent of units, depending on the housing type) and provides more limited development flexibility, such as smaller reductions minimum lot areas. The second incentive tier requires a significantly greater affordability commitment (at least 50 percent of units) in exchange for more substantial incentives. These incentives may include increased building height, additional development capacity, and modifications to certain development standards, with the level of flexibility increasing based on the affordability commitment.

Berkeley, CA

The City of Berkeley's inclusionary housing policy requires new residential and mixed-use developments with one or more dwelling units to dedicate at least 20 percent of the dwelling units as affordable to very low-income households earning 50 percent or less AMI and low-income

households whose incomes do not exceed the applicable low-income limits for Alameda County. Affordable units are required to have the same proportion of unit types and average size as the market-rate units. Additionally, affordable units must be dispersed throughout the development, have access to the same common areas and amenities, and be comparable to the market-rate units in terms of appearance, materials, and finish quality. The City also offers alternative compliance options, including paying an in lieu fee or dedicating land in lieu of constructing the affordable units onsite. In lieu fees are deposited into the City's Housing Trust Fund, which is used to finance low- and moderate-income housing, while land can be dedicated to the City or an affordable housing developer to construct an affordable housing development.

Best Practice – Wake Forest, NC

The Town of Wake Forest will soon adopt incentives to support the development of housing units that are affordable to households making 80 percent or less and 60 percent or less AMI. Affordable units must meet the same standards as market-rate units, ensuring they are comparable in finishes, size, and access to amenities. The proposed incentives allow for a range of options to make the development process more feasible. Incentives vary by district, with each district offering specific options, such as increased building height, density allowances, or reduced open space requirements. Additionally, the inclusion of affordability at various levels (e.g., 20 percent or 40 percent of units) and the ability to apply multiple incentives ensure that projects meet the community's housing needs while maintaining quality and accessibility.

Encouraging Accessory Dwelling Units

Accessory Dwelling Units (ADUs) provide a flexible housing option that can support a variety of needs, including multigenerational living, rental opportunities, and accessible housing options. Communities regulate ADUs in different ways to ensure they fit within existing neighborhoods while balancing concerns such as size, design, parking, and owner occupancy.

As part of the targeted housing related amendments completed in spring 2026, Helena adopted ADU standards that meet the requirements of Montana's new statutes. State law requires municipalities to allow ADUs and limits local regulations that could restrict their development, including requirements for owner occupancy, additional parking, and discretionary review. Municipalities may regulate certain dimensional standards, but ADU requirements generally cannot be more restrictive than those applied to the primary dwelling. However, cities may adopt more flexible standards to further encourage ADU development.

Helena may consider adopting reduced setback standards similar to Bozeman, and allowing ADUs on lots with existing two-unit dwellings similar to Eau Claire. Alternatively, Helena could consider taking a broader approach like in Missoula, which integrates additional housing units into residential districts rather than regulating ADUs as a separate housing type.

Bozeman, MT

The City of Bozeman’s ADU standards promote compatibility with surrounding neighborhoods by regulating size, height, and design. One ADU is allowed per lot, subject to a maximum size of 1,000 square feet or 75 percent of the principal dwelling unit, whichever is greater. Detached ADUs are subject to design standards that require compatibility with the surrounding neighborhood, including consideration of building placement, scale, height, windows, outdoor features, and landscape screening. The ordinance also allows ADUs above garages and detached ADUs to exceed the height of the principal structure, provided they do not exceed 25 feet in height. ADUs may also be used as short-term rentals, providing additional flexibility for property owners.

Missoula, MT

The City of Missoula’s UDC takes a different approach to ADUs by eliminating the accessory dwelling unit use designation and allowing additional housing units through broader residential allowances. Rather than regulating ADUs as a separate use or building type, all parcels that allow residential uses are permitted a minimum of two dwelling units by right, and one-unit and duplex building types are allowed in all residential districts. This approach simplifies regulations by integrating smaller-scale housing options into the broader residential framework rather than treating them as accessory units.

Best Practice – Eau Claire, WI

The City of Eau Claire provides a flexible approach to ADUs by allowing ADUs accessory to one- and two-unit dwellings with limited size restrictions. Detached ADUs are regulated primarily through accessory building standards, which have reduced setback requirements compared to the principal dwelling, and are limited to 1,500 square feet or 20 percent of the gross lot area, whichever is less. Attached and internal ADUs have additional size limitations, generally restricted to 40 percent of the primary dwelling area, except when located within an existing basement or attic. This approach demonstrates a more permissive ADU framework by prioritizing flexibility in unit size and configuration while using setback and building standards to address compatibility with existing residential development.