## FAQs

#### What are the different methods of annexation?

The city of Helena may choose to annex any property in accordance with the provisions of the following state statutes:

* Annexation by Petition ([76-2-4601 et. seq., MCA](https://leg.mt.gov/bills/mca/7/2/7-2-4601.htm))

A request to have property included in the Helena city limits in order to receive city services is also known as Annexation by Petition, the most common form of annexation. In order to understand the requirements for annexation by petition, please refer to 6-5 of the [Helena City Code](https://www.sterlingcodifiers.com/codebook/index.php?book_id=401), relating to the extension of the Water and Wastewater Service Area. This action is often done in conjunction with the annexation of properties that are not receiving City water and/or wastewater services.

* Annexations of Additions to Municipalities ([76-2-4201 et. seq., MCA](https://leg.mt.gov/bills/mca/title_0070/chapter_0020/part_0420/section_0010/0070-0020-0420-0010.html))
* Annexation with the Provision of Services ([76-2-4701 et. seq., MCA](https://leg.mt.gov/bills/mca/7/2/7-2-4705.htm))
* Annexations of Contiguous Land ([76-2-4301 et. seq., MCA](https://leg.mt.gov/bills/mca/title_0070/chapter_0020/part_0430/section_0010/0070-0020-0430-0010.html))
* Annexations of Contiguous Government Land ([76-2-4401 et. seq., MCA](https://leg.mt.gov/bills/mca_toc/7_2_44.htm))
* Annexations of Wholly Surrounded Land ([76-2-4501 et. seq., MCA](https://leg.mt.gov/bills/mca/7/2/7-2-4501.htm))

#### What are some conditions for annexation?

The city may decide to condition the approval of the annexation. In the case where the property to be annexed is not developed, the conditions of approval includes a requirement for a development agreement prior to the issuance of a building permit. In the event the property is developed and contains public improvements that are not constructed to city standards, the city requires an annexation agreement. The agreement specifies which public improvements are to be upgraded and/or installed to city standards, and a time period and mechanism to finance the construction and installation of those improvements. In any case, all public improvements, whether existing or proposed, must meet city standards.

All properties that are annexed into the City of Helena must have gone through the pre-zoning process. For more information about pre-zoning, please click on the following link: Zoning

#### What is a Subdivision?

MCA 76-3-103 defines a *subdivision as* the division of a piece of land into two or more lots. The regulations are set forth in the City of Helena SUBDIVISION ORDINANCE, Title 12 of [Helena City Code](http://www.sterlingcodifiers.com/codebook/index.php?book_id=401).

The purpose of this title is to establish a subdivision review process that is designed to achieve the objectives of the Montana Subdivision and Platting Act, Title 76, Chapter 3,[Montana Code Annotated](http://leg.mt.gov/bills/mca/title_0760/chapter_0030/parts_index.html)(MCA). The process of dividing land into parcels is a necessary and important function in the growth of a community. When, where, and how development occurs establishes land division patterns for the community that will last for generations. The subdivision review process allows the community to take a close look at proposed developments before final action by the governing body. The City of Helena 2001 Growth Policy provides guidance for subdivision reviews. (Title 12-1-2)

#### What is a Zoning Variance?

Provisions of 11-5 of the [Helena City Code](http://www.sterlingcodifiers.com/codebook/index.php?book_id=401) allow for zoning variances to be requested by any property owner for a variance from the zoning regulations affecting his or her property. This process is intended to be special exceptions to the terms of this title when granted in harmony with its general purposes and intent and are intended to avoid undue hardship when strict and literal enforcement of this title is inappropriate.  The city of Helena Board of Adjustment holds monthly public hearings to review zoning variance requests.