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## STAFF MEMO

DATE: June 24, 2024

TO: Honorable Mayor Collins  
Members, Helena City Commission  
Tim Burton, City Manager

FROM: Christopher Brink, AICP  
Director

SUBJECT: **Consider the passage of a Resolution of Intent to set fees charged and collected by the Planning Division of the Community Development Department, repeal Resolution No. 11093, and to set a public hearing date**

### OVERVIEW

Fees charged and collected by the Planning Division of the City of Helena Community Development Department have not changed in over 27 years. In 1997, when the fees were last adjusted, an analysis was done that estimated the average planning staff time to review the various land use applications. An estimate of the staff time-cost was then calculated for each land use application. The application fee amount was based on recovery of related costs (legal advertisement, notifications, etc.) and an estimate of half of staff costs. A survey of other communities was also conducted and, at the time of that analysis, Helena's fees "appeared to represent an average."

In conjunction with the FY 25 budget process, to further coincide with the implementation of our new, online application submittal process, and in preparation of full implementation of SB 382, staff has once again conducted a thorough review of our fee schedules relative to land use and subdivision applications. As in 1997, staff conducted an analysis of our current fee structure and the cost for the City of Helena to provide services to receive, review, process, and present for action those applications and requests. Again, like in 1997, reviews and surveys were conducted of various Montana cities and their fee structures. This time around, however, it was evident that fees charged by the City of Helena for planning services have been drastically outpaced by all our sister cities.

As part of the departmental budget presentation to City Commission, staff provided an overview of proposed fee increases and the analysis used to draft the proposed departmental fee schedule. Taking into consideration the increased cost of providing our planning services since the establishment of the current land use fees, approximately 27 years, the requirements in state law for additional and new subdivision processes, the land use fees charged by other jurisdictions in Montana, and compatibility with the new online application process, staff is proposing changes to the City of Helena's land use application fees.

## GENERAL INFORMATION/PUBLIC NOTICE

IR Legal Notice:	Not Yet Run for PH
City Commission Administration Mtg (Budget):	May 1, 2024
City Commission Administration Meeting:	July 10, 2024
City Commission Regular Meeting:	July 15, 2024
City Commission Public Hearing:	August 12, 2024

## PUBLIC COMMENT AND ENGAGEMENT

Staff presented the proposed fee schedule changes at the May 1, 2024 Administration Meeting of the City Commission.

The proposed fee scheduled changes have also been posted on the Community Development website @ <https://www.helenamt.gov/Departments/Community-Development/Planning/Current-Projects>

Additional public notice will be presented using our normal social media channels prior to the public hearing.

As of the date of this Memo, no public comments have been received. Any comments received will be provided and placed in the NOVUS packet.

## RECOMMENDED FEE SCHEDULE

### PROPOSED

#### Planning Division Schedule of Fees Land Use, Subdivision Review, and Miscellaneous Fees w/ Three (3) Year Phased Implementation

Fee Category	Fee Name/Type	Current Fee	Fee at Adoption	Fee on July 1, 2025	Fee on July 1, 2026
<b>Pre-Applications</b>					
	Pre-Application Non-Subdivision Consultation	No Fee	No Fee	No Fee	No Fee
	Subdivision Pre-Application Consultation	No Fee	No Fee	No Fee	No Fee
<b>Subdivision</b>					
	Major Subdivision Preliminary Plat	\$400 Base + 15/Lot	\$475 Base + \$15/Lot	\$550 Base + \$15/Lot	\$625 Base + \$15/Lot

	Minor Subdivision Preliminary Plat	\$400	\$475	\$550	\$625
	Preliminary Plat Amendments	No Fee	\$400	\$800	\$1,200
	Preliminary Plat Extension	No Fee	\$375	\$775	\$1,150
	Subdivision Variance (each)	No Fee	\$275	\$550	\$825
	Phased Commencement Review	No Fee	\$375	\$750	\$1,125
	Major Subdivision Final Plat	\$375	\$725	\$1,050	\$1,400
	Minor Subdivision Final Plat	\$100	\$375	\$650	\$925
	*Amended Plat/COS	No City Fee	\$125	\$275	\$400
	Expedited Subdivision review	No Fee	\$350	\$725	\$1,075
	Administrative Minor	No Fee	\$375	\$775	\$1,150
<b>Land Use/Zoning</b>					
	Annexation	\$300	\$650	\$1,000	\$1,350
	Annexation w/Pre-Zone	\$560	\$1,025	\$1,475	\$1,925
	Pre-Zone/Zone Change	\$410	\$750	\$1,100	\$1,450
	Conditional Use Permit	\$435	\$825	\$1,200	\$1,575
	Conditional Use Permit Amendment	\$435	\$650	\$875	\$1,100
	Conditional Use Permit Extension	\$310	\$550	\$800	\$1,050
	Zoning Variance	\$125	\$550	\$750	\$950
	Zoning Ordinance Text Amendment	\$350	\$550	\$750	\$950
	Growth Policy/Land Use Map Amendment	\$200	\$575	\$975	\$1,150
<b>Site Plan Review</b>					
	1 and 2 Residential Units	No Fee	No Fee	No Fee	No Fee
	Commercial/Non-Residential/Multi-Unit Residential	No Fee	See Fee Table - \$250 Base - \$750 Max Fee	See Fee Table - \$250 Base - \$750 Max Fee	See Fee Table - \$250 Base - \$750 Max Fee
<b>Miscellaneous</b>					
	Historic Demolition	\$200	\$200	\$200	\$200
	Tax Abatement Requests	\$200	\$175	\$175	\$175

\* There is an additional \$200 fee charged for the County Survey Review Committee review

<b>Commercial/Non-Residential/Multi-Unit Residential Site Review Fee Table</b>			
Cost	Square Feet	Cost	Square Feet
\$ 250	1,000	\$ 510	27,000
\$ 260	2,000	\$ 520	28,000
\$ 270	3,000	\$ 530	29,000
\$ 280	4,000	\$ 540	30,000
\$ 290	5,000	\$ 550	31,000

\$ 300	6,000	\$ 560	32,000
\$ 310	7,000	\$ 570	33,000
\$ 320	8,000	\$ 580	34,000
\$ 330	9,000	\$ 590	35,000
\$ 340	10,000	\$ 600	36,000
\$ 350	11,000	\$ 610	37,000
\$ 360	12,000	\$ 620	38,000
\$ 370	13,000	\$ 630	39,000
\$ 380	14,000	\$ 640	40,000
\$ 390	15,000	\$ 650	41,000
\$ 400	16,000	\$ 660	42,000
\$ 410	17,000	\$ 670	43,000
\$ 420	18,000	\$ 680	44,000
\$ 430	19,000	\$ 690	45,000
\$ 440	20,000	\$ 700	46,000
\$ 450	21,000	\$ 710	47,000
\$ 460	22,000	\$ 720	48,000
\$ 470	23,000	\$ 730	49,000
\$ 480	24,000	\$ 740	50,000
\$ 490	25,000	\$ 750	51,000
\$ 500	26,000		
\$250 minimum, plus \$10 per 1,000 square feet of gross floor area over 1,000 square feet with a cap/maximum of \$750.			

**RECOMMENDED MOTION**

**Move to Approve the Resolution of Intent to set fees charged and collected by the Planning Division of the Community Development Department, repeal Resolution No. 11093, and to set a public hearing date for August 12th, 2024, at 6:00pm**

Documents Attached (Included in the NOVUS Submittal):

Draft Resolution of Intent  
Proposed Fee Schedule/Table