

# **RESOLUTIONS OF THE CITY OF HELENA, MONTANA**

## **RESOLUTION NO. 20886**

### **A RESOLUTION CREATING A PLANNING COMMISSION FOR THE CITY OF HELENA, MONTANA**

**WHEREAS**, a Planning Commission is authorized by the Montana Land Use Planning Act, 2023 ("the Act");

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

**WHEREAS**, as required in the Act, the City of Helena must either establish a municipal Planning Commission or so designate an existing, legally authorized planning board, zoning commission, or planning and zoning commission as a Planning Commission for the purposes of the Act;

**WHEREAS**, the City desires to establish a separate Planning Commission for the City of Helena for the purposes of implementation of the Act; and

**WHEREAS**, the City will still be members of the City-County Consolidated Planning Board for the purposes outlined in the 2001 Inter-Local Agreement and for the purposes outlined in existing State planning and land use statutes and existing City Code until such time the City becomes compliant with the Act, at the latest May 17, 2026.

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

### **Section 1. Planning Commission Established.**

There is hereby established a Planning Commission for the City of Helena, which shall only have the following duties and responsibilities as provided in the Act, until such time MLUPA has been fully implemented by the City and the Planning Commission created by ordinance, but no later than May 17, 2026.

### **Section 2. Duties and Responsibilities.**

The Planning Commission shall review and make recommendations to the City Commission regarding the development, adoption, review, and approval or denial of the following documents:

- A. The Land Use Plan and Future Land Use Map as provided in the Act.
- B. Zoning Regulations and Map as provided for in the Act.
- C. Subdivision Regulations as provided for in the Act.
- D. Any other legislative land use planning document that the City Commission designates.

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### **Section 3. Planning Commission Composition.**

The Planning Commission shall consist of three (3) members, with each member being confirmed by a majority vote of the City of Helena City Commission.

### **Section 4. Terms.**

Members shall initially serve until May 17, 2026, upon the creation of the Planning Commission by ordinance, until re-appointed, or until their successors are appointed and qualified.

### **Section 5. Planning Commission Qualifications.**

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

### **Section 6. Removal.**

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

### **Section 7. Planning Commission Vacancies.**

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

### **Section 8. Meetings of the Planning Commission.**

The Planning Commission shall meet monthly, on the date and time established within the Planning Commission By-Laws. Special meetings may be called as often as required to advance the roles and duties of the Planning Commission outlined in Section 2. A quorum shall consist of a majority of currently appointed voting members of the Planning Commission. A quorum must be present for the Planning Commission to take official action. A favorable vote of at least a majority of the quorum is required to authorize an action at a regular or properly called special meeting.

### **Section 9. Meeting Notifications.**

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

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### **Section 10. Officers.**

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

### **Section 11. Compensation and Budgeting.**

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

### **Section 12. Organization and By-Laws.**

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

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PASSED AND EFFECTIVE BY THE COMMISSON OF THE CITY OF HELENA,  
MONTANA, THIS 30TH DAY OF OCTOBER, 2023.



CLERK OF THE COMMISSION

  
MAYOR