

**RESOLUTION 24-\_\_\_\_\_**

**A RESOLUTION ESTABLISHING A PLANNING COMMISSION FOR THE CITY OF BILLINGS, MONTANA IN ACCORDANCE WITH THE MONTANA LAND USE PLANNING ACT (MLUPA)**

WHEREAS, the City of Billings recognizes the importance of comprehensive land use planning to guide growth, development, and conservation within its jurisdiction; and

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 Billings 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 Billings for the purposes of implementation of the Act; and

WHEREAS, the City shall establish this Planning Commission with existing City Ward members of the Yellowstone County Board of Planning (5 members), City Zoning Commissioner (1 member), and City Board of Adjustment (1 member) for the purposes outlined in the Act and existing City Code until such a time the City becomes compliant with the Act, at the latest May 17, 2026.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BILLINGS, MONTANA, AS FOLLOWS:

**1. Planning Commission Established.**

There is hereby established a Planning Commission for the City of Billings, 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.

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

The Planning Commission shall review and make recommendations to the City Council 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 provided for in the Act.
- C. Subdivision Regulations as provided for in the Act.
- D. Any other legislative land use planning documents that the City Council designates.

## **3. Planning Commission Composition**

The Planning Commission shall consist of seven members, with each member being confirmed by a majority vote of the Billings City Council.

## **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.

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

The citizen members of the Planning Commission shall be residents of the City of Billings 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.

## **6. Removal.**

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

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

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

## **8. Meeting of the Planning Commission.**

The Planning Commission shall meet monthly, as needed, on the date and time established. 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.

**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 the Billings City Code or policies set for general City advisory boards and commissions.

**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 1<sup>st</sup> meeting of each calendar year. The Secretary of the Planning Commission shall be the staff liaison or other staff member as assigned by the Planning & Community Director.

**11. Compensation and Budgeting.**

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

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

The Planning Commission shall abide by the procedure as required by the Act and by the City of Billings' standard template for advisory boards and commissions.

ADOPTED AND APPROVED by the City Council of the City of Billings, Montana, on the 24th day of June 2024.

CITY OF BILLINGS

By: \_\_\_\_\_

William A. Cole, Mayor

ATTEST:

By: \_\_\_\_\_

Denise R. Bohlman, City Clerk