

## RESOLUTION NO. 1913

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA CREATING A PLANNING COMMISSION

**WHEREAS**, a Planning Commission is authorized by the Montana Land Use Planning Act (MLUPA), 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 Columbia Falls 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 Columbia Falls for the purposes of implementation of the Act; and

**WHEREAS**, THE City will still be members of the City-County Planning Board for the purposes outlined in the 2018 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.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:**

#### **Section One - Planning Commission Established**

There is hereby established a Planning Commission for the City of Columbia Falls, 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 Two - Duties and Responsibilities**

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

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

#### **Section Three - Planning Commission Composition**

The Planning Commission shall consist of five (5) members, with each member being confirmed by a majority vote of the City of Columbia Falls City Council.

#### **Section Four - 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 Five - Planning Commission Qualifications**

The citizen members of the Planning Commission shall be residents of the City of Columbia Falls and residing within the municipal limits of the City.

### **Section Six - Removal**

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

### **Section Seven - Planning Commission Vacancies**

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

### **Section Eight - 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 Two. 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 Nine - Meeting Notifications**

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

### **Section Ten - 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 City Manager.

### **Section Eleven - Compensation and Budgeting**

All expenses for the operation of the Planning Commission are paid from the City of Columbia Falls Budget. Authorization for any related planning expenses incurred by the Planning Commission is the responsibility of the City Council, 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 Twelve - 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 Columbia Falls' standard template for advisory boards.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS,  
MONTANA THIS 16<sup>th</sup> DAY OF JANUARY 2024, THE COUNCIL VOTING AS FOLLOWS:

AYES: Robinson, King, Lovering, Piper, Price and Barnhart

NOES: None

ABSENT: Shepard

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City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 16TH DAY  
OF JANUARY 2024.

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Mayor

ATTEST:

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City Clerk