

HCC Recommendation

DATE: June 27, 2005

TOPIC: Helena City Code 7-4-2, Section F, regarding boulevard landscaping

SUMMARY: A number of property owners in the Barney sub-division indicate that it appears City Code 7-4-2 is not being uniformly enforced. Some property owners have received violation notices, while their neighbors (who are also in violation of this section of the code) have not received a violation notice.

RECOMMENDATION: The HCC recommends that the City Commission issue a moratorium on enforcement of current 'boulevard' violations (violations of the Helena City Code 7-4-2, Section F) and, further, that the City Commission review 7-4-2, Section F of the Helena City Code, with citizen involvement and input, for possible revision. Vote: The majority of HCC members present at the June 22, 2005 HCC meeting support this recommendation; actual results are not available. PROPONENTS:

As written, the code seems complicated and difficult to uniformly enforce.

If the City isn't going to enforce the existing code uniformly, they need to develop a code that can be uniformly enforced, more ecologically sensitive.

Some City-owned properties don't even meet the code.

Many of the code violations have been in existence for many years, and those property owners have never received a violation notice – until recently.

Some of the landscaping that violates the code is more attractive than boulevards that are overrun by weeds, but by definition of 60% vegetation, meet the code.

Requiring irrigation of 60% vegetation in an arid climate is a waste of water.

OPPONENTS:

With the amount of new development happening in Helena, the desire to maintain the standard established in the Code is understandable.

HCC REQUESTS THE COMMISSION ACKNOWLEDGE RECEIPT OF THIS RECOMMENDATION AND TO PROVIDE COMMENT IF APPROPRIATE