



MONTANA DEPARTMENT OF
COMMERCE



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1.0 Introduction

The [Montana Land Use Planning Act \(MLUPA\)](#) sets the basis for the establishment of a planning commission. This commission is an advisory board composed of appointed members who guide land use and development decisions within a community. The board analyzes community needs and priorities through the adoption of the Land Use Plan to promote sustainable development, balance growth and environmental stewardship, and enhance the overall quality of life for residents. Through collaboration with the local government and the public, the commission plays a crucial role in shaping the future of the community and ensuring that development aligns with the goals and objectives within the Land Use Plan.

Ordinance or Resolution Requirements

- Appointments
- Terms of Commission Members
- Qualifications for Commission Members
- Removal of Commission Members
- Vacancy of Commission Member Seats
- Meeting Schedules and Procedures
- Public Notice Procedures
- Election of Officers Reimbursement Costs
- Bylaws
- Any Other Requirement Determined by the Jurisdiction

1.1 Establishment of the Planning Commission

The establishment of a planning commission is the responsibility of local government through an ordinance or resolution. Statutes permit the creation of multi-jurisdictional planning commissions, provided a valid interlocal agreement between the parties is involved. This approach mirrors Montana's historical practice of forming City-County planning boards ([MCA 76-1-112](#)).

Local governments also have the authority to consolidate any combination of previously authorized planning boards, zoning commissions, planning and zoning commissions, or boards of adjustment that existed prior to the enactment of the [Montana Land Use Planning Act](#). A local government can follow the same procedural steps if it wishes to consolidate with another jurisdiction. Once these decisions are finalized, the planning commission will be formally established, and all existing boards will be disbanded through the appropriate ordinance or resolution. ([MCA 76-1-114](#))

1.2 Planning Commission Members

The planning commission must consist of an odd number of no fewer than three voting members. If the planning commission is set up to cover multiple jurisdictions, then each jurisdiction should be equally represented.

1.3 Meetings

The planning commission is statutorily mandated to meet at least once every six months. This updated statute differs from the current statute for planning board meetings under the current MCA, so it should be noted that by adopting a MLUPA, a community would no longer fall under [76-1-301](#) for planning board meetings requiring the board to meet four times a year.

It would be a best practice for a planning commission to meet at least quarterly, or monthly. This should be done during the first few years of establishing the Land Use Plan and supplemental administrative documents. During these meetings, comprehensive minutes must be recorded and made available for public review. It is advisable to appoint a designated minute-taker, often a local government staff member, and to publish the minutes on the jurisdiction's website promptly after the meeting. Some jurisdictions may also choose to record their meetings and offer virtual attendance options. It is recommended that these recordings, as part of the public record, be accessible on the jurisdiction's website or made available upon request. An additional best practice would be for the Commission to invite a reporter from the local newspaper to attend the Planning Commission meeting to encourage public participation and allow for transparency during the planning process. As with other board meetings, the planning commission requires a majority quorum to take action on any agenda items.

1.4 Review

The planning commission shall review and make recommendations to the governing board on any development, adoption, amendment, or review for the following:

- The Land Use Plan and future land use map
- Zoning regulations and map
- Subdivision regulations
- Other legislative land use changes
- Appeals for site-specific land use decisions



1.5 Funding

The planning commission is to be funded under MCA [§76-1-403](#) and [76-1-404](#).

1.6 Best Practices

Each community that adopts the [MLUPA](#) may have developed its own best practices that suit the needs of its citizens and government. However, these best practices help communities that struggle with obtaining a quorum for board participation or need more guidance in running board meetings.

A commission's bylaws are intended to provide the written rules of how the body will function and conduct business. The meeting schedule should be clearly defined within the bylaws and ensure that both the board members and the public know when and where the meetings will be held. This way, board members can set their own schedules to ensure they will be able to make it to the meeting. Another best practice would be to identify the time of the year that the statutory meeting should be held to ensure that the community complies with the [MLUPA](#).

Typical Bylaws Include the Following:

- Authority, purpose, power, and duties
- Jurisdictional area
- Members and term length
- Board officers, terms, and duties
- Meetings, quorums and procedures
- Board member ethics and conduct
- Committees
- Administration and legal
- Staff
- Amendment and repeal provisions