

Polson Development Code Update
Public Scoping Meetings
May 5, 2009 @ 4:00 p.m. and May 6, 2009 at 7:00 p.m.
City Commission Chambers

ATTENDEES

Bruce Agrella (Polson City Commissioner and PDC Update Advisory Committee member) Ed Holland (City-County Planning Board member), Mickey Rosa, Elsa Duford (Polson City Commissioner), Wima Mixon-Hall, Mark MacDonald, Kelly Ware, Joel Nelson (Lake Co. Planning), Margie Hendricks, Lita Fonda, Tim McGinnis (City-County Planning Board member), Pat De Vries, Cody Brown, Hans Lund, Mike Roberts, and Cora Pritt (Polson Building and Planning)

The two meetings were conducted at Polson City Hall, Commission Chambers. There was a 10-15 minute Power Point presentation given by consulting planner Dave DeGrandpre of Land Solutions, LLC. The following is the text from the presentation:

POLSON DEVELOPMENT CODE UPDATE
Public Scoping Meeting
May 5th & 6th, 2009

INTRODUCTION:

1. The Polson Development Code (PDC) contains the zoning and development regulations for the City of Polson and the unincorporated area surrounding the city limits. The PDC area encompasses +/- 14 square miles.
2. The PDC area is a cooperative planning area: it is administered by City of Polson Building & Planning Department on land within the city limits and by the Lake County Planning Department outside of the city limits.
3. The PDC requires permits for land divisions and building activities, with the complexity of the review depending on the complexity of the development project.
4. The Polson City-County Planning Board, consisting of city and county residents, holds hearings and makes recommendations on land use and development applications. The Planning Board also makes recommendations on any changes to the PDC.
5. Except in specific cases, final decisions on development projects are made by the Polson City Commission and Lake County Commissioners.
6. The Polson and Lake County Boards of Adjustment have also been appointed to decide variance requests, special exceptions, and appeals when necessary.
7. The regulations do not apply to land owned by the CS&KT, Tribal members or on Tribal Trust land.
8. The PDC is based on the Polson Master Plan and adopted by ordinance and resolution in 1994.

9. In 2006 the City adopted the Polson Growth Policy, a land use guidance document that replaced the Polson Master Plan.
10. In accordance with Montana Code Annotated 76-2-304, municipal zoning regulations must be made in accordance with the growth policy.

**PDC STRUCTURE:
THREE MAJOR DIVISIONS**

Division 1: Administrative Procedures-Describes when certain development permits are necessary, permit procedures, hearing procedures, public notice procedures, appeals and variances, enforcement, and PDC text and map amendments.

Division 2: Zoning Districts-Currently there are 11 distinct zoning districts intended to establish land use patterns and separate incompatible land uses in specific geographic areas.

Overlay Zoning Districts-Overlays superimpose additional requirements on top of the base zoning requirements. Example: Wellhead Protection Overlay District, intended to protect Polson's drinking water supplies by limiting land uses around the City's wells. Gravel mines, hazardous materials, USTs, on-site wastewater treatment systems, etc. are either prohibited or strongly controlled. Other overlays are the Airport Safety Overlay, Resort Residential Overlay, and Salish Point and Rail yard Overlay Districts (which are called for in the PDC but have yet to be developed).

Division 3: Performance Standards-Zoning regulations that focus on *standards of operation* or *impacts* instead of land use. PDC performance standards include: runoff management, shoreline and landscape buffers, hillside development, signs, parking, pedestrian access, traffic circulation, large scale development, streets and sidewalks and other subjects.

PDC Must Be Made In Accordance With The Polson Growth Policy

The Polson Growth Policy points out specific areas to be addressed in the PDC update:

- Salish Point and Rail yard Overlays that have never been developed
- Specific criteria for zoning changes, variances and special uses
- More Transitional Zoning District area, where single-family, multi-family, and relatively low-impact commercial are allowed
- Creation of a medical zoning district around St. Joseph Medical Center
- Revision of the hillside development performance standards
- Consider revising the PDC to create a US 93 bypass zoning district

PDC Update Project

Land Solutions, LLC has been hired to spearhead the PDC Update Project

Other consulting team members are Click Here Designs, Inc. and Attorney Scott Hagel

The City Manager appointed an advisory committee to provide guidance and feedback as the project proceeds. The advisory committee consists of Bob Fulton, Lee Manicke, Joyce Weaver, Bruce Agrella & Dennis Duty.

PDC Update Project

Tasks-Background research, personal interviews and public scoping, decision making on items to be addressed in the PDC, creation of draft chapters, graphics and maps, Planning Board and public workshops, public hearings and adoption.

Timeline-February 2009-June 2010

Website: To be accessed from the City of Polson's website. Monthly updates, including a summary of these scoping meetings. Draft chapters posted when available. Public comments accepted online. Website to be up and running in +/-2 weeks.

DISCUSSION:

What is working?

What needs improvement?

What is missing?

After the presentation the meetings were opened up to public discussion and comment. The following is a list of the suggestions, comments, and concerns that were voiced by those in attendance:

- Roads being undermined by storm water runoff-primarily Skyline Dr.
- The rules for major subdivisions need to be more specific.
- The impacts that developments have on the surrounding neighbors need to be considered.
- Simplify the PDC and make it user friendly.
- Have an index so that subject matter is easier to find.
- Need an easier process to change a zone.
- More Mixed Use zones.
- People living in downtown is necessary for a thriving downtown.
- Make sure that County/City adopt same codes, keep up communication.
- Put all regulations pertaining to one zone in one area of the code.
- Be consistent with all developments-same rules need to apply to everyone.
- Strong enforcement of ordinances and development approval conditions is necessary-follow up after permits are granted.
- PDC should plan for future as well as present.
- Clarification regarding permit process and requirements for the developer is needed.
- Clearly define the arterial roads.
- Do not have two zones in the middle of one block.
- Reduce lot sizes in LRZD and MRZD.

- Affordable housing needs to be allowed and encouraged.
- Building height limit should be increased.
- Impact fees, low density zoning and city development costs (sewer, water, sidewalks, etc.) are pushing development into the county.
- More criteria needed for a Special Use Permits for boards and applicants.
- Re-work the Pre-Application process to be Staff only—not planning board.
- Reduce time frame for getting permits.
- Define landscaping requirements.
- Making grandfathering vs. new construction work.
- Allow Mother-In-Law quarters or Guesthouse in different zones.
- Higher density should be allowed in some areas.
- Some existing neighborhoods should be maintained and protected, not changed.
- Hillside development standards and storm water runoff standards must be more defined.
- Current lot coverage rules make it difficult to build affordable housing.
- Have an Architecture Board to review designs, could be non-regulatory.
- Allow appropriately scaled agriculture (chickens).
- Encourage home based businesses, allow them to have a couple of employees.
- More trails and walkways, linear parks.