

CITY OF POLSON COMMISSION MEETING AGENDA

COMMISSION CHAMBERS

March 21, 2016

6:00 P.M.

1. CALL TO ORDER

Mayor Knutson

2. PLEDGE OF ALLEGIANCE

Mayor Knutson

3. APPROVAL OF PROPOSED AGENDA

Mayor Knutson

4. PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC **NOT ON THE AGENDA (address items to the Chair. Commission takes no action on items discussed)**

5. CONSENT AGENDA

a. March 1-17, 2016 claims

b. City Commission Meeting Minutes March 7, 2016

6. CITY MANAGER COMMENTS

City Manager Mark Shrives

NEW BUSINESS

7. LOCAL GOVERNMENT CENTER STRATEGIC PLANNING WORKSHOP REPORT

Blake Christensen, Assistant Director

8. AMEND SPECIAL USE PERMIT #15-02, POLSON YOUTH SOCCER COMPLEX

City Planner Kyle Roberts

9. APPROVE RESOLUTION TO AUTHORIZE MATCHING FUNDS

City Finance Officer Cindy Dooley

10. ANNUAL FINANCE REPORT PRESENTATION

City Finance Officer Cindy Dooley

11. PUBLIC HEARING

7:00 P.M.

12. CLOSURE OF PUBLIC HEARING

13. APPROVE FIRST READING OF ORDINANCE TO ADOPT THE ZONING REGULATIONS AND ZONING MAP FOR THE CITY OF POLSON DEVELOPMENT CODE 2016

City Planner Kyle Roberts, City Manager Mark Shrives

14. APPROVE FIRST READING OF ORDINANCE TO ADOPT THE SUBDIVISION REGULATIONS FOR THE CITY OF POLSON DEVELOPMENT CODE 2016

City Planner Kyle Roberts, City Manager Mark Shrives

15. RECESS

EXECUTIVE SESSION

16. PERSONNEL-MCA CODE 2-3-203 (3) THE PRESIDING OFFICER OF ANY MEETING MAY CLOSE THE MEETING DURING THE TIME THE DISCUSSION RELATES TO A MATTER OF INDIVIDUAL PRIVACY AND THEN IF AND ONLY IF THE PRESIDING OFFICER DETERMINES THAT THE DEMANDS OF INDIVIDUAL PRIVACY CLEARLY EXCEED THE MERITS OF PUBLIC DISCLOSURE. THE RIGHT OF INDIVIDUAL PRIVACY MAY BE WAIVED BY THE INDIVIDUAL ABOUT WHOM THE DISCUSSION PERTAINS AND, IN THAT EVENT, THE MEETING MUST BE OPEN.

17. RE-CONVENE

18. ADJOURN

The City of Polson encourages public participation in its public meetings and hearings. In doing so the City holds its meetings in handicapped accessible facilities. Any persons desiring accommodations for a handicapping condition should call the City Clerk at 883-8203 for more information.

03/17/16
11:53:55

City of Polson
Claim Details by Fund, Account
For the Accounting Period: 3/16

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For doc #s from 123520 to 123710

5a

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	410200 Executive Services	000185 SUPER 1 FOODS	EXEC-REGIONAL TRAINI	11.98
1000 General All-Purpose Fund	410200 Executive Services	000150 PETTY CASH FUND	EXEC-TRAINING SUPPLI	50.66
1000 General All-Purpose Fund	410200 Executive Services	3068 WALMART COMMUNITY CREDIT	EXEC-REGIONAL TRAINI	30.52
1000 General All-Purpose Fund	410200 Executive Services	3025 FIRST BANKCARD	EXEC-FOOD SUPPLIES F	75.00
1000 General All-Purpose Fund	410200 Executive Services	4895 8x8, INC.	EXEC-TELEPHONE SERVI	34.95
1000 General All-Purpose Fund	410360 Municipal Court	2031 DENNIS DEVRIES	CORT-CITY JUDGE CONT	1,650.00
1000 General All-Purpose Fund	410360 Municipal Court	4880 ACCESS MONTANA	CORT-INTERNET SERV	15.00
1000 General All-Purpose Fund	410360 Municipal Court	4880 ACCESS MONTANA	CORT-INTERNET SERV	15.00
1000 General All-Purpose Fund	410360 Municipal Court	1925 VALLEY BUSINESS SYTEMS	CORT-SHARE 2030 CLN/	17.50
1000 General All-Purpose Fund	410360 Municipal Court	3847 SAFEGUARD BUSINESS	CORT-LASER CHECKS	126.43
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	410360 Municipal Court	4895 8x8, INC.	CORT-SHARED TELEPHON	18.71
1000 General All-Purpose Fund	410400 Administrative Services	4880 ACCESS MONTANA	ADMIN-INTERNET SERVI	15.00
1000 General All-Purpose Fund	410400 Administrative Services	4743 WEX BANK	ADMIN-C.M. SUBARU FE	33.44
1000 General All-Purpose Fund	410400 Administrative Services	2074 VERIZON WIRELESS	ADMIN-C.M. CELL PHON	29.68
1000 General All-Purpose Fund	410400 Administrative Services	4969 THE SEMINAR GROUP	ADMN-MS CLASS REGIST	495.00
1000 General All-Purpose Fund	410400 Administrative Services	4804 MARK SHRIVES	ADMN-MS TRAVEL MEALS	152.00
1000 General All-Purpose Fund	410400 Administrative Services	4804 MARK SHRIVES	ADMN-MS TRAVEL MEALS	46.00
1000 General All-Purpose Fund	410400 Administrative Services	4669 GOSCOMA	ADMN-MS CONF REGISTR	275.00
1000 General All-Purpose Fund	410400 Administrative Services	4458 SHARI A. JOHNSON, PE	ADMN-MTG W/ CITY MAN	114.16
1000 General All-Purpose Fund	410400 Administrative Services	4895 8x8, INC.	ADMINT-TELEPHONE SER	86.84
1000 General All-Purpose Fund	410500 Financial Services	4880 ACCESS MONTANA	FINC-INTERNET SERVIC	30.00
1000 General All-Purpose Fund	410500 Financial Services	000282 QUILL CORPORATION	FINC-CALCULATOR RIBB	4.19
1000 General All-Purpose Fund	410500 Financial Services	3025 FIRST BANKCARD	FINC-AS CLASS REGIST	99.99
1000 General All-Purpose Fund	410500 Financial Services	4353 ARDRENE SARRACINO	FINC-AS TRAVEL MEALS	138.00
1000 General All-Purpose Fund	410500 Financial Services	4750 GOVERNMENT FINANCE	FINC-CYNDA DOOLEY RE	160.00
1000 General All-Purpose Fund	410500 Financial Services	4895 8x8, INC.	FINC-TELEPHONE SERVI	58.86
1000 General All-Purpose Fund	411100 Legal Services	4820 M RICHARD GEBHARDT	FACL-CNTRCT CITY ATT	2,000.00
1000 General All-Purpose Fund	411100 Legal Services	4850 MORIGEAU LAW PLLC	FACL-CITY ATTY CONTRC	2,000.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	999999 TERRY BERKHUSE	FACL-1 FIREPROOF FIL	325.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000877 JOHNCO STORAGE	FACL-STORAGE UNIT 4/	75.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2943 CLICK HERE DESIGNS	FACL-MAINT, EMAIL, W	225.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4605 THIRD EYE TECHNOLOGIES,	FACL-CITY NETWRK ISS	56.25
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000414 BROWN'S JEWELRY STORE	FACL-K SARGEANT PLAQ	65.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	1925 VALLEY BUSINESS SYTEMS	FACL-COPIER 3232 CLN	96.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	1925 VALLEY BUSINESS SYTEMS	FACL-COPIER 305 CLN/	35.00
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2888 MISSION VALLEY SECURITY	FACL-FIRE EXTNGSHR I	181.59
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2888 MISSION VALLEY SECURITY	FACL-ANNUAL FIRE ALA	122.92
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	2888 MISSION VALLEY SECURITY	FACL-FIRST AIDE KIT	45.14
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000044 REPUBLIC SERVICES #889	FACL-WASTE DISPOSAL	54.15
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	000150 PETTY CASH FUND	FACL-MISC PURCHASES	43.86
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3025 FIRST BANKCARD	FACL-3 SELF-INKING S	119.97
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3025 FIRST BANKCARD	FACL-W-2 & 1099 FORM	79.56
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3025 FIRST BANKCARD	FACL-VACUUM REPAIR	155.70
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3025 FIRST BANKCARD	FACL-MAGNETIC SWEEPE	9.97
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3068 WALMART COMMUNITY CREDIT	FACL-8 6 FT TABLES	279.94
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	3025 FIRST BANKCARD	FACL-ID BADGE MACHIN	1,693.56
1000 General All-Purpose Fund	411200 Facilities (Shared Costs)	4895 8x8, INC.	FACL-TELEPHONE SERVI	121.79
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-AIR FORCE CAP	49.50
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-AIR FORCE CAPS	99.00
1000 General All-Purpose Fund	420140 Crime Control and	000724 COSNER COMTECH	POLC-PORTABLE ANTENN	564.40
1000 General All-Purpose Fund	420140 Crime Control and	000023 GULL PRINTING	POLC-LRG CHCK, EMBOS	94.95

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Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	420140 Crime Control and	3614 THE CAR WASH/GROGAN'S	POLC-VEH WASH 2/1-29	39.42
1000 General All-Purpose Fund	420140 Crime Control and	4880 ACCESS MONTANA	POLC-INTERNET SERVIC	15.00
1000 General All-Purpose Fund	420140 Crime Control and	4880 ACCESS MONTANA	POLC-1003 1ST ST E S	57.94
1000 General All-Purpose Fund	420140 Crime Control and	2234 ACE HARDWARE/ TREMPER'S	POLC-KEY	3.00
1000 General All-Purpose Fund	420140 Crime Control and	1925 VALLEY BUSINESS SYTEMS	POLC-SHARE 2030 CLN/	17.50
1000 General All-Purpose Fund	420140 Crime Control and	1925 VALLEY BUSINESS SYTEMS	POLC-HP61 BLK TONER	48.00
1000 General All-Purpose Fund	420140 Crime Control and	4743 WEX BANK	POLC-FUEL 02/01-29/1	1,485.47
1000 General All-Purpose Fund	420140 Crime Control and	4159 REXEL INC, d/b/a PLATT	STRT-OUTSTANDING CRE	-41.85
1000 General All-Purpose Fund	420140 Crime Control and	4159 REXEL INC, d/b/a PLATT	STRT-ALTO 12PK	36.28
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-AIR FORCE CAP	49.50
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-BADGE	639.00
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-BADGE	168.30
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-BADGE	168.30
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-BADGE	168.30
1000 General All-Purpose Fund	420140 Crime Control and	2888 MISSION VALLEY SECURITY	POLC-VEH #15 RECHRG	16.87
1000 General All-Purpose Fund	420140 Crime Control and	2888 MISSION VALLEY SECURITY	POLC-EVIDNC CMLPX FI	66.89
1000 General All-Purpose Fund	420140 Crime Control and	2888 MISSION VALLEY SECURITY	POLC-FIRE EXTNGSHR I	181.90
1000 General All-Purpose Fund	420140 Crime Control and	000044 REPUBLIC SERVICES #889	POLC-SHARED WASTE DI	27.65
1000 General All-Purpose Fund	420140 Crime Control and	2074 VERIZON WIRELESS	POLC-I PHONES	350.34
1000 General All-Purpose Fund	420140 Crime Control and	000282 QUILL CORPORATION	POLC-ASSORTED OFFICE	75.34
1000 General All-Purpose Fund	420140 Crime Control and	4849 JOHN DEERE FINANCIAL	POLC-LARGE POLY CHES	129.99
1000 General All-Purpose Fund	420140 Crime Control and	4849 JOHN DEERE FINANCIAL	POLC-LRG ADJ COMBO C	15.49
1000 General All-Purpose Fund	420140 Crime Control and	2255 GALLS, LLC-D.B.A.	POLC-CAP	59.16
1000 General All-Purpose Fund	420140 Crime Control and	000877 JOHNCO STORAGE	POLC-STORAGE UNIT 3/	40.00
1000 General All-Purpose Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-K-9 JACKET AND	99.00
1000 General All-Purpose Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-K-9 SUPPLIES	29.71
1000 General All-Purpose Fund	420140 Crime Control and	4159 REXEL INC, d/b/a PLATT	STRT-LAMP FIXTURES F	298.96
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-TELEPHONE SERVI	212.13
1000 General All-Purpose Fund	420140 Crime Control and	4895 8x8, INC.	POLC-SHARED TELEPHON	18.71
1000 General All-Purpose Fund	420400 Fire Protection and	2234 ACE HARDWARE/ TREMPER'S	FIRE-ASSORTED SUPPLI	72.17
1000 General All-Purpose Fund	420400 Fire Protection and	2234 ACE HARDWARE/ TREMPER'S	FIRE-SIMPL GRN CLNR	19.97
1000 General All-Purpose Fund	420400 Fire Protection and	000414 BROWN'S JEWELRY STORE	FIRE-PLAQUES, PLATES	150.00
1000 General All-Purpose Fund	420400 Fire Protection and	2665 MERCER WELDING & REPAIR	FIRE-MOUNT TANK	641.00
1000 General All-Purpose Fund	420400 Fire Protection and	000034 WESTERN BUILDING CENTER	FIRE-SCREW	1.95
1000 General All-Purpose Fund	420400 Fire Protection and	4743 WEX BANK	FIRE-FUEL 02/01-29/1	454.73
1000 General All-Purpose Fund	420400 Fire Protection and	4159 REXEL INC, d/b/a PLATT	FIRE-ASST. PARTS	114.70
1000 General All-Purpose Fund	420400 Fire Protection and	000185 SUPER 1 FOODS	FIRE-COFFEE FOR FIRE	20.94
1000 General All-Purpose Fund	420400 Fire Protection and	000185 SUPER 1 FOODS	FIRE-COFFEE & DISH S	25.10
1000 General All-Purpose Fund	420400 Fire Protection and	000185 SUPER 1 FOODS	FIRE-ASSORTED PRODUC	29.23
1000 General All-Purpose Fund	420400 Fire Protection and	000185 SUPER 1 FOODS	FIRE-ASSORTED PRODUC	18.40
1000 General All-Purpose Fund	420400 Fire Protection and	2888 MISSION VALLEY SECURITY	FIRE-EXTNSHR INS, RE	227.47
1000 General All-Purpose Fund	420400 Fire Protection and	000150 PETTY CASH FUND	FIRE-MISC PURCHASE	10.00
1000 General All-Purpose Fund	420400 Fire Protection and	000094 DON AADSEN FORD	FIRE-2012 FORD REPAI	340.73
1000 General All-Purpose Fund	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-WEBSITE DOMAIN	64.95
1000 General All-Purpose Fund	420400 Fire Protection and	3068 WALMART COMMUNITY CREDIT	FIRE-HP INK	33.97
1000 General All-Purpose Fund	420400 Fire Protection and	3068 WALMART COMMUNITY CREDIT	FIRE-OFFICE SUPPLIES	23.43
1000 General All-Purpose Fund	420400 Fire Protection and	3068 WALMART COMMUNITY CREDIT	FIRE-FIREHALL SUPPLI	8.51
1000 General All-Purpose Fund	420400 Fire Protection and	4895 8x8, INC.	FIRE-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	420400 Fire Protection and	000011 MISSION VALLEY POWER	FIRE-705 1ST ST E SI	12.00
1000 General All-Purpose Fund	420400 Fire Protection and	4208 MAHUGH FIRE & SAFETY, LLC	FIRE-2 BTLS CLEANER	82.00
1000 General All-Purpose Fund	420540 Land Use	4880 ACCESS MONTANA	PLNG-INTERNET SERV	15.00
1000 General All-Purpose Fund	420540 Land Use	000080 FLATHEAD NEWSPAPER GROUP	PLNG-PUBLIC HEARING	40.89

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For doc #s from 123520 to 123710

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
1000 General All-Purpose Fund	420540 Land Use	000080 FLATHEAD NEWSPAPER GROUP	PLNG-PUBLIC HEARING-	40.90
1000 General All-Purpose Fund	420540 Land Use	4743 WEX BANK	PLNG-FUEL 02/01-29/1	11.92
1000 General All-Purpose Fund	420540 Land Use	000150 PETTY CASH FUND	PLNG-MISC PURCHASE	28.00
1000 General All-Purpose Fund	420540 Land Use	4970 CITY OF POLSON	PLNG-ZONING MAP COMP	60.00
1000 General All-Purpose Fund	420540 Land Use	4458 SHARI A. JOHNSON, PE	PLAN-DCI REV SUP15-0	456.64
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-TELEPHONE SERVI	29.43
1000 General All-Purpose Fund	420540 Land Use	4895 8x8, INC.	PLNG-SHARED TELEPHON	14.71
1000 General All-Purpose Fund	430240 Road and Street	4880 ACCESS MONTANA	STRT-SATELITE @ 1003	28.97
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-COUPLING	9.99
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-ANTIFREEZE	5.94
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-HANDL	6.99
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-CARRIAGE SCREW	7.60
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-ANGLE GRIND BRU	27.99
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-BIT	17.99
1000 General All-Purpose Fund	430240 Road and Street	000034 WESTERN BUILDING CENTER	STRT-LATEX SEALANT	4.99
1000 General All-Purpose Fund	430240 Road and Street	4730 PIERCE CHEVROLET CHRYSLER	STRT-BAL OF INVOICE	288.58
1000 General All-Purpose Fund	430240 Road and Street	4730 PIERCE CHEVROLET CHRYSLER	STRT-FC	4.33
1000 General All-Purpose Fund	430240 Road and Street	4730 PIERCE CHEVROLET CHRYSLER	STRT-FC	4.33
1000 General All-Purpose Fund	430240 Road and Street	2888 MISSION VALLEY SECURITY	STRT-FIRE EXTNGSHR I	187.67
1000 General All-Purpose Fund	430240 Road and Street	2888 MISSION VALLEY SECURITY	STRT-FIRST AIDE KIT	52.73
1000 General All-Purpose Fund	430240 Road and Street	000044 REPUBLIC SERVICES #889	STRT-SHARED WASTE DI	27.65
1000 General All-Purpose Fund	430240 Road and Street	2074 VERIZON WIRELESS	STRT-CELL PHONE SERV	142.27
1000 General All-Purpose Fund	430240 Road and Street	4793 AUTOZONE, INC	STRT-HEX KEY SET	12.99
1000 General All-Purpose Fund	430240 Road and Street	3025 FIRST BANKCARD	STRT-LUMBER FOR SHOP	80.32
1000 General All-Purpose Fund	430240 Road and Street	4970 CITY OF POLSON	STRT-3 HRS GPS SIGN	90.00
1000 General All-Purpose Fund	430240 Road and Street	4878 MARCUSSEN EQUIPMENT	STRT-SWEEPER REPAIR	804.00
1000 General All-Purpose Fund	430240 Road and Street	4458 SHARI A. JOHNSON, PE	STRT-BAYSHORE DR COS	114.16
1000 General All-Purpose Fund	430240 Road and Street	000017 TOTAL SCREEN DESIGN	PRKS-HOODED SWTSHIRT	57.30
1000 General All-Purpose Fund	460430 Parks	4880 ACCESS MONTANA	PRKS-INTERNET SERVIC	15.00
1000 General All-Purpose Fund	460430 Parks	4880 ACCESS MONTANA	PRKS-SATELITE SERVIC	28.97
1000 General All-Purpose Fund	460430 Parks	2665 MERCER WELDING & REPAIR	PRKS-REPAIR WORK	37.50
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-2X8 & 2X4 SELEC	107.04
1000 General All-Purpose Fund	460430 Parks	000034 WESTERN BUILDING CENTER	PRKS-20X3 PFH DS WD/	19.72
1000 General All-Purpose Fund	460430 Parks	4743 WEX BANK	PRKS-FUEL 02/01-29/1	36.25
1000 General All-Purpose Fund	460430 Parks	2888 MISSION VALLEY SECURITY	PRKS-FIRE EXTNGSHR I	211.76
1000 General All-Purpose Fund	460430 Parks	2888 MISSION VALLEY SECURITY	PRKS-FIRST AIDE KIT	97.70
1000 General All-Purpose Fund	460430 Parks	000044 REPUBLIC SERVICES #889	PRKS-WASTE DISPOSAL	55.25
1000 General All-Purpose Fund	460430 Parks	2074 VERIZON WIRELESS	PRKS-CELL PHONE SERV	178.38
1000 General All-Purpose Fund	460430 Parks	3068 WALMART COMMUNITY CREDIT	PARK-PAINT	56.61
1000 General All-Purpose Fund	460430 Parks	3025 FIRST BANKCARD	PARK-FORD CEILING DO	98.53
1000 General All-Purpose Fund	460430 Parks	3025 FIRST BANKCARD	PARK-CENTER CONSOLE	89.88
1000 General All-Purpose Fund	460430 Parks	3025 FIRST BANKCARD	PARK-2 YR ACCIDENT P	57.66
1000 General All-Purpose Fund	460430 Parks	4895 8x8, INC.	PRKS-TELEPHONE SERVI	58.86
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-SACAJAWEA WLK P	55.59
1000 General All-Purpose Fund	460430 Parks	000011 MISSION VALLEY POWER	PRKS-J CAMPBELL PARK	12.00
Total for Fund:				23,154.55
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-CC TRAVEL AIRLI	297.60
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-BH TRAVEL AIRLI	297.60
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-CC TRAVEL LODGI	51.18
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-BH TRAVEL LODGI	51.17

For doc #s from 123520 to 123710

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-VEHICLE SUPPLIE	22.17
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-CC TRAVEL LDOGI	48.51
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-BH TRAVEL LODGI	48.50
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-FUEL	15.04
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-CC TRAVEL LODGI	56.76
2001 Fire Impact Fees	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-BH TRAVEL LODGI	56.76
2001 Fire Impact Fees	420400 Fire Protection and	001409 HEIMAN FIRE EQUIPMENT	FIRE-HEIMAN SLIDE IN	13,207.62
Total for Fund:				14,152.91
2002 Parks Impact Fees	460430 Parks	4596 ELECTRONIC DATA SOLUTIONS	PRKS-G.I.S.-TRIMBLE	4,561.70
2002 Parks Impact Fees	460430 Parks	3025 FIRST BANKCARD	PARK-MS TABLET, CASE	458.95
Total for Fund:				5,020.65
2020 Police Municipal Services	420140 Crime Control and	3635 ADAMSON INDUSTRIES CORP.	POLC-RECHAREABLE FLA	149.95
2020 Police Municipal Services	420140 Crime Control and	2074 VERIZON WIRELESS	POLC-AIRCARDS & NOTE	400.10
2020 Police Municipal Services	420140 Crime Control and	2074 VERIZON WIRELESS	POLC-DATA CREDIT	-86.60
2020 Police Municipal Services	420140 Crime Control and	000150 PETTY CASH FUND	POLC-MAIL EVIDENCE,	55.44
2020 Police Municipal Services	420140 Crime Control and	3025 FIRST BANKCARD	POLC-RANGE SHOOTING	449.72
2020 Police Municipal Services	420140 Crime Control and	4768 TYLER TECHNOLOGIES	POLC-SOFTWARE MAINT	2,050.00
Total for Fund:				3,018.61
2216 Parkland Subdivision Fee	460430 Parks	4008 CROSS DIAMOND BOOM	PRKS-4 5' WHT DOCK L	1,800.00
Total for Fund:				1,800.00
2390 Drug Forfeiture Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-VEHICLE MASTER	267.40
Total for Fund:				267.40
2394 Building Code Enforcement	420500 Protective Inspections	4880 ACCESS MONTANA	BLDG-INTERNET SERV	15.00
2394 Building Code Enforcement	420500 Protective Inspections	4743 WEX BANK	BLDG-FUEL 02/01-29/1	29.36
2394 Building Code Enforcement	420500 Protective Inspections	2888 MISSION VALLEY SECURITY	BLDG-FIRE EXTNGSHR I	24.71
2394 Building Code Enforcement	420500 Protective Inspections	000046 BEACON TIRE CENTER	BLDG-TIRES MT/BAL	60.00
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-TELEPHONE SERVI	29.43
2394 Building Code Enforcement	420500 Protective Inspections	4895 8x8, INC.	BLDG-SHARED TELEPHON	14.72
Total for Fund:				173.22
2402 Light Maintenance	430263 Street Lighting	000011 MISSION VALLEY POWER	FACL-N END MAIN ST L	232.60
Total for Fund:				232.60
2703 Fire Memb. Donation Fund	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-FIREFIGHTER AWA	1,079.15
2703 Fire Memb. Donation Fund	420400 Fire Protection and	3025 FIRST BANKCARD	FIRE-FIREFIGHTER AWA	51.90
Total for Fund:				1,131.05
2720 Police Donations	420140 Crime Control and	4896 DAWN'S FLOWER DESIGNS	POLC-FLWRS FOR KEN A	50.00

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Fund	Department Name (Account)	Vendor #/Name	Description	Amount
Total for Fund:				50.00
2810 Police Training Fund	420140 Crime Control and	4296 JUAN MASO	POLICE-JM TRAVEL MEA	37.00
2810 Police Training Fund	420140 Crime Control and	4966 THE SAFARILAND TRAINING	POLC-B MC CLINTOCK T	235.00
2810 Police Training Fund	420140 Crime Control and	4969 THE SEMINAR GROUP	POLC-AB CLASS REGIST	495.00
2810 Police Training Fund	420140 Crime Control and	4465 MTEIRA	POLC-JH CONF REGISTR	100.00
2810 Police Training Fund	420140 Crime Control and	3025 FIRST BANKCARD	POLC-JM CLASS REGIST	189.00
Total for Fund:				1,056.00
2820 Gas Apportionment Tax	430240 Road and Street	4049 D & D CUSTOMS AND	STRT-12'X18' W WHT R	840.00
2820 Gas Apportionment Tax	430240 Road and Street	4952 NATIONAL INDUSTRIAL &	STRT-ASSORTED MARKIN	628.44
2820 Gas Apportionment Tax	430240 Road and Street	4476 MIKE JOHNSON UPHOLSTRY	STRT-'07 DODGE UPHOL	450.00
2820 Gas Apportionment Tax	430240 Road and Street	000302 WESTLAND SEED INC.	STRT-GASKET, CLAMP	30.25
2820 Gas Apportionment Tax	430240 Road and Street	2234 ACE HARDWARE/ TREMPER'S	STRT-PLAIN HR FLAT,	20.39
2820 Gas Apportionment Tax	430240 Road and Street	2234 ACE HARDWARE/ TREMPER'S	STRT-FASTENERS	2.80
2820 Gas Apportionment Tax	430240 Road and Street	2234 ACE HARDWARE/ TREMPER'S	STRT-FASTENERS	1.30
2820 Gas Apportionment Tax	430240 Road and Street	2234 ACE HARDWARE/ TREMPER'S	STRT-ASST PRODUCT	9.69
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/4 RECYCLE	165.58
2820 Gas Apportionment Tax	430240 Road and Street	2547 TREASURE STATE CONCRETE	STRT-3/4 RECYCLE	72.08
2820 Gas Apportionment Tax	430240 Road and Street	4743 WEX BANK	STRT-FUEL 02/01-29/1	503.75
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-HVY DUTY GUTTER	294.00
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-DRIVE RIVET	99.75
2820 Gas Apportionment Tax	430240 Road and Street	4355 TITAN MACHINERY	STRT-COUPLER BUTTON	100.86
2820 Gas Apportionment Tax	430240 Road and Street	4355 TITAN MACHINERY	STRT-DOUBLE WRAP BRO	900.00
2820 Gas Apportionment Tax	430240 Road and Street	000241 NORMONT EQUIPMENT CO.	STRT-ASSORTED PARTS	420.41
Total for Fund:				4,539.30
2953 NW Drug Task Force	420140 Crime Control and	4868 NORTHWEST DRUG TASK FORCE	POLC-3RD QTR PMT TO	11,917.42
Total for Fund:				11,917.42
5010 Golf Fund	460446 Golf Course -	001145 MISSOULA TEXTILE SERVICES	GLFM-LAUNDRY	11.66
5010 Golf Fund	460446 Golf Course -	001145 MISSOULA TEXTILE SERVICES	GLFM-LAUNDRY	23.63
5010 Golf Fund	460446 Golf Course -	001145 MISSOULA TEXTILE SERVICES	GLFM-LAUNDRY	11.66
5010 Golf Fund	460446 Golf Course -	001145 MISSOULA TEXTILE SERVICES	GLFM-LAUNDRY	19.15
5010 Golf Fund	460446 Golf Course -	4880 ACCESS MONTANA	GLMF-SATELITE SERV	77.94
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-TRASH BAGS	14.99
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-FASTENERS	4.25
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-ASSORT PRODUCT	26.75
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-FASTENERS	2.99
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-MARINE RESIN	16.99
5010 Golf Fund	460446 Golf Course -	2234 ACE HARDWARE/ TREMPER'S	GLFM-LIGHT BULBS	28.48
5010 Golf Fund	460446 Golf Course -	000185 SUPER 1 FOODS	GLFM-POSTAGE	9.80
5010 Golf Fund	460446 Golf Course -	000048 MIDLAND IMPLEMENT CO.	GLFM-ASST TORO PARTS	302.06
5010 Golf Fund	460446 Golf Course -	000048 MIDLAND IMPLEMENT CO.	GLFM-TORO FAN BELT	24.68
5010 Golf Fund	460446 Golf Course -	000048 MIDLAND IMPLEMENT CO.	GLFM-TORO V-BELT	22.98
5010 Golf Fund	460446 Golf Course -	4955 PACIFIC GOLF & TURF LLC	GLFM-ASSORTED PARTS	2,411.69
5010 Golf Fund	460446 Golf Course -	2888 MISSION VALLEY SECURITY	GLFM-FIRE EXTNGSHR I	197.94
5010 Golf Fund	460446 Golf Course -	2888 MISSION VALLEY SECURITY	GLFM-SECURITY SYSTEM	88.96

For doc #s from 123520 to 123710

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5010 Golf Fund	460446 Golf Course -	000044 REPUBLIC SERVICES #889	GLFM-WASTE DISPOSAL	55.25
5010 Golf Fund	460446 Golf Course -	2202 PEAKS & PRAIRIES GCSA	GLFM-P NOWLEN MBRSHI	115.00
5010 Golf Fund	460446 Golf Course -	2202 PEAKS & PRAIRIES GCSA	GLFM-N ARLINT MBRSHI	115.00
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-ASST SHOP SUPPL	327.01
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-PN TRAVEL BAGGA	50.00
5010 Golf Fund	460446 Golf Course -	3025 FIRST BANKCARD	GLFM-PN TRAVEL PARKI	45.00
5010 Golf Fund	460446 Golf Course -	4895 8x8, INC.	GLFM-TELEPHONE SERVI	29.43
5010 Golf Fund	460446 Golf Course -	999999 MISSION MACHINE	GLFM-WELD SHAFT, INS	200.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000316 WALLACES GOLF SHOP	GLFP-CITY SHARE CC D	209.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000316 WALLACES GOLF SHOP	GLFP-CITY SHARE CC J	211.87
5010 Golf Fund	460447 Golf Course - Pro Shop	000316 WALLACES GOLF SHOP	GLFP-FACEBOOK AD FEB	112.97
5010 Golf Fund	460447 Golf Course - Pro Shop	4026 PACIFIC NORTHWEST SECTION	GLFP-MT SPONSHORSHIP	500.00
5010 Golf Fund	460447 Golf Course - Pro Shop	2234 ACE HARDWARE/ TREMPER'S	GLFP-ASST CLEANING S	72.61
5010 Golf Fund	460447 Golf Course - Pro Shop	1925 VALLEY BUSINESS SYTEMS	GLFP-TONER & RIBBON	98.00
5010 Golf Fund	460447 Golf Course - Pro Shop	4395 ANDERSON	GLFP-ADVERTISING	300.00
5010 Golf Fund	460447 Golf Course - Pro Shop	2888 MISSION VALLEY SECURITY	GLFP-FIRE EXTNGSHR I	113.44
5010 Golf Fund	460447 Golf Course - Pro Shop	000044 REPUBLIC SERVICES #889	GLFP-WASTE DISPOSAL	85.00
5010 Golf Fund	460447 Golf Course - Pro Shop	000281 BISHOP INSURANCE SERVICE	GLFP-R WALLACE BOND	100.00
5010 Golf Fund	460447 Golf Course - Pro Shop	4458 SHARI A. JOHNSON, PE	GLFP-BJORN FINAL PAY	456.64
5010 Golf Fund	460447 Golf Course - Pro Shop	3025 FIRST BANKCARD	GLFP-ADVERTISING	40.00
5010 Golf Fund	460447 Golf Course - Pro Shop	4895 8x8, INC.	GLFP-TELEPHONE SERVI	29.43
5010 Golf Fund	460447 Golf Course - Pro Shop	000011 MISSION VALLEY POWER	GLFP-DOWNSTAIRS METE	189.37
5010 Golf Fund	460447 Golf Course - Pro Shop	000011 MISSION VALLEY POWER	GLFP-CAR STORAGE BLD	37.85
5010 Golf Fund	460447 Golf Course - Pro Shop	000010 CENTURYLINK	GLFP-INTERNET SERVIC	22.95
5010 Golf Fund	460447 Golf Course - Pro Shop	3866 OFFICE MAX CONTRACT INC.	GLFP-OFFICE SUPPLIES	139.32
5010 Golf Fund	460447 Golf Course - Pro Shop	3866 OFFICE MAX CONTRACT INC.	GLFP-OFFICE SUPPLIES	206.79
5010 Golf Fund	460450 Golf Course Restaurant	000316 WALLACES GOLF SHOP	GLFR-SNACKS	154.90
5010 Golf Fund	460450 Golf Course Restaurant	4754 PEPSI-COLA BOTTLING OF	GLFR-ASSORT BEVERAGE	142.15
5010 Golf Fund	460450 Golf Course Restaurant	4754 PEPSI-COLA BOTTLING OF	GLFR-ASST. BEVERAGES	482.38
5010 Golf Fund	460460 G. C. Restaurant O & M	2888 MISSION VALLEY SECURITY	GLFR-FIRE EXTNGSHR I	86.51
5010 Golf Fund	460460 G. C. Restaurant O & M	2888 MISSION VALLEY SECURITY	GLFR-FIRST AIDE KIT	61.29
Total for Fund:				8,085.76
5210 Water Fund	430500 Water Utilities	001721 MONTANA DEPARTMENT OF	WATR-COMMUNITY CONNC	4,690.00
5210 Water Fund	430500 Water Utilities	4880 ACCESS MONTANA	WATR-INTERNET SERV	15.00
5210 Water Fund	430500 Water Utilities	4880 ACCESS MONTANA	WATR-SATELITE@ 715 7	38.97
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-BP CLASS REGIST	717.50
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-BP TRAVEL AIRLI	99.60
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-CONTACTOR VANTA	19.48
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-TP CLASS REGIST	180.25
5210 Water Fund	430500 Water Utilities	3025 FIRST BANKCARD	WATR-MATTE BLACK SMA	174.99
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR-BP CAR RENTAL	131.19
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR-BP BAGGAGE CHG	12.50
5210 Water Fund	430500 Water Utilities	4158 BRANDON PARKER	WATR- BP REIMB TRANS	-1.05
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WATR-TELEPHONE SERVI	48.14
5210 Water Fund	430500 Water Utilities	4895 8x8, INC.	WG. I. S.-TELEPHONE SE	14.72
5210 Water Fund	430500 Water Utilities	000036 MAIN HARBOR PUMPS & WELL	WATR-REPAIR PUMP	4,923.05
5210 Water Fund	430530 Source of Supply and	000011 MISSION VALLEY POWER	WATR-715 7TH AVE W S	149.08
5210 Water Fund	430530 Source of Supply and	4074 APPLIED WATER CONSULTING	WATR-ENG SERV 12/26/	2,673.66
5210 Water Fund	430540 Purification and	000101 MONTANA ENVIRONMENTAL	WATR-COLF BAC	96.00
5210 Water Fund	430540 Purification and	000101 MONTANA ENVIRONMENTAL	WATR-CHLORINE, COLF	106.00

For doc #s from 123520 to 123710

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-HAMMER HANDL	6.49
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-CONNECTOR	6.49
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-ASST. PRODUCT	47.92
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-ASST. PRODUCT	25.75
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-FASTENERS	0.88
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-FUEL CAN SPOUT	8.49
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-ASST. PRODUCT	25.77
5210 Water Fund	430550 Transmission and	2234 ACE HARDWARE/ TREMPER'S	WATR-FASTENERS	3.19
5210 Water Fund	430550 Transmission and	2547 TREASURE STATE CONCRETE	WATR-3/4 RECYCLE HIL	339.08
5210 Water Fund	430550 Transmission and	000034 WESTERN BUILDING CENTER	WATR-SCREW, BIT	38.75
5210 Water Fund	430550 Transmission and	000034 WESTERN BUILDING CENTER	WATR-ASST PRODUCT	61.44
5210 Water Fund	430550 Transmission and	4743 WEX BANK	WATR-FUEL 02/01-29/1	151.23
5210 Water Fund	430550 Transmission and	4006 HD SUPPLY WATERWORKS,	WATR-ASST FIPXITIPS	1,190.16
5210 Water Fund	430550 Transmission and	2007 UTILITIES UNDERGROUND	WATR-UTIL LOCATES FE	18.84
5210 Water Fund	430550 Transmission and	000044 REPUBLIC SERVICES #889	WATR-SHARED WASTE DI	27.65
5210 Water Fund	430550 Transmission and	2074 VERIZON WIRELESS	WATR-CELL PHONE SERV	200.47
5210 Water Fund	430550 Transmission and	4458 SHARI A. JOHNSON, PE	WATR-MTG ON PER - WA	342.50
5210 Water Fund	430550 Transmission and	4458 SHARI A. JOHNSON, PE	WATR-RIDGEWATER CLAI	285.41
5210 Water Fund	430550 Transmission and	4458 SHARI A. JOHNSON, PE	WATR-HANS LUND SUBDI	456.65
5210 Water Fund	430570 Customer Accounting and	000005 POSTMASTER	WATR-BILLING RESERVE	315.00
5210 Water Fund	430570 Customer Accounting and	2888 MISSION VALLEY SECURITY	WATR-FIRE EXTNGSHR I	353.23
5210 Water Fund	430570 Customer Accounting and	2888 MISSION VALLEY SECURITY	WATR-1ST AIDE KIT RE	29.80
5210 Water Fund	430570 Customer Accounting and	000150 PETTY CASH FUND	WATR-POSTAGE DUE	0.22
5210 Water Fund	430570 Customer Accounting and	3761 MASTER METER SYSTEMS	WATR-ANNUAL SUPPORT/	750.00
Total for Fund:				18,774.49
5310 Sewer Fund	430600 Sewer Utilities	4880 ACCESS MONTANA	SEWR-INTERNET SERV	15.00
5310 Sewer Fund	430600 Sewer Utilities	4880 ACCESS MONTANA	SEWR-SATELITE SERV 7	38.97
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-BP CLASS REGIST	717.50
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-BP TRAVEL AIRLI	99.60
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-CONTACTOR VANTA	19.47
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-JC CLASS REGIST	180.25
5310 Sewer Fund	430600 Sewer Utilities	3025 FIRST BANKCARD	SEWR-MATTE BLACK SMA	175.00
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-BP CAR RENTAL	131.18
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-BP BAGGAGE CHG	12.50
5310 Sewer Fund	430600 Sewer Utilities	4158 BRANDON PARKER	SEWR-BP REIMB TRANSP	-1.05
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SEWR-TELEPHONE SERVI	48.14
5310 Sewer Fund	430600 Sewer Utilities	4895 8x8, INC.	SG.I.S.-TELEPHONE SE	14.71
5310 Sewer Fund	430630 Collection and	000101 MONTANA ENVIRONMENTAL	SEWR-LAB BOD	47.00
5310 Sewer Fund	430630 Collection and	000101 MONTANA ENVIRONMENTAL	SEWR-AMMONIA, BOD	187.00
5310 Sewer Fund	430630 Collection and	000101 MONTANA ENVIRONMENTAL	SEWR-LAB, BOD	47.00
5310 Sewer Fund	430630 Collection and	000101 MONTANA ENVIRONMENTAL	SEWR-LAB, BOD	47.00
5310 Sewer Fund	430630 Collection and	000693 MONTANA RAIL LINK, INC.	SEWR-INTERCEPTOR SWR	100.00
5310 Sewer Fund	430630 Collection and	2234 ACE HARDWARE/ TREMPER'S	SEWR-CUTOFF BLADE, W	119.70
5310 Sewer Fund	430630 Collection and	2234 ACE HARDWARE/ TREMPER'S	SEWR-ASST. PRODUCT	65.97
5310 Sewer Fund	430630 Collection and	2234 ACE HARDWARE/ TREMPER'S	SEWR-FASTENERS	3.12
5310 Sewer Fund	430630 Collection and	2234 ACE HARDWARE/ TREMPER'S	SEWR-RATCHETS	44.98
5310 Sewer Fund	430630 Collection and	2234 ACE HARDWARE/ TREMPER'S	SEWR-CASTERS	69.96
5310 Sewer Fund	430630 Collection and	4743 WEX BANK	SEWR-FUEL 02/01-29/1	370.52
5310 Sewer Fund	430630 Collection and	2007 UTILITIES UNDERGROUND	SEWR-UTIL LOCATES FE	18.84
5310 Sewer Fund	430630 Collection and	2074 VERIZON WIRELESS	SEWR-CELL PHONE SERV	200.46

For doc #s from 123520 to 123710

Fund	Department Name (Account)	Vendor #/Name	Description	Amount
5310 Sewer Fund	430630 Collection and	4458 SHARI A. JOHNSON, PE	SEWR-MTG 2 BLOCK REP	342.50
5310 Sewer Fund	430630 Collection and	4458 SHARI A. JOHNSON, PE	SEWR-RIDGEWATER CLAI	285.41
5310 Sewer Fund	430630 Collection and	4458 SHARI A. JOHNSON, PE	SEWR-PRELIM DESIGN S	684.96
5310 Sewer Fund	430630 Collection and	4458 SHARI A. JOHNSON, PE	SEWR-HANS LUND SUBDI	456.64
5310 Sewer Fund	430630 Collection and	000011 MISSION VALLEY POWER	SEWR-715 7TH AVE W S	149.07
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430630 Collection and	4756 J&M TRANSPORTATION	SEWR-COURIER SERVICE	36.00
5310 Sewer Fund	430640 Treatment and Disposal	000080 FLATHEAD NEWSPAPER GROUP	SEWR-FONSI-CDBG AD	88.00
5310 Sewer Fund	430640 Treatment and Disposal	000044 REPUBLIC SERVICES #889	SEWR-SHARED WASTE DI	27.65
5310 Sewer Fund	430640 Treatment and Disposal	000150 PETTY CASH FUND	SEWR-POSTAGE ADA CDB	6.51
5310 Sewer Fund	430640 Treatment and Disposal	3025 FIRST BANKCARD	SEWR-BUSINESS LUNCH	21.05
5310 Sewer Fund	430640 Treatment and Disposal	4458 SHARI A. JOHNSON, PE	SEWR-WWTP FUNDING RE	228.33
5310 Sewer Fund	430670 Customer Accounting and	000005 POSTMASTER	SEWR-BILLING RESERVE	315.00
5310 Sewer Fund	430670 Customer Accounting and	2888 MISSION VALLEY SECURITY	SEWR-FIRE EXTNGSHR I	353.22
5310 Sewer Fund	430670 Customer Accounting and	2888 MISSION VALLEY SECURITY	SEWR-1ST AIDE KIT RE	29.79
5310 Sewer Fund	430670 Customer Accounting and	000341 MMIA-LIABILITY PROGRAM	SEWR-GC2016037754-S.	750.00
5310 Sewer Fund	430670 Customer Accounting and	3761 MASTER METER SYSTEMS	SEWR-ANNUAL SUPPORT/	750.00
Total for Fund:				7,404.95
Total:				100,778.91

City of Polson
Fund Summary for Claims
For the Accounting Period: 3/16

Fund/Account	Amount
1000 General All-Purpose Fund	
101000	\$23,154.55
2001 Fire Impact Fees	
101000	\$14,152.91
2002 Parks Impact Fees	
101000	\$5,020.65
2020 Police Municipal Services Levy	
101000	\$3,018.61
2216 Parkland Subdivision Fee (formerly 7060)	
101000	\$1,800.00
2390 Drug Forfeiture Fund	
101000	\$267.40
2394 Building Code Enforcement	
101000	\$173.22
2402 Light Maintenance District #20	
101000	\$232.60
2703 Fire Memb. Donation Fund	
101000	\$1,131.05
2720 Police Donations	
101000	\$50.00
2810 Police Training Fund	
101000	\$1,056.00
2820 Gas Apportionment Tax Fund	
101000	\$4,539.30
2953 NW Drug Task Force	
101000	\$11,917.42
5010 Golf Fund	
101000	\$8,085.76
5210 Water Fund	
101000	\$18,774.49
5310 Sewer Fund	
101000	\$7,404.95
Total:	\$100,778.91

CITY OF POLSON COMMISSION MEETING

5b.

Commission Chambers

March 7, 2016

7:00 p.m.

ATTENDANCE: Mayor Heather Knutson, Commissioners Coutts, Donovan, Erickson, Siler, and Southerland, Turner, City Manager Mark Shrives, City Finance Officer Cindy Dooley

OTHERS PRESENT (who voluntarily signed in): Elsa Duford, Lita Fonda, Margie Hendricks, Bonnie Manicke, Lee Manicke, Joyce Norman, Richard Norman, Tony Porrazzo, and Russell Stone

CALL TO ORDER: (00:00) Mayor Knutson called the meeting to order. The Pledge of Allegiance was recited. Roll call was taken.

APPROVAL OF PROPOSED AGENDA (00:51) - Commissioner Turner motion to approve the proposed agenda. Commissioner Southerland second. City Commission discussion: Commissioner Siler asked about removing 5d from the Consent Agenda. Mayor Knutson replied that when the Commission gets to that part of the agenda, then the removal of 5d will be discussed. Public comment: **Elsa Duford** asked about if the Commission was going to remove Consent Agenda 5d. Mayor Knutson explained that the Commission wasn't to that agenda item yet. **VOTE: Unanimous Motion carried**

PUBLIC COMMENT ON SIGNIFICANT MATTERS TO THE PUBLIC NOT ON THE AGENDA (04:10)-Russell Stone-Ward II commented that his neighbor has installed a street light in her back yard. This street light shines into Mr. Stone's home illuminating the inside of the house. Mrs. Stone has purchased blinds to block out the light. The back yard is also illuminated. Mission Valley Power was called but there is no way to block the light. Mr. Stone has spoken with his neighbor about the light. She was under the impression that she had done the neighborhood a favor. Mayor Knutson commented that she would consult with the City Manager on what the options are concerning this issue. Mr. Stone also commented on the Resort Tax being proposed. Mr. Stone owns a local business. While Mr. Stone is in favor of the Resort Tax he will absorb the 3% proposed and not pass it on to his customers.

CONSENT AGENDA (11:39)-(a). February 12-29, 2016 claims, (b). City Commission meeting Minutes February 17, 2016, (c). City Commission Workshop Minutes February 27, 2016, (d). Norman 2-lot Minor Subdivision. City Manager Shrives comments that if the Commission want to remove 5d for a more indepth discussion, there will need to be a motion to remove this item. **Commissioner Siler motion to remove 5d. as a separate agenda item from the consent agenda. Commissioner Turner second.** Commission discussion: none Public Comment: **Richard Norman**-asked why this item was being separated. Mayor Knutson commented that there was information received late and the Commission has not had an opportunity to review previously. City Manager Shrives commented that the item will be discussed. **VOTE: Unanimous Motion carried. The Consent Agenda will now be 5a., 5b, and 5c. Commissioner Erickson motion to approve the Consent Agenda. Commissioner Coutts second.** Commission discussion: none Public comment: **Lee Manicke**-Ward II commented that the claims were not posted on the City website for the agenda. **Elsa Duford**-There were no minutes or claims on the City website for this agenda. Also Elsa clarified an incident that she spoke about during the February 17, 2016 Commission meeting. The incident with her neighbor about the dogs charging the fence occurred 6 years ago. Elsa further commented that she would like to see the City ordinances apply to everyone that lives in the City. That there be no difference between the Tribal citizens and any other citizen that lives within the City boundaries. Mayor Knutson commented that the City is working closer with the Tribe and working on building a stronger relationship with the Tribal law enforcement. **VOTE: Unanimous Motion carried**

AGENDA ITEM 5d (25:19).-City Planner Kyle Roberts commented that the Commission was given a copy of the Staff Report. The Preliminary approval was given by the Commission in May 2015 with 19 Conditions of Approval. All of the Conditions have been met. The Final Plat has been reviewed by the City Manager, City Attorney, and the City Planner. The shared driveway, located in Prescriptive Easement, is historically 60 years. The easement on the plat was put on by the surveyor. Commissioner Siler asked if a prescriptive could be placed on the plat. City Attorney Rich Gebhardt explained that only the surveyor can put a prescriptive easement on the plat. The City is only charged with reviewing the plat for errors/emissions, calculations and drafting. In this particular case the language on the plat is determined by the Surveyor. Mayor Knutson recalled that there was a question about one of the houses being too close and not satisfying the set-back required. Commissioner Siler commented that the Norman's were granted a variance for the set-back. Commissioner Siler questioned the wording on Condition of Approval #11-Impact Fees. Commissioner Siler asked if the applicants' need to pay Impact Fees. City Manager Shrives answered that there should not be any Impact Fees. City Attorney Gebhardt agreed with Commissioner Siler that the wording Impact Fees should be removed. Mayor Knutson clarified that from the City's perspective, the City is approving exactly what the City is able to approve. The particular easement and the contradiction in that is not up to the City to settle that particular situation. **Commissioner Southerland motion to approve the Norman 2-lot minor subdivision Final Plat. Commissioner Donovan second.** Commission discussion: Commissioner Siler commented that based on the City Attorney's comments he will have to vote yes. Public Comment: **Margie Hendricks** discussed the following letter that she submitted to the Commission:

To Mayor Knutson, City Manager Sreives, and the City Commission,

The Norman subdivision proposal is on the City Commission adjenda tonight for final approval. Norman's, the owners of the subdivision, have not provided My husband and I with any legal document showing what their rights are concerning the roadway on our property. My husband and I request a piece of paper showing what the Norman's legal rights are and, it seems to me, the city should also have a legal document in hand that supports the claim Norman's have a legitimate claim to an existing road access on our property. I ask the subdivision be tabled until the easement issue and other serious issues can be addressed.

To provide a little history concerning this matter. I made an effort to reach an agreement with Normans during the past nine months. June 2015, following the May Preliminary Plat approval process, I wrote two letters to the city wanting to find out what city codes would require if my husband and I and the Norman's combined the 12' road access on our property with part of the road access on Norman's property to provide a 20 or 24' road access for possible future development on both of our properties. Mrs Norman was unwilling to respond to any suggestions I was entertaining. Because she wouldn't engage in discussion I assumed they were going to use the road access on their property.

I learned Friday, March 4th, that the Norman subdivision would be before the Commission for Final approval. I went to City Hall to see if the Norman's had settled on a access road through their own property. There was no way I could tell. There was a maintenance agreement for the road access on 1A in the subdivision packet, but no information regarding which road access they intended to use. My husband is 82 and has heart issues I felt at this point we should avoid the anxiety of not knowing which access road is contemplated by Norman's and just make an offer.

The 12' shared existing road access on our property is located on our west boundary line adjacent to Normans property. For the past 60 years the previous owners of our property, and we, as current owners of the property, have allowed the road that is the accesses to our residence to be used by the neighbors east of us. In turn, Norman's and the previous owners of their property allow us, and previous owners, to use a road through their property to access our back yard. There was no written agreement concerning the road. My husband contacted Joyce Norman Friday March 4, and suggested we would give them a road easement for Lot 1A and 2A if they would reciprocate and give us a road access easement to our back yard. It seemed like this suggestion was acceptable but when I talked to Joyce Norman on the March 6th about how we might construct legal easements with maintenance agreement to be recorded, Mrs Norman responded they did not intend to participate in written contracts concerning the roads.

Mrs. Norman informed me the basis of the claim to the road right of ways on both properties is documented on a 1996 plat map, COS 5234. This was a land transfer plat between the two parties. The plat states that land within Norman's boundry and our property boundry is subject to all reservations, restrictions, and easements *apparent* or of record.

I consulted with a title officer this morning. My understanding of his opinion of the subject to statement on the plat is that the statement is a 'catch all' that has vague legal significance, that lawyers in some

counties don't recognize it at all, and he gave me several reasons why a vague referance on the plat map would make it very difficult to sell our property. A person seeking a loan for our property would have to show a legally recorded easement agreement with a road maintenance clause to get a bank loan. A title company would require a legal written easement. He was much more articulate and expansive about the issues involved than I am capable of reporting but he offered to talk to the city and repeat what he told me.

I have some documentation that in the past 10 years I have made friendly overtures to the Norman's suggesting we draw up legal road easements that can be recorded. I have never received a response.

Sincerely,



Richard Norman commented on the letter that the Norman's had submitted:

It is our opinion that any discussion of an access easement between the neighbors adjacent to the east of our proposed sub-division is not related or pertinent to the project.

Ingress/egress to the two lots (created by the sub-division) is ensured by the east roadway easement provided in the sub-division proposal.

Further, there is substantial evidence that the existing ingress/egress is ensured by historical use. In addition to all the prior owners' satisfactory use, we, too, have enjoyed a satisfactory experience with our easterly neighbors over the past twelve plus years of our residency.

Prior to the vote, City Attorney Gebhardt reiterated that the matter of easement agreement is a civil matter. **VOTE: 1 nay 6 ayes Motion Carried**

CITY MANAGER COMMENTS (57:26)-City Manager Shrives commented on the following: There will be a follow up presentation by the Local Government Center recapping the Strategic Planning workshop of February 27th. Brandon Parker has attended the Resource Management classes and has received 100% on his student presentation. Brandon will be giving his presentation to Commission at a later meeting. City Manager Shrives cleared up the issue of the items missing from the agenda posting. Legally the City is only required to post the agenda and that was on the website. The Mayor thanked all the department heads who attended the Strategic Planning Workshop on February 27th. The Commission will begin the City Manager annual evaluation. This year the evaluation will be done slightly different. There will be more open ended questions of the Commission and thoughts on how things are going. The time frame will be: the review portion of the evaluation in March. Then there will be a 30 day written report out. There will be several Commissioners absent from the second meeting in April, so we are working on how to best handle that portion of the evaluation. The Mayor will email some questions to each Commissioner and then the responses need to be returned individually. The Greater Polson Foundation beautification event to spruce up the City of Polson will be April 29th. The Mayor has requested that the Commission be a team and contribute 2 hours of clean up.

APPROVE SECOND READING OF ORDINANCE 2016-002 PUBLIC SAFETY CHAPTER 7, ARTICLES 1-5.(01:05:18)-City Manager Shrives presented this agenda item. There has been a correction to section 7.03.060. The wording has been changed to include the City Manager and not just the Building Official. Also the word "club" has been added to the word "billy" in the weapon section. Commissioner Southerland asked for clarification of an Attractive Nuisance. City Attorney Gebhardt replied that the legal definition is something that a child would see and want to go to it; i.e-a swimming pool. **Commissioner Turner motion to approve the 2nd reading of the Ordinance Number 2016-002 to adopt Chapter 7, Public Safety Article 1, Garbage, Article 2, Weeds, Article 3, Community Decay-Nuisance, Article 4, Abandoned or Junked Vehicles, Article 5, Firearms and Bows on Public Property, to the City of Polson Book of Ordinances. Commissioner Southerland second.** Commission discussion: none Public Comment: **Elsa Duford**- commented that some of the penalties appeared to be too harsh. There needs to be some flexibility. **VOTE: Unanimous Motion carried**

PRESENTATION OF PLAQUE TO KAREN SARGEANT (01:14:49)-Mayor Knutson presented this agenda item. Mayor Knutson thanked Karen for her time and how she is always open to anyone who would like to say anything. City Manager Shrives commented that he appreciated all that Karen has done since he became City Manager. Karen was very helpful in bringing City Manager Shrives up to speed on what was happening in the City when he arrived. Karen will be facing a lot of challenges in her new position but she is definitely up to the challenge. Commissioner Siler asked is Karen thought the skate park kids would miss her. Commissioner Southerland commented that working with Karen these last couple of years, and the time that she took over as acting City Manager, Karen did a great job. Commissioner Southerland liked the way Karen conducted the Commission meetings and thanked Karen for doing that. Commissioner Erickson commented that he appreciated Karen's ability to be on hand and someone wanted to talk to her about something. Karen was willing to take a time on a personal level to work with Commissioner Erickson's sons. Commissioner Erickson commented that he appreciated working with Karen and her ability to tell it like it is. Commissioner Turner commented that he wished Karen the best. Enjoyed knowing her and wished her all the best. Karen Sargeant commented that she appreciated working with all of the Commission. Lita Fonda commented that Lita worked for the City when Karen first started working for the City. There was a lot of room for improvement from the previous Parks Director. Lita commented how impressed she was with Karen and enjoyed Karen's energy, diversity of her knowledge, her willingness to work with other departments, connecting people together. She had such a great ability to work with a variety of people. Lee Manicke commented Karen came on to the Polson Development Code Re-write after some of the committee had been there a while.

There were some intense debates, but as soon as the debate was over it was back to normal. Karen would just let it run off. City Attorney Rich Gebhardt commented that when he and Karen began working on re-writing the Parks Ordinances, Karen brought a lot of things to Rich's attention that needed correction. Karen is always willing to come to you and ask questions, get answers and does it in such a nice diplomatic way. Mayor Knutson commented that there has been several people comment to her about Karen and how she will be missed here. Mayor Knutson commented how she appreciated Karen's transparency in the Commission meetings while serving as acting City Manager.

(01:24:28) Mayor Knutson commented that a meeting may be closed to discuss the strategy of pending, threatened or actual litigation; Mayor Knutson asked if the litigation was between two governmental agencies. City manager Shrives replied no. Mayor Knutson asked if the discussion of this legal matter in open meeting have the potential to adversely affect the City if the strategy to defend the matter is disclosed. City Manager Shrives replied yes. Mayor Knutson commented that based upon the representations of the City Manager, I find that the Commission should close its meeting into executive session so that we may discuss the litigation strategy of pending, threatened or actual litigation." "I believe that we will be discussing this matter for 30 to 60 minutes. Thereafter, we will reconvene the meeting only to determine full or action minutes and to adjourn the meeting.

RECESS: (01:25:27) EXECUTIVE SESSION

RECONVENE: (01:25:35) Mayor Knutson commented for the record that Commissioner Turner had to leave during the Executive Session to pick up his daughter.

(01:25:48) Mayor Knutson asked the Commission if there were any items that needed full minutes or will action minutes suffice. The Commission commented that action minutes would suffice.

Adjourn. (01:26:10) Commissioner Coutts motion to adjourn. Commissioner Donovan second.
Commission discussion: none Public Comment: none **VOTE: Unanimous Motion carried.**

ADJOURN: 10:31 p.m.

Heather Knutson, Mayor

ATTEST: _____
Cora E. Pritt, City Clerk

From: Christensen, Blake [<mailto:blakechristensen@montana.edu>]
Sent: Monday, March 07, 2016 6:44 PM
To: Mark Shrives
Cc: Kent, Ashley; Clark, Daniel
Subject: Polson DRAFT Strategic Plan Template

Mark,

I have compiled all the flip chart information from the planning session into a draft strategic plan (attached). On the first page you will see the mission, vision, values, and goal themes agreed upon by the planning group.

Next you will see a table for strategy/action/resources/year/status information for each goal. This table is empty and ready to be populated by you and your staff as you determine priorities and an execution plan for accomplishing your goals. Many communities list multiple actions with each strategy they decide to use in this table. The table can be expanded as needed.

- For example, the goal of greater community outreach might be accomplished by the strategy of greater website/social media utilization, and many actions might lead to fulfilling that strategy, such as working with a developer, creating substantive content, assigning a person to head social media, getting training on social media, reviewing social media record retention options, etc.

Lastly, you will also see a breakdown of the potential strategies and actions brainstormed by the group for each goal theme. The list is in order of how many priority votes that item received from the group. As we discussed at the session, these rankings don't necessarily dictate where you will begin with your execution plan, but they might help you brainstorm where the greatest needs might lie. How the plan is executed is entirely up to you.

Please take a look and let me know if you have any questions. I am happy to explain anything here.

At the council meeting on the 21st, I plan to explain the process the group went through to create the mission, vision, values, and goal themes, then explain how those inform the execution strategy put in place going forward by you and your department heads. Is there anything else you would like me to specifically address?

Thanks, and I look forward to speaking with you again soon.

Blake

--

G. Blake Christensen, J.D.
Associate Director
MSU Local Government Center
Culbertson Hall 235-G
P.O. Box 170535
Bozeman, MT 59717
Office: 406-994-6694
Cell: 435-668-3326

CITY OF POLSON

2016 STRATEGIC PLAN *DRAFT*

FEBRUARY 27, 2016 STRATEGIC PLANNING SESSION

Compiled by:
Local Government Center
Montana State University

City of Polson Mission

We provide essential and nonessential services through responsible financial and environmental stewardship for our citizens, businesses, and visitors.

City of Polson Vision

Polson— A vibrant and well-planned destination. Growing as a regional center for quality of life, recreation, and career opportunities. Promoting cultural diversity and fostering partnerships for economic development and opportunity in a clean, safe, welcoming environment.

City of Polson Core Values

- Integrity
- Accountability
- Leadership
- Customer Service
- Stewardship
- Communication

City of Polson Goal Themes

1. Community Outreach and Partnerships
2. Planning and Annexation
3. Funding and Finance
4. Organizational Capacity Building
5. Infrastructure and Facilities

City of Polson Goal Theme 1: Community Outreach and Partnerships

STRATEGY	ACTION	RESOURCES	YEAR	STATUS

City of Polson Goal Theme 1: Community Outreach and Partnerships

Potential strategies and actions identified during February 27, 2016 strategic planning session:

<i>Strategy/Action</i>	<i>Priority Votes</i>
Website/Social Media	13
Letters	6
Town Hall Meetings	5
Use of PIO for announcements and info. to media	4
Business Licenses	4
Tribe	3
Engagement	3
Expand online payment and online permitting	2
Reports to commission regularly from committees	2
Utility billing software app	1
Need POS system	1
Schools	1
County	0
State	0
Chamber/PBC	0
Golf – pay season passes online	0
Service – cell, cable, etc.	0
Involvement in community organizations	0
Facebook page	0
Committees	0
Promote events	0

City of Polson Goal Theme 2: Planning and Annexation

STRATEGY	ACTION	RESOURCES	YEAR	STATUS

City of Polson Goal Theme 2: Planning and Annexation

Potential strategies and actions identified during February 27, 2016 strategic planning session:

<i>Strategy/Action</i>	<i>Priority Votes</i>
Administrative policies and procedures	9
Annexation Policy Development	8
Education/experience	7
Annex wholly surrounded	5
Clean city boundaries	4
Design code	3
Communication between departments	3
Capital improvement plans	1
Financial analysis	1
Resource analysis	0
Easements permitting	0
Growth policy	0
Development code	0

City of Polson Goal Theme 3: Funding and Finance

STRATEGY	ACTION	RESOURCES	YEAR	STATUS

City of Polson Goal Theme 3: Funding and Finance

Potential strategies and actions identified during February 27, 2016 strategic planning session:

<i>Strategy/Action</i>	<i>Priority Votes</i>
Resort tax	12
Annexation of properties already receiving services	10
Mill levy for building and public safety	8
Street tax (allows for new and maintenance)	7
Business license	5
Gas tax	5
Grants	2
City commission education during budget process	1
Raises	0
Health Care	0
Private/public partnerships	0
Debt ceiling approx.. \$10 million	0
Pay scale – competitive wages	0
Fiscal responsibility	0
Budget process	0
Reporting	0
SID's	0
Local Opt. tax	0

City of Polson Goal Theme 4: Organizational Capacity Building

STRATEGY	ACTION	RESOURCES	YEAR	STATUS

City of Polson Goal Theme 4: Organizational Capacity Building

Potential strategies and actions identified during February 27, 2016 strategic planning session:

Strategy/Action	Priority Votes
Leadership training	8
Succession Planning	7
Current w/technology	6
Technology:	3
-Computers	0
-Website/Social Media (FB/Twitter)	0
-GIS Expansion	5
Strategic planning	3
Education of staff	3
Strong goals, Procedures	2
Boards and Committees	2
Knowledge sharing dept. heads/commission	2
New Facility	2
Vision Long Term and Short	1
Accountability	1
Handling personnel training	0
Communication	0
Teamwork	0
Education and experience	0
Reorganization/succession planning/staffing	0
Golf – Target Ads	0

City of Polson Goal Theme 5: Infrastructure and Facilities

STRATEGY	ACTION	RESOURCES	YEAR	STATUS

City of Polson Goal Theme 5: Infrastructure and Facilities

Potential strategies and actions identified during February 27, 2016 strategic planning session:

Strategy/Action	Priority Votes
Public safety building	9
Server system (exchange server)	6
Streets	6
City Hall	5
Update sewer lines	4
Golf irrigation system	3
City Marina	3
Trailer parking	1
Combined city hall/public safety	2
PS or Remodel current city hall	2
Fire hydrant inspections	2
Water reservoir treatment plant	1
WSS collection system	1
RV Parking	1
Replacement plan for street equipment	1
City hall identification of department locations	1
Signage	0
Walking paths	0
Playground equipment	0
GC parking lot	0
Replacement plan for fire apparatus	0
Recreation department with parks	0
Sidewalks/walkable city	0
Trails need to connect	0
Easements	0

CITY OF POLSON CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 8
Meeting Date: March 21, 2016
Staff Contact: Kyle Roberts, City Planner
Email: cityplanner@cityofpolson.com Phone: 406-883-8213

AGENDA ITEM SUMMARY: Consideration of an amendment to Special Use Permit #15-02 (Polson Youth Soccer Complex) application proposed by Joslyn Shackelford of Alpine Landscape & Design, LLC. The 20 acre property is described as Tract B of COS 7010 in Section 11, T22N, R20W, Lake County, Montana.

BACKGROUND: The applicant is requesting an amendment to Special Use Permit #15-02 to construct four competition-sized soccer fields, an associated concession stand/restroom facility, parking lots, an ingress/egress driveway, and a warm-up/tot lot area.

The original Special Use Permit was approved by the City Commission on April 21, 2015 with 20 conditions of approval. The applicant met with City staff in January and February 2016 to discuss a redesigned parking lot and a new access drive to and from the facility, thus requesting an amendment to the approved Special Use Permit. The staff report attached has been red-lined to show the changes made.

STAFF RECOMMENDATION: The Planning staff recommends to the City Commission to approve the amended Special Use Permit request.

PLANNING BOARD RECOMMENDATION: The City-County Planning Board made the motion to forward a positive recommendation on to the City Commissioners to approve the amended Special Use Permit request.

PUBLIC/PLANNING BOARD COMMENTS: Given that the ingress/egress driveway and parking lots will not be paved immediately, a member of the City-County Planning Board expressed concern about the effectiveness of dust control.

SUGGESTED MOTION: *I MAKE A MOTION TO APPROVE THE AMENDED SPECIAL USE PERMIT REQUEST FOR THE POLSON YOUTH SOCCER COMPLEX ON BEHALF OF ALPINE LANDSCAPE & DESIGN, LLC, JOSLYN SHACKELFORD.*

ATTACHMENTS: --Staff Report (prepared by City of Polson Planner, Kyle Roberts)
--Amended Special Use Permit #15-02 Application Package (prepared by Alpine Landscape & Design, LLC, Joslyn Shackelford)

March 3, 2016

To: City of Polson

CC: City County Planning Board and City Commission

From: Polson Youth Soccer Association (PYSA)

Subject: Update upon Soccer Complex SUP #15-02

Due to recent design changes and further discussions upon the Soccer Complex, the PYSA has compiled an update for the City of Polson. Please review and record the following items to be updated to Special Use Permit #15-02 dated April 21st, 2015.

1. Entry and Exit to the Soccer Complex will be a 40' wide drive with a 10' buffer West of the Mission Valley Aquatics Center.
2. Easement A is a non-exclusive forty foot (40') easement for access and utility purposes granted by Cougar Ridge Development, LLC to Polson Youth Soccer Association, INC.
3. Easement B is a non-exclusive sixty foot (60') easement for access and utility purposes granted by Cougar Ridge Development, LLC to Polson Youth Soccer Association, INC.
4. Welcome Signs and an Entry Gate will be moved accordingly to the new Entry and Exit.
5. Along the 250' Access Drive to the Soccer Complex "No Parking" Signs will be displayed to allow for safe vehicular and pedestrian flow.
6. Parking will not be allowed at the Entry and Exit to the Soccer Complex Parking Lot due to emergency vehicle access and everyday traffic flow.
7. The Parking Lot has been redrafted to accommodate the new Entry and Exit Design including the following:
 - a. Fire Truck Entry, Turn Around, and Exit
 - b. Pedestrian Traffic
 - c. Athlete Drop Off and Pick Up
 - d. Bus, Motorcoach, and RV Parking
8. Dust Control will be maintained annually or as needed in the Parking Lot and Access Drive
9. Porta Potties will be temporarily used for restrooms during the timeline prior to City Services being available. However, during tournaments porta potties will be used to accommodate larger numbers of athletes and spectators and will be considered a seasonal use each soccer season.
10. Fencing will be installed to prohibit vandalism and to allow for organization within the Soccer Complex Design.

Please feel free to contact Joslyn Shackelford with Alpine Landscape & Design, LLC for any further questions or comments to the items described.

Joslyn Shackelford – Owner Operator of Alpine Landscape & Design, LLC

406-240-9707 alpinelandscapes@gmail.com

STAFF REPORT
Polson City-County Planning Board
Tuesday, March 8, 2016 at 6:00 PM
Polson City Council Chambers
Special Use Permit for the proposed Polson Youth Soccer Complex
- AMENDMENT -

GENERAL INFORMATION:

Applicant: Polson Youth Soccer Association, Inc.
Link Moderie, President
P.O. Box 1337
Polson, MT 59860
(406) 270-1202

Technical Assistance: Joslyn Shackelford, Alpine Landscape & Design, LLC
P.O. Box 25
Polson, MT 59860
(406) 240-9707

Applicant Number: Special Use Permit #15-02
Application Type: Special Use Permit for new development in HCZD
Date Received Application: 3/1/2016
Date of Site Review: 1/28/2016

APPLICABLE REGULATIONS:

- Polson Development Code
- Polson Growth Policy
- HCZD: Highway Commercial Zoning District
- Montana Dept. of Environmental Quality (MFE standards)
- Polson Building Code

PUBLIC NOTICE:

Staff Report completed: 3/3/2016

PROPERTY DESCRIPTION:

The 20.0 acre property is described as Tract B of COS 7010 in Section 11, T22N, R20W, P.M.M., Lake County. The property was recently annexed into the city limits (City Commission meeting March 23, 2015) and as part of that annexation action, the initial zoning request was modified from the existing MRZD to the HCZD, the Highway Commercial Zoning District. The property is located off of Ridgewater Drive, directly behind the Mission Valley Aquatic Center.

PROPOSAL: The Polson Youth Soccer Association is requesting a Special Use Permit to construct four competition-sized soccer fields, an associated

concession stand/restroom facility, parking lots, ~~an~~ ingress ~~and~~ egress driveways and a warm-up/tot lot area. This proposal will encompass approximately 9 acres on the 20 acres of their recently purchased property. The primary access to the Complex is from Ridgewater Drive via ~~two separate~~ one driveways. The driveways will cross land owned by the Ridgewater Subdivision developers and there is an easement granted to the Polson Youth Soccer Association for use of ~~those the two~~ driveways to provide access for soccer purposes only. Should the use and/or ownership change in any manner, this access easement agreement will not be viable for any type of residential or commercial development.

The property is zoned HCZD and is the suitable zoning district for the proposed use. Per the Polson Development Code, a Special Use Permit approval is required on all new developments in HCZD.

This proposal does not meet the definitions of a Large-Scale Development because it will not produce more than 1000 vehicle trips per day. Should there ever be a large-scale non-local soccer tournament, there might be the potential to generate approximately 240 vehicle trips rotating through every few hours on a busy weekend as teams came into the facility, warmed up, played their hour game and then left. Those tournament-type situations would be scattered throughout the summer and fall, be held on weekend days and would most likely only be a few times per soccer season. There are mitigation measures that could be made to alleviate traffic volumes as well by staggering game times, car-pooling, restricting team sizes, etc.

Review Process:

The City-County Planning Board shall conduct a public hearing on this request and make a recommendation to the City Commission. Once the public hearing is closed, the Board will evaluate the request under the terms of the Polson Development Code for the Highway Commercial Zoning District standards and specifications, the Special Use Permit process and other portions of the PDC as applicable.

The City-County Planning Board shall make a recommendation to approve, deny or conditionally approve the SUP to the Polson City Commission. The City Commission is the permit-issuing authority for all Special Use Permits within the City Limits.

If the Special Use Permit is denied, the CCPB and/or City Commission shall specify the codes, standards, regulations, and/or public input that the applicants have not met and note them under "Findings of Fact". Consideration of a Special Use Permit application may be tabled for no more than 35 days.

ANALYSIS:

-The applicants are proposing to design and construct a Soccer Field Complex with four competition-sized soccer fields, an associated concession stand/restroom facility, parking lots, ingress ~~and~~ egress driveways and a warm-up/tot lot area to the specifications and standards in the Polson Development Code.

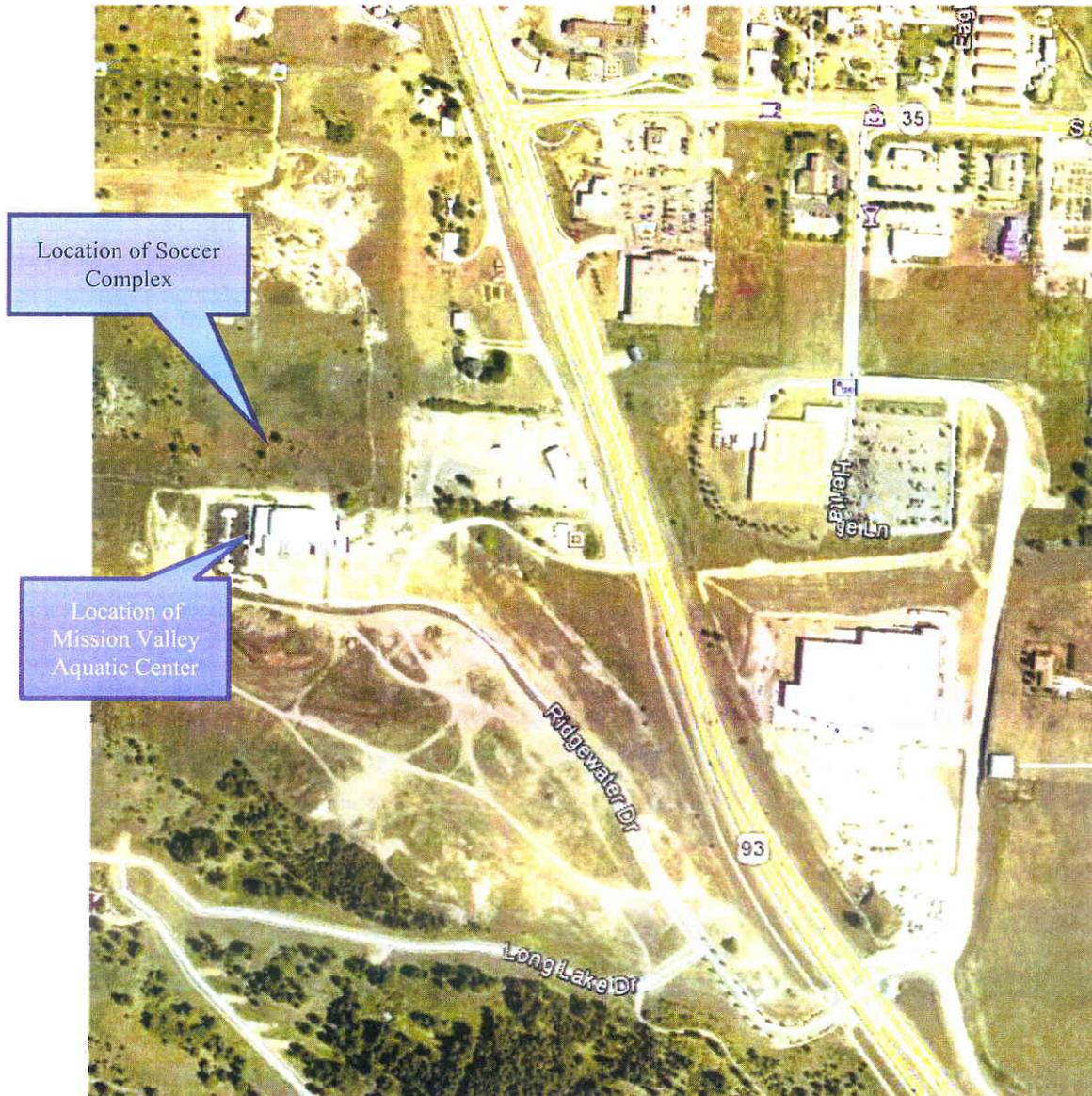
-The applicants had a Site Review Meeting on 1/6/2015 and 2/26/2015 where Planning, Engineering and Building staff, Water, Sewer, Park, Streets, Fire Departments, the City Manager and the City Attorney were present to review and comment on the proposal. The applicants met regarding the amendment on 1/28/16 and 3/1/16.

-Existing views of the Lake will not be impacted with this development and this development is not a lakeshore development for mandated view consideration.

-The project adheres to the Goals, Objectives and Policies found within the 2006 Polson Growth Policy.

-The Polson Development Code defines the Highway Commercial Zoning District as a place for commercial uses that rely on easy automobile access. The subject property is a location that provides convenient automobile access and circulation from Highway 93 onto Ridgewater Drive. Highway 93 is a four lane highway that includes turn lanes and a traffic signal. A Traffic Impact Study (TIS) was completed for the Ridgewater Subdivision Preliminary Plat in 2005 and at that time, the TIS recommended a traffic signal and intersection improvements at the highway approach. All of those improvements were completed. The location appears to be a good fit for a soccer complex as it is within walking distance of the aquatic center, the Red Lion hotel, and other service, retail and food services located across the highway.

-A soccer complex is a seasonal facility. It will host practices and clinics in the early spring and fall for school-age children during the week in the after-school/early evening hours. Local games and tournaments are typically held on Saturdays, some starting as early as 8 am and going into the early evening hours. During the summer months, there may be a week-long camp or clinic sponsored by an organization or school that would meet daily. It is possible that there could be larger regional tournaments organized at some point to take place over long weekends, but these would be sporadic in nature and infrequent. There would be no activity during the winter months. This has the potential to be used by agreement by the local high schools, county or municipal children and/or adult recreational programs, the Polson Youth Soccer Association, etc.



-The Polson Development Code is silent on the requirements for parking at recreational facilities. Staff has found information from the Transportation Research Board of the National Academies (see attached) noting that for a non-local soccer tournament, there could be approximately 70-90 cars parked per field. The report also noted that instead of building parking facilities for the largest potential demand, parking management strategies can be used to address peak demand. Typically, for normal games/tournaments, the parking demand would be 60 vehicles per field and for practices, only 20 vehicles per field. The Soccer Association has set aside a parking area that can accommodate 252 spaces. Area D on their attached site map (dated: 3/10/15) indicates a 30' x 900' area reserved for motorcoaches and RV parking, which will be regulated by requiring a purchased parking pass. No hook-up or sanitary

facilities are proposed for this area. It appears that the 252 parking spaces will be adequate for the use of the facility.

-The applicants provided a detailed landscape plan to comply with the buffer requirements of Appendix F of the Polson Development Code. However, the HCZD requires that a 20' landscape buffer be installed along the eastern, western and northern boundaries of the subject property as it adjoins parcels in a residential zoning district.

-Per the City's Site Review meeting, there is adequate sewer and water capacity for the project. In the vicinity of the Aquatic Center/Soccer Complex, Ridgewater Drive is currently being upgraded to the City of Polson's street standards (it had previously been constructed to driveway standards) and should be completed in the very near future. Water and sewer mains will be included as part of this construction. The soccer field's concession/restroom facility will receive public water and sewer services via service lines coming from the mains within Ridgewater Drive. The Polson Youth Soccer Association is responsible for the costs to bring these extensions from Ridgewater Drive to their facility. The water extensions are not being utilized to provide irrigation water to the soccer fields. The Fire Chief will also review the plans at the Building Permit phase and may have additional comments at that time.

-Upon a site visit to the fields, it was noted that there is a large noxious weed infestation. It is assumed that the soccer fields, once constructed, will be irrigated, seeded and mowed to retain their competitive viability. It will be important, however, to maintain a program of weed management on the remainder of the subject property until it is fully developed in soccer fields.

-At this time, there is no proposed lighting for the parking lots or the soccer fields. Should a need and/or funding ever become available for lighting on a large scale, a new SUP application should be submitted for consideration of this addition. As these fields are seasonal, with the use of the fields winding down as the days grow shorter, it is unlikely that large-scale lighting would be reasonable or practical. Security lighting on the concession/restroom facility could also be on a motion sensor or downward facing to reduce light pollution.

-It was recommended that security gates be installed at the intersection of the driveways/Ridgewater Drive to discourage vandalism to the fields and concession building.

FINDINGS OF FACTS

I. Primary Review Criteria

Effect on Local Services:

1. The development will connect to the municipal water and sewer systems. The owners pay the cost of connecting and extending. The Polson Youth Soccer Association will pay regular water and sewer charges, impact and hook-up fees.
2. The development will receive law enforcement services from the Polson Police Department and fire protection services from the Polson Fire Department.
3. The applicants will develop the ingress~~—and—~~egress driveways from Ridgewater Drive and all of the parking and interior circulation. As these are considered a private driveways and parking lots, they will be paved when funding becomes available. The driveways shall be graveled.
4. The Polson Youth Soccer Association will be required to contract with the local solid waste removal company for regular, scheduled garbage pickup.

Effect on the Natural Environment:

1. The owners are responsible for managing post development runoff on-site and releasing it at pre-development rates. As applicable erosion control measures shall be installed such as: hay bales or silt fences prior any groundbreaking.
2. Stormwater management, drainage and grading plans shall be submitted, and, reviewed and approved by the City Engineer and Water/Sewer Superintendent prior to construction. No development shall channel surface or irrigation water on to another lot or property without permission of said property owner
3. As the development will affects vegetation and soils through grading of the site, the applicant shall abide by the Landscape plan submitted with the application and prepared by Alpine Landscape and Design, Inc and dated 3/10/15. Erosion control measures should be implemented before the grading takes place.
4. The owners are responsible for weed control and shall prevent the proliferation of weed growth within the property boundaries and their spread to neighboring properties. This is especially critical to address on areas disturbed by construction or on land that will remain vacant of soccer fields.

Effect on Public Health and Safety:

Based on available information such as FEMA Floodplain Maps and Cadastral Maps, the development does not appear to be at risk to natural hazards such as flooding, high winds, wildfire, nor potential man-made hazards such as high voltage power lines, high-pressure gas lines, or past industrial/railroad use.

Easements for Utilities:

1. Public utilities are near the property and will be extended at the applicants' expense.
2. Legal and physical access is provided by Ridgewater Drive for primary use.

Conformance to Adopted Growth Policy:

The development proposal conforms to the Goals, Policies and Objectives as outlined within the Polson Growth Policy adopted by the City of Polson, 2006.

Staff Recommendations on this Special Use Permit:

After review of the application materials, site plans and site review discussion, the planning staff finds this application meets the requirements of the Polson Development Code and recommends approval of the Special Use Permit with the following Conditions. These Conditions, along with any other Conditions imposed on by the Planning Board or City Commissioners, must be met for the approval of this Special Use Permit and to receive a Certificate of Occupancy.

1. This SUP permit is valid for the construction of the four competition-sized soccer fields, an accessory concession stand/restroom facility, a 252-stall parking lot with additional motorcoach, RV and bus parking, and a warm up/tot soccer field area. The remainder of the property will remain vacant until additional funding is secured.
2. Any further modifications or additions to the submitted plans shall be reviewed and approved by the Polson Building and Planning Department. If at any time the applicants, their heirs or assigns propose a major change of use or expansion of the structure/site that is not herein proposed and designated, they shall obtain the necessary applications/permits/approvals through the City processes.
3. Applicants shall apply for and receive building permits from the City of Polson prior to the start of construction of the concession/restroom facility. Permits shall be on site prior to ground breaking.
4. Applicants shall receive an MFE approval from Montana Department of Environmental Quality.
5. Erosion control measures such as, hay bales or silt fences shall be installed prior to ground disturbance to prevent any water runoff or debris from entering any road or neighboring properties.
6. Applicants' drainage and stormwater runoff management plans shall be reviewed and approved by the City Engineer and completed before a Certificate of Occupancy is issued. It may be necessary to complete a SWPP from Montana Department of Environmental Quality.
7. The applicant shall develop ~~two~~ the 40' wide driveways for ingress/egress from Ridgewater Drive including all of the parking lots and interior circulation. As these are considered private driveways and parking lots, they will be paved when funding becomes available. The driveways shall be graveled.

The ingress ~~and~~/egress driveways shall be signed for "No Parking". The driveways will be constructed to a minimum of ~~20'~~ 40' width. In addition, parking shall not be permitted at the entry and exit to the soccer complex parking lot due to emergency vehicle access and everyday traffic flow.

8. Clear vision triangles shall exist at the intersection of all roads and driveway ingress ~~and~~/egress locations. The driveway/road intersections shall be designed to safely accommodate the ingress and egress of larger vehicles such as fire trucks and large RVs.
9. Before construction of the ~~two~~ ingress/egress driveways shall commence, the applicants shall show an easement agreement with the owner of the property that is providing access that said agreement limits access only to those activities relating to the soccer complex and its associated uses and that residential or commercial development on the property is restricted. This includes Easement 'A' a non-exclusive 40' easement for access and utility purposes and Easement 'B' a non-exclusive 60' easement for access and utility purposes.
10. Due to the historic weed infestation of the property, a yearly application of appropriate weed control measures shall be required. This is especially important on the remainder of the property that is not actively being used for soccer purposes and includes weed control/prevention in the parking and driveway areas.
11. Due to the high probability of vandalism, lockable gates and/or other traffic discouraging devices shall be installed at the intersection of Ridgewater Drive and the ~~two~~ ingress/egress locations. Gates do not have to be locked daily during the spring, summer and fall months, but vehicle access should be restricted during the late fall and winter months.
12. A stop sign shall be installed at the egress intersection at Ridgewater Drive.
13. The applicants shall work directly with the Fire Chief and adhere to Fire Code regulations and requirements. The site shall receive an address from the City of Polson's Planning and Building Department staff.
14. A 20' landscape buffer shall be installed along the perimeter of the eastern, western and northern property boundaries that meets the requirements and standards of the Polson Development Code Appendix F.
15. A sign permit and associated fees will be required for any proposed signage.
16. The applicant shall work with the City Water and Sewer department during the installation of the service lines. The applicant shall notify the City and

pay appropriate fees for hook-ups before a building permit is issued. Should cuts into the City roads be necessary, performance bonds shall be posted prior to work commencing and state/local permits in hand.

17. Applicants are responsible for any applicable Impact Fees as determined by the current impact fee schedule (Resolution #1059) or any new resolution adopted before an application for a Building Permit is made.

18. LP gas tank, mechanical, plumbing and electrical permits are separate applications/fees.

19. The City of Polson reserves the right to revoke this permit, terminate or enjoin the use of the structure or property, should the applicants, their heirs or assigns violate the standards of the Polson Development Code, or any Condition on this permit.

20. This Special Use Permit is valid for construction to be completed within two years from the date of issuance. The permit may be extended for one additional year if the applicants request an extension of time prior to the expiration date.

20.21. Applicants shall re-draft Grant of Easement 'B' between the Grantor and Polson Youth Soccer Association.

The Commission is encouraged to visit the site, ask questions and request additional information (if necessary) from the Planning Department before the hearing.



106 1st Street E., Polson, MT 59860
 406-883-8200 Fax 406-883-8238
 www.cityofpolson.com



**APPLICATION FOR
 SPECIAL USE PERMIT**

PROPOSED USE: Amended SUP for #15-02

OWNER(S) OF RECORD

Name: Polson Youth Soccer Association, Inc.

Mailing Address: PO Box 1337

City/State/Zip: Polson, MT 59860 Phone: Link 406. 270.1200

*PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL
 CORRESPONDENCE IS TO BE SENT.*

Name: Joslyn C. Shackelford

Mailing Address: PO Box 25

City/State/Zip: Polson, MT 59860 Phone: 406. 240.9707

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records)

Street Please see Sec. Town- Range
 Address: filed No. ship No.

Subdivision Tract Lot Block
 Name: No(s). No(s). No.

1. Zoning District and Zoning Classification in which use is proposed:

2. Attach a plan of the affected lot which identifies the following items:
 - a. Surrounding land uses. _____
 - b. Dimensions and shape of lot. _____
 - c. Topographic features of lot. _____
 - d. Size(s) and location(s) of existing buildings _____
 - e. Size(s) and location(s) of proposed buildings. _____
 - f. Existing use(s) of structures and open areas. _____
 - g. Proposed use(s) of structures and open areas. _____
 - h. Existing and proposed landscaping and fencing. _____

**FEE
AGREEMENT**

Dear Applicant/Developer:

Please be advised that you are responsible for any and all fees incurred from the City contract engineering firm, per Resolution #942, effective February 21, 2007. These fees begin with the Pre-Application through Final City Council Approval, including inspections. The fees also include any contact or requests from the Applicant/Developer or any person working with the project directly to the City Engineer.

Also, per Resolution #942 there will be an administrative surcharge of 5% to defray the administrative costs hereof, from the requestor, pursuant to the preceding acknowledgement.

Per Resolution #942, paragraph 4: No project or request may move forward thereafter until such time as the City department has been reimbursed the fee and/or cost, together with the five percent surcharge, associated with the City's engineering review of such project or request.

ACKNOWLEDGEMENT

I do hereby acknowledge and accept any and all costs incurred on behalf of the application/development as state in the above paragraphs.


Signature of Applicant

Date: 2 / 12 / 2016

GRANT OF EASEMENT

THIS GRANT OF EASEMENT, made and entered into this ____ day of _____, 2016, by and between **COUGAR RIDGE DEVELOPMENT, LLC**, of 50230 Highway 93, Suite 4, Polson, Montana 59860, hereinafter referred to as "Cougar Ridge", **POLSON YOUTH SOCCER ASSOCIATION, INC.**, a Montana Non-Profit Corporation, of P.O. Box 1337, Polson, Montana 59860, hereinafter referred to as "PYSA" and **CITY OF POLSON**, of 106 First St. East, Polson, Montana 59860, hereinafter referred to as "COP";

WHEREAS, Cougar Ridge is the owner of real property legally described as follows, to-wit:

A portion of the SW1/4NW1/4 of Section 11, Township 22 North, Range 20 West, P.M.M., Lake County, Montana, further shown and described as being Parcel 8 on Certificate of Survey No. 6884, on file in the office of the Clerk and Recorder of Lake County, Montana.

WHEREAS, PYSA is the owner of real property legally described as follows, to-wit:

A tract of land in the NW1/4 of Section 11, Township 22 North, Range 20 West, P.M.M., Lake County, Montana, further shown and described as being Tract B on Certificate of Survey No. 7010, on file in the office of the Clerk and Recorder of Lake County, Montana.

WHEREAS, Grantor desires to grant to PYSA a non-exclusive forty foot (40') easement for access and utility purposes.

WHEREAS, Grantor desires to grant to COP a non-exclusive 60 foot (60') easement for access and utility purposes.

NOW THEREFORE in consideration of the promises and covenants herein contained, the sum of Ten and no/100 Dollars (\$10.00), receipt of which is hereby acknowledged and other good and valuable consideration, the parties agree as follows:

1. Grantor hereby grants, transfers and conveys unto PYSA a non-exclusive easement for access and utility purposes across Grantor's above described property as depicted on Exhibit "A" attached hereto. Said easement shall be forty feet (40') in width, further shown and described as follows:

EASEMENT 'A':

A 40 foot wide non exclusive access and utility easement located in a portion of the SW1/4NW1/44 of Section 11, Township 22 North, Range 20 West, within Parcel 8 on COS No. 6884, further shown and described as follows:

The point of beginning is on the North line of Parcel 8, the northwest corner of Parcel 2, COS No. 6884, bears S. 89°54'42" E. 10.00 feet; thence S. 00°00'00" E. 253.15 feet to the northern edge of EASEMENT 'B'; thence along said edge, N. 83°17'26" W. 40.28 feet; thence N. 00°00'00" E. 248.44 feet to the northern line of afore mentioned Parcel 8; thence, along said line, S. 89°54'42" E. 40.00 feet to the point of beginning, containing 0.23 acres.

This easement shall be an appurtenance to PYSA's property and be binding upon the parties, their heirs, personal representatives, administrators, successors and assigns.

2. Grantor hereby grants, transfers and conveys unto COP a non-exclusive easement for access and utility purposes across Grantor's above described property as depicted on Exhibit "A" attached hereto. Said easement shall be sixty feet (60') in width, further shown and described as follows:

EASEMENT 'B':

A 60 foot wide non exclusive access and utility easement located in a portion of the SW1/4NW1/44 of Section 11, Township 22 North, Range 20 West, within Parcel 8 on COS No. 6884, further shown and described as follows:

Beginning at the southwest corner of Parcel 2, COS NO. 6884; thence N. 83°17'16" W. 50.35 feet; thence S. 0°00'00" W. 60.41 feet; thence S. 83°17'26" E. 50.35 feet; thence

North 60.41 feet to the point of beginning, containing 0.07 acres.

This easement shall be an appurtenance to COP's property and be binding upon the parties, their heirs, personal representatives, administrators, successors and assigns.

IN WITNESS WHEREOF, the Grantor has set its hand and seal the day and year first above written.

COUGAR RIDGE DEVELOPMENT, LLC

BY: _____
MICHAEL R. MADDY
Member

STATE OF MONTANA)
 :SS.
County of Lake)

On this ____ day of _____, 2016, before me, the undersigned, a Notary Public for the State aforesaid, personally appeared, MICHAEL R. MADDY, known to me to be the member of COUGAR RIDGE DEVELOPMENT, LLC, that executed the within instrument and acknowledged to me that he executed the same, for and on behalf, and as the act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and date in this Certificate first above written.

Notary Public for the State of Montana

Printed Name of Notary

Residing at: _____

My commission expires: _____

(SEAL)

EXHIBIT No. _____

TRACT B
COS No. 7010

LOCATED IN A PORTION OF THE SW 1/4 NW 1/4, SECTION 11 T.22 N., R.20 W.
WITHIN PARCEL 8, COS No. 6884, LAKE COUNTY RECORDS.

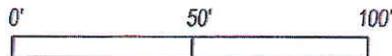
PARCEL 8

45.51 Acres
COS No. 6884

EASEMENT 'A' A 40' WIDE NON EXCLUSIVE ACCESS AND UTILITY EASEMENT LOCATED IN A PORTION OF THE SW 1/4 NW 1/4, SECTION 11 T.22 N., R.20 W. WITHIN PARCEL 8, COS No. 6884, LAKE COUNTY RECORDS. IN FAVOR OF TRACT B, COS No. 7010, FURTHER DESCRIBED AS FOLLOWS:
THE POINT OF BEGINNING IS ON THE NORTH LINE OF PARCEL 8, THE NORTHWEST CORNER OF PARCEL 2 COS No. 6884 BEARS S89°54'42"E 10.00' THENCE, S00°00'00"E 253.15' TO THE NORTHERN EDGE OF EASEMENT 'B'; THENCE ALONG SAID EDGE, N83°17'26"W 40.28'; THENCE, N00°00'00"E 248.44' TO THE NORTHERN LINE OF AFORE MENTIONED PARCEL 8; THENCE, ALONG SAID LINE, S89°54'42"E 40.00' TO THE POINT OF BEGINNING, CONTAINING 0.23 ACRES.

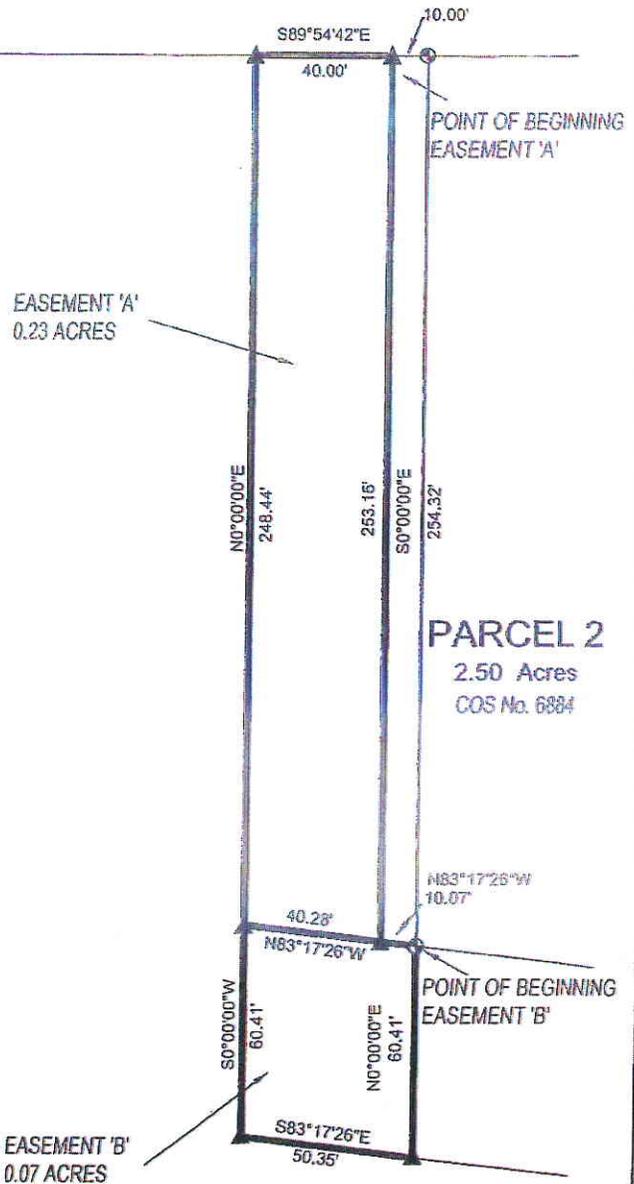
EASEMENT 'B' A 60' WIDE NON EXCLUSIVE ACCESS AND UTILITY EASEMENT LOCATED IN A PORTION OF THE SW 1/4 NW 1/4, SECTION 11 T.22 N., R.20 W. WITHIN PARCEL 8, COS No. 6884, LAKE COUNTY RECORDS. IN FAVOR OF THE CITY OF POLSON, FURTHER DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTH WEST CORNER OF PARCEL 2, COS No. 6884, THENCE, N83°17'26"W 50.35'; THENCE, S 0°00'00"W 60.41'; THENCE, S83°17'26"E 50.35'; THENCE, NORTH 60.41' TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES.

SCALE 1" = 50'



LEGEND

- DENOTES FD. 5/8" X 24" REBAR WITH 1 1/4" YPC STAMPED "M. CARSTENS 5940LS".
- ▲ DENOTES ANGLE POINT, NOTHING FOUND OR SET.



CITY OF POLSON

CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 9
Meeting Date: March 21, 2016
Staff Contact: Cindy Dooley, Finance Officer

AGENDA ITEM SUMMARY: Presentation of Resolution No. 2016-____ to provide matching funds from the Sewer Fund for the Department of Commerce Treasurer State Endowment Program (TSEP) grant.

BACKGROUND: The City applied for a 2015-2017 Biennium TSEP grant in May, 2014 for the construction of a wastewater treatment plant at the site of the existing sewer lagoon system. The grant was awarded by the 2015 Montana Legislature as part of HB 11 and signed into law by Governor Bullock with an effective date of April 27, 2015. More information can be obtained about the TSEP program at <http://comdev.mt.gov/TSEP/tsepfundedprojects.mcp.x>. The City was awarded a TSEP grant in the amount of \$750,000.

The City staff began working with the Department of Commerce (DOC) and the Department of Natural Resources (DNRC) to put together a funding package for the project starting in the summer of 2015. Based on the project budget prepared by the City's engineering firm on the project it was determined that the overall project budget would be \$16,790,000. This budget was arrived at after several changes to the project, mainly changing from an MBR (membrane bioreactor) system to a SBR (sequencing batch reactor) system which saved approximately \$2.2 million over the original project budget. The City has also received a \$125,000 RRGL (Renewable Resource Grant and Loan program) grant for engineering and construction costs and a \$450,000 CDBG (Community Development Block Grant) grant for construction costs and it was determined that SRF (State Revolving Fund) revenue bonds in the amount of \$14,265,000 would provide the necessary funds to complete the project and maintain the City's cash flows. The City will receive forgiveness of \$400,000 of the SRF bonds when all project commitments have been met. A summary of the project budget is attached for your information.

ANALYSIS: This Resolution is necessary to demonstrate the City's commitment to the project by stating that the City will provide local funds from the Sewer fund in the amount of \$1,200,000. Four Hundred Forty-two Thousand (\$442,000) of the local match will be used to fund the debt service reserve that will be required by the SRF bonds. The Sewer Fund does have the funds available to make this commitment. The City will be conducting sewer rate increase hearings later this spring and summer to set rates that will service the SRF debt and provide for the increase in operating expenses and short-lived asset reserves.

FINANCIAL CONSIDERATIONS: Provide for a commitment of \$1,200,000 as partial matching funds for the TSEP grant. The City has already expended \$360,884 towards that commitment. The remaining matching funds will be provided by the SRF revenue bonds.

STAFF RECOMMENDATION: The project cannot move forward without the approval of this Resolution providing for matching funds, so it is my recommendation that this Resolution be approved.

SUGGESTED MOTION: *I move to approve Resolution No. 2016-____ to provide matching funds for the TSEP grant in the amount of \$1,200,000.00.*

ATTACHMENTS: Resolution No. 2016-____
Exhibit A
Exhibit B

RESOLUTION NO. 2016-_____

RESOLUTION TO AUTHORIZE MATCHING FUNDS

WHEREAS, the City of Polson, Montana, (the "City") has applied to the Montana Department of Commerce for a Treasure State Endowment Program (TSEP) grant in the amount of \$750,000 for assistance on funding a new wastewater treatment works and plant (the "Project"); and

WHEREAS, the City has legal jurisdiction and authority to construct, finance, operate, and maintain its wastewater system facilities; and

WHEREAS, the City agrees to comply with all State laws and regulations, and the requirements described in the TSEP application guidelines, including the matching of the TSEP grant in the required amounts with City wastewater funds, in-kind contributions or funds from other sources; and

WHEREAS, the current budget for the total estimated costs of the Project is attached as Exhibit A hereto and the City has received commitments for the funding of the Project from a TSEP grant for \$750,000, RRGL grant for \$125,000, CDBG grant for \$450,000 and SRF loans for \$14,265,000 and intends to commit \$1,200,000 of City wastewater funds for the Project.

NOW, THEREFOR, be it resolved as follows:

1. That the City commits to provide the amount of \$1,200,000 as additional funds for the Project and has already paid \$360,884.16 (See Exhibit B attached) for budgeted costs as part of the City's share of matching funds as described in Exhibit A.
2. That the City adopts the attached budget for the Project.

Passed and approved this _____ day of March, 2016.

Mayor

Attest _____
City Clerk

The Resolution was moved for passage by Commission member _____ and seconded by member _____. The Commission voted as follows:

<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

EXHIBIT A

City of Polson, MT
Water Resource Recovery Facility - Project Budget Form
12/21/2015

Line	Administrative/Financial Costs		SOURCE					TOTAL
	Local		RRGL GRANT	TSEP GRANT	CDBG Grant	SRF Loan 1	SRF Loan 2	
1	Personnel Costs	\$10,000						\$10,000
2	Office Costs	\$8,000						\$8,000
3	Professional Services				\$15,000			\$15,000
4	Legal Costs	\$10,000		\$5,000				\$15,000
5	Audit Fees			\$8,000				\$8,000
6	Travel & Training			\$1,200				\$1,200
7	Loan Fees							\$0
8	Interim Interest							\$0
9	Bond Counsel & Related Costs						\$35,000	\$35,000
10								\$0
11	Loan Debt Service Reserve	\$442,000						\$442,000
12	TOTAL ADMINISTRATIVE/FINANCIAL COSTS	\$470,000	\$0	\$13,000	\$16,200		\$75,000	\$574,200
13								
14	ACTIVITY COSTS:							
15	Land Acquisition		\$0	\$0	\$0	\$0	\$0	\$0
16	Preliminary Engineering		\$0	\$0	\$0	\$0	\$0	\$0
17	Final Engineering/Arch. Design	\$350,000	\$50,000	\$350,000	\$0	\$0	\$315,300	\$1,065,300
18	Construction Inspection/Admin.						\$1,177,700	\$1,177,700
	Construction - Equip. - Headworks	\$32,000	\$25,000	\$50,000			\$221,501	\$328,501
	Construction - Equip. - SBR	\$100,000	\$50,000	\$75,000			\$532,990	\$757,990
	Construction - Cell 1 Sludge Removal	\$88,500						\$88,500
	Construction - General Contractor	\$159,500						\$159,500
19	Construction - All	\$380,000	\$75,000	\$387,000	\$262,000	\$433,800	\$9,689,377	\$10,944,677
20	Contingency				\$0	\$0	\$10,443,868	\$12,119,668
21	TOTAL ACTIVITY COSTS	\$730,000	\$125,000	\$737,000	\$433,800	\$400,000	\$13,790,000	\$16,215,800
22	TOTAL PROJECT COSTS	\$1,200,000	\$125,000	\$750,000	\$450,000	\$400,000	\$13,865,000	\$16,790,000

EXHIBIT B

City of Polson

Wastewater Treatment Plant

Matching Funds Spent after TSEP award date of 04/27/15

<u>Administrative/Financial Costs</u>	<u>Spent</u>
Personnel Costs	\$ -
Office Costs	-
Legal Costs	2,070.00
Final Engineering/Arch. Design	171,140.16
Construction - Equip-Headworks	32,000.00
Construction - Equip - SBR	67,174.00
Construction - Cell 1 Sludge Removal	88,500.00
Total Spent after award date	<u>\$ 360,884.16</u>

CITY OF POLSON

CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 10
Meeting Date: March 21, 2016
Staff Contact: Cindy Dooley, Finance Officer

AGENDA ITEM SUMMARY: Overview of the FY2015 Annual Financial Report.

BACKGROUND: Each fiscal year the finance department prepares the annual financial report (AFR). This report is submitted to the Montana Local Government Services Bureau for their review. Our auditor also reviews the AFR and combines information from that report with her audit report each year. There are two levels of audit: the highest level is the single audit. The City must undergo a single audit also known as an OMB A-133 audit when it expends \$750,000 or more of Federal Assistance in the form of grants and awards. This audit report is then also reviewed by the Federal Office of Management and Budget for compliance with federal funds restrictions. It is called the single audit because prior to its implementation each federal program was audited separately by many different agencies; now each entity is audited for all the federal programs it receives money for in a single audit report. The lower level of audit is just labeled a regular audit and is much less rigorous and far less time consuming.

ANALYSIS: The AFR for FY2015 will be part of a regular audit as the City did not expend \$750,000 or more of federal funds. However, the FY2016 audit will probably be a single audit due to the award of the CDBG funds and the SRF loans funds (which are partially funded by the Federal Government) that will be expended on the wastewater treatment plant. The FY2015 AFR is available on the City's website on the Admin/Finance page on the far right hand side under Finance Documents. The direct link is <http://www.cityofpolson.com/pdf/AFR2015.pdf>. I would encourage you to take some time and read the Management's Discussion and Analysis (MD & A) which will give you an overview of the government-wide financial statements and the individual fund financial statements. The main part of the report is the financial section which includes the MD&A, the basic financial statements and the notes to the financial statements. There is also required supplementary information which contains budget to actual information for the general fund and special revenue funds. There is also other supplementary information which is normally not included in the auditor's report which gives more detail on each of the City's funds.

This year the Local Government Services Bureau, in an effort to provide more transparency has opened a public portal for viewing financial reports from counties, cities and towns, school districts and special purpose districts. This can be helpful when trying to compare how we are doing as a city to other cities in our class. The portal can be reached by going to the Local Government Services Bureau's website at <http://sfsd.mt.gov/LGSB>. Once there click on the Public Viewers button and follow the instructions to access the reports.

The City prepares its report based on accounting principles generally accepted in the United States. Standard setting for governments is provided through the Governmental Accounting Standards Board (GASB). The GASB issues statements on various accounting principles and often amends previous statements in an effort to provide more transparency to the readers of the financial reports. Many of the GASB statements do not impact small governments such as ours, but other statements have far reaching effects. This year the City implemented GASB Statements No. 68 and 71 regarding accounting for pensions. I will provide a brief overview of these statements and the effects on the City at the Commission meeting.

FINANCIAL CONSIDERATIONS: The MD & A contained in the AFR provides financial information in narrative and summarized report form.

STAFF RECOMMENDATION: N/A

SUGGESTED MOTION: N/A

ATTACHMENTS: There will be handouts and a PowerPoint presentation at the meeting.

CITY OF POLSON

CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 11
Meeting Date: March 21, 2016
Staff Contact: Kyle Roberts, City Planner
Email: cityplanner@cityofpolson.com Phone: 406-883-8213

AGENDA ITEM SUMMARY: Winter 2016 Draft Polson Development Code and Zoning Districts Map

BACKGROUND: The City of Polson has been using its current development code that was adopted in 1993. Needless to say, a lot has changed in 23 years and the need for a new development code is long overdue and needed to meet the demands of development today.

In 2009, the City hired Land Solutions, LLC to rewrite a new Polson Development Code (PDC). A rewrite of the PDC was drafted using goals outlined in the City's Growth Policy as guidance as well as incorporating changes in state zoning and subdivision laws. Not long after in 2010-11, City Manager, Todd Crossett put together and facilitated a committee (PDC Rewrite Committee) of knowledgeable citizens and City and County representatives to review the draft PDC. The City Manager went through the draft line-by-line updating the draft to reflect a variety of community interests. Some issues that arose did not receive unanimous support, and had to be resolved by voting.

In 2013, Land Solutions assumed the role of facilitating the updating process, and in summer 2014 upon request of the PDC Rewrite Committee, the City-County Planning Board held work sessions to vet several outstanding issues. This culminated in the Spring 2015 Draft PDC. In autumn 2015, the County decided to pull out of the PDC update process, resulting in a development code applicable only to development within the municipal boundaries, rather than the City-County Planning Area. The Spring 2015 draft was then revised, removing all references to the County.

Autumn 2015 and winter 2016 saw further revisions made to the draft PDC resulting in both a Fall 2015 draft, and the current Winter 2016 draft. In the past six months, the draft PDC has gone through a well-vetted process at City-County Planning Board meetings as well as three public hearings with the Zoning Commission and City-County Planning Board. As part of that process were public comments – both submitted in writing and voiced at meetings. All were received and considered before recommendations were made.

After a grand total of nearly seven years, significant progress has been made to the proposed 2016 PDC and zoning map (attachment #1, #2), and up to this point has been well-vetted and nearly ready for adoption.

ANALYSIS: Before the public hearing process, preliminary reports were presented to the Polson Zoning Commission and City-County Planning Board on the draft PDC's zoning regulations, zoning map, and subdivision regulations as required by State law.

As mentioned above, the Polson Zoning Commission and City-County Planning Board held three public hearings – on January 26, February 16, and March 8. The table below provides a snapshot of the outcome of the public hearings:

Zoning and Zoning Map	
<u>What was proposed:</u>	<u>Outcome (Polson Zoning Commission and City-County Planning Board recommendation):</u>
Rezone the blocks of 4th Avenue East from 2nd Street East extending east to the Catholic Church to TZD.	Do not rezone (keep current zone designations of LRZD and MRZD)
500 ADT (Average daily trips) threshold to have triggered SUP in HCZD (page 26, 2. a.)	1000 ADT (Average daily trips) threshold to trigger SUP in HCZD
'No Strip' was a heading as a performance standard under HCZD (page 27, 4. a.)	Eliminate the header 'No Strip'
The performance standard for off-street parking in the draft PDC only allowed for shared off-street parking in the Central Business and Transitional Zoning districts (page 77, O.)	The performance standard for off-street parking in the draft PDC allows for shared off-street parking in the Central Business, Transitional Zoning, Resort, and Highway Commercial Zoning districts
Creation of Old Town Zoning District (OTZD)	Creation of Old Town Zoning District (OTZD) with one lot west of 1 st Street W. rezoned to CBZD between 4 th Ave. W. and 7 th Ave. W.
Draft PDC proposed that all angle parking in off-street parking areas be one-way circulation. (page 80, 12. a.)	Permit two-way circulation for angle parking in off-street parking areas
View Corridors in RZD: of the draft PDC stated that developments in the RZD shall be designed and constructed to afford views from adjoining public streets, sidewalks and trails to the lake and river. No more than 75% of the view of the lake and river, as measured 5 feet above the ground surface along the adjoining public street, sidewalk or trail, shall be blocked by development. (previously, page 25, 4. e.)	Eliminate View Corridors performance standard
The draft PDC proposed that the maximum lot coverage in RZD be 55% with an incentive for the possibility to increase lot coverage up to 75% (page 23-24)	Maximum lot coverage increased to 80%
The draft PDC proposed a minimum setback of 50 feet from the lake, river, or stream in the RZD (page 23-24)	Minimum setback reduced to 20 feet from the lake, river, or stream in the RZD
The draft PDC proposed in RZD that a multiple-family dwelling up to 4 units per structure be a permitted use, and a multiple-family dwelling of 5 to 16 units per structure be a special use. (page 23)	A multiple-family dwelling up to 8 units per structure be a permitted use, and a multiple-family dwelling of 9 to 16 units per structure be a special use.
Rezone a block of river front between 5th Avenue West and 6th Avenue West from its current zone of MRZD to RZD.	Rezone a block of river front between 5th Avenue West and 6th Avenue West from its current zone of MRZD to RZD.
Townhouses in proposed MRZD not possible with specification standards. (According to the draft PDC, a duplex is a structure containing two separate dwelling units, under one ownership. Whereas a townhouse is defined as property that is owned subject to an arrangement under which persons own their own units and hold separate title to the land beneath their units, but under which they may jointly own the common areas and	Allow for townhouses in MRZD by making the following modifications to the specification standards: i) Minimum lot size: Townhouse 3,500 sq. ft; ii) Minimum lot width, at front property line: Townhouse 25 feet; iii) Minimum front yard setback: building wall - 20 feet; iv) Minimum side yard setback: common wall - 0 feet.

facilities.) (page 11)	
HCZD proposed to have 5 feet minimum side yard setback (page 26)	No side yard setback if the abutting property is HCZD as well. For all other zones abutting the property, it is proposed that a minimum 5 feet side yard setback in remain in place.
A restaurant with a drive-thru, proposed to have one parking space per 50 square feet of floor area. In addition there must a minimum of six spaces. Stacking spaces may contribute toward parking space requirement. (page 81)	A restaurant with a drive-thru, must have one parking space per 75 square feet of floor area. In addition there must a minimum of six spaces. Stacking spaces may contribute toward parking space requirement.
MRZD performance standard – multiple-family dwelling complex street access: multiple-family dwelling complexes performance standard stated that for multiple-family dwelling complexes including more than eight units shall have direct access onto a collector or arterial street, or otherwise be located where they will not channel traffic onto local residential streets. (page 12, 4. d. i.)	Revised to: multiple-family dwelling complexes including more than eight units <i>recommend</i> direct access onto a collector or arterial street, or otherwise be located where they will not channel traffic onto local residential streets.
RVZD permitted use: <i>Recreational vehicle developments</i> (page 33)	Changed to: <i>Recreational vehicle developments, including RV condominiums</i>
RVZD limited commercial uses: (page 34, 4. 1. a.) i. Convenience stores/markets; ii. Retail sales of items related to maintenance and operation of general services campgrounds and RV uses; iii. Gift shops; iv. Beauty and barber services; and v. Small scale eating and drinking places primarily for residents and their guests.	RVZD limited commercial uses: i. Convenience stores/markets; ii. Retail sales of items related to maintenance and operation of general services campgrounds and RV uses; iii. Gift shops; iv. Recreational bookings [added] v. Beauty and barber services; and vi. Small scale eating and drinking places primarily for residents and their guests.
RVZD performance standard #5: (page 34, 5.) Recreational Vehicle Storage. An area may be provided only for the campground or recreational vehicle site owners/lessees/renters to store RVs, trailers, other vehicles and watercraft to be stored when not in use.	RVZD performance standard #5: Recreational Vehicle Storage. An area may be provided only for the campground or recreational vehicle site owners/lessees/renters to store RVs, trailers, other vehicles and watercraft to be stored when not in use. One storage unit may be located on each site for the use of the owner or renter of the site. [added]
Subdivisions	
It was advised that the City set specific phasing deadlines for final plat filings, thus the revised language to replace text in Chapter VI, sections PP. (Phased Subdivisions) and QQ. (Overall Development Plan for Phased Subdivisions) with section PP. (Phasing of Final Plats).	

In addition to the outcomes above, the result of the public hearings are the final reports (attachment #3, #4) of the Polson Zoning Commission and City-County Planning Board on the draft PDC’s zoning regulations, zoning map, and subdivision regulations as required by State law.

STAFF RECOMMENDATION: N/A

SUGGESTED MOTION: N/A

- ATTACHMENTS:**
- 1) Winter 2016 Polson Development Code (available at www.cityofpolson.com)
 - 2) City of Polson Zoning Districts Map, March 10, 2016 Draft (available at www.cityofpolson.com)
 - 3) Final report of the Polson Zoning Commission and City-County Planning Board on draft updates to Zoning Regulations and Map
 - 4) Final report of the Polson Zoning Commission and City-County Planning Board on draft updates to Subdivision Regulations
 - 5) Public comment

FINAL REPORT
OF THE POLSON ZONING COMMISSION AND CITY-COUNTY
PLANNING BOARD ON DRAFT UPDATES TO ZONING REGULATIONS
AND MAP

MARCH 14, 2016

A) Introduction:

This is the final report of the Polson Zoning Commission and City-County Planning Board regarding the draft Zoning Regulations and Zoning Map that have been reviewed by the Zoning Commission and City-County Planning Board to date. The Zoning Commission held its first public hearing on the draft regulations and map on February 16, 2016 at 6:00 p.m. at City Hall. The Zoning Commission held its second public hearing on the draft regulations and map on March 8, 2016 at 6:00 p.m. at City Hall. The City Commission is scheduled to hold its first public hearing on the draft regulations and map on March 21, 2016 at 7:00 p.m. at City Hall. To meet noticing requirements, the second public hearing, reading, and potential adoption should be scheduled for April.

B) Municipal Zoning Procedure:

According to 76-2-307, MCA, the City Commission appoints the Zoning Commission to recommend the boundaries of the zoning districts and appropriate zoning regulations. The Zoning Commission shall make a preliminary report and hold public hearings on the zoning districts and regulations before submitting its final report, and the City Commission shall not hold its public hearings or take action until it has received the final report of the Zoning Commission. The purpose of the February 16 public hearing was to meet the requirements of 76-2-307, MCA for the Zoning Commission and City-County Planning Board to hold the first of at least two public hearings and make a preliminary report on the draft Polson Development Code and map. The Zoning Commission and City-County Planning Board then made its final report to submit to the City Commission. This is that final report that represents the Zoning Commission and City-County Planning Board's findings.

Per 76-2-303(2), MCA, a regulation, restriction, or boundary may not become effective until after a public hearing in relation to the regulation, restriction, or boundary at which parties in interest and citizens have an opportunity to be heard has been held. At least 15 days' notice of the time and place of the hearing must be published in an official paper or a paper of general circulation in the municipality.

C) Report/Findings:

This final report of the Zoning Commission and City-County Planning Board is intended to meet what is required by 76-2-307, MCA. Section D of the report gives an overview of the draft zoning regulations and map. Section E of the report outlines applicable zoning statutes and preliminary findings regarding the draft regulations' compliance with state law.

D) Winter 2016 Public Hearing Draft of the Polson Development Code:

Draft Zoning Regulations:

The draft zoning regulations in the Polson Development Code are intended to replace the zoning regulations of the current PDC. The draft zoning regulations are intended to apply only to land within the municipal boundaries. It is intended that all development within the municipal boundaries will be subject to the city-adopted PDC as updated through this process, whereas development outside of the municipal boundaries will remain subject to the current Lake County-adopted Polson Development Code as adopted and administered by Lake County. This is the primary change in the current draft PDC relative to previous drafts.

Zoning Map:

The draft zoning map gives the eleven zoning districts contemplated by the draft regulations, as well as two overlay districts. The map eliminates the current “Productive Lands” and “Rural Residential” districts, and adds the “Old Town” and “Hospital Mixed” districts.

The remaining current zoning districts are primarily the same as they exist on the current zoning map with the exception of the “Transitional Zoning,” “Central Business,” and “Resort” districts. The “Transitional Zoning” district has expanded in north downtown. The “Central Business” district has expanded one lot west of 1st Street West between 4th Avenue West and 7th Avenue West. The “Resort” district has expanded along the east shore of the Flathead River. The current “Productive Lands” and “Rural Residential” districts have been eliminated due to being located outside of the city boundaries. The proposed “Old Town” district has been added in two areas (currently zoned Medium Density Residential) of downtown intending to permit the development of single-family, two-family and multiple-family dwellings with municipal services in accordance with the city’s historic residential development pattern. The proposed “Hospital Mixed” district has been added in a significant area surrounding St. Joseph Medical Center intending to permit medically-related services and mixed residential development. The map’s city boundaries are based on the best information Land Solutions has found to date and information provided by the City of Polson Planning Department. The precise boundaries of the City may not be 100% accurately reflected by the map, but the city limits are shown to the best of City staff’s knowledge.

Sign Regulations:

The regulations for signs have been removed from the draft regulations. Reference to the City’s sign regulations will be found in the revised soon-to-be adopted sign ordinance.

E) Zoning Statutes:

The following are applicable municipal zoning statutes and criteria and draft preliminary findings in *italics* for consideration by the Zoning Commission and City-County Planning Board:

- 1) **76-2-301. Municipal zoning authorized.** For the purpose of promoting health, safety, morals, or the general welfare of the community, the city or town council or other legislative body of cities and incorporated towns is hereby empowered to regulate and restrict the height, number of stories, and size of buildings and other structures; the percentage of lot that may be occupied; the size of yards, courts, and other open spaces; the density of population; and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes.

Finding 1: The draft zoning regulations promote the health, safety, morals, and the general welfare of the community by regulating the height and size of buildings and other structures, the percentage of lots that may be occupied, the size of yards and other open spaces, the density of housing, and the location and uses of buildings, structures and land. The proposed zoning regulations and map are authorized by 76-2-301, MCA.

- 2) **76-2-302. Zoning districts.**

- (1) For the purposes of 76-2-301, the local city or town council or other legislative body may divide the municipality into districts of the number, shape, and area as are considered best suited to carry out the purposes of this part. Within the districts, it may regulate and restrict the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land.

Finding 2: The draft zoning regulations and map would divide the municipality into districts of the number, shape, and area that would be best suited to carry out the purposes of municipal zoning statutes as referenced in the draft regulations. Within the districts, the erection, construction, reconstruction, alteration, repair, or use of buildings, structures, or land would be regulated.

- (2) All regulations must be uniform for each class or kind of buildings throughout each district, but the regulations in one district may differ from those in other districts.

Finding 3: The draft zoning regulations and map would be uniform for each class or kind of buildings throughout each zoning district, and the regulations in each district differ from those in other districts.

- (3) In a proceeding for a permit or variance to place manufactured housing within a residential zoning district, there is a rebuttable presumption that placement of a manufactured home will not adversely affect property values of conventional housing.

Finding 4: The draft zoning regulations address 76-2-302(3), MCA by allowing manufactured housing in all residential zoning districts.

- (4) As used in this section, "manufactured housing" means a single-family dwelling, built offsite in a factory on or after January 1, 1990, that is placed on a permanent foundation, is at least 1,000 square feet in size, has a pitched roof and siding and roofing materials that are customarily, as defined by local regulations, used on site-built homes, and is in compliance with the applicable prevailing standards of the United States department of

housing and urban development at the time of its production. A manufactured home does not include a mobile home or housetrailer, as defined in 15-1-101.

Finding 5: *The draft zoning regulations address 76-2-302(4), MCA by defining manufactured housing consistent with how statute defines the term.*

(5) This section may not be construed to limit conditions imposed in historic districts, local design review standards, existing covenants, or the ability to enter into covenants pursuant to Title 70, chapter 17, part 2.

Finding 6: *The draft zoning regulations address 76-2-302(4), MCA by making no attempt to limit conditions imposed in historic districts, local design review standards, existing covenants, or the ability to enter into covenants pursuant to Title 70, chapter 17, part 2.*

3) 76-2-303. Procedure to administer certain annexations and zoning laws – hearing notice.

(1) The city or town council or other legislative body of a municipality shall provide for the manner in which regulations and restrictions and the boundaries of districts are determined, established, enforced, and changed, subject to the requirements of subsection (2).

Finding 7: *The draft zoning regulations address the requirements of 76-2-303, MCA, and its requirements shall be met through this adoption process. The proposed regulations will not become effective without a successful vote of the City Commission.*

(2) A regulation, restriction, or boundary may not become effective until after a public hearing in relation to the regulation, restriction, or boundary at which parties in interest and citizens have an opportunity to be heard has been held. At least 15 days' notice of the time and place of the hearing must be published in an official paper or a paper of general circulation in the municipality.

Finding 8: *The draft zoning regulations address the requirements of 76-2-303, MCA, and its requirements shall be met through this adoption process. The proposed regulations will not become effective without a successful vote of the City Commission.*

(3) (a) For municipal annexations, a municipality may conduct a hearing on the annexation in conjunction with a hearing on the zoning of the proposed annexation if the proposed municipal zoning regulations for the annexed property:

(i) authorize land uses comparable to the land uses authorized by county zoning;

(ii) authorize land uses that are consistent with land uses approved by the board of county commissioners or the board of adjustment pursuant to Title 76, chapter 2, part 1 or 2; or

(iii) are consistent with zoning requirements recommended in a growth policy adopted pursuant to Title 76, chapter 1, for the annexed property.

(b) A joint hearing authorized under this subsection (3) fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation.

Finding 9: *The draft zoning regulations address the requirements of 76-2-303, MCA, under Chapter III, Section O; and its requirements shall be met through this adoption process. The proposed regulations will not become effective without a successful vote of the City Commission.*

4) 76-2-304. Criteria and guidelines for zoning regulations.

- (1) Zoning regulations must be:
 - (a) made in accordance with a growth policy; and
 - (b) designed to:
 - (i) secure safety from fire and other dangers;
 - (ii) promote public health, public safety, and the general welfare; and
 - (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

Finding 10: *The draft zoning regulations are made in accordance with the Polson Growth Policy, including the following from the 2006 Polson Implementation Strategy:*

- *Polson Land Use Goal 1, Objective a.i.: Review and revise Polson's zoning regulations to include additional transitional zoning districts (TZD).*
- *Polson Land Use Goal 1, Objective a.ii.: Review and revise Polson's zoning regulations to include a hospital zoning district allowing small businesses and healthcare offices near the St. Joseph Medical Center.*
- *Polson Land Use Goal 1, Objective b.i.: Review and revise the Polson Development Code Performance Standards for Hillside Development to more clearly define the requirements for development on land areas with steep slope.*

The draft 2016 Polson Growth Policy Update has similar goals and objectives as those cited above from the 2006 growth policy.

Finding 11: *The draft zoning regulations are designed to secure safety from fire and other dangers by limiting building heights and requiring setbacks and other building separations.*

Finding 12: *The draft zoning regulations are designed to promote public health, public safety, and the general welfare by limiting population density and having other minimum standards to limit impacts.*

Finding 13: *The draft zoning regulations are designed to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements, by requiring adequate access, providing clear vision triangles, sign standards, off-street parking requirements, and by directing land uses and density to appropriate areas of town.*

- (2) In the adoption of zoning regulations, the municipal governing body shall consider:
 - (a) reasonable provision of adequate light and air;
 - (b) the effect on motorized and non-motorized transportation systems;
 - (c) promotion of compatible urban growth;

- (d) the character of the district and its peculiar suitability for particular uses; and
- (e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

***Finding 14:** The draft zoning regulations would provide adequate light and air by limiting building heights, providing appropriate setbacks in appropriate districts, and limiting density and providing appropriate minimum lot sizes.*

***Finding 15:** The draft zoning regulations give consideration to the effect on motorized and nonmotorized transportation systems by providing clear vision triangles, off-street parking requirements, and direct land uses and density to appropriate areas of the city.*

***Finding 16:** The draft zoning regulations would promote compatible urban growth by applying standards consistent with the current development pattern of the city.*

***Finding 17:** The draft zoning regulations give consideration to the character of the municipality and its peculiar suitability for particular uses by applying standards consistent with the current development pattern of the city.*

***Finding 18:** The draft zoning regulations give consideration to conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area by applying standards consistent with the current development pattern of the city and giving clear and reasonable standards.*

5) 76-2-305. Alteration of zoning regulations -- protest.

- (1) A regulation, restriction, and boundary may be amended, supplemented, changed, modified, or repealed. The provisions of 76-2-303 relative to public hearings and official notice apply equally to all changes or amendments.
- (2) An amendment may not become effective except upon a favorable vote of two-thirds of the present and voting members of the city or town council or legislative body of the municipality if a protest against a change pursuant to subsection (1) is signed by the owners of 25% or more of:
 - (a) the area of the lots included in any proposed change; or
 - (b) those lots or units, as defined in 70-23-102, 150 feet from a lot included in a proposed change.
- (3) (a) For purposes of subsection (2), each unit owner is entitled to have the percentage of the unit owner's undivided interest in the common elements of the condominium, as expressed in the declaration, included in the calculation of the protest. If the property, as defined in 70-23-102, spans more than one lot, the percentage of the unit owner's undivided interest in the common elements must be multiplied by the total number of lots upon which the property is located.

(b) The percentage of the unit owner's undivided interest must be certified as correct by the unit owner seeking to protest a change pursuant to subsection (2) or by the presiding officer of the association of unit owners.

Finding 19: The draft zoning regulations address the requirements of 76-2-305, MCA, and its requirements shall be met through this adoption process. The proposed regulations will not become effective without a successful vote of the City Commission or if successful protest is achieved.

6) 76-2-306. Interim zoning ordinances.

(1) Except as provided in 76-2-340, the city or town council or other legislative body of the municipality, to protect the public safety, health, and welfare and without following the procedures otherwise required prior to the adoption of a zoning ordinance, may adopt as an urgency measure an interim zoning ordinance prohibiting any uses that may be in conflict with a contemplated zoning proposal that the legislative body is considering or studying or intends to study within a reasonable time.

(2) An interim zoning ordinance may be applicable only within the city limits and up to 1 mile beyond the corporate boundaries of the city or town and takes effect upon passage if a hearing is first held upon notice reasonably designed to inform all affected parties. A notice must be published in a newspaper of general circulation at least 7 days before the hearing.

(3) An interim zoning ordinance is no longer in effect 6 months from the date of its adoption. However, after notice pursuant to 76-2-303 and pursuant to public hearing, the legislative body may extend the interim zoning ordinance for 1 year. Any extension requires a two-thirds vote for passage and becomes effective upon passage. No more than two extensions may be adopted.

Finding 20: 76-2-306, MCA is not applicable because the proposed zoning regulations are not proposed as an interim zoning ordinance.

7) 76-2-307. Zoning commission. In order to avail itself of the powers conferred by this part, except 76-2-306, the city or town council or other legislative body shall appoint a commission, to be known as the zoning commission, to recommend the boundaries of the various original districts and appropriate regulations to be enforced therein. Such commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and such city or town council or other legislative body shall not hold its public hearings or take action until it has received the final report of such commission.

Finding 21: The City of Polson has a Zoning Commission appointed in compliance with 76-2-307, MCA under Chapter 2.5.3 of the Polson Municipal Code. The procedural requirements of 76-2-307, MCA are being followed through the process of revising the zoning regulations. The Zoning Commission made a preliminary report and held public

hearings on the draft zoning regulations, map and the preliminary report before submitting its final report, and the City Commission will not hold its public hearings or take action until it has received the final report of the Zoning Commission.

8) 76-2-308. Enforcement of zoning regulations and ordinances.

(1) The city or town council or other legislative body may provide by ordinance for the enforcement of this part and of any regulation or ordinance made thereunder.

Finding 22: Upon completion of the zoning update process, the City Commission will pass an ordinance for enforcement of the zoning ordinance.

(2) In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained or any building, structure, or land is used in violation of this part or of any ordinance or other regulation made under authority conferred hereby, the proper local authorities of the municipality, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use; to restrain, correct, or abate such violation; to prevent the occupancy of such building, structure, or land; or to prevent any illegal act, conduct, business, or use in or about such premises.

Finding 23: The proposed zoning regulations provide for enforcement with language consistent with 76-2-308(2), MCA.

9) 76-2-309. Conflict with other laws.

(1) Wherever the regulations made under authority of this part require a greater width or size of yards, courts, or other open spaces; require a lower height of building or less number of stories; require a greater percentage of lot to be left unoccupied; or impose other higher standards than are required in any other statute or local ordinance or regulation, the provisions of the regulations made under authority of this part shall govern.

(2) Wherever the provisions of any other statute or local ordinance or regulation require a greater width or size of yards, courts, or other open spaces; require a lower height of building or a less number of stories; require a greater percentage of lot to be left unoccupied; or impose other higher standards than are required by the regulations made under authority of this part, the provisions of such statute or local ordinance or regulation shall govern.

Finding 24: The proposed zoning regulations address 76-2-308(2), MCA with Chapter 1, section G. which states, "If the provisions of these regulations are inconsistent with those of the state or federal government, the more restrictive shall control. If the provisions of these regulations are inconsistent with one another, or if they conflict with the provisions of other ordinances or regulations of the city, the more restrictive shall control unless otherwise expressly stated."

10) 76-2-310. Extension of municipal zoning and subdivision regulations beyond municipal boundaries.

(1) Except as provided in 76-2-312 and except in locations where a county has adopted zoning or subdivision regulations, a city or town council or other legislative body that has adopted a growth policy pursuant to chapter 1 for the area to be affected by the regulations may extend the application of its zoning or subdivision regulations beyond its limits in any direction subject to the following limits:

- (a) up to 3 miles beyond the limits of a city of the first class as defined in 7-1-4111;
- (b) up to 2 miles beyond the limits of a city of the second class; and
- (c) up to 1 mile beyond the limits of a city or town of the third class.

(2) When two or more noncontiguous cities have boundaries so near to one another as to create an area of potential conflict in the event that all cities concerned should exercise the full powers conferred by 76-2-302, 76-2-311, and this section, then the extension of zoning or subdivision regulations, or both, by these cities must terminate at a boundary line agreed upon by the cities.

Finding 25: The proposed zoning regulations do not propose to extend the municipal zoning regulations beyond the municipal boundaries because Lake County has adopted zoning and subdivision regulations in the locations around the City of Polson. No applicable cities exist with respect to 76-2-310(2), MCA.

11) 76-2-311. Administration of regulations in extended area.

- (1) A city or town council or other legislative body may enforce regulations adopted pursuant to 76-2-310, as if the property were situated within its corporate limits, until the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area.
- (2) As a prerequisite to the exercise of this power, a city-county planning board whose jurisdictional area includes the area to be regulated must be formed or an existing city planning board must be increased to include two representatives from the unincorporated area that is to be affected. These representatives must be appointed by the board of county commissioners. Representation must cease when the county board adopts a growth policy pursuant to chapter 1 and accompanying zoning or subdivision resolutions that include the area.

Finding 26: Lake County has adopted a growth policy and accompanying zoning and subdivision regulations in the area around the City of Polson; therefore, the City Commission may not enforce municipal zoning regulations in an extended area outside the municipal boundaries.

12) 76-2-312. Exclusion for commission-manager plan municipalities. A city or town which has as its plan of government the commission-manager plan shall be excluded

from the provisions of 76-2-310 and 76-2-311 which define extraterritorial authority to review proposed subdivisions.

Finding 27: The City of Polson operates with the commission-manager plan under Title 7, Chapter 3, Part 43, MCA; therefore, 76-2-312, MCA applies and is addressed under 76-2-310 and 76-2-311.

13) 76-2-313. Renumbered. (76-2-411)

14) 76-2-314. Renumbered. (76-2-412)

Finding 28: 76-2-312 and 314, MCA have been renumbered outside of the municipal zoning statutes. However, these have become incorporated into Title 76, Chapter 2, Part 4, MCA, which applies to any zoning authorized under Title 76, Chapter 2. These statutes are regarding the definition of a “community residential facility” and “Relationship of foster homes, kinship foster homes, youth shelter care facilities, youth group homes, community residential facilities, and day-care homes to zoning.” The proposed zoning regulations address these requirements on pages 174-175 and by permitting small facilities in residential zones, and larger facilities as special uses.

15) 76-2-315. Violations and penalties.

(1) A violation of this part or of such ordinance or regulation made pursuant to 76-2-308(1) is a misdemeanor, and such city or town council or other legislative body may provide for the punishment thereof by fine or imprisonment or both.

(2) It is also empowered to provide civil penalties for such violation.

Finding 29: As allowed by 76-2-315, MCA, Chapter III, Division 6 of the draft zoning regulations provides for penalties, to include fines for misdemeanor zoning violations and civil penalties for the same.

16) 76-2-316 through 76-2-320 reserved. (not applicable at this time)

17) 76-2-321. Board of adjustment.

(1) A city or town council or other legislative body may provide for the appointment of a board of adjustment and in the regulations and restrictions adopted pursuant to the authority of this part may provide that the board of adjustment may, in appropriate cases and subject to appropriate conditions and safeguards, make special exceptions to the terms of the ordinance in harmony with its general purposes and intent and in accordance with the general or specific rules contained in the ordinance.

Finding 30: The draft regulations include use of the existing Board of Adjustment for the purposes outlined by 76-2-321(1), MCA.

(2) An ordinance adopted pursuant to this section providing for a board of adjustment may restrict the authority of the board and provide that the city or town council or

other legislative body reserves to itself the power to make certain exceptions to regulations, ordinances, or land use plans adopted pursuant to this part.

Finding 31: The draft regulations include use of the existing Board of Adjustment.

(3) The board shall adopt rules in accordance with the provisions of any ordinance adopted pursuant to this part. Meetings of the board must be held at the call of the presiding officer and at other times that the board may determine. The presiding officer or in the presiding officer's absence the acting presiding officer may administer oaths and compel the attendance of witnesses.

Finding 32: To comply with 76-2-321(3), MCA, unless the Board of Adjustment has already done so, the Board of Adjustment should adopt rules in accordance with the final zoning regulations.

18) 76-2-322. Membership and term of board members -- vacancies.

(1) The board of adjustment shall consist of not less than five or more than seven members to be appointed for a term to be specified by the city or town council or other legislative body or, if no term is specified, then for a term of 3 years. A member is removable for cause by the appointing authority upon written charges and after public hearing.

(2) Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.

Finding 33: The draft regulations do not specifically address 76-2-322, MCA; however, the city will manage the membership of the Board of Adjustment in compliance with state law.

19) 76-2-323. Powers of board of adjustment.

(1) The board of adjustment shall have the following powers:

(a) to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by an administrative official in the enforcement of this part or of any ordinance adopted pursuant thereto;

(b) to hear and decide special exceptions to the terms of the ordinance upon which such board is required to pass under such ordinance;

(c) to authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship and so that the spirit of the ordinance shall be observed and substantial justice done.

(2) In exercising the above-mentioned powers, such board may, in conformity with the provisions of this part, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order,

requirement, decision, or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken.

***Finding 34:** The draft regulations give the Board of Adjustment the above powers, being to hear and decide on appeals of the Zoning Administrator's decisions, orders, etc., and to authorize variances. All requirements of 76-2-323, MCA have been incorporated into the draft zoning regulations.*

20) 76-2-324. Vote needed for board action. The concurring vote of four members of the board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official; to decide in favor of the applicant on any matter upon which it is required to pass under any such ordinance; or to effect any variation in such ordinance.

***Finding 35:** Chapter III, subsection (T. 11. b.) of the draft regulations require the concurring vote of four members of the Board of Adjustment to exercise its powers, as required by 76-2-324, MCA.*

21) 76-2-325. Public access to board activities.

(1) All meetings of the board shall be open to the public.

(2) The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the board and shall be a public record.

***Finding 36:** Chapter III, sections T. through W. of the draft regulations includes the requirements of 76-2-325, MCA.*

22) 76-2-326. Appeals to board of adjustment.

(1) Appeals to the board of adjustment may be taken by a person aggrieved or by an officer, department, board, or bureau of the municipality affected by any decision of the administrative officer. An appeal must be taken within a reasonable time, as provided by the rules of the board, by filing with the officer from whom the appeal is taken and with the board of adjustment a notice of appeal specifying the grounds of the appeal.

***Finding 37:** Chapter III, section P. of the draft regulations includes the requirements of 76-2-326, MCA.*

(2) The officer from whom the appeal is taken shall, in a timely manner, transmit to the board all papers constituting the record upon which the action appealed was taken.

***Finding 38:** Chapter III, section P. of the draft regulations includes the requirements of 76-2-326, MCA.*

(3) An appeal stays all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certifies to the board of adjustment after the notice of appeal has been filed with the officer that by reason of facts stated in the certificate a stay would, in the officer's opinion, cause imminent peril to life or property. In that case, proceedings may not be stayed except by a restraining order, which may be granted by the board of adjustment or by a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

Finding 39: Chapter III, section P. of the draft regulations includes the requirements of 76-2-326, MCA.

(4) The board of adjustment shall fix a reasonable time for the hearing of the appeal, give public notice of the hearing as well as due notice to the parties in interest, and decide the appeal within a reasonable time.

Finding 40: Chapter III, section P. of the draft regulations includes the requirements of 76-2-326, MCA.

(5) At the hearing, any party may appear in person or by the party's attorney.

Finding 41: Chapter III, section P. of the draft regulations includes the requirements of 76-2-326, MCA.

23) 76-2-327. Appeals from board to court of record.

(1) Any person or persons, jointly or severally, aggrieved by any decision of the board of adjustment or any taxpayer or any officer, department, board, or bureau of the municipality may present to a court of record a petition, duly verified, setting forth that the decision is illegal, in whole or in part, and specifying the grounds of the illegality. The petition must be presented to the court within 30 days after the filing of the decision in the office of the board.

(2) Upon the presentation of the petition, the court may allow a writ of certiorari directed to the board of adjustment to review the decision of the board of adjustment and shall prescribe in the writ the time within which a return must be made and served upon the relator's attorney, which may not be less than 10 days and may be extended by the court. The allowance of the writ does not stay proceedings upon the decision appealed from, but the court may, on application, on notice to the board, and on due cause shown, grant a restraining order. The board of adjustment may not be required to return the original papers acted upon by it, but it is sufficient to return certified or sworn copies of the original papers or of portions of the original papers that may be called for by the writ. The return must concisely set forth other facts that may be pertinent and material to show the grounds of the decision appealed from and must be verified.

(3) If, upon the hearing, it appears to the court that testimony is necessary for the proper disposition of the matter, it may take evidence or appoint a referee to take evidence that it may direct and report the evidence to the court with the referee's findings of fact and conclusions of law, which constitute a part of the proceedings upon which the determination of the court must be made.

(4) The court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.

***Finding 42:** 76-2-327, MCA, does not need to be addressed by the zoning regulations, but is a statute for the city and its representatives to be aware of in future administration of the regulations.*

24) 76-2-328. Awarding of costs upon appeal from board decision. Costs shall not be allowed against the board unless it shall appear to the court that it acted with gross negligence, in bad faith, or with malice in making the decision appealed from.

***Finding 43:** 76-2-328, MCA, does not need to be addressed by the zoning regulations, but is a statute for the city and its representatives to be aware of in future administration of the regulations.*

25) 76-2-329 through 76-2-339 reserved. *(not applicable at this time)*

26) 76-2-340. Effect on amateur radio antenna. A resolution or rule adopted pursuant to this part may not:

(1) prevent the erection of an amateur radio antenna at heights and dimensions sufficient to accommodate amateur radio service communications by a person who holds an unrevoked and unexpired official amateur radio station license and operator's license, "technician" or higher class, issued by the federal communications commission of the United States; or

***Finding 44:** The draft regulations do not prohibit amateur radio antennae, and the definition of "building height" (page 171) excludes antennae from building height measurements.*

(2) *[A resolution or rule adopted pursuant to this part may not]* establish a maximum height limit for an amateur radio antenna of less than 100 feet above the ground.

***Finding 45:** The draft regulations exclude antennae from building height measurements, and give no other height restrictions on amateur radio antennae, which are excluded from the application of Section IV.DD, which regulates Wireless Communication Facilities (see page 104, DD.2).*

***Finding 46:** The draft regulations would have no effect on amateur radio antenna and would comply with 76-2-340, MCA.*

FINAL REPORT
OF THE POLSON ZONING COMMISSION AND CITY-COUNTY
PLANNING BOARD ON DRAFT UPDATES TO SUBDIVISION
REGULATIONS
MARCH 14, 2016

A) Introduction:

This is the final report of the Polson Zoning Commission and City-County Planning Board regarding the draft Subdivision Regulations that have been reviewed by the Zoning Commission and City-County Planning Board to date. The City-County Planning Board held its first public hearing on the draft regulations on February 16, 2016 at 6:00 p.m. at City Hall. The City-County Planning Board held its second public hearing on the draft regulations on March 8, 2016 at 6:00 p.m. at City Hall. The City Commission is scheduled to hold its first public hearing on the draft regulations on March 21, 2016 at 7:00 p.m. at City Hall. To meet noticing requirements, the second public hearing, reading, and potential adoption will be scheduled for April.

B) Report/Findings:

This final report of the Zoning Commission and City-County Planning Board is intended to meet what is required by 76-2-307, MCA. Section D of the report outlines applicable local regulation of subdivisions statutes and preliminary findings regarding the draft regulations' compliance with state law.

C) Winter 2016 Public Hearing Draft of the Polson Development Code:

Draft Subdivision Regulations:

The draft subdivision regulations in the Polson Development Code are intended to replace the subdivision regulations of the current PDC. The draft subdivision regulations are intended to apply only to land within the municipal boundaries. It is intended that all development within the municipal boundaries will be subject to the city-adopted PDC as updated through this process, whereas development outside of the municipal boundaries will remain subject to the current Lake County-adopted Polson Development Code as adopted and administered by Lake County. This is the primary change in the current draft PDC relative to previous drafts.

D) Local Regulation of Subdivisions Statutes:

The following are applicable local regulation of subdivisions statutes and criteria and draft preliminary findings in *italics* for consideration by the Zoning Commission and City-County Planning Board:

- 1) **76-3-501. Local subdivision regulations.** The governing body of every county, city, and town shall adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for:

- (1) the orderly development of their jurisdictional areas;

- (2) the coordination of roads within subdivided land with other roads, both existing and planned;
- (3) the dedication of land for roadways and for public utility easements;
- (4) the improvement of roads;
- (5) the provision of adequate open spaces for travel, light, air, and recreation;
- (6) the provision of adequate transportation, water, and drainage;
- (7) subject to the provisions of 76-3-511, the regulation of sanitary facilities;
- (8) the avoidance or minimization of congestion; and
- (9) the avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services.

***Finding 1:** The draft subdivision regulations provide for the enforcement and administration of subdivision regulations reasonably providing for items 1-9.*

- 2) **76-3-503. Hearing on proposed regulations.** Before the governing body adopts subdivision regulations pursuant to 76-3-501 or 76-3-509, it shall hold a public hearing on the regulations and shall give public notice of its intent to adopt the regulations and of the public hearing by publication of notice of the time and place of the hearing in a newspaper of general circulation in the county not less than 15 or more than 30 days prior to the date of the hearing.

***Finding 2:** The draft subdivision regulations address the requirements of 76-3-503, MCA, and its requirements shall be met through this adoption process. The proposed regulations will not become effective without a successful vote of the City Commission.*

3) 76-3-504. Subdivision regulations – contents.

- (1) The subdivision regulations adopted under this chapter must, at a minimum:
 - (a) list the materials that must be included in a subdivision application in order for the application to be determined to contain the required elements for the purposes of the review required in 76-3-604(1);
 - (b) except as provided in 76-3-509, 76-3-609, or 76-3-616, require the sub-divider to submit to the governing body an environmental assessment as prescribed in 76-3-603;
 - (c) establish procedures consistent with this chapter for the submission and review of subdivision applications and amended applications;
 - (d) prescribe the form and contents of preliminary plats and the documents to accompany final plats;
 - (e) provide for the identification of areas that, because of natural or human-caused hazards, are unsuitable for subdivision development. The regulations must prohibit subdivisions in these areas unless the hazards can be eliminated or overcome by approved construction techniques or other mitigation measures authorized under 76-3-608(4) and (5). Approved construction techniques or other mitigation measures may not include building regulations as

defined in 50-60-101 other than those identified by the department of labor and industry as provided in 50-60-901.

(f) prohibit subdivisions for building purposes in areas located within the floodway of a flood of 100-year frequency, as defined by Title 76, chapter 5, or determined to be subject to flooding by the governing body;

(g) prescribe standards for:

(i) the design and arrangement of lots, streets, and roads;

(ii) grading and drainage;

(iii) subject to the provisions of 76-3-511, water supply and sewage and solid waste disposal that meet the:

(A) regulations adopted by the department of environmental quality under 76-4-104 for subdivisions that will create one or more parcels containing less than 20 acres; and

(B) standards provided in 76-3-604 and 76-3-622 for subdivisions that will create one or more parcels containing 20 acres or more and less than 160 acres; and

(iv) the location and installation of public utilities;

(h) provide procedures for the administration of the park and open-space requirements of this chapter;

(i) provide for the review of subdivision applications by affected public utilities and those agencies of local, state, and federal government identified during the pre-application consultation conducted pursuant to subsection (1)(q) or those having a substantial interest in a proposed subdivision. A public utility or agency review may not delay the governing body's action on the application beyond the time limits specified in this chapter, and the failure of any agency to complete a review of an application may not be a basis for rejection of the application by the governing body.

(j) when a subdivision creates parcels with lot sizes averaging less than 5 acres, require the sub-divider to:

(i) reserve all or a portion of the appropriation water rights owned by the owner of the land to be subdivided and transfer the water rights to a single entity for use by landowners within the subdivision who have a legal right to the water and reserve and sever any remaining surface water rights from the land;

(ii) if the land to be subdivided is subject to a contract or interest in a public or private entity formed to provide the use of a water right on the subdivision lots, establish a landowner's water use agreement administered through a single entity that specifies administration and the rights and responsibilities of landowners within the subdivision who have a legal right and access to the water; or

(iii) reserve and sever all surface water rights from the land;

(k) (i) except as provided in subsection (1)(k)(ii), require the sub-divider to establish ditch easements in the subdivision that:

(A) are in locations of appropriate topographic characteristics and sufficient width to allow the physical placement and unobstructed maintenance of open ditches or belowground pipelines for the delivery of water for irrigation to persons and lands legally entitled to the water under an appropriated water right or permit of an irrigation district or other private or public entity formed to provide for the use of the water right on the subdivision lots;

(B) are a sufficient distance from the centerline of the ditch to allow for construction, repair, maintenance, and inspection of the ditch; and

(C) prohibit the placement of structures or the planting of vegetation other than grass within the ditch easement without the written permission of the ditch owner.

(ii) Establishment of easements pursuant to this subsection (1)(k) is not required if:

(A) the average lot size is 1 acre or less and the sub-divider provides for disclosure, in a manner acceptable to the governing body, that adequately notifies potential buyers of lots that are classified as irrigated land and may continue to be assessed for irrigation water delivery even though the water may not be deliverable; or

(B) the water rights are removed or the process has been initiated to remove the water rights from the subdivided land through an appropriate legal or administrative process and if the removal or intended removal is denoted on the preliminary plat. If removal of water rights is not complete upon filing of the final plat, the sub-divider shall provide written notification to prospective buyers of the intent to remove the water right and shall document that intent, when applicable, in agreements and legal documents for related sales transactions.

(l) require the sub-divider, unless otherwise provided for under separate written agreement or filed easement, to file and record ditch easements for unobstructed use and maintenance of existing water delivery ditches, pipelines, and facilities in the subdivision that are necessary to convey water through the subdivision to lands adjacent to or beyond the subdivision boundaries in quantities and in a manner that are consistent with historic and legal rights;

(m) require the sub-divider to describe, dimension, and show public utility easements in the subdivision on the final plat in their true and correct location. The public utility easements must be of sufficient width to allow the physical placement and unobstructed maintenance of public utility facilities for the provision of public utility services within the subdivision.

(n) establish whether the governing body, its authorized agent or agency, or both will hold public hearings;

(o) establish procedures describing how the governing body or its agent or agency will address information presented at the hearing or hearings held pursuant to 76-3-605 and 76-3-615;

(p) establish criteria that the governing body or reviewing authority will use to determine whether a proposed method of disposition using the exemptions provided in 76-3-201 or 76-3-207 is an attempt to evade the requirements of this chapter. The regulations must provide for an appeals process to the governing body if the reviewing authority is not the governing body.

(q) establish a pre-application process that:

(i) requires a sub-divider to meet with the authorized agent or agency, other than the governing body, that is designated by the governing body to review subdivision applications prior to the sub-divider submitting the application;

(ii) requires, for informational purposes only, identification of the state laws, local regulations, and growth policy provisions, if a growth policy has been adopted, that may apply to the subdivision review process;

(iii) requires a list to be made available to the sub-divider of the public utilities, those agencies of local, state, and federal government, and any other entities that may be contacted for comment on the subdivision application and the timeframes that the public utilities,

agencies, and other entities are given to respond. If, during the review of the application, the agent or agency designated by the governing body contacts a public utility, agency, or other entity that was not included on the list originally made available to the sub-divider, the agent or agency shall notify the sub-divider of the contact and the timeframe for response.

(iv) requires that a pre-application meeting take place no more than 30 days from the date that the authorized agent or agency receives a written request for a pre-application meeting from the sub-divider; and

(v) establishes a time limit after a pre-application meeting by which an application must be submitted;

(r) require that the written decision required by 76-3-620 must be provided to the applicant within 30 working days following a decision by the governing body to approve, conditionally approve, or deny a subdivision;

(s) establish criteria for reviewing an area, regardless of its size, that provides or will provide multiple spaces for recreational camping vehicles or mobile homes.

(2) In order to accomplish the purposes described in 76-3-501, the subdivision regulations adopted under 76-3-509 and this section may include provisions that are consistent with this section that promote cluster development.

***Finding 3:** The draft subdivision regulations address: subdivision application and preliminary plat submittals [76-3-504, (1)(a)(b)] in Chapter VI, section I; subdivision submission and review procedures [76-3-504, (1)(c)] in Chapter VI, division 2 – General Procedures; the contents of preliminary plats and documents to accompany final plats [76-3-504, (1)(d)] in Chapter VI, sections I and P; lands unsuitable for subdivision [76-3-504, (1)(e)] in Chapter VI, section Z; floodplain provisions [76-3-504, (1)(f)] in Chapter VI, section AA; the design and arrangements of lots, streets, and roads; grading and drainage; and water supply and sewage and solid waste disposal [76-3-504, (1)(g)] in Chapter VI, sections BB, CC, and OO; procedures for the administration of the parks and open space requirements [76-3-504, (1)(h)] in Chapter IV, section S; required public agency, service provider and utility contacts [76-3-504, (1)(i)], Chapter VI, section H; disposition of water rights and irrigation related operation and maintenance assessments [76-3-504, (1)(j)] in Chapter VI, section JJ; irrigation easements [76-3-504, (1)(k)(l)(m)] in Chapter VI, section II; holding public hearings [76-3-504, (1)(n)] in Chapter VI, section M; addressing information presented at governing body public hearings [76-3-504, (1)(o)] in Chapter VI, sections W and X; exemptions from the Subdivision and Platting Act [76-3-504, (1)(p)] in Chapter VI, section Y; pre-application process [76-3-504, (1)(q)] in Chapter VI, section G; written decision by governing body [76-3-504, (1)(r)] in Chapter VI, sections W and X; (76-3-504, (2) the draft subdivision regulations address 76-3-509, in Chapter IV, section CC and Chapter VI, section MM.*

4) 76-3-506. Provision for granting variances.

(1) Subdivision regulations may authorize the governing body, after a public hearing on the variance request before the governing body or its designated agent or agency, to grant variances from the regulations when strict compliance will result in undue hardship and when it is not essential to the public welfare.

(2) Any variance granted pursuant to this section must be based on specific variance criteria contained in the subdivision regulations.

(3) A minor subdivision as provided for in 76-3-609(2) is not subject to the public hearing requirement of this section.

Finding 4: The draft subdivision regulations address provisions for granting subdivision variances in Chapter VI, section L.

5) 76-3-507. Provision for security requirements to ensure construction of public improvements.

(1) Except as provided in subsections (2) and (4), the governing body shall require the subdivider to complete required improvements within the proposed subdivision prior to the approval of the final plat.

(2) (a) In lieu of the completion of the construction of any public improvements prior to the approval of a final plat, the governing body shall at the subdivider's option allow the subdivider to provide or cause to be provided a bond or other reasonable security, in an amount and with surety and conditions satisfactory to the governing body, providing for and securing the construction and installation of the improvements within a period specified by the governing body and expressed in the bonds or other security. The governing body shall reduce bond or security requirements commensurate with the completion of improvements.

(b) In lieu of requiring a bond or other means of security for the construction or installation of all the required public improvements under subsection (2)(a), the governing body may approve an incremental payment or guarantee plan. The improvements in a prior increment must be completed or the payment or guarantee of payment for the costs of the improvements incurred in a prior increment must be satisfied before development of future increments.

(3) Approval by the governing body of a final plat prior to the completion of required improvements and without the provision of the security required under subsection (2) is not an act of a legislative body for the purposes of 2-9-111.

(4) The governing body may require a percentage of improvements or specific types of improvements necessary to protect public health and safety to be completed before allowing bonding or other reasonable security under subsection (2)(a) for purposes of filing a final plat. The requirement is applicable to approved preliminary plats.

Finding 5: The draft subdivision regulations address the requirements of 76-3-507, MCA, in Chapter VI, section V, as well as in Chapter V.

6) 76-3-509. Local option cluster development regulations and exemptions authorized.

(1) If the governing body has adopted a growth policy that meets the requirements of 76-1-601, the governing body may adopt regulations to promote cluster development and preserve open space under this section.

(2) Regulations adopted under this section must:

- (a) establish a maximum size for each parcel in a cluster development;
 - (b) subject to subsection (3)(d), establish a maximum number of parcels in a cluster development; and
 - (c) establish requirements, including a minimum size for the area to be preserved, for preservation of open space as a condition of approval of a cluster development subdivision under regulations adopted pursuant to this section. Land protected as open space on a long-term basis must be identified on the final subdivision plat, and the plat must include a copy of or a recording reference to the irrevocable covenant prohibiting further subdivision, division, or development of the open space lots or parcels, as provided in Title 70, chapter 17, part 2.
- (3) Regulations adopted under this section may:
- (a) establish a shorter timeframe for review of proposed cluster developments;
 - (b) establish procedures and requirements that provide an incentive for cluster development subdivisions that are consistent with the provisions of this chapter;
 - (c) authorize the review of a division of land that involves more than one existing parcel as one subdivision proposal for the purposes of creating a cluster development;
 - (d) authorize the creation of one clustered parcel for each existing parcel that is reviewed as provided in subsection (3)(c); and
 - (e) establish exemptions from the following:
 - (i) the requirements of an environmental assessment pursuant to 76-3-603;
 - (ii) review of the criteria in 76-3-608(3)(a); and
 - (iii) park dedication requirements pursuant to 76-3-621.
- (4) Except as provided in this section, the provisions of this chapter apply to cluster development subdivisions.

Finding 6: *The draft subdivision regulations address 76-3-509, MCA in Chapter IV, section CC.*

- 7) 76-3-510. Payment for extension of capital facilities.** (1) A local government may require a sub-divider to pay or guarantee payment for part or all of the costs of extending capital facilities related to public health and safety, including but not limited to public roads, sewer lines, water supply lines, and storm drains to a subdivision. The costs must reasonably reflect the expected impacts directly attributable to the subdivision. A local government may not require a sub-divider to pay or guarantee payment for part or all of the costs of constructing or extending capital facilities related to education.
- (2) All fees, costs, or other money paid by a sub-divider under this section must be expended on the capital facilities for which the payments were required.

Finding 7: The draft subdivision regulations address provisions to ensure that required improvements will be installed and maintained in Chapter V.

8) 76-3-511. Local regulations no more stringent than state regulations or guidelines.

(1) Except as provided in subsections (2) through (4) or unless required by state law, a governing body may not adopt a regulation under 76-3-501 or 76-3-504(1)(g)(iii) that is more stringent than the comparable state regulations or guidelines that address the same circumstances. The governing body may incorporate by reference comparable state regulations or guidelines.

(2) The governing body may adopt a regulation to implement 76-3-501 or 76-3-504(1)(g)(iii) that is more stringent than comparable state regulations or guidelines only if the governing body makes a written finding, after a public hearing and public comment and based on evidence in the record, that:

(a) the proposed local standard or requirement protects public health or the environment; and

(b) the local standard or requirement to be imposed can mitigate harm to the public health or environment and is achievable under current technology.

(3) The written finding must reference information and peer-reviewed scientific studies contained in the record that forms the basis for the governing body's conclusion. The written finding must also include information from the hearing record regarding the costs to the regulated community that are directly attributable to the proposed local standard or requirement.

(4) (a) A person affected by a regulation of the governing body adopted after January 1, 1990, and before April 14, 1995, that that person believes to be more stringent than comparable state regulations or guidelines may petition the governing body to review the regulation. If the governing body determines that the regulation is more stringent than comparable state regulations or guidelines, the governing body shall comply with this section by either revising the regulation to conform to the state regulations or guidelines or by making the written finding, as provided under subsection (2), within a reasonable period of time, not to exceed 12 months after receiving the petition. A petition under this section does not relieve the petitioner of the duty to comply with the challenged regulation. The governing body may charge a petition filing fee in an amount not to exceed \$250.

(b) A person may also petition the governing body for a regulation review under subsection (4)(a) if the governing body adopts a regulation after January 1, 1990, in an area in which no state regulations or guidelines existed and the state government subsequently establishes comparable regulations or guidelines that are less stringent than the previously adopted governing body regulation.

Finding 8: The draft subdivision regulations are in compliance with 76-3-511 MCA, as noted in Chapter VI, section A.

Public

Comment

3/15/16

To Those Considering the Revised Polson Development Code:

Hello! Please consider the following topics and fine tune as appropriate. Please note that sections and page numbers given are approximate as a result of multiple similar drafts. I write from a number of perspectives and would be happy to clarify and/or listen should you have questions and/or comments. Please note this letter includes questions which the previous groups haven't answered. Two clarifications included in this letter were discussed and to be clarified in the draft (highlighted with yellow) but that hasn't happened yet. Other people submitted written comment in favor of OTZD (Old Town zoning district) and regarding proposed changes in RZD (Resort zoning district) prior to the 3/8/16 meeting and I hope that comment was passed on to you.

I've recently learned that planning boards should preserve, protect and prevent harm but that they should not promote unless it's a by-product or in harmony with preserving, protecting and preventing harm. It was interesting to see that the City County Planning Board (CCPB) did a lot of promoting and had little or no discussion on how the changes might fit with state law (as is required by state law from what I understand) or even how those fit with goals the population might have other than the dollar. If you recall the Heart and Soul project, there are other values at work for why people live here. Please keep this in mind.

I share frustration with you for submitting such a long set of comments so close to the meeting of 3/21/16. With only 13 days between meetings and with other commitments, it's been very challenging to get comments to you and I thank you for your perserverance in considering them. The bolded and/or italicized portions should help by providing the point of each section, followed by clarification or detail in normal print if that would be of assistance. The items sort of get smaller in intensity as you move through the document as well.

Thank you for your time and thought, and good luck!

Respectfully,
Lita Fonda
606 2nd St W
Polson, MT 59860
883-1776
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Zoning district reassignments

Please support the addition of OTZD.

This supports more appropriate zoning for residential areas in town with the older setup utilizing alley entries for mostly 7000 square foot lots in much older well-established neighborhoods. This includes 5th Ave West, historically known as 'Silk Stocking Avenue'. The new MRZD zoning tends to fit better for developing neighborhoods and those with a different style and layout than for these older well-established neighborhoods. Down the road, I think additional areas may fit into this OTZD zoning in place of district assignments that seem like

they are becoming less appropriate over time, such as lower density areas occurring oddly in the middle of town surrounded largely by commercial.

The purpose of the OTZD (pg. 14) would benefit from a tweak. It mentions the City's historic development pattern. What was intended was a reference to the City's historic residential pattern of 7000 square foot lots for single-family residences with alleys, which was the City's original pattern in this area.

The entire section of OTZD west of 1st St W is a quiet area with mostly local traffic as opposed to through traffic although parking issues exist in portions. There are no apparent businesses in the proposed OTZD unlike areas such as along 4th Ave E. It is an older, well-established neighborhood that's not set up for higher density and has more affordable housing prices as referenced by chapter 3 of the Growth Policy, which gives direction for the development code.

Please go with 1st Street West as the boundary between CBZD and OTZD.

The CCPB chose to recommend to the City Council to remove the slice of the proposed OTZD along 1st St W and change that to CBZD. They made no findings to say how removing this slice would fit with 76-2-304 of state law. Their reason was that someone said another person wanted to sell the vacant lot on the south corner of 4th Ave W and 1st St W for an office building, the lot had been for sale for a long time and the owner couldn't sell it. I walked by the lot on my way home that night. The lot was not for sale. I checked the ownership records. The lot had successfully changed hands roughly every three years between 1999 and 2011. It sold successfully in 1994, 1999, 2002, early 2005, late 2005, 2008 and most recently in 2011. Those sales were all under the current residential zoning. The current owner is Soft Rock LLC with a Lopez Island, WA mailing address. A vacant lot in an older residential district is undoubtedly more affordable than a lot in CBZD. The current zoning worked as it should have and kept a residential area residential.

First Street West is now the preferred street for uninterrupted north-south travel by downtown since it doesn't have stop signs between Hwy 93 and 7th Ave. As a pedestrian, I cross it regularly and it's an unfriendly street to cross. It forms a natural barrier between the Central Business area and the well-established, over 100-year old residential area.

None of the impacts of putting Central Business usage and standards along the west side of 1st Street West right next door to residences were addressed by the CCPB. Central Business zoning district standards include no on-site parking requirement, no minimum lot size, 80 to 100% lot coverage and no noise standards. No one living on those lots asked for this nor did their neighbors. This is proposed in a well-established neighborhood where issues such as parking already exist, particularly along 6th Street West. The same reasons that favor the proposed OTZD district also favor having the boundary of OTZD at 1st Street West.

The CCPB recommendation comes at a time when people express concern about the existing empty storefronts in the downtown area. How is expanding the Central Business district across a busy street that's unfriendly to pedestrians into a well-established residential area that's been there for a hundred years support filling those empty storefronts? What about the numerous houses along the east side of 1st St W that are already in CBZD? People already complain about blocks that are split between two districts even when businesses already existed such that there

was a concrete reason for the split. Why split up more blocks internally between lots instead of along streets when the lots are solidly residential?

The CCPB did not address how this recommendation would meet the criteria in 76-2-304, which zoning regulations must meet. To have the west side of 1st St W as OTZD keeps easily with that criteria whereas changing that strip to CBZD does not. Again, Chapter 3 of the Growth Policy talks about how the older portions of town provide more affordable housing for purchase, and OTZD does so. First St W makes a natural division between CBZD and OTZD, which fits with public safety and effect on motorized and non-motorized transportation. First St W currently functions to move traffic, given the absence of stop signs and keeping the west side residential means you have fewer people trying to cross to move between businesses. Keeping the western strip along 1st St W as OTZD promotes compatible growth in the well-established residential neighborhood rather than the incompatibility of a business with 100% lot coverage, no parking requirement and different performance standards (such as no noise standards) next to a residence. The character of the district is that of an older well-established neighborhood, not of a business district, and, and also holds a piece of Polson's history. OTZD conserves the values of the buildings, without big upswings and downswings. By keeping the entire section as OTZD, the values would be conserved.

Parking and drives

(IV.O.11.f, pg. 80)

Please clarify here that for parking off of alleys for older single-family residences, the described driveways don't make sense.

If someone living in an older section with parking off an alley wanted to replace or remodel a garage, putting in a 20-foot paved driveway would be weird and probably difficult or impossible in those areas. Committee members that reviewed the draft Code suggested a particular interpretation so that parking areas off of alleys didn't involve drives. I don't recall exactly how they thought that would work and don't see it clarified in the code. **Clarification would help avoid confusion on this.** The alleys are generally unpaved and so are many of the parking facilities. **The alleys seem to provide the drive up and the lots provide the parking, which may offer a way to clarify.**

III.DD.7, approx pg. 72

Please adjust the beginning of the first sentence to read "Temporary nonconforming uses, surfaces or structures..." and please adjust the examples. The examples were to illustrate that you can't use the presence of something 'temporary' to just replace it with something permanent. A tent sitting somewhere, for example, cannot be used as a rationale to automatically replace it with a building. Gravel is a temporary surface (stuff will grow in it, and you can stick a shovel through it, unlike paving). Gravel is also more pervious than paving, with the degree dependent on the amount of compaction. To pave nonconforming gravel is to increase its nonconformity, so you can't just go out and replace it with paving. They aren't equivalent. **This was to be clarified in this revision** and this seems a good place to do so.

(IV. Table IV.2, pg. 81)

Please consider rounding up the required number of parking spaces to 2 per unit for multi-family dwellings and accessory dwelling units.

The multi-family dwelling that I often pass tends to have at least 2 cars per unit parked around it. Some people say that those living in multi-family units or accessory dwelling units would have fewer cars per unit than that. Perhaps that's so but in practical usage, I haven't seen it and would appreciate your added observations and consideration.

Lot coverage (Definitions section, VII.Lot Coverage, pg. 174):

Please change last sentence to read, "Slotted decks are considered lot coverage."

Please change this to match the view that's been historically true for the City Planning Dept. The consideration on slotted decking is a concern, since this proposed change would allow someone to cover a lot excessively with decking. As an example, my neighbor was improperly permitted for excess lot coverage in early 2010 and wanted to add more coverage in the form of decks. Please see the accompanying image to see the concern I'm talking about. Changing this long-running view of slotted decking would potentially make that situation and similar ones worse. A deck covers part of a lot. Slotted decks do not allow direct infiltration of water, so the long-running view is in keeping with the definition. Please keep the situation with slotted decks consistent with the long-running view of the City Planning.

Nonconformities and existing nuisances (III.DD, pg. 71-72)

For III.FF.4 and 5, is it clear that existing accessory dwelling units that are nonconforming cannot be expanded in size?

Clear vision triangles (IV.O.11.d & e, approx. pg. 80)

Please consider changing this section to reduce impacts on surrounding properties.

Please look into two issues:

1. Clear vision triangles are specified to be 15 feet for driveways, except those on arterials or those expected to carry large amounts of traffic (300 or more ADT). In a clear vision triangle, visual obstructions are limited to heights below 3 feet and above 8 feet. The appropriate size for a clear vision triangle is dependent on speed. In spite of asking, I've never seen data on what size applies to what speed nor did the others on the committee. What does the data say? Is this really an appropriate size for an entry/driveway onto a quiet residential street? How fast is it reasonable for a driver to go who is entering or exiting from a driveway on a quiet residential street?
2. Clear vision triangles solve a problem when applied properly but they create issues, too.
 - a. For areas where lots are 50 feet wide, if someone puts a driveway at the property edge, then this restricts the neighboring lot of use of a 15-foot triangle chunk of land. It restricts 15 feet of the 50 feet of frontage and 15 feet along the side property line. If both neighbors did this, it would restrict 30 feet, leaving only 20 unencumbered feet of frontage of 50 for the landowner.
 - b. If someone adds a driveway, then it appears that the neighbor is then required by code to change or take out vegetation, fencing and so forth, to accommodate someone's new driveway. Committee members who looked at the code revision expressed that in the case where there's already blockage in the vision triangle,

the driveway wouldn't be permitted. I see nothing written in the proposed revised code to support that nor have I seen evidence of driveways or parking areas being shifted or denied under the current code because of the neighbor's fence or vegetation pattern.

- c. The driver exiting or entering the driveway still has the responsibility for traveling an appropriate speed and checking appropriately for children, pedestrians, pets and other obstacles.
- d. Some portions of town have the type of layout developed where access was intended from the alleys with a walkway along the fronts. Fences and vegetation are far more common along the front than driveways. When someone adds a driveway into the front, that can adversely affect what the neighbor can have in their yard if it's near the edge of the lot, and also reduces street parking.
- e. Example: I have a 4-foot white picket fence and also vegetation along the front and side of my lot on a fairly quiet residential street. My neighbor was improperly permitted to put in a second drive/parking pad in excess of lot coverage along the edge of the property bordering mine. In terms of clear vision triangles, his drive/pad becomes even further out of compliance. Should an issue arise, will the City order the drive/pad that was installed contrary to the Code removed or the vegetation (which also acts as screening) and fence? This is an area with front walks and alley access and the neighbor already has a garage and driveway in the back.

Accessory units (IV.Y, pg. 98-99 and Definitions section, VII.Accessory.3, pg. 169-170)
Please consider that rentals simply are not accessory units: they are homes, in and of themselves. A lot of thought went into the criteria for these but please consider the following.

1. ***Please change IV.Y.3.d either to read, "The lot must be a minimum of one acre (43,560 square feet) in size" or to establish some other across-the-board minimum of at least 14,000 square feet.***

Two lines of reasoning support changing IV.Y.3.d, and a third asks a question.

- a. Essentially, as the draft currently reads, this would allow for a second dwelling unit on a 6000-square foot lot. 7000 square feet has generally been the traditional minimum-size residential lot for one single-family dwelling for the main residential districts in town. The districts so affected would be MRZD, HMZD (which is currently MRZD), TZD (much of which is currently MRZD or LRZD) and RZD. So you'd take neighborhoods where the 7000-square foot lots have been developed and purchased for single-family residences only for a long time and change that.

Someone who has invested years of their time and effort into a family home in a single-family neighborhood will suddenly find a huge change when someone builds a second home on a neighboring single-family lot. I don't know of resident owners of 7000-square foot lots who want this. People who favor this

don't generally seem to live on smaller lots in areas where their personal homes/neighborhoods would be directly affected.

The lots and infrastructure weren't designed or planned for a doubled density, in addition to the increased problems that come when you increase density and put people closer together. This seems a bizarre choice for a rural town, with no college population, where part of the appeal is that it IS a rural town with less density than big city living. When residents have been asked what they like about living in Polson, people tend to mention they like the small town feel and rural character of Polson, not that they want to double density in residential districts. (And if you've got 2 dwellings and associated cars and so forth on a 7000 square foot lot, where do kids play?)

- b. Requests for second dwellings have come from those with larger lots that have the space to more sensibly accommodate a second dwelling, often for guest houses, which would seem like a true accessory use. Yet those requests have often been in the very districts where an acre lot size (43,560 square feet) is required as a minimum in the current draft. There's a huge difference between 7000 square feet and 43,560 square feet.
- c. A question: For a time, I think the 7000-square foot minimum in MRZD was interpreted to mean you could have 2 separate dwellings if you had 14,000 square feet or more. Given a comment with an old permit (CC 95-47) and my own recollections (from 2001), I believe this was true for both County and City. It sounds like currently the interpretation is that for 1 lot, you can have only 1 dwelling as one primary use, regardless of the lot size, based on discussion at the May 18, 2015 City Council meeting regarding the Norman subdivision (which involved the same property as permit number CC 95-47). What is the source of this interpretation? It would be good to understand that, and applicable changes in state law, before allowing additional dwellings.

2. ***Please consider that IV.Y.1, pg. 98 (regarding the stated purpose of the accessory dwelling units) is inaccurate, and revise.*** IV.Y.1 incorrectly states that accessory dwelling units 'allow efficient use of the existing housing stock and infrastructure, provide housing options that respond to changing household sizes and needs, provide a means for residents—particularly seniors, single parents and empty-nesters—to remain in their homes and neighborhoods, obtain extra income, security, companionship and assistance, and to provide a broader range of affordable housing options.'

- a. This is inefficient use of the existing housing stock and infrastructure and does not provide a broader range of affordable housing options. It could reduce affordable housing stock available for purchase. The older housing stock is the more affordable housing where lower income people are more likely able to buy a home. The costs of adding a second unit are unlikely to be covered by those who this statement purports to help, and adds another source of competition for these lots from those who can afford to build rentals. Per past conversations with Lake County Community Development personnel, the biggest need for

affordable housing falls more in the range of 3 bedroom houses (or more) for families. Infrastructure in areas with 7000-square foot lots is generally already developed and as currently drafted, this could allow for the density of houses to double. That also doubles the burden on the existing and established infrastructure. The established infrastructure doesn't appear to be up to dealing with a doubled demand upon it. (And who pays then?)

- b. This is an ineffective and cumbersome way to provide housing options that respond to changing household sizes and needs. An option for an accessory apartment already exists that provides an option for a changing household with a lesser impact on the neighborhood. Given concerns with elder housing, such as concern on stoves and availability of companionship, the accessory apartment better addresses those needs. Both the elderly and the adult children tend to move on. Lots are also sold. The unit eventually becomes a rental. With an apartment internal to the single-family dwelling, the residents of the house would tend to be more closely involved with the rental and the neighbors would be less impacted.
- c. It is false that accessory dwelling units would “provide a means for residents—particularly seniors, single parents and empty-nesters—to remain in their homes and neighborhoods, obtain extra income, security, companionship and assistance”. Those who could afford to build a second residence are not necessarily resident owners who are seniors or single parents living in houses on 7000-square foot lots. If someone can afford to do so, they can also afford to pursue other options. By adding rentals, you increase density. Problems such as conflict and crime tend to increase with greater density, for less security. As far as companionship and assistance, those are better provided by the accessory apartment, as is security. A renter in a separate dwelling would provide as much or as little companionship and assistance as any other neighbor.

3. ***Please consider whether IV.Y.4 regarding additional criteria for rentals would effectively be enforced, and how.***

IV.Z.4 outlines criteria for renting an accessory dwelling unit. Two issues to consider exist here. One is that rentals simply are not accessory units: they are homes, in and of themselves. The second is that although having the landowner occupy the main dwelling as a permanent residence is certainly an excellent idea in theory, when it comes to practical fact, CAN that be enforced and WILL that be enforced? If it can't or won't, then this section does little to help. Also, what exactly does it mean that the property owner will reside on the property? This section intends to address or mitigate problems that need to be addressed. In practicality, will this work as intended?

4. ***Please consider changing IV.Y.3.k (misprinted as i) to “At least two off-street parking spaces....” (and also chart on pg. 81)***

Regarding parking, IV.Z.3.k specifies at least one off-street parking for the accessory dwelling unit. Please consider requiring at least two parking spaces. These units are as likely to have two or more people in them as one. My observation in Montana is there's

a higher value on having a car, especially outside the big cities. Additional occupants and visitors will already add to on-street demands.

Resort Zoning District Standards (II.N, pg. 23-25)

Please consider changing this section back to the recommendations of the PDC committee.

RZD underwent vast changes from the current code to the draft codes. The statement of purpose and the lot coverage originally carried over from current code. The CCPB made additional very large changes to make RZD (with land along the lake and river) more like HCZD, which they referenced in their discussion. They again gave no findings for their decision so it seems pretty arbitrary. Essentially the changes allow development to overcrowd an important resource that many depend upon and/or value. Please prevent the river and lake areas from looking like HCZD by making the following changes.

Please select the 55% lot coverage with an incentive to allow greater coverage with the provision of a view corridor, as previously written. RZD is currently at 55% lot coverage and uses the same standards as given for the current MRZD. It is a mixed residential and commercial district along the lake and river. The revision increases the residential component and adds currently residential areas. Kyle Roberts, City Planner, wrote in his March 8 staff report that, "Maximum lot coverage of 55% is intended to provide for view corridors and limit the amount of impervious surface located along the community's greatest asset – the river and lake. However, the proposed PDC does provide developers with the options to increase lot coverage from the maximum of 55% to 75% if they provide at least 35% of the view of the lake and river, as measured 5 feet above the ground surface along the adjoining public street, sidewalk or trail." The CCPB recommendation was to raise coverage to 80%, which they compared to HCZD coverage. Please see the attached image that shows a lot with approximately 60% lot coverage if you ignore the graveled areas. 55% coverage looks like a lot more than it sounds. Please keep the 55% coverage. You can still offer an incentive for a view corridor if you choose to, even if a view corridor is not a requirement otherwise.

Please go with the 50-foot setback. This was the staff recommendation in the March 8, 2016 report and was also supported by the Flathead Lakers. Please see those documents for more information. The CCPB recommended a 20-foot setback, choosing development over water quality. Please go with the 50 feet.

Please require multiple-family dwellings of 5 or more units to be processed as a special use. The March 8, 2016 staff report said, "The RZD zoned parcels are located along the river and lake side – the community's greatest asset. Intensive development in these areas should go through the special use process to provide opportunity for both the City and its citizens to review and have a say in a development that may have great impacts on the community." The CCPB recommended to raise this to 9 or more units. Please have multiple-family dwellings of 5 or more units go through the special use process.

Definitions (Definitions section, VII, pg.169; II.R.F (although F should be 13), approx. pg.37-39; IV.W.14, pg.97; IV.DD.9, pg. 107, and possibly elsewhere, including IV.W.5.b, pg. 90):

Please combine the definitions into one section at the end of the document. The back of the document is a standard place to look for definitions so they are all easy to find. By having the definitions together, it helps ensure that the definitions are consistent through the document,

without changing from section to section. You could certainly repeat a definition somewhere, but they should all be represented in the back.

Special uses (III.K.3, approx pg. 62)

Please take care not to water down the criteria or requirements for special use. Please make sure these have enough teeth to be modified or denied when the combination of the project and the location are not a good fit.

One point of the special use process is to allow scrutiny of a proposal that will have potentially larger impacts than projects that fall under the 'permitted use' category, and to consider if those impacts will have a negative effect. Special uses are different from permitted uses despite claims to the contrary. The board considers if impacts and concerns can be reasonably mitigated or reduced. Special uses happen in residential areas as well as the other districts. Do you think this has adequate 'teeth' for denial when the fit is poor? In the overhaul of the special use permitting, one aim was to put in some teeth, for an ability to deny a proposal that is a bad fit for a particular place. The fit might be bad due to the specifics of the project or due to the specifics of the location or due to a combination. (This ties in to II.L, Conditions, approx. pg 57, also.) For instance, one proposal for something like a home occupation or a bed and breakfast might work on a particular lot while another proposal does not, due to specifics of the projects. A specific proposal that doesn't work in one place might work fine in another due to characteristics of the location and parcel. Requested changes in (legal) non-conforming buildings or lots are also processed as special use applications.

Slope (IV.D, pg. 75)

Please realize the changes to the slope section are huge and consider them carefully. Please add increased setback for projects on slopes with engineering.

Please consider moderating the changes as appropriate.

The attitude of many committee members seemed to be since engineering can be done, high coverages should be allowed as long as an engineer is willing to sign off on it. I don't think that's necessarily a wise approach. I asked an engineer for an opinion. His comments included that it would be good to have an increased setback for an engineered project on a slope to minimize impact on neighbors. Please incorporate this suggestion. He commented the setbacks maybe could be doubled for lots with slopes of 25% or greater. If you prefer, setbacks for engineered plans could be increased by a set amount, by a percentage, or maybe by adding a set amount to the setback for each percent increase of average slope.

Changes in the slope section include lumping the categories in table IV.1 from four categories to three, and substantially increases in the ranges. The original chart had ranges of 0-8 (coverage dependent on district), 8-15 (20% coverage if erosion hazard not severe), 15-25 (5%) and 25+ (1%). The draft chart has ranges of 0-8 (coverage dependent on district), 9-35 (20% if erosion hazard not severe or same as 0-8 with engineering) and 36+ (1% or 10% maximum with engineering). It would seem more reasonable to break the middle category (9 to 35) into two, perhaps 9-24% and 25-35% to incorporate the suggestion in the last paragraph. It just seems extreme to allow the same amount of development for an engineered project on a 30% slope as for the same project on a property with 0 to 8 %. How does this compare to cities with a similar geology and climate? How has this worked? I've not seen hard data presented for

these changes—just that ‘you can have it engineered and the engineer signs off’ from those eager for the increases. What about the surrounding people who are potentially affected?

Signs

Thank you for removing the sign ordinance from the current process. Please consider working with the original draft sign code rather than the one presented in the draft PDC when the sign ordinance is addressed. The draft included in the revised PDC code was presented at only one Code committee meeting and contained significant problems, whereas the other draft received a great deal of thought from a group of people specifically interested and/or involved in the sign code.

Potential nuisances (IV.V, pg.86-88)

Please consider whether these are enforceable and if so, who could best provide enforcement.

IV.V.1: Noise:

How will this be measured? It seems likely that noise complaints would be likely in evenings, nights and weekends, when planners aren’t available. Would this make more sense to have noise enforcement through law enforcement personnel?

IV.V table IV.3 Noise

Not all districts are included in this chart. CBZD does have a residential component and is not included.

IV.V.2.c Light, glare

How will illumination be measured? Since this is more likely to be a complaint at night, who will measure and enforce this?

IV.V.7 Surface runoff

What happens if water is channeled onto another property? On what sort of scale does it need to be to require enforcement?

Other Items for Thought

Providing adequate infrastructure--Private utilities (IV.K.1, pg. 76)

Please take note and consider that the requirement for provision of phone service has been eliminated.

III.Q.6.b, pg. 60: What is the basis required by state to approve a variance? Does 6.b adequately cover this?

IV.FF.4 approx pg. 109-110 The governing body seems to have huge leeway to modify standards for PUDs—perhaps require something to define or support ‘public benefit’.

VI.BB.3.a, pg. 155 Why form new lots with high slope? Are the numbers and percentages given reasonable?

VI.BB.5, pg. 56 Would a lower percentage be more appropriate?

Approval period extensions: (III.N.2, approx pg. 57-58): This seems overly open-ended. Please add some sort of parameters to operate within, and possibly mention that a fee may or will be paid for the extension request.

IV.X, pg. 98 to include RV use on residential lots

This allows living in an RV for 14 days maximum.

14 days seems like kind of a lot—when does the clock start? Does it have to be called in before the clock starts? Does this mean 14 days total per season? Can this be clarified? Would this be better with some sort of parameter to allow more on someone's lakeshore lot but less in dense residential neighborhoods?

SUP Threshold for HCZD (pg. 26); Is the threshold of 20,000 square feet appropriate? The City Planner recommended to the CCPB to reduce the average daily vehicle trips from 1000 to 500. I thought his recommendation was well-reasoned and ask the Council to consider it.

CBZD For outdoor sales, please specify to allow adequate clear sidewalk width for wheelchair passage. (pg. 30)

TZD Is reliance on shared public parking for customers and employees for TZD businesses appropriately done? The area also contains residences. *approx pgs. 21, pg. 77 and pg. 81*

III.C.1 (pg. 48) zoning administration, exemptions for development activity: clearing and grading No permit should be necessary for installation or maintenance of landscaping & gardens, but possibly add some sort of maximum for amount of ground moved, or slope disturbed without a permit to avoid misuse or a loophole.

HMZD (pg. 40) 65 % max lot coverage: This percentage sounds okay for medical uses, but high for houses and low for hospital. Fine tune this?

IV.table IV.2 regarding parking, pg. 81: Does the hotel/motel amount of parking make sense?

Pg. 91 IV.W.5.h (landscaping in parking lots): Is this realistic?

Pg. 94 IV.W.table IV.7, under '5 total points': Does this make sense?

Administrative Materials (pg. 180): Please keep forms and fees out of this document so flexibility to adjust them exists. It's beneficial to be able to tailor or adjust the forms.

In the subdivision section, please observe whether or not the requirement for planning school bus stops when major subdivisions are developed was kept or dropped in the revision.

(Thank you again for your time, patience and thought, and good luck.)



Source: Esri, DigitalGlobe, GeoEye, i-cubed, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

CITY OF POLSON

CITY COMMISSION AGENDA ITEM SUMMARY

Agenda Item Number: 13
Meeting Date: March 21, 2016
Staff Contact: Kyle Roberts, City Planner
Email: cityplanner@cityofpolson.com Phone: 406-883-8213

AGENDA ITEM SUMMARY: This is the first reading of Zoning Ordinance Number 2016-___ to adopt the 2016 Polson Development Code and Zoning Districts Map.

BACKGROUND: The Polson Development Code Rewrite began approximately seven years ago, headed by the Polson Development Code Rewrite Committee and Land Solutions, LLC. In October 2015, the Spring 2015 Polson Development Code (PDC) Draft was revised to remove references to the County, resulting in a development code applicable only to development within the municipal boundaries, rather than the City-County Planning Area.

In the past six months many edits have been made to content of the draft PDC. This was as a result of having gone through a well-vetted process at City-County Planning Board meetings as well as three public hearings with the City-County Planning Board, and now with the City Commission.

STAFF RECOMMENDATION: Staff recommends approval of the first reading of Zoning Ordinance Number 2016-___.

SUGGESTED MOTION: *I MAKE A MOTION TO APPROVE THE FIRST READING OF THE ZONING ORDINANCE NUMBER 2016-___ TO ADOPT THE 2016 POLSON DEVELOPMENT CODE AND ZONING DISTRICTS MAP.*

ATTACHMENTS: Zoning Ordinance Number 2016-___

ORDINANCE Ord # 2016-

**AN ORDINANCE TO ADOPT
REVISED ZONING REGULATIONS AND ZONING
MAP
FOR THE CITY OF POLSON 2016
DEVELOPMENT CODE**

WHEREAS, 76-2-301, MCA authorizes municipal zoning; and

WHEREAS, the City of Polson's current zoning regulations and map periodically require updating and in response to changes in Montana statutory law require revisions to comply with state law and meet the needs of the City of Polson;

WHEREAS, 76-2-307, MCA requires that the Zoning Commission shall recommend the boundaries of the various districts and appropriate regulations to be enforced therein, and that the Zoning Commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and such city or town council or other legislative body shall not hold its public hearings or take action until it has received the final report of such commission; and

WHEREAS, the Zoning Commission held two (2) public hearings on the proposed zoning map and regulations on February 16, 2016 and March 8, 2016; made a preliminary report and a final report, and has submitted the final report to the City Commission; and

WHEREAS, the final report of the Zoning Commission includes 46 findings of the Zoning Commission that address the draft zoning map and regulations' compliance with municipal zoning statutes; and

WHEREAS, the City Commission adopts the final report and findings of the Zoning Commission;

WHEREAS, 76-2-303, MCA, provides that a zoning regulation, restriction, or boundary may not become effective until after a public hearing in relation to the regulation, restriction, or boundary at which parties in interest and citizens have an opportunity to be heard has been held; and at least 15 days' notice of the time and place of the hearing must be published in an official paper or a paper of general circulation in the municipality; and

WHEREAS, the City Commission held public hearings on the proposed zoning regulations on March 21, 2016 and April __, 2016, which were noticed in the *Lake County Leader* on March 3, 2016, March 10, 2016, March 17, 2016, March 24, 2016, and March

31, 2016, and the parties in interest and citizens have been given an opportunity to be heard and all comments have been addressed appropriately by the City Commission; and

WHEREAS, the City Commission hereby finds that the proposed zoning regulations and map are reasonable and appropriate for the City of Polson.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Polson, Montana that the revised zoning regulations and zoning map of the 2016 Polson Development Code be adopted in full as set forth herein as Attachment "A" and labelled the **2016 POLSON DEVELOPMENT CODE and 2016 ZONING DISTRICTS MAP.**

Date: _____

First Reading: _____ ayes _____ nays _____ abstentions

Date: _____

Second Reading: _____ ayes _____ nays _____ abstentions

Effective Date: _____

Mayor

Attest:

City Clerk

**CITY OF POLSON
CITY COMMISSION AGENDA ITEM SUMMARY**

Agenda Item Number: 14
Meeting Date: March 21, 2016
Staff Contact: Kyle Roberts, City Planner
Email: cityplanner@cityofpolson.com Phone: 406-883-8213

AGENDA ITEM SUMMARY: This is the first reading of Subdivision Ordinance Number 2016-___ to adopt the 2016 Polson Development Code.

BACKGROUND: The Polson Development Code Rewrite began approximately seven years ago, headed by the Polson Development Code Rewrite Committee and Land Solutions, LLC. In October 2015, the Spring 2015 Polson Development Code (PDC) Draft was revised to remove references to the County, resulting in a development code applicable only to development within the municipal boundaries, rather than the City-County Planning Area.

In the past six months many edits have been made to content of the draft PDC. This was as a result of having gone through a well-vetted process at City-County Planning Board meetings as well as three public hearings with the City-County Planning Board, and now with the City Commission.

STAFF RECOMMENDATION: Staff recommends approval of the first reading of Subdivision Ordinance Number 2016-___.

SUGGESTED MOTION: *I MAKE A MOTION TO APPROVE THE FIRST READING OF THE SUBDIVISION ORDINANCE NUMBER 2016-___ TO ADOPT THE 2016 POLSON DEVELOPMENT CODE.*

ATTACHMENTS: Subdivision Ordinance Number 2016-___

ORDINANCE Ord # 2016-_____

**AN ORDINANCE TO ADOPT
REVISED SUBDIVISION REGULATIONS
FOR THE CITY OF POLSON 2016
DEVELOPMENT CODE**

WHEREAS, 76-3-501, MCA requires that the governing body of every county, city, and town shall adopt and provide for the enforcement and administration of subdivision regulations;

WHEREAS, the City of Polson's current subdivision ordinance periodically requires updating and amendments in response to changes in Montana statutory law;

WHEREAS, the City Commission has reviewed amendments to the subdivision ordinance specifically for the City of Polson and made modifications to it;

WHEREAS, the proposed subdivision ordinance would reasonably provide for orderly development of the jurisdictional area;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the coordination of roads within subdivided land with other roads, both existing and planned;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the dedication of land for roadways and for public utility easements;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the improvement of roads;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the provision of adequate open spaces for travel, light, air, and recreation;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the provision of adequate transportation, water, and drainage;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the regulation of sanitary facilities;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the avoidance or minimization of congestion;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services;

WHEREAS, the proposed subdivision ordinance contains the requirements of 76-3-504, MCA;

WHEREAS, the proposed subdivision ordinance includes administrative materials as attachments which would allow for reasonable administration of the ordinance. Such materials may be amended from time to time by the City Manager without further amendments to this ordinance;

WHEREAS, the City Commission gave public notice of hearing of its intent to adopt the proposed subdivision ordinance on March 21, 2016 and April __, 2016 by publication of notice of the time and place of the hearing in the *Lake County Leader*, a newspaper of general circulation in the county, on March 3rd, 10th, 17th, and 24th. Such notice meets or exceeds the requirements of 76-3-503, MCA;

WHEREAS, the public had opportunity at the public hearing to voice its opinion on the proposed ordinance prior to the adoption of said ordinance, and all comments were addressed by the City Commission; and

WHEREAS, the City Commission finds that the adoption of such ordinance is in the public interest for its taxpayers, residents, and citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Polson, Montana that the proposed subdivision ordinance of the 2016 Polson Development Code be adopted in full as set forth herein as Attachment "A" and labelled the **2016 POLSON DEVELOPMENT CODE**.

Date: _____

First Reading: _____ ayes _____ nays _____ abstentions

Date: _____

Second Reading: _____ ayes _____ nays _____ abstentions

Effective Date: _____

Mayor

Attest:

City Clerk