



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



**City-County Planning Board  
and City of Polson Zoning Commission Meeting Minutes  
Public Hearing Zoning & Subdivision Regulations  
Tuesday January 26, 2016  
City Hall Council Chambers—6:00 p.m.**

**Members of the Board Present:** Mike Lies, Mark McGuyer, Merle Parise, Lou Marchello, Gil Mangles, Sam Jacobson and David Rensvold

**Staff Present:** City Planner Kyle Roberts, County Planner LaDana Hintz, City Manager Mark Shrives and Technician Beth Smith

**Public Present:** Deborah Kim Christopher, David and Pat Arie, Lita Fonda, Sue Moore, Dennis and Pat DeVries, Rachel Lonnevik, Harley and Brenda Shepard, Carol Plouffe, Richard and Noma Giffin, Elsa Duford, Joel Nelson, Cort Potter, Dennis Duty, Irene Marchello, Stephen Turner, Jim Anderson, Jacki Smart, Alan Fryslie, Ken Siler, Joslyn Shackelford, Lee Manicke, Wilhelmina Laughlin, Gerry Crusch, and Todd Erickson

---

**Order of Business: Draft Polson Development Code 2016**

---

6:00 PM~ Roll call was taken and Mike Lies led the Pledge of Allegiance. City Planner, Kyle Roberts stated the requirements for legal advertisement on a public hearing requires fifteen days' notice. It was brought to the City's attention the notification was only thirteen days, so the meeting would not be considered an official Public Hearing. Tonight's comments will be gathered and become final record for the official public hearing scheduled for Tuesday, February 16 at 6 p.m. at City Hall in the Council Chambers.

Meeting opened for public comments:

Kim Christopher, 310 7<sup>th</sup> Street East -Home is in the center of area proposed for transitional zone change. Opposed to the change of residential to transitional. Opposed to the proposed zoning for several obvious reasons. Stated she would not have been aware of proposed changes had it not been for her neighbors.

Wilamina Loftlin, 812 4<sup>th</sup> Ave East -Stated there is a lot of traffic on 4<sup>th</sup> Avenue and no place to park. Sometimes she has a hard time getting out of her driveway because of so many cars parked on and across the street from her driveway. Across the street, there are usually at least six cars at one residence and down the street more cars. Traffic is her main concern.

David Arie, 707 4<sup>th</sup> Ave East -Resolutely against rezoning to a business zone. Traffic is a tremendous issue. Speeding is a problem. Squealing of trucks and big truck traffic on a residential street. Already big trouble with parking which will increase with businesses. Area will be less accessible to residences. Value / equity in home will be reduced as a residence. Extremely opposed to the change to a business district.

Jim Anderson, 711 4<sup>th</sup> Street -Against zoning commercial. Not sure why the zone needs to be changed. The area is a nice residential area.

Pat Arie, 707 4<sup>th</sup> Ave East- Asked what the difference was between transitional and rezoning.

David Aries, 707 4<sup>th</sup> Ave East - If driving force for rezoning is to help current business become into compliance this is a big disservice to the residences because someone defied the regulations within the residential community. Should not punish a large number of residences who want to maintain their homes.

Tim McGinnis, 36257 Terrace Court -Read the definition of Transitional Zoning District from the 2016 Draft Polson Development Code.



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



Beth Smith, 902 13<sup>th</sup> Ave East property owner at 605 5<sup>th</sup> Street West - Against the proposed Old Town District on the west side of town. Against the proposed Resort Zoning District between 6<sup>th</sup> Avenue West and 5<sup>th</sup> Avenue West along the river.

Dick Giffin, 710 4<sup>th</sup> Ave East – Purchased property as a low residential area and lived there for 50 years. Feels at this time there is not a need for a change. Changes that have happened is because of poor management from previous City building inspector allowing business to go in. Does not want a sixteen foot apartment building in his neighborhood.

Chris Balstad, 908 4<sup>th</sup> Ave East – Opposed. Has lived there since 1970. Enjoys the area. No place to put snow. No place to put the snow but back on cars and sidewalks. Main Street has an abundance of vacant buildings. Businesses should be downtown on the main drag where there is parking and foot traffic.

Norma Giffin, 710 4<sup>th</sup> Ave East – Opposed to zone change from Low Density Residential to Transitional. Road is too narrow. Condition of road is bad. No curbs or gutters. Sidewalk does not go all the way to town on the south side of 4<sup>th</sup> Ave. A lot of conditions that should be considered before changing the zone. Is a great residential area and should be left the way it is.

Carol Plouffe, 706 4<sup>th</sup> Ave East – Opposed. Lived there since 1971. Would like to see the area stay the same. Too much traffic and no parking. Cars have been hit over the years. Should not allow parking on the street.

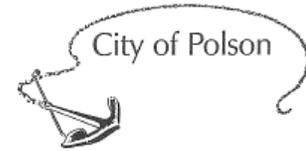
Rachel Lonnevik, 510 4<sup>th</sup> Ave East - Main concern is businesses creeping in on both ends of fourth Avenue East. Changing the zone will bring in more businesses take hold and then in the next few years they will be taking over the next block and then the next block and is only a downhill slope. She is opposed to the zone change.

Joslyn Shackelford, 36063 Orchard Lane –Stated the 2016 Draft Polson Development Code is a great handbook the community should be using to reference the proposed zones and how it explains the definitions of the proposed zone. The draft is on the City's website and would be helpful to explain some confusion on the zonings.

Dennis Duty, 33425 Hellroaring Road – Fourth Avenue was a heated discussion during the workshop process / discussions. Suggested a review of how Townhomes fit into the MRZD. Townhomes are currently not allowed. They do not change the density; whether it is a duplex same ownership or duplex with different ownership. Page 12 typo -MRZD and forty-foot setback on “collector street”. Requested clarification of collector street because it's very similar to a feeder street. Resort Zone District allows up to four units per structure. Suggested changing to eight units before a special use permit is required. View corridor needs corrected to say no more than maximum of twenty-five percent retained views. Stated City should not determine and take away property rights from a view. If you want a view you should own that property. RZD maximum lot coverage should be higher than 55%. Commercial Zoning is 80%. Fifty feet lakeshore buffer is too excessive in Resort Zone. Highway Commercial Zoning District has been changed to 500 average daily trips per day and was 1,000 ADT before kicking-in a Special Use Permit. This was agreed to in the workshops. Suggested it be changed back to 1,000 ADT before triggering a Special Use Permit. The word “no strip” is hard to define and should be eliminated. Page 73 performance standards. Fifty feet high water mark standard is excessive. Eliminate lawns right up to the lake. Page 77 shared off street-parking; should also apply to RZD and HCZD. Page 80; angle parking specifications and circulation needs to be addressed. Large-scale development was defined in 2009 legislature. Feels it is unreasonable to request a full complete study of all impacts. No note on condominium – is an ownership issue not development issue; needs to be addressed in other zoning districts. Condominium or Townhomes in the development area.



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



Cort Potter, - Property owner in Polson questioned the MRZD zone and the possibility for Townhomes. Feels it would be a good thing. Does not increase density and is not any different from a duplex on one lot or a four plex on two lots. Feels townhomes are good starter homes for the area. Questioned the Old Town District and what the designation is about.

Lita Fonda, 606 2<sup>nd</sup> Street West in Ward I – Clarified Old Town Zoning District is very similar to the current Medium Residential Zoning District. Was originally being called MRZD two. Has fewer changes than the new MRZD. Has house with garage set up in the back. Specific to residential single-family residence on a seven thousand square foot lot and if you have a larger lot may be able to do addition things. Sticks with single family residence -one dwelling on a seven thousand square foot lot.

Not audible person speaking to Lita`

Dennis Duty, stated the three differences from OTZD vs MRZD are MRZD requires six thousand square feet minimum lot size for one dwelling unit plus one thousand square feet for each additional dwelling unit, minimum lot width is 50 vs 40 and Old Town Zoning does not allow assessor dwelling units.

Dennis DeVries, 502 6<sup>th</sup> Ave West - Stated OTZD is a very large area on both sides of Main Street. Area is all MRZD now and sees no reason to create another zone and calling it Old Town. The simpler and less zones you have the easier they are to understand. Seems to complex. Against the Old Town and would like to see it go back to MRZD. If area is changed to Old Town, then the houses along the river on the west side should be pulled out of that zone because they do not fit the alley description given for the area. Opposed the Old Town Zoning.

Lita Fonda 606 2<sup>nd</sup> St West – Clarified the part by the river has already been changed to Resort Zoning District. The fact that you can only have one dwelling on a seven thousand square foot lot is a huge difference for what is proposed for the upcoming new MRZD where you can have a dwelling and an accessory dwelling. Feels it is not appropriate for the well established residential area. In favor of Old Town District because of the new changes to MRZD.

No other public comments Closed Public Hearing on Zoning Regulations 6:45 p.m.

City Planner, Kyle Roberts stated the draft preliminary report for revisions to the Zoning and Zoning Map. The report is available on the website and City Hall. Kyle went over the revisions and highlights of the Zoning regulations and Zoning Map. The report is on the City's website and copies are available at City Hall. Kyle presented his staff report and zoning map power point presentation. Stated no action shall take place tonight and there will be two other official public hearing meetings. First will be February 16, 2016.

Open for Public Comments:

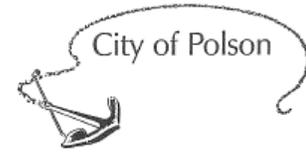
Dennis Duty asked if anyone knew what would happen in the area outside the Municipal boundary where the County is not involved.

Lake County Planner, LaDana Hintz said the County is not giving up on the City-County area. Kyle's report mentioned area only within the municipal boundary and does not feel that is the intent of the County. City has regulations to administer. Water, sewer and storm water are issues in which we need to work together on considering property that needs to come into the City. Regulations need to blend in with the City's. Waiting to see City's Growth Policy to see how it all plays together. Seeing the Growth Policy will help on how the County will want to move forward. The intent is to move forward at some point. It is state law that the City-County Planning Board jurisdiction can only work under one Growth Policy.

Dennis Duty clarified the County will use the 1993 Development Code for property within the jurisdictional/ donut area and LaDana agreed.



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



Citizen (not sure of name) questioned whether the comments at tonight's meeting will have the same impact as the next two public hearings and he was answered with yes. Comments will have the same impact as if the meeting was a public hearing.

Closed Public Hearing on Zoning Regulations.

Open Public Hearing on Subdivision Regulations Draft Polson Development Code 2016.

Public Comments on Subdivision Regulations - none

Closed public comments on Subdivision Regulations.

City Planner, Kyle Roberts read from his Preliminary Report regarding the Subdivision regulations.

Public comments not on the agenda.

Steven Turner, 104 Reliance Landing - question why there were two County seats missing on the Board.

Asked why have meetings if two County people are missing.

Lake County Planner, LaDana Hintz stated the positions had been open since October and there had not been a lot of interest but the Commissioners stated they had received public interest to be on Board positions, so the County decided to advertise in late December and the ad closed on Friday. It is expected the seats will be filled soon.

Steve Turner asked LaDana if the County was definitely not going to adopt the new PDC.

LaDana said the Draft PDC has not been looked at by the County since the last attorney left.

Board member, Sam Jacobson explained the need to get the rewrite done for the City because of the Montana Code. The Board has worked on it so long it; it already needs redone again. Sooner or later the City and County will get together and have a joint document.

City Manager, Mark Shrives said the City has spent \$78,000 on the Polson Development Code rewrite so far.

Cort Potter questioned if anyone knew of a standard universal code for zoning.

Old Business item #7: Approve meeting minutes December 8, 2015. Sam Jacobson motioned to approve December 8, 2015 meeting minutes, motion second. Mike Lies, Merle Parise, Mark McGuyer, Gil Mangles, Sam Jacobson and David Rensvold in favor Lou Marchello abstained; (not Board member at the time). Motion Carried.

Dennis Duty commented on some confusion regarding what the zoning designations meant. He suggested starting the meeting with some explanation and more interaction between the public and the Board. Lee Manicke felt the public should be notified some other way besides the Leader. Lou Marchello noted the local radio station had advertised last Friday, Monday and Tuesday of the public hearing. Elsa suggested the Community News in the Valley Journal. Beth Smith suggesting adding notice to the Utility statements. Mark Shrives stated a block ad in the Valley Journal would be a good idea.

**Meeting Adjourned 7:08 p.m.**

---

City Board Member Mike Lies

---

ATTEST: Beth Smith, Planning Technician