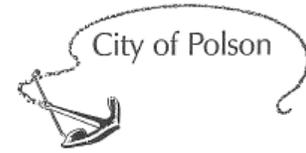




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**City-County Planning Board  
and City of Polson Zoning Commission Meeting Minutes  
Public Hearing Zoning & Subdivision Regulations  
Tuesday March 8, 2016  
City Hall Council Chambers—6:00 p.m.**

**Members of the Board Present:** Mark McGuyer, Mike Lies, Tim McGinnis, Lou Marchello, Gil Mangles, Dave Rensvold and Sam Jacobson

**Members of the Board Absent:** Merle Parise, Joslyn Shackelford

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

**Public Present (who voluntary signed in):** Ken Siler, Dennis Duty, Lucy McCrumb, Noma Giffin, William Smith, Richard Giffin, Lisa Hochmann, Lita Fonda, Lee Manicke, and Elsa Duford

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**Order of Business: Draft Polson Development Code 2016 - Public Hearing**

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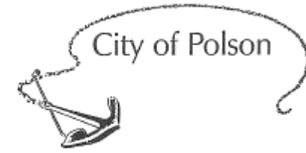
(00:05) 6:00 PM~ Roll call was taken and Vice Chair Lou Marchello led the Pledge of Allegiance. Board member Tim McGinnis motioned to move agenda item number seven, the amendment to Special Use Permit #15-02 up to number five after the approval of the January 26, 2016 meeting minutes. Motion received a second. No discussion from public or board. All in favor. Motion carried. Tim McGinnis motioned to approve January 26, 2016 meeting minutes. Motion received second. No discussion from board or public comment. All in favor. Motion carried.

**(02:02) Amendment to Special Use Permit #15-02 Polson Youth Soccer Association:** City Planner, Kyle Roberts presented the amended staff report to the Board stating the main change is the driveway. It will be one forty foot ingress/egress, where originally it was proposed two twenty foot driveways with egress west of the Mission Valley Aquatics and ingress east of the MVA property. The forty-foot wide driveway with ingress/egress to the West of MVA. There is an Easement Agreement with PYSA and Cougar Ridge Development, LLC. Portable toilets will be used until water and sewer are available to the property and during tournaments. Rick Smith, soccer board member, stated it made since to have one forty foot easement agreement for one access verse two. They planned to seed this spring and have received funding for the concession stand. Lou Marchello asked what the time line was to have the fields available. Rick stated there was a process and the plan is to seed this spring. He believed after five cuttings the fields would ready. He felt the fields probably would not be ready this fall. The PYSA Board agreed not to take short cuts and to get good sustainable fields there needs to be five cuttings. Gil Mangles questioned the paved driveway and whether there would be a centerline. Rick stated the easement/driveway would not be paved right away. He asked if it would be chip sealed. Rick said no they would be graveling the parking lot and driveway and providing dust control. Mike Lies questioned why the City of Polson was on the Easement Agreement B. Kyle stated it was a new condition of approval for the City of Polson not be a part of the easement agreement. Gil Mangles stated concern over dust and felt dust control does not work. Rick Smith said the PYSA Board is prepared for dust control. (12:03)**Sam Jacobson motion to recommend approval of the amendment to PYSA SUP #15-02. Gil Mangles second.** No Board discussion. Public comments: (12:25) Lee Manicke commented on the ten-foot landscape buffer to the East side of the easement between the driveway and the pool. Lee questioned what was going to go in there and who would be responsible for taking care of it. He felt now was the best time address it. Apparently, it stays with Cougar Ridge. No comments or questions from Board or staff. All in favor. Motion carried.

(13:17) Open Public Hearing on Zoning Regulations and Zoning Map Draft Polson Development Code 2016: 6:14 p.m. Kyle Roberts presented staff report Public Hearing #2, March 8, 2016 Part I. Addressing public comments received at the February 16 public hearing as well as the issues from the January 26 public hearing that were tabled for further discussion. The CCPB reached consensus on six of the fourteen



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issues – two of the fourteen issues were resolved through clarification. The consensus of the CCPB was to:

- Remove the proposed TZD for 4<sup>th</sup> Ave East, and propose to keep the area's current LRZD and MRZD zone designations.
- Revert to the threshold of 1000 ADT to trigger a Special Use Permit in the HCZD. Previously proposed was 500 ADT.
- Eliminate the header 'No Strip' from the HCZD performance standards.
- Permit shared off-street parking in RZD and HCZD.
- Insert staff-recommended code language to permit two-way circulation for angle parking I off-street parking areas.
- Modify some MRZD specification standards to allow for townhouses.

The following items were up for further discussion. 1. Side Yard setbacks in Highway Commercial Zoning District (HCZD); 2. Minimum off-street parking space standards-Drive Thru restaurant parking; 3. Medium Density Residential (MRZD) performance standard-multiple-family dwelling complex street access; 4. Recreational Vehicle & General Campgrounds Zoning District (RVZD)-Permitted uses; 5. Creation of Old Town Zoning District; 6. Resort Zoning District (RZD) – View Corridors; 7. Resort Zoning District (RZD) - Maximum Lot Coverage; 8. Resort Zoning District (RZD)-Minimum setback from Lake, River, or stream (shoreline buffer); 9. Resort Zoning District (RZD)-Multiple-family dwelling up to 8 units per structure; 10. Resort Zoning District (RZD) –rezone along riverfront (5<sup>th</sup> Avenue W.-6<sup>th</sup> Avenue W.)

(39:58) Open Public Comments on Zoning Regulations and Zoning Map Draft Polson Development Code 2016: 6:39 p.m.

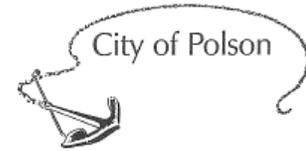
(40:08) Bill Smith, property owner, Old Town Zoning District – He questioned an apartment above a detached garage and if it would be grandfathered in. It is allowed in MRZD, but not in the new zone Old Town. Tim McGinnis asked if it was destroyed could it be rebuilt. The answer was no. Tim questioned Bill if he was opposed to the zoning of Old Town and he said yes. Bill asked for clarification on whether or not two residential units could be built on one lot. The answer was no you cannot in the proposed OTZD.

(44:30) Lita Fonda, 602 2<sup>nd</sup> Street West: Tried to clarify for Bill that the current code only allows for one dwelling unit on a lot. If you have a larger lot, you can then have an additional attached dwelling. On special uses, she mentioned they happen in residential areas also. Lita said the new code was aimed at having a bit more discretion for something that may not be the right fit for the District. There should be a bit more ability to deny a Special Use Permit. Lita appreciated the staff report. She stated as a Citizen, number seven in the staff report regarding maximum lot coverage in Resort Zoning District. The RZD is located along the Cities greatest assets the river and the lake. Lita feels 55% is a reasonable number for that area. Lita feels the fifty foot set back from the lake, river or stream is a good recommendation. She also feels the recommendation on number nine is a good recommendation to keep the units at up to four units per structure and special use permit for multiple family 5 to 16 units. She missed the change on highway commercial setbacks when it went from twenty feet to five. She made note regarding the highway commercial butting up to other districts and feels it should be more like twenty feet not five if the commercial property abuts to a residential district. On multiple family dwelling complex street access stay with connector streets rather than local.

(53:03) Dennis Duty, Hellroaring Road: understands everyone is not in agreeance. Side yard setbacks in HCZD. Dennis agrees with the recommendation. He thought five feet was reasonable. Dennis agreed with the staff recommendation number one regarding the minimum off-street parking space standards–drive-thru restaurant parking. Dennis agrees with the staff recommendation for number three MRZD-Multiple-family dwelling complex street access. No comments on RVZD or OTZD. Dennis is against retaining the



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twenty-five percent view corridors in RZD. Feels the requirement does not help with charm nor does it allure. The Resort Zoning was designed for density. The more people you can get down town the better it

is for downtown. Dennis disagrees with the recommendation for the fifty-foot setback on the lake, river or streams. On Number nine Dennis questioned what public comment impact would be more on four units or eight. If you follow the PDC and the performance standards there is not a denial you can do. Dennis feels eight is not an unreasonable number for per structure. He asked for clarification on page 23 on the sixteen units needing to refer to a Multi-family structure.

(1:02:39) Lee Manicke stated it has been seven years and two months to the date that the Draft PDC has been worked on. Lee feels there is a misconception on direct access. Number three Multi-family dwelling complex street access. Lee used the apartment/condominiums across the street from the Library as an example. They have direct street access. Another concept would be who does not have direct access and that would be Cherry Hill apartments or the Lakeview Village, they have an internal road. Lee believes the intent with the old code and the new code is if there are more than eight units, they will have an internal street /road. He requested the board to think about anything over eight units that they have their own road. Regarding the Transition Zoning in the area of the Library and Dental Clinic. Lee suggested staff checks into that TRZD area, which he believes was recently changed to Central Business when the clinic went in. Lee noted the definition of a Local street and a Collector street needs to be clarified and has not been done yet in the new code. In the old PDC a Local street is defined as fifteen or less residential units on it, over that it would be a Collector.

(1:07:11) Lita Fonda wanted to add that with the accessory dwelling criteria if you wanted to build another unit the owner had to also live there. Lita wanted to note the area she lives in already provides a lot of affordable housing.

#### Closed Public Hearing on Zoning Regulations and Zoning Map Draft Development Code 2016

(1:08:40) Opened Public Hearing on Subdivision Regulation Draft Polson Development Code 2016

City Planner, Kyle Roberts presented the staff report Public Hearing March 8, 2016 Part II

Public Comments: none

(1:10:35) Closed public comments on Subdivision Regulations

The Board then discussed and made recommendations to the ten items in the staff report part I.

(1:21:16) Sam Jacobson motioned to approve staff recommendation with no side yard setback if the abutting property is HCZD. For all other zones abutting the HCZD property a five-foot side yard setback. Motion received second. All in Favor. Motion Carried.

(1:22:18) Tim McGinnis motioned to approve staff recommendation number two. One parking space per 100 square feet of floor area; minimum of six spaces; stacking spaces in drive-thru lanes may contribute to the parking space requirement. Motion received second. All in Favor. Motion Carried.

(1:28:20) MRZD performance standard-multiple-family dwelling complex street access. Tim motioned to recommend staff recommendation. Motion received second. All in Favor. Motion Carried.

(1:29:25) Sam Jacobson motioned to approval all three points on the staff recommendation for RVZD Permitted uses. Motion received second. All in Favor. Motion Carried.

(1:40:12) Mark McGuyer motioned to recommend approval of item B of the staff report to keep the proposed OTZD and proposed MRZD standards. Motion received second. Discussion. Gil Mangles opposed.

(1:42:47) Tim recommended extending the Central Business Zoning District to the West side of 1<sup>st</sup> Street West one lot from 7<sup>th</sup> Avenue West to fourth Avenue West. Motion received second. All in favor. Motion carried.

(1:51:04) Tim McGinnis motioned to not have view corridor in Resort Zoning District. Motion received second. All in favor. Motion carried.

(1:52:47) Mark McGuyer motioned to recommend maximum lot coverage of 80% in Resort Zoning District. Motion received second. Discussion. All in favor. Motion carried.



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(1:59:18) Sam Jacobson motioned to recommend 20 foot minimum setback rather than staff recommendation of 50 feet from lake, river, or stream (shoreline buffer) in RZD. Motion received second. All in favor. Motion Carried.

(2:08:28) Sam Jacobson motioned to amend staff recommendation to nine units triggering a Special Use Permit. Allowing eight units per structure for Multiple –family dwellings in RZD. Motion received second. All in Favor. Motion Carried.

(2:12:47) Sam Jacobson motioned to approve the rezoning along riverfront (5<sup>th</sup> Avenue W. - 6<sup>th</sup> Avenue W.) from MRZD to RZD. Motion received second. All in favor. Motion carried.

(2:13:43) Dennis Duty requested clarification on special uses for 16 units per structure, whether it applies to Mixed Resort Commercial and multiple-family residential. He does not want to restrict Mixed Resort use to 16 units maximum per structure. He discussed commercial above and residential below. David DeGrandpre discussed with the board special uses on page 23 of the Draft Polson Development Code 2016 by adding an asterisk after and say mixed resort not limited to 16 units. Dennis agreed he wanted clarification. Not an amendment just a clarification was noted.

(2:16:46) Tim McGinnis motioned to recommend approval of the Zoning Regulations and Zoning Map Draft Polson Development Code 2016, Motion received second. Discussion on housekeeping regarding Shoreline Buffers. Everything is 50 feet except RZD. On page 73 change to 20 feet in RZD. All in favor. Motion Carried.

(2:19:22) Tim McGinnis motioned to recommend approval of the Subdivision Regulations Draft Polson Development Code 2016. Motion received second. All in Favor. Motion Carried.

Public Comments Not on the Agenda:

(2:19:55) City Manager, Mark Shrives thanked the City-County Planning Board members for all their hard work over the years. He asked some board members to attend the City Commission meeting for the first reading to adopt the Ordinance for the Development Code on March 21, 2016. The second reading on the Ordinance is planned for April 4, 2016.

### **Meeting Adjourned 8:20 p.m.**

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Vice Chair Lou Marchello

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ATTEST: Beth Smith, Planning Technician



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