

**ORDINANCE Ord # 2016-003**

**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 4, 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: 03/21/2016

First Reading:      6   ayes            \_\_\_\_\_ nays              1   absent

Date: 04/04/16

Second Reading:     7   ayes            \_\_\_\_\_ nays            \_\_\_\_\_ abstentions

Effective Date: May 4, 2016

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk