STAFF REPORT

Polson City-County Planning Board Public Hearing Meeting 6:00 PM | Tuesday, March 14, 2017 | City Hall Council Chambers ZONE CHANGE REQUEST – (Proposed) Phase M-1 of Ridgewater Subdivision

GENERAL INFORMATION:

Applicant: Cougar Ridge Development, LLC

50230 US Hwy. 93, Suite #4

Polson, MT 59860 406-885-3218

Technical Assistance: Carstens & Associates

PO Box 1374 Polson, MT 59860 406-883-2672

Applicant Number: ZC-M #17-01

Application Type: Zone Change (Zoning Map Amendment)

Application Timeline:

• Petition for Zoning Text/Map Amendment Application submitted on February 17, 2017

- Application found sufficient for review on February 17, 2017
- City-County Planning Board public hearing scheduled to be conducted on March 14, 2017
- City Commission public hearing (first reading of ordinance) scheduled to be conducted on April 3, 2017
- City Commission meeting (second reading of ordinance) scheduled to be conducted on April 17, 2017

PUBLIC NOTICE:

Lake County Leader: February 23rd, March 2nd and 9th (Public Hearing w/ Planning Board)

March 16th, 23rd, and 30th (Public Hearing w/ City Commission)

Notices for mailing: February 17th
Staff report delivered: March 10th

LOCATION / DESCRIPTION:

The location of the proposed zone change is in the southeastern part of the city in what is known as the Ridgewater Subdivision. The proposed zone change is within a currently vacant and undeveloped portion of Ridgewater. More precisely, proposed Ridgewater Phase M-1 – Section 11, Township 22N, Range 20W – that would create ten lots: Lots M-1 – M-10 for a total of 5.961 acres.

REQUEST:

The request would amend the zoning on the proposed Lots M-1-M-10 of the proposed Ridgewater Phase M-1 (Refer to Figure 1 below). Currently the area of proposed Lots M-1 and M-2 are Highway Commercial (HCZD), and M-3-M-10 is half HCZD and half Medium Density Residential (MRZD). The request would re-zone the proposed lots to Mixed Residential Zoning District (XRZD).

In order for the proposed zone change to take effect, the proposed Phase M-1 must receive final plat approval. It's anticipated that Phase M-1 final plat will go before the City Commission for final plat approval at, or around the same time of this zone change request.

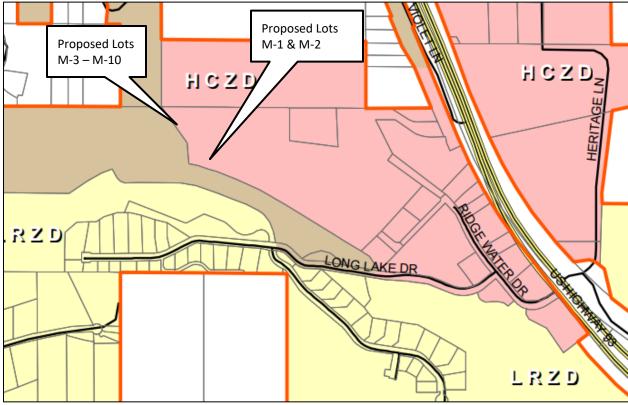


Figure 1 – City of Polson Zoning Districts Map

REASON FOR REQUEST:

The Applicant requests the zone change from its current HCZD and MRZD to XRZD to accommodate for a large-scale affordable housing project as well as townhomes on short court configurations. The Applicant is requesting to rezone from HCZD because existing commercial is reaching a market saturation point and because of an increased interest in affordable housing.

EXISTING LAND USE:

The area of the proposed zone change in the Ridgewater Subdivision is currently vacant and undeveloped. At this time there is no City water and sewer services, or street to the proposed lots. Upon approval of proposed Phase M-1, City water and sewer will become available to the area as well as the extension of Ridgewater Drive at the expense of the developer(s).



Figure 2 – Montana Cadastral

ADJACENT ZONING AND LAND USE:

Figures 1 and 2 show the existing zoning and use.

<u>Direction from subject lots</u>	Current Zoning	<u>Current Use</u>
North	HCZD	Soccer fields
South	MRZD	Single family residential atop the hill
West	MRZD	Vacant and undeveloped
East	HCZD	Mix of new commercial

GROWTH POLICY DESIGNATION:

The City of Polson Growth Policy's Future Land Use Map has designated the subject proposed lots as their current zoning district designations – highway commercial and medium density residential. Bearing in mind that the zoning in this area was based entirely off of the Ridgewater Subdivision Master Plan, the proposed zone change would comply with the current and future land use map. The area of the proposed lots is currently vacant and undeveloped and abuts a medium density residential zone. In fact, the proposed zone, XRZD, shares much of the same characteristics as the abutting MRZD.

UTILITIES / SERVICES:

Water: City water will become available at the expense of the developer(s) and upon

approval and build-out of Phase M-1

Sewer: City sewer will become available at the expense of the developer(s) and upon

approval and build-out of Phase M-1

Streets: Ridgewater Drive will be extended at the expense of the developer(s) and upon

approval and build-out of Phase M-1

Fire Protection: City of Polson Fire Department
Police Protection: City of Polson Police Department

Electricity: Mission Valley Power

EVALUATION BASED ON STATUTORY CRITERIA:

This request is reviewed pursuant to the criteria set forth in 76-2-304 MCA, and as stated by the Montana Supreme Court. The following findings are made:

1. Does the requested zone comply with the Growth Policy?

The City of Polson Growth Policy's Future Land Use Map has designated the subject proposed lots as their current zoning district designations – highway commercial and medium density residential. Bearing in mind that the zoning in this area was based entirely off of the Ridgewater Subdivision Master Plan, the proposed zone change would comply with the current and future land use map. The area of the proposed lots is currently vacant and undeveloped and abuts a medium density residential zone. In fact, the proposed zone, XRZD, shares much of the same characteristics as the abutting MRZD.

The proposed zone change would promote the Growth Policy's goal #1 implementation strategy in promoting mixed-use (residential and commercial) opportunities in the commercial zoning districts. Though, the zone change would not result in residential development occurring within a commercial zoning district, it would provide mixed residential development adjacent to a commercial zoning district. Additionally, the goal of rezoning proposed Lot M-1 is to allow for a large-scale affordable housing project. Providing a greater supply of affordable housing directly promotes Growth Policy development goal #4.

2. Is the requested zone designed to lessen congestion in the streets?

Given that this area of the Ridgewater Subdivision is currently vacant and undeveloped, inevitably there will be some degree of congestion increase as this area develops. The proposed zone change will convert the proposed lots from commercial use to residential. Although it may be difficult to speculate average daily trips (ADT), generally ADT is lower among residential uses than commercial. With regard to congestion, a condition of the Ridgewater Subdivision Master Plan requires that a secondary access to nearby Hillcrest Drive be developed at a very near date.

3. Will the requested zone secure safety from fire, panic, and other dangers?

The proposed lots are located in the Polson city limits and would be serviced by the Polson Police and Fire departments. As mentioned earlier, a secondary access to and from the Ridgewater Subdivision will need to be developed at a very near date in part to provide better adequate access for emergency services. According to the Growth Policy, there are no parcels within the city limits that are designated as Wildland-Urban Interface parcels. The Ridgewater Subdivision is not located or mapped within the 100-year floodplain of Flathead Lake or River.

4. Will the requested change promote the health and general welfare?

The proposed zone change will result in addressing a need (affordable housing) called out in the Growth Policy and will provide for a mix of uses in the general area – housing will be provided within walking distance to medical, dining, entertainment, and shopping.

5. Will the requested zone provide for adequate light and air?

Setbacks in the requested zone are 20 feet (10 feet for open porches, decks) in the front; 5 feet on the side; 15 feet for rear setback; and maximum lot coverage of 35-65%. In the proposed lots' current zone, greater lot coverage as well as a substantially higher maximum building height is permitted. Therefore, the zone change will not have a potentially negative impact on light and air.

6. Will the requested zone prevent the overcrowding of land?

The proposed zone change closely complies with both the Ridgewater Subdivision Master Plan zoning designation as well as the Growth Policy's Future Land Use Map. The proposed zoning aligns very similarly to the zoning designation directly south and west of the proposed lots. Additionally, all development must undergo zoning conformance review which is in part designed to prevent the overcrowding of land.

7. Will the requested zone avoid undue concentration of people?

The proposed zone change will avoid undue concentration of people. The overall lot density of the Ridgewater Subdivision has been predetermined – 63 commercial lots, 108 medium density residential lots, and 141 low density residential lots. The ten proposed lots requesting zone change from commercial to residential will be subtracted either from the total number of medium density residential or highway commercial lots permitted in the Ridgewater Subdivision.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements?

The proposed zone change does not by itself provide or require the adequate provisions of infrastructure. However, as mentioned earlier, this zone change request will be contingent upon approval of the proposed Phase M-1 of the Ridgewater Subdivision. Conditions of approval of the proposed phase will include providing essential infrastructure — City water and sewer, and extension of Ridgewater Drive — to the proposed lots. With regard to parks and other public infrastructure, the proposed Phase M-1 is part of the greater Ridgewater Subdivision Master Plan which addresses these provisions through conditions.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The proposed zone change of the proposed lots is located in a vacant and undeveloped portion of the Ridgewater Subdivision. This area is suitable for the proposed uses allowed under the proposed zone.

10. **Does the requested zone give reasonable consideration to the character of the district?**The proposed zone change is in a vacant and undeveloped area. The proposed zone change does give consideration in that the abutting zoning district is medium density residential and existing use to the north are soccer fields.

11. Will the new zoning affect property values?

The proposed zone change will not have a negative impact on nearby property values. The proposed lots are in a vacant and undeveloped portion of the Ridgewater Subdivision. The zoning district to the south and west of the proposed lots is a residential zoning district as well.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The proposed zone change will allow for medium density residential uses in an area that is abutting a medium density residential zoning district to the south and west. The zone change request would result in an appropriate use of the land and would permit development that would promote development goals of the Growth Policy.

SUMMARY:

The proposed Phase M-1 of the Ridgewater Subdivision would result in ten lots: M-1 - M-10. Proposed lots M-1 and M-2 are in an area currently zoned HCZD, and lots M-3 – M-10 is partially zoned HCZD and partially MRZD. The proposed zone change would rezone the ten proposed lots to XRZD. The proposed lots are currently in a vacant and undeveloped portion of the Ridgewater Subdivision and are abutting MRZD to the south and west. Upon City Commission final plat approval of proposed Phase M-1, necessary infrastructure will be installed providing services and utilities to the proposed lots.

STAFF RECOMMENDATION:

Staff finds that the proposed subject lots sufficiently meet the adopted review criteria to be rezoned from HCZD and MRZD to XRZD. Staff recommends that the Polson City-County Planning Board adopt the ZC-M #17-01 Staff Report as findings of fact and recommend approval of the zone change to the Polson City Commission with the following condition:

i) The zone change shall not become effective until the proposed lots of M-1 – M-10 of the proposed Ridgewater Subdivision Phase M-1 receive final plat approval.