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ORDINANCE NO. 594

AN ORDINANCE TO AMEND THE POLSON DEVELOPMENT CODE TO PROVIDE FOR A MIXED USE RESIDENTIAL ZONING DISTRICT:

Whereas, the City of Polson has identified favorable characteristics in certain kinds of clustered and mixed-use residential land development; and,

Whereas, the City of Polson desires to alter and amend its Development Code to provide for optimum planning and land use guidance in cases where such mixed use residential land development are in the public interest; and,

Whereas, the City of Polson caused a public hearing to be conducted, whereat the concerns and issues of the citizens were heard; and,

Whereas, the Building and Planning Department of the City of Polson has reviewed the proposed mixed use residential zoning district criteria and offered input and revisions; and,

Whereas, the final language of the Mixed Use Residential Zoning District is appended hereto as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLSON, MONTANA:

1. The Polson Development Code is hereby amended to include Chapter VII-Supplemental, describing therein the criteria applicable to the Mixed Use Residential Zoning District, all as set forth in Exhibit A hereto and incorporated in this place as if fully set forth herein.
2. Chapter VII – Supplemental shall, from the effective date hereof, be considered in all respects as a part of the Polson Development Code, subject to and together with all generally applicable rules, regulations, fees, and deadlines found therein and necessary to the efficient administration of the said Polson Development Code.

REPEALING CLAUSE: All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

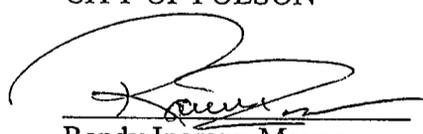
FIRST READING: May 17, 2004.

SECOND READING: June 7, 2004

NOW, THEREFORE, the foregoing Ordinance shall become effective on July 7, 2004.

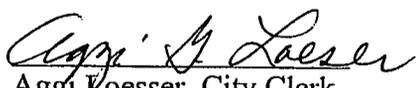
PASSED AND ADOPTED THIS 7th day of June, 2004.

CITY OF POLSON



Randy Ingram, Mayor

ATTEST:



Aggi Loesser, City Clerk

CHAPTER VII-Supplemental

MIXED USE RESIDENTIAL ZONING DISTRICT

A. What This Chapter Does. This chapter is a special district that allows for the continuation of a neighborhood with single-family homes and townhouses that are connected to municipal facilities.

B. Land Use. The permitted and special uses allowed in this district shall be as shown in Table VII-Supp. 1. All uses not explicitly permitted are prohibited.

Table VII-Supp.1. Land Use

<i>Permitted uses</i>	<i>Special permit uses</i>
Single-family dwellings	Churches
Townhouses	Day care centers and elementary schools
Common areas, recreational buildings and uses, club houses	
Accessory uses customarily associated with the permitted and special use permit uses	
Home occupations in compliance with Appendix D Polson Development Code (PDC)	
Minor utility installations	

C. Specification Standards. The specification standards for this district are shown in Table VII-Supp.2.

Table VII-Supp.2. Specification Standards

<i>Standard</i>	<i>Specification</i>	<i>Standard</i>	<i>Specification</i>
Minimum lot size for single family (square feet)	5,900 – for single family 3,400 – for townhouse	Minimum lot width (feet)	60 - for single family 40 – for townhouse
Minimum front yard setback (feet)	20 – for building wall 10 - for open porches, decks	Minimum rear yard setback (feet)	15- primary structures 15 - accessory uses
Minimum side yard setback (feet)	5 - for side yard 0 – for common walls	Maximum building height (feet)	30
Maximum lot coverage	Single family lots 10,000 sq. ft. and larger – 35% Single family lots less than 10,000 sq. ft. – 55% Townhouse lots, with Townhouse- 65%	Parking spaces	2 -off-street parking spaces per dwelling unit
Maximum number of units per building	3 – for townhouses		

See Chapter XXI for definition of 'townhouse' and 'short court'.

D. Overlay Districts. All developments shall comply with any additional requirements imposed by overlay districts.

E. General Standards.

Additional standards:

1. All applicable portions of the Polson Development Code, as amended, except as provided in this Chapter and listed below shall apply.

a. Chapter XVIII.Q. Shall apply with the following modification: Streets having a right-of-way width of 40 feet, or less, and, a length of 200', or less, shall not be required to provide sidewalks.

F. Density: as per LRZD Standards or less.