

ORDINANCE NO. 609

AN ORDINANCE TO AMEND THE POLSON DEVELOPMENT CODE TO PROVIDE FOR DETACHED GUESTHOUSES IN PARTICULAR SITUATIONS:

Whereas, the City has received an application to amend the Development Code to provide for detached guesthouses in certain situations; and,

Whereas, the proposed amendment would provide to amend certain sections of the Polson Development Code to allow for a defined guest house on at least one acre lots, providing that no further municipal water and sewer hookups shall be allowed, that the same may be located in front yards under the Resort Residential Overlay District, and providing that lots containing such defined guest houses may not be further subdivided, all as particular set forth in the proposed amendment attached hereto as Exhibit A at Chapter XV, Paragraph B. 3; Chapter VI, Paragraph D.2; Chapter VII, Paragraph D.2, and Chapter XXI, Paragraph X; and,

Whereas, the City County Planning Board, after due and legal notice and public hearing, reviewed the application and proposed amendments on May 10, 2005, resulting in a unanimous recommendation of approval; and,

Whereas, the City Council held public hearing pursuant to legal notice to that effect as required by law on the proposed amendment on June 6, 2005, where public comment was invited and given; and,

Whereas, the City Council has given due and proper consideration to all factors necessary to satisfy Montana statute at 76-2-304, MCA; and,

Whereas, the City Council has determined from the report and the public hearings that the amendment is in accordance with the comprehensive plan; is designed to lessen congestion in the streets; will promote general health and welfare; will benefit the community from the standpoint of fire, panic, or other dangers; will provide adequate light and air and restrain overcrowding of land or undue concentration of population; facilitate protection of public facilities; takes due note and consideration of peculiar suitability of the property for particular uses and the character of the district; and will conserve the value of buildings and encourage the most appropriate use of land throughout the City.

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

1. The Polson Development Code, at Chapters XV, Paragraph B. 3; Chapter VI, Paragraph D.2; Chapter VII, Paragraph D.2, and Chapter XXI, Paragraph X, are amended to conform with Exhibit A hereto.

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

FIRST READING: June 6, 2005 **SECOND READING:** June 20, 2005

NOW, THEREFORE, the foregoing Ordinance shall become effective on July 20, 2005.

PASSED AND ADOPTED THIS Twentieth day of June, 2005.

CITY OF POLSON

Randy Ingram, Mayor

ATTEST: _____
Aggi Loeser, City Clerk