

ORDINANCE NO. 611

AN ORDINANCE TO AMEND THE POLSON DEVELOPMENT CODE TO CHANGE THE ZONING OF A PARCEL PREVIOUSLY ZONED HCZD TO A ZONING CLASSIFICATION OF LRZD/RROD.

Whereas, after notice and public hearing on the issue of changing the zoning of a certain parcel of real property currently in the HCZD Zoning District but lying adjacent to an area of land currently zoned in the LRZD/RROD Zoning District; and,

Upon the petition of the owners thereof, MACO Real Estate Development, and after due and proper consideration as described below the City Council has determined that the said zoning classification of the said parcel should be amended and the boundary of the LRZD/RROD Zoning District lying adjacent thereto should be changed to reflect the said zoning change; and,

Whereas, the parcel to be removed from HCZD Zoning District and encompassed within the adjacent LRZD/RROD Zoning District is described as follows:

Exhibit "A" – Peaceful Haven Subdivision Preliminary Plat, lots 2,3,18 and 19 in the W1/2W1/2SW1/4SE1/4 of Section 2, Township 22 North, Range 20 West, PMM, Lake County, Montana. Excepting therefrom those lands heretofore conveyed to the Montana Department of Transportation by Bargain and Sale Deed dated march 15, 2004; recorded May 3, 2004, under Microfile No. 447469, records of Lake County, Montana.

Whereas, the City Council has given due and proper consideration to all factors necessary to satisfy Montana statute at 76-2-304, MCA, the City Council having 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 is amended to change the zoning classification of the above-described real property and extend the boundaries of the adjacent LRZD/RROD Zoning District to encompass the same.
2. The City Planning and Building Office is instructed to amend the zoning map required at Paragraph D to conform with this Ordinance.

REPEALING CLAUSE: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

