

ORDINANCE Ord # 2016-004

**AN ORDINANCE TO ADOPT
REVISED SUBDIVISION REGULATIONS
FOR THE CITY OF POLSON 2016
DEVELOPMENT CODE**

WHEREAS, 76-3-501, MCA requires that the governing body of every county, city, and town shall adopt and provide for the enforcement and administration of subdivision regulations;

WHEREAS, the City of Polson's current subdivision ordinance periodically requires updating and amendments in response to changes in Montana statutory law;

WHEREAS, the City Commission has reviewed amendments to the subdivision ordinance specifically for the City of Polson and made modifications to it;

WHEREAS, the proposed subdivision ordinance would reasonably provide for orderly development of the jurisdictional area;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the coordination of roads within subdivided land with other roads, both existing and planned;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the dedication of land for roadways and for public utility easements;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the improvement of roads;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the provision of adequate open spaces for travel, light, air, and recreation;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the provision of adequate transportation, water, and drainage;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the regulation of sanitary facilities;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the avoidance or minimization of congestion;

WHEREAS, the proposed subdivision ordinance would reasonably provide for the avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services;

WHEREAS, the proposed subdivision ordinance contains the requirements of 76-3-504, MCA;

WHEREAS, the proposed subdivision ordinance includes administrative materials as attachments which would allow for reasonable administration of the ordinance. Such materials may be amended from time to time by the City Manager without further amendments to this ordinance;

WHEREAS, the City Commission gave public notice of hearing of its intent to adopt the proposed subdivision ordinance on March 21, 2016 and April 4, 2016 by publication of notice of the time and place of the hearing in the *Lake County Leader*, a newspaper of general circulation in the county, on March 3rd, 10th, 17th, and 24th. Such notice meets or exceeds the requirements of 76-3-503, MCA;

WHEREAS, the public had opportunity at the public hearing to voice its opinion on the proposed ordinance prior to the adoption of said ordinance, and all comments were addressed by the City Commission; and

WHEREAS, the City Commission finds that the adoption of such ordinance is in the public interest for its taxpayers, residents, and citizens.

NOW, THEREFORE, BE IT ORDAINED by the City Commission of the City of Polson, Montana that the proposed subdivision ordinance of the 2016 Polson Development Code be adopted in full as set forth herein as Attachment "A" and labelled the **2016 POLSON DEVELOPMENT CODE**.

Date: 03/21/16

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