

**ORDINANCE Ord # 2017-001**  
**AN ORDINANCE TO REZONE A PORTION OF**  
**THE CITY OF POLSON**  
**IN THE RIDGEWATER SUBDIVISION**

(Renumbered administratively by City Clerk-was Ordinance No. 2017-008)

**WHEREAS**, 76-2-301, MCA authorizes municipal zoning; and

**WHEREAS**, a request for rezoning has been made by the developers of the Ridgewater Subdivision;

**WHEREAS**, the petitioner is the sole owner of the property sought to be rezoned and pursuant to 76-2-305, MCA, a two thirds majority of the Commission is not necessary as an affirmative vote;

**WHEREAS**, a public hearing was held, pursuant to 76-2-303, MCA, by the City-County Planning Board and City Commission on March 14<sup>th</sup> and April 3<sup>rd</sup>, 2017 and such public body recommended by affirmative vote that the rezoning be granted;

**WHEREAS**, the area depicted on the attached exhibit requests that the area shown thereon be changed from HCZD and MRZD to XRZD; such change appears to be within the Polson Growth Plan and that such change is contemplated for orderly development of the area property;

**WHEREAS**, Commission finds that the proposal complies with 76-2-304. MCA as follows:

- (1) Zoning regulations must be:
  - (a) made in accordance with a growth policy; and
  - (b) designed to:
    - (i) secure safety from fire and other dangers;
    - (ii) promote public health, public safety, and the general welfare; and
    - (iii) facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.
  
- (2) In the adoption of zoning regulations, the municipal governing body shall consider:
  - (a) reasonable provision of adequate light and air;
  - (b) the effect on motorized and non-motorized transportation systems;
  - (c) promotion of compatible urban growth;
  - (d) the character of the district and its peculiar suitability for particular uses;and

(e) conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area.

**WHEREAS**, the City Commission hereby finds that the proposed rezone is reasonable and appropriate for the City of Polson and serves to continue the process of orderly development.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Polson, Montana that the area shown on Exhibit "A" attached hereto and made a part hereof is rezoned from HCZD and MRZD to XRZD. The Clerk and City Planning staff are hereby instructed to amend the zoning map of the City in accordance with this Ordinance.

Date: April 3, 2017

First Reading:       6   ayes                    \_\_\_\_\_ nays                      1   absent

Date: April 17, 2017

Second Reading:     6   ayes                    \_\_\_\_\_ nays                      1   absent

Effective Date:   May 17, 2017  

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

# EXHIBIT "A"

