

ORDINANCE Ord # 2018-002
AN ORDINANCE TO REZONE APPROXIMATELY
THREE HALF BLOCKS OF DOWNTOWN
(WESTERN HALF OF THE 400, 500, AND 600
BLOCKS BETWEEN MAIN STREET AND 1ST
STREET WEST)

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

WHEREAS, a request for rezoning has been made by the City of Polson;

WHEREAS, the zone change will bring 18 pre-existing nonconforming single-family dwellings into zoning conformance;

WHEREAS, Transitional Zoning will lend itself to the nature of the subject area providing for generally greater development flexibility to the subject area;

WHEREAS, a public hearing was held, pursuant to 76-2-303, MCA, by the City-County Planning Board and City Commission on June 12th and June 18th, 2018 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 CBZD to TZD; such is 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 CBZD to TZD. The Clerk and City Planning staff are hereby instructed to amend the zoning map of the City in accordance with this Ordinance.

Date: June 18, 2018

First Reading: 6 ayes _____ nays 1 absent

Date: July 2, 2018

Second Reading: 6 ayes _____ nays 1 absent

Effective Date: August 2, 2018

Mayor

Attest:

City Clerk

EXHIBIT "A"

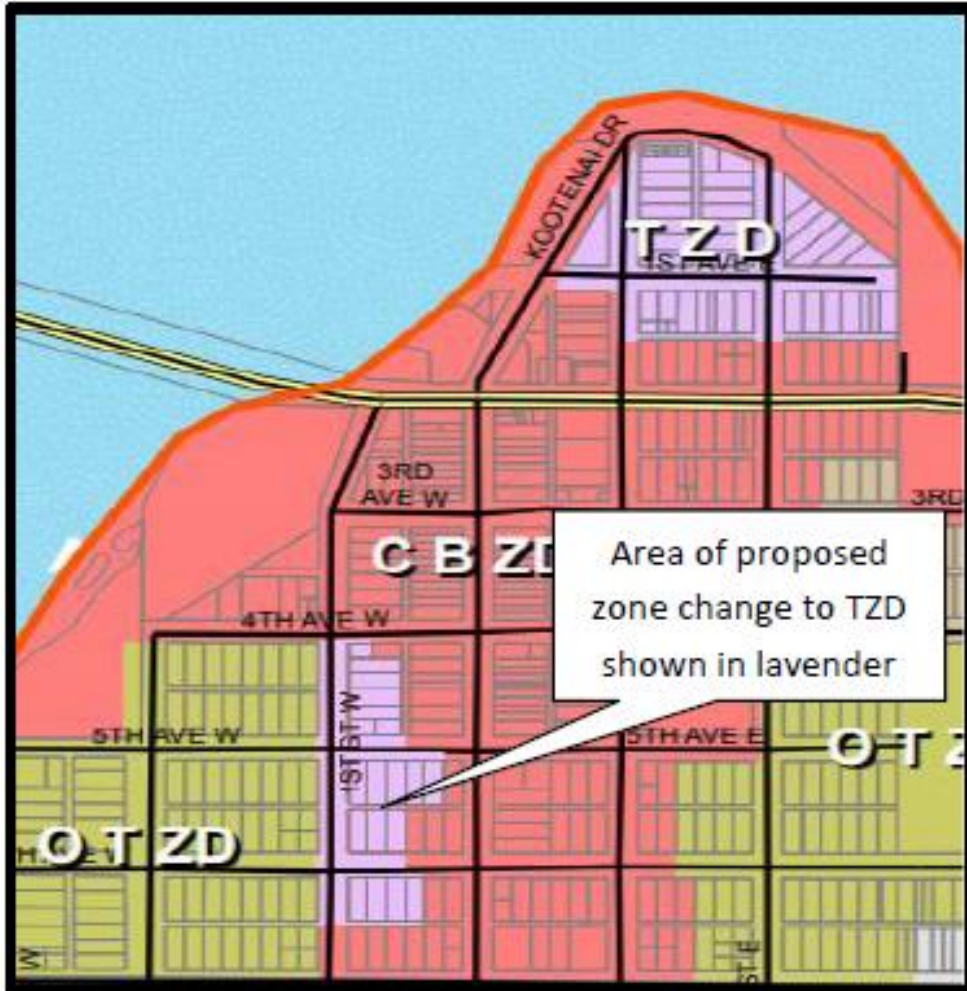


Figure 1 – City of Polson Zoning Districts Map