

**CITY OF POLSON**  
**ORDINANCE Ord # 2023-002**  
**AN ORDINANCE TO AMEND THE**  
**POLSON DEVELOPMENT CODE TO ALLOW TWO-**  
**FAMILY DWELLINGS AS A PERMITTED USE WITHIN**  
**THE LOW DENSITY RESIDENTIAL ZONING DISTRICT**  
**(LRZD)**

**WHEREAS**, 76-3-501, MCA authorizes local subdivision regulations; and

**WHEREAS**, the Low Density Residential Zoning District (LRZD) of the Polson Development Code within the City of Polson does not allow for two-family dwellings among permitted uses and special uses (see Table 2.2 LRZD Land Use of section 6.02.200 of the City of Polson municipal code);

**WHEREAS**, the purpose and intent of the proposed zoning text amendment is to increase the potential number of housing units within the City of Polson by amending the Polson Development Code to allow for two-family dwellings or duplexes within the Low Density Residential Zoning District (LRZD);

**WHEREAS**, the housing supply in the State of Montana has not kept up with demand resulting to a record low housing inventory across the State in 2022 directly impacting the supply of affordable and attainable housing in Polson;

**WHEREAS**, this zoning text amendment is a result of the Resolution of Intent (Resolution No. 2023-001) from the City Commission directing City Staff to draft a zoning text amendment to the Low Density Residential Zoning District of the Polson Development Code to include multiple-family use, specifically two-family dwellings, also known as duplexes. The draft language was reviewed by the City Commission on February 6, 2023 and the Commission voted unanimous for City Staff to proceed with the zoning amendment process outlined in the Polson Development Code to amend the Low Density Residential Zoning District (LRZD) of the Polson Development Code to allow two-family dwellings as a permitted use. On March 6, 2023, a workshop was held by the City Commission regarding the draft zoning text amendment; no additional changes to the proposed text amendments have been made since February 6, 2023;

**WHEREAS**, a public hearing upon the proposed amendments to the Polson Development Code (PDC) was held on April 11, 2023, pursuant to 76-2-303, MCA, before the Polson City-County Planning Board:

**WHEREAS**, the Planning Board in accordance with the PDC recommended that such amendments be made as written by the planning staff;

**WHEREAS**, the City Commission hereby finds that the proposed amendments comply 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.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Polson, Montana that the amendments attached hereto are adopted into the subdivision regulations of the City of Polson. The Clerk is hereby instructed to make such insertions and to republish the same in the records of the City and on the City's website.

Date: May 1, 2023

First Reading:        5   ayes                        2   nays                             absent

Date:   May 15, 2023  

Second Reading:      6   ayes                        1   nays                             absent

Effective Date:   June 14, 2023  

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Mayor Eric Huffine

Attest:

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City Clerk Cora E. Pritt