

**CITY OF COLUMBIA FALLS
PLANNING COMMISSION MEETING MINUTES
HELD MAY 9, 2024**

REGULAR MEETING – 6:00 PM.

Fisher called Meeting to order at 6:00 PM

PRESENT: President Darin Fisher, Vice President Justin Ping, Commissioner Mark Johnson, Commissioner Sam Kavanagh, Commissioner Dulcie Berube

ABSENT: None

Also present: City Manager Nicosia, Contract Planner Mulcahy, City Attorney Breck, Clerk Sobczak

APPROVAL OF MINUTES:

Approval of April 11, 2024 Regular Meeting Minutes

Motion made by Kavanagh to approve the April 11, 2024 minutes as presented, Seconded by Ping. Motion carried with all present voting AYE.

VISITOR OR PUBLIC COMMENT: (An opportunity for the Public to comment on any items not on tonight's agenda)

Shirley Folkwein, 285 Shooting Star Dr, Columbia Falls. Commented on an amendment during the Monday City Council Meeting eliminating the extra-territorial planning jurisdiction around Columbia Falls. She would like the City Attorney or the City Manager to explain what that amendment means.

President Fisher commented that he was aware this was coming but was not aware it was this soon. City Attorney Breck explained that the extra-territorial jurisdiction is in place until June 30th, 2024. It was originally set to expire in August of 2023 but the City and County agreed to a more eased transition period. The Planning Commission will have jurisdiction within city limits, outside of city limits will be Flathead County jurisdiction.

PUBLIC HEARINGS AND ACTION:

President Fisher read the following from the agenda: The City Planning Commission will hold a public hearing on Thursday, May 9, 2024, for the purpose of receiving public comments on the proposed Public Participation Plan. The Public Participation Plan establishes the framework detailing the City's commitment to public involvement throughout the process of adoption, amendment, modification, or rejection of any future land use plans, zoning, or subdivision regulations. The Public Participation Plan is the beginning of the process to comply with the Montana Land Use Planning Act (MLUPA), commonly referred to as SB 382, codified in Title 76, Chapter 25, M.C.A which creates a comprehensive update to Montana's land use regulations. The proposed Public Participation Plan follows the recommended template provided by the MT Department of Commerce and the League of Cities and Towns.

Contract Planner Mulcahy commented that they took the Commissions comments from the previous meeting and modified the Public Participation Plan to reflect them. If Staff missed anything the Commission can amend the plan again.

President Fisher opened public comments at 6:08 PM.

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Anne Scott-Markel, 520 Badrock Dr., Columbia Falls, said she is concerned about the definition of the public. She is not sure she is part of the community since she is in the County and the County could opt out of this change. City Attorney Breck answered that the County is not subject to this. Scott-Markel responded that she would like to see specifics on how the public will be notified.

Shirley Folkwein, 285 Shooting Star Dr., Columbia Falls, said she is pleased to see terminology in keeping the public informed and have ample opportunity to craft the Land Use Plan. Folkwein urges the Planning Commission to engage the community. She would like a City Staff member to be designated to inform the community in a timely manner. The City does not have a Facebook or a LISTSERV but those might be needed.

Lucy Yeats, 315 Shooting Star Dr., Columbia Falls, said this plan is a skeletal framework and would like more detail. She would like to make sure everyone is being reached. She would also like more time than two days to look over things that come forward.

President Fisher closed public comment at 6:17 PM.

President Fisher revisited the definition of “public”. It does not matter if a person lives in the City Limits, the County or out of state/country they can speak to the Commission. City Attorney Breck mentioned that the word “public” and “community” is used 107 times in the statute itself and there is no specification in the statute on what “public” means other than any member of the public.

Commissioner Ping began the discussion by saying that he shares the concern on the lack of specificity in the plan but there is merit in not getting to that level of specificity in this framework. The next step would be to closely identify ways to reach the public.

Kavanagh agreed with Ping on the importance of being able to reach the public and render the best comments from them. As a member of the Planning Board during the last Growth Policy update, they were trying to reach the public mid-stream in new ways. He believes it is the desire of all members of the Planning Commission to make the public aware of changes. Kavanagh said it is imperative for the public to realize that they play a role and the Commission cannot have sole responsibility to pull comments out of the public. He believes that this was all captured in this framework.

Johnson inquired about the lead time for when public information is available. Fisher stated that in his experience 2-3 days is standard. City Manager Nicosia expanded stating that this time period is for posting the packet and there is a trade-off between including all comments in the packet and having a long lead time to when the packet is posted and available.

Kavanagh said that this feels a little different than the previous Growth Policy update that he was a part of. He mentioned that there will be more specifics in future meetings when specific aspects of the Land Use Plan will be discussed. Nicosia said that there was a timetable with the last Growth Policy update and that has not been established with the Land Use Plan yet. The City does its very best in providing notification and information about the subject of the following meeting while leaving time for comments to be included in the packet.

President Fisher shares the consensus by the Commission that there is no need to get very specific with this document and that the purpose has been captured. This is a first step of the vision.

City Attorney Breck brought up two things he would like to change. The first is “projects that come in” to “potential incoming projects and the application of land use planning rules, goals, objectives, and standards to them”. He believes this language is more specific and points to the intent of the Commission. Commission discussion followed coming to a consensus that this is better with more specific language. The second change on page 9 is, he would like to change

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“comes with” in the second paragraph to Subsequent Site-Specific Development “will arise with and occur during”. Breck feels the current language is awkward. A consensus was reached by the Commission approving this change.

A motion was made to recommend approval of the Land Use Public Participation Plan to City Council by Johnson, seconded by Ping. A voice vote was performed with all present voting AYE.

Fisher commented that the Planning Commission makes recommendations to City Council who will make the final approval.

Anne Scott-Markel, 520 Badrock Dr, Columbia Falls. She wondered when the specifics of this document will come forward. Fisher responded that this document will not be changed and it is a vision of how the Commission will perform public participation. It will become specific in the Commissions actions. Scott-Markel is concerned that it is too vague.

Shirley Folkwein, 285 Shooting Star Dr, Columbia Falls. She wondered when this goes to City Council is there another public hearing. Nicosia answered no it will be under resolution.

Peter Metcalf, 234 1st Ave E, Columbia Falls. Sought clarification that the list would be exhaustive or would different methods be developed. Fisher answered that the intent was to provide examples that may be used. Metcalf suggested considering email notifications for citizens.

Ping questioned City Staff if there were any other formal notifications of the Planning Commission meetings other than posting on the City website. Nicosia, there is a link that was on there that you could click on and be notified when there was a change, there is work being done on the website tomorrow morning. The City will use the local newspaper and the City Hall bulletin board as well. The City does not have a Facebook or other social media page. Ping, could this notification methods be expanded? Mulcay said a lot of the notification process will be handled by consultants, one of the selection criteria we look at could be their methods of notification and outreach. Nicosia said the Department of Commerce Technical Team is working on their dashboard and have funding to work with Cities.

Kavanagh believes this is a good groundwork for public participation. The Commission agrees.

Kavanagh made a motion to adjourn, seconded by Johnson.

ADJOURNMENT – Meeting duly adjourned at 6:48 PM

President

Attest:

Public Works Clerk