

**CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MAY 11, 2021**

CALL TO ORDER AND ROLL CALL

Present: Russ Vukonich, Sam Kavanagh, Mike Shepard, Clay Lundgren, and Patti Singer. Absent: Robert Smith, Kurt Nelson, Claudette Byrd-Rink, and Steve Duffy.

Also present: City Manager Nicosia, City Planner Mulcahy, Public Works Clerk Vissotzky, and City Attorney Breck.

APPROVAL OF MINUTES:

Approval of March 9, 2021 Regular Meeting Minutes

Motion made by Shepard, Seconded by Kavanagh. Voting Yea: Vukonich, Shepard, Lundgren, Singer, Kavanagh. No: None. Absent: Smith, Nelson, Byrd-Rink, and Duffy.

VISITOR OR PUBLIC COMMENT: None.

PUBLIC HEARINGS AND ACTION:

Chairman Vukonich read the notice of hearing and asked for the staff report presentation:

The applicant, Twin Peak Farms, LLC, is requesting a zone change for property at 7030 Highway 2 East, Columbia Falls from the current CSAG-10 (Suburban Agricultural) with a 10-acre minimum lot size to a CSAG-5 (Suburban Agricultural) with a five-acre minimum lot size. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

City Planner Mulcahy delivered Staff Report CZC-21-03, reviewing each of the Findings of Fact. He noted that this is similar to the March 9th, 2021 hearing noting that the applicant, a prospective buyer, withdrew his application and now the landowner is requesting the same zone change. The property is currently zoned SAG-10 Suburban Agricultural and the applicant would like to change it to SAG-5 Suburban Agricultural. The largest difference in this requested zone is that it would allow the lot to be split into two five acre lots, increasing the density by one. This would allow potentially a single-family home and a guest house on each property, as well as accessory structures. The Growth Policy allows for higher density in the area, but there are no city services available. Mulcahy noted that the property is not in the Wildland Urban Interface or the 100 Year Floodplain. Flathead County Department of Environmental Health will review the septic and ground water monitoring regardless of a zone change. Mulcahy reported that SAG-5 has similar building setbacks and lot coverage criteria to SAG-10. This residential use is predicted in the Growth Policy. Mulcahy presented a map with the existing density in the area at the request of Shepard. He stated that 57 out of 76 parcels in the area were already less than 10 acres in size, noting that this zone change is consistent with the existing land use pattern.

Kavanagh stated that the previous discussion from the March 9th, 2021 meeting had merit and needed to be considered for this application. Vukonich noted that the Board packet included two letters for public comment.

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He stated that in his opinion, septic tanks are not in the purview of the Planning Board and that they should be left to the experts. Mulcahy concurred with Vukonich

Chairman Vukonich opened the public hearing at 6:43PM.

Shirley Folkwein, 285 Shooting Star Dr. She stated she is with the Upper Flathead Neighborhood Association and submitted a written comment. She discussed the letter and how the association opposes the zone change request. Any increase in building sites on the property increases the chance of water quality issues in the opinion of the Association. She presented pictures of the lot to the Board that showed high ground water.

Chairman Vukonich closed the public hearing at 6:47PM.

Kavanagh noted that the Board does not have the ability to place conditions on a zone change; DEQ and Environmental Health perform a thorough site analysis and place conditions on their respective permits. If this was a subdivision project then the Board would look at the issues that project would bring. Shepard stated that the Board needs to trust DEQ and Environmental Health because they are trained professionals. Attorney Breck stated that the Board should consider that the zone change had previously been approved with much discussion.

Motion made by Kavanagh to adopt Staff Report CZC-21-03 as Findings of Fact, Seconded by Singer. Voting Yea: Vukonich, Shepard, Hughes, Singer, Kavanagh

Motion made by Singer to recommend approval of CZC-21-03 to City Council, Seconded by Lundgren. Voting Yea: Vukonich, Shepard, Lundgren, Singer, Kavanagh

New Business:

Kavanagh told the Board that the CORR Group has selected Columbia Falls as a pilot location to help plan recreation in the area. Nicosia stated that the City was selected by UM, with grant funding, for this pilot project.

Shepard noted that he was shocked at the State Legislatures' attack on local government during this legislative session.

ADJOURNMENT

Chairman,

Alex Vissotzky | Public Works Clerk