

CITY OF COLUMBIA FALLS
MINUTES OF THE REGULAR MEETING
HELD MARCH 09, 2021

CALL TO ORDER AND ROLL CALL

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

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

APPROVAL OF MINUTES:

Approval of February 9, 2021 Regular Meeting Minutes

Motion made by Duffy, Seconded by Kavanagh. Voting AYE: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

VISITOR OR PUBLIC COMMENT:

Shirley Folkwein, 285 Shooting Star Dr. Reported that she is the President of the newly created Upper Flathead Neighborhood Association (UFNA). Folkwein said this group is concerned about water quality and conservation in the Flathead Valley. She discussed the organization's goals of preserving the water quality of the area's shallow aquifer and the conservation of the area's wildlife. They want to be more involved in planning in order to protect water quality, wildlife, and maintain the areas rural heritage.

PUBLIC HEARINGS AND ACTION:

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

The applicant, Wayne Hull, 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-21-02, reviewing each of the Findings of Fact. 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 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 a predicted in the Growth Policy, Mulcahy noted.

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Vice Chairman Shepard asked the Board if there were any questions for staff. Nelson asked for clarification on the map's hash marks. Mulcahy stated these delimited riparian or wetland areas. Byrd-Rinck asked if the project had been approved by Flathead County Department of Environmental Health (FC DEQ). Mulcahy responded that this zone change was the first step in the applicant's process. Duffy asked if the City has plans to extend services to the area this decade. Mulcahy said the City does not have the money to extend services to there, so it has no plans currently. Duffy asked if services were extended, would the applicant have to connect. Mulcahy stated that the regulation states that if a property is within 50 feet of a sewer line and the septic was failing or if it was cheaper to connect than replace the septic, then the property would be required to connect. Duffy asked what the density of the lot could be if they wanted to do multi-family. Mulcahy responded that SAG-5 allows for one unit per five acres as well as a guest house. If the applicant wanted apartments then it would be a larger review process. Shepard asked when the last soil survey was completed. Mulcahy stated it was part of the 1960 USGS soil survey. Mulcahy noted that site surveys are done for any septic permit application.

Vice-Chairman Shepard asked the applicant if they wish to address the Board.

Wayne Hull addressed the Board, noting that he currently lives in Arkansas and wants to retire here and his son Trevor already lives in Columbia Falls. Mr. Hull would like to build a house and have his son build one next to his on the adjacent lot.

Vice-Chairman Shepard asked the Board if they had any questions for the applicant. Nelson asked Hull where the structures were to be built. Hull stated on the northwestern part of the lots. Hull said he will keep the same access on HWY 2 and also reforest the lot. Duffy questioned if there were any studies on over lot grading and flow analysis that have been performed. Hull said one had not been done. Hull noted that water seems to pool where soil has been removed to make a berm between the property and the highway.

Vice-Chairman Shepard opened the Public Hearing at 6:53 P.M.

Shirley Folkwein, President of the UFNA read from the submitted letter. Folkwein stated that the Association approve of the zone change but oppose the reason for the zone change, to build two homes. The Association is very concerned about the shallow aquifer and maintaining water quality. Folkwein noted that her family used to own the property and hay it and it had high ground water. The Association would like conditions regarding building placed on the rezone.

Vice-Chairman Shepard closed the Public Hearing at 6:56 P.M.

Motion made by Kavanagh, Seconded by Nelson to approve Staff Report CZC-21-02 as Findings of Fact.
Voting AYE: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

Nelson questioned if the area to the east was on the same contour plane as the subject property. Hull stated it appears so, noting there is a berm on the property with a house and stables. Byrd-Rinck asked the Folkwein why the family did not place the property in a conservation easement when it was sold. Folkwein stated it was not an option at the time. Kavanagh stated that the Board needed to trust FC Environmental Health and DEQ to do their jobs on the site evaluation. Kavanagh also stated he stands by the Growth Policy designating higher density with the proper infrastructure installed. Duffy said two homes will not change the area drastically. He

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noted that the area is growing and changing wildlife use regardless and there will be less agriculture but less agricultural pollution too. Lundgren agreed it is up the FC Environmental Health and DEQ to do a proper site analysis of the proposed development. He noted that Highway 2 access will need to be studied in the future.

Motion made by Nelson, seconded by Lundgren to recommend approval of the zone change to City Council. Voting Yea: Smith, Byrd-Rinck, Sam Kavanagh, Shepard, Lundgren, Duffy and Nelson. No: None. Absent: Singer and Russ Vukonich.

ADJOURNMENT - Duly adjourned at 7:05 p.m.

Chairman,

Alex Vissotzky | Public Works Clerk