



ROOM A | 130 6TH STREET WEST  
COLUMBIA FALLS, MT 59912

PHONE (406) 892-4391  
FAX (406) 892-4413

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**CITY COUNCIL WORKSHOP  
AGENDA  
MONDAY, FEBRUARY 27, 2023 – 6:30 PM  
COUNCIL CHAMBERS CITY HALL**

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**CALL TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**VISITORS/PUBLIC COMMENT (Items not on agenda)**

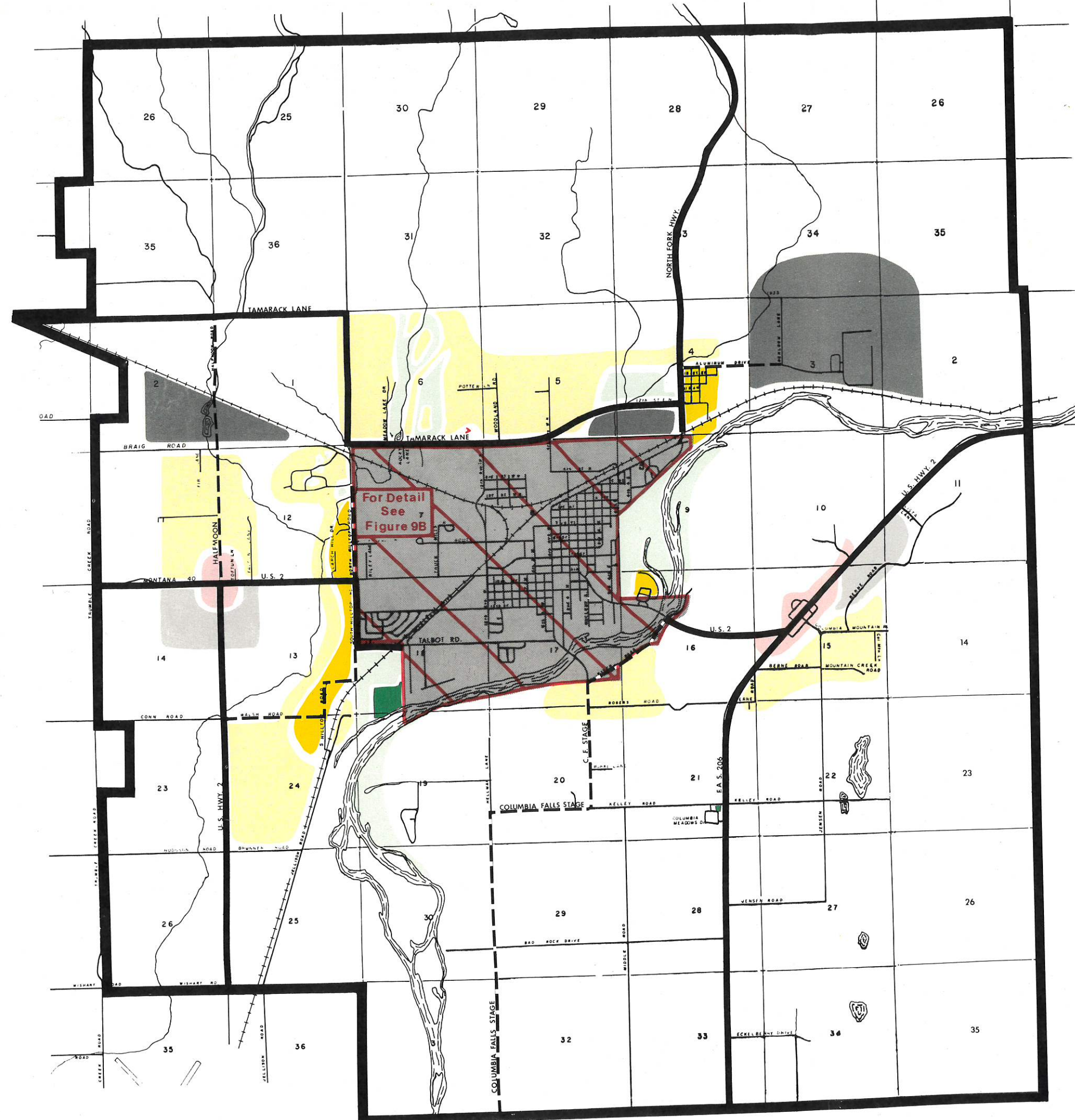
**WORKSHOP: REVIEW HISTORY OF GROWTH POLICY AND RIVER ROAD NEIGHBORHOOD PLAN**

1. Review History of Growth Policy and River Road Neighborhood Plan

**ADJOURN**

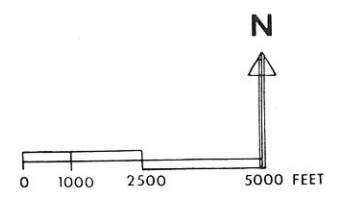
# COLUMBIA FALLS CITY - COUNTY PLANNING JURISDICTION MASTER PLAN MAP

FIGURE 9A



### KEY

- SUBURBAN RESIDENTIAL
- URBAN RESIDENTIAL
- MULTI-FAMILY
- NEIGHBORHOOD COMMERCIAL
- GENERAL COMMERCIAL
- HIGHWAY COMMERCIAL
- LIGHT INDUSTRIAL
- HEAVY INDUSTRIAL
- PARK / OPEN SPACE
- PUBLIC - SEMI / PUBLIC
- ARTERIAL STREET
- COLLECTOR STREET



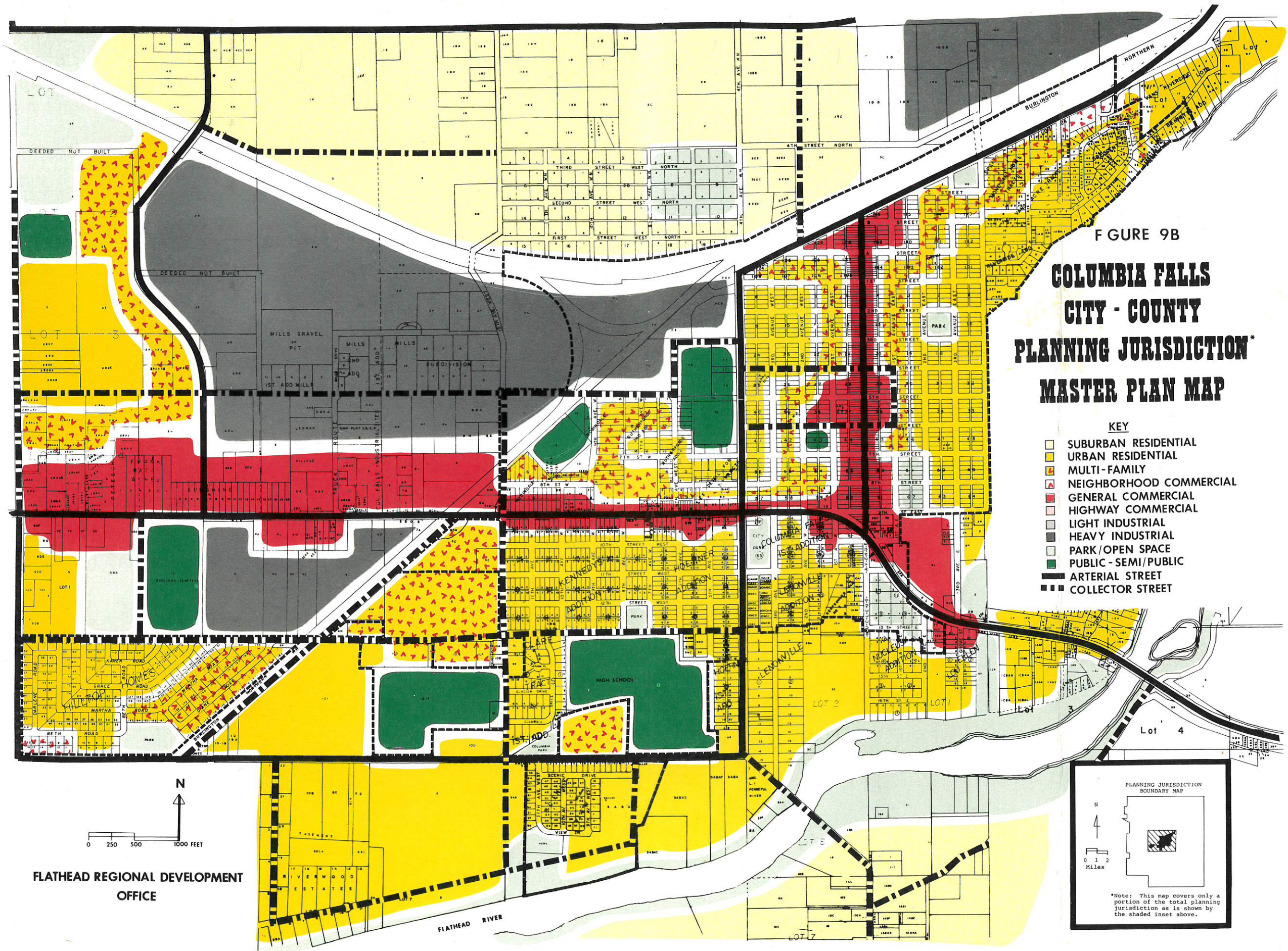
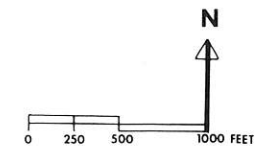
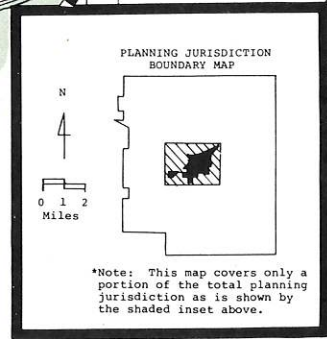


FIGURE 9B  
**COLUMBIA FALLS  
 CITY - COUNTY  
 PLANNING JURISDICTION<sup>1</sup>  
 MASTER PLAN MAP**

- KEY**
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FLATHEAD REGIONAL DEVELOPMENT  
 OFFICE



# Land Use Map Legend



Commercial

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ResortResCom

*Within the confines of an overall development plan, provides recreation opportunities (principally to residents and quests), commercial uses (associated directly with recreation), and a mixture of housing types and densities.*



HeavyIndustrial

*Manufacturing, processing, storage and assembly of goods, where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.*



LightIndustrial

*Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.*



MultiFamily

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UrbanResidential

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SuburbanResidential

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RuralPreserve

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PublicSemipub

*Schools, government offices or facilities, and cemeteries.*



ParkOpenspace

*City and County parks, homeowner parks and green space areas, recreation access points.*

- Planning Boundary
- trails**
- EXISTING\_TRAILS
- - - PROPOSED\_TRAILS
- Roads**
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**LAND USE LEGEND**

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**COLUMBIA FALLS GROWTH POLICY  
FUTURE LAND USE MAP**



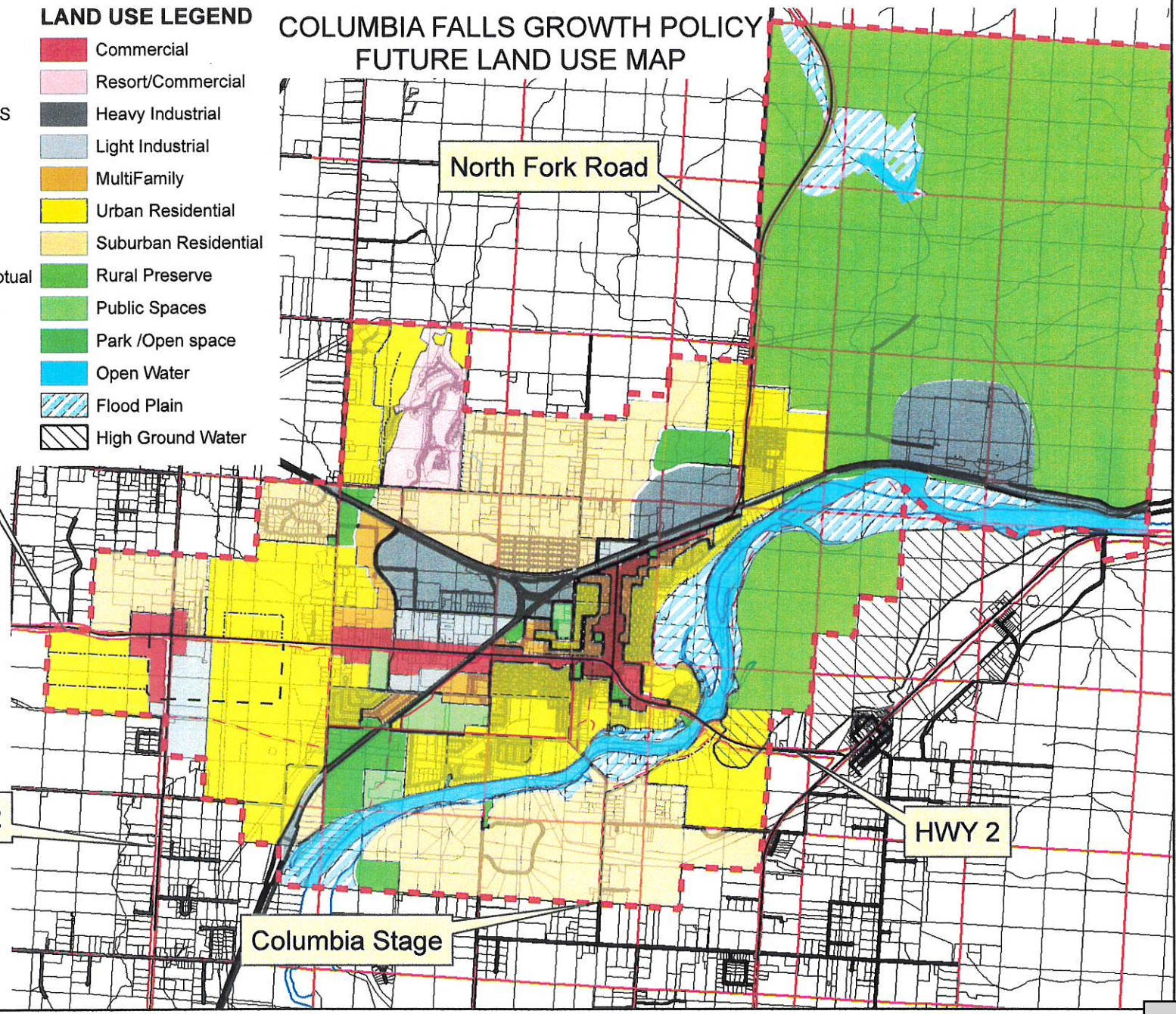
HWY 40

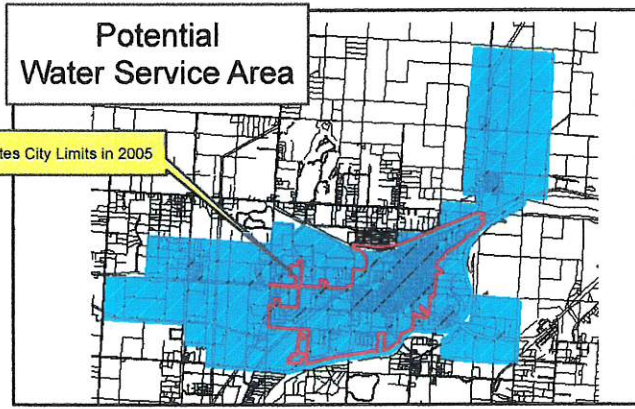
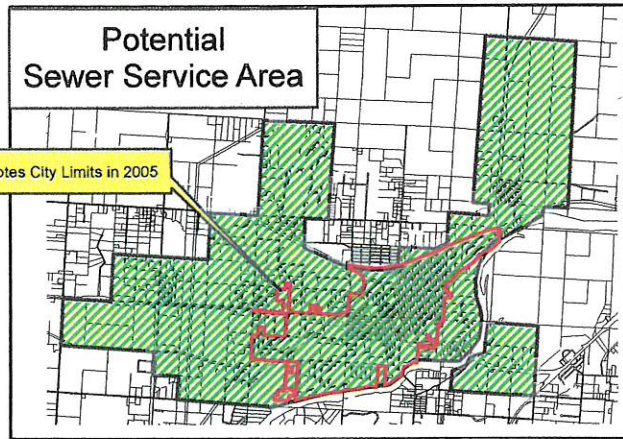
HWY 2

Columbia Stage

North Fork Road

HWY 2





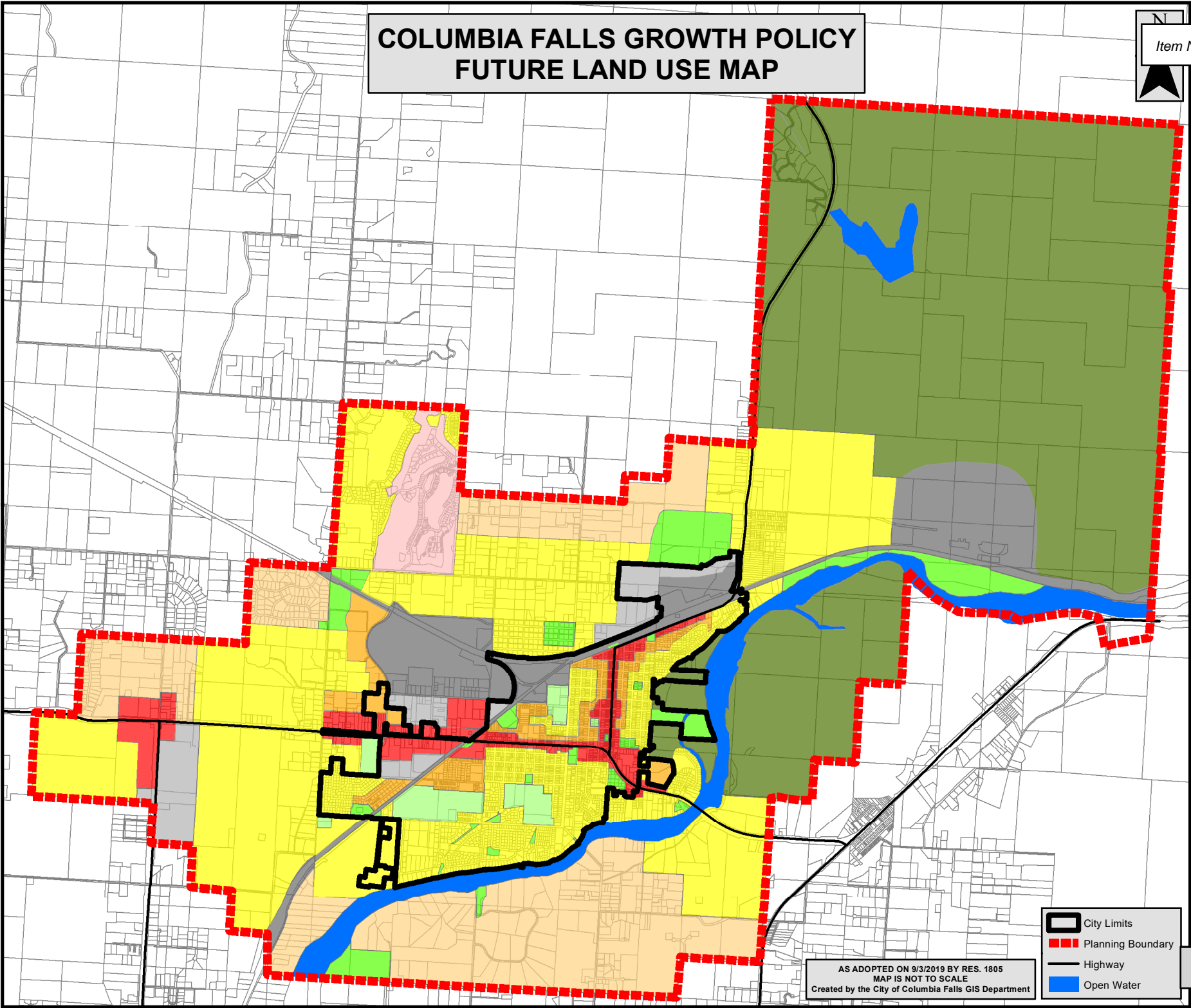
Talbot Neighborhood Plan

### Land Use Map Legend

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*Residential use closely associated with highly developed access and low fire hazards. Schools, government offices or facilities, and cemeteries.*
- ParkOpenspace  
*City and County parks, homeowner parks and green space areas, recreation access points.*

# COLUMBIA FALLS GROWTH POLICY FUTURE LAND USE MAP

Item No. 1.

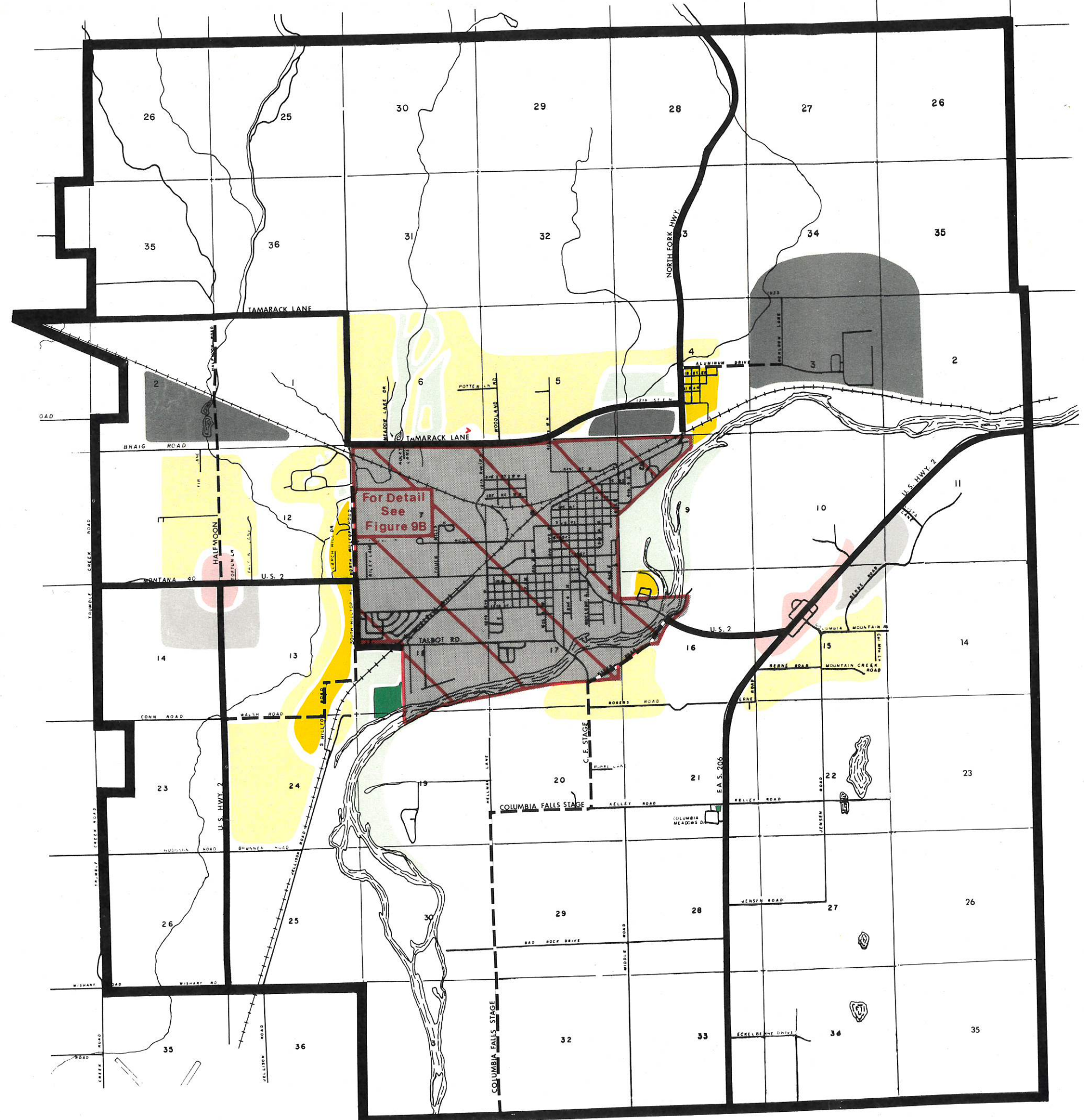


- City Limits
- Planning Boundary
- Highway
- Open Water

AS ADOPTED ON 9/3/2019 BY RES. 1805  
MAP IS NOT TO SCALE  
Created by the City of Columbia Falls GIS Department

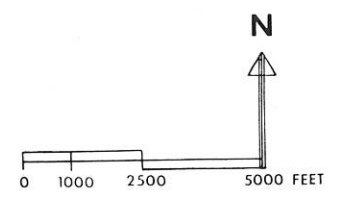
# COLUMBIA FALLS CITY - COUNTY PLANNING JURISDICTION MASTER PLAN MAP

FIGURE 9A

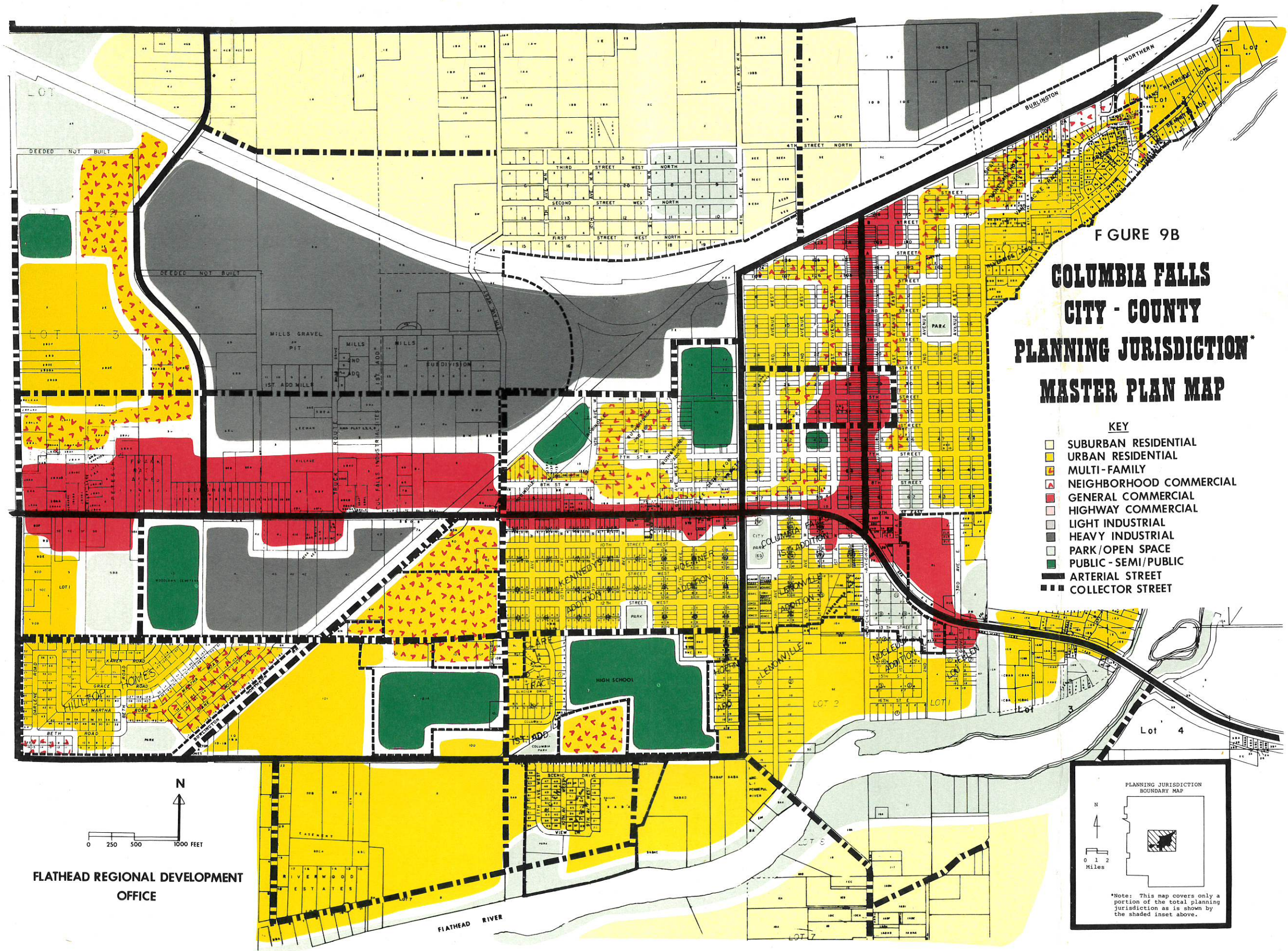


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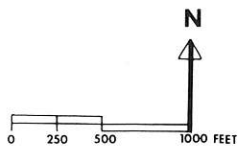




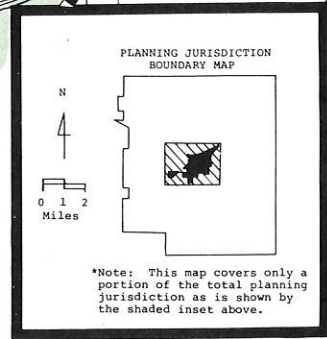


**FIGURE 9B**  
**COLUMBIA FALLS**  
**CITY - COUNTY**  
**PLANNING JURISDICTION\***  
**MASTER PLAN MAP**

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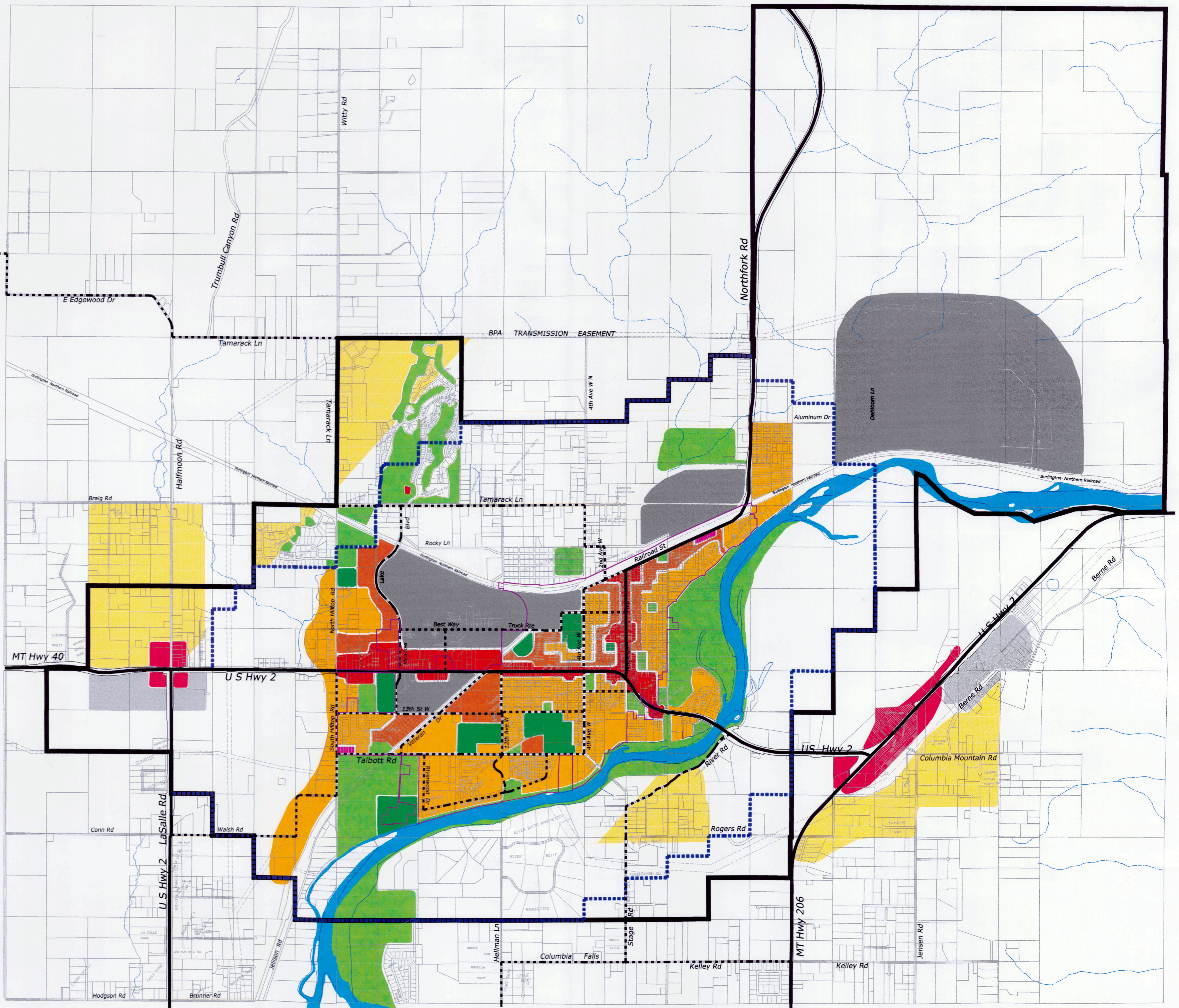


**FLATHEAD REGIONAL DEVELOPMENT**  
**OFFICE**



\*Note: This map covers only a portion of the total planning jurisdiction as is shown by the shaded inset above.

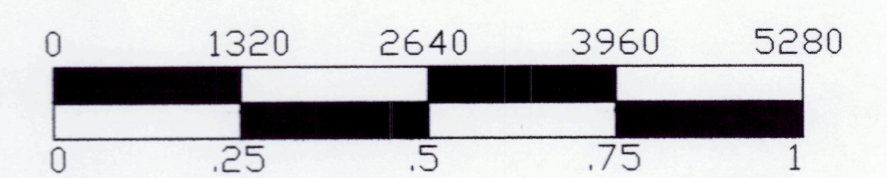
# NEW COLUMBIA FALLS PLANNING JURISDICTION & 1986 MASTER PLAN MAP LAND USE DESIGNATIONS



New Columbia Falls Planning Jurisdiction  
 Existing Columbia Falls Zoning Jurisdiction  
 City of Columbia Falls - February, 2005

Arterial Street  
 Collector Street

- |                          |                      |
|--------------------------|----------------------|
| Suburban Residential     | Highway Commercial   |
| Urban Residential        | Light Industrial     |
| Multi-Family Residential | Heavy Industrial     |
| Neighborhood Commercial  | Park / Open Space    |
| General Commercial       | Public / Semi-Public |



\*\* Areas with no color were not designated for specific use, or were determined to be agricultural or suburban agricultural.

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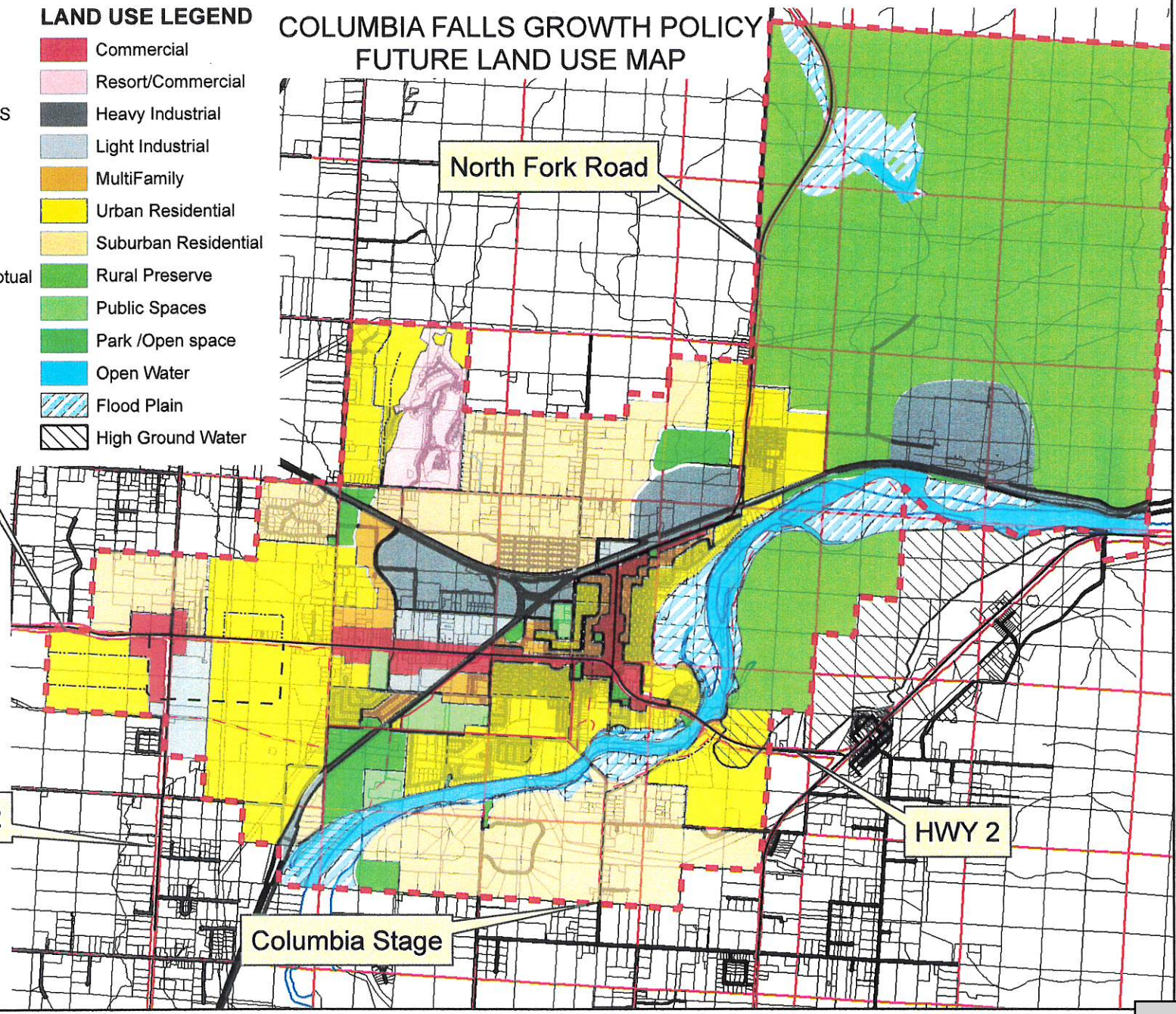
HWY 40

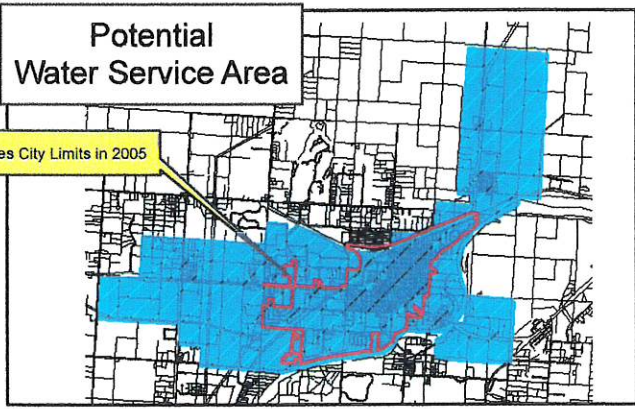
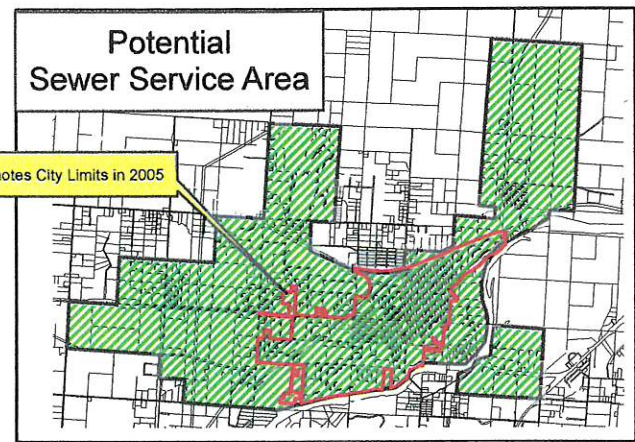
HWY 2

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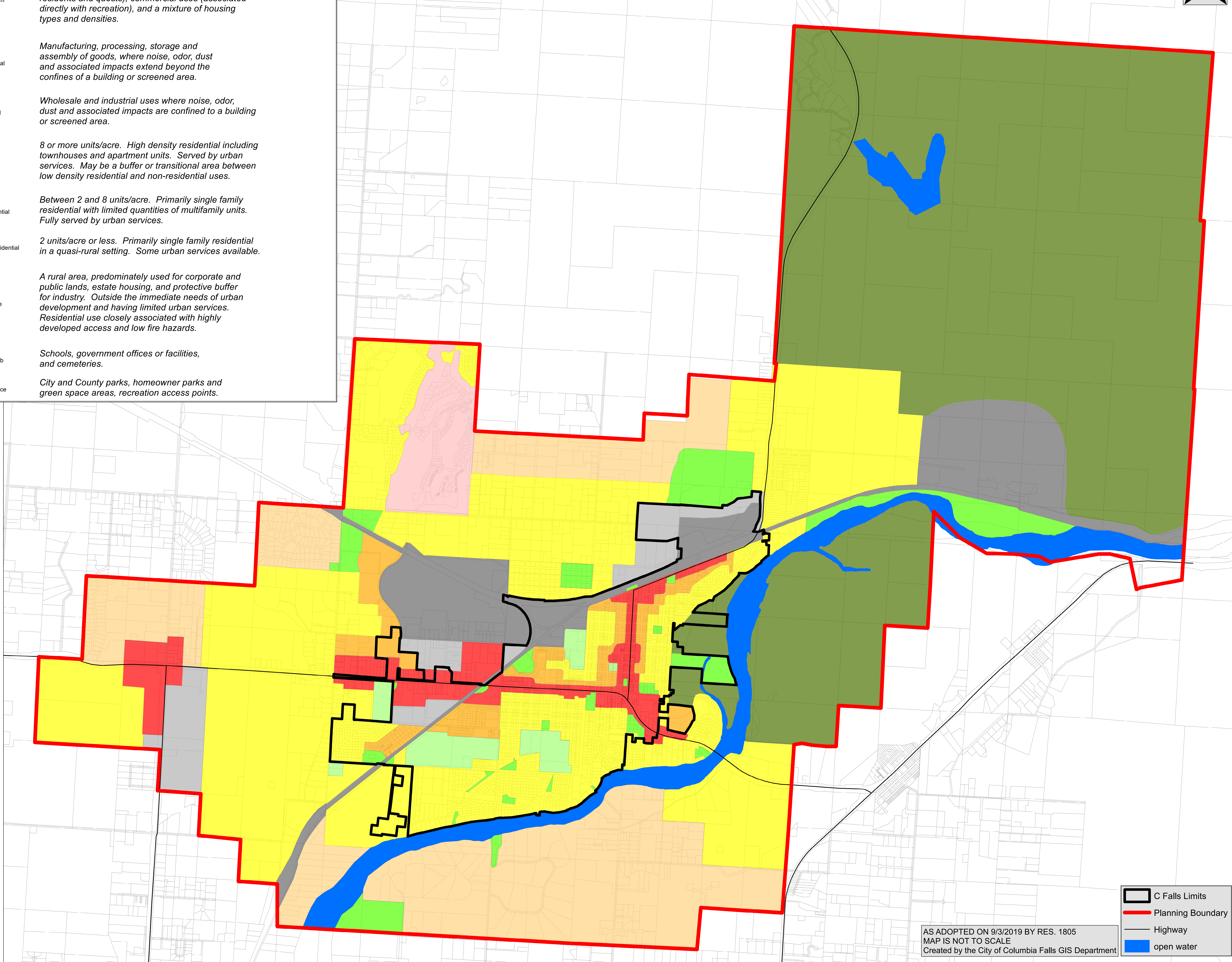
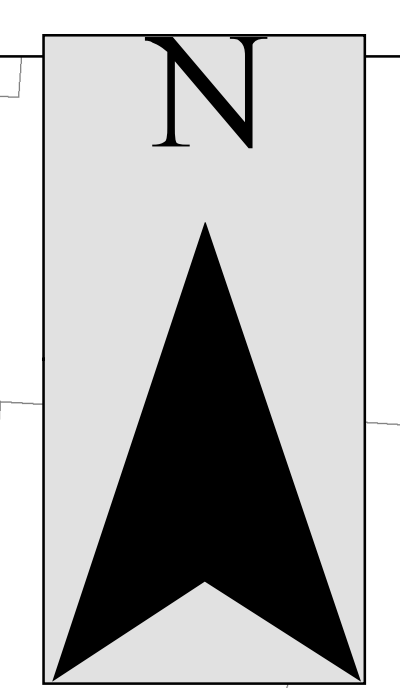
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# COLUMBIA FALLS GROWTH POLICY FUTURE LAND USE MAP



- C Falls Limits
- Planning Boundary
- Highway
- open water

AS ADOPTED ON 9/3/2019 BY RES. 1805  
MAP IS NOT TO SCALE  
Created by the City of Columbia Falls GIS Department

# RIVER ROAD NEIGHBORHOOD PLAN COLUMBIA FALLS, MONTANA



**FEBRUARY 2008**

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## SECTION 1 GENERAL INFORMATION

### I. BACKGROUND

A small group of neighbors in the River Road area south and east of Columbia Falls learned that the Columbia Falls Growth Policy, adopted by the City Council in December of 2005, recommends growth patterns in the neighborhood that include Suburban Residential (1-2 units per acre), and Urban Residential (2-8 units per acre). The zoning for the majority of the neighborhood was SAG-5 (1 house per 5 acres), SAG-10 (1 house per 10 acres) and CR-1 (1 house per acre). However, the neighbors were aware a development on 72 acres was in the planning stages that would request a zone change from SAG-5 and SAG-10 to CR-3, which would allow up to 3 houses per acre. This would be within the density parameters of the Growth Policy, but was a cause for concern to many of the residents of the neighborhood. A zone change request on 10 acres of land in the area had also been submitted which would allow one house per acre where previously only one had been allowed on the entire ten acres.

Residents felt that these zone changes ran counter to the rural character of the neighborhood, herein characterized by the following attributes found in the area today: domesticated animals (including horses, cattle, goats), large game animals (including bear, moose, elk, and deer), a wide variety of water fowl, songbirds and raptors, large game and water fowl hunting regulations, low density housing, no city services, quiet country roads and very little noise/light pollution.

After the Growth Policy was adopted the Columbia Falls City Council hosted a public meeting of concerned landowners from the River Road area. From that initial meeting, persons interested in serving on a steering committee stepped forward and were informally seated on January 24, 2006. The boundaries of the planning area are





generally described as the Flathead River on the northwest and Highway 2 on the north, as far east as the eastern line of the proposed Columbia Range development. From that point the boundary continues southward to Rogers Road, then west along said road and generally follows the BPA easement westward to the River.

The membership on the committee was approved by the City Council on February 6, 2006. One of their first tasks was to select a name for the proposed plan and thus the River Road Neighborhood Plan (RRNP) began to take shape.

The first significant action of the RRNP committee was to create and distribute a survey to landowners within the RRNP area. A subcommittee met for several weeks and completed the survey in March. It covered a variety of topics in order to best represent common goals and values for the neighborhood. The survey addressed traffic/road safety, wildlife habitat, neighborhood character, clean water/water table issues and availability of city services. \* See Appendix A for Survey and Results

## **II. NEIGHBORHOOD HISTORY**

### **A. HOUSING**

Fifty years ago the River Road Neighborhood was much like many parts of the Flathead Valley at that time: quiet and rural, gravel roads and few vehicles, and residents who knew their neighbors. There was considerable "open space", and ranching/farming throughout the neighborhood. Some heads of household worked off of their property or were retired. Many residents had domesticated animals and raised food in orchards and gardens.

The rural quality of the neighborhood combined with its relative close proximity to town, made it a special place. Just minutes from the grocery store or the post office residents found peace and solitude driving down quiet, tree lined country roads. This quality attracted people and an occasional new home was built in the 1960's, mostly along the Flathead River, River Road and Columbia Falls Stage.

In the early and mid 1970's, before zoning and subdivision regulations came into affect, a slight acceleration in growth occurred. A subdivision called R & R tracts was created along Rogers Road and the Steppe Lane area was split into small tracts. The consequent building of new homes was the most substantial growth this neighborhood had ever seen, but there remained enough open space to allow residents to continue to experience the rural lifestyle.

A zone change was approved in 1988, just west of Columbia Falls Stage, which created an area of CR-1 zoning. This was the highest density housing in the neighborhood at that time and it included multi-family units. In the years since the 1980's, 10 new homes have been built in the area and steady growth has occurred.

A significant change occurred in December of 2006 when a 72-acre Planned Unit Development (PUD), known as Columbia Range, was approved with CR-3 zoning (9600 square foot minimum lot size) that created 146 lots along Hwy 2 at the eastern edge of the neighborhood. A zone change was also approved for ten acres on the southwestern edge of the Plan area that could allow one house to be built per acre, instead of the previous one house per ten acres.

## **B. NATURAL RESOURCES**

The Flathead River flows along the northwest boundary of the Neighborhood and is an integral part of the natural environment of the area. Wildlife has traditionally been a part of this neighborhood that residents value, and wildlife sightings definitely add to the rural feel and the quality of life. Large mammals sighted in this area over the last fifty years include deer, elk, moose and bear. Small mammals in the area include coyote, fox, raccoon, skunk, porcupine, beaver, muskrat, mink and otter. Large raptors such as bald eagles and red tailed hawk live in the area, as well as a wide variety of woodpeckers and the usual songbirds that would be found in this habitat. Ducks and geese are seen in the river and often nest on ponds in the neighborhood. Ring-necked pheasant live and nest in the grassy areas.

Historically, the stands of timber in the area consisted mostly of Douglas fir and Ponderosa pine. Cottonwoods grow along the river and birch and spruce are found in some of the more moist settings. Shrubs such as willow and dogwood add to the habitat. Throughout the years, timber has been cut for home sites, firewood and to create agricultural land.

Air quality was compromised in the 1970's when the Anaconda Aluminum Company's smelter emitted levels of fluoride that exceeded the accepted standards. The neighborhood is directly downwind of the northeast winds that often blow from Bad Rock Canyon. Scrubbers were installed that helped to control the emissions.

## **C. ROADS AND TRAFFIC**

The Red Bridge was built in 1911 and was the only way to access the areas south and east of the Flathead River from Columbia Falls, at least by vehicle. Those vehicles could travel south on Columbia Falls Stage, to Rogers Road and connect to the present Highway 206 to continue their journey up through Bad Rock Canyon. Columbia Falls Stage continued on south to farms and on to Kalispell.

Scattered houses and farms dotted the landscape in the Neighborhood. River Road was a narrow lane that paralleled the river, crossing the location of the present highway and continuing upriver to several houses.

When the "Silver Bridge" was completed in 1936, the ensuing two-lane highway (Route 40 at that time) split several of the farms between the river and Columbia Heights in two. The road connected to Highway 206, which had just been completed, at Columbia

Heights. River Road, with only a twenty-foot easement, was no longer a primary means of transportation for people traveling into Columbia Falls from points east. In 1976 a new bridge was completed across the Flathead and Route 40 became Highway 2, a 4-lane road that could handle increasing traffic volume.

The year 1948 was a significant high water year that saw some roads, as well as homes and fields, with water in them. However, that flood paled in comparison to the flood in 1964, which remains the benchmark for high water in the area. Some of the long time residents were living in houses within the flood plain, and by this time, new homes had been built within reach of the waters that crested on June 9 at 26 feet, flowing at 150,000 cubic feet per second.

County roads, including River Road, Rogers Road and Columbia Falls Stage, in the neighborhood, were paved in 1983. This was a much-needed improvement to help abate a dust problem, and with paving came higher vehicle speeds.



In 1989 the Red Bridge was closed to vehicle traffic. This meant River Road saw a large increase in the number of vehicles using it on a daily basis. Many new homes were being built south of the Neighborhood and traffic increased because people could no longer cross the river on the old bridge and some chose not to travel Highway 206. In 1992 foot and bicycle travel was curtailed on the bridge and this vital link to the city was ultimately cut off.



## **SECTION 2 PLAN DEVELOPMENT**

### **I. VISION STATEMENT**

Accepting change while preserving the beauty, character and integrity of the neighborhood

### **II. MISSION STATEMENT**

The Mission of the RRNP committee is to educate and facilitate involvement in neighborhood planning, considering the Columbia Falls City-County Growth Policy and its projected impact on the neighborhood.

### **III. STRENGTHS, WEAKNESSES, OPPORTUNITIES AND THREATS**

One step in the development of the RRNP was the compilation of a list of the neighborhood's strengths, weaknesses, opportunities and threats (SWOT). A SWOT list is a general overview of the characteristics of a neighborhood and possible actions that could weaken or improve the neighborhood. The results, developed during the bi-monthly meetings by committee members, are provided below.

#### **STRENGTHS**

1. Flathead River
2. Quietness
3. Lack of light pollution
4. Low crime
5. Proximity to amenities
6. Scenery
7. Rural setting
8. Wildlife

#### **WEAKNESSES**

1. Unsafe roads
2. Lack of bicycle/pedestrian paths
3. Red Bridge closure
4. Lack of city services (sewer and water)
5. Shallow aquifer
6. High water table
7. Possibility of flooding of the Flathead River
8. BPA transmission line
9. Natural gas transmission line

## OPPORTUNITIES

1. Development of bicycle/pedestrian paths
2. Red Bridge as walking bridge
3. Define architectural standards in higher density housing developments
4. Maintain wildlife habitat/corridors
5. Improve roads
6. Maintain rural lifestyle
7. Parks and recreation development
8. Conservation of sensitive areas
9. Participate in planning
10. City Services

## THREATS

1. High-density housing
2. Light pollution
3. Traffic
4. Noise pollution
5. Air quality
6. Ground water quality
7. Crime increase
8. City services
9. Annexation
10. Increased Taxes
11. Wildlife displacement
12. Loss of rural quality of life
13. Sewer line failure over Flathead River

## IV. WRITING THE PLAN

After the committee members developed the SWOT list, discussion followed on the issues. Members were assigned categories (natural resources, land use, etc.) to research data. Issues, goals and recommendations were drafted for each category. Crucial to this effort was the incorporation of results from the Neighborhood Survey in order to reflect the respondents' views in the Plan. Committee members also participated in a field trip on March 13, 2006. They toured the neighborhood to help them better see and understand the issues.

After a sub committee edited the initial draft in October and November of 2006, the group met together to discuss changes. Maps and additional data were brought together and a second field trip in February of 2007 yielded road width and distance measurements. Eighteen months after the Committee began its work, the RRNP was presented to the neighborhood at an open house to receive comments for discussion and possible revision. It was with the comments and conversation generated from the open house, feedback on the survey, hundreds of hours of meetings and consistent

reference to the Columbia Falls Growth Policy that the RRNP committee respectfully submitted the plan to the Columbia Falls Planning Board.

**SECTION 3 ISSUES, GOALS AND RECOMMENDATIONS**

**I. NEIGHBORHOOD CHARACTER**

The River Road Neighborhood is a semi-rural area bordering the Flathead River and containing agricultural lands, small woodlots and riparian areas. The natural resources and larger uninhabited tracts provide scenic views, open space and wildlife habitat. Elk frequent the area, which is a special characteristic of the neighborhood so close to the city limits of Columbia Falls. Hunting of deer, elk, bear and waterfowl is allowed under the jurisdiction of the Montana Department of Fish, Wildlife and Parks. The neighborhood is part of the north portion of Hunting District 170 which restricts weapons to archery equipment, shotgun, traditional handgun, muzzleloader or crossbow.

The close proximity of River Road to the River just downstream of the Highway 2 Bridge provides outstanding views to users of the road. The changing vistas of the waterway throughout the seasons contribute to the resident's quality of life.



All county roads are paved, but are narrow and have no sidewalks or bicycle paths. Despite certain times of high traffic use on the roads, residents run, walk, bicycle and ride horses on them.

The homes that exist are on a variety of tract sizes, ranging from one-half acre to seventy-two acres. The oldest home was built in 1901 and at least three new

homes were completed in 2006. The majority of homes are single-family units with two duplexes near the western boundary of the neighborhood. Streetlights do not exist in the neighborhood, but most residents have yard lights, which may or may not be lit during all nighttime hours.

Residents have individual septic systems and wells. Less than one percent of the survey respondents stated they have a home occupation. No other business or

industrial facilities exist in the neighborhood. Agricultural activities include cattle grazing and hay production. Approximately six residents keep horses on their land.

## **ISSUES**

1. The Growth Policy recommends urban/suburban densities that are changing the present character of the neighborhood and 77% of survey respondents indicated they want current zoning maintained.
2. Condos, townhouses and high-density single units are a major concern because they are in stark contrast to the current neighborhood character and housing conditions.
3. Roadway safety will continue to decline for all users as development occurs.
4. Light and noise levels will increase with more population and traffic.
5. 79% of survey respondents are against annexation into the city, which would come with extension of services to serve new developments and failing existing systems.
6. With development there will be a loss of scenic views, open space and wildlife habitat.
7. There could be an increase in home occupations in the neighborhood.

## **GOALS**

1. Maintain rural residential character and quiet nature of the present neighborhood.
2. Maintain the predominately single-family nature of the neighborhood.
3. Retain scenic views, open spaces and wildlife habitat areas.
4. Improve roadway safety for all users.
5. Minimize night lighting effects in new developments.
6. Remain independent, where possible, of the city's sewer and water services.
7. Remain outside of the city limits where possible.

## **RECOMMENDATIONS**

1. Encourage cluster development for those areas that may be zoned Urban/Suburban Residential as designated in the Growth Policy (Appendix F, Cluster Development definition).
2. Encourage single-family (detached) houses as the primary housing type in the neighborhood (Appendix F, Single Family definition).
3. Require dark skies lighting in all development that occurs and encourage current residents to convert to dark skies lighting.
4. Require buffering landscaping to block views of development.
5. Preserve view sheds as development occurs.
6. Maintain contiguous open space where possible throughout the neighborhood.
7. Encourage architectural housing diversity throughout the neighborhood.
8. Implement a bicycle/pedestrian path plan, incorporating current landowners and requiring all new developments to provide land and contribute monetarily.

9. Encourage home occupations that do not compromise the residential nature of the neighborhood.

## II. NATURAL RESOURCES

Though the Neighborhood is a relatively small area encompassing approximately 580 acres, it contains important natural resources. The Flathead River is probably the most obvious and dominant natural resource and borders the area along the northwest periphery for approximately a mile. The river facilitates the existence and/or movement of many forms of life in or through the RRNP area including: fish (cutthroat trout, rainbow trout, bull trout, and whitefish), aquatic mammals (river otter, mink and beaver), waterfowl (ducks, geese, and swans), raptors (bald eagle, osprey, red-tailed hawk, great-horned and barred owl), and other river using species such as belted kingfishers and great blue herons. Many migratory songbirds utilize riverine habitats (cottonwoods, willows, dogwoods, Ponderosa pine, Douglas-fir, and spruce), as well. In other portions of the RRNP area, there are springs and high ground water supporting riparian or wetland vegetation that also provide important habitat for a wide variety of wildlife.

Therefore the river and associated riparian vegetation provide the necessary habitat components that sustain the critical ecological functions in the Flathead River ecosystem.

At the June 2007 RRNP Open House that unveiled the draft neighborhood plan, residents/landowners were asked to indicate on a map observations of wildlife in the neighborhood. Based on this information, it was obvious that multiple species of wildlife are still frequenting and using the remaining open spaces (undeveloped) portions of the neighborhood as well as some of the smaller parcels (1-2+acre); it was clear from the map that neighborhood residents are still seeing wildlife using most portions of the neighborhood.

Over half of the Neighborhood is dominated by grass/forb vegetation (open habitat) with several stringers and small patches of coniferous-tree dominated forests. These forested areas form the cover that deer, elk and occasionally moose and bear use to move through and forage in the area.



Air and water quality are generally good; however, because of the neighborhood's proximity to an aluminum smelter, some level of fluoride emissions cause pollution and diminish air quality within the neighborhood. There may be some areas in the residential areas with problems concerning polluted wells.



There are a variety of soil types within the RRNP. A small amount of Alluvial Land (Aa) exists in the north end of the RRNP area. This soil type is poorly drained with a seasonal high water table of 27 inches and supports cattails and other aquatic vegetation. It has severe limitations on development potential due to frequent flooding and high frost action potential. Most of the soil types in the RRNP area do not have the frequent flooding hazard potential of the Alluvial Land soil type but many have moderate to high potential for frost action.

## ISSUES

1. Limited amounts of forest cover for wildlife exist in the area.
2. Urban residential development will threaten the existing views along the Flathead River, both from the road and from the River.
3. Urban residential development will threaten the existence of open space, forest cover and continued wildlife use of the area.
4. The area has a noxious weed problem that could increase with sight disturbing activities during development.
5. Water quality could be degraded by erosion, storm water discharge, septic tanks and increased pesticide use.
6. Air quality will be affected by both increased road dust and smoke from wood-burning stoves and/or fireplaces.
7. Views of the night sky will be affected by lighting from developments.
8. Development on steep slopes will cause erosion and sloughing of soil.

## GOALS

1. Conserve a significant amount of habitat through low density housing and maximize open space through clustering so that wildlife species that currently use the area continue to do so.
2. Protect the Flathead River as a key visual and environmental resource.
3. Discourage development and disturbance within sensitive areas such as in riparian vegetation, wetlands, existing forested stands of trees, and old growth cottonwoods.
4. Minimize air and water quality degradation.
5. Minimize the amount of soil disturbance and re-vegetate as soon as possible so that noxious weed spread does not occur.
6. Minimize light pollution to maintain views of the night sky.

## RECOMMENDATIONS

1. Any new development should strive to minimize disruption to wildlife habitat and movement by implementation of cluster and low density housing. All new housing should allow for contiguous wildlife movement between adjoining parcels.
2. Conservation of and connections between remaining open spaces should occur during development planning to preserve and promote wildlife use in the area.
3. Avoid development in sensitive areas such as riparian areas and wetlands.

4. Disturbed sites should immediately be re-vegetated to avoid noxious weed spread.
5. Lighting within developments should be directed downward and shielded from adjoining properties.
6. Filling within the 100 year floodplain and/or wetlands should be avoided.
7. Approved re-zoning requests should include considerations meant to maximize open space to conserve and maintain wildlife and other natural resources in the area.
8. All new utility lines should be buried.
9. Encourage the City of Columbia Falls to engage in the process concerning setbacks along the Flathead River.
10. Building setbacks in this Neighborhood should take into consideration viewsheds, preservation of cottonwood stands and riparian habitat, density of dwelling units, availability of city water and sewer and height/grade of river bank adjacent to building.
11. At minimum, a 100 foot vegetative setback from the high water mark, where no disturbance of natural vegetation occurs, should be maintained for privately owned lots that are not intended for subdivision. Any lots intended for subdivision or PUD should have significantly greater setbacks to protect water quality and riparian habitat.
12. Maintain viewsheds from the river and to the river.

### III. LAND USE

The River Road Neighborhood encompasses 580 acres on the southeastern edge of Columbia Falls. The Flathead River, flowing along the northwestern boundary, is the predominant natural feature of the area. A wooded bench along the southern edge, of approximately 70 feet in height, indicates the area was most likely once a channel of the river. The remaining stands of trees, along with riparian areas and natural vegetation, provide food and cover for many forms of wildlife (see Natural Resource History).



Three county roads traverse the Neighborhood: River Road, Rogers Road and Columbia Falls Stage. The area is most often entered through River Road, which is a narrow, paved road with only a twenty-foot right of way. It basically follows the River, and offers scenic views of the water for

approximately 1000 feet south of Highway 2.

About 50 acres or 7% percent of the Neighborhood is in the 100-year flood plain. This area includes 7 houses and accompanying outbuildings. In 1964 a major flood event occurred, with about 20 homes receiving flood damage, including one swept away and another completely demolished.

Native American artifacts have been found in the area, particularly in the fields along River Road that have been recently farmed.

The River Road Neighborhood is within Flathead County, although for zoning purposes, the area has been under the jurisdiction of the Columbia Falls City-County Planning Board and the City Council since the late 1970's. These two entities worked with the Flathead Regional Development Office until 2001 when the Tri-City Planning Office came into existence. In 2005 Columbia Falls became responsible for its own planning, with the jurisdictional lines basically one mile from the city limits.

Land uses in the Neighborhood include rural residential, agricultural and newly urbanized subdivisions.

Tracts in the Neighborhood vary greatly in size, ranging from less than one acre to nearly 160 acres. There are approximately 190 acres in the areas zoned SAG-5. About 20 out of 30 tracts in this category are less than 5 acres in size. The acreage zoned SAG-10 is approximately 220 acres and about 55 out of 62 tracts are smaller than 10 acres. In one area zoned CR-1, the lots vary in size from approximately .8 to 1.8 acres. On the other 10-acre tract that has been rezoned to CR-1, 4 new lots have been created. The newly approved Columbia Range subdivision contains 72 acres and is zoned CR-3 with a Planned Unit Development allowing for 146 lots, but those lots have not yet been created. There are about 80 acres in the southern portion of the Neighborhood that are not zoned. \*See Appendix B, zoning map.

Table 1 shows current tract size data in the River Road Neighborhood and, by comparison, the affect that the Columbia Range Planned Unit Development will have on mean (average) and mean (mid-point) lot sizes. However, full implementation of the Columbia Falls Growth Policy will have an even greater impact on lot sizes.

**Table 1. River Road Neighborhood (RRN) lot size characteristics.**

Lot Sizes (acres)	Number of Lots		% of All Lots		Total Acres <sup>a</sup>		% of RRN	
	Existing	With CR <sup>c</sup>	Existing	With CR <sup>c</sup>	Existing <sup>b</sup>	With <sup>b</sup> CR <sup>c</sup>	Existin g	With CR <sup>c</sup>
<1	44	186	41	75	31.6	59.2	6	12
1-2	23	23	22	9	32.8	32.8	6	7
>2-5	19	19	18	8	57.6	57.6	11	12
>5-10	9	9	8	4	75.3	75.3	14	15
>10	12	11	11	4	331.0	261.9	63	54
<b>Totals</b>	<b>107</b>	<b>248</b>	<b>100</b>		<b>528.3<sup>b</sup></b>	<b>486.8<sup>b</sup></b>	<b>100</b>	

<sup>a</sup>Mean lot sizes: for existing is 5.0 acres; with CR is 2.0 acres. Median (mid-point) lot sizes: for existing is 1.4 acres; with CR is 0.3 acres.

<sup>b</sup>Areas that include open space in the Columbia Range development, roadways and other unbuildable land throughout the neighborhood are not included in total acres.

<sup>c</sup>CR = Columbia Range Planned Unit Development, which was recently approved by the Columbia Falls City Council.

The Columbia Falls Growth Policy Land Use Map (see Appendix C) recommends about 200 acres in the northeast portion of the Plan area may be developed as Urban Residential (2-8 units per acre). A density of 8 units per acre would create smaller lot sizes than are currently found in the Columbia Falls city limits. Approximately 320 acres could be developed as Suburban Residential (1-2 units per acre) and the remainder falls within the 100-year floodplain, wetlands or soil types with frequent flooding.

## ISSUES

1. The Growth Policy recommends a significantly higher density (up to 8 units per acre) in the northeast portion of the Neighborhood than is currently represented. Only 6% of survey respondents indicated they were in favor of this Urban Residential zoning.
2. 70 % of survey respondents indicated they would not want to see city water and sewer come across the Flathead River into the River Road Neighborhood.
3. The loss of open space, wildlife habitat and a change in community character that comes with increased growth is a concern among the Neighborhood residents.
4. As Neighborhood population increases, the conflicts between historical agricultural uses and urbanization will increase.
5. 7% of the Neighborhood is in the 100-year flood plain as determined by FEMA. A significant flood event occurred in 1964 and high water warnings occur frequently during spring runoff.
6. Development along Highway 2 and River Road could adversely affect the scenic corridor.
7. The relocation of River Road could create a significant scenic loss and loss of character to the Neighborhood.

8. The Flathead River is susceptible to pollution from septic, groundwater and runoff sources.

## GOALS

1. Determine appropriate housing densities within different areas of the Neighborhood, based on the character of the areas and distance from major arterials. Create a gradual transition into existing residential and open space areas by reduced density, increased buffering and sensitivity to compatible design and size of homes.
2. If city services are brought into the area, meet concerns of the residents to prevent undue monetary hardship on them.
3. Land uses should respect key neighborhood values identified in this planning process: wildlife habitat, view sheds, rural residential lifestyle, clean water, and historic and cultural aspects.
4. Reduce present and future conflicts between different land use designations.
5. Discourage further building within the 100-year floodplain.
6. Discourage business and industrial development with the exception of home occupations and agricultural uses.
7. Maintain the scenic vistas and natural vegetation along Highway 2 and River Road as a defining characteristic of the Neighborhood.
8. Protect the Flathead River as a key visual and environmental resource.

## RECOMMENDATIONS

1. In areas designated Suburban Residential in the Growth Policy, zoning should allow for no more than 1 unit per 1-5 acres, (see Appendix D, Density map).
2. In areas designated Urban Residential in the Growth Policy, zoning should allow for no more than 2 units per acre, (see Appendix D, Density map).
3. As new development occurs houses should be clustered with at least 50 percent of the development in permanent open space. Negotiations could be made during the planning process to allow for a Planned Unit Development allowing greater density (up to 4 units per acre) if a larger percent (at least 60 percent) of the development is open space (see Appendix F, Open Space definition).
4. Landscape buffers should be used where development abuts lower density tracts. Wildlife values should be considered as outlined in the Natural Resource section.
5. Transitional areas should be created where a spectrum of density could occur with higher density most distant from existing lower density areas and a graduated decrease in densities across the intervening area. Protection of existing topography and wildlife movement should be a priority.
6. If city water and sewer are brought into the area, the requirements for current residents to hook up to such services should not exceed the state law of 200 feet, based on system failure and wells should not be required to be capped.
7. If River Road remains at its current location, it should be widened to the appropriate ROW to support any new development.

8. If River Road is to be moved by a developer, negotiations should be made during the planning process to maintain views of the Flathead River for users of the road.
9. Encourage the City of Columbia Falls to engage in the process concerning setbacks along the Flathead River.
10. Building setbacks in this Neighborhood should take into consideration viewsheds, preservation of cottonwood stands and riparian habitat, density of dwelling units, availability of city water and sewer and height/grade of river bank adjacent to building.
11. At minimum, a 100 foot vegetative setback from the high water mark, where no disturbance of natural vegetation occurs, should be maintained for privately owned lots that are not intended for subdivision. Any lots intended for subdivision or PUD should have significantly greater setbacks to protect water quality and riparian habitat.
12. New homes should not be built in areas within the 100-year floodplain. A variance should apply for any existing homes that may need to be rebuilt due to catastrophic loss.
13. Residents and landowners should respect private property rights, including the tolerance of different land uses and the respect of private property.
14. Low intensity home occupations that do not adversely affect the Neighborhood are encouraged, but commercial business and industrial development should not be permitted.
15. Encourage landowners and developers to landscape with native plants to reduce water, energy and chemical usage, enhance wildlife habitat and manage invasive weed. Encourage the use of organic fertilizers, pesticides and herbicides when such chemicals are needed. \*See Appendix E, Additional Resources.
16. Encourage the use of permeable paving systems where possible, as an alternative to impervious surfaces. See Appendix E, Additional Resources.
17. Landowners along Highway 2, the Flathead River and River Road should develop their land so as to enhance the natural, scenic corridors and continue to provide a pleasing entrance to the River Road Neighborhood.
18. Encourage landowners with parcels of 10 acres or more to explore alternatives to development such as mechanisms within an agricultural and timberlands program: conservation easements, cluster and preservation developments, transfer of development rights.
19. Landowners are encouraged to be aware of any cultural history or if Native American artifacts are present.
20. Landowners who intend to subdivide shall hold a neighborhood public meeting prior to submittal to Columbia Falls Planning Board of proposed rezoning or development(s).



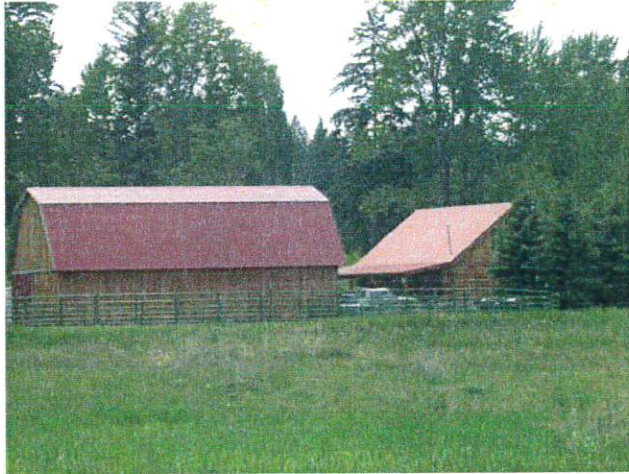
**IV. HOUSING**

Existing housing within the Neighborhood is predominately stick built single-family residential. Of the approximately 68 houses in the Neighborhood, 8 of these are manufactured. Class A manufactured homes are permitted in the zoning districts and the existing Class B manufactured homes are grandfathered into the neighborhood. \*See Appendix F for definitions of Class A and Class B manufactured homes.

Homes range in size from about 600 square feet to 4500 square feet and in age from a 1901 building date to 2006. The average footprint of the houses on the lots in relation to the lot sizes creates the rural feel of the neighborhood (current ratio is 10-15%).



Current housing is generally within SAG-5 and SAG-10 zoning. However, there is one area zoned CR-1 with two duplex units. Proposed city zoning would change the housing areas to Suburban and Urban Residential. The neighborhood is already in transition as evidenced by the one newly approved subdivision in the Urban Residential designation with CR-3 zoning, allowing for 146 single-family units. An additional ten-acre tract has also been rezoned to CR-1 allowing for one-acre lots in the Suburban Residential designation.



**ISSUES**

- 1. As new building occurs, house styles may lack architectural diversity.
- 2. The house/lot ratio will decrease with increased density of homes on smaller lots.

## GOALS

1. Maintain the unique rural character of the neighborhood, i.e. low density, open space, significant wildlife presence, and diversity of housing types.
2. Determine desirable house/lot proportions for new developments in new zoning areas.
3. Maintain single-family (detached) houses as the primary housing type in the neighborhood.
4. Maintain the predominant stick built housing style.

## RECOMMENDATIONS

1. Any existing Class B manufactured home to be upgraded to a newer unit in the event that current structure fails.
2. In new subdivisions, encourage diversity of single family (detached) housing types and discourage cookie cutter tract type housing. Housing design should not be repeated more than once in every six units.
3. Carefully analyze lot proportions as new zoning is implemented with minimal lot coverage recommended.
4. Prohibit manufactured home special overlay districts.

## V. PARKS AND RECREATION

The River Road neighborhood contains no public parks or recreation areas; the open space that does exist is all privately owned. Even though the Flathead River is an important recreation resource, the neighborhood has no formal public access to the river. However, two sites within the neighborhood are commonly used for river-related recreation. One site is at the junction of Highway 2 and River Road that people use as a pullout/parking area mostly for fishing access from the bridge; access to the Flathead River from this site is not "user friendly" because of the steep slope. A portion of this site is within the Highway 2 right-of-way; an exit from this vehicle pullout site onto Highway 2 can be unsafe. The second site is adjacent to the currently closed Red Bridge where people access the river along an unimproved road on private land or along a user made trail within the County road right-of-way; this site is used for a greater diversity of recreational pursuits than the Highway 2/River Road site because of the relatively gentle slope to the river. People often use the Red Bridge site for such things as walking, hiking, angling, building fires, and occasional ATV use. Neither of these two sites is in public land ownership. Thus, there is not an area within the neighborhood nearby for residents living on the smaller tracts of land to recreate without trespassing. The recently approved Columbia Range subdivision development will have a bike path, sidewalk and a park that will be available to the neighborhood/public.

## ISSUES

1. The RRNP area lacks public facilities such as a park or picnic area.
2. There is a need for well-constructed pedestrian and bike paths.



3. There is a need for safe public access to the Flathead River.
4. Legal river access could be blocked by new subdivision/lot development.

## **GOALS**

1. Renovate the Red Bridge for non-motorized vehicle use.
2. Acquire the area adjacent to the Red Bridge for designation as a public access area.
3. Designate key neighborhood parkland sites in those areas proposed for residential development.
4. Develop a safe public access to the Flathead River.
5. Maximize parkland dedication and monies via the subdivision process.
6. Develop relationships with private landowners to establish/gain easements for a pedestrian and/or bike path.

## **RECOMMENDATIONS**

1. Provide a system of pedestrian and/or bike paths and greenbelts within the RRNP area; the design of such a non-motorized network should insure there is a connection to other neighborhoods, schools and recreation areas.
2. As development occurs adjacent to proposed public sites, require these development projects to assist in developing their share or portion of such sites.
3. As bicycle/pedestrian paths are planned outside of new developments, if they are adjacent to existing roadways, they should be created within the 60-foot right of way and limit width to accommodate existing natural trees/shrubbery in an attempt to protect natural buffers between private land and roadway.
4. Seek grants that can help in acquiring public access to waterfront areas, for development of public parks, passive recreation areas and publicly accessible riverfront trails in existing and new subdivisions.
5. Maintain future parklands by adequately budgeting city and county funds.

## **VI. TRAFFIC**

Residents of the River Road Neighborhood primarily use three roads to enter and exit the area: Columbia Falls Stage, River Road and Rogers Road. Highway 2 forms the northern boundary of the neighborhood. However, only 2 residents have it as their residential frontage. Until 1989, neighborhood residents could use the Red Bridge over the Flathead River as the main access route to and from Columbia Falls. However, the closure of this bridge funneled traffic onto River Road.

Within the last 10 years a substantial increase in the amount of traffic that uses the neighborhood's road system has occurred. This increase in traffic is primarily the result of continuing residential developments that have occurred south of the neighborhood. Additional development within the neighborhood has recently been approved by the Columbia Falls City Council (Columbia Range) and will likely add additional traffic onto River Road. However, primary access to this new subdivision will be from Highway 2, to

the east of River Road.

The neighborhood is still relatively rural and roads are narrow (Table 2), with little to no shoulders. Mail is delivered via vehicle and school bus routes still exist. Flathead County is responsible for maintenance of public roads, including snow plowing.

The narrow roads (22-24 feet) within the neighborhood seemed adequate to facilitate the volumes of traffic that occurred 10+ years ago; neighborhood residents could still walk or bike on the edges of the roads with relative security at that time. However, now that traffic volumes have significantly increased, and speed limits are not routinely enforced, residents do not feel very comfortable or secure using roadsides in a non-motorized way.

Between 2003 and 2005, four recorded accidents occurred on Columbia Falls Stage Road at the junction with River Road (Table 2). Also during that same time period, in the vicinity of the intersection of River Road and Highway 2 (between mile markers 137.4 – 137.6), 15 accidents have occurred for various reasons. As traffic volumes increase on Highway 2, accidents are likely to increase at the intersection of River Road and Highway 2. Sight distance is generally good at this intersection, however, too often vehicle operators get impatient with waiting for a safe opportunity to enter and/or exit River Road. Columbia Falls Stage and River Road have a speed limit of 35 mph and Rogers Road has a speed limit of 25 mph.

Currently, there are no planned road improvements within the neighborhood. However, new roads associated with the recently approved Columbia Range subdivision on the eastern half of the neighborhood will service the development; egress/ingress roads will connect to Highway 2 (north) and Rogers Road (south). The Columbia Falls Growth Policy identified a "conceptual" relocation of River Road to the east of its present location. The potential for reconstructing the Red Bridge exists and, if it occurs, would significantly reduce and alleviate most safety issues related to River Road.

One of the greatest assets of the present location of River Road is the impressive view that one gets of the Flathead River, which extends for about 1000 feet south of Highway 2. The tree density along this stretch of road is low and views of the river are fantastic and highly valued by neighborhood residents.

**Table 2. Road and Traffic Data for the River Road Neighborhood**

Road ID	Road Width	Right-of-Way	Traffic Counts <sup>1</sup>		# Crashes <sup>2</sup>
			ADT	Total	
Columbia Falls Stage	22-24	60	1,919	11,516	4
River Road	22-24	20	2,482	14,889	3
Rogers Road	22-23	60	317	1,901	0

<sup>1</sup>Data is from Flathead County; this is a 6-day period from 7/9/04 to 7/15/04. ADT=average daily traffic.

<sup>2</sup>Data is from 2003 to 2005, from State Highway Traffic Safety Office (Jack Williams)

## ISSUES

1. Roads are narrow in width (22'-24') without shoulders.
2. Right of way of River Road is only 20 feet.
3. A significant amount of traffic volume is generated from south of the neighborhood.
4. Speed limits are generally not observed or enforced.
5. Closure of Red Bridge has diverted all traffic going to Columbia Falls, and points west, on to River Road.
6. Lack of road adjacent space for bicycle and pedestrian use, with the exception of Highway 2.
7. Safe access onto Highway 2 from River Road is dependent on time of day, road conditions, traffic volumes and vehicle speed.
8. An unauthorized River access exists on the east end of the Flathead River Bridge. Vehicles often pull onto the highway directly from it instead of from River Road, creating a potential traffic hazard.

## GOALS

1. Create bicycle/pedestrian paths and/or widen roads.
2. Improve safety at road intersections.
3. Improve River Road.
4. Restore the Red Bridge as a bicycle/pedestrian link to Columbia Falls.

## RECOMMENDATIONS

1. Seek funding for help in development of bicycle/pedestrian paths where path development is feasible, i.e. grants, Special Improvement Districts (SID), requirements as part of the subdivision process.
2. As bicycle/pedestrian paths are planned outside of new developments, attempt to build them within the 60-foot right of way and limit path width to accommodate existing trees/shrubbery and to effectively reduce overall impact to landowners.
3. If River Road remains at its current location, it should be widened to the appropriate ROW to support any new development.
4. If River Road is to be moved by a developer, negotiations should be made during the planning process to maintain views of the Flathead River for users of the road.
5. Pursue rebuilding of the Red Bridge minimally as a bicycle/pedestrian bridge.
6. Persuade Flathead County to conduct a warrant study at the junction of Columbia Falls Stage and River Road in order to establish the need for a three way stop (a stop sign currently exists down the dead end lane of North Columbia Falls Stage) or create a safer curve at the junction.
7. Pursue extension of 45 mph speed limit on Highway 2 to Columbia Heights as development occurs.
8. Persuade the state to address safety issue at the access/egress for vehicles at unauthorized access at southeast end of bridge.

## VII. ECONOMIC DEVELOPMENT

The RRNP area is primarily a rural residential area and most residents no longer make their living by utilizing the land as an agricultural resource. However the one significant area of land that is still in agricultural production adds greatly to the character of the area. There are a few home occupations in the neighborhood, but no business or industrial operations. Generally the home occupations do not offer drive up services and therefore do not pose issues with traffic, zoning or neighborhood character. While the highway frontage may seem a likely location for business operations, the neighborhood character is predominately rural and the survey indicates that the overwhelming majority who responded does not support business development within the neighborhood. This also falls within the guidelines of the Growth Policy.

As development continues in the neighborhood and the vision of the Columbia Falls Growth Policy is realized, the Flathead River will become increasingly important as both an ecologically and economically important resource. Commercial (e.g. guided fishing trips) and recreational use of the Flathead River will continue to increase and the city of Columbia Falls will likely benefit from people spending money on gas, supplies, restaurants, etc. It is vitally important to maintain the ecological and aesthetic integrity of the Flathead River so that people continue to have a positive experience when they use the portion of the river within the neighborhood. Both recreationists and clients of commercial fishing trips prefer to have a relatively undeveloped (i.e. houses not seen) river shoreline. Besides the ecological benefits of setbacks for housing (e.g. water quality and wildlife/fish habitat), vegetation buffers along the Flathead River will likely produce economic benefits as a result of returning visits by river users.

### ISSUES

1. Revenues generated for Columbia Falls community from Flathead River users could be adversely affected by reduced natural vegetation along the river and increased visible housing developments.
2. Development patterns (business and/or industrial) and housing types could affect property values.
3. Existing agricultural production could be affected by implementation of Growth Policy.

### GOALS

1. Maintain natural vegetation along the Flathead River and limit development visible from the River.
2. Maintain predominantly residential and agricultural character of Neighborhood, while allowing home occupations.
3. Encourage agricultural enterprises so as to further support the local economy and promote the Neighborhood character.

4. Avoid business and industrial development, except those home occupations and agricultural businesses that are compatible with the character of the Neighborhood.

## **RECOMMENDATIONS**

1. Encourage the City of Columbia Falls to engage in the process concerning setbacks along the Flathead River.
2. Building setbacks in this Neighborhood should take into consideration viewsheds, preservation of cottonwood stands and riparian habitat, density of dwelling units, availability of city water and sewer and height/grade of river bank adjacent to building.
3. At minimum, a 100 foot vegetative setback from the high water mark, where no disturbance of natural vegetation occurs, should be maintained for privately owned lots that are not intended for subdivision. Any lots intended for subdivision or PUD should have significantly greater setbacks to protect water quality and riparian habitat.
4. Do not allow commercial or industrial zoning.
5. Allow only those home occupations that do not increase noise or pollution and do not decrease property values.
6. Encourage the right to farm, and continued local agricultural production.

## **VIII. INFRASTRUCTURE AND SERVICES**

The main fire service for this neighborhood is provided by the Badrock Fire Department, located at the corner of Hwy 206 and Kelly Road, with backup from Columbia Falls Fire Department. The Flathead County Sheriff's Department is the main provider of law enforcement, with backup from the City of Columbia Falls Police Department when necessary. Public road maintenance is the responsibility of the Flathead County Road Department. Solid waste disposal is handled by individuals at the green box site provided by the County or by a private, contracted hauler.

There is a major BPA transmission line along the southwest border of the Neighborhood and a NorthWestern Energy natural gas line runs across the eastern edge, but no local service is provided directly from either of these lines. Some residents are supplied with natural gas from another line. Flathead Electric Cooperative provides electricity, with overhead lines in the older areas of the neighborhood. Telephone and cable TV are serviced by several different providers.

Currently all neighborhood residents have private wells and septic systems. City water and sewer has been approved to cross the Flathead River bridge at Hwy 2 to service 146 homes at Columbia Range Subdivision.

## ISSUES

1. There are areas of high groundwater in areas of the neighborhood with potential well contamination and septic failure issues.
2. Transition from the Flathead County Sheriff's Office to the Columbia Falls Police Department as areas of the neighborhood are annexed, could be problematic.
3. Road maintenance transition from Flathead County to the City Public Works Department as areas of the neighborhood are annexed could be problematic.
4. The Flathead River along the western boundary of the neighborhood could be negatively impacted by the existing septic systems in the neighborhood and by the addition of more septic systems as the neighborhood grows.
5. Water quality, including the Flathead River, groundwater, riparian and sensitive areas may be threatened by storm water runoff as development occurs.
6. The volunteer Badrock Fire Department may be strained by growth.

## GOALS

1. Protect the Flathead River watershed for downstream users.
2. Ensure safe drinking water for all of the residents of the neighborhood, including private wells.
3. Identify those areas of high groundwater within the neighborhood in order to protect them from over development.
4. Maintain adequate response times from law enforcement and fire service regardless of who provides it for the neighborhood.
5. Maintain public roadways for the safety of the residents.

## RECOMMENDATIONS

1. Require City and County Road and Law Enforcement Departments to coordinate their services as annexation transitions happen in the Urban Residential area of the neighborhood.
2. Require new developments to bury the utility lines needed to service the development.
3. Use public infrastructure in Urban Residential areas to protect the Flathead River and downstream aquifer areas in the neighborhood and beyond.
4. Storm water runoff plans need to be submitted to the City Planning offices for all areas of the neighborhood with development plans that affect high groundwater areas and the Flathead River boundary areas.
5. Require a response from the Badrock Fire Hall as all new subdivisions are proposed. Ask developers to contribute to Fire Hall needs if a subdivision is shown to burden the system. As transition to annexation occurs in the Urban Residential areas, require coordination between the City Fire Department and the Badrock Volunteer Fire Dept.
6. Identify areas of the neighborhood with high groundwater (less than 4 feet to water) and note them as areas of less development.

- 7. Ensure that any future annexation does not require "capping" or loss of private well use and to protect existing private land ownership/water rights.

**IX. COMMUNITY FACILITIES**

The Neighborhood lacks community facilities, but the area's close proximity to Columbia Falls allows residents to be a part of that community and to use available facilities. These include School District #6 which provides education for K-12 students, a branch of the Flathead County Library, and numerous churches of various denominations, medical offices and a senior citizen's center. Columbia Falls has city parks, which include a public swimming pool and tennis courts. A wide variety of businesses contribute to the diversity of services available. Financial institutions include two banks and two credit unions. For the present time, no issues, goals or recommendations have been identified under Community Facilities.

**SECTION 4 IMPLEMENTATION OF THE PLAN**

**I. ADOPTION**

Prior to the adoption of this plan, at least one public meeting will be held, hosted by the RRNP Committee. After input from the Neighborhood, at least one public hearing will be held before the Columbia Falls City-County Planning Board. The Board will forward a recommendation to the Columbia Falls City Council who will conduct a public hearing and take final action.

**II. APPLICATION**

This plan will be effective only if it is used. It should be consulted whenever a public or private action affects land use within the Neighborhood. For example, all subdivision development and re-zoning should be reviewed based on the criteria of this Plan. This plan should be considered a sub-element of the Columbia Falls Growth Policy, providing more specific detail and guidance in planning issues before the Planning Board and City Council.

**III. PERIODIC REVIEW AND AMENDMENTS**

From time to time the Neighborhood Plan may require amendments, review and updating. It should be reviewed in conjunction with the Columbia Falls Growth Policy review. At that time, the Neighborhood should hold a meeting to create written findings to the Planning Board that summarizes the effectiveness and appropriateness of the Plan. A River Road Neighborhood Land Use Advisory Committee, appointed by the Columbia Falls City Council, would serve as the local forum for discussion of any changes or amendments. The Committee would consist of 5 people, all of whom would be landowners within the RRNP. The Columbia Falls City-County Planning Board would work with and provide support for the Committee.

The amendment process is identical to the initial adoption process and requires local input, at least one public hearing before the Columbia Falls City-County Planning Board followed by at least one public hearing and final consideration by the Columbia Falls City Council.



APPENDIX A-SURVEY

RRNP SURVEY

Please answer the following questions if you are a member of the household and age 18 or over.

Age: 18-24 \_\_\_ 25-31 \_\_\_ 32-38 \_\_\_ 39-44 \_\_\_ 45-51 \_\_\_ 52-58 \_\_\_ 59-65 \_\_\_ 66-72 \_\_\_ 72+ \_\_\_

- 1. Do you walk/jog/bike in the neighborhood? Yes \_\_\_ No \_\_\_
2. Would you be more inclined to walk/jog/bike if any of the following were developed in the neighborhood? (Check all that apply) Pedestrian and bicycle pathways \_\_\_ Pedestrian crosswalks \_\_\_ Sidewalk ramps for disabled access \_\_\_ Renovation of the Red Bridge to a footbridge \_\_\_
3. Do you believe (Check all that apply): Speed limits in the neighborhood are too high \_\_\_ Speed limits need to be better enforced \_\_\_ Speed limits/enforcement are just right \_\_\_

4. If there are traffic problems in or around the neighborhood, please list the intersection closest to where the traffic problems occur. (Example: Steppe Ln and Rogers Rd).

5. Would you like property in the neighborhood to be: (Check all that you agree with) Current zoning maintained \_\_\_ Developed as single family housing \_\_\_ Developed as urban residential \_\_\_ Developed as suburban residential \_\_\_ Developed as cluster housing \_\_\_ Developed as commercial (hwy 2) \_\_\_ Other: \_\_\_

6. What species do you see in the neighborhood (Circle all that apply) Deer \_\_\_ Elk \_\_\_ Hawk \_\_\_ Bear \_\_\_ Moose \_\_\_ Eagles \_\_\_ Osprey \_\_\_ Waterfowl \_\_\_ Fox \_\_\_ Coyote \_\_\_

7. Do you believe that wildlife will be affected by increased development? Yes \_\_\_ No \_\_\_ Uncertain \_\_\_
8. If yes, which species would be most affected? Deer \_\_\_ Elk \_\_\_ Hawk \_\_\_ Bear \_\_\_

\_\_\_ Moose \_\_\_ Eagles \_\_\_ Osprey \_\_\_ Waterfowl \_\_\_ Fox \_\_\_ Coyote

9. On a scale of 1-5, how satisfied are you with the following aspects of the neighborhood? (1=Very Satisfied; 2=Satisfied; 3=Uncertain; 4=Dissatisfied; 5=Very Dissatisfied)

Location of housing 1 2 3 4 5
Diversity of housing 1 2 3 4 5
Rural Character 1 2 3 4 5
Vicinity of area business 1 2 3 4 5
Accessibility of parks 1 2 3 4 5
Bike/walking facilities 1 2 3 4 5
Traffic movement 1 2 3 4 5
Neighborhood aesthetics 1 2 3 4 5
Safety 1 2 3 4 5

10. Would development in the neighborhood effect any of your previous answers? Positive \_\_\_ Negative \_\_\_ Unaffected \_\_\_

11. How important are the following issues to you? (#1 most important) Clean drinking water \_\_\_ Loss of wetlands \_\_\_ Clean rivers \_\_\_ Light pollution \_\_\_ Wildlife habitat \_\_\_ Clean groundwater \_\_\_

**RIVER ROAD  
NEIGHBORHOOD PLAN  
(RRNP)**



**MISSION STATEMENT**

The Mission of the RRNP committee is to educate and facilitate involvement in neighborhood planning, with consideration to the Columbia Falls City-County Growth Policy and its potential impact on our neighborhood.

RRNP  
222 Rogers Rd.  
Columbia Falls, MT 59912

Stamp

**APPENDIX A-SURVEY**

RRNP  
Attn: Anna Stene-Bouley  
222 Rogers Rd  
Columbia Falls, MT 59912

**Survey Continued**

12. On a regular basis, do any of the following occur on your property?  
(Check all that apply)

- Shallow well
- Saturation (i.e. standing water)
- Flooding
- Wetlands

13. Do you want city water and sewer services to come across to the eastside of the Flathead River?

Yes  No  Uncertain

14. Do you want the neighborhood to be annexed into Columbia Falls?

Yes  No  Uncertain

Comments:

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Your answers are for informational purposes

Name (optional-please print):

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**The River Road Neighborhood Plan Survey Results**

As part of the information gathering process, in preparation for writing the Neighborhood Plan, the River Road Neighborhood Plan Committee (Committee) conducted a survey to try to ascertain the sentiments of all the landowners in the Neighborhood. While not a professional scientific type effort, the Committee members agreed with the basic survey format and they believed that the responses to the survey would provide an information base upon which the Neighborhood plan could be written. In retrospect, the Committee believed that some questions could have been phrased differently and response options for the survey respondents could have been improved. Nevertheless, the Committee believed that the survey and responses to the survey provided an adequate sensing of Neighborhood landowner values and desires such that it could proceed in writing the plan.

The Committee hopes that all those that take the time to look at the survey results will have a better understanding of the values and desires of a majority of the landowners of the River Road Neighborhood. The Committee believes that the Columbia Falls Planning Board, City Council and City Manager should consider the survey and responses a valuable resource. It is not often that these entities have the luxury of having survey data that provide the values and desires of landowners that will be directly affected by their recommendations and decisions on development proposals within the River Road Neighborhood.

Of the 75 survey forms sent out, the Committee received 47 returned surveys for a sample of 63% of River Road Neighborhood landowners. The Committee believed that this was a respectable return and that the summed responses provided the framework for the River Road Neighborhood Plan.

The Committee struggled with how best to display survey data due to not all respondents responding to each survey question. Considering this, the Committee decided on displaying data as transparently and simply as possible. Therefore, the following set of Tables show survey data as a direct reflection of how many of the respondents responded to each question in the survey. The highlighted portion of each Table indicates the highest response for the category in the question.

A - Respondent Age Category

Age Category (years)	# Responding	% of All Respondents
18-24	0	0
25-31	1	2
32-38	7	15
39-44	5	11
45-51	4	9
52-58	11	23
59-65	11	23
66-72	3	6
72+	3	6
No Response	2	4

B - Home Businesses

Home Business Category	# Responding	% of All Respondents
Yes	3	6
No	35	75
No Response	9	19

C - Household Size

Total # Household Members Reported	# of Responding Households	Average Household Size
106	40	2.7

#1 - Do you walk/jog/bike in the neighborhood?

Walk/Jog Response Category	# of Respondents	% of Respondents
Yes	40	85
No	7	15

#2 - Would you be more inclined to walk/jog if any of the following were developed in the neighborhood?

Development Category	# of Responses	% of Responses
Pedestrian/Bike Pathways	33	70
Pedestrian Crosswalk	11	23
Disabled Ramp	3	6
Red Bridge	41	87

#3 - Do you believe (check all that apply)

Category	# of Responses	% of Responses
Speed Limits in the neighborhood too high	13	28
Need Better Enforcement	34	72
Speed Limits are Just Right	12	26

#4 - If there are traffic problems in or around the neighborhood, please list the intersection closest to where the traffic problems occur?

Intersection	# Responses	% of Responses
Columbia Falls Stage/River Road	13	28
Highway 2/River Road	15	32
Columbia Falls Stage/Rogers Road	3	6
Highway 206/Rogers Road	1	2
No Responses	15	32

#5 - Would you like property in the neighborhood to be (check all that you agree with)

Zoning Category	# of Responses	% of Responses
Current Zoning Maintained	36	77
Single Family Housing	15	32
Urban Residential	3	6
Suburban Residential	6	13
Cluster Housing	2	4
Commercial (along Highway 2)	1	2
Other: SAG 10 (1 / 10 acres)	1	2
Other: No Zoning	1	2

# 6 - What species do you see in the neighborhood?

Species	# Respondents That Indicated Seeing Species	% of Respondents
Deer	45	96
Eagle	44	94
Hawk	39	83
Waterfowl	39	83
Elk	35	74
Bear	27	57
Coyote	23	49
Fox	21	45
Osprey	19	40
Moose	8	17
Other <sup>1</sup>	22	47

<sup>1</sup>Other=respondents indicated seeing the following: pheasant, beaver, turkey, grouse, falcon, raccoon, snake, frog, skunk, rabbit, mountain lion, and fish.

#7 – Do you believe that wildlife will be affected by increased development?

Response Category	# Responses	% of Responses
No	2	4
Yes	44	94
Uncertain	1	2

#8 - If yes, which species would be most affected by increased development?

Species	# Respondents That Indicated Species Would Be Impacted	% of Respondents
Deer	30	64
Hawk	19	40
Elk	38	81
Bear	21	45
Moose	12	26
Osprey	17	36
Fox	20	43
Eagle	37	79
Waterfowl	24	51
Coyote	12	26

#9 - On a scale of 1-5, how satisfied are you with the following aspects of the neighborhood?

Neighborhood Characteristic	# of Responses by Satisfaction Level <sup>1</sup>				
	1	2	3	4	5
Location of Housing	15	16	8	4	1
Diversity of Housing	13	18	8	4	1
Rural Character	25	16	3	0	1
Vicinity to Area Businesses	21	15	8	1	1
Accessibility of Parks	12	17	9	8	2
Bike/Walking Facilities	4	8	3	20	11
Traffic Movement	3	13	9	13	8
Neighborhood Aesthetics	8	17	9	8	2
Neighborhood Safety	6	18	5	12	6

<sup>1</sup>1=very satisfied; 2=satisfied; 3=uncertain; 4=dissatisfied; 5=very dissatisfied.

#10 - Would development in the neighborhood effect any of your previous answers?

Response Category	Response	% of Responses
Positive	14	30
Negative	15	32
Unaffected	8	17
No Response	10	21

#11 - How important are the following issues to you?

Issue Category	# Respondents Indicating Importance <sup>1</sup> of Issues					
	1	2	3	4	5	6
Clean Drinking Water	16	8	3	1	3	1
Loss of Wetlands	3	2	2	5	12	4
Clean Rivers	2	2	14	6	2	1
Light Pollution	1	4	2	1	3	14
Wildlife Habitat	3	2	2	11	5	3
Clean Groundwater	7	9	4	3	1	2
Trashy Neighbors <sup>2</sup>	1					
Zoning Upheld <sup>2</sup>	1					

<sup>1</sup>Importance values: 1 is most important, 2 is second most important, 3 is third most important, etc.

<sup>2</sup>This was a write-in category and was not an issue category in the survey question.

#12 – On a regular basis, do any of the following happen on your property?

Category	# of Responses	% of Responses
Shallow Well	16	34
Saturation (i.e. standing water)	13	27
Flooding	6	13
Wetlands	7	15
No Response	5	11

#13 - Do you want city water and sewer services to come across to the eastside of the Flathead River?

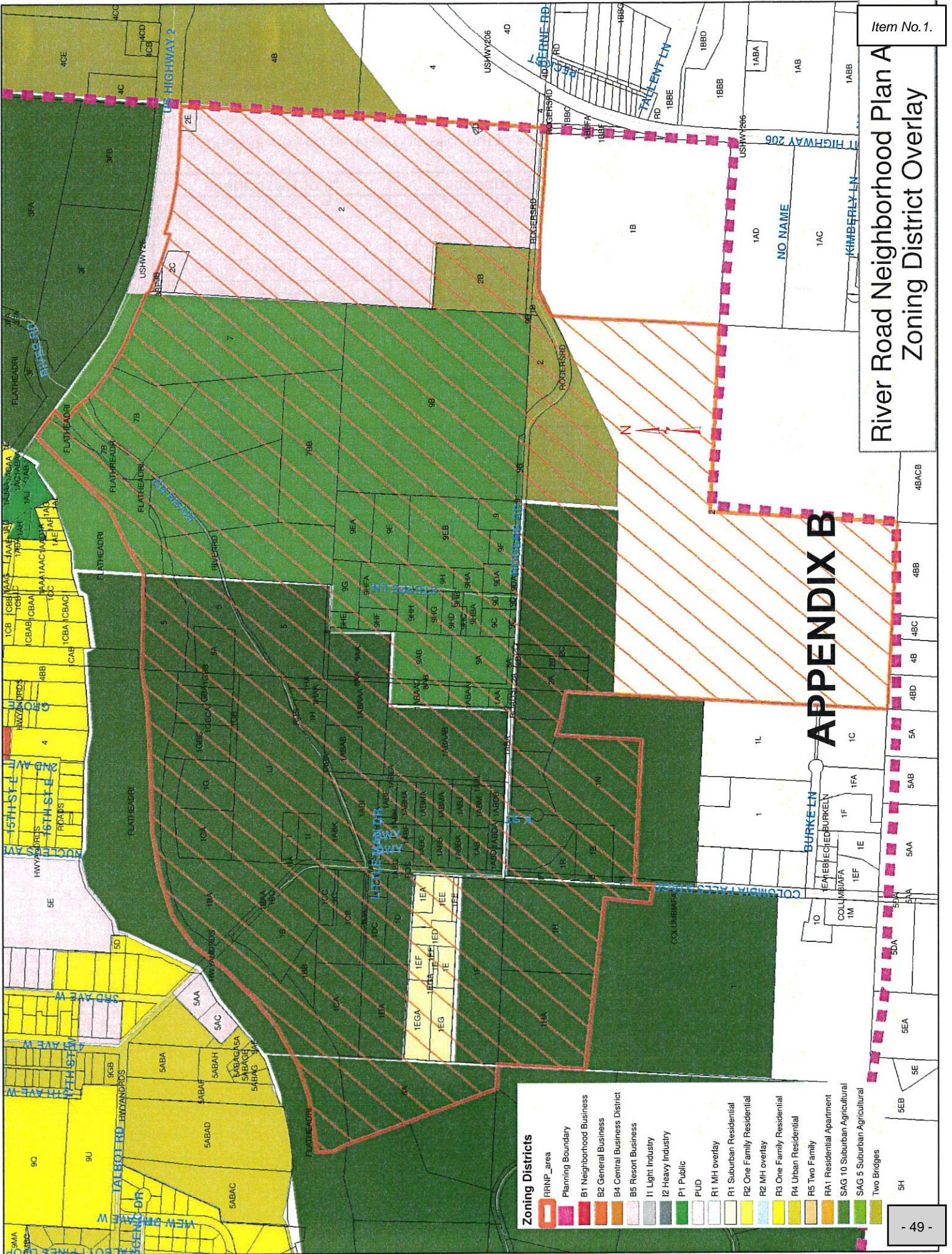
Response Category	# of Responses	% of Responses
Yes	5	11
No	33	70
Uncertain	8	17
No Response	1	2

#14 – Do you want the Neighborhood annexed into Columbia Falls?

Response Category	# of Responses	% of Responses
Yes	2	4
No	37	79
Uncertain	7	15
No Response	1	2



# River Road Neighborhood Plan A Zoning District Overlay



### Zoning Districts

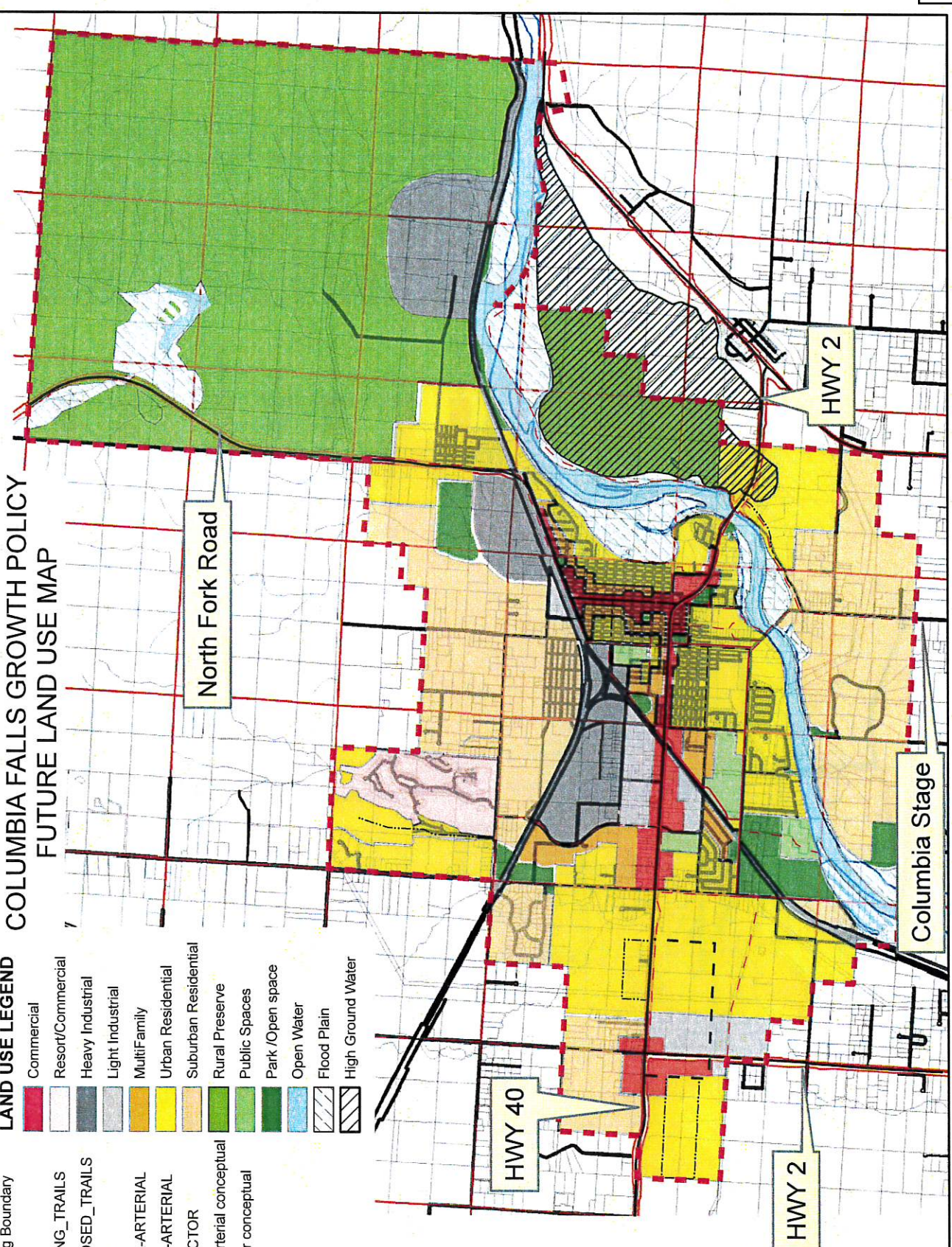
- RRNP\_area
- Planning Boundary
- B1 Neighborhood Business
- B2 General Business
- B4 Central Business District
- B5 Resort Business
- I1 Light Industry
- I2 Heavy Industry
- P1 Public
- PUD
- R1 MH overlay
- R1 Suburban Residential
- R2 One Family Residential
- R2 MH overlay
- R3 One Family Residential
- R4 Urban Residential
- R5 Two Family
- RA1 Residential Apartment
- SAG 10 Suburban Agricultural
- SAG 5 Suburban Agricultural
- Two Bridges

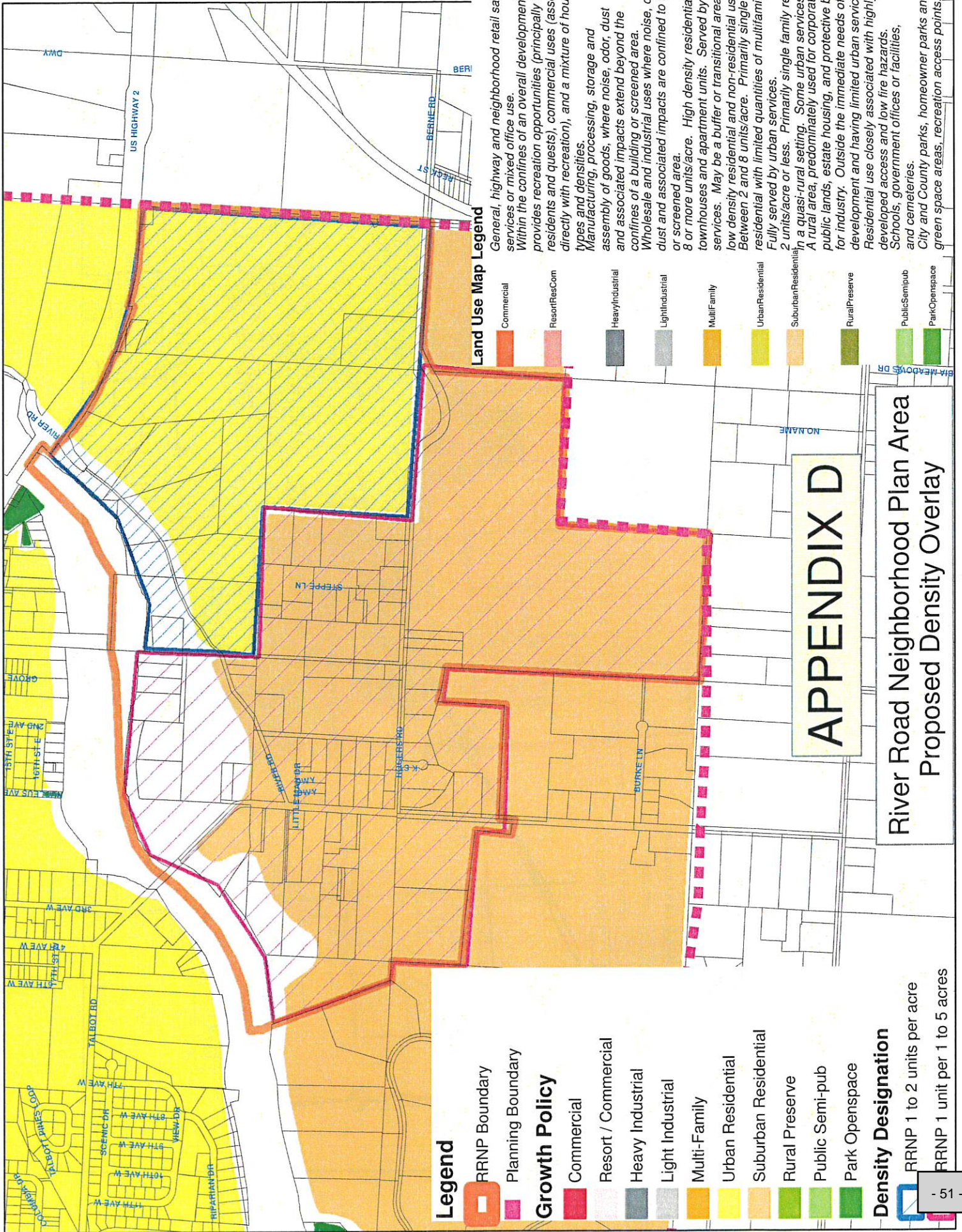
# APPENDIX C

## COLUMBIA FALLS GROWTH POLICY

### FUTURE LAND USE MAP

- trails**
- Planning Boundary
  - EXISTING\_TRAILS
  - PROPOSED\_TRAILS
- Roads**
- MAJOR-ARTERIAL
  - MINOR-ARTERIAL
  - COLLECTOR
  - Minor arterial conceptual
  - collector conceptual
- LAND USE LEGEND**
- Commercial
  - Resort/Commercial
  - Heavy Industrial
  - Light Industrial
  - MultiFamily
  - Urban Residential
  - Suburban Residential
  - Rural Preserve
  - Public Spaces
  - Park /Open space
  - Open Water
  - Flood Plain
  - High Ground Water





**Legend**

- RRNP Boundary
  - Planning Boundary
- Growth Policy**
- Commercial
  - Resort / Commercial
  - Heavy Industrial
  - Light Industrial
  - Multi-Family
  - Urban Residential
  - Suburban Residential
  - Rural Preserve
  - Public Semi-pub
  - Park Openspace
- Density Designation**
- RRNP 1 to 2 units per acre
  - RRNP 1 unit per 1 to 5 acres

**Land Use Map Legend**

- Commercial
  - ResortResCom
  - HeavyIndustrial
  - LightIndustrial
  - MultiFamily
  - UrbanResidential
  - SuburbanResidential
  - RuralPreserve
  - PublicSemiPub
  - ParkOpenspace
- General, highway and neighborhood retail sales, services or mixed office use.  
 Within the confines of an overall development plan, provides recreation opportunities (principally to residents and guests), commercial uses (associated directly with recreation), and a mixture of housing types and densities.  
 Manufacturing, processing, storage and assembly of goods, where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.  
 Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.  
 High density residential including townhouses and apartment units. Served by urban services. May be a buffer or transitional area between low density residential and non-residential uses.  
 Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units.  
 Fully served by urban services.  
 2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.  
 A rural area, predominately used for corporate and public lands, estate housing, and protective buffer for industry. Outside the immediate needs of urban development and having limited urban services.  
 Residential use closely associated with highly developed access and low fire hazards.  
 Schools, government offices or facilities, and cemeteries.  
 City and County parks, homeowner parks and green space areas, recreation access points

**APPENDIX D**

**River Road Neighborhood Plan Area  
Proposed Density Overlay**

**APPENDIX E  
ADDITIONAL RESOURCES**

**MONTANA NATIVE PLANT RESOURCE**

Native plant information is available on the Montana Native Plant Society website  
<http://www.umt.edu/mnps/>

**PERMEABLE PAVING SYSTEMS**

<http://www.epa.gov/owow/nps/pavements.pdf>

**APPENDIX F  
DEFINITIONS**

**CLUSTER DEVELOPMENT**

A site planning technique used to group housing in a manner that allows for less infrastructure needs and the preservation of open space.

**MANUFACTURED HOMES**

Housing built on a chassis designed and constructed for transportation to a site for installation and use when connected to required utilities.

a. Class A manufactured home - a manufactured home meeting the following standards:

- 1). A single-family dwelling constructed not more than 8 years prior to placement and consisting of at least 1000 square feet of living space.
- 2). At least 20 feet wide at the narrowest point.
- 3). Placed on a permanent perimeter foundation.
- 4). Hitch and/or tongue of manufactured home is removed.

b. Class B manufactured homes - a manufactured home that does not meet the above standards except that Class B manufactured homes must meet the permanent perimeter foundation requirement in the Mobile Home Overlay Districts (18.33A).

**OPEN SPACE**

That portion of the landscape which is in a predominately natural state and which is sought to be reserved in its natural state or for agricultural or outdoor recreational use. Open space may include, but is not limited to riparian areas, agricultural lands, watersheds, forests, floodplains and habitat areas.

**SINGLE FAMILY HOUSING**

A housing type other than condominium, du-plex, tri-plex, four-plex or apartment style complex.

**CITY OF COLUMBIA FALLS  
PLANNING DEPARTMENT**

**PLANNING STAFF REPORT  
FOR  
RIVER ROAD NEIGHBORHOOD PLAN**

March 4, 2008

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HAZARDOUS CONDITIONS ..... 7  
FORESTED AREAS..... 8  
CURRENT USES: ..... 10  
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# CITY OF COLUMBIA FALLS PLANNING DEPARTMENT

Item No. 1.

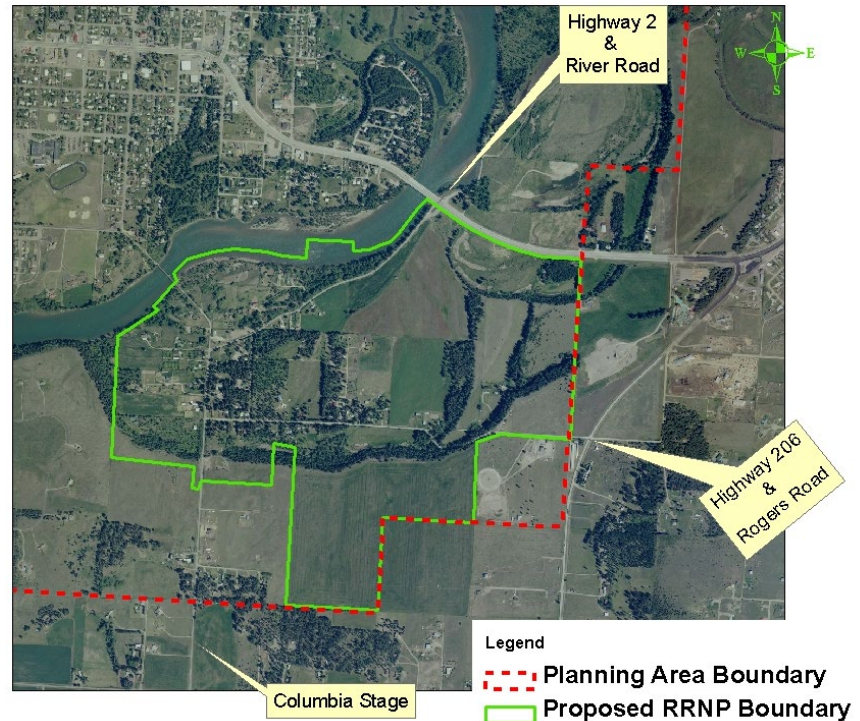
## REVIEW REPORT

Title: Amendment to the Growth Policy  
Subject: Proposed River Road Neighborhood Plan  
Date: February 26, 2008  
Prepared By: William F. Shaw, City Manager/ Planning Director  
Recommendation: Conduct public hearing March 11 and consider tabling for decision on April 15, 2008

### ***Background***

In January, 2006, the City Council appointed interested property owners within the River Road area to a committee to assemble and present a neighborhood plan.

The proposed area for inclusion in the Plan is shown in the map, right. Essentially it follows the exterior boundary of whole tracts that lay at the outer edge of the plan area and following the Columbia Falls planning jurisdiction boundary along the east and southern boundary. The only exceptions to this description are two tracts in the southeast corner. One exception is a highway maintenance yard and the other a field that has only 3/4<sup>th</sup> of its area in the jurisdiction.



The committee has met with the planning staff on several occasions, over the past two years, to review progress and assess various options. Draft reports were also reviewed during the period. In February, 2008, the committee submitted the final draft which accompanies this staff report.

During that period, the Planning Board and Council have heard from some of the committee members and some of the landowners, comments during public meetings that there is not total consensus among either group about the inclusion boundary of the Plan area.



## ***Growth Policy In General<sup>i</sup>***

Establishment of a growth policy is required in each planning jurisdiction in Montana. The Policy must be consulted during the review and decision making process for land use decision: principally zoning<sup>ii</sup> and subdivisions.<sup>iii</sup> In accordance with Statute,<sup>iv</sup> the governing body within the area covered by the growth policy must be guided by and give consideration to the general policy and pattern of development set out in the growth policy.

Neighborhood plans are permitted as part of the Growth Policy by Statute<sup>v</sup> and are addressed in the City of Columbia Falls policy<sup>vi</sup> as a supplement to the Policy.

The Columbia Falls Growth Policy is provided for guidance in decision making process and is described in the Policy as general and visionary.<sup>vii</sup> The enabling statute provides that the policy is not a regulatory document and denies its use as the sole factor for any land use decision.<sup>viii</sup>

How to apply the Growth Policy to the decision making process and, in particular, what a neighborhood plan should be permitted to insert in the Policy has become of great concern in Flathead County. Recently a similar review of a neighborhood plan became controversial when concerns were raised about the Montana Supreme Court ruling that the Growth Policy and supplements would be considered regulatory if more restrictive than other regulations. Language of a similar nature occurs in both the Columbia Falls Title 17 Subdivision Regulations and Title 18 Zoning Regulations (see those prescriptions right).

Board suggests North Fork plan revisions  
Posted: Friday, Feb 08, 2008 - 09:14:02 am MST

By Michael Richeson / The Daily Inter Lake

The North Fork Neighborhood Plan is back in the hands of North Fork residents after the Flathead County Planning Board suggested numerous revisions at a Wednesday night workshop. The North Fork Land Use Advisory Committee will now make changes in the hopes of earning a positive recommendation from the Planning Board. Board members had concerns about subjective language throughout the plan, especially after the Montana Supreme Court's recent ruling that made all of Flathead County's planning documents regulatory. The court found that a provision in the zoning regulations stated: "In cases where a neighborhood plan, addendum to the Master Plan, or other adopted document contains aspects related to zoning and is under the jurisdiction of these regulations, the provisions that are more restrictive shall control."

**17.04.090 Jurisdiction.** This title applies to the subdivision of land within the jurisdictional area of the city.

This title supplements all other titles and where they are in conflict with other laws, regulations, ordinances or resolutions the more restrictive requirements shall apply.

**18.104.010 Scope.** It is not intended for this title to repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws, ordinances, or resolutions, except those specifically repealed by the adoption of this title or with private agreement, or with restrictive covenants running with the land to which the city council is a party. Where this title imposes a greater restriction on land, buildings, or structures than is imposed or required by such existing provisions of law, ordinance, resolution, contract, or deed, the provisions of this title shall control.

Growth Policy is not described within the policy as regulatory; however, the Neighborhood Plan section contains the following prescription: “Any land use ordinances or regulations, such as zoning or subdivision review, should be based on this plan, and where the plan is more restrictive in its policy, the plan's precepts shall prevail.”

Concerns that the Policy or its supplements may be considered regulatory are valid because the Policy was neither assembled, adopted nor required by statute<sup>ix</sup> to provide more than guidance in planning and land use review. Efforts are currently underway to amend subdivision and zoning regulations, and the Growth Policy to revise pertinent sections to assure that the Policy is less likely interpreted as a regulatory document.

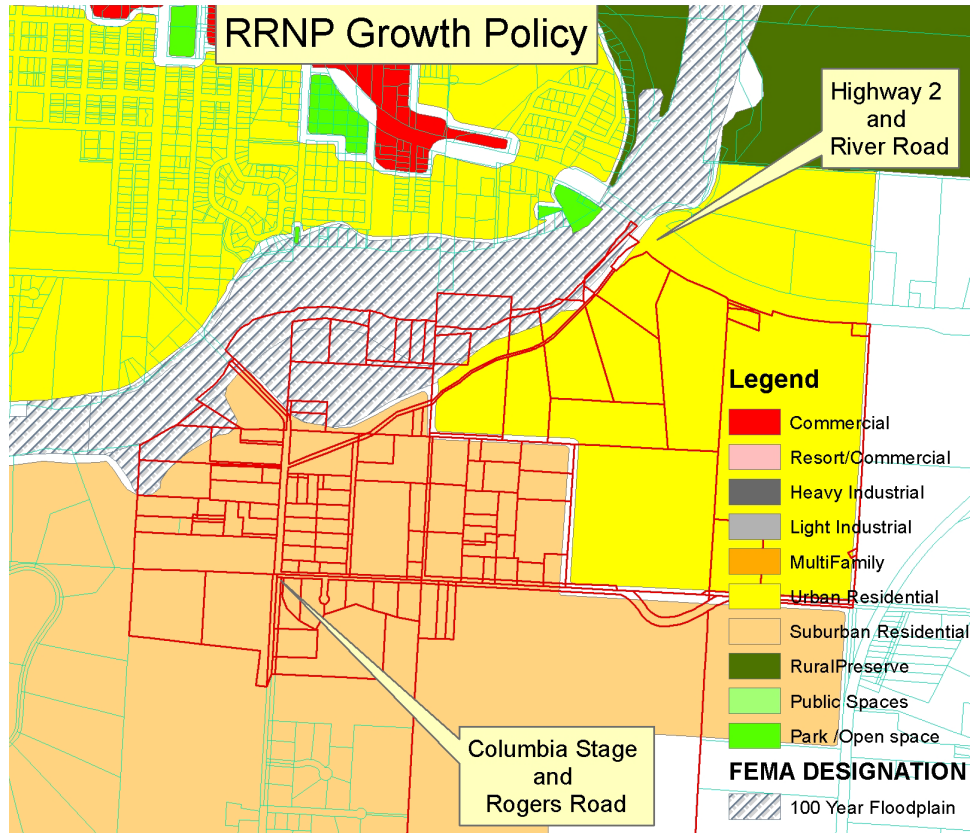
**Current RRNP Land Use Designations**

The Growth Policy land use recommendation for the RRNP area is shown in the map right.

The Growth Policy show that the lands in the north east area are recommended as “urban residential” and the area in the south west as “suburban residential.”

The table below shows the quantity and acreage of tracts within the RRNP area compared to tracts bearing Growth Policy bearing similar recommended land use. The term “tracts” excludes parcels which are roads, railroads, rivers or Forest Service .

Compared to all the tracts in the planning jurisdiction that bear similar Growth Policy recommendations, the RRNP represents about 4% of the count of tracts and about 11% of the acreage.



Type of Land Use Recommended	Planning Jurisdiction (excluding RRNP)		RRNP		RRNP as % of total	
	count	acres	count	acres	count	acres
Urban Residential	2334	2009.8	14	187.5	0.6%	8.5%
Suburban Residential	539	1614.9	89	302.3	14%	16%
Floodplain	123	405.3	13	45.0	10%	10%
River	83	776.9	12	30.5	13%	4%

With respect to Growth Policy housing recommendations, the 89 tracts in the RRNP area, which share the “Suburban Residential” designation, represent about 14% of the tracts and about 16% of the acreage.

For tracts bearing the “Urban Residential” designation the RRNP area possesses less than 1% of the tracts and its area is about 8.5% of the acreage so designated in the planning area.

Right is the Growth Policy text describing “Suburban Residential” and “Urban Residential.” Several significant differences are noteworthy:

- ✓ Housing density ranges from two units and less per acre (suburban) to up to eight units per acre (urban). Note that the acreage in both designations is gross acres; lot plus roads, easement and open space).
- ✓ Only single family housing is recommended in suburban areas and a range of housing from single family to small clusters of multifamily are recommended in the urban area.
- ✓ Urban areas must be served by municipal utilities.

Growth Policy – 2005, Section 3 – Land Use – Residential Housing Policies:

2. **Suburban Housing:**

- a. Suburban Housing areas, as shown on the growth policy map should provide densities appropriate to the limitations of the particular site, and should not exceed two dwellings per gross acre.
- b. The suburban residential designation is intended to reduce density and development impacts in sensitive areas and existing rural neighborhoods.
- c. Single-family houses are the primary housing type.
- d. These areas should have paved streets and access to services. New subdivisions located in or near Columbia Falls should generally include sidewalks and installation of low intensity street lighting appropriate to the area.

3. **Urban Residential:**

- a. Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided.
- b. Typical densities are two to eight dwellings per gross acre.
- c. Single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi-family housing are also anticipated.
- d. Urban density residential areas should be fully served by urban infrastructure and municipal services, including paved streets, curbs, sidewalks abutting all residential lots, boulevards and public sewer and water
- e. These areas should have convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.

The current zoning designations for the RRNP area is shown in the *RRNP Zoning Districts* map.

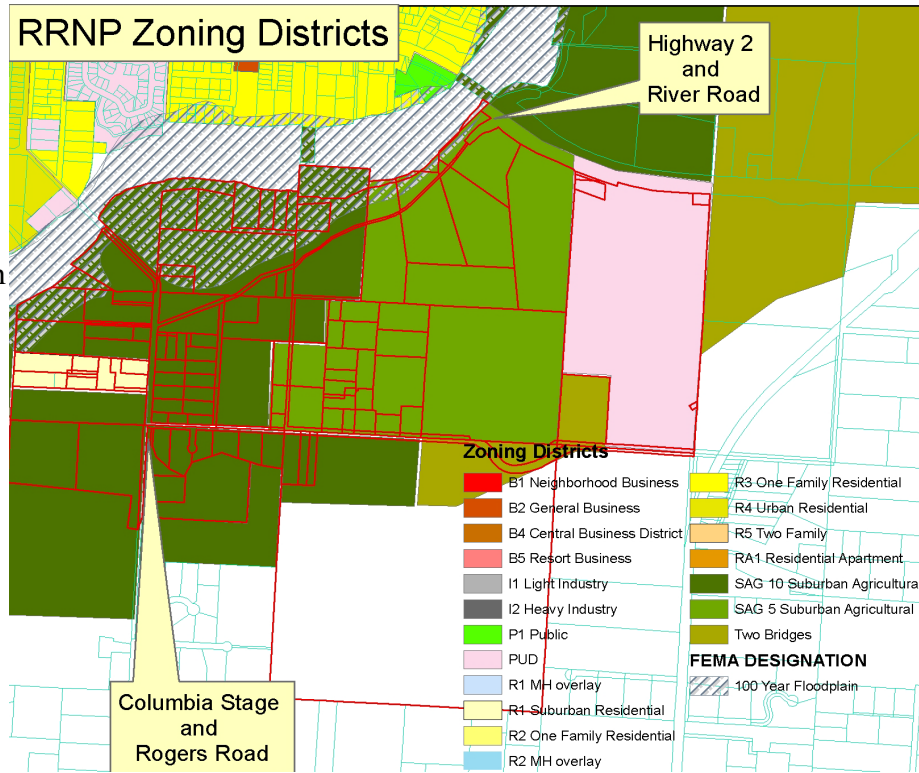
Four zoning districts exist within the Plan area:

- SAG 10
- SAG 5
- R1
- PUD (planned unit development)

The PUD area is an overlay of an R3 designation created in 2006. That area has been granted a preliminary plat for 146 lots. The zoning, PUD and preliminary plat conform to the current Growth Policy.

Zoning designation comparisons for tracts outside and

within the RRNP area are shown in the *Current Zoning Designation* table. The RRNP area possesses about 9% of both the number of tracts and acreage of the entire planning jurisdiction.

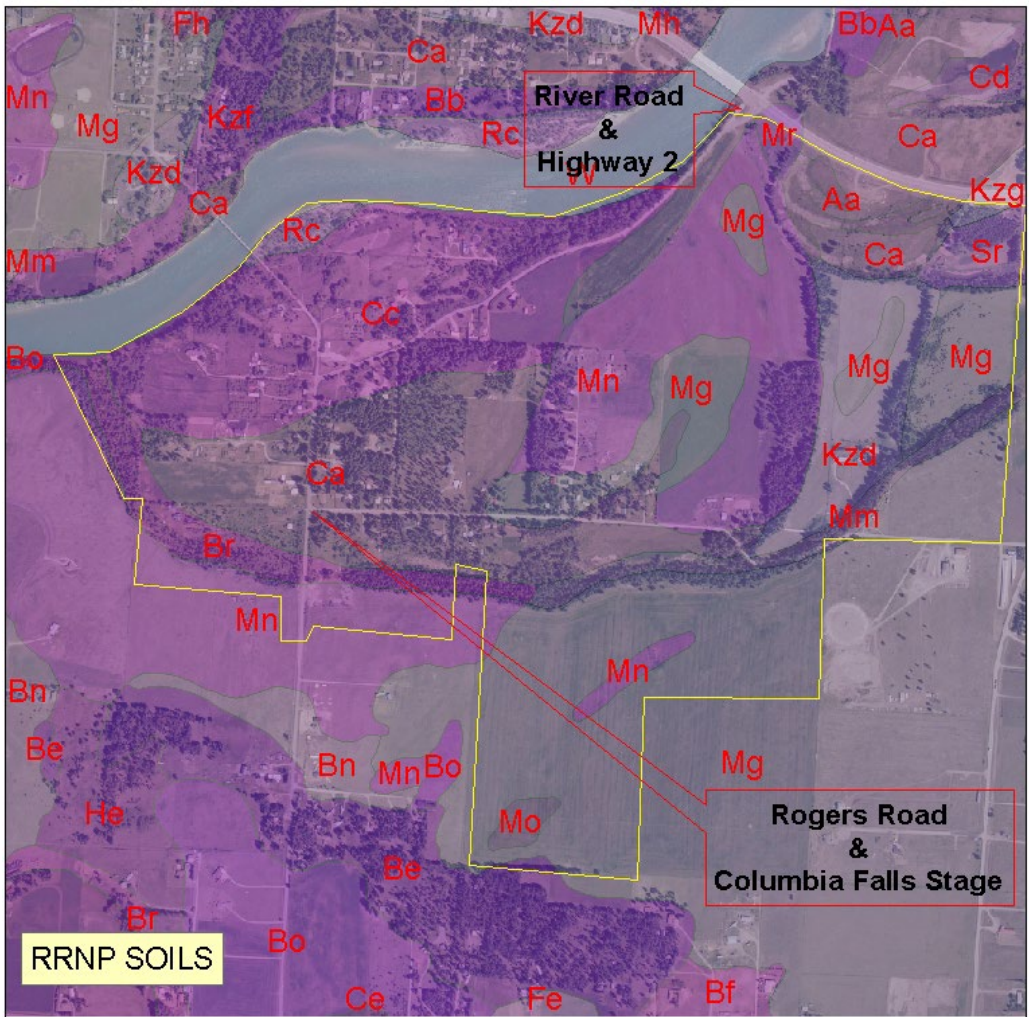


Current Zoning Designation	Planning Jurisdiction (excluding)		RRNP		RRNP as % of total	
	count	acres	count	acres	count	acres
SAG10	95	1442.6	74	180.1	43.8%	11.1%
SAG5	42	332.5	40	145.8	49%	30%
R1	396	1041.4	9	8.2	2.2%	0.8%
PUD	105	32.1	5	70.7	4.5%	68.8%
Total	766	3253.4	128	404.8	17%	12%

### Land and Soils

The River Road Neighborhood Plan (RRNP) area includes the banks of the Flathead River along the north west boundary. Much of the area to the south east of the river appears to be an ancient meander of that river marked by an abrupt change in elevation where the river bottom transitions into foothills.

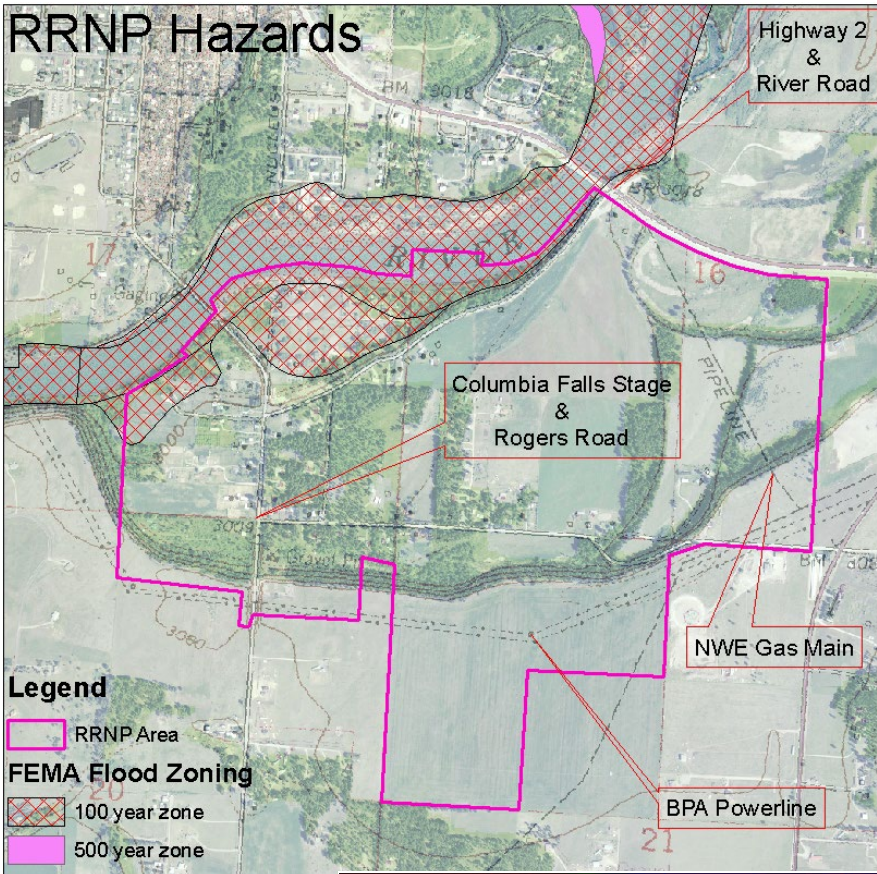
Soils in the area range from lands not suitable for development to those that are highly suitable. The RRNP Soils map below displays soil catalog provided by the National Resources Conservation Services (NRCS).



Soils unsuitable for construction (road fill) include those rated as Aa and Br. Lands rated as Mn, Mg and Mn are rate suitable. Rc is not rated. Those rated unsuitable are so because of high water and slope than soil content.

It appears that much of the lands south east of River Road is highly suitable for development. Land to the northwest of the River Road and Columbia Stage intersection are less suitable and the least suitable is the Aa zone along the north side of the Plan area immediately south of Highway 2. (See NRCS report in appendix D)

# RRNP Hazards

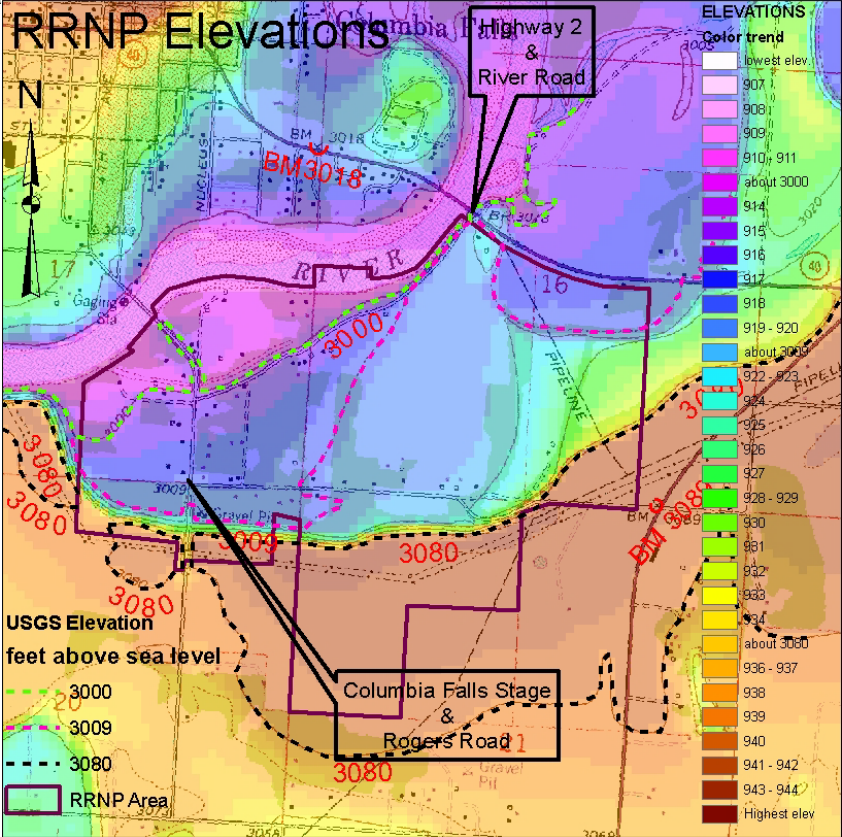


# Hazardous Conditions

The Columbia Falls Regulations recognize some conditions as hazardous and typically rate these as unsuitable for development unless the hazards are mitigated. Among them are lands within the 100 year floodplain, or bearing high voltage power lines, high pressure gas mains, and steep slopes.

The River Road area possesses these hazards at the approximate locations shown on maps titled: RRNP Hazards and RRNP Elevations. Flood zones exist along the northwest side of the line labeled 3000. Steep slopes exist along the south west corner of the Plan area; some areas rising nearly 70 vertical feet in a horizontal distance of about 85 feet (82% slope).

# RRNP Elevations

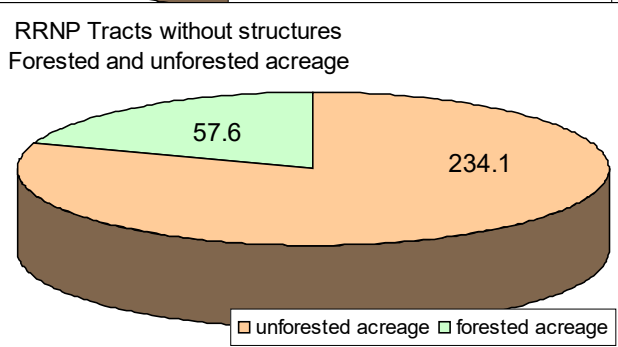
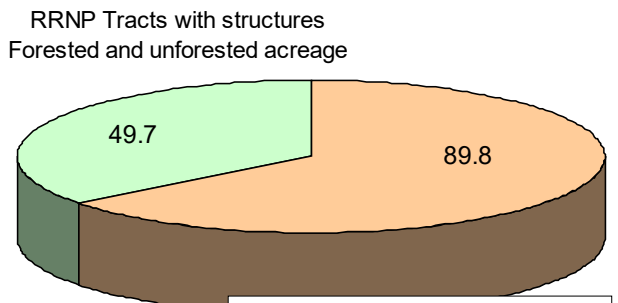
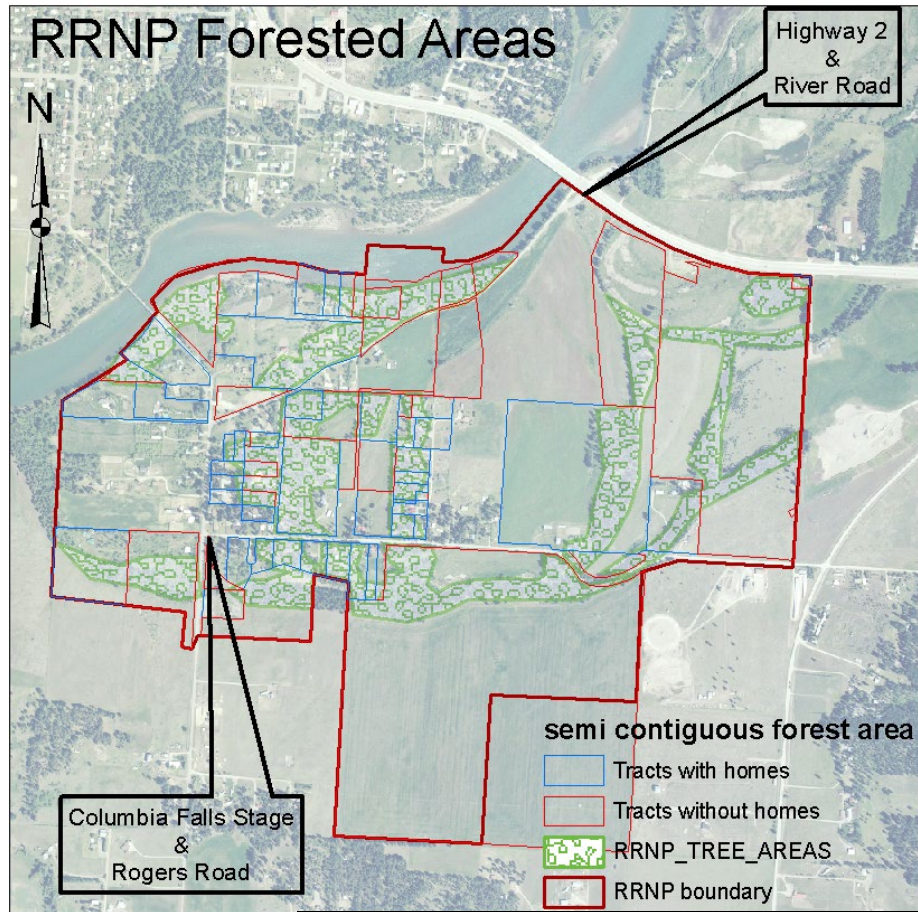


### Forested Areas

The plan area possesses a number of forested areas. The map below shows the areas where tree concentration remains sufficiently high to create a canopy that would likely have an effect upon the immediate environment.

Some areas are linked to others; the longest contiguous forest occurs along the ridge line located to the south and south east within the Plan area.

Forested acreage of about 107 acres is found on tracts with structures and without. About 50 acres of forest resides on 42 occupied tracts that have a total area of 139 acres. About 57 acres of forest reside on 23 unoccupied tracts that have a total area of about 291 acres. The *Forested and Unforested Acreage* charts right shows that total forested acreage on unoccupied tracts in relation to total acreage of tracts with trees is substantially less than occupied tracts.



The charts below show the percentage of forested areas on various tracts sizes and tract count.

The plan area has occupied tracts with and without forest and unoccupied areas with and without forest.

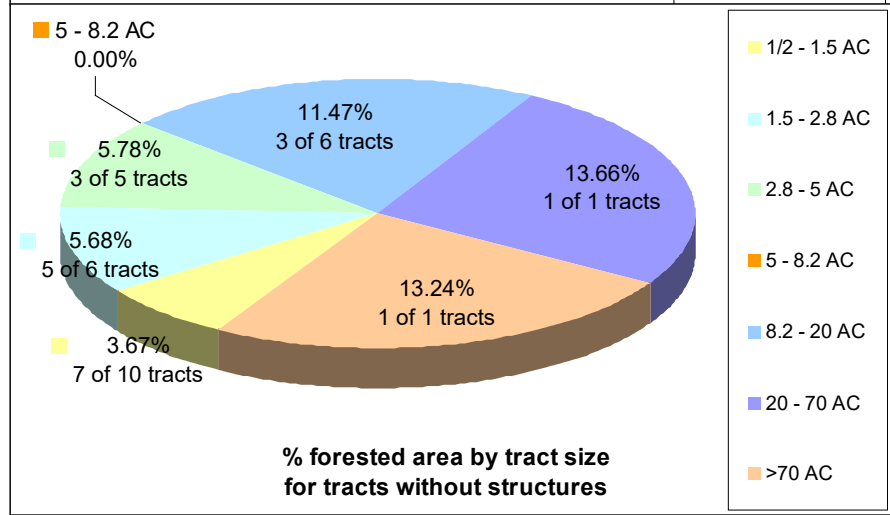
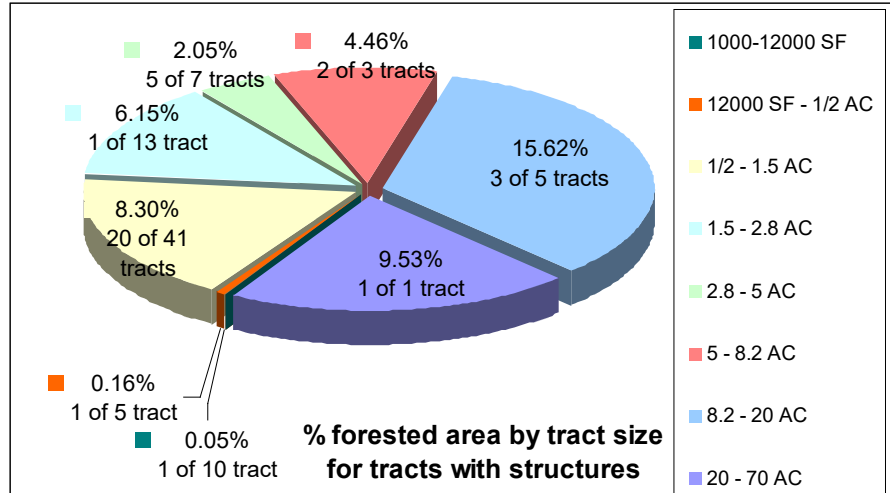
The % Forested Area by Tract Size chart right shows occupied tracts with forests and percent of the total forest acreage occurring on these tracts and the number of tracts that are forested.

Also, right is a chart showing the same information for unoccupied tracts.

Below is a table that shows the percent forested of each tract that has forest acreage.

Consulting the table and chart shows that occupied tracts, in the 8.2 – 20 acre class, have about 16% of the total forest acreage and the forest cover averages 49% on each of the three tracts that have

forested areas. Among unoccupied tracts, of the same class (8.2-20 acre) forests are 11.5% of total forested acres and the forest cover averages 31% on each of the three tracts that have forested areas. This size range was chosen because it represents lands having a sizable contiguous canopy and the tracts could potentially be subdivided.

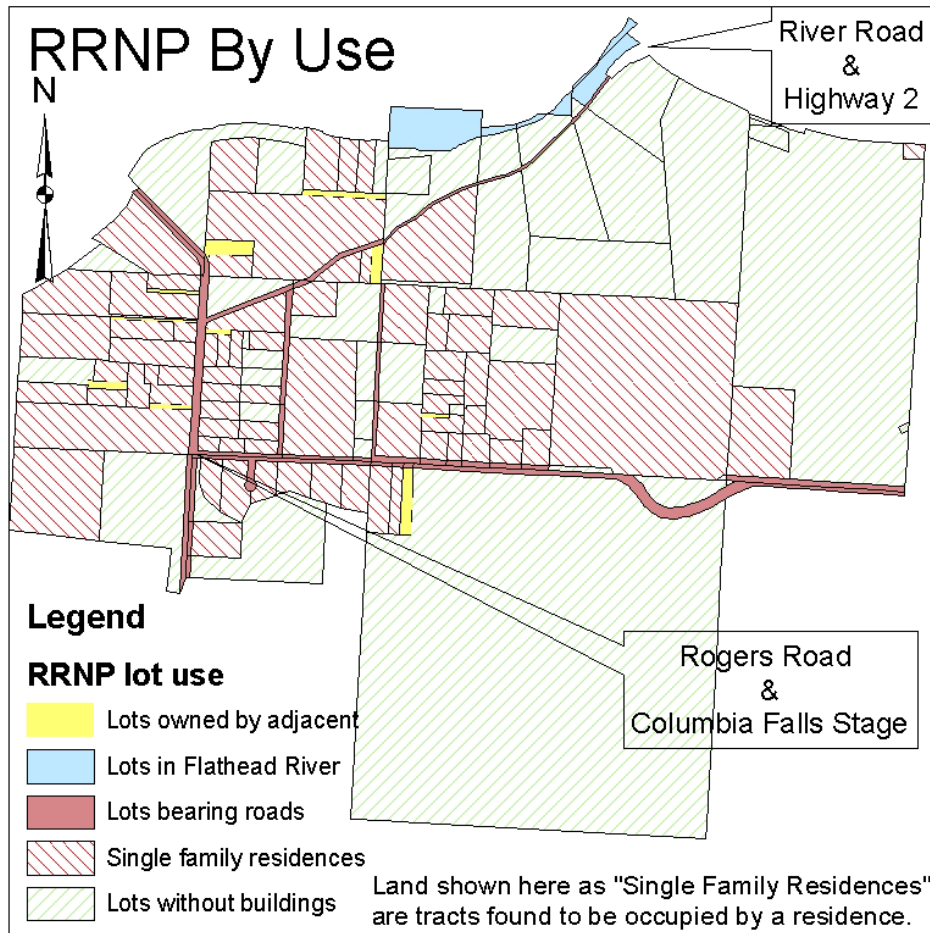


type	Forested Area With Structures			Forested Area Without Structures		
	forested tract count	Forested acreage	% covered by forest	forested track count	Forested acreage	% covered by forest
1000-12000 SF	1	0.05	33%	2	0.09	28%
12000 SF - 1/2 AC	1	0.17	40%	1	0.10	20%
1/2 - 1.5 AC	20	8.90	49%	7	3.94	55%
1.5 - 2.8 AC	9	6.59	39%	5	6.09	56%
2.8 - 5 AC	5	2.20	13%	3	6.20	49%
5 - 8.2 AC	2	4.78	38%	0	0.00	0%
8.2 - 20 AC	3	16.75	49%	3	12.30	31%
20 - 70 AC	1	10.22	26%	1	14.65	21%
>70 AC	0	0.00	0%	1	14.20	9%

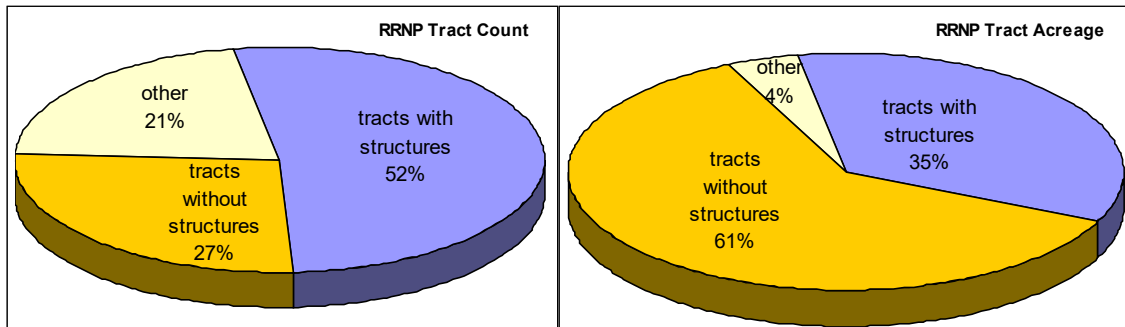


**Current Uses:**

The map titled RRNP By Use shows the current use of the land. It shows which tracts are occupied by a structure and assumed single family residences (SFR) and unoccupied tracts. The information was determined by reviewing an aerial photo of the area dated May, 2005. Some structures may have been obscured by trees and additional construction may have occurred after that date; neither of these are considered significant effects upon the results displayed.

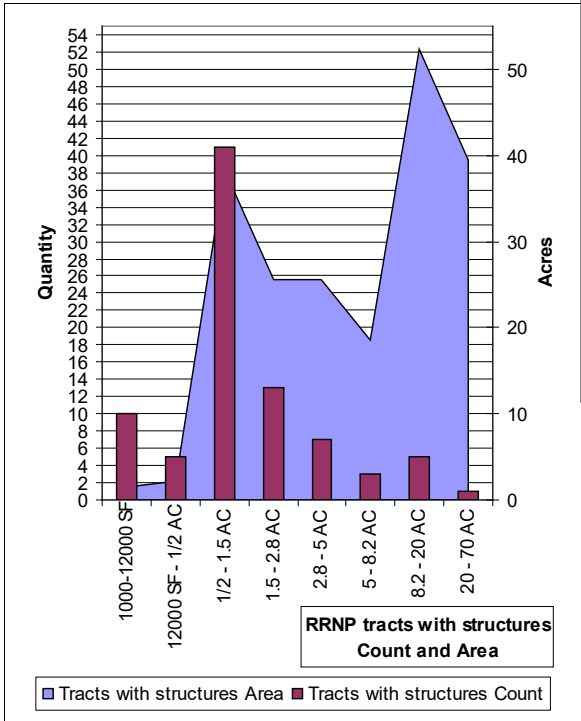


The total area is about 585 acres. Tracts with structures comprise about 35% of the total area; about 65% of the land is either without structures (61%) or bears road or are tracts in the river (about 4%).

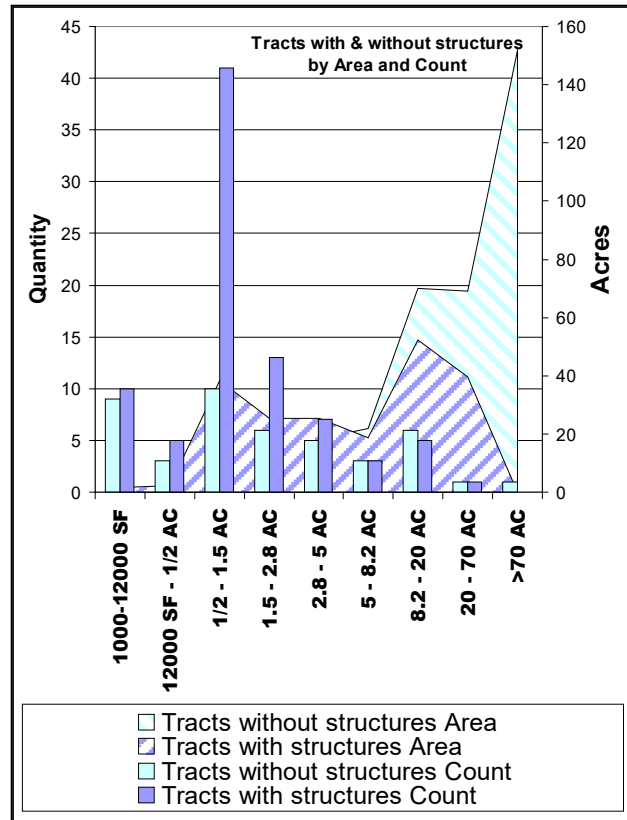
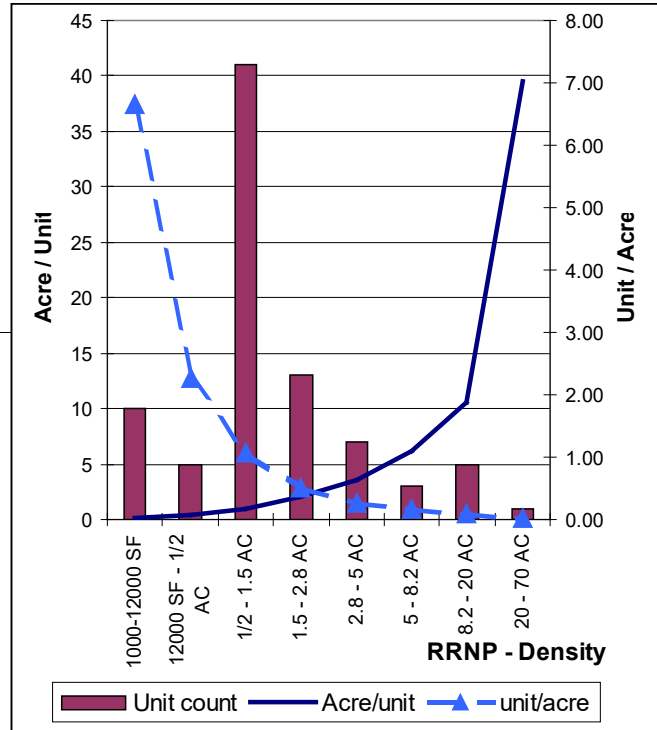


The density of structures within the plan area range from about 6 units per acre to one structure on about 40 acres.

The density class shown in the charts right as “1/2 – 1.5 acre” contains the greatest number of units. These 41 units occupy an average of 9/10 of an acre each.



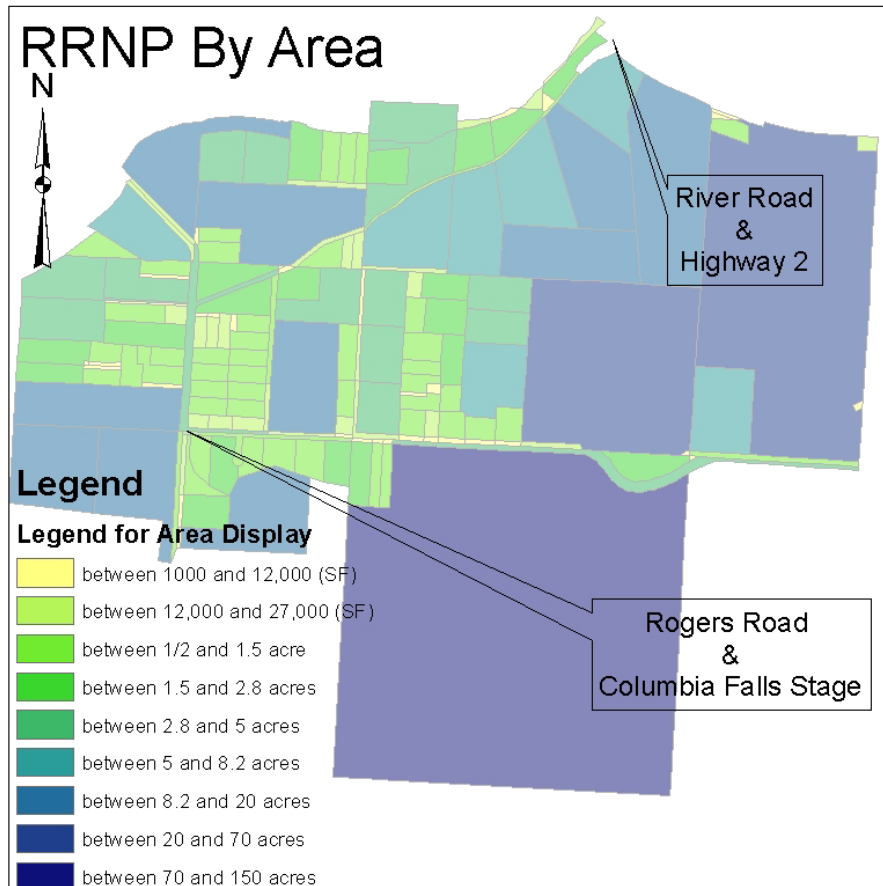
A comparison of occupied tracts to unoccupied tracts show the count of tracts in each size class is dissimilar with a greater number of tracts in each class except large tracts; there are 85 occupied tracts and 44 unoccupied tracts. They are also dissimilar in total acreage; unoccupied tracts range up to nearly 152 acres and the largest occupied tract about 40 acres.



The majority of smaller tracts are found in the south west of the plan area in the vicinity of River Road and Columbia Stage Road intersection and along the west end of Rogers Road.

The RRNP By Area map shows the distribution of tracts based on the size range used earlier in the charts.

Occupied tracts range in size from .4 acre to 40 acres. The median size for occupied tracts is 1.2 acres. The average size is 2.8 acres.



## ***River Road Neighborhood Plan***

The proposed River Road Neighborhood Plan (RRNP) provides considerable background information about the area development, natural resources and events that shape the authors' desires for future appearance and uses within the Plan area. These reports appear to be a fair representation of the conditions currently found in the area.

The Plan generally follows the format and layout found in the Growth Policy. It emphasizes nine areas, pointing to issues, goals and recommendation for each of the areas. My review will follow the same sequence as the plan.

### ***I. Neighborhood Character***

Frequently in the report and specifically in this section, the authors refer to a survey conducted in the Plan area. They provide both the survey and their interpretation of the results in the proposed Plan. When reviewing the Plan, reliance upon the survey should be tempered with consideration that both the authors and staff have concerns about this survey. Staff concerns include:

- Reliable surveys require considerable care in presentation, retrieval and interpretation. The likelihood that the survey or surveyor will influence the respondent is high.
- some of the questions should have been worded differently, e.g.: "Would development ...effect ...your...answers?" No definition is provided for the term "development.";
- there is no test of the respondents knowledge of the terms used, e.g. "suburban residential, urban residential" etc.

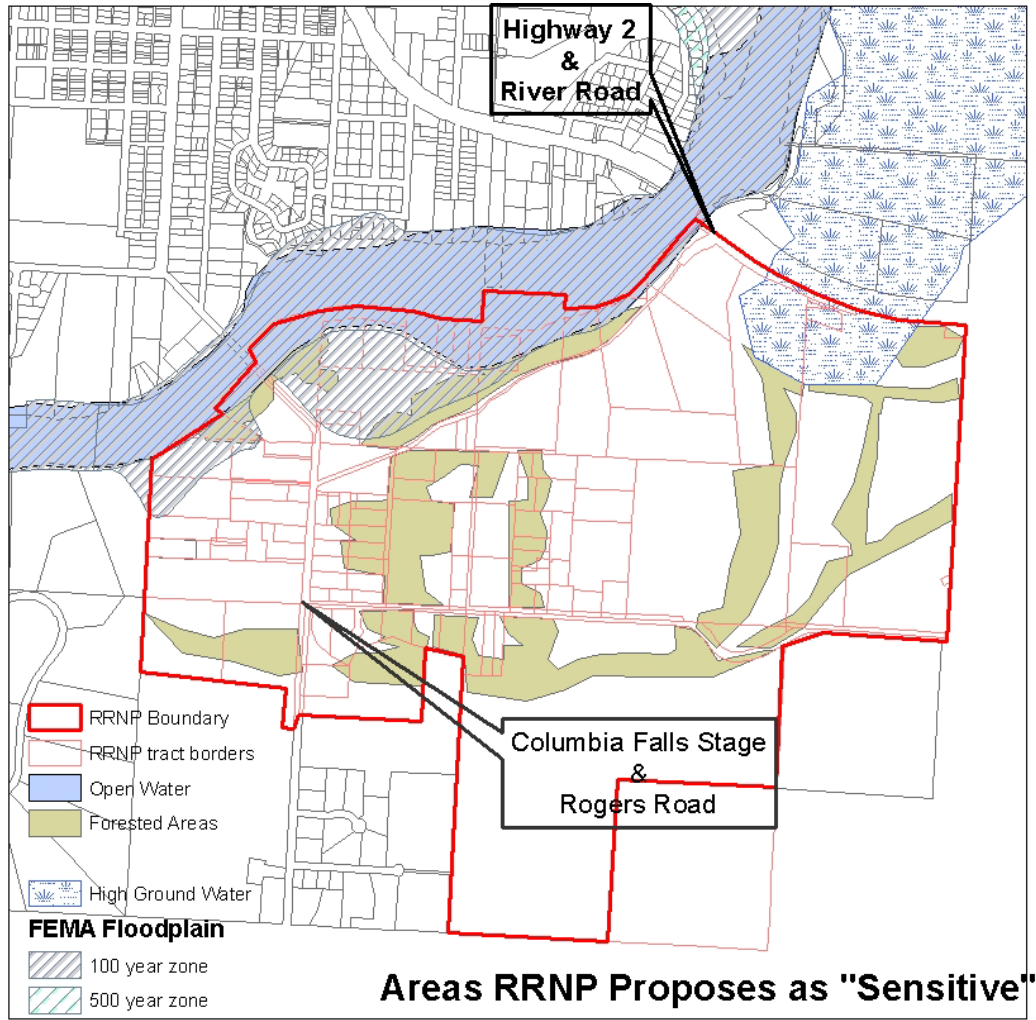
The authors report that the return rate for the survey was over 60%; this is a high rate. Without regard to the quality of survey methodology, the results could be interpreted to show that the community has some knowledge that a plan for the neighborhood could be based on their responses and that a majority of area residents believed that concern about future development had reached an awareness level that required their attention.

Many of the goals and recommendations appear to align closely with similar items in the Growth Policy. Many of them have been expressed in recent land use decisions and some addressed in recent changes to code; e.g. preservation of contiguous forest areas and view sheds, landscape buffers and dark sky standards.

### ***II. Natural Resources***

The RRNP appears somewhat consistent with the goals and recommendations found in the current Growth Policy in a number of areas with respect to natural resources. Both recognize the importance of the environment to the health of the community. The RRPN views sensitive areas "as in riparian vegetation, wetlands, existing forested stands of trees, and old growth cottonwoods."

The RRNP proposed “sensitive areas” map is shown below. Additional areas may have trees and areas of high ground water that were not obvious from the aerial photo or site inspections made from adjacent public roads.



The RRNP proposal recommends “...avoid development in sensitive areas...”<sup>x</sup> The Growth Policy (GP) considers these areas as “including 100-year floodplain and on steep slopes.”<sup>xi</sup> It recommends “...development... should be managed to avoid and mitigate environmental impacts and natural hazards.”

The difference between avoiding and managing development appears subtle but consider these prescriptions from state statute regarding subdivisions:

*“The governing body ...shall adopt ...regulations reasonably providing for ...” avoidance of development “...that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services.”<sup>xii</sup>*

*“...when requiring mitigation ....a governing body... shall consult with the subdivider and shall give due weight and consideration to the expressed preference of the subdivider...” and “...may not unreasonably restrict a landowner's ability to develop land, but it is recognized that in some instances the unmitigated impacts of a proposed development may be unacceptable and will preclude approval...”<sup>xiii</sup>*

The recommendations of the RRNP should be modified to provide for managing the area. For example: #3 on page 10 could read, “Manage development in sensitive areas ...to avoid unnecessary degradation and mitigate any damage.”

#11 on page 11 is highly prescriptive. It requires a specific native cover preservation setback (100 feet) from the high water mark for existing tracts and recommends “...significantly greater...” distance for land that is being developed. The 1995 Talbot Neighborhood Plan contains similar language that recommended “...implement a minimum 50 foot setback ...from the top of the river bank...”

The problem encountered with these prescriptions is the lack of basis for the specifics or a lack of consensus about what the basis means. The Planning Board and Council struggled with enforcing the Talbot Plan and the lots created in the area were approved with a 25 foot setback.

The City of Columbia Falls Planning Office administers the floodplain within the planning jurisdiction. The RRNP Sensitive Areas map above shows the tracts that border the east shore of the Flathead River. Many of the tracts that border the river are already designated within the 100 year floodplain. Current floodplain regulations do not permit subdivision of tracts that are wholly in the floodplain; the floodplain can be subdivided if each new tract that has a buildable area outside the floodplain. Tracts that existed prior to the imposition of the Floodplain Regulations are allowed to build in the floodplain if issued a floodplain permit but typically only if no buildable area is available outside the floodplain.

Some past land use decisions by both the Planning Board and City Council appear to indicate that they take very seriously their obligations to protect sensitive areas as prescribed in the Subdivision Regulations – Sections 17.16.020 and 030 shown right.

A land use decision example is the Columbia Range subdivision; a major subdivision under preliminary plat within

17.16.020 Preservation Of Natural Environment.  
The design and development of subdivisions shall contain satisfactory building sites which are properly related to topography and shall preserve the natural terrain, natural drainage, existing topsoil, trees, natural vegetation, wildlife and fish habitats to the extent possible. The city council may impose additional requirements on the Subdivider or homeowners. (Ord. 588 § 1(part), 1996)

17.16.030 Lands Unsuitable For Subdivision.  
Land which the city council has found to be unsuitable for subdivision because of potential hazards such as flooding, snow avalanches, rock falls, landslides, slopes equal to or greater than twenty-five percent grade, subsidence, high water table, polluted or non-potable water supply, high voltage lines, high pressure gas lines, air or vehicular traffic hazards or congestion, or because of unreasonable burdens on the general public such as requirements for the excessive expenditure of public funds or environmental degradation; or other features which may be detrimental to the health, safety or general welfare of existing or future residents shall not be subdivided for building or residential purposes unless the hazards are eliminated or will be overcome by approved design and construction plans. (Ord. 588 § 1(part), 1996)

the RRNP area. Both conditions for preliminary plat and PUD provided for the set aside of nearly all the forested areas and all of the high water areas within the proposed subdivision.

Generally and personally, I agree that sound arguments can be made that conditions can be imposed on owners to require that their occupancy of the property will not create issues with safety, health or welfare, nor environmental degradation effecting themselves but especially others. Certainly building adjacent to a river bank, especially a river as powerful as the Flathead, could invoke all of these concerns. Whether there is some specific distance from the river that alleviates the concern is a matter that must be discussed.

The statement on page 10 “ ... Most of the soil types in the RRNP area do not have the frequent flooding hazard potential of the Alluvial Land soil type but many have moderate to high potential for frost action...” was not substantiated in the report. The soil information provide in this report, on page 6, indicates that NRCS soils report for the area found that much of the soils are suitable for purposes where expansive or plastic soils would not be acceptable. The statement should either be modified or eliminated.

Phrases such as “...sensitive areas...minimize disruption...contiguous wildlife movement...maximize open space...viewshed...preservation...” are emphasized in this section. Securing these amenities is typically a process of negotiation between the developer and the public. All of these appear desirable and worthwhile but typically come at the cost. The Plan mentions negotiations with developers in several statements; I assume this is recognition that at some point the issue becomes a discussion about an amenity and not a mitigation of health, safety and welfare.

### III. Land Use

The first paragraph on page 12 states that “...about 50 acres or 7% percent of the Neighborhood is in the 100 year flood plain...” On page 13, the table indicates that the size of the RRNP area is estimated at 528 acres, excluding “...roadways and other unbuildable land...” It does not appear plausible that the total size of the area is just over 714 acres. When I used tract maps to measure the area (see page 10 of this report) I estimated the size of the RRNP area at about 585 acres and the 100 year floodplain at about 57 acres. The statement should be modified to read “...about ....10% of the Plan area ...”

The first paragraph on page 13 states that “...A density of 8 units per acre would create smaller lot sizes than are currently found in the Columbia Falls city limits...” This statement appears short of information for several reasons:

- The definition of “Urban Residential” uses gross acres. Gross acres include lots, right-of-way, easements and open space. Typically a developed area will sacrifice between 20 and 25% of the gross acres to infrastructure right-of-way and easements and an additional between 7.5 and 11% to park land; if a PUD then, instead of park land, 30% is set aside in open

Extrapolation of developed residential area in-city	acres	
Total: lots, roads & parks	1218	% of total
total acreage residential lots	513	42.12%
Acreage not residential	332	% not lots
Residential area not in lots	140	21.44%
Total gross acres residential area	653	

space. The *Extrapolation of Developed Residential Area In-city* table provides an estimate of that usage within the city-limits; in the example about 21% of the total area is other than lots.

- The Growth Policy recommendation for “Urban Residential” areas states “... Single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi-family housing are also anticipated...” (see page 4 this report). The recommended land use for areas throughout the

planning jurisdiction is the Growth Policy Land Use Map; it is described therein as “...a visual policy statement...” I interpret these two statements in the Policy to mean that dense housing (duplex or multifamily) are infrequent and require a transition

Growth Policy, 2006, Map, Page 3

Likewise, future land use designations are not fixed or rigid boundaries. The land use districts are separated by transition areas in which uses from one district can transition or blend into an adjacent land use district. Transition areas can take several forms. They can be natural barriers such as highways, streams, extremely steep terrain or open space. Such barriers usually allow for a safe separation between negative impacts that might be associated with uses in a particular district such as industrial or commercial from infringing upon a less intense use such as residential. Where natural barriers are not present, it is intended that the transition area take the form of intermediate or less impacting uses or else incorporate green belts, landscaping, or other mitigating design techniques. The purpose of transition areas is to provide an area where adverse impacts (e.g., noise, odor, vibration, traffic, density, height) can be mitigated.

area when adjacent to less dense housing.

- Within the city limits of Columbia Falls, residential lots (lots with an area greater than 2000 sf) by count make up about 41% of the all tracts of land that are in lots (tracts that include only net acres). Based on the extrapolation made to calculate the gross area, these 1215 lots on 653 acres provide a density of 1.9 lots / gross acre. If every residential lot were developed to contain the maximum allowable units / acre, the density of about 4 units/gross acre would be achieved.

Extrapolation of developed residential area in-city		acres		density (lot/acre)	density (units/lot) maximum allowed (potential use)	density (units/acre)	potential total units
Total: lots, roads & parks		1218	% of total				
total acreage residential lots		513	42.12%				
Acreage not residential		332	% not lots	gross acres		gross acre	
Residential area not in lots		140	21.44%				
Total gross acres residential area		653		1.86		3.95	
Breakout of tracts by zoning designation	count	% of lot tracts	area (acres)	% of lot tracts	net acres		
R5 lots >=5400sf	475	16.21%	94	10.68%	5.1	2.0	10.1
R4 lots >=7200sf	390	13.31%	217	24.66%	1.8	1.0	1.8
R3 lots >=9600sf	223	7.61%	127	14.43%	1.8	1.0	1.8
RA1 lots >=7500sf	127	4.33%	75	8.52%	1.7	8.0	13.5
all residential lots	1215	41.47%	513	58.30%	total potential units		2581



- Lastly, lot size is a matter of zoning. The smallest buildable residential lot allowed is 2000 square feet, but that is a townhouse subplot, other lot size minimum are shown in the table above.

I recommend that the statement be deleted because it doesn't appear to add value to the guidance that the Plan should endeavor to provide.

Recommendation #1 calls for suburban residential density that is equivalent to zoning<sup>1</sup> of an R1 (1 unit per acre) and R2 (2 unit per acre). Many of the existing occupied tracts are within the area covered by this recommendation.

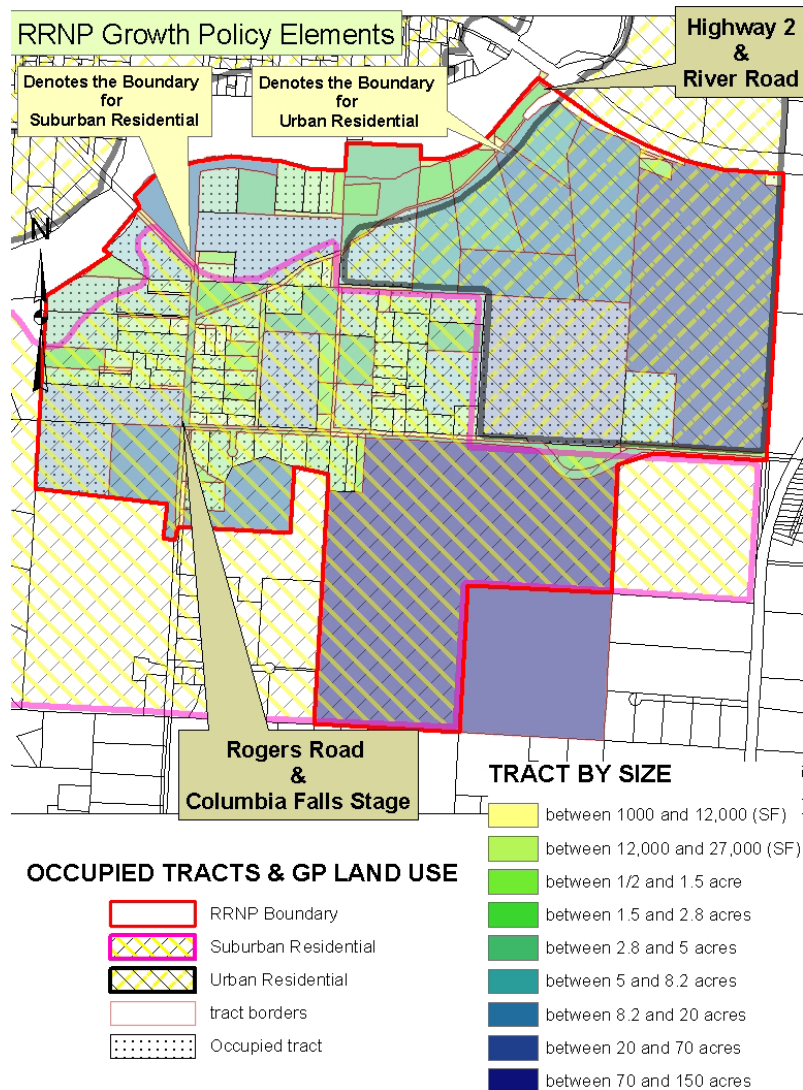
RRNP Final Draft, Land Use, Recommendations, page 14  
 "1. In areas designated Suburban Residential in the Growth Policy, zoning should allow for no more than 1 unit per 1-5 acres..."

Shown in the *RRNP Growth Policy Elements* map is both the suburban and the urban residential land use designations found in the current Growth Policy.

The current size of these occupied tracts range from .4 acre to 14 acres and have the other characteristics shown in the *Characteristics of GP Area* table, below.

The recent rezone and approved preliminary plat for five lots in the south west area of the Plan was for R1 zoning.

In recognition of the existing occupied tract characteristics, it could be argued that the lot size should transition from 1/2 acre tracts along the north west side of the suburban residential boundary and transition to larger lots in the southerly direction.



<sup>1</sup> Zoning density is typically calculated in net acres – total acres less right-of-way, easements and open space.

Recommendation #2 calls for Urban Residential density that is approximately equivalent to R2 zoning.

Only four occupied tracts are currently found within this designation.

They possess the characteristics shown in the table right.

The Urban Residential designation would allow a range of 2 to 8 units; corresponding zoning would be the range from R2 to RA1.

The capacity of these tracts for development are high for at least the following reasons:

- ✓ minor amounts of “sensitive area” are present – some forested areas in the south west and high ground water along highway 2;
- ✓ construction quality soils are present;
- ✓ reasonable accessibility to a major arterial;
- ✓ accessibility to the extension of municipal utilities.

It appears reasonable to plan for a range of densities, provided that the development reasonably mitigates the expressed concerns about the environment, view sheds and wildlife habitat.

I recommend that the Plan emphasize the need for a transition of density across the area with the most dense development occurring along the north side of this area. Such a statement, concurrent with current Growth Policy statement recommending “...small dispersed areas of multi-family housing...” and recommendations made in #3 below should provide a opportunity to minimize undesirable effects of development on these tracts.

Recommendation #3 call for cluster development with a 50% open space minimum. Cluster development is usually created to achieve the following:

- smaller lots – instead of lots being ½ acre or 5 acre, they are reduced to say ¼ acre;
- these smaller lots are grouped together – this reduces the amount of road surface necessary to provide access and the other infrastructure;
- the number of units planned for an area is not reduced from that permitted in applicable zoning and the clustering results in common ownership or public ownership of the undeveloped lands – these could range up from 30 to 70% of the subdivision and;

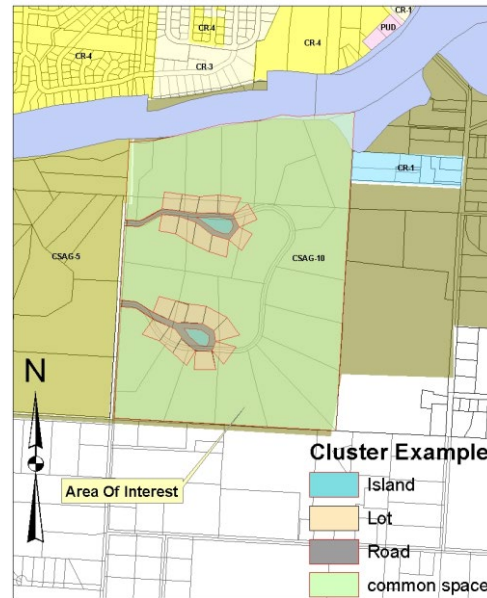
RRNP Final Draft, Land Use, Recommendations, page 14  
 “2. In areas designated Urban Residential in the Growth Policy, zoning should allow for no more than 2 units per acre...”

Characteristics of GP area	suburban Residential	urban Residential
<b>count</b>	<b>67</b>	<b>4</b>
<b>acreage</b>	<b>144</b>	<b>39.5</b>
<b>median</b>	<b>1.2</b>	<b>7.6</b>
<b>max</b>	<b>14.1</b>	<b>39.5</b>
<b>min</b>	<b>0.4</b>	<b>0.4</b>
<b>average</b>	<b>2.1</b>	<b>13.8</b>

RRNP Final Draft, Land Use, Recommendations, page 14  
 “3. As new development occurs houses should be clustered with at least 50 percent of the development in permanent open space. Negotiations could be made during the planning process to allow for a Planned Unit Development allowing greater density (up to 4 units per acre) if a larger percent (at least 60 percent) of the development is open space...”

- yard maintenance is reduced to a manageable size – smaller yards and undeveloped undisturbed lands are usually much less threatened with invasive weeds and disturbs less native cover.

An example of a cluster development overlaying an existing subdivision is shown right. The area is 213 acres with 20 lots. Both the existing lot layout and clusters are shown. The SAG 10 zoning was met by restricting lot count to 20 but allowing lot to be 1 acre. Notice that the length of the road was reduced by nearly 50%. Other utilities would have similarly benefited. Because of the SAG 10 zoning, this would not be a typical example of cluster development; the common space is nearly 90% of the 213 acres.



If a 40 acre parcel within the Urban Residential designation was restricted to about no more than 2 units per acre (assuming gross acres) and the development were reviewed under both *cluster development* and *planned unit development*, the comparison would look something like the following:

COMPARISON OF CLUSTER AND PLANNED UNIT DEVELOPMENT	cluster development		Planned Unit Development - Single Family		Planned Unit Development with Multifamily	
total acres		40		40		
Right-of-ways	15%	6	25%	10		
Open Space	50%	20	30%	12	area/ unit sf	2000
lot area (acres)		14		18		2.9 15
unit count - 1/2 acre/unit (gross)		80	R2 allows 4 units/gross acre	160	40%	64 96
density - units/acre		6		9		22 6
lot size (square feet)		7260		4840		1980 7260

- An assumption is made that the area required for roads is reduced by adopting cluster development; accuracy of this estimate depends on the lot layout.
- Various additional options are available in the PUD such as permitting multifamily units.
- Land not in lots is about 10% higher for the cluster development than the PUD.
- In the cluster development lots are about the size of lots typical of about R4 zoning.

- In the PUD single family lots are a little less in size than R5 zoning.
- The PUD with multifamily has lots that meet the subplot allowance and lots that could match the R4 size in the cluster development. The 40% allowance shown in the example was used because it makes the single family lot size match the cluster development lot size.

I recommend that the statement be modified to allow density greater than 2 units/gross acre only if a PUD is applied or a cluster development with a 50% open space set aside.

At this time, the Columbia Falls regulations provide no standard for cluster development.

Recommendation #4 should provide for buffers where two diverse density share a border.

Recommendation #6 is redundant since the state statute regarding sewer already prescribes the standard and the City is prohibited from imposing a regulation more stringent.<sup>xiv</sup>

Recommendation #8 should be modified. If the road is moved further away from the river, it does not seem plausible that the current vehicle occupant’s view from the road can be maintained. Better that the recommendation be for maintaining public view access along the river; this would likely result in a walk path.

The Growth Policy map shows River Road moved inland. This was recommended for the following reasons:

- ✓ due to the lack of right-of-way at the current location – at least 60 feet is required, only 20 is provided;
- ✓ poor visibility at the intersection with Highway 2 – due to the vicinity of the bridge the approach should be moved at least several hundred feet to the east; and
- ✓ allowing such an expensive piece of infrastructure close to a high river embankment and 100 year floodplain would show extremely poor judgment.

RRNP Final Draft, Land Use, Recommendations, page 14

4. Landscape buffers should be used where development abuts lower density tracts. Wildlife values should be considered as outlined in the Natural Resource section.

RRNP Final Draft, Land Use, Recommendations, page 14

6. If city water and sewer are brought into the area, the requirements for current residents to hook up to such services should not exceed the state law of 200 feet, based on system failure and wells should not be required to be capped.

RRNP Final Draft, Land Use, Recommendations, page 15

8. If River Road is to be moved by a developer, negotiations should be made during the planning process to maintain views of the Flathead River for users of the road.

Recommendation #11 call for a 100 foot setback from the high water mark. That issue was addressed previously (see page 15 of this report).

Recommendation #12 calls for prohibition of new houses in the 100 year floodplain. Current regulations allow for a structure in the floodplain only if the tract has no buildable area outside the floodplain. It appears that such a prohibition could be adopted and likely defensible. It appears that the requirement would potentially affect about seven existing tracts.

Recommendation #20 should be modified to read "...Landowners proposing subdivisions are strongly encouraged to hold a neighborhood meeting ...." Not all development requires a public review (divisions of land exempt from review by statute) and adoption of the neighborhood plan should provide a lot of the guidance necessary to inform the developer of the community's interests.

#### ***IV Housing***

The statements made in this section appear to be in reasonable conformance with the Growth Policy.

#### ***V Park and Recreation***

Recommendation #3 call for paths located within a 60 foot right-of-way, when adjacent to a road. It is desirable that paths be separated from vehicle traffic. Paths should be encouraged located well away from vehicle travel lanes or on separate right-of-ways, for safety and aesthetic reasons.

RRNP Final Draft, Land Use, Recommendations, page 15  
11. At minimum, a 100 foot vegetative setback from the high water mark, where no disturbance of natural vegetation occurs, should be maintained for privately owned lots that are not intended for subdivision. Any lots intended for subdivision or PUD should have significantly greater setbacks to protect water quality and riparian habitat.

RRNP Final Draft, Land Use, Recommendations, page 15  
12. New homes should not be built in areas within the 100-year floodplain. A variance should apply for any existing homes that may need to be rebuilt due to catastrophic loss.

RRNP Final Draft, Land Use, Recommendations, page 15  
20. Landowners who intend to subdivide shall hold a neighborhood public meeting prior to submittal to Columbia Falls Planning Board of proposed rezoning or development(s).

RRNP Final Draft, Park and Recreation, Recommendations, page 18  
3. As bicycle/pedestrian paths are planned outside of new developments, if they are adjacent to existing roadways, they should be created within the 60-foot right of way and limit width to accommodate existing natural trees/shrubbery in an attempt to protect natural buffers between private land and roadway.

**VI Traffic**

Recommendation #6 requests a warrant study and installation of a three-way stop at the intersection of Columbia Falls Stage and River Road. The Columbia Falls Stage leg to the Red Bridge is used by, at most, 20 vehicles per day and the other two legs support nearly 2000 vehicles per day. It would be highly contrary to road signage practices to allow such an intersection. Better the recommendation should request that the south east radii at the intersection be made much larger and the right-of-way be widened throughout the River Road route.

RRNP Final Draft, Traffic , Recommendations, page 20  
6. Persuade Flathead County to conduct a warrant study at the junction of Columbia Falls Stage and River Road in order to establish the need for a three way stop (a stop sign currently exists down the dead end lane of North Columbia Falls Stage) or create a safer curve at the junction.

Recommendation #6 should be modified or eliminated.

**VII Economic Development**

Recommendation #6 calls for encouraging the right to farm. No substantial farming occurs within the Plan area now or the recent past. If the area is designated residential in the Growth Policy why would farming be part of the areas future? This recommendation should be eliminated.

RRNP Final Draft, Economic Development, Recommendations, page 22  
6. Encourage the right to farm, and continued local agricultural production.

**VIII Infrastructure and Services**

It is interesting that the Plan desires to resist the availability of municipal public sewer and water, yet admits in this section that there are issues with sewer drain fields contaminating wells and potential harmful effects upon the River. In most cases, the solution most prescribed for these problems is connection to a community or municipal system.

**IX Community Facilities**

No comment.

**Section 4 II Application**

Better this section should state that the "...River Road Neighborhood Plan is a supplement to the Growth Policy and should be consulted whenever land use decision are made involving lands found within the RRNP Boundary. ..."

RRNP Final Draft, Section 4, Application, page 24  
This plan will be effective only if it is used. It should be consulted whenever a public or private action affects land use within the Neighborhood. For example, all subdivision development and re-zoning should be reviewed based on the criteria of this Plan. This plan should be considered a sub-element of the Columbia Falls Growth Policy, providing more specific detail and guidance in planning issues before the Planning Board and City Council.

## ***SUMMARY***

The survey, its responses and interpretation are a snapshot of a specific period. They should be included in the appendix only. All references to the survey within the issues, goals and recommendations sections should be removed.

The prescription for a specific setback from the Flathead River high water mark should be carefully considered. If included in the Plan, greater support should be provided justifying the distance chosen. If adopted for this area, a similar prescription should be considered for all of the jurisdiction.

The amount of floodplain existing in the Plan area should be made more accurate. The 7% used in the Plan was not confirmed by available information.

Statements about the soil types and bearing capacity should be justified and concurrent with available information. Adopting the NRCS report is advised.

Comparisons of the housing density between the Plan area and that found in the City should be based on more accurate information and should be included in a format that provides guidance in the interpretation of the Plan.

Development in the area designated as Suburban Residential should transition from ½ acre tracts along the north west side of the suburban residential boundary and transition to larger lots in the southerly direction. Cluster development should be encouraged within this designation.

Development in the area designated as Urban Residential should allow for a density of not more than two units per gross acre unless part of a planned unit development or cluster development where clustering yields 50% open space. Densities greater than that allowed in R3 zoning should be placed most adjacent to Highway 2 and areas containing other than single family residences should be grouped and small in size, and dispersed among larger lot groups.

Provide buffering where densities are diverse as opposed to merely different.

Delete statements that either restate or contradict statute requirements.

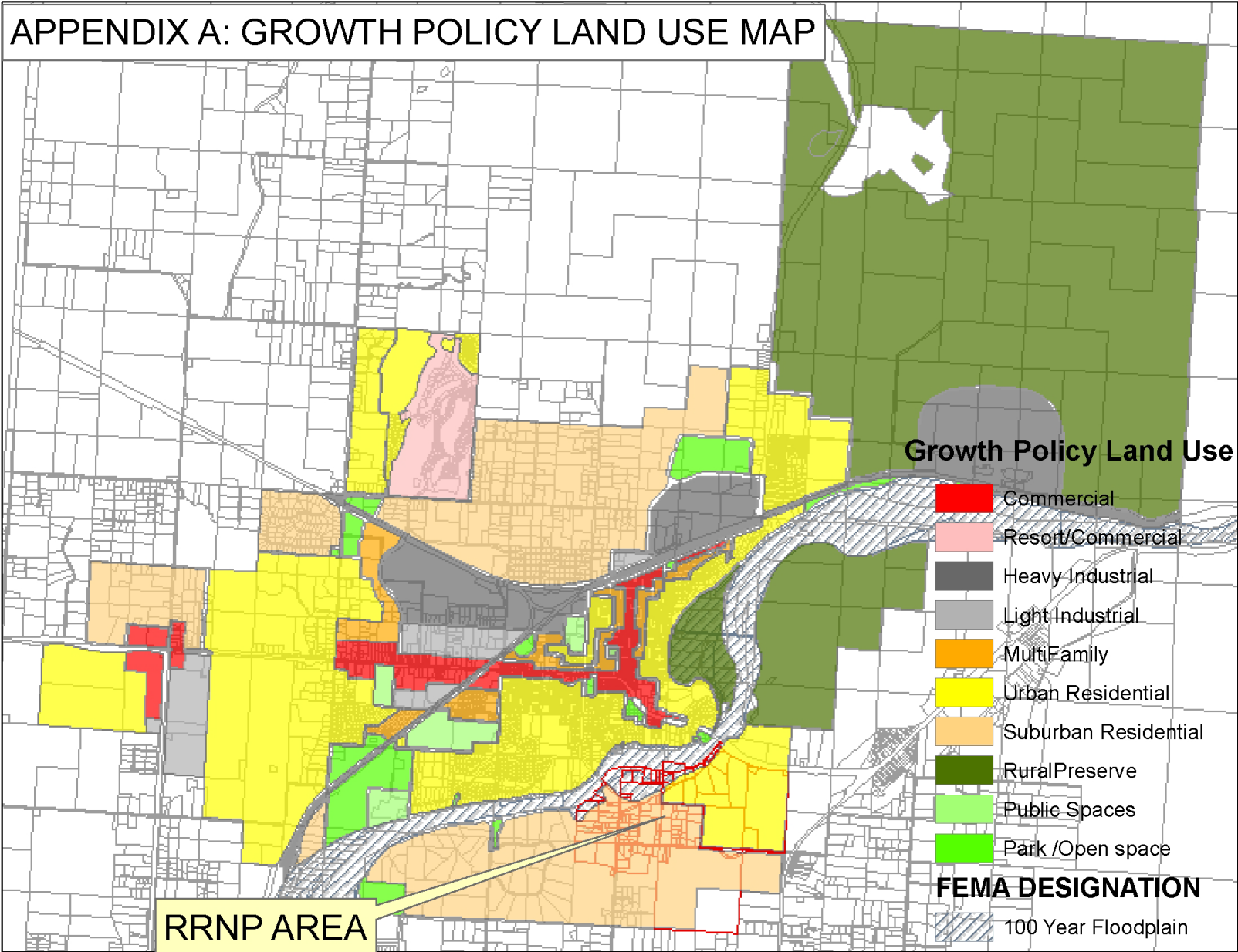
Make a priority that the general public should be provided river view areas along the Flathead River.

Consider whether the jurisdiction should adopt a prohibition against building within the 100 year floodplain. If acceptable then the Floodplain Regulation should be modified in addition to any statement provided in the RRNP document.

A neighborhood meeting should be encouraged prior to submitting a plan for subdivision or rezone.

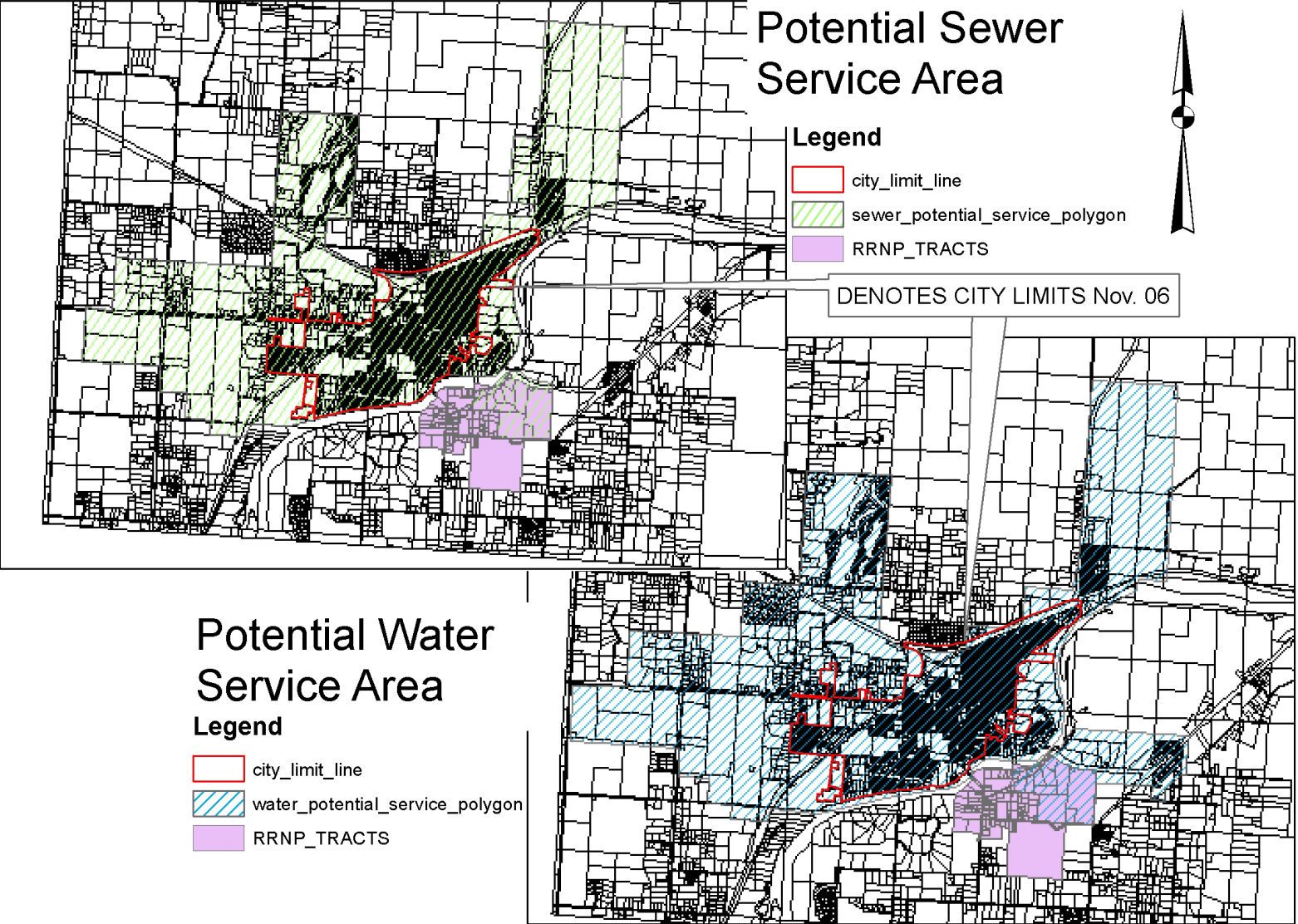
Pedestrian paths should be at least nine feet wide and located either on a right-of-way separate from streets or at least separated from traffic lanes by at least a ten foot wide boulevard.

River Road should be provided a wider right-of-way and travel surface and a wider corner provided at the intersection with Columbia Falls Stage Road.

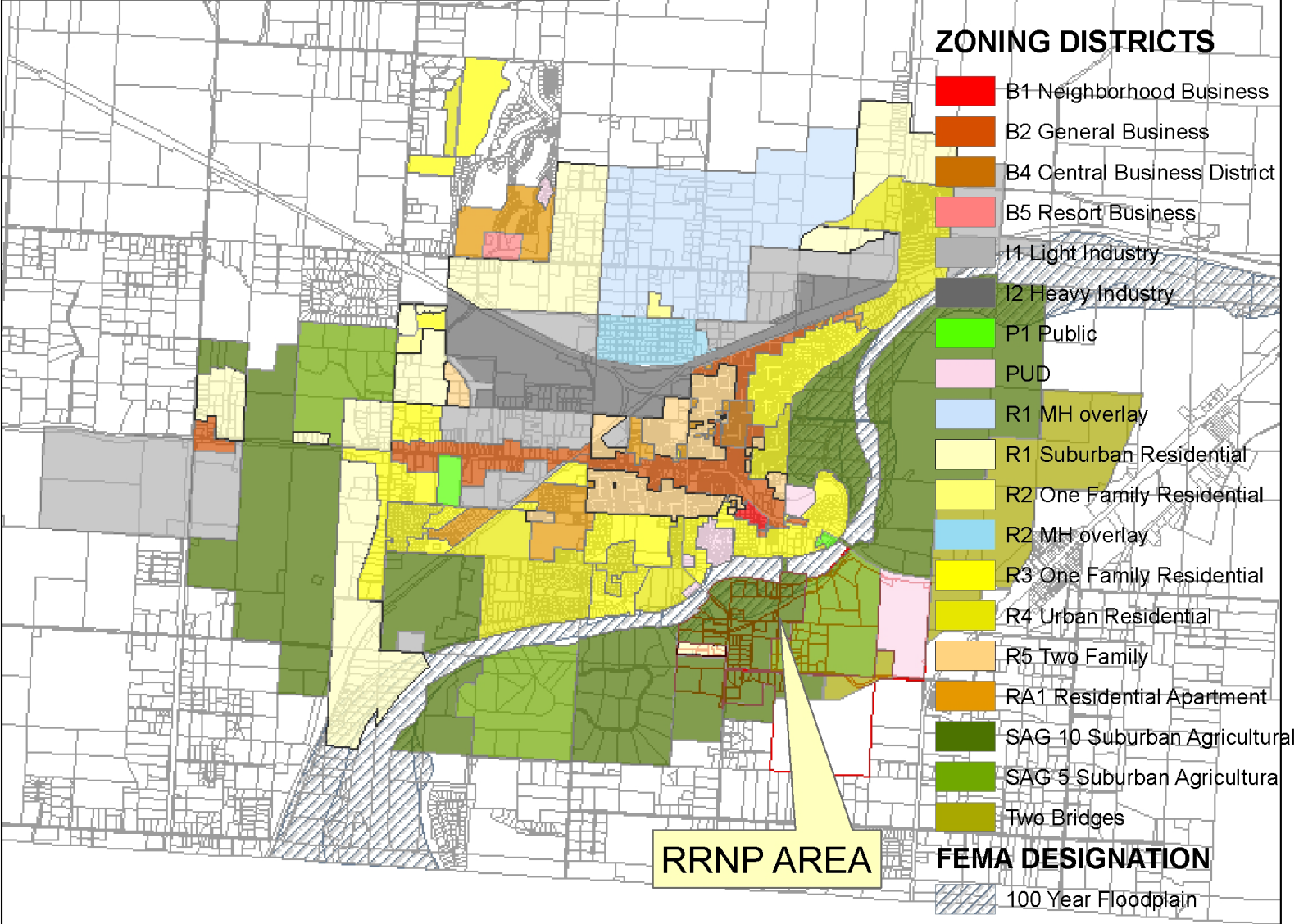




# APPENIX B: POTENTIAL SERVICE AREA



# APPENDIX C: ZONING DISTRICTS



# APPENDIX D: NATURAL RESOURCES CONSERVATION SERVICE

February, 29, 2008

## Roadfill Source

Roadfill Source— Summary by Map Unit — Upper Flathead Valley Area, Montana						
Map unit symbol	Map unit name	Rating	Component name (percent)	Rating reasons (rating values)	Acres in AOI	Percent of AOI
Aa	Alluvial land, poorly drained	Fair	Alluvial land (75%)	Wetness depth (0.76)	6.9	1.8%
Br	Blanchard loamy fine sand, 20 to 45 percent slopes	Poor	Blanchard (80%)	Slope (0.00)	2.8	0.7%
Ca	Chamokane soils, 0 to 3 percent slopes	Good	Chamokane (45%) Chamokane (45%)		113.9	29.1%
Cc	Chamokane and Banks soils, 0 to 4 percent slopes	Good	Banks (50%) Chamokane (45%)		97.7	24.9%
Kzd	Kiwanis fine sandy loam, 0 to 4 percent slopes	Good	Kiwanis (90%)		28.5	7.3%
Mg	Mires gravelly loam, 0 to 3 percent slopes	Good	Mires (85%)		39.7	10.1%
Mm	Mires gravelly loam, 12 to 30 percent slopes	Fair	Mires (80%)	Slope (0.32)	8.2	2.1%
Mn	Mires loam, 0 to 3 percent slopes	Good	Mires (85%)		78.3	20.0%
Mr	Mountainous land	Poor	Mountainous land (30%) Whitefish (30%)	Slope (0.00) Slope (0.00)	3.0	0.8%
Rc	Riverwash	Not rated	Riverwash (90%) Flooded and ponded soils (10%)		3.9	1.0%
Sr	Swims silty clay loam, 0 to 4 percent slopes	Fair	Swims (90%)	Low strength (0.22) Shrink-swell (0.91)	0.5	0.1%
W	Water	Not rated	Water (100%)		8.1	2.1%
Totals for Area of Interest (AOI)					391.5	100.0%

## APPENDIX E: End Notes

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### **i 76-1-601. Growth policy -- contents.**

- (1) A growth policy may cover all or part of the jurisdictional area.
- (2) The extent to which a growth policy addresses the elements listed in subsection (3) is at the full discretion of the governing body.
- (3) A growth policy must include:
  - (a) community goals and objectives;
  - (b) maps and text describing an inventory of the existing characteristics and features of the jurisdictional area, including:
    - (i) land uses;
    - (ii) population;
    - (iii) housing needs;
    - (iv) economic conditions;
    - (v) local services;
    - (vi) public facilities;
    - (vii) natural resources; and
    - (viii) other characteristics and features proposed by the planning board and adopted by the governing bodies;
  - (c) projected trends for the life of the growth policy for each of the following elements:
    - (i) land use;
    - (ii) population;
    - (iii) housing needs;
    - (iv) economic conditions;
    - (v) local services;
    - (vi) natural resources; and
    - (vii) other elements proposed by the planning board and adopted by the governing bodies;
  - (d) a description of policies, regulations, and other measures to be implemented in order to achieve the goals and objectives established pursuant to subsection (3)(a);
  - (e) a strategy for development, maintenance, and replacement of public infrastructure, including drinking water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities, roads, and bridges;
  - (f) an implementation strategy that includes:
    - (i) a timetable for implementing the growth policy;
    - (ii) a list of conditions that will lead to a revision of the growth policy; and
    - (iii) a timetable for reviewing the growth policy at least once every 5 years and revising the policy if necessary;
  - (g) a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that explains:
    - (i) if a governing body is a city or town, how the governing body will coordinate and cooperate with the county in which the city or town is located on matters related to the growth policy;
    - (ii) if a governing body is a county, how the governing body will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy;
  - (h) a statement explaining how the governing bodies will:
    - (i) define the criteria in **76-3-608(3)(a)**; and
    - (ii) evaluate and make decisions regarding proposed subdivisions with respect to the criteria in **76-3-608(3)(a)**;
  - (i) a statement explaining how public hearings regarding proposed subdivisions will be conducted; and
  - (j) an evaluation of the potential for fire and wildland fire in the jurisdictional area, including whether or not there is a need to:
    - (i) delineate the wildland-urban interface; and
    - (ii) adopt regulations requiring:

- 
- (A) defensible space around structures;
  - (B) adequate ingress and egress to and from structures and developments to facilitate fire suppression activities; and
  - (C) adequate water supply for fire protection.
- (4) A growth policy may:
- (a) **include one or more neighborhood plans. A neighborhood plan must be consistent with the growth policy.**
  - (b) **establish minimum criteria defining the jurisdictional area for a neighborhood plan;**
  - (c) establish an infrastructure plan that, at a minimum, includes:
    - (i) projections, in maps and text, of the jurisdiction's growth in population and number of residential, commercial, and industrial units over the next 20 years;
    - (ii) for a city, a determination regarding if and how much of the city's growth is likely to take place outside of the city's existing jurisdictional area over the next 20 years and a plan of how the city will coordinate infrastructure planning with the county or counties where growth is likely to take place;
    - (iii) for a county, a plan of how the county will coordinate infrastructure planning with each of the cities that project growth outside of city boundaries and into the county's jurisdictional area over the next 20 years;
    - (iv) for cities, a land use map showing where projected growth will be guided and at what densities within city boundaries;
    - (v) for cities and counties, a land use map that designates infrastructure planning areas adjacent to cities showing where projected growth will be guided and at what densities;
    - (vi) using maps and text, a description of existing and future public facilities necessary to efficiently serve projected development and densities within infrastructure planning areas, including, whenever feasible, extending interconnected municipal street networks, sidewalks, trail systems, public transit facilities, and other municipal public facilities throughout the infrastructure planning area. For the purposes of this subsection (4)(c)(vi), public facilities include but are not limited to drinking water treatment and distribution facilities, sewer systems, wastewater treatment facilities, solid waste disposal facilities, parks and open space, schools, public access areas, roads, highways, bridges, and facilities for fire protection, law enforcement, and emergency services;
    - (vii) a description of proposed land use management techniques and incentives that will be adopted to promote development within cities and in an infrastructure planning area, including land use management techniques and incentives that address issues of housing affordability;
    - (viii) a description of how and where projected development inside municipal boundaries for cities and inside designated joint infrastructure planning areas for cities and counties could adversely impact:
      - (A) threatened or endangered wildlife and critical wildlife habitat and corridors;
      - (B) water available to agricultural water users and facilities;
      - (C) the ability of public facilities, including schools, to safely and efficiently service current residents and future growth;
      - (D) a local government's ability to provide adequate local services, including but not limited to emergency, fire, and police protection;
      - (E) the safety of people and property due to threats to public health and safety, including but not limited to wildfire, flooding, erosion, water pollution, hazardous wildlife interactions, and traffic hazards;
      - (F) natural resources, including but not limited to forest lands, mineral resources, streams, rivers, lakes, wetlands, and ground water; and
      - (G) agricultural lands and agricultural production; and
    - (ix) a description of measures, including land use management techniques and incentives, that will be adopted to avoid, significantly reduce, or mitigate the adverse impacts identified under subsection (4)(c)(viii).
- (5) The planning board may propose and the governing bodies may adopt additional elements of a growth policy in order to fulfill the purpose of this chapter.

### **76-1-608. Criteria for local government review.**

- (1) The basis for the governing body's decision to approve, conditionally approve, or deny a proposed subdivision is whether the subdivision application, preliminary plat, applicable environmental assessment, public hearing, planning board recommendations, or additional information demonstrates that development of the proposed subdivision meets the requirements of this chapter. A governing body may not deny approval of a proposed subdivision based solely on the subdivision's impacts on educational services.
- (2) The governing body shall issue written findings of fact that weigh the criteria in subsection (3), as applicable.
- (3) A subdivision proposal must undergo review for the following primary criteria:
  - (a) except when the governing body has established an exemption pursuant to subsection (6) of this section or except as provided in 76-3-509, 76-3-609(2) or (4), or 76-3-616, the impact on agriculture, agricultural water user facilities, local services, the natural environment, wildlife and wildlife habitat, and public health and safety;

### **76-1-602. Public hearing on proposed growth policy.**

- (1) Prior to the submission of the proposed growth policy to the governing bodies, the board shall give notice and hold a public hearing on the growth policy.
- (2) **At least 10 days prior to the date set for hearing**, the board shall publish in a newspaper of general circulation in the jurisdictional area a notice of the time and place of the hearing.

### **76-1-603. Adoption of growth policy by planning board.**

After consideration of the recommendations and suggestions elicited at the public hearing, **the planning board shall by resolution:**

- (1) recommend the proposed growth policy and any proposed ordinances and resolutions for its implementation to the governing bodies of the governmental units represented on the planning board;
- (2) recommend that a growth policy not be adopted; or
- (3) recommend that the governing body take some other action related to preparation of a growth policy.

### **76-1-604. Adoption, revision, or rejection of growth policy.**

- (1) The governing body shall adopt a resolution of intention to adopt, **adopt with revisions**, or reject the proposed growth policy.
- (2) If the governing body adopts a resolution of intention to adopt a growth policy, the governing body may submit to the qualified electors of the area covered by the growth policy proposed by the governing body at the next primary or general election or at a special election the referendum question of whether or not the growth policy should be adopted. A special election must be held in conjunction with a regular or primary election.
- (3) A governing body may:
  - (a) revise an adopted growth policy following the procedures in this chapter for adoption of a proposed growth policy; or
  - (b) repeal a growth policy by resolution.
- (4) The qualified electors of the area covered by the growth policy may by initiative or referendum adopt, revise, or repeal a growth policy under this section. A petition for initiative or referendum must contain the signatures of 15% of the qualified electors of the area covered by the growth policy.
- (5) A master plan adopted pursuant to this chapter before October 1, 1999, may be repealed following the procedures in this section for repeal of a growth policy.
- (6) Until October 1, 2006, a master plan that was adopted pursuant to this chapter before October 1, 1999, may be revised following the procedures in this chapter for revision of a growth policy.
- (7) Except as otherwise provided in this section, the provisions of Title 7, chapter 5, part 1, apply to an initiative or referendum under this section.

### **ii 76-2-304. Purposes of zoning.**

- (1) Zoning regulations must be:
  - (a) except as provided in subsection (3), made in accordance with a growth policy;

**iii 76-1-606. Effect of growth policy on subdivision regulations.**

When a growth policy has been approved, the subdivision regulations adopted pursuant to chapter 3 of this title must be made in accordance with the growth policy.

**iv 76-1-605. Use of adopted growth policy.**

- (1) Subject to subsection (2), after adoption of a growth policy, the governing body within the area covered by the growth policy pursuant to 76-1-601 must be guided by and give consideration to the general policy and pattern of development set out in the growth policy in the:
  - (a) authorization, construction, alteration, or abandonment of public ways, public places, public structures, or public utilities;
  - (b) authorization, acceptance, or construction of water mains, sewers, connections, facilities, or utilities; and
  - (c) adoption of zoning ordinances or resolutions.
- (2) (a) A growth policy is not a regulatory document and does not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law.
  - (b) A governing body may not withhold, deny, or impose conditions on any land use approval or other authority to act based solely on compliance with a growth policy adopted pursuant to this chapter.

**v See 76-1-608(4)(a)**

**vi Growth Policy**, December, 2005. Section 12, Part B. NEIGHBORHOOD PLANS, pg. 46

Neighborhood Plans may be prepared as tools to coordinate and clarify the development for a specific neighborhood or a key area of the planning jurisdiction. It may also be a tool used by a developer to address large development projects that have impacts beyond its project boundaries. A Neighborhood Plan focuses on an area in order to provide clear and detailed direction. A Neighborhood Plan is developed within the overall framework of the Columbia Falls City-County Growth Policy and is typically adopted as a subelement of the Growth Policy. While the City-County Growth Policy is very broad in its analysis and guidance for the community, a Neighborhood Plan serves to refine this overall concept by expanding on the goals and policies and providing guidance at the neighborhood or project level.

**RECOMMENDATIONS**

Neighborhood Plan embodies the public policy for the area it addresses. Any land use ordinances or regulations, such as zoning or subdivision review, should be based on this plan, and where the plan is more restrictive in its policy, the plan's precepts shall prevail. It must be understood, however, that the plan is conceptual in nature and not an engineering or construction document. It is acknowledged that there is a difference between a Neighborhood Plan refining the broad community goals of a neighborhood or special planning area versus a specific Developer's Neighborhood Plan which typically would be used to assist a developer address a significant neighborhood scale development project. Adoption of a Developers Neighborhood Plan must be in accordance with 76-1- 601 through 76-1-604 M.C.A. Application materials for a developers neighborhood plan amendment should include the following:

- 1. A draft plan stating significant issues, goals, and policies associated with proposed development.
- 2. The plan should clearly describe the proposed development, address feasibility of the development; phasing; a convincing showing of need; neighborhood compatibility; transportation impacts; environmental impacts; site hazards; adequate provision of local services; demonstrate the encouragement of the most appropriate use of land throughout the jurisdiction and conclude by demonstrating overall conformance with the Growth Policy.
- 3. A site plan showing land uses and densities assigned to specific locations; general circulation and parking plan; general utilities plan; general landscaping plan; lands and facilities committed for recreation or public services; water bodies and wetlands; 100-year floodplain; topographical contours; significant physical features; prime agricultural soils; significant habitat; and significant cultural or historical resources.
- 4. A vicinity map showing surrounding land use patterns; streets (arterial, collector, and local); water bodies; and other significant physical features.
- 5. A letter of application signed by the property owner(s), a legal description of the site, a list of the names and addresses of all property owners within 150 feet of the site, and any application review fees.

It is understood that if the particular development project is abandoned, the land use designation shall revert back to its prior classification and the Developers Neighborhood Plan shall sunset. Abandonment shall be deemed to

have occurred when no substantial improvements or substantial progress has been made on the development for a period of three years and the developers are no longer pursuing the project.

**vii The Columbia Falls' Growth Policy**, December, 2005 Introduction: Part B.

The Columbia Falls City-County Growth Policy is an official public document adopted by the Columbia Falls City Council. It is a policy plan intended to guide decisions concerning the physical, social, economic and environmental development of the Planning Jurisdiction. The essential characteristics of the plan are that it is comprehensive, general and visionary.

"Comprehensive" means that the Growth Policy applies to all geographical areas of the Planning Jurisdiction.

"General" means that the Growth Policy presents the goals and policies necessary to give guidance to making decisions concerning development but does not indicate site-specific locations, engineered solutions, or detailed regulations. substantial compliance with the Plan.

"Visionary" means that it looks beyond the present situation in an attempt to anticipate future problems and possibilities.

**viii 76-1-605. Use of adopted growth policy. (2)(a) and (b).**

**ix 76-1-601. Growth policy -- contents.**

(2) The extent to which a growth policy addresses the elements listed in subsection (3) is at the full discretion of the governing body.

**x River Road Neighborhood Plan**, February, 2008, pg 10. Goals #3 and Recommendations #3

**xi Growth Policy**, December, 2005. Section 1, Natural Resources, Policies pg 10.

**xii 76-3-501. Local subdivision regulations.** The governing body of every county, city, and town shall adopt and provide for the enforcement and administration of subdivision regulations reasonably providing for:

- (1) the orderly development of their jurisdictional areas;
- (2) the coordination of roads within subdivided land with other roads, both existing and planned;
- (3) the dedication of land for roadways and for public utility easements;
- (4) the improvement of roads;
- (5) the provision of adequate open spaces for travel, light, air, and recreation;
- (6) the provision of adequate transportation, water, and drainage;
- (7) subject to the provisions of 76-3-511, the regulation of sanitary facilities;
- (8) the avoidance or minimization of congestion; and
- (9) the avoidance of subdivisions that would involve unnecessary environmental degradation and danger of injury to health, safety, or welfare by reason of natural hazard, including but not limited to fire and wildland fire, or the lack of water, drainage, access, transportation, or other public services or that would necessitate an excessive expenditure of public funds for the supply of the services.

**xiii 76-3-608. Criteria for local government review.**

(5) (a) In reviewing a proposed subdivision under subsection (3) and when requiring mitigation under subsection (4), a governing body may not unreasonably restrict a landowner's ability to develop land, but it is recognized that in some instances the unmitigated impacts of a proposed development may be unacceptable and will preclude approval of the subdivision.

(b) When requiring mitigation under subsection (4), a governing body shall consult with the subdivider and shall give due weight and consideration to the expressed preference of the subdivider.

**xiv 76-3-511. Local regulations no more stringent than state regulations or guidelines.**

(1) Except as provided in subsections (2) through (4) or unless required by state law, a governing body may not adopt a regulation under 76-3-501 or 76-3-504(1)(f)(iii) that is more stringent than the comparable state regulations or guidelines that address the same circumstances. The governing body may incorporate by reference comparable state regulations or guidelines.

(2) The governing body may adopt a regulation to implement 76-3-501 or 76-3-504(1)(f)(iii) that is more stringent than comparable state regulations or guidelines only if the governing body makes a written finding, after a public hearing and public comment and based on evidence in the record, that:

- (a) the proposed local standard or requirement protects public health or the environment; and



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(b) the local standard or requirement to be imposed can mitigate harm to the public health or environment and is achievable under current technology.

(3) The written finding must reference information and peer-reviewed scientific studies contained in the record that forms the basis for the governing body's conclusion. The written finding must also include information from the hearing record regarding the costs to the regulated community that are directly attributable to the proposed local standard or requirement.

(4) (a) A person affected by a regulation of the governing body adopted after January 1, 1990, and before April 14, 1995, that that person believes to be more stringent than comparable state regulations or guidelines may petition the governing body to review the regulation. If the governing body determines that the regulation is more stringent than comparable state regulations or guidelines, the governing body shall comply with this section by either revising the regulation to conform to the state regulations or guidelines or by making the written finding, as provided under subsection (2), within a reasonable period of time, not to exceed 12 months after receiving the petition. A petition under this section does not relieve the petitioner of the duty to comply with the challenged regulation. The governing body may charge a petition filing fee in an amount not to exceed \$250.

(b) A person may also petition the governing body for a regulation review under subsection (4)(a) if the governing body adopts a regulation after January 1, 1990, in an area in which no state regulations or guidelines existed and the state government subsequently establishes comparable regulations or guidelines that are less stringent than the previously adopted governing body regulation.

**COLUMBIA FALLS CITY-COUNTY PLANNING BOARD  
AND ZONING COMMISSION  
Minutes of March 11, 2008**

Meeting was called to order at approximately 6:35 p.m. by President Dakin.

**PRESENT:** Sarah Dakin, Jenny Draband, Courtney Jackson, Trent Miller, Joe O'Rourke, Alan Reinke and Dave Renfrow. **ABSENT:** Susan Haverfield and Russ Vukonich.

**Call To Order**

Also present were William Shaw, City Manager/Planning Director & Karen Tindale, Planning Office Assistant.

**Public Attendance:** Eileen McDowell of 1150 S. Nucleus Ave., Columbia Falls, MT; Martin Laskey of 395 Gold Course Dr., Columbia Falls; Paul Badgley of 60 Great Bear Lane, Columbia Falls, MT; Dave & Luci Yeats of 361 1<sup>st</sup> St. E., Columbia Falls, MT; Fred Haas of 4188 Columbia Falls Stage Rd., Columbia Falls, MT; Betty & Randy Belston of 125 Rogers Rd., Columbia Falls; Curley & Rita Denning of 140 Steppe Lane, Columbia Falls; Henry Rivera of 175 Rogers Rd., Columbia Falls; and Melissa Franklin of 4148 Columbia Falls Stage Rd., Columbia Falls.

**Minutes  
Approved**

**Approval of Minutes:** Draband moved to approve the Minutes of January 15, 2008 and stated that she needed to be shown as absent for that meeting. O'Rourke seconded. All in favor. Motion passed.

**Hear the Public:** No comments from the public.

**Public Hearings and Action:**

There was discussion by the Board and they were in agreement to possibly close the meeting at 8:00 p.m. after hearing the public comments on the proposed River Road Neighborhood Plan or to continue the hearing to a later date.

- 1. **RIVER ROAD NEIGHBORHOOD PLAN:** A committee of property owners, appointed by the Columbia Falls City Council, is proposing an amendment to the Columbia Falls Growth Policy to adopt a supplement entitled River Road Neighborhood Plan. Plan area is generally described as lands east of the Flathead River, Sec. 16 & 21, T30N, R20W, bounded on the west by the Flathead River, on the north by Hwy 2, on the east by Hwy 206, on the southeast by Rogers Rd. and on the south by lands bearing Tract Nos. 2, 1N, 1H & 1HA of Sec. 21. The Plan proposes recommendations for lot density, open space and natural resource management.

**River Road  
Neighborhood  
Plan**

City Manager/Planning Director, Bill Shaw gave his staff report and showed slides of the proposed RRNP area. Shaw read from the first paragraph of his Summary: *"The survey, its responses and interpretation are a snapshot of a specific period. They should be included in the appendix only. All references to the survey within the issues, goals and recommendations sections should be removed."* Shaw mentioned that the Growth Policy was unclear in its reference to housing density.

Public hearing was opened at 7:00 p.m. Melissa Franklin of 4148 Columbia Falls

**River Road  
Neighborhood  
Plan Cont'd**

Stage Rd. read from a letter by Anna Stene-Bouley of 222 Rogers Rd. who couldn't be present. Franklin also made her own comments and distributed a letter. Franklin explained some of the history of the survey that was done with the help of former City Planner, Lisa Horowitz, and that the plan was based on the responses they had received from the survey that the committee had distributed to the landowners. Franklin said the survey reflects the feelings of the landowners. Franklin said she wants an even playing field – to be treated equally as an existing landowner with developers. Luci Yeats spoke in favor of the Plan. Yeats said that the Growth Policy does not give enough information on how to develop a neighborhood plan. Yeats said she felt the Committee hadn't received enough help from the City in developing the Plan. Yeats made reference to the survey and setbacks. Yeats said they needed a prescription, a vision and that now is the time to develop a setback. Yeats said she didn't agree with residential of the Growth Policy and that not all landowners are looking to subdivide. Yeats said they would ask to take the staff report comments and rework their Plan.

City Manager Shaw said that surveys are difficult to use as fact. Shaw said there was no reason to make a decision that night and that the meeting was as good as a workshop.

Fred Haas of 4188 Col. Falls Stage – agreed there was lack of guidance initially in developing the Plan. Haas said he felt there was already a setback of at least 100 ft. from the River. Haas said he was not in favor of moving River Road but that it could be widened. Paul Badgley of 60 Great Bear Lane, passed out copies of a letter from Brian and Lisa Fitzpatrick and stated that they do not want to participate in the Plan. Jamie ??? of Red Barn Rd. said she was very impressed with the RRNP and that she didn't feel there should necessarily be conformity. She agreed that farming should be encouraged. Jamie said she is surrounded by people who hay and that it is not an unsubstantial use. She said she thinks setbacks should be considered – need to step up. Jamie said someone should do considerable research on the detrimental effects of moving a road and that River Rd. should be maintained at its current width - that currently the road is pretty safe because of all of the curves – that people can't drive too fast and are pretty courteous. Marty Laskey of 395 Golf Course Dr. read from his letter that was distributed to the Board. Eileen McDowell read from her letter that had also been distributed to the Board. McDowell said she did not want to be included in the neighborhood plan.

Franklin made another comment that *the average city sized lots in Kalispell, Whitefish and Columbia Falls are all in the range of .15 to .17 acres on average and that .125 is considerably lower and that the current zoning they have in her neighborhood . . . even increasing to 1 to 2 per acre is 5 to 10 times the current allowed amount in the zoning that she's already under and that 8 homes per acre is 40 to 80 times the amount that they have under their current zoning of 5 to 10 acre parcels so is quite a substantial increase.* Paul Badgley made an additional comment also regarding a paragraph in the Staff Report being real critical regarding the Growth Policy not being described as regulatory but that the Neighborhood Plan section states, "Any land use ordinances or regulations, such as zoning or subdivision review, should be based on this plan, and where the plan is more restrictive in its policy, the plan's precepts shall prevail."

Shaw suggested continuing the public hearing to allow the RRNP Committee to prepare a rebuttal to the Staff Report and give them a lengthy period comment, etc.

Member Miller asked if the Committee really wanted to rebut or do they want to work with what they have seen in the Staff Report and modify. Luci Yeats said the Committee members were in agreement to take the Staff Report and make some changes and resubmit. Miller suggested that Manager Shaw and the RRNP Committee could meet and have some dialog to smooth some things out.

There was discussion about trying to determine a boundary for the RRNP.

**President Dakin continued the public hearing to April 15<sup>th</sup> and stated that the Board suggested that the RRNP Committee should confer with Mr. Shaw and use his comments to come back with the revisions they feel they can make and come back with any rebuttals.**

**River Road  
Neighborhood  
Plan Cont'd**

**Tabled to April  
15, 2006**

Renfrow said the Plan does not represent a level playing field and shouldn't be on the backs of the developers. Renfrow said the landowners could get together and do the Red Bridge study; that it was only \$10,000 and would be doable. Renfrow said the world shouldn't be looked at through a straw.

The Board took a break at 8:17 p.m. and resumed at 8:27 p.m.

- 2. **TITLE 17: SUBDIVISION REGULATIONS:** City proposed text amendments to the Columbia Falls Subdivision Regulations. Revisions include: delete prescriptive language for subdivision exemptions; revise conflict resolution sections prescribing which law shall apply when various code requirements are incongruent; revise other sections of the code to comply with recent changes in statute, including provisions for requiring minor subdivisions to provide parks; and other changes.

**Amendments to  
Subdivision  
Regulations**

City Manager Shaw gave a brief overview of the most significant Subdivision Regulation amendments; i.e. revise wording in 17.04.080 Review of Exemption Claim of the Subdivision and Platting Act (MSPA); revise wording in 17.04.090 Jurisdiction re: the Growth Policy to state that it is a guidance document and not a regulation; etc.

The public hearing was opened at 9:05 p.m. and, since there were no comments, the hearing was closed at 9:05 p.m.

**O'Rourke moved to accept the proposed revisions to Title 17 Subdivision Regulations per the Planning Staff's Review Report dated March 4, 2008. Draband seconded. Roll call vote. All in favor. Motion passed.**

**Motion passed to  
Accept changes**

- 3. **TITLE 18: ZONING REGULATIONS:** City proposed amendments to Title 18: Zoning Regulations. Revisions include: revise conflict resolution sections prescribing which law shall apply when various code requirements are incongruent; changes to buffers required between industrial and residential districts; and other changes.

**Amendments to  
Zoning  
Regulations**

City Manager Shaw explained some of the proposed amendments and read from his Review Report dated March 5, 2008. Changes were recommended to **18.104.010 Scope**; revise **18.343.070 Approval of the planned unit development**; add new **18.342.050 Special Provisions**; add new **18.344.050 Special Provisions**; add new **Chapter 18.427 Industrial District Buffer** and add new **18.427.010 Intent**; add new **18.427.020 Buffer Required**; add new

**18.427.030 Buffer Compliance Period;** add new **18.427.040 Buffer Components, Performance and Maintenance;** add new **18.450 Storage – Unenclosed or Uncovered;** add new **18.450.010 Storage – unenclosed or Uncovered** and add new **18.450.010;** in **18.522.040 Parking areas and driveways-Minimum requirements** – change the 5-year paving requirement in item E. from January 1, 1989 to 2008 & from January 1, 1994 to 2013; new wording to **18.522.060 Recreational vehicles** - add “*or boats*”, add “*front or*” to setbacks and add height and length requirements; in **18.624.004 Large building,** revise the definition “Large building” means a building *in areas zoned B2 or B4* with a floor area of ten thousand (10,000) square feet or more; add new **18.630.030 Nursing Home** definition; add new **18.634.130 Public open space** definition . . . *Public open spaces may include, but are not limited to rivers, lakes, public parks, and grounds around public buildings.*

Amendments to Zoning Regulations Cont'd

Public Hearing opened at 9:30 p.m. Since there were no comments, the hearing was closed.

**Draband moved to accept the Title 18 – Zoning Regulations Review Report dated March 5, 2008. Renfrow seconded.** There was brief discussion on correcting some minor typographical errors. There was some discussion on noise abatement in regards to installation of buffers and that it’s extremely difficult to accomplish. **Roll call vote. All in favor. Motion passed.**

Motion passed to accept changes

**4. GROWTH POLICY:** City proposed revisions to the Growth Policy re: revising language in the Policy that recognizes it is not regulatory in nature and provides that land use decisions will reasonably conform with the Policy; and other changes.

Amendments Growth Policy

City Manager Shaw went over his Review Report and stated regarding Section 12: Growth Policy Implementation Paragraph E. that the following wordings should remain, “*The subdivision regulations should be patterned after policies and standards recommended in the Growth Policy. For example, standards and policies for streets, pedestrian ways, . . . should be incorporated into the subdivision regulations.* Shaw said he felt the following wording should be eliminated “~~*Furthermore, in administering the subdivision regulations, the Growth Policy’s policies should be met. When a particular policy cannot be achieved or will be violated, there should be a written finding as to why.*~~” Draband made reference to the section regarding Neighborhood Plans under Recommendations, that “***It must be understood, however, that the plan is conceptual in nature and not an engineering or construction document.***” Draband said that the River Road Neighborhood Plan was just going to be a concept and Shaw said that “it goes back to the issue raised by the Supreme Court when they ruled against the County that apparently something in their Growth Policy was so concise in the way it was written, that it could have been used as a foundation for a finding of fact”. Shaw stated that “the City never intended a Neighborhood Plan or the Growth Policy to ever be a finding of fact – that the Growth Policy is a general visionary document of how things should generally proceed in the developed areas”.

Public hearing opened at 9:50 p.m.  
Eileen McDowell of 1150 S. Nucleus Ave., Columbia Falls, asked if the changes

were being made because of not wanting the Policy to be more regulatory or to be perceived as regulatory above the Subdivision or Zoning Regulations and the Board agreed. McDowell said that when she was at the RRNP Committee meetings, they did discuss the lines that are now proposed to be taken out so the change will impact Neighborhood Plan writing in the future. McDowell said she was not opposed to the wording being taken out but did want the Board to be aware that the Committee did go over (the Growth Policy) quite a bit in trying to write the RRNP.

**Amendments to Growth Policy Cont'd**

Member Jackson said that the changes were only being done to comply with recent case law because of the recent Supreme Court ruling.

Public Hearing closed at 9:55 p.m.

There was more discussion on a Growth Policy as not being regulatory per State Statute and that a Neighborhood Plan will have to be consulted when interpreting the Growth Policy but won't necessarily have any greater weight than the Growth Policy and that they are secondary to the Zoning & Subdivision Regulations.

**O'Rourke moved to accept the proposed revisions to the 2005 Growth Policy prepared by Mr. Shaw in Review Report dated March 5, 2008. Miller seconded. Roll call vote. All in favor. Motion passed.**

**Motion passed to accept changes**

**5. GROWTH POLICY MAP:** City proposed revisions to the Growth Policy Map to change two areas of land use projections in the following manner: On land located west of North Fork Road and immediately north of the Columbia Falls Industrial Park from Public Land Open Space to Suburban Residential, being approximately 7 acres in Tracts 6A, 8F and 8G in Section 4, T30N, R20W; on land south of Talbot Road and west of the Montana Veterans Home from Park Open Space to Urban Residential, being approximately 90 acres in Tract 2C, Section 18, T30N, R20W.

**Amendments to Growth Policy Map**

Shaw explained the proposed amendments to the Growth Policy Map. Shaw stated that if the Board Members wanted to take their time in reviewing the proposed changes, this matter could be continued to a later date. Member Miller asked if property owners had been notified of the proposed changes and Mr. Shaw stated that there was not a requirement for sending out letters to adjacent neighbors for changes to the Growth Policy isn't like Zoning where there's regulatory items. There was some discussion about the Veteran's property and Renfrow said he felt there should be some more discussion about Cedar Creek and fertilizer runoff, etc. Shaw said however, that the property is already zoned R-1 and zoned R-4 to the north of the pond. There was some discussion on open space, affordable housing, etc.

Public hearing opened at 10:15 p.m. Since there was no public comment, hearing was closed.

**Renfrow moved to table this item to the next meeting of April 15, 2008 and Draband seconded. Roll call vote. All in favor. Motion Passed.**

**Tabled to April 15, 2008**

**E. OLD BUSINESS:** Renfrow asked about definition for cluster and the need to explore definition for very high density and townhouse & condo. Shaw referenced the density issue of gross or net and said he will try to get that pinned down. Shaw said typically zoning is net acres unless you get to a PUD then there's gross acres and it isn't

**Old Business**

easy when putting together a staff report on a PUD project. Shaw said that zoning is what drives a clustering. There was some more brief discussion.

**F. NEW BUSINESS:**

**1. Election of Officers.** Postponed to next meeting (April 15, 2008).

**Election of Officers tabled to April 15, 2008**

**G. REPORTS:**

**1. Comments from Planning Board:** Member Renfrow suggested that the Board might want to take a possible field trip to Bigfork to look at the Saddlehorn (Averill) development and maybe rent a van. Renfrow said the development has transportation for the workers so the grounds are not disturbed and they have local housing for their employees, and are donating 1/2 of 1% of all the proceeds perpetuity to the Bigfork Foundation, etc.

**Comments by Planning Board**

**2. Comments from Planning Staff:** Mr. Shaw said there were some minor Conditional Use Permit requests that will come before the Board at the next meeting. Shaw stated that Bruce Lutz of Sitescape Associates had told him that Conditional Use Permits in the County are handled by the Board of Adjustment – not the Planning Board and City Council so he thought the Planning Board might want to consider having the City’s Board of Adjustment handle them instead, also.

**Comments by Planning Staff**

There was some discussion regarding the sign ordinance and reference was made by Draband about some businesses that have made some changes to their signs. Shaw stated that he thought the changes were compliant with the ordinance.

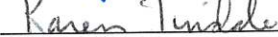
**H. ADJOURNMENT.** Meeting was adjourned at 10:34 p.m.

**Adjournment**

  
\_\_\_\_\_  
Sarah Dakin, President of the Board

  
\_\_\_\_\_  
William F. Shaw, City Manager/Planning Director

APPROVED as submitted/corrected:

ATTEST:   
\_\_\_\_\_  
Karen Tindale, Planning Clerk

March 11, 2008, 1:33 PM

Columbia City Manager, Bill Shaw  
Columbia Falls Planning Board  
Columbia Falls City Council

RE: River Road Neighborhood Plan

We would like to add to our previous letter just submitted to you a few minutes ago that we purchased Lois and Ron Lyford's property on January 3, 2008 located at:

Tract 1 in Gov't Lot 5, Sec 16, T.30N, R. 20 of Flathead County, Montana  
Certificate of Survey # 18088

We would like this property to be added with our property at 202 River Road in Columbia Falls, W $\frac{1}{2}$  of Government Lot 5 (W  $\frac{1}{2}$  NW  $\frac{1}{4}$  SW  $\frac{1}{4}$  ) of Section 16, Township 30 North, Range 20 West. MPG, Flathead County Montana.

We are requesting that both of these properties be withdrawn from the RRNP.

Sincerely,

Brian and Lisa Fitzpatrick  
Columbia Falls Resident



**March 11, 2008, 12:41 PM**

Columbia City Manager, Bill Shaw  
Columbia Falls Planning Board  
Columbia Falls City Council

RE: River Road Neighborhood Plan

We have reviewed the final draft of the River Road Neighborhood Plan and we maintain that we do not want to participate in the plan and would like our property and land to be withdrawn from the RRNP. We feel that the any new regulations regarding river setbacks or density changes etc.. would greatly affect our property and want to maintain our property within the current growth policy.

We would be interested in forming our own neighborhood plan with land owners who are directly affected by the current growth policy and in the urban residential zoning.

In the past we have submitted letters to you one dated November 26, 2007 and one dated August 7, 2007 regarding our concerns. Please take these letters into consideration as well. (see attached)

Sincerely,

Brian and Lisa Fitzpatrick  
Columbia Falls River Road Resident

(previous letter )  
August 7, 2007

Columbia City Manager, Bill Shaw  
Columbia Falls Planning Board  
Columbia Falls City Council

RE: River Road Neighborhood Plan

The members of the River Road Neighborhood Plan steering committee are submitting the final draft of the plan for review by the City Planning Office. **We, Brian and Lisa Fitzpatrick, respectfully and formally withdraw our land and home on 202 River Road, Columbia Falls, Montana from participation in this Neighborhood plan.**

We participated in this neighborhood plan voluntarily, in good faith and have given months of effort to reach some form of reasonable collaboration that would fall within the guidelines of the growth policy. We have reviewed the final draft as written and feel the RRNP committee plan is a one sided attempt to stop potential future development. There are several issues that we don't agree with that directly affect the building of our future home and would significantly limit the use and value of our property.

Sincerely,

Brian and Lisa Fitzpatrick

(previous Letter)  
November 26, 2007  
City of Columbia Falls  
130 6<sup>th</sup> Street - Room A  
Columbia Falls, MT 59912

Att: William Shaw  
RRNP Committee

We received a copy of the final draft for the RRNP plan, (not from the RRNP Committee) but from other sources. After reviewing the plan, the RRNP still have not addressed or acknowledged any of our concerns whatsoever. We have not been properly informed by the RRNP of any RRNP meetings, public meetings or have not been involved with any final drafts of proposed plans etc...? We feel the whole committee is keeping issues and changes from us because we are directly impacted by the changes.

The RRNP wants to take our property for their use without taking any of our concerns or issues into consideration. As we mentioned in a previous letter, we bought the property so that we could build our dream home on our river front area that is currently on build able land.

We feel that the proposed plan is a one sided attempt to stop development and the RRNP is trying to imply rules that are unreasonable at our expense. Example; 250' setback, movement of river road/ widening and keeping bike path in place for exchange of moving road. All of these things will greatly impact our property.

Because we have property on the river front and on River Road, we feel that we are being singled out by people who are not directly affected by these proposed changes. Therefore, again we are requesting to be removed from this neighborhood plan and are interested in starting a new committee with the people that are directly affected by the unanimous decision the city has previously made with the urban residential zoning.

Sincerely,

Brian and Lisa Fitzpatrick  
Columbia Falls River Road Resident

TO: COLUMBIA FALLS PLANNING BOARD  
COLUMBIA FALLS PLANNING OFFICE

3/10/08

FROM: MARTIN LASKEY,  
396 GOLF COURSE DRIVE, COLUMBIA FALLS

RE: RIVER ROAD NEIGHBORHOOD PLAN

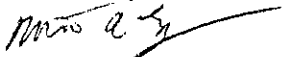
I am a co-owner of approximately 120 acres east of the Flathead River designated in the Growth Policy as Urban Residential. In January of 2006 I voluntarily agreed to include this property in what was to become the River Road Neighborhood Plan boundary. It was also agreed that I would participate in the committee in partnership with Eileen McDowell. My goal in doing this was to join with some of the neighbors in writing a plan that would enhance the area and promote smart growth following the guidelines set forth in the Columbia Falls Growth Policy. This proposed plan does neither. It quickly became apparent that the goal of the others was to stop all growth east of the river and to undo what this board, with much public input, worked so hard on for 2 years.

Included in this document is a survey that, as Mr. Shaw points out in his report, is dubious at best. Even though my name was on the survey that was distributed I had no voice in writing the survey nor was I allowed to fill one out as a landowner. Later, after over a year of active participation, I was told by the chair that I could no longer participate and that I was not allowed a seat at the table because I believe and continue to believe that a Neighborhood Plan should be written in compliance with the Growth Policy as per state statute. Even after this I was asked to participate in committee business and to write a true statistical analysis of the survey. This analysis does not appear in the final draft because it was contrary to what the other committee members wanted to portray. It is clear that the intention of this group of people is not to write a true neighborhood plan but instead to circumvent due process.

During the process of the adoption of the Growth Policy it was specifically stated that we must allow enough density to make it economically feasible for city sewer and water to be extended to the East side of the river. As I see it this proposed neighborhood plan takes away my right to bring you a plan for my lands and the public's right to review and comment on those plans.

I ask you to reject this on the basis that this proposed neighborhood plan does not follow the Growth Policy in letter or intent. I must insist that my properties not be included in their proposed boundaries. I voluntarily tried to participate in the process, yet was allowed no voice and do not agree with this document. I believe that this board wrote and passed a Growth Policy that promotes smart growth, a healthy environment and that provides a way to meet the future needs of our entire community.

Sincerely,



March 10, 2008

TO: COLUMBIA FALLS PLANNING BOARD  
COLUMBIA FALLS PLANNING OFFICE

FROM: RICHARD J. JUTZI, MEMBER  
HIGH COUNTRY LAND & CATTLE, LLC

RE: RIVER ROAD NEIGHBORHOOD PLAN AMENDMENT ADOPTION

We own 12.5 acres located immediately east of the Flathead River on the north side of Highway 2. While our property is not included in the River Road Neighborhood Plan Amendment planning area, we feel that passage of this amendment would be a mistake.

We believe that a neighborhood plan is not the appropriate tool for density or zoning determinations. The right to apply for zoning lies with the landowner. When we purchased our property we, through our broker, Paul Badgley, consulted the Growth Policy and based our decision to purchase on the designations in that Policy.

I think that allowing one group of "no growther" land owners to prevail over another group of landowners would be a dangerous precedent.

Among the details that we disagree with are the river setbacks, building setbacks, single family housing types, non allowance of manufactured housing, densities, viewsheds, 50-60% open space, and covenants regarding housing styles.

Growth in Columbia Falls will happen and it needs to be done thoughtfully yet allowed within the framework of the Growth Policy.

Thank you for your consideration and based on the reasons delineated above we request that this proposed plan be rejected.

Sincerely,  
High Country Land & Cattle, LLC

Richard J. Jutzi, Member

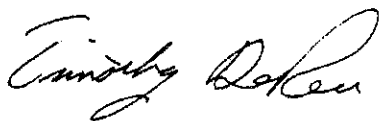
Dear City of Columbia Falls:

This letter is to request that my property known by its Subdivision name of Hillside Views be excluded from the River Road Neighborhood Plan (RRNP).

I believe Hillside Views has been wrongly included in the RRNP plan. It serves insufficient purpose to include my land within the mission of the RRNP. The land is located south of Rogers Road and mainly on top of the hill, and not close to the Flathead River. There are lands east and south of Hillside Views that are not included in the RRNP plan, yet are controlled by the City of Columbia Falls planning department. The choosing of which lands to include and which to not include should have been agreed upon by the individual landowners prior to randomly including them.

At no time have I requested to be included in the RRNP area and have verbally stated that I did not want to be included in the plan. I understand the views and desires of some of the RRNP people and hope they understand that I feel that not having any more possible restraints or hindrances against Hillside Views is in my best interest.

Thank you,  
Sincerely,  
Timothy DeReu



3-09-08

Date

## *Twin Peaks Farms LLC*

March 11, 2008

RE: River Rd. Neighborhood Plan Comments

Bill Shaw, City Manager and  
Columbia Falls Planning Board  
130 6<sup>th</sup> St. W.-Room A  
Columbia Falls, MT 59912

via fax: (406) 892-4413

Dear Council Members:

We have reviewed the River Rd. Neighborhood Plan and feel that it presents problems for the City's future. We own 10 acres just across the Flathead River located at 7030 Hwy 2E on the north side of the highway as well as other properties near Columbia Heights that will soon be in the city impact area.

The problems the plan creates, if adopted, include:

- It becomes a special subset of the Growth Policy. We believe the Growth Policy was well founded in its concepts. If the city wants to change these concepts, the Growth Policy should be changed. Adding onerous layers of bureaucracy ultimately drive the cost up for the eventual homeowner. In this case they would see no benefit for that added cost.
- Many of us have looked at the Growth Policy as the guideline for how the city wants to develop; therefore, how we purchase property. If the Growth Policy no longer functions as a guideline, what do we have?
- Removal of multi-family residential has the potential of removing more affordable residences from the area. It would also create less common areas which conflict with stated objectives of the neighborhood plan.

The Neighborhood Plan was a commendable attempt to seek neighbor input and have neighbor/developer cooperation. Unfortunately, it has taken 2 years and provided no benefit. In early meetings we understand that the committee had a different objective, which was to prevent development. This was first seen when the committee was on record that they didn't want sewer & water to cross the bridge. When it was explained that preventing sewer & water was in conflict with the plan's objective to have a better environment, the new strategy hurdle was to reduce density so sewer & water extensions would be uneconomical. We urge you to continue using the Growth Policy and the neighborhood plan should be used as an informational document available to those who wish to read it.

Sincerely,



Ron Mayhew, Owner

7030 Hwy 2E  
Columbia Falls, MT 59912



RECEIVED

Item No. 1.

MAR 11 2008

CITY OF COLUMBIA FALLS

To: Columbia Falls City-County Planning Board  
Columbia Falls City Council

From: Bill Dakin, Broker/Owner

Re: River Road Neighborhood Plan

Dear Representatives:

While I have not visited the particulars of the draft Neighborhood Plan which you are about to consider, I do have one over-arching concern.

I strongly believe that the future of this community, as an economically vital entity, and as an even more wonderful place to live, rests on bringing the Flathead River into the town...embracing it, caring for it, and making it a City asset.....rather than considering it to be a boundary, as it has been regarded for the past century.

I urge you to exercise vision in helping the residents South and East of the river to see the big picture. Let's construct a land use plan for the future that invites and accommodates city services. It should enable a development density that makes it possible and attractive for entrepreneurs to extend our urban infrastructure. I hope the end-result will be a plan to guide this town toward growth in a way that makes the Flathead River one day be the signature feature of Columbia Falls....the only community North of Flathead Lake that has an opportunity to incorporate the river into its urban landscape.

Sincerely,

March 10, 2008

**RE/MAX** Mountain View

610 9th Street West  
Columbia Falls, Montana 59912-3821  
Office: (406) 892-3000  
Fax: (406) 892-3202  
Website: [www.viewmontana.com](http://www.viewmontana.com)



Each Office Independently Owned and Operated



Planning Board Meeting for Tuesday, March 11<sup>th</sup> 2008

Regarding the River Road Neighborhood Plan

Dear Planning Board Members,

Hello, my name is Melissa Franklin. I live at 4148 Columbia Falls Stage and am one of the five members of the RRNP Steering Committee.

I would like to state a few facts for the record, please.

1-We as a steering committee were instructed by Mr. Shaw to send out a survey to all land owners in the RRNP area, which we did. Mr. Shaw states in his staff report, page 13 under the heading "River Road Neighborhood Plan", that "...the return rate for the survey was over 60%; this is a high rate." The response to the survey was far above the meager average of 40% or less (stated by Lisa Horowitz, a former Columbia Falls city planning consultant who helped us with the survey process). The actual response percentage was 63% which is an above average response indicating the landowners interest and opinion. Mr. Shaw continues in the staff report "...the results could be interpreted to show that the community has some knowledge that a plan for the neighborhood could be based on their responses and that a majority of area residents believed that concern about future development had reached an awareness level that required their attention.

Many of the goals and recommendations appear to align closely with similar items in the Growth Policy. Many of them have been expressed in recent land use decisions and some addressed in recent changes to code; e.g. preservation of contiguous forest areas and view sheds, landscape buffers and dark sky standards." I agree with Mr. Shaw that the Plan and the Growth Policy both reflect these ideals.

Landowner/resident input via the survey was a requirement to build the body of the RRNP, as instructed by the city planning department. We as a steering committee are as ecstatic over the 63% response as Mr. Shaw seems to be in his report. The entire plan reflects the wishes of all the survey respondents. Our main objective was to represent all of the landowners and residents. We wrote the Plan based on the majority of opinion and this is reflected in this final draft.

2-Regardless of who is able to make it to this meeting tonight, the survey reflects the opinion of the neighborhood. The survey results speak for all the residents that were unable to be here tonight.

3-Running city sewer pipes over or under the Flathead River should be seriously reviewed. As sewage pipes get antiquated they fail. The statistics even in this small valley reflect this statement as fact. The Whitefish sewer system has failed several times in recent years dumping raw sewage into Whitefish Lake (reference City of Whitefish sewer failures). Growth on the east side of the Flathead River is certain, therefore consideration to build a sewage treatment plant on the east side of the Flathead River may be best for all interested parties (i.e., City of Columbia Falls growth management policy, developers, area residents, and the larger community).

4-My rights as a property owner should be equal to and as valuable as a new property owners'. Existing residents have a right to maintain the current quality of life and life style regardless of others desire to change our zoning to benefit their own monetary gain.

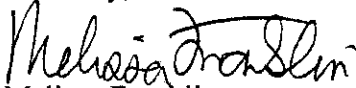
5-The Growth Policy suggests a zone change to 8 homes per acre in the RRNP area. This equates to .125 of an acre which is considerably smaller than the average city lot. As an investor in the community I have had the opportunity to research lot sizes for prospective investment properties. My research over the last 10 years shows that the average size city lots in Kalispell, Whitefish and Columbia Falls are in the range of .15 to .17 of an acre. It has also been referenced that roads and walkways could be added in to the "Open Space" category. The RRNP research found the following definition of "Open Space". In "Definitions" in "Appendix F" of the RRNP the following is stated, "Open Space-That portion of the landscape which is in a predominately natural state and which is sought to be reserved in its natural state or for agricultural or outdoor recreational use. Open space may include, but is not limited to riparian areas, agricultural lands, watersheds, forests, floodplains and habitat areas."

6-The suggestion for setbacks along the Flathead River is not something that the RRNP steering committee came up with. The trend in the valley is to protect and not compromise water quality. We as a committee have simply followed this trend by including setback language in the Plan. There are not many unpolluted waterways existing in the U.S. today. The Flathead River is an asset to our community in many ways. Water is essential to life. Without clean water life forms would perish. The health of the river is in our hands and we should take this very seriously. Building too close to the river with potential threat of pollution is not a matter of landowner right it is a matter of the health of the greater community. No landowners' right to build should supersede an entire population and their right to clean water.

6-The idea to move River Road is very questionable. How could River Road be a river road if it were moved? As an existing land owner the approach/drive along the river is a wonderful attribute to the neighborhood. I believe that part of the value of my property is in the approach along the river. Take this away and my land may be devalued. There is the undisputable argument that once again a new landowner should be able to move a road that services an entire community to suit their own development and financial needs? This does not seem reasonable nor is it sensible if you take into consideration the affect the moving of the road would have on the river itself (i.e., the deconstruction and reconstruction side-effects).

I would like to thank you all very much for your time and consideration in this matter.

Sincerely,



Melissa Franklin

Melissa Franklin

March 11, 2008

TO: COLUMBIA FALLS PLANNING BOARD  
COLUMBIA FALLS PLANNING OFFICE

FROM: EILEEN MCDOWELL, 1150 S. Nucleus Avenue, Columbia Falls

RE: RIVER ROAD NEIGHBORHOOD PLAN AMENDMENT ADOPTION

I respectfully request that my land (72 acres commonly known as Columbia Range and 48.5 acres commonly known as Loeffler Ridge) be removed from inclusion in the proposed boundaries of this amendment to the Growth Policy.

I served on the River Road Neighborhood Plan committee from January 2006 to August 2008 in weekly meetings and part of the time as a co-chair. I voluntarily placed my lands in the proposed plan and participated in good faith that together we would be able to bring in a plan that while being in compliance and written within the framework of our Growth Policy would detail the physical and natural details of our neighborhood and the ongoing needs as the community grew. My properties are within the urban residential designation of the Growth Policy and are largely undeveloped and I was the only member of the committee with an interest in working within the Growth Policy. The other members were in opposition both to Columbia Range and any further development in that area that would require density any higher than 1-2 units per acre. Many times I was reminded that they only formed to stop the Columbia Range subdivision—and even after that unanimous approval by the board and the council they remained in opposition stating that they knew that if increased density was denied that Columbia Range wouldn't be possible because of not being able to share the cost of infrastructure—still trying to block Columbia Range. I was naïve and persevered. When I finally realized that the committee members were going to try to amend the Growth Policy and not work within the framework given to us, I, along with my partners and neighbors (Fitzpatricks, Lyfords, and Tim Dereu), asked the planning board to recognize both our lack of consensus with the committee and our decision to remove ourselves from the boundaries of the proposed plan.

I believe that a neighborhood plan is not the appropriate tool for density or zoning determinations. The right to apply for zoning lies with the landowner. I have participated in that process right here in this room with the Planning Board and know that the members take their responsibility to their community very seriously. I recognize that our hearing process works. When I purchased property I consulted the Growth Policy and based those decisions on the designations in that Policy. I now have a right to bring in a plan that uses the Growth Policy and subdivision regulations as its guideline and present it to the board and the community at large and receive an open and fair hearing on that plan. I think that this would be a dangerous precedent -allowing a Neighborhood Plan committee to set density—there are too many private agendas.

Among the details that I disagree with are the river setbacks, building setbacks, single family housing types, non allowance of manufactured housing, densities, viewsheds, 50-60% open space, covenants regarding housing styles and there are more. I truly believe that the Growth Policy is a visionary document that was written over 2 years with public input and then unanimously adopted by both our planning board and city council. Growth in Columbia Falls will happen and it needs to be done thoughtfully yet allowed within the framework of the Growth Policy.

Thank you for your consideration and based on all of my above reasons I request that my property be removed from the boundaries of this proposed plan.

Sincerely,

A handwritten signature in cursive script that reads "Eileen McDowell". The signature is written in black ink and is positioned below the word "Sincerely,".

**COLUMBIA FALLS CITY-COUNTY PLANNING BOARD  
AND ZONING COMMISSION**

**Minutes of April 15, 2008**

Meeting was called to order at approximately 6:30 p.m. by President Dakin.

**PRESENT:** Sarah Dakin, Jenny Draband, Susan Haverfield, Courtney Jackson, Joe O'Rourke, Alan Reinke, Dave Renfrow and Russ Vukonich. **ABSENT:** Trent Miller.

**Call To Order**

Also present were William Shaw, City Manager/Planning Director & Karen Tindale, Planning Office Assistant.

**Public Attendance:** Steve Thommen of 220 1<sup>st</sup> Ave. W. Col Falls; Paul Badgley of 60 Great Bear Lane, Col. Falls; Eileen McDowell of 1150 S. Nucleus Ave., Col. Falls; Martin Laskey of 395 Gold Course Dr., Col.Falls; Dave & Luci Yeats of 361 1<sup>st</sup> St. E., Col.; Shirley Folkwein of 740 Parkhill Dr., Billings, MT; Kevin Holliday of 100 St. Andrews Dr., Col. Falls; Kathleen O'Hair of 162 Steppe Ln., Col. Falls; Anna Stene of 222 Rogers Rd., Col. Falls; Jami Belt of 187 Red Barn, Col. Falls and Fred Haas of 4188 Columbia Falls Stage Rd., Col. Falls.

**Approval of Minutes:** Draband moved to approve the Minutes of March 11, 2008. Seconded by O'Rourke. All in favor. Motion passed.

**Minutes  
Approved**

**ELECTION OF OFFICERS:** O'Rourke moved to nominate Dakin as President and Vukonich as Vice-President. Renfrow seconded. All in favor. Motion passed.

**Election of  
Officers**

**Hear the Public:** Kristin Voisin asked to speak regarding her plans to build and operate a restaurant, Truby's, like she owned and operated in Whitefish for 11 years, on the property she had purchased from Leonard Knutsen. Voisin said that she was working on the plans and hoped to start breaking ground in a couple of weeks in order to open by August 1<sup>st</sup>. Voisin said she wanted to describe the type of roofing she would like to install on her building. Voisin said that she has worked with Glacier Steel before and was trying to capture the old style of roof, like barns. Voisin mentioned a church on 8<sup>th</sup> St. that has a metal roof and the Old Depot building that's similar to the design she has in mind which also has a metal roof. Voisin said she was trying to capture the feel of the woods with vertical siding that would compliment the metal roof. Voisin said she was trying to get visibility from the highway and draw people to the downtown community. Voisin said she sits on the Architectural Board that's trying to come up with new designs within the CB-4 District. Voisin and Member Renfrow said they couldn't find anything in the design standards that didn't allow metal roofs.

**Comments by  
Voisin**

City Manager Shaw said that according to the Zoning Regulations and Design Standards for Small Buildings under facades, smooth-faced pre-fabricated steel panels were not allowed. Shaw mentioned that the problem was that there was no definition in the Code for façade but that in a dictionary the definition is the predominant face of a building. Shaw said that in this case the roof is in a vertical pattern taller than the walls and becomes a very prominent part of the structure and an overwhelming view of the building. Shaw said that they weren't asking the Board to make a decision but for the Board to give some background as to what they understand the Small Building Standard to mean.

Vukonich mentioned he had attended the Builders Show recently and that metal is being used more frequently now. Shaw said that if the Board feels that it is a material that is acceptable,

then the law needs to be changed and that all he could do now was to enforce the current law.

President Dakin wondered what the glare factor would be. Voisin said it has different sheens at different times of the day. Voisin said that this roof would be non-rust and that the sheen would diminish in time – within a few years.

Voisin said that she hopes to use her other 2 lots, that sit next to the proposed restaurant site, as a 1<sup>st</sup> & 7<sup>th</sup> Street market as a long-term goal and that it would deter from the longness of the building.

Renfrow said that since he had sat on the Design Committee, he didn't feel it had been the intent of the Committee to preclude the use of steel roofing, and said he hoped it didn't because he intends to submit plans also for a permit to use steel roofing for a project. Don Barnhart was also present in the audience, who had also been on the Design Committee, and he stated that there had not been any discussion on metal roofing but there were discussions on metal siding.

Shaw said the issue was that the roof of Voisin's proposed building makes up a vast majority of the façade. There was some mention that Voisin could go before the Board of Adjustment.

Renfrow said he would like to see an architectural definition of façade. Shaw mentioned having a brief recall of the Design Committee members for a discussion to review the matter.

**Public Hearings and Action:**

- 1. **CONDITIONAL USE PERMIT:** Request by United Methodist Church for additional parking at 205 2<sup>nd</sup> Ave. W., Columbia Falls Lot 1, Blk 11 in S8 T30N R20W.

**United Methodist Church**

Manager Shaw read from this Staff Report explained that the zoning ord. does not allow the 2 uses of residential and/or parking.

Dave Yeats, Vice Chair of the United Methodist Church spoke on the Church's behalf. Yeats said they have a growing concern with parking and complaints from the neighbors and that they were trying to be proactive. Yeats said the lot the Church was hoping to purchase was just across the street from the Church. Yeats said they don't have enough money to do what they want to do and thought the house could be rented for income for the Church. Yeats said the goal was to pave the parking area. Yeats said they thought there was a problem with the slope if the lot was accessed off the alley. Yeats said they were hoping to rent the house out and still use the rest of the property as the overflow parking. Yeats said there are a lot of community services going on at the church, such as; the Boy Scouts, Girl Scouts, Brownies, and Mothers of Preschoolers, etc.

Vukonich asked if the Church was willing to relinquish the residence for the parking lot. Yeats answered: "Not at this time."

President Dakin closed the public hearing portion at 7:05 p.m.

Vukonich asked staff about parking lots going in right up to the building.

Shaw said that it was allowed only in commercial zoning, not in residential. Shaw said there was nothing in the ordinance that says you can have joint use other than in commercial and said there was nothing illegal about parking on the street.

Renfrow asked about granting a CCU Permit with a sunset clause for the use of the house. Shaw said that it would be an issue for the next persons that were to come in and that they would expect the same consideration, etc.

There was discussion that the house/residence could be used as part of the church as a parsonage or only if it was related to the Church as an accessory use, but not as a rental. Shaw recommended approving the use of a parking lot and to let the Church decide what church-related use they wanted to have.

Dakin said she wants parking lots to be paved. Shaw said he didn't have a problem with giving a date as to when the parking lot has to be paved but not to let the Church have a residential use there also. O'Rourke asked about access to the lot. Shaw said the law says you are to have entrances and exits but didn't think there would be a problem with the Church lot.

Vukonich asked Yeats if he would like the Board to grant a CCU Permit for use as a parking lot or want the Board to withdraw making a decision for 30 days. Yeats asked about having a 3-yr. term for the CCU and then could they come back for another CCU Permit for a formal parking lot. Yeats said the house was not currently rented.

**Vukonich moved to accept Staff Report CCU-08-01 dated March 28, 2008. Draband seconded.**

O'Rourke wanted to add a 5-yr. deadline for paving but withdrew that recommendation since the proponent had not requested it.

**Roll call vote. All in favor. Motion passed.**

**2. CONDITIONAL USE PERMIT: Request by PWER, Inc. for a drive-thru taco shop at an existing convenience store/gas station at 673 8<sup>th</sup> Ave. E.N., Crescent Amd. TR B EX R/W in S9 T30N R20W.**

**PWER, Inc.  
(Patrick Rose)  
CCU Permit**

Manager Shaw read from his Staff Report and the conditions he recommended for approval. Patrick Rose, the applicant, spoke and said he agreed with most of the report, however, he said that it was very expensive to pave. Rose said that the food would be inexpensive for families and convenient with the drive-thru window and felt it would be a benefit to the community.

Opened public hearing at 7:30. Since there was no public comment the hearing was closed.

There was discussion about the landscape area and moving the large sign on the site to allow for safe customer ingress & egress to the drive-up window.

**Renfrow moved to accept Staff Report CCU-08-02 dated March 27, 2008. Haverfield seconded. Roll call vote. All in favor. Motion passed.**

Dakin stated that another public hearing would be held before the City Council on Monday, April 21, 2008.

- 3. **CONDITIONAL USE PERMIT:** Request by Meadow Lake Development Corporation for a recreation facility at Spyglass Gardens, Meadow Lake Country Club Estates Phase 9, Lot 2 in S6 T30N R20W.

**Meadow Lake Development Corp. (Spyglass Gardens Recreation Facility) CCU Permit**

Shaw read from his Staff Report and the recommendations for approval. Shaw said that the property was located in two zones of CB-5 & CRA-1. Shaw said that the CRA-1 zone requires the granting of a Conditional Use Permit for the proposed recreation facility. Bruce Lutz of SITESCAPE Associates was present as the representative and said that Kevin Holliday, representative of the ownership of Meadow Lake Development Corporation was also present. Lutz showed an architectural drawing of the project.

Public hearing opened at 7:42 p.m. Since there were no comments, the hearing was closed.

**RV moved to accept Staff Report CCU-08-03. O'Rourke seconded. Roll call vote. All in favor. Motion passed.**

Break at 7:45 p.m.

**E. OLD BUSINESS:**

- 1. **RIVER ROAD NEIGHBORHOOD PLAN:** Continued from the March 11, 2008 Planning Board Meeting regarding a committee of property owners, appointed by the Columbia Falls City Council, is proposing an amendment to the Columbia Falls Growth Policy to adopt a supplement entitled River Road Neighborhood Plan. Plan area is generally described as lands east of the Flathead River, Sec. 16 & 21, T30N, R20W, bounded on the west by the Flathead River, on the north by Hwy 2, on the east by Hwy 206, on the southeast by Rogers Rd. and on the south by lands bearing Tract Nos. 2, 1N, 1H & 1HA of Sec. 21. The Plan proposes recommendations for lot density, open space and natural resource management.

**River Road Neighborhood Plan**

Shaw showed on the screen a map that Luci Yeats asked to be projected. Shaw explained his Agenda Memo regarding the revised RRNP Staff Report dated April 10, 2008. Reinke asked about a definition of clustering. Shaw said the state law does not define it. Shaw said there needs to be some incentive before someone would be willing to do clustering. Vukonich asked about a designated map that shows the property of the landowners that would like to withdraw from the plan. Shaw said the Board could approve the boundary and make a recommendation to Council.

Yeats asked for a give & take of the Staff Report and the RRNP Recommended Changes. Yeats said that some of the people who had originally asked to be withdrawn



from the Plan have since sold their property. Yeats went through the Committee's proposed changes. Yeats referred to the numerous amounts of literature that's available for research on setbacks such as a 72 page Ohio report that cites 200 studies that have been done. Yeats said the issues that they would like to see further discussed are: The river setbacks; the housing density and housing types and possible methods of achieving higher density with more open space; the junction of River Road and Columbia Falls Stage Rd.; and the bikepath issue.

There was some discussion on how to conduct the hearing and it was decided to keep on track with the normal procedures. President Dakin said that the public hearing could go to 10:00 p.m. and at that time it would be decided whether to close or continue to the next meeting.

Public hearing opened at 8:40 p.m.

Paul Badgley was the first to speak. Badgley said he was representing the Fitzpatricks, who are included in the Plan but who wish not to be included and property owners on the north side of Hwy 2 not included in the Plan. Badgley said he could understand focusing on the Plan but that the Growth policy is for the whole community and that the growth was well planned and is good for the City economically, etc. Badgley said that the property owners he is representing would definitely like to have the boundary line moved back to what's shown on the Growth Policy Map and/or not implemented at all. Renfrow wanted clarification of "good for the City economically". Badgley explained what he meant by economics: That not only buildout, infrastructure, architects, road builders, construction workers, developers, finance and mortgage companies, realtors - all benefit from growth. Badgley said that the properties not annexed into the City are paying minor agricultural taxes to the County and when annexed into the City and water and sewer goes in, they will be paying substantial taxes to the base of the City which he feels is needed for . . . police, fire, schools, etc. Renfrow said that municipalities never benefit financially from expansion of the City and economics is not a consideration of the Board.

Martin Laskey 395 Golf Course Rd., Columbia Falls, said the main reason he wanted to withdraw from the Plan was that he didn't quit the Committee, he was told that he couldn't participate in the process. Laskey said he felt that the Plan intended to redo what was done in the Growth Policy to change the densities and to keep them from developing. Laskey said that they have the opportunity to do something great with their property with bikepaths, etc. but they won't be able to do that if the Plan goes through and overrides the Growth Policy.

Eileen McDowell of 1150 S. Nucleus, Columbia Falls, said she is one of the owners of properties in the urban residential designation of the Growth Policy. McDowell said she now represents the owners of 120 ½ acres. McDowell said she feels water & sewer is important - need infrastructure across the bridge and need density to do so and can't overstate the value of clean water. McDowell said she didn't agree with limited types of housing. McDowell said that it was in the best interest of the community to relocate River Road and enlarge it to 60 ft. and bring it out onto the highway further away from the bridge and that she didn't agree with the Neighborhood Plan regarding the road. McDowell said views are important and the way to achieve that is to work with developers. She said they are not in favor of a "one-size-fits-all" for river setbacks. McDowell said they worked hard with their Columbia Range project as far as bike paths, etc. and that they want to have good relationships with the neighbors. McDowell

**River Road  
Neighborhood  
Plan Cont'd**

said she was concerned about the process for determining boundaries and was opposed to having the 120 ½ acres she was involved with included in the Plan. McDowell displayed a map that she said showed the original boundaries for the Plan.

Jamie Belt of 187 Red Barn Rd. spoke on traffic issues and said that people driving on River Rd. can't go faster because of the curves, etc. and that it keeps the speed limit reasonable. Belt said that she felt a 3-way stop sign at Columbia Falls Stage Rd. & River Rd. was the way to go. Belt said it was important to consider what the intention was for considering moving River Road at the intersection of Hwy 2 – that initially Mr. Laskey and Ms. McDowell had stated regarding the Columbia Range project that there were no significant accidents that have occurred at that intersection and are now citing the risk for accidents as the reason for wanting to move the road away from the bridge. Belt said she felt it was very important for neighbors to work together and compromise and that the attractiveness of a neighborhood is determined by its current character and the current character is determined by the people living in the neighborhood and that the people in the neighborhood should have the ability to work with people coming into the neighborhood with their plans to create an atmosphere that allows for the neighborhood to keep the character that it has. Belt said she felt it was a "Catch 22" that needing density to justify water and sewer was contingent upon the fact that having density requires water and sewer. Belt mentioned the urban residential designation allows for 1 to 8 homes per acre and that the recommendation of the Plan is for 2 homes per acre. Belt mentioned the issue of multi-family housing and buffers and the need for compromise. Belt also mentioned that the owners that wish to withdraw do not currently occupy the land and felt there was a need for existing landowners living on the land to help set the tone instead of persons with speculative interests. Belt said she felt the setbacks should be 250 ft. but that 100 ft. was a compromise. Belt mentioned the wild and scenic designation near the boundaries of Columbia Falls and that there was a large movement to try to encourage preservation of the River. Belt said water shed is significant, that there was a major wildlife corridor and that she had concerns about weeds and that rivers were a natural transport of weeds. Belt said she was involved with the new River's Edge Park. Belt said that the Flathead Conservation District is a State Agency that offers a course on river setbacks and suggested that the City Council and Planning Board learn more about the matter. Belt also mentioned about industrial/coal development in British Columbia and that Montana's State Governor, Senators and the State Department are trying to let Canada know that water quality was important and that having setbacks on the river would show that there was concern in the Columbia Falls' area.

Anna Stene of 222 Rogers Rd., Columbia Falls, said that Marty (Laskey) & Eileen (McDowell) are part of a larger corporation where there's 40+ people that own the 72 acres that's Columbia Range and that when it's dispersed, they only own about 2 acres each. Stene said the Committee has not received a formal letter from Loeffler Estates asking for withdrawal and that the Committee would like to meet with the new owners and work with them to see how improvement can be made to the neighborhood. Stene said that the Columbia Range project already has a preliminary plat that's been approved and it falls well within the perimeter of the Plan, which is 1 to 2 units per acre. Stene stated that there was a misunderstanding of the boundaries being redrawn at the beginning of the process. Stene stated that the Yeats-Rogers families (Columbia Farms) originally wanted the property to the south and it was a misunderstanding

**River Road  
Neighborhood  
Plan Cont'd**

**River Road  
Neighborhood  
Plan Cont'd.**

between Mr. Shaw and the Committee and within the first couple of months of discussions, Ms. Yeats sat down with Mr. Shaw and that was clarified and that the boundaries were never redrawn as she understood it. Stene said that with regards to who Mr. Badgley represented outside of the neighborhood and across the highway was irrelevant to the question about the boundaries. Stene said she would love to see the City support them with a 3-way stop at Columbia Falls Stage and River Rd. since Ski Constructon has built 3 houses at that corner so there's now 3 outlets from that small development and is on a blind corner and felt a 3-way stop would slow traffic down and she asked for the Board's support.

Yeats made reference to the Growth Policy Map and questioned how it was developed and didn't think it was a working map that the Committee ever used. Yeats said the boundary issue is huge and suggested the Board take a look at it. Yeats said she really wants the Planning Board and City Council to look at the river setback issue also. Yeats mentioned the [montanawatercourse.org](http://montanawatercourse.org) website and that there's a planning guide for protecting Montana's wetlands and riparian areas and encouraged the Board to "go for that" since it is so important.

Bruce Lutz of SITEScape Associates said he was the land planner for Columbia Range and they worked within the Growth Policy. Lutz stated that the main thing that is impacting the river now is the closeness of River Rd. Lutz said that he now is working for the owner of Loeffler Ridge and that he will not want to be part of the neighborhood effort if "this is the way things are going". Lutz said that if automobiles were removed from being that close to the river, it would lessen the impact. Lutz said he was excited about what might happen with Loeffler Ridge and that there would be mixed uses that will be proposed. Lutz said that if the people that became friends after and during the Columbia Range process and they are not being permitted to work on the Plan, then they and their property should be eliminated from the Plan.

Yeats said she needed to reply to Mr. Lutz's statements. Yeats said that Laskey was not initially a member of the committee – was not appointed to the Committee but was allowed to sit at the table and had conversations, and that she and McDowell worked sometimes just the two of them.

Kathleen O'Hair of 162 Steppe Lane, Columbia Falls, said she had real concerns about the landowners who wish to withdraw. O'Hair said she felt the large areas should be kept into the boundaries because if the large blocks of land are taken out then she was afraid that the landowners within the Plan would have no say or impact on what will happen to them and their neighboring lands if the property owners outside the Plan didn't have to consult with them. O'Hair made the comment that the owners that wish to withdraw are developers and did not reside on the properties. O'Hair said that the plan had been worked on for 2½ yrs. and that the boundaries were decided on then and now that some wish to withdraw, there now needs to be communication between developers and neighbors. O'Hair was very concerned about the impact if the large property owners were able to withdraw from the Plan and that she and the other owners within the Plan need to have a say on what happens within the boundaries.

Fred Haas of 4188 Columbia Falls Stage Rd. wanted to address the wildlife corridor issue and had agreed to 100 ft. setback. Haas said that in regards to River Rd. he'd like to see a safe road and has asked the question: "How do you adjust for safe roads & bikeways, etc.?" Haas said that River Rd. was controversial. Haas said the boundary he had started with was from the Growth Policy.

**River Road  
Neighborhood  
Plan Cont'd**

Badgley said he had met with the Hwy Dept. and they are the ones that would like to see the highway entrance moved back – that it's too close and that it does affect the property owners across the highway. Badgley said that if the road was widened, etc. there would be speed limits to keep the speed down and keep it safer. Badgley said that sewer and water would be the greatest thing to protect the river and the acquifers because there's always an opportunity for contamination every time a well and septic is put in and mentioned properties in the floodplain and that septic systems fail and if that happens, will the owners be able to put another one in or will they have to do a level 3 engineered plan that are about \$25,000. Badgley said the major transfer of weeds are cars.

Haas referred to pg 23 of the Plan under Infrastructure – that the acquifers were mentioned. O'Hair wondered about the owners withdrawing and what input would the RRNP have. President Dakin said there would still be public hearings before the Planning Board and City Council depending on what the development proposal would determine how much public review there would be. Shaw said there would have to be a number of hearings since there would have to be rezonings, etc. and there would be more input due to the Neighborhood Plan.

Dave Yeats 361 1<sup>st</sup> St. E., Columbia Falls, said he felt the Columbia Range project had an impact on the Plan and that there were a lot of people who initially wanted to be on the Committee but it had to be cut down to a workable group. Yeats said that a lot of the land had changed hands since the Plan was initially worked on and was concerned that anyone can withdraw from the Plan whenever they wish. Yeats said that a lot of people didn't initially want to be part of the Growth Policy which is how the Neighborhood Plan came about and felt the Committee did a really good job. Yeats said he was concerned about what will happen with the Loeffler property and the wildlife corridor, etc. but that the Plan was trying to protect the values that are in the area now.

Laskey said he had checked with City of Wfsh and that there had never been a spill, etc from the 4 river crossings. Laskey said need water & sewer - 84 existing households. Shaw said no one can withdraw from a Growth Policy and that the City Attorney has said that until a boundary is established and the Plan is approved, there is nothing to withdraw from and once a Plan is approved, it would be difficult to withdraw from it. Vukonich asked if there was a figure of how much acreage was being requested for withdrawal. Shaw said that he could assemble those numbers. Vukonich wanted to clarify that Growth Policy is not regulatory and that it's the same with a neighborhood plan as a supplement, it's just visionary - advisory. Shaw said that the provisions going before the City Council at their next meeting will prescribe that the Growth Policy and a Neighborhood Plan must be consulted prior to making a land use decision and must be in reasonable conformance with the dictates of the Plan – that they are not regulatory, just merely guidelines.

Shirley Folkwein of 740 Parkhill Dr., Billings, MT, said she was one of the owners of Columbia Farms and said she currently supports the Plan and believes the boundary should stay as originally set. Folkwein felt it was important for the Board to be very future oriented and be able to look at 10-15 years ahead – that the river is sacred. Folkwein encouraged the Board to think all of this through and not be drawn by the push of the economy but to realize that the economy is dependent on what the land looks like and the health of the land.

Public hearing closed at 9:55 p.m.

Shaw said in response to Vukonich's question about the size of the areas requesting to be withdrawn from the Plan, the urban residential is about 2/5<sup>th</sup> of the entire Plan area excluding floodplain and the river and the property to be withdrawn is about 150 ½ acres or about a 5<sup>th</sup>.

Renfrow said water quality is a world-wide issue and said that there was a lack of credibility regarding sewage spills that Melissa Franklin had referred to at the previous Planning Board meeting. Renfrow said he agreed with Laskey that municipal water would be much cleaner. Renfrow said that the Committee should see what the Board has done in reviewing PUD projects and that the process works very well. Renfrow said the Board heard loud and clear about setbacks and water quality. Renfrow said again that municipal water would be much cleaner because septic systems are contributing to exactly what the group is touting as being the essence of the Neighborhood Plan – need to adjust the aperture - look in your own backyard. Renfrow said again that the City does not benefit economically by expansions – it's a break even. Renfrow said he was sorry but he didn't see the value in adopting the RRNP. Vukonich said he agreed, that the Plan was too fractured so felt he could not approve it. Draband said you can't force your neighbors to do things with their own property and that they should start in their own backyards regarding water contamination, etc.

There was discussion on whether to make a motion to not send the RRNP to City Council. It was stated by Dakin and Jackson that there had been great progress made but there was still work to be done.

Renfrow mentioned about restricting chemical fertilizers and not to have lawns right to the river.

O'Rourke said the controls were in place and the RRNP was one more layer and has some validity and structure.

Renfrow asked Laskey to address the Board. Laskey explained that there was no control unless somebody asks for a zone change, etc. Laskey said boundary line adjustments can be made without going before the Board and the consequences could be great if there wasn't connection to a municipal water/sewer.

McDowell said the main issues that they couldn't agree with the Plan Committee were density, river setback, doesn't agree with one-size-fits-all and that housing types were not discussed very much – that multi-family is one way to gain more open space.

Yeats replied that she would like to sit back down with McDowell on the Committee for further discussion.

Renfrow said that "once the City sees what's proposed by Mr. Lutz and the new owners and sees that the northeast part of that neighborhood is taken care of but the southwest section still has its same old problems".

Vukonich said maybe there should be a timeline to return the Plan to the Committee. Shaw said there is no requirement for a statutory time limit but that he agreed with Vukonich that a timeline should be determined.

**Vukonich moved to send the Plan back to the Committee to amend with new modifications and/or boundaries and determine if they are able to work together with the parties that wish to withdraw with a 90 day timeline to return. Draband and Renfrow seconded. Roll call vote. All in favor. Motion passed.**

Shaw stated that if the Plan were revised, there would need to be another public hearing.

**River Road  
Neighborhood  
Plan Cont'd**

**Motion made &  
passed to send Plan  
back to the RRNP  
Committee**

Renfrow said in the meantime there may be a plan submitted by the Loeffler people. Luci Yeats asked about a workshop with the Planning Board. There was some brief discussion. Haverfield mentioned about the one-size-fits-all setback. Vukonich said that the Committee needed to meet again with the owners that wish to withdraw to see if they could reach some type of agreement with the boundaries. There was some discussion about the Talbot Neighborhood Plan. Recess at 10:38 p.m. Resumed at 10:45 p.m.

RRNP Cont'

- 2. **GROWTH POLICY MAP:** Continued from the March 11, 2008 Planning Board Meeting regarding City proposed revisions to the Growth Policy Map to change two areas of land use projections in the following manner: On land located west of North Fork Road and immediately north of the Columbia Falls Industrial Park from Public Land Open Space to Suburban Residential, being approximately 7 acres in Tracts 6A, 8F and 8G in Section 4, T30N, R20W; on land south of Talbot Road and west of the Montana Veterans Home from Park Open Space to Urban Residential, being approximately 90 acres in Tract 2C, Section 18, T30N, R20W.

Growth Policy Map

Shaw explained his report of March 5, 2008 regarding possible amendments to the Growth Policy Map re: the North Fork Rd and Veterans Home area should be changed. Public hearing opened at 10:58 p.m. No comments so hearing was closed. Dakin said she wanted to separate the 2 issues.

**Map Amendment #1:**

**Vukonich moved to accept Review Report dated March 5, 2008 – Map Amendment #1. Draband seconded. Roll call vote. All in favor. Motion passed.**

Motion passed to accept Map Amendment #1

**Map Amendment #2:**

Dakin said that she was concerned about density and the lack of park land in that part of the City and that if the map was changed to urban residential it might make the land more valuable. Haverfield said the Veterans Home has added a walk path and is opened to the public and that it will be bigger & better.

Dakin was concerned about jumping the gun and concerned about the density. O'Rourke felt there was open space with the schools. Jackson said she agreed with Dakin. Renfrow & Reinke agreed that it would be good to sit on the issue for the time being.

**Courtney Jackson moved to deny the proposed Map Amendment #2. Vukonich seconded. Roll call vote. All in favor. Motion passed to deny.**

Map Amendment #2 was denied.

**F. NEW BUSINESS:**

New Business

- 1. **Discussion regarding a possible field trip to the Saddlehorn development in Bigfork.** The Board had a brief discussion on how to handle the transportation for the field trip. It was decided that possible options would be considered by Staff.

**G. REPORTS:**

Reports

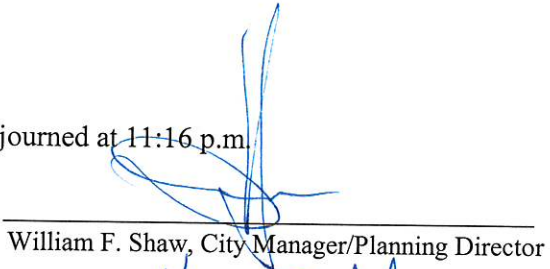
- 1. **Comments from Planning Board:** Draband mentioned about the height requirement of boats.
- 2. **Comments from Planning Staff:**

H. ADJOURNMENT. Meeting was adjourned at 11:16 p.m.

Adjournment

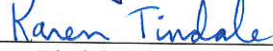


Sarah Dakin, President of the Board



William F. Shaw, City Manager/Planning Director

APPROVED as submitted/corrected:

ATTEST:   
Karen Tindale, Planning Clerk

**COLUMBIA FALLS CITY-COUNTY PLANNING BOARD  
AND ZONING COMMISSION  
Minutes of July 15, 2008**

Meeting was called to order at approximately 6:30 p.m. by Sarah Dakin, President.

PRESENT: Sarah Dakin, Jenny Draband, Courtney Jackson, Trent Miller, Joe O'Rourke, Alan Reinke, Dave Renfrow and Russ Vukonich. ABSENT: Susan Haverfield.

**Call To  
Order**

Also present were William Shaw, City Manager/Planning Director & Karen Tindale, Planning Office Assistant.

**Public Attendance:** Rodney & Lorie Willard & Gene Johnson of 312 1<sup>st</sup> Ave. E., Narda Wilson of 184 Midway Dr., Paul Hoerner of 1010 12<sup>th</sup> St. EN, Luci Yeats of 361 1<sup>st</sup> St. E., Barry Conger of 124 Columbia Mountain Lane, Randy & Cindy Houk of 154 Steppe Lane, Mary Smith of 234 1<sup>st</sup> Ave. E., Steve Thommen of 220 1<sup>st</sup> Ave. W., Jeanie Flynn of 221 Rogers Rd., Sally Lyngstad of 109 5<sup>th</sup> St. W., Laura Bell of 510 Kokanee Circle, Kathleen O'Hair of 162 Steppe Lane, and Eileen McDowell of 1150 S. Nucleus Ave, all of Columbia Falls, MT except for Ruth Clawson of 154 W. 6<sup>th</sup> St., Whitefish, MT

**Minutes  
Approved**

**Approval of Minutes:** Vukonich moved to approve the Minutes of June 10, 2008 and Jackson seconded. All in favor. Motion passed.

**Hear the Public:** There was discussion on the public comment issue re: River Road Neighborhood Plan and how to handle it. The Board decided that they would hear public comment on the RRNP later in the meeting after the two rezoning public hearing items were completed. There were no comments on anything that was not on the agenda.

**Public Hearings and Action:**

**1. ZONING MAP AMENDMENT:** A request to rezone property (approximately 5.20 acres) described as Parcel A of COS 16149 and Assessor's Tracts 9AB, 8AB & 1ABAAC in S16&S17 T30N R20W, located east of Columbia Falls Stage Rd., west of Steppe Lane and north of Rogers Rd. from CSAG-5 Suburban Agricultural to CR-1 Suburban Residential.

**Hoerner  
Rezone**

City Manager/Planning Director Shaw read from his Staff Report CZC-08-01 and displayed a map of the area by projector. Shaw referenced the 12 items that needed to be used as evaluation based on statutory criteria.

Narda Wilson, Land Use Planner, stated she was representing the owners of the property (the Hoerners). Paul Hoerner explained their desire to have only two lots on the property so his parents could also have a residence there.

The public hearing was opened at approximately 6:45 p.m.

Rick ?? said he lived west of the Hoerner property and would like to see something in writing stating that only 2 lots could be on the property and would be against anything over that.

Cindy Houk of 154 Steppe Lane said that she has 2 1/2 acres and would be against 1 acre lots.

Jean Flynn of 221 Rogers Road said she agreed with the others.

Shaw explained that the Planning Board doesn't normally set conditions on rezonings but that there could be restrictions on a subdivision plat.

Member Miller asked about the process if the owner wanted to build a 3<sup>rd</sup> house – Shaw said



**Hoerner  
Rezone  
Cont'd**

they could come back with a boundary line adjustment and not be required to go before the Board for approval. There was some discussion re: minor subdivisions and that they only were required to go before the Council and not before the Planning Board.

Narda Wilson said no survey had been done yet. Wilson said that since Columbia Falls doesn't have a zone for 2.5 acre lots like Whitefish, they are requesting the CR-1 zone.

The public hearing was closed at 7:00 p.m.

Shaw explained to the Board members that there had to be a sufficient reason in order to deny a rezoning request.

**Vukonich moved to accept Staff Report CZC-08-01 dated July 9, 2008 as findings of fact and to send to City Council with a recommendation for approval. O'Rourke seconded.**

There was discussion on the fact that the Growth Policy allows for suburban residential in that area. There was discussion on extension of services and the Growth Policy and that it would be required on urban residential but not suburban residential development. There was discussion on boundary line adjustments. It was mentioned by the Applicant that the homes would be built on the west part of the parcel. There was more discussion on the Growth Policy's intentions for that area. There was also discussion on whether the land could be subdivided due to possible septic & well issues.

**Roll call vote: Ayes: Jackson, Miller, O'Rourke, Reinke, Vukonich and Dakin. Nays: Renfrow & Draband. Motion passed 6-2.**

**Motion  
Passed**

**2. ZONING MAP AMENDMENT:** A request to rezone property in the North Nucleus Avenue area between 8<sup>th</sup> Street & A Street, between 1<sup>st</sup> Avenue West & some areas extending 1/2 block toward 2<sup>nd</sup> Ave. W. and 1<sup>st</sup> Avenue East, from B-2 General Business, R-3 One-Family Residential, R-4 Urban Residential, R-5 Two-Family Residential, and RA-1 Residential Apartment zoning districts to B-4 Central Business District.

**B-4 Nuc.  
Area Rezone**

City Manager/Planning Director Shaw explained the background on the proposed rezoning, etc. and explained the differences between the B-2 and B-4 districts. Shaw explained his suggestion that the residential homes not be included in the B-4 zone due to the fact that they would become non-conforming since a dwelling is only allowed above the first story of a building. Shaw displayed some maps from the projector and explained two options for rezoning a shown in Staff Report CZC-08-02 dated July 10, 2008 Figures 4 & 5.

Member Renfrow recused himself from the matter since he owns property in the rezone area.

Shaw went over the 12 issues/criteria that have to be considered in evaluating a rezone.

Shaw said that the B-4 zone was to encourage small businesses without the need for off-street parking.

Barry Conger spoke as the executive director of The First Best Place Task Force Committee. Conger explained who the Historic Uptown Neighborhood Committee was and explained the desire for a more traditional downtown/main street area. Conger made reference to the parking issue and that the Design Committee was working on some ideas. Conger said that they concur with the suggestion of leaving out the residential sections from the B-4 zoning. Conger said the Committee was in favor of angle parking, re-striping on Nucleus, etc. and mentioned about a possible public parking area. Conger said the goal of the committee was to have a pedestrian-scale district.

The public hearing was opened at 8:02 p.m.

Mary Smith of 234 1<sup>st</sup> Ave. E said she was concerned about property value and property taxes for now and in the future, and said she was against the rezone. Shaw said she was zoned R-3 and she

**B-4 Nucleus Area Rezone**

would be excluded from the rezone.

Sally Lyngstad of 109 5<sup>th</sup> St. W. said she had the same concerns as Ms. Smith.

Dave Renfrow of 1132 Cami Amber Trail said he was in general favor of the rezone. Renfrow discussed zero lot line setbacks for commercial districts. Renfrow requested that the property at 808 1<sup>st</sup> Ave. E. (Lots 11 & 12) be included in the rezone.

Rodney Willard of 312 1<sup>st</sup> Ave. E. said he was in favor of the exclusion of RA-1, etc. from the rezone.

The public hearing was closed at 8:14 p.m.

There was some discussion on who to exclude/include, etc. and whether to include the B-2 businesses in the B-4 zone or not; whether to have municipal parking areas and not have them on Nucleus. President Dakin brought up the issue of Nucleus being a State Highway and potentially having the same problems as Kalispell's Main Street. There was discussion about the possibility of the City taking over the street from the State.

Conger said that the Committee had contacted everybody on Nucleus and that they were fully aware of what was being contemplated.

**Miller moved to table the matter until more information could be provided. Draband seconded. All in favor. Motion passed to table the matter.**

**Motion to Table was passed**

**OLD BUSINESS:**

- 1. **River Road Neighborhood Plan** – continued from the April 15, 2008 Planning Board meeting.

There was discussion on how to handle the matter as far as taking the matter off the table, etc.

**Vukonich moved to take the matter off the table for discussion. Draband seconded. All were in favor. Motion passed.**

**Old Business River Road Neighborhood Plan**

Public comment: Luci Yeats spoke on the Plan and referred to her letter (dated July 7, 2008) that was included in the Planning Board packets. Yeats said she was concerned about not knowing the rules and said she was hesitant about starting with new boundaries.

Public comment was completed at 8:47 p.m.

There was discussion about Neighborhood Plans being voluntary and that nobody can be forced to be included in one. There was discussion about not being able to pull out of a plan once agreed on. It was mentioned that plans add detail to the Growth Policy and that it could be amended and that there was a timeframe on having it reviewed over time.

There was discussion on possibly readjusting the RRNP to exclude the landowners that wish to be excluded and that the Plan as submitted couldn't be approved. There were comments made about some issues not having been addressed. There was some discussion on surveys. It was mentioned that a developer could be held reasonably accountable by having a Plan that could be referred to. There was discussion on the options.

**Vukonich moved that the current River Road Neighborhood Plan, as submitted, be denied. Draband seconded. There was discussion that the plan could be resubmitted with new boundaries, etc. then there was a Roll call vote: All were in favor. Motion passed to deny the current River Road Neighborhood Plan as submitted.**

**RRNP denied**

**REPORTS:**

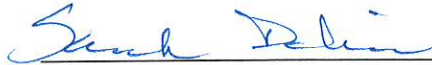
- 1. Comments from Planning Board: None.
- 2. Comments from Planning Staff: Shaw mentioned that at the next meeting (August 12, 2008), there would be a PUD project on the agenda and a rezone request by a church. Shaw mentioned that the proposed cluster ordinance could be brought back to the Board for

**Reports**

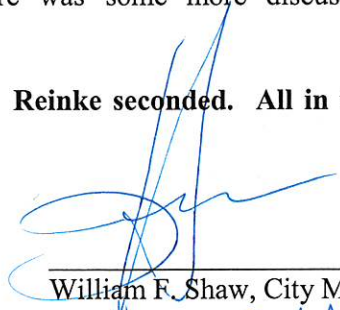
additional discussion. There was also some discussion about the possibility of developing a zoning district for 2.5 acre lots and there was some more discussion re: cluster developments.

**ADJOURNMENT: Vukonich moved to adjourn. Reinke seconded. All in favor. Meeting adjourned at 9:24 p.m.**

**Adjournment**

  
\_\_\_\_\_  
Sarah Dakin, President of the Board

APPROVED as submitted/corrected:

  
\_\_\_\_\_  
William F. Shaw, City Manager/Planning Director

ATTEST:

  
\_\_\_\_\_  
Karen Tindale, Planning Office Assistant

Planning Dept.  
**received**  
6/30/08 KT

To: River Road Neighborhood Plan Committee  
Columbia Falls Planning Manager  
City of Columbia Falls Planning Board

From: Columbia Falls Investments, LLC (7085/7095 Hwy 2 E, 72 acres)  
AviBree Real Estate Holdings, LLC (494 River Road, 48.5 acres)  
Brian and Lisa Fitzpatrick (202 River Road, 20 acres)  
Tim DeReu (4025 Col Falls Stage Rd, 10 acres)

June 26, 2008

Thank you for the opportunity to review the revised Neighborhood Plan that you sent out on May 14, 2008. After much discussion the decision has been made individually to decline inclusion in the boundaries of the plan. The above landowners request that the plan boundaries be re-drawn without their properties.

The existing Zoning and Subdivision regulations combined with the existing Growth Policy address many of these issues as well as many others important to all citizens. The landowners, that do not want inclusion in the plan, believe that these existing regulations protect community interest while allowing for growth. They also know that any development that they propose will go through both planning office review and at least two public hearings. These landowners believe that more prescriptive rules that may, or may not, fit a specific situation are not helpful. Thank you.

July 7, 2008

To The Columbia Falls City-County Planning Board:

On January 10, 2006 you recommended that the Columbia Falls City Council appoint a steering committee to work with staff in the creation of a Neighborhood Plan for the Columbia Falls Stage/River Road area. That recommendation came after the Growth Policy was approved and after a "standing room only" meeting in the Council Chambers of residents from that area. Some of those residents attending the meeting stated they wanted no part of city services, annexation into the city and urban residential designations of 2-8 units per acre, the latter of which was part of the Growth Policy that had been approved with inadequate input from the residents of the River Road Neighborhood (RRN). Some residents had attended the Planning Board meeting where the Board recommended approval of the Growth Policy, but you questioned those RRN residents about their whereabouts for the last two years and stated it was now too late to have any input on the Growth Policy.

It is now two and a half years later and you are essentially telling us we cannot have any input via the Neighborhood Plan process because developers who own land within the boundaries of the RRN are not satisfied with what the RRN residents desire in terms of how the area is developed. In the beginning, the City Council approved the membership of the RRN Plan committee and the City Manager helped the newly formed committee set the boundaries of the proposed Neighborhood Plan. Now you are saying the boundaries are invalid because certain landowners, none of whom even live in the area, want to pull their land from the Plan. You have said that the Plan is fractured and unless the Committee and the withdrawing landowners can come to a consensus, you will not even consider the Plan. Purposely or inadvertently, you gave the withdrawing landowners the power at the April Planning Board meeting to undo two and one half years of planning/writing the Neighborhood Plan when you said you wouldn't consider the Plan unless the Steering Committee and those landowners could work together.

In the last ninety days the RRN Plan Committee contacted three of the withdrawing landowners and asked them to identify the specific points in the Plan that they could not agree with. All we received was a copy of the letter you also received: The landowners supposedly believe the existing Zoning and Subdivision Regulations along with the Growth Policy will "protect community interest while allowing for growth." We were not able to sit down with them and look at specific points, because they did not identify specific points. Instead of trying to understand the wishes/desires of the residents of the RRN, they simply went back to the Growth Policy as the defining document, presumably because it agrees with their philosophy of development. The RRN residents apparently are wrong in what they desire for their neighborhood because they don't agree 100% with the vision of the Growth Policy as it applies to our area.

So we have come full circle. Many residents protested the approval of the Growth Policy, so the Neighborhood Plan Committee was created. Now we have created a Neighborhood Plan that reflects the values of the residents and has wide support. The

current draft RRN Plan does not adhere 100% to the Growth Policy vision but does insure continued growth in the area. However, because it does not allow for the kind of profit potential that the Growth Policy would allow for, the owners of undeveloped land that desire to withdraw from the RRNP want to throw a “monkey wrench” into the process and derail the entire Neighborhood Plan effort. It appears it has come down to whether the development community continues to get its way in the RRN over the expressed (via survey) desires of the residents to retain a more rural feel to the area.

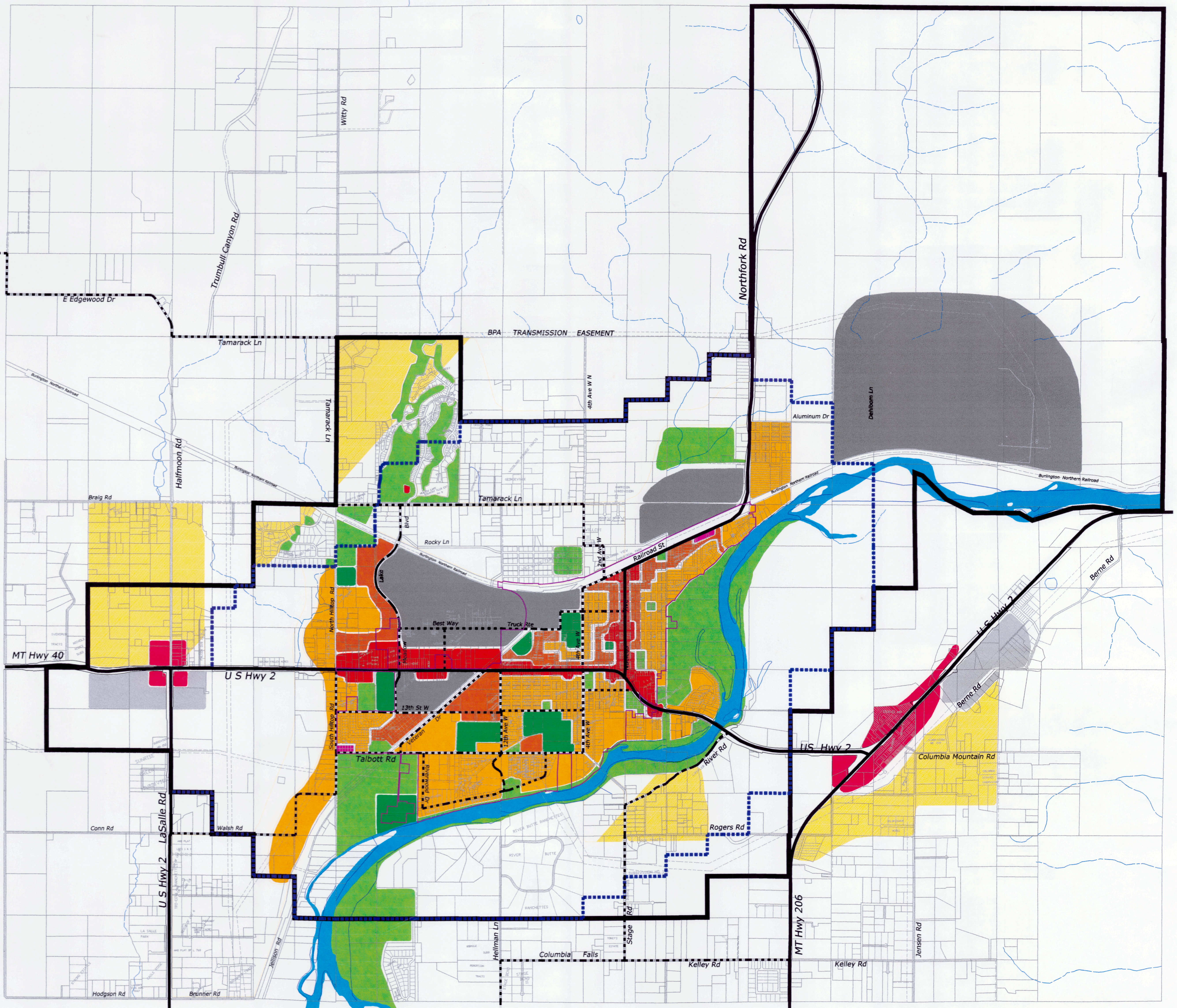
The committee has worked long and hard on the Neighborhood Plan. We were naïve as we entered into this process and we expected guidance from the City Planning Staff and thought they would help us pull this Plan together. We know now that there apparently are no rules about Neighborhood Plans: it seemed as though you made up the rules as we went on this Plan-writing journey and those rules benefited the developers who have the most to gain and not the residents of the area who have the most to lose.

We are frustrated because we have spent so much time writing a document we feel is a compromise between high density development and keeping our area rural, and it appears to us that you have not even given it any consideration. This could be an excellent example of the Planning Board showing disregard for the people that love the Columbia Falls area and have expressed an opinion on what their vision of growth is for the RRN area.

We do want to thank you for giving us the opportunity to attempt to write a Neighborhood Plan. We feel we were creative in writing the Plan, and many good ideas will unfortunately not become part of the planning process because of your refusal to consider the document. We regret the fact that we were as naïve as we were and did not realize the power of the development community and that the Plan was destined to fail because the process was not clearly defined. Hopefully we have all learned from this and the failure will not be repeated.

Sincerely,  
The River Road Neighborhood Plan Steering Committee

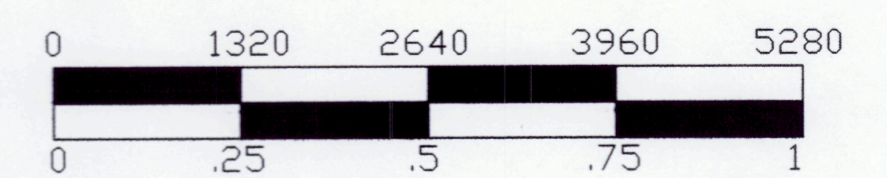
# NEW COLUMBIA FALLS PLANNING JURISDICTION & 1986 MASTER PLAN MAP LAND USE DESIGNATIONS



- New Columbia Falls Planning Jurisdiction
- Existing Columbia Falls Zoning Jurisdiction
- City of Columbia Falls - February, 2005

- Arterial Street
- Collector Street

- |                          |                      |
|--------------------------|----------------------|
| Suburban Residential     | Highway Commercial   |
| Urban Residential        | Light Industrial     |
| Multi-Family Residential | Heavy Industrial     |
| Neighborhood Commercial  | Park / Open Space    |
| General Commercial       | Public / Semi-Public |



\*\* Areas with no color were not designated for specific use, or were determined to be agricultural or suburban agricultural.