



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

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

AGENDA
PLANNING BOARD AND ZONING COMMISSION REGULAR MEETING
TUESDAY, JULY 12, 2022 BEGINNING AT 6:30 PM
COUNCIL CHAMBERS CITY HALL

The Planning Board Meeting is held in the City Council Chambers as well as by virtual meeting. Please contact City Clerk Barb Staland no later than 5:30 pm on the night of the meeting to obtain ZOOM meeting access information by calling (406) 892-4391 or email: staalandb@cityofcolumbiafalls.com

CALL TO ORDER AND ROLL CALL

APPROVAL OF MINUTES:

1. Approval of May 10, 2022 Regular Meeting Minutes

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

PUBLIC HEARINGS AND ACTION:

2. The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, July 12, 2022 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on August 1, 2022 starting at 7:00 p.m. in the same location.

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Mick Ruis is requesting a zoning map amendment on behalf of HC 246 LLC in the Columbia Falls Zoning Jurisdiction. The property is located at 230 Highway 2 East in Columbia Falls and is described as Assessor's Tracts 2E, 2EC, 4EA, 4EAA and 4E Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

- a. Adopt Staff Report CZC-22-02 as Findings of Fact
- b. Recommend Approval of Zone Change to City Council

3. **Public Hearing for all three requests:**

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 264,316,378,494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the

applicant is proposing CR-4 (Urban Residential).

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the development is called River Highlands Apartments. The property is located at 264,316,378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. Two deviations are requested with the PUD, the applicant is requesting to zoning deviations, one would allow an increase in height of ten feet allowing a portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit.

Request for a subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction. The property is located at 264,316,378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The subdivision will create 21 lots (17 residential and 4 open space lots) The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be privately maintained but open to the public. The proposed subdivision is part of the zone change and PUD application for River Highlands Apartments

- a. Adopt Staff Report CZC-22-03 as Findings of Fact
- b. Recommend approval of Zone Change to City Council
- c. Adopt Staff Report CPUD-22-02 as Findings of Fact
- d. Recommend approval of PUD, with conditions, to City Council
- e. Adopt Staff Report CPP-22-02 as Finding of Fact
- f. Recommend approval of Preliminary Plat, with conditions, to City Council

ADJOURNMENT

Next Regular Planning Board Meeting – August 9, 2022

REGULAR MEETING – 6:30 PM**CALL TO ORDER AND ROLL CALL:****Vukonich called Meeting to order at 6:30 PM**PRESENT: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, and DuffyABSENT: Nelson, Kavanagh and Singer

Also present: City Manager Susan Nicosia, City Attorney Justin Breck, Contract Planner Donna Valade

APPROVAL OF MINUTES:Approval of April 12th, 2022 Regular Meeting Minutes

Motion made by Duffy to approve the April 12th, 2022 minutes as presented, Seconded by Shepard. Motion carried with All present voting Aye: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, Duffy

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

NONE

PUBLIC HEARINGS AND ACTION:**Request a Conditional Use Permit to Construct Two Six-Plex Apartments in the Columbia Falls Jurisdiction:**

Chairman Vukonich read the notice of hearing: A request by Big Sky Living, LLC for a Conditional Use Permit (CUP) to build a six-plex condominium/apartment building on each of two lots owned by the applicant for a total of twelve units proposed. The six-plex's will occupy Lots 166 and 167 of Hilltop Homes Subdivision located on Diane Road in Columbia Falls. The properties are zoned CRA-1 (Multi-Family Residential) which requires a CUP to construct a three-plex or greater within the zoning district. The properties are addressed at 9 and 11 Diane Road and described as Lots 166 and 167 of the Hilltop Homes subdivision in Section 18, Township 30 North, Range 22 West, P.M.M., Flathead County.

Contract Planner Donna Valade presented Staff Report CCU-22-02 reviewing each of the findings and noting that staff recommends approval. Chairman Duffy had a question if this will match the other developments on Diane Road. Valade answered that they will be very similar except that the rear will face Diane Road and they will be accessed by a driveway on the other side, on-street parking will be for visitors.

Chairman Vukonich asked if there were any questions for staff. Duffy asked if there were any additional requirements for the residents to access the 6-plex's from the rear, would it be a different street address and are the setbacks conforming? City Manager Susan Nicosia noted that the project application documents compliance with all zoning requirements including lot coverage, setbacks, etc. Nicosia noted that the driveway is shared between the two lots and is a private drive not an extension of Diane Road. The unit addresses will still be addressed as Diane Road. Nicosia noted that the driveway width complies with city standards. Duffy asked if the need for emergency vehicle access was addressed. Nicosia answered in the affirmative.

Chairman Vukonich opened the public hearing at 6:43 p.m. Applicants Peter and Kelly Gibeon 173 Spring Creek Hills Rd, Livingston, MT called in on speaker phone. Kelly stated that their goal was to build a nice set of condos that has

inside and outside parking. Seeing no other comments or questions, Chairman Vukonich closed the public hearing. The Clerk noted that the City had not received any written comments.

A motion was made by Duffy to accept Staff Report CCU-22-02 as findings of fact, seconded by Shepard. Motion carried with voting as follows: Aye: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, and Duffy. Naye: None Absent: Nelson, Singer, Kavanagh.

A motion was made by Byrd-Rinck to recommend approval of the Conditional Use Permit to City Council, seconded by Lundgren. Motion carried with voting as follows: Aye: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, Duffy. Naye: None Absent: Nelson, Singer, Kavanagh.

Request to Change the Zoning from CR-5 (Two-Family Residential) to CR-3 (One-Family Residential) in the Columbia Falls Zoning Jurisdiction:

Chairman Vukonich read the notice of hearing: The applicant, Rhonda Hoon, is requesting a zone change at 1115 Nucleus Avenue in the Columbia Falls area from the current CR-5 (Two-Family Residential) to a CR-3 (One-Family Residential) designation. The property currently has a house and a detached garage on the property. The applicant would like to convert the garage to an accessory dwelling. The property is described as Lot 3, Block 8 of Nucleus Addition in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County.

Contract Planner Donna Valade presented Staff Report CZC-22-01 reviewing each of the criteria. Valade noted that staff recommends approval. Chairman Vukonich asked the Board if they had any questions for staff. Duffy had a question on how far the garage setback is from the property line. Valade answered that it is currently 5 feet away from the property line, in compliance for an accessory building; a primary building would've been 20 feet from the rear. Nicosia said that the garage meets the accessory building setback. The zone change to CR-3 would allow them to meet the dwelling setback and not have to move the garage. Nicosia added that the garage does not abut an alley or street so accessory setbacks are appropriate.

Chairman Vukonich opened and closed the public hearing at 6:51 p.m. with no comment. The Clerk noted that the City had not received any written comments.

A motion to accept Staff Report CZC-22-01 as findings of fact was made by Shepard and seconded by Byrd-Rinck. Duffy asked if the garage was behind the primary dwelling and if the driveway size was adequate. Nicosia answered in the affirmative. Motion carried with all present voting Ayes: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, Duffy. Absent: Nelson, Singer, Kavanagh.

A motion was made by Smith to recommend approval of the Zone Change to City Council, seconded by Byrd-Rinck. Motion carried with all present voting Ayes: Vukonich, Smith, Byrd-Rinck, Lundgren, Shepard, Duffy. Absent: Nelson, Singer, Kavanagh.

ADJOURNMENT – Meeting duly adjourned at 6:59 PM

Chairman

Attest:

Public Works Clerk

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
MICK RUIS
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#22-02
June 29, 2022**

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to amend the zoning classification from CB-1 (Neighborhood/Professional Business) to CB-2 (General Business) within the Columbia Falls Zoning Jurisdiction. The zone change request is scheduled for a public hearing before the Planning Board on Tuesday, July 12, 2022, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council August 1, 2022 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Mick Ruis
P.O. Box 1928
Columbia Falls, MT 59912

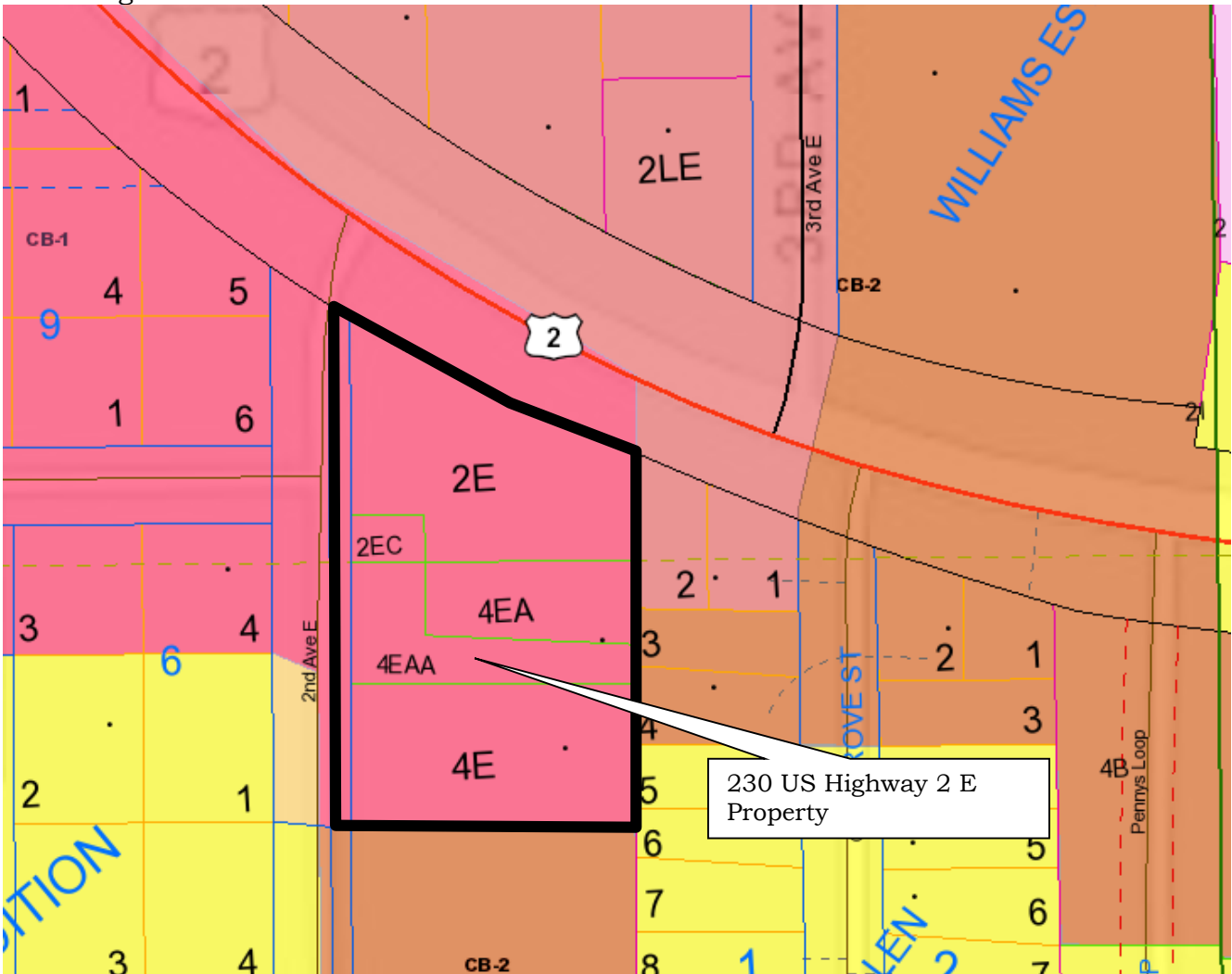
B. LOCATION/DESCRIPTION

The properties are located at 230 US Highway 2 East in Columbia Falls and is the location of the Glacier Inn Motel. In total, the property amounts to 1.67 acres. The properties are described as Assessor's Tract 2E, 2EC, 4EA, 4EAA and 4E in Section 17, T30N, R20W, P.M.M, Flathead County (See Exhibit A for Legal Description).

C. REQUEST

The request would amend the zoning on the property from CB-1 (Neighborhood/Professional Business) to CB-2 (General Business). See figure 1 for current zoning. The site is currently the site of the Glacier Inn Motel and at one time had a restaurant in the northwest corner of the property. The new owner wants to add a new hotel to the site and convert the existing motel into multi-family housing. The B-1 does not allow hotel or motel as a permitted or conditionally permitted use. The conversion of the existing motel to residential use will require a PUD or CUP.

Figure 1



Columbia Falls Zoning District Map (Current Zoning Designation, Flathead County GIS)

D. EXISTING LAND USE

The property is the site of the Glacier Inn Motel. (See Figure 2)
Figure 2



Source: Flathead county Maps

E. ADJACENT ZONING AND LAND USE:

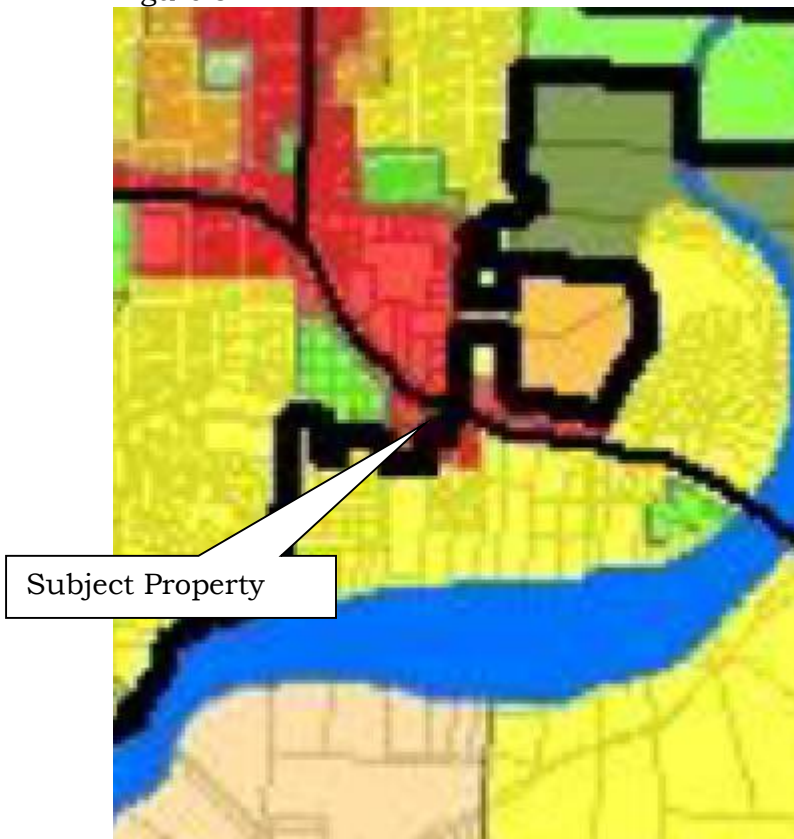
Figures 1 and 2 show the existing zoning and use.

Direction from Site	Current Zoning	Current Use
North	CB-2 (General Commercial)	Fitness Center and RV Parks
South	CB-2 (General Commercial)	Residential
West	CB-1 Neighborhood/Professional Business	Marantette Park, Chamber office, overflow parking for park and residential
East	CB-2 (General Commercial)	Insurance Office and Auto Body Shop.

F. GROWTH POLICY DESIGNATION

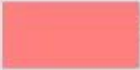
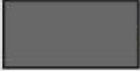
The Columbia Falls Growth Policy designates the subject parcel as commercial. The Growth Policy Map does not distinguish between CB-1 and CB-2. Generally, CB-1 is more oriented to neighborhood services while much of the Highway 2 corridor is zoned CB-2 as one would expect along a high volume highway. In addition, the applicants want to construct a new hotel on the front of the property and the CB-1 would prohibit this use however this site has had a motel since 1974 and previously was home to a restaurant as well.

Figure 3



Excerpt from the 2019 Columbia Falls Growth Policy Map

Land Use Map Legend

	Commercial	<i>General, highway and neighborhood retail sales, services or mixed office use.</i>
	ResortRes Com	<i>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.</i>
	Heavy Industrial	<i>Manufacturing, processing, storage and assembly of goods, where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.</i>
	Light Industrial	<i>Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.</i>

G. UTILITIES/SERVICES

The property is in the City limits of Columbia Falls.

Water

The property is served by City water.

Sewer

The property is served by City Sewer

Fire Protection

Columbia Falls Fire Department

Police Protection

Columbia Falls Police Department

Electricity

Flathead Electric Co-op.

EVALUATION BASED ON STATUTORY CRITERIA

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A., and as stated by the Montana Supreme Court. The following findings are made:

1. **Does the requested zone comply with the Growth Policy?**
The Columbia Falls Growth Policy Map designates the subject property for General Commercial Use. The zone change to CB-2 General Business complies with the long range planning document. (Figure 3)
2. **Is the requested zone designed to lessen congestion in the streets?**
The subject property is located along an arterial street (Highway 2 E). This is an area that anticipates intense commercial use as well as one that is visitor oriented such as a hotel use. Highway 2 and Second Ave East should be able to accommodate the trips.
3. **Will the requested zone secure safety from fire, panic, and other dangers?**
The property is located within the City Limits of Columbia Falls and is currently connected to the City sewer and water services. The Columbia Falls Police and Fire departments provide service to the property. According to the Flathead GIS Website, the property is not mapped within the Wildland Urban Interface. The property is not located or mapped within the 100-year floodplain of the Flathead River (FIRM Panel 1435J). The property is adjacent to an arterial street. This is an ideal location for general business use.
4. **Will the requested change promote the health and general welfare?**
The property is surrounded by commercial zoning even if some of the property zoned commercial currently have residential uses. The proposed zone change is compatible with the neighboring uses and will promote health and general welfare.
5. **Will the requested zone provide for adequate light and air?**
The existing CB-1 setbacks are 20 feet in the front, 5-feet on the side, 15 feet on the side corner and 15 feet in the rear yards. The proposed CB-2 setbacks are zero except when abutting residential District. As the subject property abuts Commercial zoning along the entire Northern and southern boundary along with the majority of the east and west boundaries, the setbacks are not out of character and will provide light and air.
6. **Will the requested zone prevent the overcrowding of land?**
The proposed zone change closely complies with the Community's long range planning document, the Columbia Falls Growth Policy, 2019 Edition. The proposed zoning matches the zoning designation for the property located directly north south and east of the property. The subject site is suitable for commercial use and the intensities associated with these uses are anticipated so there should not be any perceived overcrowding of the land.
7. **Will the requested zone avoid undue concentration of people?**
The proposed commercial zoning will have similar concentrations of people as the CB-2 zoning located along much the Highway 2 corridor. The proposed zoning is compatible to neighboring zoning and will not create an undue concentration of people.

The Growth Policy Map prescribes commercial use for this area (Figure 3) so a high concentration of people was anticipated in the long range planning document.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

The proposed zone change does not by itself provide or require the adequate provisions of infrastructure. However, when the applicants go through Building Permit and possibly PUD review, the project will be reviewed for access, parking, sewer, water, etc.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The subject property is sandwiched between Marantette Park and commercial uses. The proposed zone change will allow the applicants to construct a new hotel on the front of the property where the current CB-1 zone would not allow the use even though the property has been used for a Motel for many years, since 1974, and was also home to a restaurant. Directly north of the property is the existing Columbia Falls RV Park and the recently approved Urban Woods RV Park. The site appears to be appropriate for general commercial and tourist related business

10. Does the requested zone give reasonable consideration to the character of the district?

The character of highway frontage is commercial. The previous use of the property was a motel and restaurant although the restaurant was removed approximately 20 years ago. The Motel has recently been used for long term stays. In addition, the conversion from a neighborhood commercial to a general commercial designation is minor in the scope of land use intensity.

11. Will the new zoning affect property values?

As the property has always been used for a motel and the property is currently zoned commercial, the conversion to the CB-2 General commercial would appear minor and should not negatively impact property values. Should the owner move forward with a new hotel use, it would be anticipated that property values will actually increase in the area.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The subject property is designated in the Columbia Falls Growth Policy as Commercial. The text of the Growth Policy supports this location. The zoning to the North, south, east and west is already zoned commercial. It would appear that this is an appropriate location for the requested use.

SUMMARY

The property is designated "Commercial" by the Columbia Falls Growth Policy. The property is located adjacent to lands already zoned CB-1 and CB-2. The proposed intensities are supported by the urban services and utilities of the City of Columbia Falls.

RECOMMENDATION

Staff finds that the subject sufficiently meets the adopted review criteria and supports the property rezoning from CB-1 to CB-2. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-22-02 as findings of fact and recommend approval of the zone change to the Columbia Falls City Council.

Exhibit A – Legal Description

Parcel A

Tract 2 of COS No. 3040, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

And

Certificate of Survey No. 3778, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

Parcel B

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County Montana and more particularly described as follows:

Commencing at the Northeast corner of Block 2 of Nucleus Addition (in said Section 17); thence

East a distance of 60.00 feet' thence

North a distance of 395.95 feet to the true point of beginning of the tract herein described;

Thence

South 89°59'51" East a distance of 215.63 feet; thence

North 00°45'00" East a distance of 178.25 feet to the Southerly Right of Way of US Highway No. 40; thence along said right of way on a 5° curve to the right with a radius of 1195.92 feet and a delta angle of 11°34'48" and a radial bearing of North 19°56'51" East a distance of 241.71 feet; thence South a distance of 281.74 feet to the point of beginning.

EXCEPTING THEREFROM:

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing as the Northwest corner of Tract 2, as shown on Certificate of Survey No 3040 (recorded June 30, 1977, as Reception No. 8645, Flathead County, Montana Reception Records), said point being the True Point of Beginning of the tract herein described; thence North 130.0 feet and along the East Right of Way of 2nd Avenue East, Columbia Falls;

Thence

South 89°59'51" East 57.00 feet; thence

South 92.64 feet; thence

South 87°20'47" East 159.19; thence

South 00°45' West 30.00 feet; thence

North 89°59'51" West 215.63 feet to the true point of Beginning.



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.2.

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ 1,275.00

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: Mick Ruis

MAIL ADDRESS: PO Box 1928

CITY/STATE/ZIP: Columbia Falls, MT 59912

PHONE: 619.889.7749 INTEREST IN PROPERTY: Owner

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 230 Highway 2 East
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number (Section, Township, Range) _____
County Tracts 2E, 2EC, 4EA, 4EAA and 4E, S.17, T30N, R20W
(Attach sheet for metes and bounds)
- C. Land in zone change (ac)
1.67
- D. The present zoning of the above property is:
CB-1 Neighborhood/Professional Business
- E. The proposed zoning of the above property is:
CB-2 General Business
- F. State the changed or changing conditions that make the proposed amendment necessary: The property contains the former Glacier Inn Motel, which is a non-conforming use in the existing CB-1 zone. The intent is to convert the motel into multi-family housing units and to construct a new hotel on the property. The existing and proposed uses require a zoning designation of CB-2.

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

- A. Promoting the Growth Policy

See attachment

B. Lessening congestion in the streets and providing safe access

See attachment.

C. Promoting safety from fire, panic and other dangers

See attachment.

D. Promoting the public interest, health, comfort, convenience, safety and general welfare.

See attachment.

E. Preventing the overcrowding of land

See attachment.

F. Avoiding undue concentration of population

See attachment.

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

See attachment.

H. Giving reasonable consideration to the character of the district

See attachment.

I. Giving consideration to the peculiar suitability of the property for particular uses

See attachment.

J. Protecting and conserving the value of buildings

See attachment.

K. Encouraging the most appropriate use of land by assuring orderly growth

See attachment.

The signing of this application signifies approval for Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during approval process.


(Applicant Signature)

5/25/2022
(Date)

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application form.

C. The application must be accepted as complete by the Columbia Falls Planning staff **thirty-five (35) days prior** to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

E. Application Contents:

1. Petition for zone change signed by the real property owners representing at least 65% of the land area for which the change in zoning classification is sought.
2. A map showing the location and boundaries of the property.
3. A title report of the subject property.

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

A. Promoting the Growth Policy

The existing use is non-conforming within a CB-1 zoning district.

The proposed change would ensure the continued use is in conformance with the City Zoning Ordinance. Additionally, the proposed change would allow new development on vacant land within City limits in the form of a new hotel building on the subject property. The proposed change and development promote the growth policy by addressing the following identified weaknesses and meeting the goals of civic organizations to provide development and growth within the community. The new hotel would provide additional in-town lodging accommodations, which would result in an increase to the tax base. Further, the new hotel would provide additional job opportunities.

The existing motel would remain.

B. Lessening congestion in the streets and providing safe access

The subject property is located near the east entrance to the City at the intersection of U.S. Highway 2 East and 2nd Avenue East with existing access to each road. Access to Hwy 2 is limited to a single approach while there are three existing approaches onto 2nd Avenue East. Hwy 2 contains a center turn lane along the length of the property. The limited approaches to Hwy 2 and the center turn lane provide safe access to the property. The location of the property on the east side of the City and its proximity to Hwy 2 will help reduce congestion on central City streets while being close enough to promote pedestrian access to the central core.

C. Promoting safety from fire, panic and other dangers

The subject property is located approximately 0.5 miles and within 10 minutes of the Columbia Falls Fire Department main fire station located downtown. The proposed hotel building would be required to meet requirements of the International Fire Code. The property is not located within a high hazard fire area.

D. Promoting the public interest, health, comfort, convenience, safety and general welfare

As previously mentioned, the existing motel use is not in conformance with the current CB-1 zone. The proposed change to CB-2 would result in a conforming use that is compatible with the surrounding zoning. Properties to the north, east and south are currently zoned CB-2. Properties to the east are zoned CB-1. Properties to the southwest and southeast are zoned CR-3. The proposed change would help enhance the entrance to the City by developing a vacant property adjacent to Hwy 2 and will expand lodging options in a convenient location for tourists visiting Glacier National Park and the surrounding area that is within walking distance to downtown. Existing sidewalks and crosswalks at street intersections provide safe access connecting the subject property to the downtown area.

E. Preventing the overcrowding of land

The proposed change would help prevent the overcrowding of land by encouraging development of vacant land currently zoned for commercial development.

F. Avoiding undue concentration of population

The proposed change consists of existing tracts containing less than 2 acres that are currently zoned and used for commercial. As the use is not residential, there would not be undue concentration of population.

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

The subject properties are accessed by existing roads and are currently served by City water and sewer systems. As the existing and proposed use is motel/hotel, there would be no impact to schools. The properties are adjacent to Marantette Park, a neighborhood park, located west of 2nd Avenue E.

H. Giving reasonable consideration to the character of the district

The location of the property and the proposed new hotel building will help further characterize the CB-2 zoning district by enhancing a vacant property at the east entrance to the City. It is anticipated the new hotel building will attract tourists to the downtown area and provide additional jobs for City residents.

I. Giving consideration to the peculiar suitability of the property for particular uses

The subject property is currently used as a motel and would continue to be used as such and is therefore suitable for this particular use.

J. Protecting and conserving the value of buildings

As previously mentioned, a new hotel building is proposed on the subject property. Building values would be protected and may increase as a result of revitalizing a vacant lot in a commercial district.

K. Encouraging the most appropriate use of land by assuring orderly growth

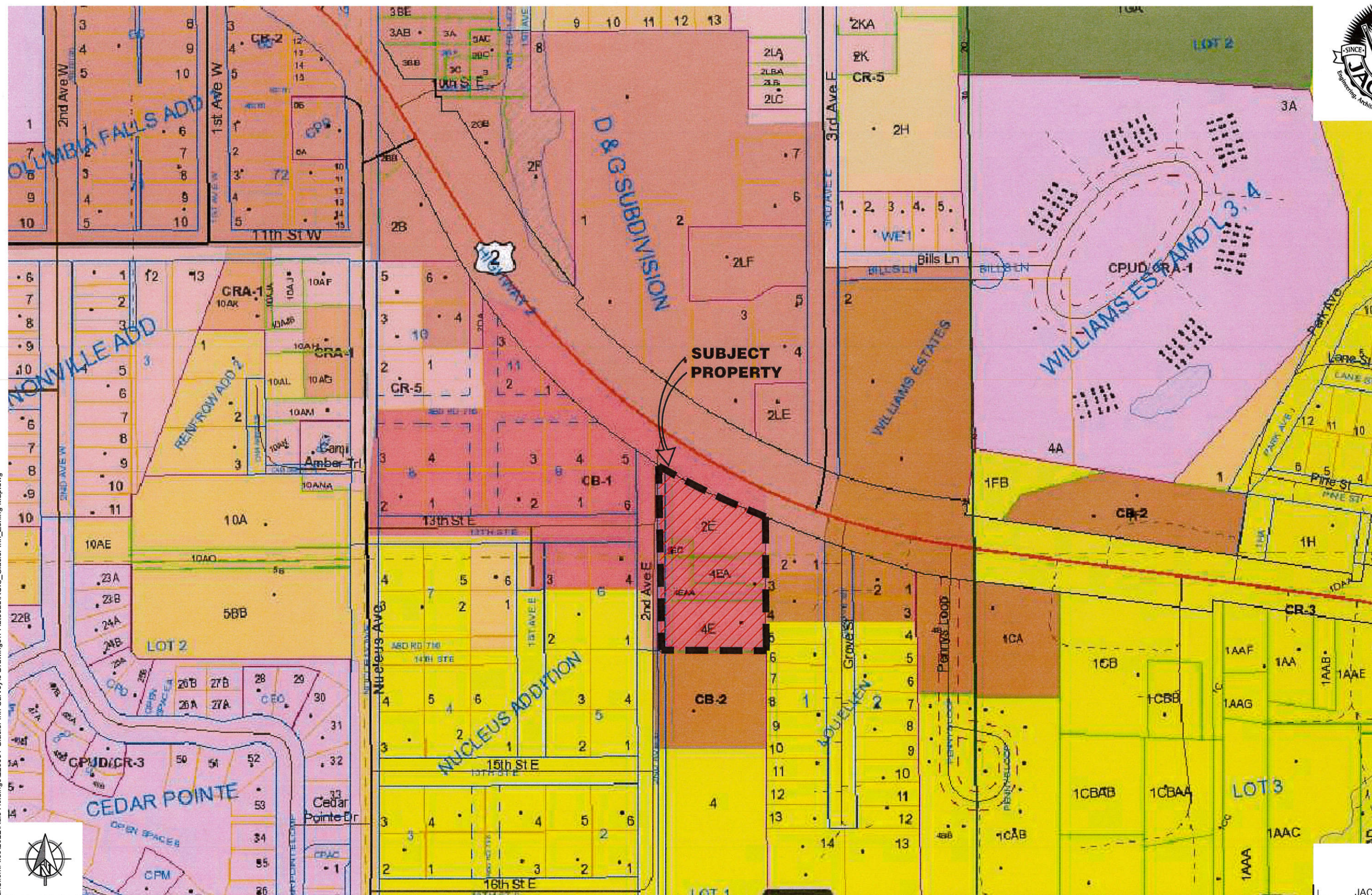
The proposed change would continue an existing use and is an appropriate use.

Description

A tract of land in the Northeast Quarter of Section 17, Township 30 North, Range 20 West, P.M.,M., City of Columbia Falls, Flathead County, Montana and more particularly described as follows:

Commencing at the northeast corner of Block 2 of Nucleus Addition; Thence East, a distance of 60.00 feet; Thence North, a distance of 284.45 feet to the True Point of Beginning of the tract herein described;

Thence East, a distance of 214.17 feet; Thence N00°45'00"E, a distance of 289.75 feet to the Southerly right-of-way of U.S. Highway No. 2 East; Thence along said right-of-way on a 5° curve to the right with a radius of 1195.92 and a delta angle of 11°34'48" and radial bearing of N19°69'51"E, an arc distance of 241.71 feet; Thence South, a distance of 393.24 feet to the Point of Beginning.



HC 246, LLC
ZONING MAP AMENDMENT
230 HWY 2 E, COLUMBIA FALLS, MT

5/24/2022

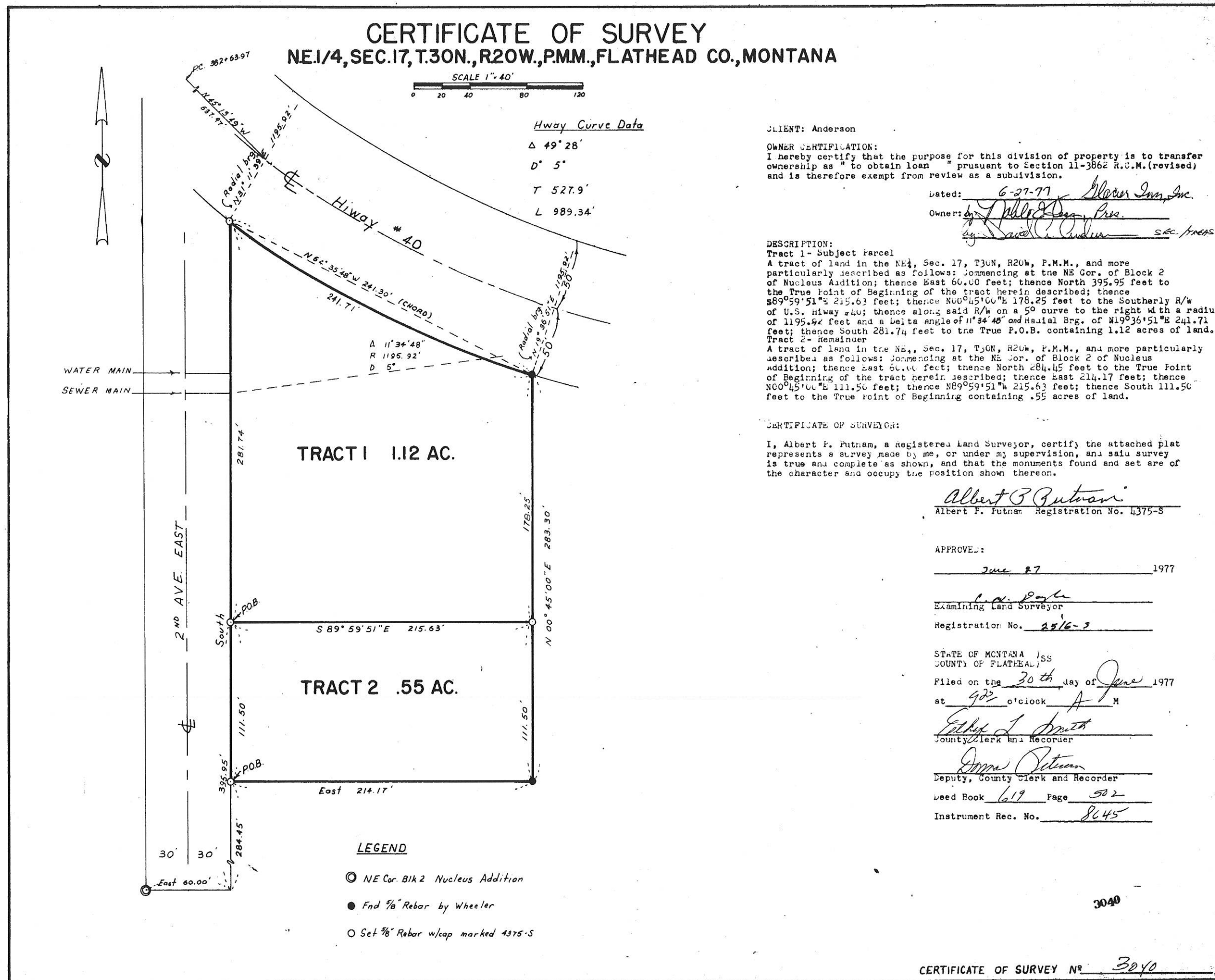
KALISPELL
406-755-3208

JACKOLA.COM

VANCOUVER
360-852-8746

BOZEMA
406-586-0

VICINITY MAP
1" = 200'



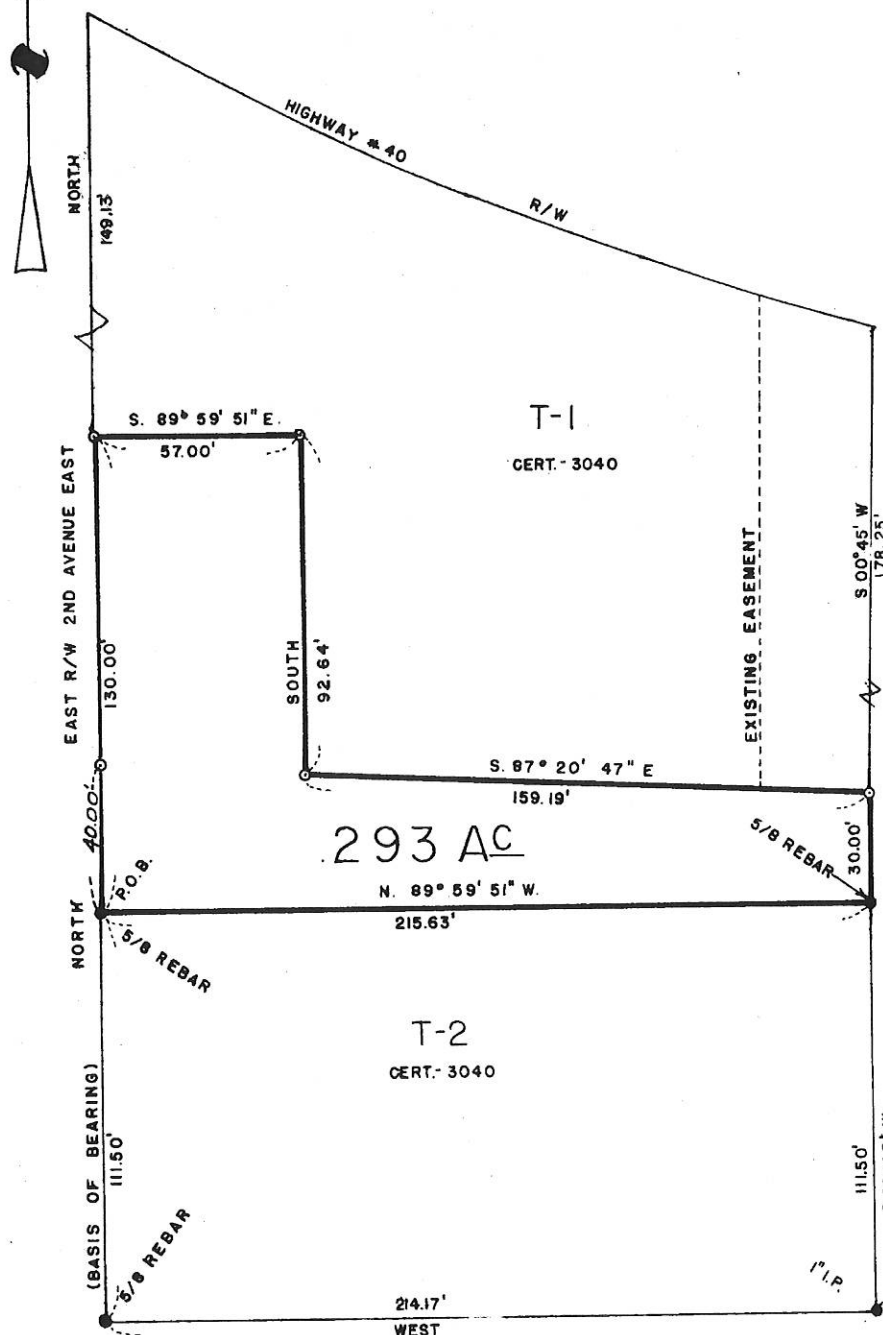
FOR: NOBLE DEAN
DATE: 4/27/78

CERTIFICATE OF SURVEY

N.E. 1/4, SEC. 17, T. 30 N., R. 20 W., P.M.M. FLATHEAD CO.

SCALE 1"=30'

15 30 60 120



LEGEND

● PROP. COR. FND. AS NOTED (REBAR'S HAVE 4375-S CAP'S)

○ SET 5/8 REBAR W/CAP 4375-S

CERTIFICATE OF SURVEY NO. 3040

OWNER CERTIFICATION:

I hereby certify that the purpose for this division of property is for the purpose of acquiring additional land to become part of a parcel that does not have sanitary restrictions imposed provided that no dwelling or structure requiring water or sewage be erected on the additional acquired parcel.

Dated: May 12, 1978

Owner: C. E. Farrell

Donell J. Farrell

On this 12th day of May, 1978, before me, the undersigned, a Notary Public for the State of Montana, personally appeared: Known to be to be the persons whose names subscribe to the within instrument, and acknowledged to me that they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.

Donell J. Farrell
Notary Public for the State of Montana

Residing at Helena, Montana

My Commission expires Feb. 5, 1980

DESCRIPTION:

A tract of land in the NE 1/4 of Sec. 17, T30N R20W P.M.M., and more particularly described as follows: Commencing at the NW Corner of tract 2, as shown in certificate of Survey No. 3040, Flathead County, Records, said point being the True Point of Beginning of the tract herein described; thence North 134.00 Feet; and along the East R/W of 2nd Ave West Columbia Falls; thence S69°59'51" E 57.00 Feet; thence South 92.64 Feet; thence S87°20'47" E 159.19 Feet; thence S00°45' W 30.00 Feet; thence S89°59'51" W 215.63 Feet, to the True Point of Beginning, containing .293 Acres of land.

APPROVED:

May 15 1978

C. E. Farrell
Examining Land Surveyor

Registration No. 2516-S

State of Montana, 1978

Filed on the 16 day of May, 1978

at Helena, Montana

Ethyl L. Smith
County Clerk

James E. Wase
County Clerk

Book Page

Instrument Rec. No. 6858

3778

CERTIFICATE OF SURVEY No: 3778

NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, July 12, 2022 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on August 1, 2022 starting at 7:00 p.m. in the same location.

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Mick Ruis is requesting a zoning map amendment on behalf of HC 246 LLC in the Columbia Falls Zoning Jurisdiction. The property is located at 230 Highway 2 East in Columbia Falls and is described as Assessor's Tracts 2E, 2EC, 4EA, 4EAA and 4E Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 264,316,378,494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential).

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the development is called River Highlands Apartments. The property is located at 264,316,378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. Two deviations are requested with the PUD, the applicant is requesting to zoning deviations, one would allow an increase in height of ten feet allowing a portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit.

Request for a subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction. The property is located at 264,316,378, & 494

River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The subdivision will create 21 lots (17 residential and 4 open space lots) The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be privately maintained but open to the public. The proposed subdivision is part of the zone change and PUD application for River Highlands Apartments

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 5:30 p.m. the day of the meeting.

DATED this 13th day of June, 2022

Susan Nicosia

Susan Nicosia, City Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD

Publish: Daily Interlake Sunday June 26, 2022

Exhibit A

Parcel A

Tract 2 of COS No. 3040, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

And

Certificate of Survey No. 3778, a tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County

Parcel B

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County Montana and more particularly described as follows:

Commencing at the Northeast corner of Block 2 of Nucleus Addition (in said Section 17); thence East a distance of 60.00 feet' thence

North a distance of 395.95 feet to the true point of beginning of the tract herein described;

Item No.2.

Thence

South 89°59'51" East a distance of 215.63 feet; thence

North 00°45'00" East a distance of 178.25 feet to the Southerly Right of Way of US Highway No. 40; thence along said right of way on a 5° curve to the right with a radius of 1195.92 feet and a delta angle of 11°34'48" and a radial bearing of North 19°56'51" East a distance of 241.71 feet; thence South a distance of 281.74 feet to the point of beginning.

EXCEPTING THEREFROM:

A tract of land in the Northeast Quarter (NE1/4) of Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing as the Northwest corner of Tract 2, as shown on Certificate of Survey No 3040 (recorded June 30, 1977, as Reception No. 8645, Flathead County, Montana Reception Records), said point being the True Point of Beginning of the tract herein described; thence North 130.0 feet and along the East Right of Way of 2nd Avenue East, Columbia Falls;

Thence

South 89°59'51" East 57.00 feet; thence

South 92.64 feet; thence

South 87°20'47" East 159.19; thence

South 00°45' West 30.00 feet; thence

North 89°59'51" West 215.63 feet to the true point of Beginning.

CITY OF COLUMBIA FALLS
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STATE OF MONTANA

FLATHEAD COUNTY

AFFIDAVIT OF PUBLICATION

MARY BOOTH BEING DULY

SWORN, DEPOSES AND SAYS: THAT SHE IS THE LEGAL CLERK OF THE **DAILY INTER LAKE** A DAILY NEWSPAPER OF GENERAL CIRCULATION, PRINTED AND PUBLISHED IN THE CITY OF KALISPELL, IN THE COUNTY OF FLATHEAD, STATE OF MONTANA, AND THAT **NO. 28706**

LEGAL ADVERTISEMENT WAS PRINTED AND PUBLISHED IN THE REGULAR AND ENTIRE ISSUE OF SAID PAPER, AND IN EACH AND EVERY COPY THEREOF ON THE DATES OF JUNE 26, 2022

AND THE RATE CHARGED FOR THE ABOVE PRINTING DOES NOT EXCEED THE MINIMUM GOING RATE CHARGED TO ANY OTHER ADVERTISER FOR THE SAME PUBLICATION, SET IN THE SAME SIZE TYPE AND PUBLISHED FOR THE SAME NUMBER OF INSERTIONS.

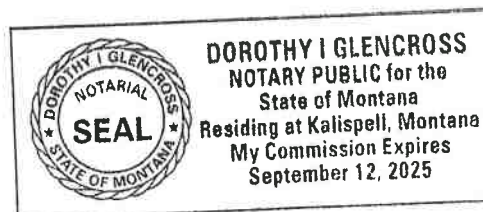
Mary Booth

Subscribed and sworn to
Before me this, June 26, 2022

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2025



requested with the PUD, the applicant is requesting to zoning deviations, one would allow an increase in height of ten feet allowing a portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit. Request for a subdivision in the Columbia Falls Zoning Jurisdiction:

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DATED this 13th day of June, 2022

Susan Nicosia
Susan Nicosia, City
Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-
COUNTY PLANNING BOARD

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thence

usan Nicosia, City
anager/Planning & Zoning Ad-
nistrator
OLUMBIA FALLS CITY-
OUNTY PLANNING BOARD

Item No.2.

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Planning Department

Item No.2.



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

PHONE (406) 892-4391

FAX (406) 892-4413

June 15, 2022

Re: Public hearing notice for a Zone Change for 230 Highway 2 East.

Dear Adjacent Property Owner:

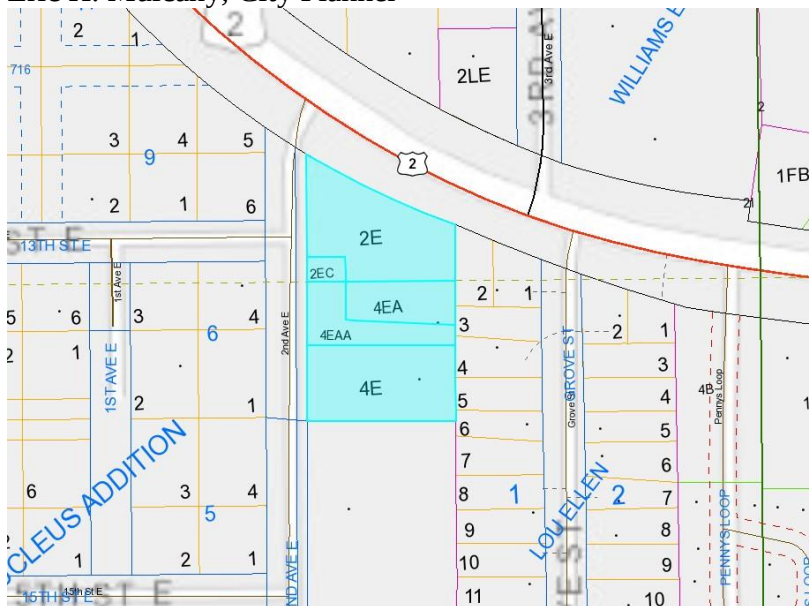
Our records indicate that you are the owner of property within 150-feet of the proposed project.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with notice of public hearings for a Zoning Map Amendment. The request will change the zoning from CB-1 to CB-2 allowing for construction of a new hotel on the site.

If you have questions or comments concerning this matter, please call, visit or write me at City Hall. For written comment to be included in the Planning Board packet, it needs to be submitted to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 no later than Thursday July 7th, 2022 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comments may be provided up to 5:00 pm on the day of the hearing; it will just be emailed and/or passed out at the hearing.

Sincerely,

Eric H. Mulcahy, City Planner



CITY OF COLUMBIA FALLS

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Barb Staaland

From: Judy Territo <judyterrito@gmail.com>
Sent: Friday, July 1, 2022 3:16 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Mick Ruis' Request

I strongly oppose Mr. Ruis' request for a zoning map amendment for the property located at 230 Hwy 2 East from a CB-1 to a CB-2.

The property is near a family friendly park and neighborhood and should be left as is.

--
Judy Territo
(406)212-0098

Barb Staaland

From: chuck territo <chuckterrito@gmail.com>
Sent: Monday, July 4, 2022 8:08 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Mick Ruis Zoning Map Amendment

Mr Ruis's request would take a current residential area and make it commercial . I do not think that would benefit our community. That area is a neighborhood with a neighborhood park right there. Let's put our community first .

I strongly Oppose this request.

--

Chuck Territo

Barb Staaland

From: Joel Territo <verte178@gmail.com>
Sent: Tuesday, July 5, 2022 1:19 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Mick Ruis' Request

I strongly oppose Mr. Ruis' request for a zone change at 230 Hwy 2 E from CB-1 to CB-2 Zoning Jurisdiction. The planning department in the past had it right when zoning the property CB-1. It is a quiet community with a family friendly park in close proximity to his request. Please leave zoning "As Is."

Thank you.

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
JAMES BARNETT FOR River Highlands
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#22-03
June 21, 2022**

A report to the Columbia Falls City-County Planning Board and Zoning Commission and the Columbia Falls City Council regarding a request to amend the zoning classification from CR-3 (One Family Residential) to CR-4 (Urban Residential) within the Columbia Falls Zoning Jurisdiction. The zone change request is scheduled for a public hearing before the Planning Board on Tuesday, July 12, 2022, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council August 1, 2022 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

James Barnett
3500 E Lakeshore Drive
Whitefish, MT 59937

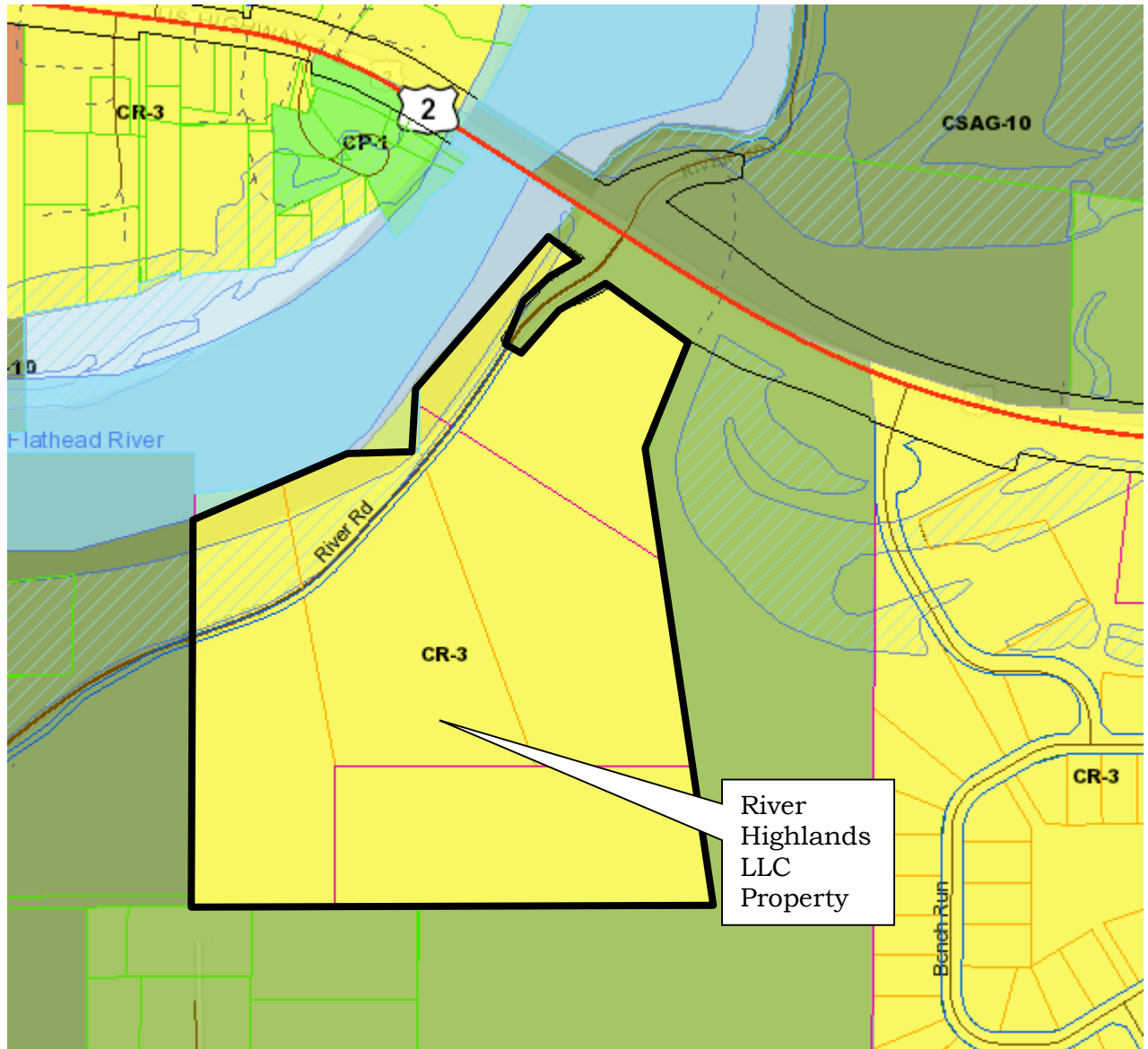
B. LOCATION/DESCRIPTION

The area of interest is located at 264, 316, 378, 494 River Road in Columbia Falls. The 49.1 acres of property is described as Lots 1, 2, & 3 of Loffler Subdivision and Tracts 2 and 3 of COS 14045 (Assessors' Tract's 7B and 7BB) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

C. REQUEST

The request would amend the zoning on this site from CR-3 (Single Family Residential) to CR-4 (Urban Residential). See figure 1. The property is 49.1 acres in size. The applicant is proposing a development on the site utilizing the Planned Unit Development Overlay to create multi-family lots and 455 units of density

Figure 1



Columbia Falls Zoning District Map, Flathead County GIS

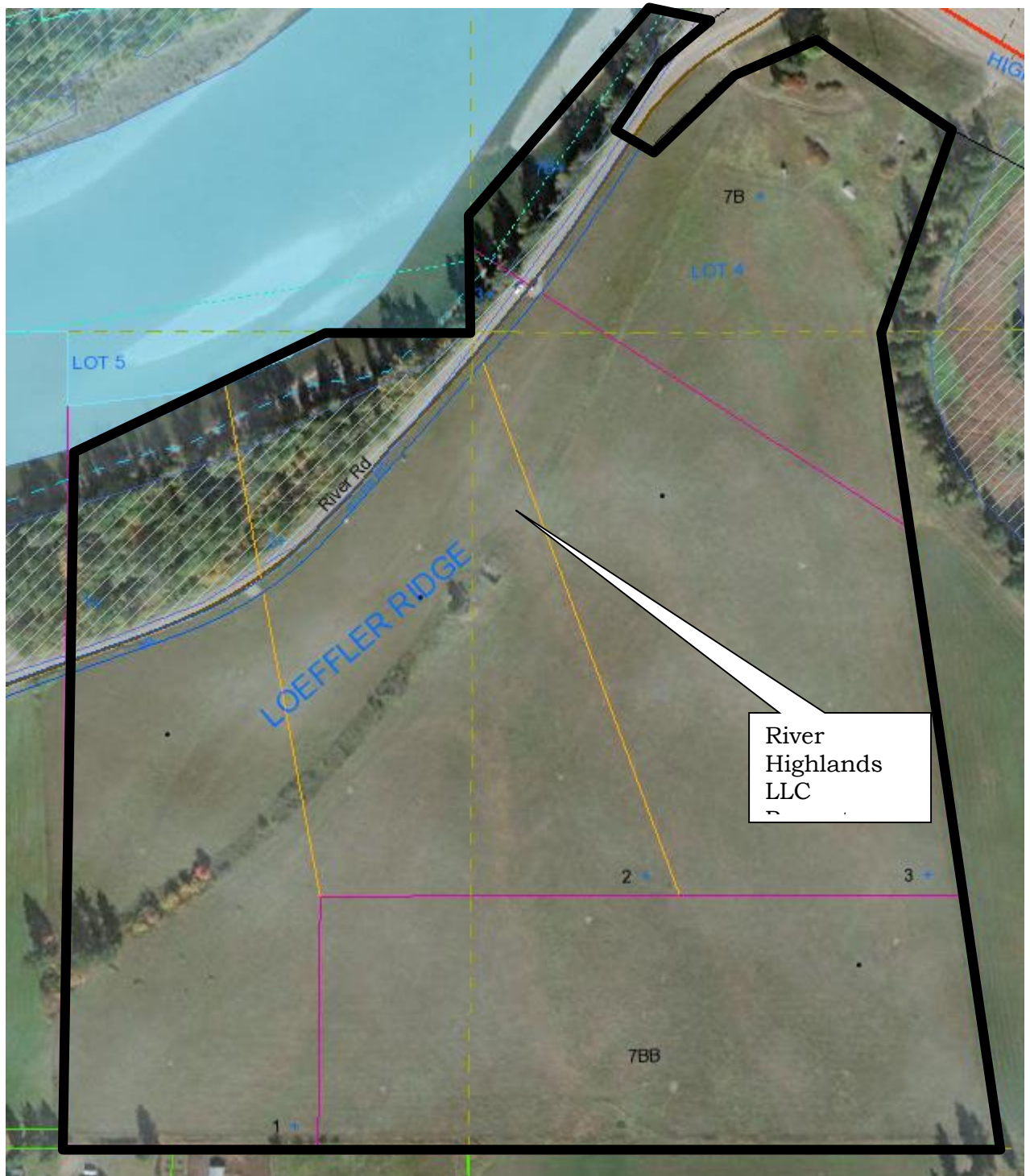
D. REASON FOR REQUEST

The Applicant/Owner is proposing a large, urban scale residential development. With the development, the applicant will extend the Columbia Falls sewer and water utilities across the Flathead River to the site. In addition, the applicants will submit to MDOT a revision for River Road, moving it east for better site distance and installing a traffic signal at the new intersection.

E. EXISTING LAND USE

The parcel is open pasture (See Figure 2).

Figure 2



Source: Flathead County GIS (The black outlines the subject property)

ADJACENT ZONING AND LAND USE:

Figure 1 shows the existing and proposed zoning.

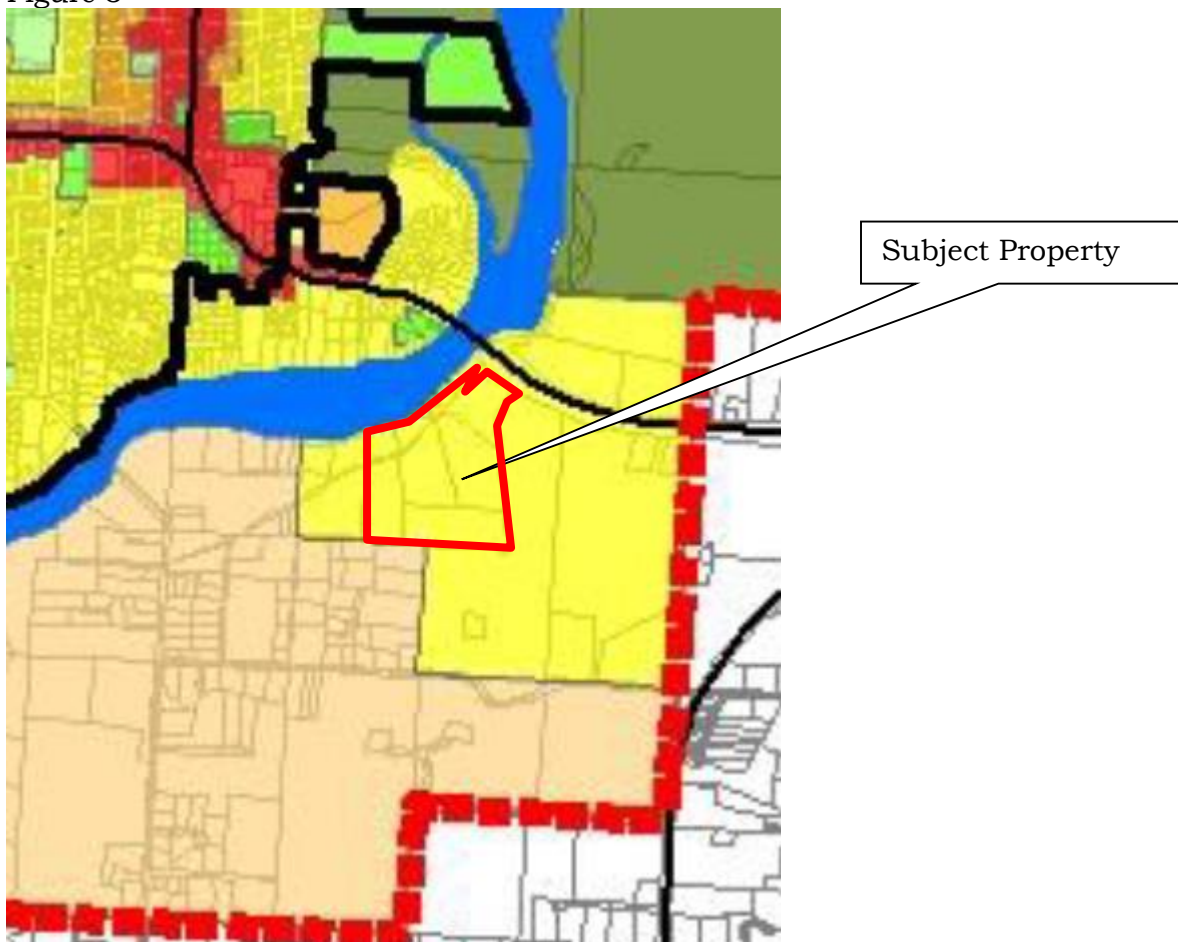
Direction from Site	Current Zoning	Current Use
North	CR-3 and CSAG-10	Single family residential
South	CSAG-5 and CSAG-10	Agricultural Single family residential
West	CSAG-5 and CSAG-10	Agricultural and Single family residential
East	CR-3 and CSAG-5	Agricultural and Single family residential

F. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for Urban Residential (Yellow Area). This proposal complies with the map and text of the Growth Policy.

Text of the Columbia Falls Growth Policy (2019 update) supports the request as described in Policy 2.a. “Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided.”

Figure 3



Excerpt from the 2019 Columbia Falls Growth Policy Map (The red box indicated the subject property)

LAND USE	
 Light Industrial	<i>Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.</i>
 MultiFamily	<i>8 or more units/acre. 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.</i>
 Urban Residential	<i>Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units. Fully served by urban services.</i>
 Suburban Residential	<i>2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.</i>
 Rural Preserve	<i>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.</i>

Legend for Growth Policy Map

G. UTILITIES/SERVICES

The property will be annexed into the City limits of Columbia Falls.

<u>Water</u>	The property will be served by Municipal Water.
<u>Sewer</u>	The property will be served by Municipal Sewer
<u>Fire Protection</u>	Badrock Rural Fire District but with annexation it will be Columbia Falls Fire
<u>Police Protection</u>	Flathead County Sheriff's Office but with annexation it will be Columbia Falls Police
<u>Electricity</u>	Flathead Electric Co-op.

EVALUATION BASED ON STATUTORY CRITERIA

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A., and as stated by the Montana Supreme Court. The following findings are made:

1. Does the requested zone comply with the Growth Policy?

The Columbia Falls Growth Policy Map designates the subject property urban Residential (Figure 3). The Growth Policy designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. This proposal complies with the Growth Policy.

The Growth Policy document provides a list of goals and policies for urban residential uses.

Goals for urban residential include:

- Providing an adequate supply and mix of housing options in terms of cost, location, type, and design to meet the needs of present and future residents.
- Residential development that does not excessively burden the local government and is adequately served by public facilities and services.
- Solid stable and well maintained neighborhoods which are safe from intrusion of incompatible uses.

Policies for Urban Residential include:

- Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be made.
- Typical densities are two to eight dwellings per gross acre.
- Urban density residential areas should be fully served by urban infrastructure and municipal services, including paved streets, curbs, gutters, sidewalks abutting all residential lots, boulevards, and public sewer and water.
- Areas should have convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.

Although densities of two to eight dwellings per acre are recommended for urban residential, the proposed nine dwelling units per acre are within the parameters of the Planned Unit Development overlay which allows up to twelve units per acre. The PUD standards also encourage clustering or multi-family in exchange for open space areas. The project will be served by a full complement of urban infrastructure including public sewer and water service, City streets and private streets developed to City standards with sidewalks, curb/gutter, boulevards and sidewalks. Although some distance to commercial services sidewalks and paths will connect the project to downtown. School bus service is provided by the School District on River Road.

The proposed zone change complies with the text as well as the map of the Growth Policy.

2. Is the requested zone designed to lessen congestion in the streets?

The proposed development will definitely add density to this area of Columbia Falls. The applicant proposed to rebuild River Road moving it east on the subject property for better sight distance and work through system impacts to place a traffic signal at the River Road Highway 2 intersection. Pedestrian paths will also be installed along River Road to provide safe movement for people walking or biking along River Road for the development frontage.

3. Will the requested zone secure safety from fire, panic, and other dangers?

The property is currently located in the Badrock Fire District, however, with annexation the property will move into the Columbia Falls Fire District. Along with annexation, the applicants will extend City water to the East side of the Flathead River and install fire hydrants throughout the development. The property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed on the east side of River Road.

4. Will the requested change promote the health and general welfare?

The proposed zoning of CR-4 is very similar to the existing CR-3 in fact the permitted and conditionally permitted uses are identical. The difference is in the density with the CR-3 requiring minimum lot areas for 9,600 square feet (approximately ¼ acre) and the CR-4 allowing lots sizes of 7,200 square feet (approximately 1/6 of an acre).

As the applicant is following the zoning amendment with a PUD overlay, the densities are increased in exchange for open space and this project is proposing close to 44% open space throughout the project.

As noted previously, the applicant is proposing to move and install a traffic signal at River Road and Highway 2 which will improve turning movement off River Road. The applicant proposes installing pedestrian paths along River Road and throughout the project to provide safe pedestrian movement. These paths will connect to the existing paths on Highway 2 that lead into town. The project will extend City sewer and water services to the east side of the Flathead River to protect groundwater resources and provide fire suppression. The project is designed to move density away from the Flathead River and potential flooding.

5. Will the requested zone provide for adequate light and air?

The developer through the use of the PUD is concentrating the density of the project into the center of the 49 acre property. Although the applicant is requesting additional height for multi-family units the deviation is only for the ridge of the gables and covers only a portion of each building. To address the massing the project is ringed by the townhouse units that are lower in height and smaller in scale. With approximately 44% of the site being designated park and open space the proposal will provide light and air.

6. Will the requested zone prevent the overcrowding of land?

The proposed zone change complies with the Community's long range planning document which is the Columbia Falls Growth Policy, 2019 Edition. The proposed CR-4 zoning is very similar to the existing CR-3 zoning. Urban development and the associated populations are anticipated in this area.

7. Will the requested zone avoid undue concentration of people?

The proposed zoning of CR-4 is very similar to the existing CR-3 in fact the permitted and conditionally permitted uses are identical. The difference is in the density with the CR-3 requiring minimum lot areas for 9,600 square feet (approximately ¼ acre) and the CR-4 allowing lots sizes of 7,200 square feet (approximately 1/6 of an acre).

The Growth Policy Map prescribes a density of two to eight dwellings per acre for urban residential, the proposed nine dwelling units per acre is within the CR-4 of Planned Unit Development overlay standards which allows up to twelve units per acre. The project will be fully served by urban infrastructure such as public sewer and water service, City street and private streets developed to City standards with curb/gutter, boulevards and sidewalks. Although some distance to commercial services, school bus service is provided by the School District on River Road.

With the development providing the full complement of Urban services, the proposed project will accommodate the urban densities proposed.

8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

With the proposed zone, the applicants are also submitting applications for a PUD and a Preliminary Plat. The result of the concurrent applications is that we get to see what the end result will be and how it may potentially impact services. As outlined in the PUD application, the applicants propose a full complement of urban infrastructure including Municipal sewer and water, a combination of City and privately built streets to City standards, park areas, bus stops etc. With the annexation, the reconstruction of River Road will require review by both the City of Columbia Falls and the MDOT for the Highway 2 intersection. Municipal sewer and water and stormwater will be reviewed by the City of Columbia Falls and the MDEQ prior to any construction. As this project is a phased development it will take at least seven years to reach full build out but as with most developments it will most

likely take longer. The proposed zone change is facilitating the extensions of these services.

9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

For at least 15 years, the City has identified this area for urban use and expansion of City services. The existing CR-3 and the proposed CR-4 zoning classifications are urban residential land use designations. The proposed zoning does give consideration to the site suitability.

10. Does the requested zone give reasonable consideration to the character of the district?

The property is currently used for hay production and much of the surrounding lands are more rural and suburban than urban. However, this specific property is designated in the Growth Policy for Urban residential uses, the property was zoned CR-3, an urban residential zoning, and the City approved a PUD and Subdivision on this property for urban scale development back in 2008. Although the neighborhood does not reflect urban use at present it has long been planned for urban expansion of the City of Columbia Falls.

11. Will the new zoning affect property values?

The proposed zoning of CR-4 is nearly identical to the existing CR-3 zoning. The difference is in the application of the Planned Unit Development overlay. The proposed land use is different than the existing suburban densities and some may think the change may negatively impacts property values. However, others may argue the extension of municipal sewer and water along with improving the intersection of River Road and Highway 2 would appear to add value to the neighborhood. Preserving the River front property in open space should also be considered an amenity to the neighborhood.

12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The subject property is designated in the Columbia Falls Growth Policy as Urban Residential. The City of Columbia Falls updates it's Growth Policy every five years and most recently in 2019. The consensus of the most recent update was that Columbia Falls is quickly running out of developable lands with access to public sewer and water. This area east of the Flathead River along with lands along the Northfork Road and the lands west of town below Hilltop were areas identified for future growth. Since 2019 we continue to see shortages in housing supply for all categories of housing type. The proposed project will extend the City's infrastructure to an area of the community that has been identified for urban expansion. Therefore, the proposed zone change is an appropriate use as identified by the municipality.

SUMMARY

The Columbia Falls Growth Policy map designates the subject property urban residential (figure 3). The Growth Policy map also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. This proposal complies with the Growth Policy.

The applicant proposed to rebuild River Road moving it east on the subject property for better sight distance and work through system impacts to place a traffic signal at the River Road and Highway 2 intersection. Pedestrian paths will also be installed along River Road to provide safe movement for people walking or biking along river road for the development frontage.

With annexation, the applicants will extend City water to the East side of the Flathead River and install fire hydrants throughout the development. The property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed on the east side of River Road.

The proposed zoning of CR-4 is very similar to the existing CR-3 in fact the permitted and conditionally permitted uses are identical. The difference is in the density with the CR-3 requiring minimum lot areas for 9,600 square feet (approximately ¼ acre) and the CR-4 allowing lots sizes of 7,200 square feet (approximately 1/6 of an acre). As the applicant is following the zoning amendment with a PUD the densities are increased in exchange for open space and this project is proposing close to 45% open space throughout the project

The Growth Policy prescribes a density of two to eight dwellings per acre for urban residential, the proposed nine dwelling units per acre is within the CR-4 of Planned Unit Development overlay standards which allows up to twelve units per acre.

RECOMMENDATION

Staff finds that the subject request sufficiently meets the adopted review criteria to be rezoned from CR-3 to CR-4. Staff recommends that the Columbia Falls Planning Board adopt Staff Report CZC-22-03 as Findings of Fact and recommend approval of the zone change to the Columbia Falls City Council.

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
RIVER HIGHLANDS PLANNED UNIT DEVELOPMENT (PUD)
CITY OF COLUMBIA FALLS STAFF REPORT # CPUD-22-02
June 21, 2022**

A report to the Columbia Falls City-County Planning Board regarding a request for a Planned Unit Development concurrent with a zone change and preliminary plat application. The development proposes 390 apartment units, 55 townhome units and 10 units of density donated to the Northwest Montana Community Land Trust for a total of 455 units. A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on July 12, 2022 at 6:30 in the Council Chambers and a subsequent public hearing is scheduled for the Columbia Falls City Council for August 1, 2022 at 7:00 in the City Council Chambers.

BACKGROUND INFORMATION

A. PETITIONERS

James Barnett
3500 E Lakeshore Drive
Whitefish, MT 59937

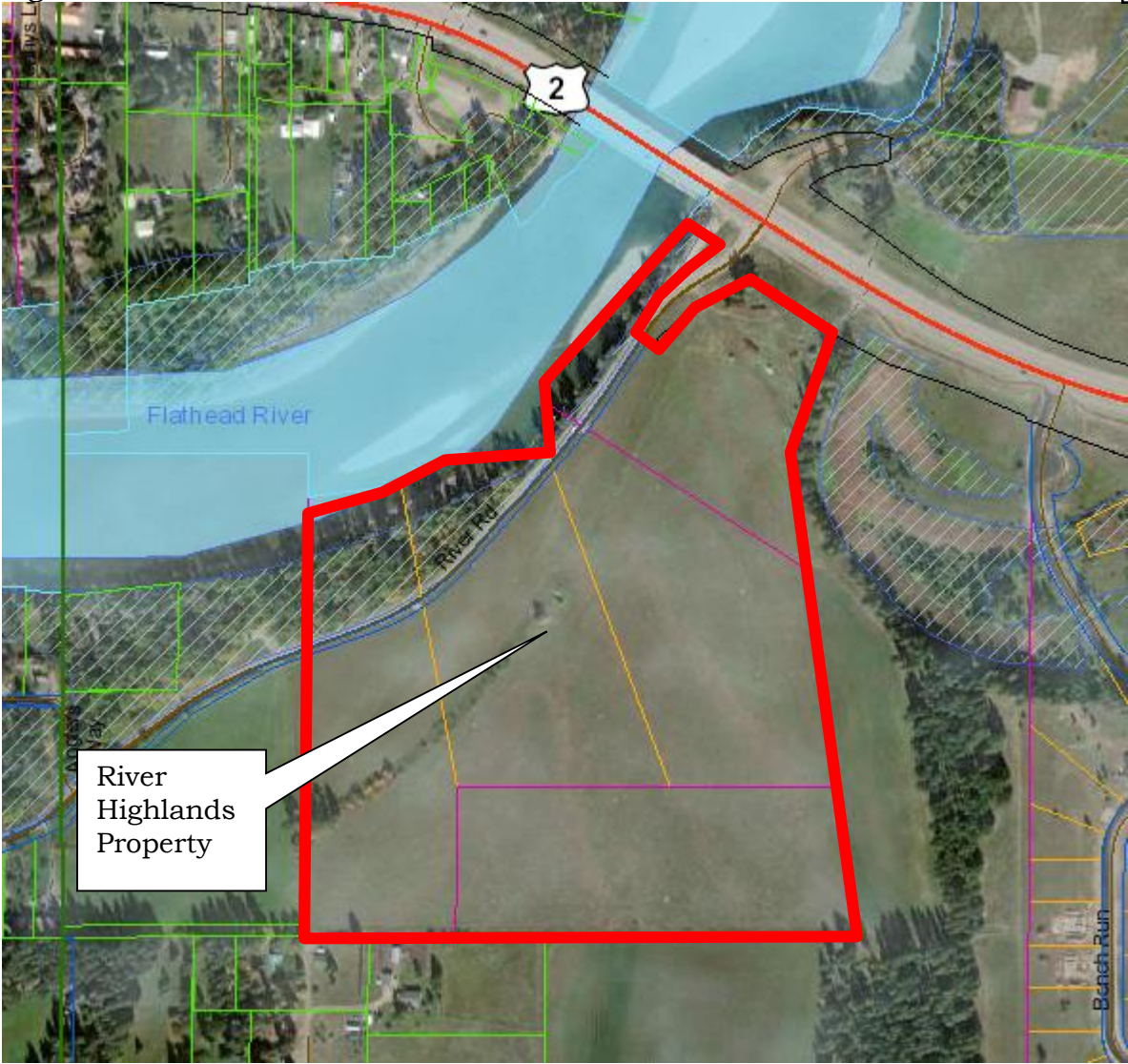
B. PETITIONER'S TECHNICAL ASSISTANCE

WGM Group /Mike Brodie, P.E.
431 1st Avenue W
Kalispell, MT 59901

C. LOCATION/DESCRIPTION

The area of interest is located at 264, 316, 378, 494 River Road in Columbia Falls. The 49.1 acres of property is described as Lots 1, 2, & 3 of Loffler Subdivision and Tracts 2 and 3 of COS 14045 (Assessors' Tract's 7B and 7BB) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

Figure 1



D. REQUEST

The applicant is proposing a large residential development on 49.1 acres of land. The request includes a zone change to CR-4, the subject PUD and a subdivision application. The Development proposes 455 units on the 49 acres for a density just over nine units per acre. With the urban density, the applicant proposes extending municipal sewer and water mains across the river to the subject property. The applicants will reconstruct and move River Road to the east for better site distance and they will work with MDOT on the installation of a traffic signal. Pedestrian paths will be constructed along River Road and throughout the project. With the PUD, the design creates 44.7% open space which includes active park areas as well as passive open space.

E. REASON FOR REQUEST

The PUD is being utilized to cluster density with multi-family structures and secure the density bonus that is provided through PUD regulations. The PUD also allows the applicants to request deviations to zoning of which the applicants are requesting three. The first is ten (10) feet of additional height for the multi-family apartment buildings. The second deviation is to allow 1.5 parking spaces per unit rather than the two off-street spaces required. The third request is a reduction in fire lane widths for the project from 20-feet down to twelve feet.

The applicant is requesting the deviation in height to create gabled roof lines on the three story portion of the buildings. The deviation for the off-street parking is to provide more green space and less impervious surface. To address overflow parking, the applicants have created a full street cross section that provides on-street parking. The fire lanes in question are actually fire lanes and pedestrian paths that run through the project. Except at times of emergency, these fire lanes will be shut down to any vehicle traffic.

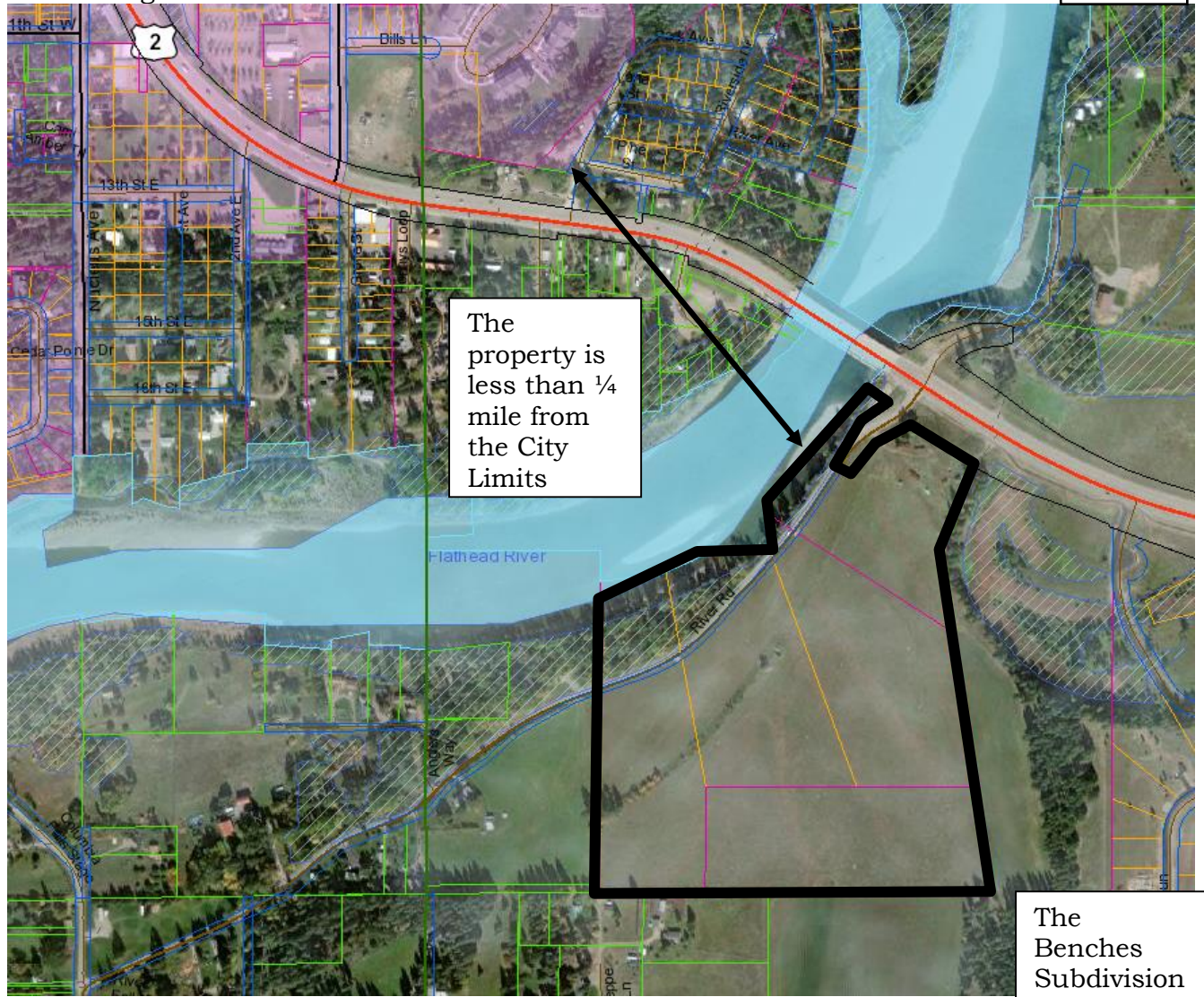
F. EXISTING LAND USE

The property is currently a hay field (Figure 1) but in 2008, the property was approved for 151 residential units in a mix of single family, townhome and condominiums. Also, with the approval came a small commercial market and short term rental cabins. The previous PUD approval has expired and has been rescinded by the City Council.

G. ADJACENT ZONING AND LAND USE:

North	Residential and Agricultural Uses north of Highway 2
South	Residential and Agricultural Uses
East	Agricultural Uses and the benches subdivision
West	Flathead River

Figure 2

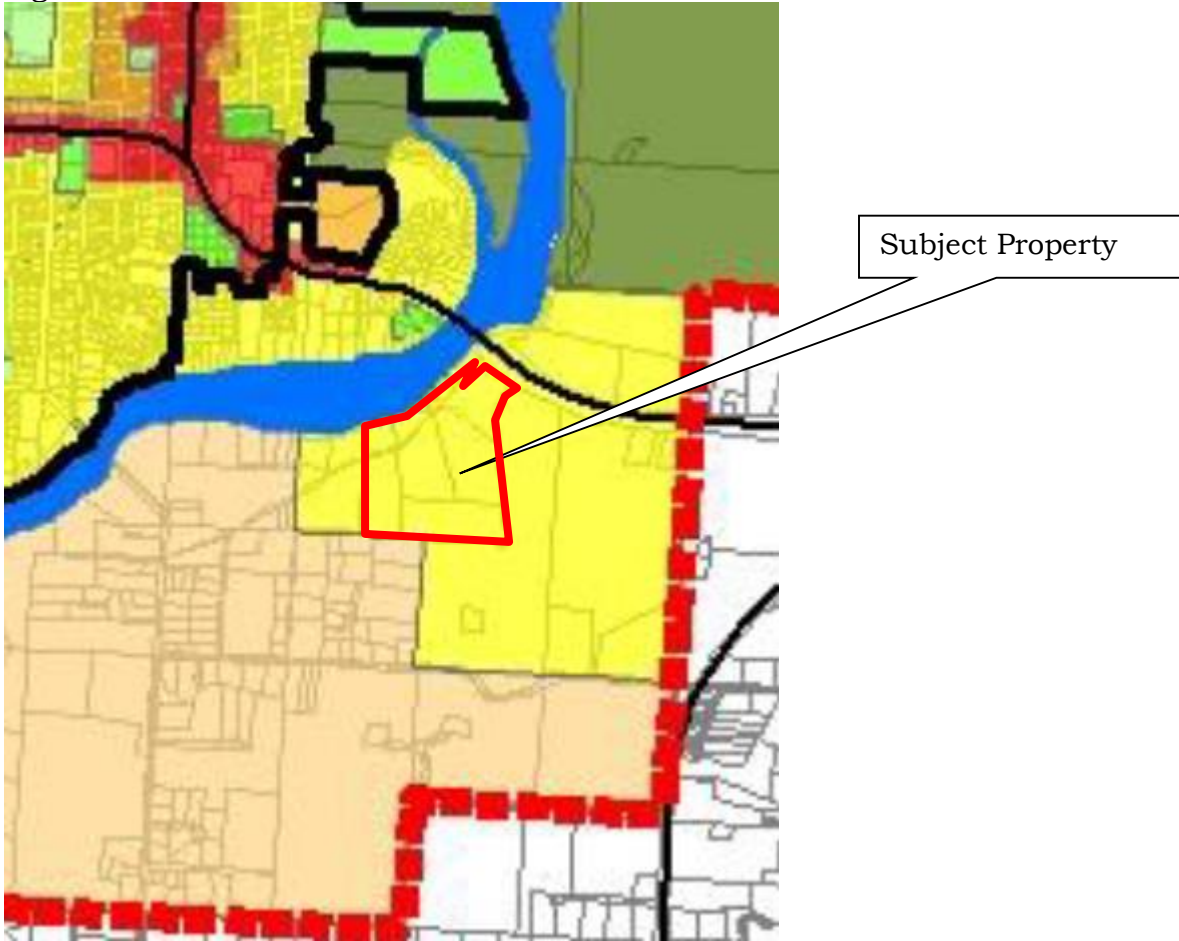


H. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for Urban Residential (Figure 3 - Yellow Area). This proposal complies with the map and text of the Growth Policy.

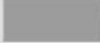
Text of the Columbia Falls Growth Policy (2019 update) supports the request as described in Policy 2.a. "Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided."

Figure 3



Excerpt from the 2019 Columbia Falls Growth Policy Map (The red box indicated the subject property)

LAND USE

	Light Industrial	Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.
	MultiFamily	8 or more units/acre. 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.
	Urban Residential	Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units. Fully served by urban services.
	Suburban Residential	2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.
	Rural Reserve	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.

Legend for Growth Policy Map

I. UTILITIES/SERVICES

The property is less than 1/4 mile east of the City limits of Columbia Falls and will annex into the City. The Applicant proposes to develop the property by extending municipal sewer and water facilities across the river. The application indicates that the developer will reconstruct River Road and relocate it east for better site distance. In addition, the applicant will work with the MDOT to construct a traffic signal at River Road and Highway 2.

<u>Water:</u>	Columbia Falls Municipal Water
<u>Sewer:</u>	Columbia Falls Municipal Sewer
<u>Fire Protection:</u>	Upon Annexation Columbia Falls Fire
<u>Police Protection:</u>	Upon Annexation Columbia Falls Policy
<u>Street Maintenance:</u>	River Road (City) Internal Streets Private HOA
<u>Electricity:</u>	Flathead Electric
<u>Natural Gas:</u>	Northwestern Energy

EVALUATION BASED ON STATUTORY CRITERIA¹

The following findings are made:

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A. and as stated by the Montana Supreme Court; Chapters 18.348, Planned Unit Development Standards, and Chapter 18.428, Large Building Standards of the Columbia Falls Area Zoning Ordinance. The following findings are made:

1. Conformity to the Large Building Criteria as required in Columbia Falls Zoning Code Section 18.428.

1. Facades and Exterior Walls:
 - A. The building is greater than 60-feet in length and the applicants have incorporated numerous recess and projections along the façade of the building in the front, rear and side to comply with these standards.
 - B. All four sides of the building have windows and architectural elements such as windows, decks, doors, textural changes in siding materials, and multiple gables.
 - C. The proposed buildings will use various types of siding materials of different colors and textures. The buildings vary in height with one, two, and three story elements in a single structure. The buildings also vary in orientation with lineal and “L” shaped footprints.
2. Roofs and Parapets:
 - A. The applicant is using gabled roof rather than a flat roof for the architectural interest appearance. There will be no roof top units (RTU) on the gabled part of the building. Most of the mechanical will be housed inside the building and/or in the ceilings. The applicant is requesting a height deviation with the PUD application. The height would go up to 45 feet on the three story sections of the building at the tallest gable.

¹ This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A., and as stated by the Montana Supreme Court as well as Chapter 18.33, Planned Unit Development Standards, of the Columbia Falls Area Zoning Ordinance.

The apartment project went through the Columbia Falls Site Review process with the City departments and Karl Weeks, Columbia Falls Fire Chief, reviewed the height deviation from a health and safety standpoint. As the apartments will be fully sprinkled, and the fire department has access to the roof at the eaves, the Fire Department can work with the ten foot height deviation. Staff is recommending approval of the height deviation.

- B. There are no parapets.
- C. N/A – No parapets.
- D. The applicants are showing a one-foot overhang on the gabled roof, the minimum three foot so this will have to be amended at the time a building permit application is submitted. According to the architects, this amendment is not a problem.
- E. The roof does not exceed the height of the supporting structure.
- F. The roof has two main gable planes broken up by flat roof areas and/or an “L” shaped orientation. Smaller gables/dormers also break up the roof lines at the ends of the building to help break up the roof line.

3. Entrance:

Much of these sections were created to address customers entrances for Commercial structures and not a residential project, however, the proposed apartments address some of these elements. Entrances include overhangs, columns/posts, recessed features, roof elements.



These photos were taken of the apartments in Kalispell at Silver Brook which is the same building design proposed for the River Highlands project.

4. Materials and Color:

- A. The exterior materials will consist of wood and simulating wood and shingle sides. (See color rendering in the application materials.)
- B. Origin of construction materials has not yet been selected but the applicant is encouraged to purchase locally sourced lumber.
- C. The color of the structure is to be determined.
- D. The trim compliments the wall colors and is not bright.
- E. The applicant is not proposing any concrete block, tilt-up concrete, or smooth faced steel.

5. Landscaping:

- A. The site is 49.1 acres in size. Approximately 44% of the site is to be devoted to park/open space/recreation areas. The applicants are concentrating the development to the center of the property and ringing the development with townhome units. The project creates large courtyards with pedestrian paths,

trees, lawns, and landscaped areas. The streets will have tree lined boulevards.

- B. The applicant proposes 44% of the site as landscape area (native and cultivated) which exceeds the 15% requirement. The 44% also exceeds the 30% requirement of the PUD standards.
 - C. The site plan incorporates the existing features of the site and preserves all of the trees along the River bank. The remainder of the property will be completely revegetated with maintained landscape areas as it is replacing agricultural vegetation. Presently we have a schematic landscaping plan that does not indicate the plant mix or irrigation system. Staff will recommend a condition of approval that requires City Manager approval of the detailed landscape plan prior to issuance of the occupancy permit. Staff can work with the applicant and the time of year to ensure that the approved landscaping plan is implemented through a developer's agreement.
 - D. The regulations require that large buildings on sites of between 30 acres and 50 acres provide a 13-foot landscape buffer around the perimeter of the site. The intent of this standard is to provide some buffering and mitigate some of the shadowing effect on adjacent uses. It appears that the proposed plan meets or exceeds this requirement.
 - E. The conceptual parking layout appears to comply with the landscaping and spacing requirements of the code.
6. Parking Lot:
- A. The conceptual plan shows curbed planting beds and no row of parking in excess of 30 spaces without curbed planning areas.
 - B. Details of the landscaping and planting beds will be reviewed through a detailed landscape plan that will be conditioned as part of this PUD.
 - C. This appears to be met and will be reviewed in detail with the formal landscape plan.
 - D. The applicant does not propose any parking isles greater than 30 spaces in length as required by code.
 - E. The applicant has segmented the parking area so that the parking lot is separated by landscape islands, common areas, and roads.
 - F. No traffic calming (such as speed bumps or round-about) is proposed within the project. See discussion later in the report for an off-site improvement to help with traffic mitigation.
 - G. As noted at the beginning of this report, the applicant is requesting a deviation from the parking standards. The Columbia Falls Zoning Ordinance determines the amount of parking required for individual uses (Chapter 18.500). For multi-family building such as apartments the code requires two spaces per unit regardless of the number of rooms.

The applicant is requesting a deviation to the parking standards for the apartments. The deviation is for 1.5 spaces per unit in the apartments only. The town homes will have two spaces per unit as required. The proposed site plan shows 633 spaces for the 390 units which works out to 1.62 spaces per unit of apartments.

To address overflow and guest parking, the Street cross section of 34-foot driving lanes and one foot for gutter on each will allow eight feet of parking on each side and 20 feet of clear driving isle providing a substantial amount of on-street parking.

The applicants make the argument that parking proposed is what they provided for the same buildings in Kalispell at Silverbrook and that the parking appears to work with the overflow along the street.

The deviation requested by the applicant is not out of line with what we have seen of late around the country. The cities of Kalispell and Whitefish have both recently reduced parking for studio and one-bedroom apartments to reduce impervious surfaces and encourage carpool, buses, or walk/bike.

Staff supports the parking deviation of 1.62 spaces rather than the 1.5.

7. Snow Storage.

A snow storage plan will be required for review prior to building permit approval. With 44% of the site in open space, there should be more than enough room for snow storage on the site.

8. Lighting

- A. At this point in time we do not have a sign package or lighting information for the apartments which is typical for projects at this stage. Not many developers would go to the expense to design all of the building details when they don't know if they have an approval to construct the building. The City of Columbia Falls requires all applicants to fill out a sign application and receive a sign permit from the City prior to erecting any signage. The City staff will review the sign permit application for compliance with the standards of the Columbia Falls Zoning Regulations prior to issuing a sign permit.
- B. The sign package will be reviewed with the building plans for compliance with full shields and/or opaque shields for direct lights to walks, entrances and parking areas.
- C. A lighting package has not been submitted. The Columbia Falls zoning regulations will require that all light be dark sky compliant with full cut-offs and parking lots lighting shall not exceed 18 feet in height. The complete lighting package will be reviewed at the time of building permit.

9. Pedestrian Circulation

- A. The applicant is showing concrete walkways between the parking lots and the building. The private interior streets will have sidewalks on both sides. The River Road rebuild will include a 10-foot wide shared use path on the southeast side of the street which will connect with the sidewalks on Highway 2. Paths are shown within the park/open space connecting buildings with the clubhouse, sidewalks and share use path. A condition will be recommended to address the connection.

10. Community Space

- A. The applicant is providing ample community space in the form of court areas, skate park, playgrounds, and club house. Parking and restrooms at the Skate Park will allow the general public to access the river taking some of the pressure of FW&P's Teakettle Park. The river access will be a walk in type of access, there will not be a boat ramp.

11. Trash and receiving

- A. At this conceptual stage there is no detail to review the location or enclosure for refuse. The applicants will work with Evergreen Disposal on Refuse container locations. As with the landscaping and lighting, the details of the enclosures will be reviewed at the building permit level.
- B. The developer is not proposing a loading dock.
- C. No outdoor storage is proposed for the apartment use.

2. Conformity to the PUD criteria as required in Columbia Falls Zoning Ordinance Section 18.338.040.

- 1. *The minimum size of a PUD is 2 acres:*

The site contains about 49.1 acres; thus, it meets the minimum criteria acres for a PUD.

2. *The maximum density of a CR-4 zoned PUD is 12units/acre:*

The site contains a total of 49.1 acres. The maximum density would allow upwards of 589 units on the subject property. The applicant is requesting 455 units or 9.2 dwellings per acre.

3. *Not more than 70% of the PUD shall be devoted to parking and structures:*

PUD's limit developed area, which includes buildings, streets and road easements, and parking lots, to 70% of the development so conversely 30% of the site is required to be in open space/park. The applicant is showing 21.99 acres of the 49.1 acre site as open space/park area which equals 44% of the property.

4. *Off-street parking requirements are two spaces per dwelling unit:*

The applicant is requesting a variance to the parking requirement as discussed in detail in 6. G. above. The applicant is proposing 1.62 parking spaces for the apartment units and 2 parking spaces for each townhouse unit.

5. *Landscaping*

The applicants are proposing extensive landscaping throughout the project. However, the landscaping plan is very conceptual at this point. A full landscape plan will be required as a condition of PUD approval and it shall be approved prior to issuance of building permits.

6. *Public utilities shall be provided:*

Water: The applicant is proposing the extension of Municipal water to the property.

Sewer: The applicant is proposing the extension Municipal Sewer to the property.

Fire Protection: The project is currently within the Badrock Fire Department service area but with annexation, the property will be in the Columbia Falls Fire District.

Police: The project is currently within the Flathead County Sheriff service area but with annexation, the property will be in the Columbia Falls Police Departments jurisdiction.

Stormwater: There is no public stormwater collection and disposal available to this area. The applicant is proposing, and will be required, to detain all stormwater on site.

Parks/Recreation: As this subdivision is also a PUD, it is required to provide 30% of the property as open space/common area. The applicant is showing 21.99 acres of the 49.1 acre site as open space/park area which equals 44% of the property. Active park areas will include a Columbia Falls Skate Park and restroom along with parking and public walk-in access to the River. Other park amenities within the project include pavilions, playgrounds, hard surface courts and a dog park for the resident. In addition, there will be a club house with full amenities for the residents of the River Highlands development.

The proposed park/open space along the Flathead River will provide a vegetative buffer. The native vegetation will be preserved in this park area with the exception of some potential primitive walking paths.

Streets: The primary access to the project is via River Road which is currently a County road and accesses Highway 2. The applicant proposed moving River Road further east to get better site distance at the intersection with Highway 2 and the Traffic Impact Study indicates that the project will warrant a traffic signal at River Road and Highway 2. With annexation the County will transfer the annexed portion of the road to the City.

The interior roads of the development will be constructed to a City standard with 34 feet of paved surface, curb, gutter, boulevards, and sidewalks but these will be privately maintained by the developer and these will be open to the public.

The townhomes front on the private street but the garage parking is access by alleyways at the rear of the buildings. The alleyways will also be privately maintained and 20 feet of paved driving surface.

7. *Off-street loading area may be required:*

This is not applicable to this project.

8. *Architectural Design of the buildings shall be compatible with surrounding buildings within the PUD.*

The PUD is developing multi-family apartments combining two and three stories within a single building along with varied gable roof lines. This particular area currently is made up primarily of single family residential uses in a suburban density however the City of Columbia Falls has designated this area for urban densities for many years with the thought of getting municipal sewer and water to the east side of the river. Therefore, the differing land use is going to create different building types.

3. Does the requested zone comply with the Growth Policy?

The Columbia Falls Growth Policy Map designates the subject property urban Residential (Figure 3). The Growth Policy also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. This proposal complies with the Growth Policy.

As stated previously in this report, the Growth Policy document provides a list of goals and policies for urban residential uses. The proposed PUD complies with the text as well as the map of the Growth Policy.

Although densities of two to eight dwellings per acre are recommended for urban residential, the proposed nine dwelling units per acre are within the parameters of the Planned Unit Development overlay which allows up to twelve units per acre. The project will be served by a full complement of urban infrastructure including public sewer and water service, City street and private streets developed to City standards with sidewalks, curb/gutter, boulevards and sidewalks.

4. Is the requested zone designed to lessen congestion in the streets?

The proposed street layout provides direct access to all individual lots within the proposed development will definitely add density to this area of Columbia Falls. The

applicant proposed to rebuild River Road moving it east on the subject property to provide better sight distance and work through system impacts to place a traffic signal at the River Road Highway 2 intersection. Pedestrian paths will also be installed along River Road to provide safe movement for people walking or biking along River Road for the development frontage.

As part of the application package for the River Highlands development, the applicant has provided a Traffic Impact Study (TIS). The TIS conducted a Level of Service (LOS) Study for the River Road and US Highway 2 intersection with a No-Build/Build comparison of No-Build (No Development) and Build (455 units). The LOS Study gives a letter grade to an intersection with grades A through C being a passing grade and D through F failing. The LOS study shows that regardless of whether the project is built or not, the intersection functions at an F grade for northbound traffic making a left/right turn movement. However, if a traffic signal is installed at the intersection by the developer, the LOS for Northbound left turn movement increases to a C grade and is passing. Any signalization of this intersection must be reviewed and approved by the Montana Department of Transportation whom will also review the applicants TIS. The conclusion is that even with the traffic generated by this project, if a traffic signal is installed the congestion at River Road and Highway 2 will greatly improve.

5. Will the requested zone secure safety from fire, panic, and other dangers?

The property is currently located in the Badrock Fire District, however, with annexation the property will move into the Columbia Falls Fire District. Along with annexation, the applicants will extend City water to the East side of the Flathead River and install fire hydrants throughout the development. The property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed on the east side of River Road.

6. Will the requested change promote the health and general welfare?

The applicant is proposing to move and install a traffic signal at River Road and Highway 2 which the Traffic Impact Study shows will improve turning movement off River Road. The developer will install a pedestrian 10-foot wide shared use path along River Road and sidewalks throughout the project to provide safe pedestrian movement. These paths will connect to the existing Paths on Highway 2 that lead into town. The applicant will extend City sewer and water services to the east side of the Flathead River to protect groundwater resources and provide fire suppression. The project is designed to move density away from the Flathead River and potential flooding. The Buffer setback map shows that all but one of the buildings is more than 300 feet from normal highwater line. As the Columbia Falls and Flathead County don't have river setbacks, 300 feet is a substantial buffer to voluntarily provide.

The applicants are proposing to extend municipal sewer and water services to the site. To do this, the applicants are proposing to directional bore the utilities under the Flathead River. Because the utilities will cross a designated floodway of the Flathead River, the applicants will need to secure a floodplain development permit from the City of Columbia Falls. The Flathead River is also the jurisdiction of the Flathead Conservation District who administers the District's 310 Permit and the Army Corps of Engineers. The Applicants will need to secure the 310 permit and contact the Corps to determine if a permit is required from their agency.

7. Will the requested zone provide for adequate light and air?

The developer through the use of the PUD is concentrating the density of the project into the center of the 49 acre property. Although the applicant is requesting additional height for multi-family units the deviation is only for the ridge of the

gables and covers only a portion of each building. To address the massing project is ringed by the townhouse units that are lower in height and smaller in scale. With approximately 44% of the site being designated park and open space the proposal will provide light and air.

8. Will the requested zone prevent the overcrowding of land?

The proposed PUD complies with the Community's long range planning document which is the Columbia Falls Growth Policy, 2019 Edition. Urban development identified in the Growth Policy and the associated populations are anticipated in this area.

Project Specifics

- 44% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, skate park, ball courts, walking paths, and a club house
- The CR-4 PUD may allow 589 units on the subject property. The applicant is requesting 455 units or 9.2 dwellings per acre.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town.
- The project has almost immediate access to high capacity Highway 2.

The presence of these elements will prevent a sense of overcrowding.

9. Will the requested zone avoid undue concentration of people?

The Growth Policy Map prescribes a density of two to eight dwellings per acre for urban residential, the proposed nine dwelling units per acre is within the CR-4 of Planned Unit Development overlay standards which allows up to twelve units per acre. The project will be fully served by urban infrastructure such as public sewer and water service, City street and private streets developed to City standards with curb/gutter, boulevards and sidewalks.

The PUD proposes to avoid undue concentrations of people by providing the following elements:

- 44% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, skate park, ball courts, walking paths, and a club house
- The CR-4 PUD may allow 589 units on the subject property. The applicant is requesting 455 units or 9.2 dwellings per acre.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town.
- The project has almost immediate access to high capacity Highway 2.
- With the exception of the corner of one building, the development is providing a 300 foot or greater setback from the normal highwater line to the building footprint.

The presence of these elements will avoid an undue concentration of people.

10. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?

Adequate facilities are proposed achieved in the following manner:

- With annexation the property will be in the Columbia Falls Fire Department jurisdiction.
- With the extension of Municipal Water to the property, the project will be developed with fire hydrants and fire flows.
- With the extension of municipal sewer, the projects waste water will be treated by the Columbia Falls Wastewater Treatment Plant
- With the construction of City standards streets, sidewalks and shared use path will run through the project.
- The development is in School District #6 and bus service is available on River Road.

- There are numerous parks and open spaces in the project. The Park and open space along the River, including the skate park will be open to the public and at least for now, maintained by the private development. The park amenities and club house on the east side of river road will be for the residents of the apartment complex.

11.Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?

The PUD is the best mechanism to develop the property east of the River. Although identified for Urban densities, the clustering and density bonuses offered through the PUD, allow the developer to achieve a unit count that allows for the extension of City sewer and water facilities while at the same time creating 44% open space and the large buffer along the Flathead River. Without the PUD densities the property would most likely be developed to half acre lots similar to that of the Benches utilizing on-site sewer and a public water system. The Benches is a nice development but it does not provide the number of units needed to meet the housing demand in the Flathead.

The proposed project does give reasonable consideration to the peculiar suitability of the property for residential development.

12.Does the requested zone give reasonable consideration to the character of the district?

The property is currently used for hay production and much of the surrounding lands are more rural and suburban than urban. However, this specific property was designated in the Growth Policy for Urban residential uses, the property was zoned CR-3, an urban residential zoning, and the City approved a PUD and Subdivision on this property for urban scale development back in 2008. Although the neighborhood does not reflect urban use at present it has long been planned for urban expansion of the City of Columbia Falls.

13.Will the new zoning affect property values?

The proposed land use is different than the existing suburban densities and some may think the change negatively impacts property values. However, others may argue the extension of municipal sewer and water along with improving the intersection of River Road and Highway 2 would appear to add value to the neighborhood. Preserving the river front property in open space should also be considered an amenity to the neighborhood.

14.Will the requested zone encourage the most appropriate use of the land throughout the municipality?

The subject property is designated in the Columbia Falls Growth Policy as Urban Residential. The City of Columbia Falls updates it's Growth Policy every five years and most recently in 2019. The consensus of the most recent update was that Columbia Falls is quickly running out of developable lands with access to public sewer and water. The subject lands east of the Flathead River along with lands along the Northfork Road and the lands west of town below Hilltop were areas identified for future urban growth. Since 2019 we continue to see shortages in housing supply for all categories of housing type. The proposed project will extend the City's infrastructure to an area of the community that has been identified for urban expansion. Therefore, the proposed zone change is an appropriate use as identified by the municipality.

The Columbia Falls Growth Policy map designates the subject property urban residential (figure 3). The Growth Policy also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. This proposal complies with the Growth Policy.

The applicant proposed to rebuild River Road moving it east on the subject property for better sight distance and work through system impacts to place a traffic signal at the River Road and Highway 2 intersection. Pedestrian paths will also be installed along River Road to provide safe movement for people walking or biking along River Road for the development frontage.

With annexation, the applicants will extend City water to the East side of the Flathead River and install fire hydrants throughout the development. The property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed on the east side of River Road.

With a small exception to the roof overhang, the project appears to meet the Large Building Standards of the Columbia Falls Zoning Ordinance. Detailed Landscaping and lighting plans will need to be reviewed and approved by the City Manager prior to the issuance of a building permit.

There does not appear to be any negative impacts to public health and welfare as the developed portion of the project is not located within a 100 year floodplain. There are no steep slopes on the property except those along the river that are confined to the park and open space area. The applicants will need to secure the applicable permits for the directional bore of the City's Sewer and Water Mains.

RECOMMENDATION

Staff recommends that the Columbia Falls City-County Planning Board and Zoning Commission adopt Columbia Falls Planning Office Staff Report #CPUD-22-02 as Findings of Fact and recommend approval of the requested PUD overlay zone subject to the following conditions:

1. The project shall be built in substantial compliance with the WGM Group submitted plans dated June 2022 and the building elevations provided by Cushing Terrell.
2. The River Highlands PUD will allow the following deviations:
 - a. Building Height – The maximum building height is 45-feet at the top of the gable.
 - b. Parking – The applicant will provide 1.62 off-street parking spaces per apartment unit. The Townhomes shall provide 2 off-street spaces per unit.
 - c. The Fire lane through the center of the multi-family area shall be a minimum of 12 feet in width.
3. Landscaping and landscaping features will generally follow the PUD plan with the understanding that the PUD plan is not a detailed Landscaping Plan. The applicants shall provide the City Manager a detailed Landscape plan, in compliance with the landscape provisions of the "Large Building Standards." The landscape plan shall be approved and the landscaping installed prior to the issuance of an occupancy permit. If, due to weather, the landscaping cannot be completed prior to occupancy, the applicant may enter into a developer's agreement with the City of Columbia Falls and provide a security (bond or letter of credit) in the amount of 125% of the landscape

improvements. The security amount will be determined by actual bid or licen
 engineer. The developer's agreement will not be for longer than six months.

4. Refuse enclosures shall comply with the Columbia Falls Large Building Standards.
5. The developer shall install a ten foot bike/pedestrian path on the south side of River Road and connect to the existing path on Highway 2. The developer shall connect the interior pedestrian sidewalks as indicated on the site plan.
6. The applicant shall secure approval from the City of Columbia Falls Public Works Department and the Montana Department of Transportation for the reconstruction and relocation of River Road. Should the MDOT agree that a signal is warranted at the River Road intersection with Highway 2, the Developer of River Highlands shall install the signal. These improvements shall be installed with Phase 1.
7. The applicant shall secure approval from the City of Columbia Falls Public Works Department for the internal street and that street shall be constructed to the standard outlined in the application which provides for on-street parking and sidewalks on both sides of the street.
8. The applicant shall secure approvals from the City of Columbia Falls Public Works Department and the Montana Department of Environmental Quality for the extensions of sewer, water and stormwater within the project.
9. The applicants shall secure a Floodplain Development Permit from Columbia Falls and 310 Permit from the Flathead Conservation District for the sewer and water directional bore under the Flathead River. The applicants shall provide documentation from the Corps as to whether or not a permit is needed from their agency.
10. The City staff will review the sign permit application for compliance with the standards of the Columbia Falls Zoning Regulations prior to issuing a sign permit.
11. As specified in the PUD application, the project shall have on-site management to ensure compliance with rental rules.
12. The light details will be reviewed at the building permit stage to ensure that they comply with the 18-foot height standards and that all lighting has full cut off and/or opaque shields. Lighting shall conform to dark sky standards.
13. The proposed parkland along the Flathead River shall remain in its native state with the exception of some walking paths. The Skate Park, Restrooms, and parking shall be located on the top of the lot away from the existing vegetation as shown on the plan map.
14. The phasing plan as proposed with the PUD application is acceptable.
15. The project shall be reviewed for compliance with the Large Building Standards prior to issuance of the Building Permit. At this time the staff will check that the roof eaves/overhangs meet the three foot requirements.
16. The minimum setback around the exterior of the project is 13-feet. This minimum buffer shall be fully landscaped and include ground cover, shrubs and trees.
17. The applicant shall submit a sign permit application to the City for approval and prior to erecting any identification signage
18. All utilities including electrical, telephone and cable shall be placed underground.

19. All conditions must be complied with prior to the issuance of an occupancy permit by the City of Columbia Falls. If certain conditions such as paving or landscape improvements cannot be reasonably complied with because of unforeseen circumstances, such as winter conditions, the applicant may, upon prior approval of the City Manager, post a bond or financial security found to be acceptable by the City Manager and equal to 125% of the cost of the improvements as certified by a licensed engineer or where appropriate a landscape architect.

**PRELIMINARY PLAT REQUEST
RIVER HIGHLANDS SUBDIVISION
SUBDIVISION REPORT #CPP-22-02
COLUMBIA FALLS PLANNING OFFICE
June 30, 2022**

A report to the Columbia Falls City-County Planning Board regarding a request for a Subdivision concurrent with a zone change and PUD application. The subdivision will create 21 lots (17 residential and 4 open space parcels) which are designed to accommodate the phasing. Overall, the development proposes 390 apartment units, 55 townhome units and 10 units of density donated to the Northwest Montana Community Land Trust for a total of 455 units. A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on July 12, 2022 at 6:30 in the Council Chambers and a subsequent public hearing is scheduled for the Columbia Falls City Council for August 1, 2022 at 7:00 in the City Council Chambers.

I. SITE HISTORY

The property is currently a hay field (Figure 1) but in 2008 the property was approved for 151 residential units in a mix of single family, townhome and condominiums. Also, with the approval came a small commercial market and short term rental cabins. The previous PUD approval has expired and has been rescinded by the City Council.

Figure 1

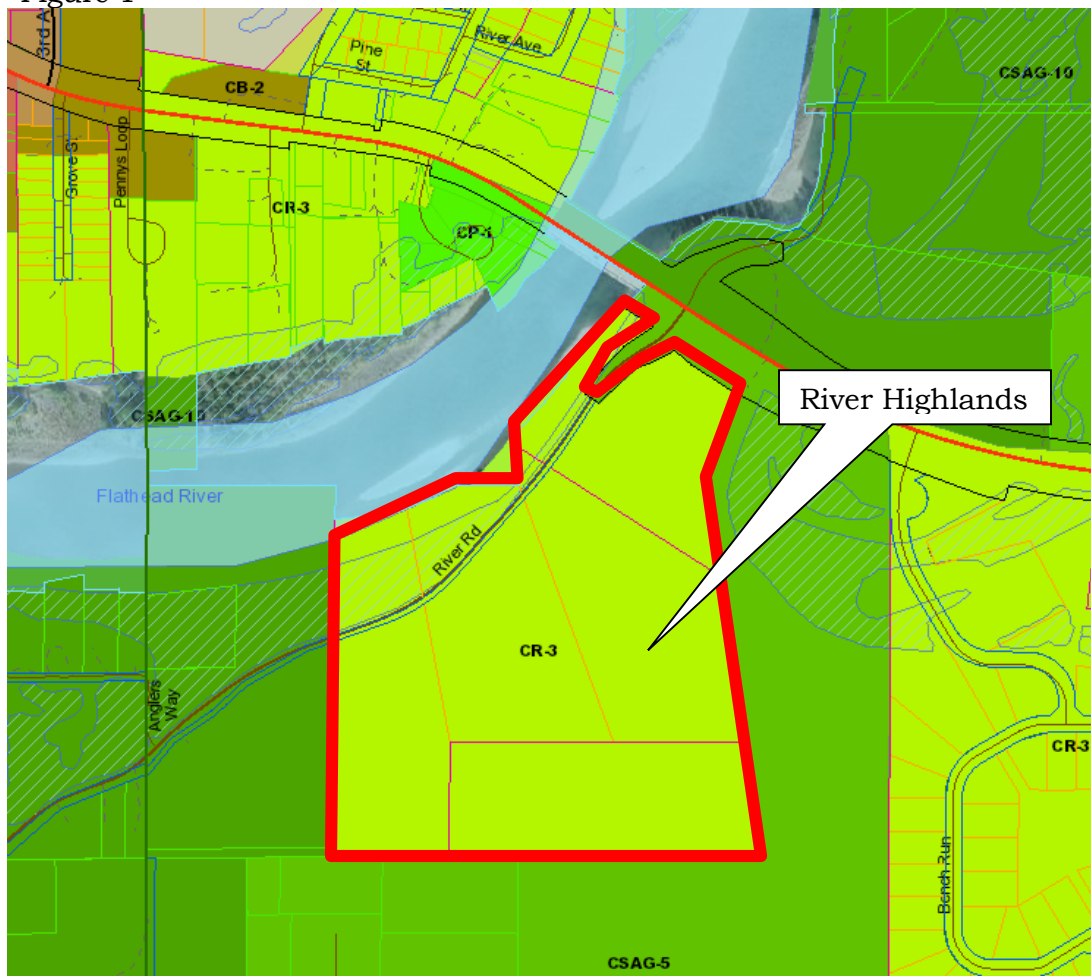
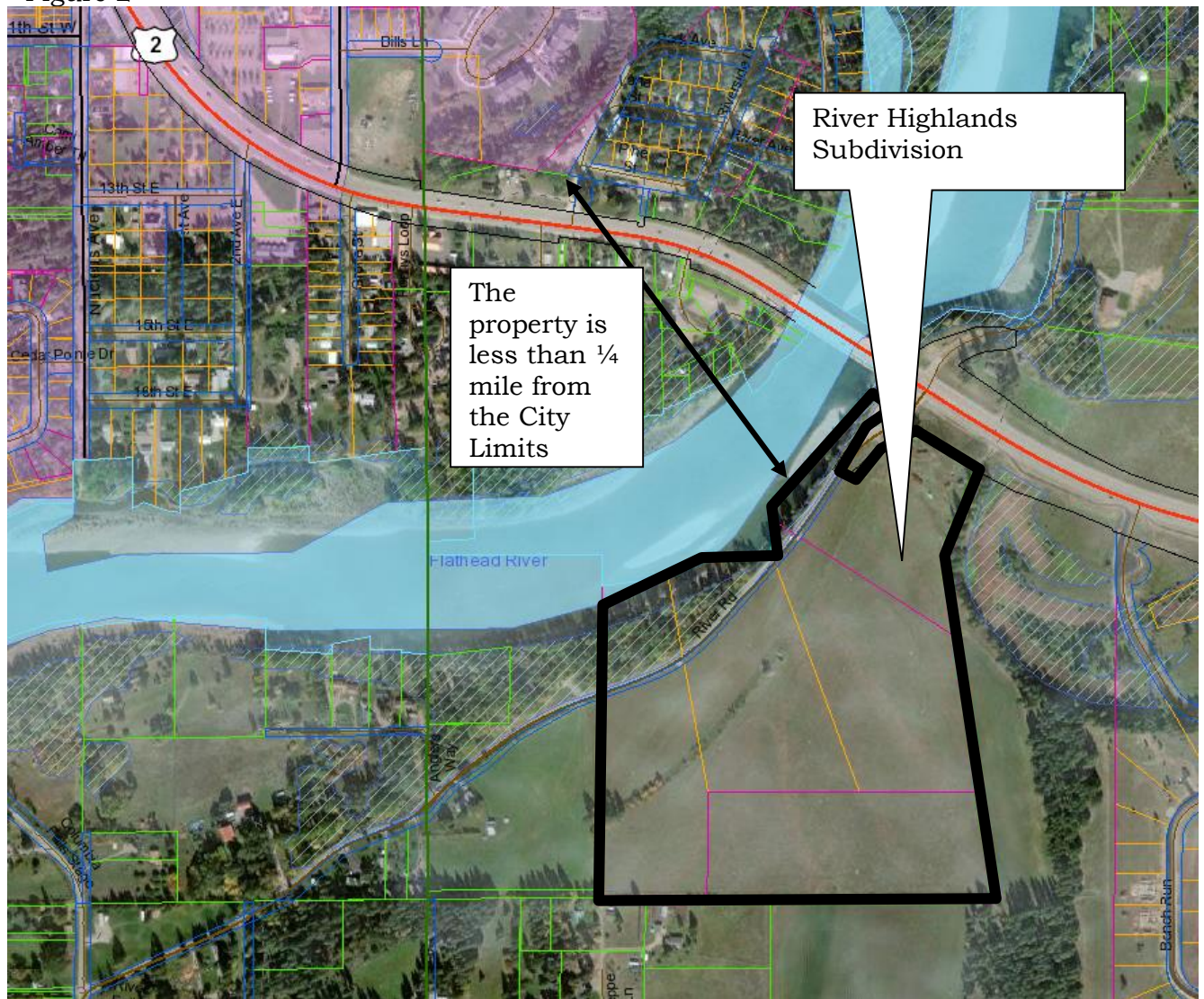


Figure 2



Flathead County GIS Photo

II. BACKGROUND INFORMATION

- A. Owner/Applicant: James Barnett
3500 E Lakeshore Drive
Whitefish, MT 59937
- Technical Assistance: WGM Group /Mike Brodie, P.E.
431 1st Avenue W
Kalispell, MT 59901
- B. Location:
The area of interest is located at 264, 316, 378, 494 River Road in Columbia Falls. The 49.1 acres of property is described as Lots 1, 2, & 3 of Loffler Subdivision and Tracts 2 and 3 of COS 14045 (Assessors' Tract's 7B and 7BB) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.
- C. Size: 49.1 acres

D. Existing Land Use: The property is currently a hay field with native vegetation along the Flathead River frontage.

E. Adjacent Land Uses and Zoning:

North	Residential and Agricultural Uses north of Highway 2 (CR-2 and CSAG-5)
South	Residential and Agricultural Uses (CSAG-5 and CSAG-10)
East	Agricultural Uses and the Benches Subdivision (CSAG-5 and CR-3)
West	Residential and Flathead River (CSAG-10 and CR-3 across the river)

F. Zoning:

The property is currently zoned CR-3 and concurrent with this subdivision application; the applicants are requesting a Zone Change to CR-4 and a PUD. The PUD allows a density bonus and clustering of density into a mix of dwelling types.

G. Relation to Growth Policy:

The Columbia Falls Growth Policy Map designates the subject property Urban Residential (Figure 3). The Growth Policy also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. The Growth Policy document provides a list of goals and policies for urban residential uses. The proposed PUD complies with the text as well as the map of the Growth Policy.

The Growth Policy document provides a list of goals and policies for urban residential uses.

Goals for urban residential include:

- Providing an adequate supply and mix of housing options in terms of cost, location, type, and design to meet the needs of present and future residents.
- Residential development that does not excessively burden the local government and is adequately served by public facilities and services.
- Solid stable and well maintained neighborhoods which are safe from intrusion of incompatible uses.

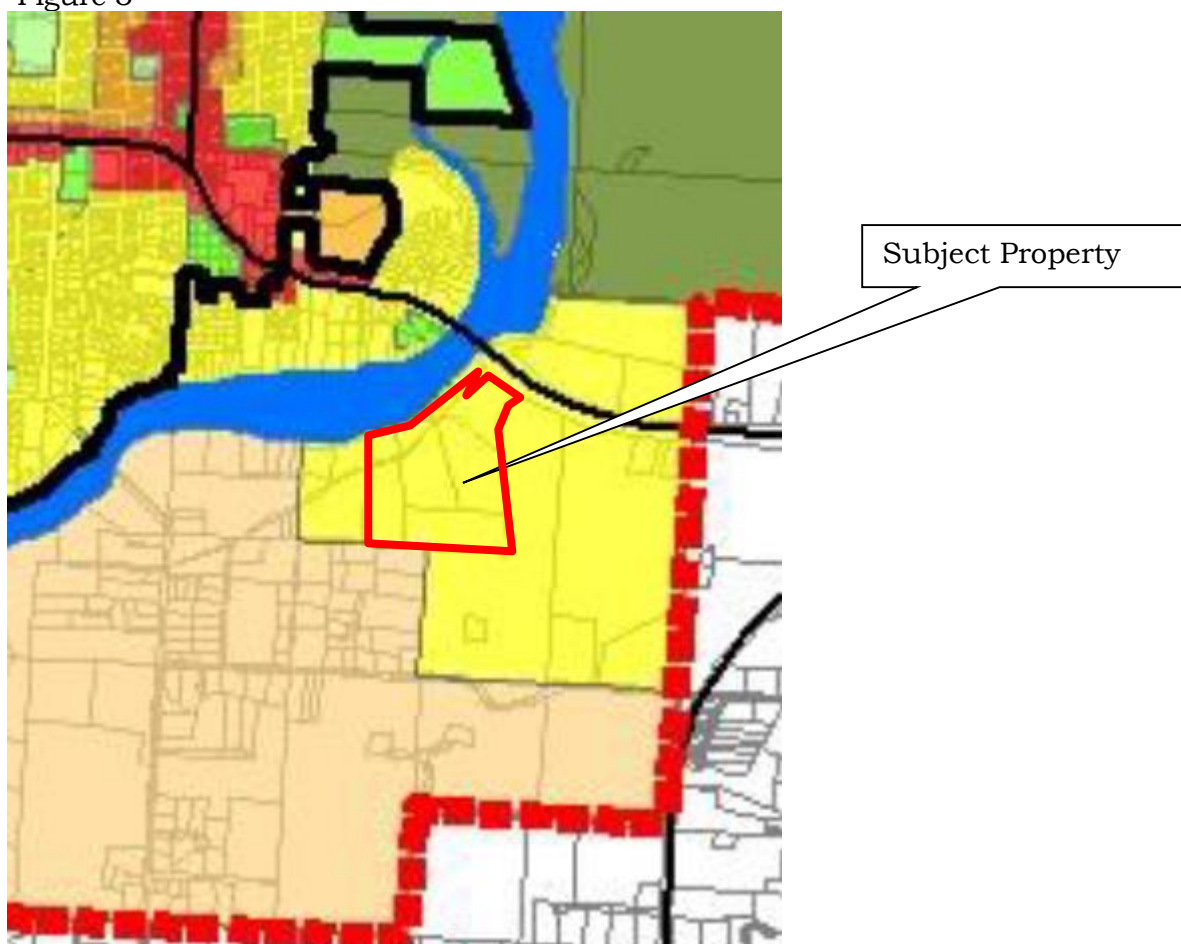
Policies for Urban Residential include:

- Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be made.
- Typical densities are two to eight dwellings per gross acre.
- Urban density residential areas should be fully served by urban infrastructure and municipal services, including paved streets, curbs, gutters, sidewalks abutting all residential lots, boulevards, and public sewer and water.
- Areas should have convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.

Although densities of two to eight dwellings per acre are recommended for urban residential, the proposed nine dwelling units per acre are within the parameters of the Planned Unit Development overlay which allows up to twelve units per acre. The project will be served by a full complement of urban infrastructure including public sewer and water service, City street and private streets developed to City standards with sidewalks, curb/gutter, boulevards and sidewalks.

This proposal complies with the Growth Policy.

Figure 3



Excerpt from the 2019 Columbia Falls Growth Policy Map. (The red box indicated the subject property)
2019 Columbia Falls Growth Policy Map

2019 Growth Policy Map Legend

	LightIndustrial	<i>Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.</i>
	MultiFamily	<i>8 or more units/acre. 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.</i>
	UrbanResidential	<i>Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units. Fully served by urban services.</i>
	SuburbanResidential	<i>2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.</i>
	RuralPreserve	<i>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.</i>

H. Utilities:

The following utilities will service the proposed development:

<u>Water:</u>	Columbia Falls Municipal Water
<u>Sewer:</u>	Columbia Falls Municipal Sewer
<u>Fire Protection:</u>	Columbia Falls Fire Department
<u>Police Protection:</u>	Columbia Falls Police Department
<u>Street Maintenance:</u>	City of Columbia Falls (River Road) private (interior streets)
<u>Electricity:</u>	Flathead Electric
<u>Natural Gas:</u>	Northwest Energy

III. **REVIEW AND FINDINGS OF FACT**

This application is reviewed as a major subdivision in accordance with statutory public interest criteria and the Columbia Falls Subdivision Regulations: Chapter 17.12.090 Impact Criteria

A. Impacts on Public Health:

Public health and safety are defined as the prevailing healthful, sanitary condition of wellbeing for the community at large. Conditions that relate to public health and safety include, but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes, and other natural hazards; high voltage lines or high-pressure gas lines; and air or vehicular traffic safety hazards.

1. River Highlands will annex into the City of Columbia Falls and connect to Municipal water and wastewater infrastructure. The proposed subdivision has access to River Road. The

development upon annexation will be served by Columbia Falls Police and Fire Departments. The internal subdivision streets will be constructed to City standards with curb, gutter, sidewalks, boulevards, street lights and street trees. As such the subdivision is not likely to have negative impacts on public health and safety.

Emergency Services: The Columbia Falls Fire District will provide fire service to the subdivision. As the subdivision is subject to City standards, fire hydrants and emergency access will be installed throughout the subdivision. The Fire Chief voiced no concerns with the project. The reconstruction and relocation of River Road will provide better and safer access to the River Road neighborhood.

The subdivision will be served by the Columbia Falls Police Department. The Police Chief indicated that his department can serve the development and it will not impact their level of service.

Vehicular Traffic Safety Hazard: At present River Road is a county maintained road that intersects with Highway 2. During the summer months and particularly the peak AM and PM hours, current traffic creates long delays for northbound left hand turns onto Highway 2 and into Columbia Falls.

The applicant proposes to rebuild River Road moving it east on the subject property for better sight distance and work through MDOT system impacts to place a traffic signal at the River Road and Highway 2 intersection. Pedestrian paths will also be installed along River Road to provide safe movement for people walking or biking along River Road for the development frontage and into town.

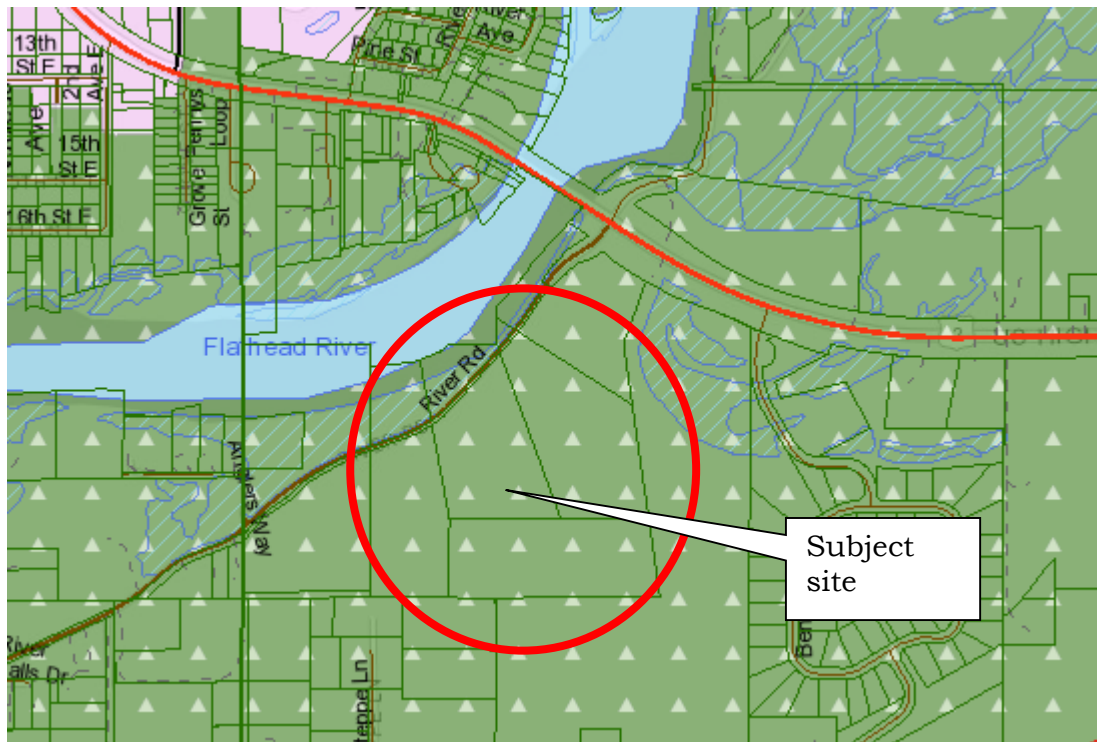
As part of the application package for the River Highlands development, the applicant has provided a Traffic Impact Study (TIS). The TIS conducted a Level of Service (LOS) Study for the River Road and US Highway 2 intersection with a No-Build/Build comparison of No-Build (No Development) and Build (455 units). The LOS Study gives a letter grade to an intersection with grades A through C being a passing grades and D through F failing. The LOS study shows that regardless of whether the project is built or not, the intersection of River Road and Highway 2 functions at an F grade for northbound traffic making a left/right turn movement. However, if a traffic signal is installed at the intersection by the developer, the LOS for Northbound left/right turn movement increases to a C grade and is passing. Any signalization of this intersection must be reviewed and approved by the Montana Department of Transportation whom will also review the applicants' TIS.

The conclusion is that even with the traffic generated by this project, if a traffic signal is installed, the congestion and traffic safety at River Road and Highway 2 will greatly improve.

2. Proposed subdivisions or associated improvements that are located in an area identified as a high fire hazard area by a fire district are considered to have an impact on public health and safety.

The proposed subdivision is located in the Wildland Urban Interface (WUI). With the exception of the river front area, there are few trees on the property. With the extension of municipal water, the subdivision will provide fire hydrants spaced at

City Standards. The access to the project will be constructed to City standards and there are two avenues for egress out to River Road. These items should mitigate fire hazards on the property.



Source: Flathead County GIS Website – The green shaded area designates the WUI

3. Proposed subdivisions or associated improvements that are proposed on land with high pressure gas lines or high voltage lines are considered to have an impact on public health and safety.

According to the application and a site visit, no such hazards exist on the subject property.

4. Proposed subdivisions or associated improvements that are proposed on land or adjacent to Superfund or hazardous waste sites are considered to have an impact on public health and safety.

There are no Superfund Sites adjacent to the subdivision and no known hazardous waste sites. Therefore, there is no apparent impact to public health or welfare.

5. Proposed subdivisions or associated improvements that are proposed on or adjacent to abandoned landfills, mines, wells, waste sites, or sewage treatment plants are considered to have an impact on public health and safety.

The proposed subdivision is not adjacent to any known abandoned landfills, mines, waste sites, or sewage treatment plants. Therefore, there is no apparent impact to public health or welfare.

B. Impacts on Wildlife and Wildlife Habitat:

Wildlife is defined as those animals that are not domesticated or tamed; and wildlife habitat is defined as the place or area where wildlife naturally lives or travels through.

1. Proposed subdivisions that are contiguous to unincorporated town sites or within the city-county planning jurisdiction are considered to have a minimal impact on wildlife and wildlife habitat.

The proposed subdivision is within the Columbia Falls Planning Jurisdiction and, in an area, already identified for urban residential use by the Columbia Falls Growth Policy. The proposed subdivision is extending municipal sewer and water to the subdivision and the east side of the Flathead River. Only the Flathead River separates the proposed development from urban densities on the west side of the River. The property is a hay field with no sensitive habitats except that area along the River which is being protected with the open space designation.

2. Proposed subdivisions or associated improvements that are proposed in locations with riparian areas, wetlands, rivers, streams, lakes, or other natural surface waters are considered to have an impact on wildlife and wildlife habitat.

The property is located on River Road which is a County Road. River Road separates the upland areas from the riparian vegetation along the Flathead River which is also the western boundary of the property. The area west of River Road is the only area on the property that contains native vegetation. The applicants are proposing everything west of River Road to be in park or open space. The active park area is an area that is currently devoid of trees and much vegetation.

The applicants will be extending public sewer and water to the property and as such, the extensions will be reviewed by The City and the MDEQ. The applicants are also required to go through the Montana Department of Environmental Quality for review of the stormwater drainage plan. Both of the departments/agencies review these permits as part of water quality protection.

3. Proposed subdivisions or associated improvements that are proposed in an area with rare or endangered species, as identified by state or federal agencies, are considered to have an impact on wildlife.

According to the application materials and environmental assessment, the proposed site may include the following Species of Concern: Lynx, Grizzly bear, Fisher, Hoary Bat, North American Porcupine, Townsends Big-eared Bat, Western Pigmy Shrew, Wolverine, and Little Brown Myotis, Bald Eagle, Black Swift, Bobolink, Brown Creeper, Cassian's Finch, Clarks' Nutcracker, Common Loon, Evening Grosbeak, Golden Eagle, Gray Crowned Rosy Finch, Great Blue Heron, Lewis's Woodpecker, Northern Goshawk, Northern Hawk Owl, Pacific Wren, Peregrine Falcon, Pileated Woodpecker, Trumpeter Swan, Varied Thrush, and Veery. The list was provided by the Natural Heritage Program and the search area includes approximately 12 square miles around the site. Therefore, species like the loon and wolverine would not likely visit the site. However, it can be safely assumed that bald eagles fly over the site and that the occasional grizzly bear travels through the property. However, this does not mean that the property is ideal habitat for these species or that the property has critical habitat for these species. The subdivision is providing open space along the entire River Frontage. The remaining parts of the property are hay field which does not provide much habitat for the birds or mammals.

Fish Wildlife and Parks in their letter dated May 31, 2022 indicate that the proposed subdivision may displace deer and elk which use the area periodically. Deer and Elk are not species of concern and the subject property is in the urban growth area identified by the City for expansion. Pretty much any direction the City of Columbia Falls expands will displace deer and elk.

This same comment is directed at conflicts with black and grizzly bears. This comment is true for all of Columbia Falls. To address this issue, staff will recommend securing refuse in bear resistant enclosures and utilizing the “Living with Wildlife” standards in to the management of the residential property.

4. Proposed subdivisions or associated improvements that are proposed on or adjacent to land identified by state or federal agencies as critical habitat are considered to have an impact on wildlife and wildlife habitat.

The only potential habitat that would be considered critical is that area along the River. The entire River frontage between River Road and the Flathead River is designated for Park and Open Space on the plat. This property is directly across the River from the City of Columbia Falls and this property is in the urban growth area identified by the City for urban expansion.

In a comment letter from Fish Wildlife and Parks (5/31/22), they indicate that development should be 300-feet from the Flathead River and they indicated that the project is 100 feet short of this recommendation. FWP must have not scaled the development correctly because all but a small corner of one building is in excess of 300-feet for ordinary high water. It should be pointed out that neither the City of Columbia Falls or Flathead County have adopted this recommendation for a setback.

C. Impacts on the Natural Environment:

- Air: Vehicles and home heating will contribute exhaust and particulate matter to the air. Due to paving of road, parking and streets and unrestricted natural air movement the impact is considered minor.
- Groundwater: The subdivision will utilize Municipal waste water services which will help protect groundwater resources in the area. The stormwater facilities will be reviewed by the City of Columbia Falls Public Works Department and the Montana Department of Environmental Quality.
- Natural Vegetation: Most of the native vegetation has been removed from the subject property. The remaining native vegetation is along the Flathead River. The applicants propose protecting the native vegetation by placing the property west of River Road in a Park and Open space area.
- Surface Water: The Flathead River runs along the western boundary of the subject property. The subdivision buildings are, for the most part 300-feet from the average highwater mark.

D. Impacts on Local Services:

- Protective Services: With annexation the Columbia Falls Police Department will take over duties within the subdivision. The Police Chief comments that they can serve the subdivision without impact to their level of service.

With annexation the Columbia Falls Fire District will serve this area and the Fire Chief has indicated that they can serve the subdivision without impact to their level of service.

Waste Water: The subdivision will connect to and extend mains into the subdivision for Waste water collection. Wastewater is transported along the mains to the City Waste Water Treatment Facility on the Flathead River near the Veterans Home. The City Public Works Department indicated that the system has capacity to serve the subdivision.

Solid Waste: Flathead County Solid Waste allows residents to deposit household waste at the landfill or green box sites. The application indicates that they will contract with Evergreen Disposal for refuse collection.

Potable Water: The subdivision is connecting to and extending City mains into the subdivision for domestic water. The Columbia Falls Public Works Department indicated that they have capacity to serve the subdivision.

Fire Suppression: With the City water mains extended into the subdivision, the developer will also install fire hydrants. The initial review of the project indicated that there is sufficient flow and pressure for the fire hydrants. Sewer and water facilities are subject to detailed plan review following preliminary plat approval and prior to construction. Details for the development of infrastructure are subject to the City Public Works Standards and will be reviewed for compliance

Public Schools: School District 6 operates K-12th grade within the City of Columbia Falls. The High School is about a mile west of the proposed subdivision and the middle school is 1.5 miles from the project. The school district has seen approximately 4% growth over the past ten years or 0.4% per year. Using County wide average of 0.31 school aged children per residence. (There were 14,753 students recorded with the Flathead County Superintendent of Schools Office including public, private and home schooled children at the beginning of the 2011 school year. The US Census Bureau 2010 counted 46,963 housing units in Flathead County – 14,753 students / 46,963 housing units = 0.31 students per unit), the 455 units would generate 141 students in the school system. Planning Staff contacted Superintendent Dave Wick and Transportation Director Bob Rupp of the School District for comment. According to Mr. Wick, the School District does have capacity in the K – 12 grades to accommodate the children of this subdivision as it phases in. Mr. Rupp commented that bus service is provided on River Road but would like to review and approve a location for a bus stop and pullout within the subdivision. This recommendation has been addition to the conditions.

Recreation/Parkland: The applicants are proposing to place 21.99 acres (44%) of the site in park and open space. Active park areas will include a Columbia Falls Skate Park and restroom along with parking and public walk-in access to the River. Other park amenities within the project include pavilions, playgrounds, hard surface courts and a dog park for the residents. In addition, there will be a

club house with full amenities for the residents of the River Highlands development. The developer is providing amenities for the residents as well as the general public.

Public Transportation: No public transportation is immediately available. Eagle Transit does make regular stops in Columbia Falls.

Roads: The primary access to the project is via River Road which is currently a County road and accesses Highway 2. The applicant proposed moving River Road further east to get better site distance at the intersection with Highway 2 and the Traffic Impact Study indicates that the project will warrant a traffic signal at River Road and Highway 2. With annexation the County will transfer the annexed portion of the road to the City.

The interior roads of the development will be constructed to a City standard with 34 feet of paved surface, curb, gutter, boulevards, and sidewalks but these will be privately maintained by the developer and these will be open to the public.

The townhomes front on the private street but the garage parking is accessed by alleyways at the rear of the buildings. The alleyways will also be privately maintained and 20 feet of paved driving surface.

E. Impacts on Agriculture:

For the past fifteen years or so, the property has primarily been in hay production. There will be a loss of agricultural lands with this conversion but this property has long been designated for Urban conversion. The proposed urban multi-family development will provide housing for the community of Columbia Falls and by clustering density on City services, the project should lessen development pressure further out in the agricultural areas. Developments of one to five acres can have as much impact on taking agricultural lands out of production as urban projects but the urban densities are a more efficient use of the land.

F. Impacts on Agricultural Water:

No irrigated land, irrigation districts, nor high demand from stock water are apparent on this site. No impact to agricultural water users is anticipated.

G. Compliance with Subdivision Design Standards:

The proposed lot layout, right-of-way width appears to comply with the Title 17 Subdivision Regulation for Design Standards.

H. Compliance with the Montana Subdivision and Platting Act:

The proposed subdivision appears to comply with the Montana Subdivision and Platting Act.

I. Compliance with Subdivision Regulations:

No variance is requested to the Columbia Falls Subdivision Regulations. Phasing of the project is identified in the PUD applicant that accompanies this application set. The phasing appears to meet the standards of the subdivision regulations.

The applicant is submitting this development as a PUD which is a zoning overlay. In the case of PUD's, they require 30% of the land area be free of road and roof, this also excludes required yards. The applicant is proposing 44% of the site which greatly exceeds the maximum 11% parkland requirement of the subdivision regulations.

IV. SUMMARY OF FINDINGS

The Columbia Falls Growth Policy map designates the subject property urban residential (figure 3). The Growth Policy also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as urban residential. This proposal complies with the Growth Policy.

The applicant proposed to rebuild river road moving it east on the subject property for better sight distance and work through system impacts to place a traffic signal at the River Road and Highway 2 intersection. Pedestrian paths will also be installed along River road to provide safe movement for people walking or biking along River Road for the development frontage.

The Traffic Impact Study prepared by the applicants show that the Level of Service for the intersection at River Road and Highway 2 will be a Level F in 2026 with or without the project. However, if the applicants install a traffic signal at the intersection of River Road and Highway 2 as recommended in the TIS, the Level of Service increases to a Level C which is a significant improvement.

With annexation, the applicants will extend City water to the East side of the Flathead River and install fire hydrants throughout the development. The property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed on the east side of River Road.

There does not appear to be any negative impacts to public health and welfare as the developed portion of the project is not located within a 100 year floodplain. There are no steep slopes on the property except those along the river that are confined to the park and open space area.

There does not appear to be any significant impacts to Species of Concern as most only travel through the area and the native vegetation along the river bank is being protected with an open space designation. In addition, other than the corner of one building, all of the structures are 300 feet or more from the average highwater of the Flathead River. To address impacts to black and grizzly bears, the developer will be required to keep refuse (dumpsters) in bear resistant enclosures.

Sewer, water and stormwater facilities will be reviewed by the City and Montana Department of Environmental Quality prior to any construction. The connection to Columbia Falls' public sewer should address impacts to groundwater and stormwater detention/treatment will be reviewed for compliance with State standards.

As this is a project phased in over a number of years there does not appear to be an impact to local services such as Police, Fire, Schools, Streets, and parks.

Although the project is replacing a hay field, the project is not expected to impact area agriculture or agricultural water user facilities.

V. RECOMMENDATION

After reviewing the Findings of Fact, staff recommends that the Columbia Falls City County Planning Board adopt these Findings of Fact for River Highlands, and recommend approval of the Preliminary Plat with attached conditions to the City Council. Recommended conditions of approval are as follows:

1. The project shall be built in substantial compliance with the WGM Group submitted plans Dated June 2022 and the building elevations provided by Cushing Terrell.
2. The applicants shall provide at final plat, CC&R's that address the private street and open space/park maintenance. A note shall be placed on the face of the plat informing the lot owner of the private street and open space maintenance responsibility through the HOA.
3. The road construction shall meet the requirements of Chapter 17.16 of the City of Columbia Falls Subdivision Regulations and the Columbia Falls Public Works Standards. However, the street widths shall meet the cross sections submitted in the PUD Application. The construction plan shall be reviewed and approved by the City prior to construction. The road construction shall be certified by a registered engineer that they meet such standards following construction and the roadways shall be accepted by the City prior to Final Plat approval.
4. The applicants shall secure a Floodplain Development Permit from Columbia Falls and 310 Permit from the Flathead Conservation District for the sewer and water directional bore under the Flathead River. The applicants shall provide documentation from the Corps as to whether or not a permit is needed from their agency.
5. The applicant shall secure approval from the City of Columbia Falls Public Works Department and the Montana Department of Transportation for the reconstruction and relocation of River Road. Should the MDOT agree that a signal is warranted at the River Road intersection with Highway 2, the Developer of River Highlands shall install the signal. These improvements shall be installed with Phase 1. The Columbia Falls Fire Chief shall approve location of the fire hydrants in writing prior to construction of the project.
6. The responsible postmaster shall approve a common mailbox facility at an approved location. The facility shall meet the requirements of 17.18.250. The facility shall be installed prior to final plat or included in an SIA.
7. Developer shall provide a student loading/unloading facility at an approved location as directed by School District 6 staff. The applicants shall provide a letter from the district approving the bus stop location. The bus stop shall be incorporated into Phase 1.
8. The sewer, water, water and stormwater facilities shall be reviewed and approved by the Columbia Falls Public Works Director and Montana Department of Environmental Quality. The water, sewer, and stormwater shall be constructed in accordance with the approved plan and the construction shall be certified by a registered engineer that they meet the approved specifications.
9. A note shall be placed on the face of the Final Plat stating: "All dwellings shall have house numbers visible from the internal subdivision road."
10. The applicants shall provide copies of the final plat drawing and as-built construction drawings for all public infrastructure and utilities existing or constructed in the right-of-way or easements. Copies of drawings shall be in both paper and digital. Digital copies shall be in a format prescribed by the City.

11. All utilities shall be installed underground and stubbed to each lot prior to the paving of the roads.
12. The Flathead County Weed Department shall approve a Weed Management Plan for the Development prior to Final Plat. A note shall be placed on the face of the final plat stating: "Lot owners are subject to the Weed Management Plan approved by the Flathead County Weed Department."
13. That the parkland requirement shall be met by the proposed park and open space. A detailed park amenity plan shall be submitted for review by the City Manager and said plan shall be approved and amenities installed by Phase 1 prior to final plat.
14. Assessment for taxation and special assessments for lands within the common areas shall be proportionally shared among all residential lots in the subdivision. The proportion may be equal or based upon the area of the lot in proportion to the total area of all lots. Such assessment shall be reported to Flathead County, billed and collected with other tax and assessment due each lot.
15. Plat notes shall be added to the face of the plat delineating that the parks and common area are dedicated in perpetuity and that said space(s) will be owned and maintained by the Homeowners Association. Changes to the use and/or management of the common space or parks shall be approved by the Homeowners Association and the City.
16. The following notes indicating the PUD deviations shall be placed on the face of the final plat:
 - a. Building Height – The maximum building height is 45-feet at the top of the gable.
 - b. Parking – The applicant will provide 1.5 off-street parking spaces per apartment unit. The Townhomes shall provide 2 off-street spaces per unit.
 - c. The Fire lane through the center of the multi-family area shall be a minimum of 12 feet in width.
17. All improvements, including but not limited to, the public right-of-way, water, sewer, stormwater, pedestrian parkland amenities, landscaping, etc., shall be complete or guaranteed through a SIA prior to final plat approval. The Developer shall warranty all infrastructure improvements for a minimum of one (1) year after approval of the final plat.
18. The applicant shall provide a letter from the applicable Solid Waste Contractor stating that Solid Waste Service is available to the Subdivision. The CC&R's will require use of a Solid Waste contractor for residences in the subdivision. The CC&R's shall also reference the FW&P Living with Wildlife recommendations.
19. The preliminary plat shall expire three (3) years after the approved effective date stipulated by the City Council. Extensions may be granted by the City Council if the applicant requests extension 30-days prior to the expiration of the plat or any remaining phase.



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.3.

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ _____

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: James Barnett

MAIL ADDRESS: 3645 Lower Valley Road

CITY/STATE/ZIP: Kalispell, MT 59901

PHONE: 406-756-4848

INTEREST IN PROPERTY: Owner/Partner

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 264, 316, 378, 494 River Rd, Columbia Falls, MT
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number
(Section, Township, Range)
Section 16, T30N, R20W, Lots 1, 2, & 3 of Loffler Subdivision & Tracts 7B
and 7BB, Flathead County, Montana
(Attach sheet for metes and bounds)
- C. Land in zone change (ac)
49.10 Acres
- D. The present zoning of the above property is: CR-3
- E. The proposed zoning of the above property is: CR-4
- F. State the changed or changing conditions that make the proposed
amendment necessary:
See Attached

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

- A. Promoting the Growth Policy

See Attached

B. Lessening congestion in the streets and providing safe access

See Attached

C. Promoting safety from fire, panic and other dangers

See Attached

D. Promoting the public interest, health, comfort, convenience, safety and general welfare

See Attached

E. Preventing the overcrowding of land

See Attached

F. Avoiding undue concentration of population

See Attached

G. Facilitating the adequate provision of transportation, water, sewage, schools, parks and other public facilities

See Attached

H. Giving reasonable consideration to the character of the district

See Attached

- I. Giving consideration to the peculiar suitability of the property for particular uses
See Attached

- J. Protecting and conserving the value of buildings
See Attached

- K. Encouraging the most appropriate use of land by assuring orderly growth
See Attached

The signing of this application signifies approval for Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during approval process.

(Applicant Signature)

(Date)

APPLICABLE TO ALL ZONING APPLICATIONS:

A. Pre-Application Meeting:

A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

B. Completed application form.

C. The application must be accepted as complete by the Columbia Falls Planning staff **thirty-five (35) days prior** to the date of the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be fulfilled.

E. Application Contents:

1. Petition for zone change signed by the real property owners representing at least 65% of the land area for which the change in zoning classification is sought.
2. A map showing the location and boundaries of the property.
3. A title report of the subject property.

HOW WILL THE PROPOSED CHANGE ACCOMPLISH THE INTENT AND PURPOSE OF:

A. Promoting the Growth Policy:

The development plan will meet the 2019 Growth Policy goals which is to increase multi-family development to provide an attainable housing alternative to “encourage a healthy supply of new housing stock to serve Columbia Falls’ growing population and continue to provide housing affordable to the average working family.”

Additionally, the following policies are met through the River Highlands development:

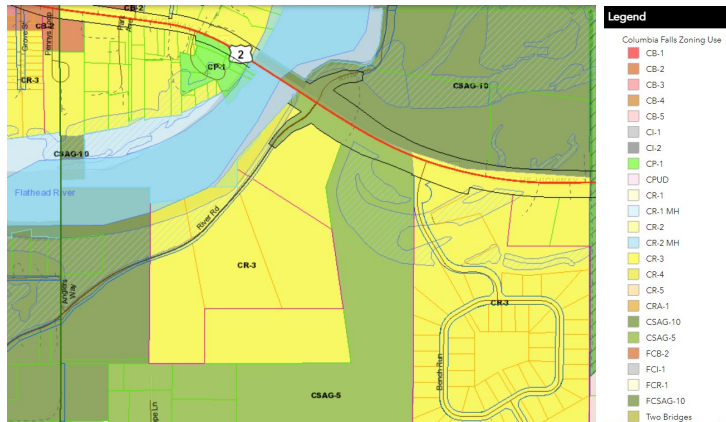
Growth Management Policies:

1. With limited available vacant developable land within the City for residential use, the industrial sites to the north, physical barriers such as the railroads and Flathead River, and surrounding residential neighborhoods, the project location is suitable to increase density to provide a mix of housing needs that supports a more diverse and growing population. This allows for community vitality, helps to maintain quality of life, and encourages more dynamic neighborhoods.
2. The development will represent the values of the community by promoting walkability, outdoor lifestyles, enhancement of scenic views, river access, and diversity.
3. Water and sewer services will be extended across the river to provide updated infrastructure without impacting natural environments.
4. Provides a source of housing that is attainable to the average wage earner and supplements the lack of existing housing stock currently available. The development will support the general welfare of the community and help support local businesses by providing housing that is affordable and accessible.
5. The development utilizes the space appropriately and creatively to balance the need for housing with ample open space and buffer zones.

Land Use- Multi-family Residential Policies:

6. The development plan will provide an adequate supply of housing that meets current needs but also provides options for future housing for individuals and families of all social and economic levels by including apartments and townhomes.
7. Multi-family residential areas have typical densities of eight to twenty dwellings per gross acre. This development will provide 9.2 dwellings per acre.
8. Several activity areas, parks, trails, a skate park, and open spaces will be integrated throughout the development to provide the public a recreational destination and promote outdoor activities. The development will also maintain existing access and recreational opportunities along the river for the residents and the surrounding communities.
9. The housing is designed for multi-generational experiences and will provide adequate considerations of functional design to accommodate seniors and disabled residents and residents of all ages. Looped walking & biking trails, sidewalks, and tot and youth playgrounds, and a community center will encourage walkability and an active lifestyle for all ages and abilities.
10. Design standards will increase within the development by using street trees along the right of way, landscaping around the buildings, façade treatments and architectural interest to break up the massing, and extensive trail and sidewalk

systems. Apartments were clustered within the center of the development to provide for a wider buffer zone between existing residences and properties to allow for more screening.



Future Land Use Map showing existing CR-2 zoning with CR-3 and CSAG-5 & 10 surrounding the property.

Transportation:

11. The implementation of this development will provide needed upgrades to the existing River Road, including sidewalks which will provide safer pedestrian and bike access along the river edge. The development of sidewalks and trails throughout the project will encourage residents to walk vs. drive to recreational amenities, decreasing chances of car and pedestrian/bike incidents. An intersection placed at 375 feet away from the southern end of US Highway 2 bridge will provide a much safer ingress/egress from River Road onto the highway and provide adequate site distance for drivers coming off of the bridge. A complete street approach will be implemented throughout the development to increase pedestrian/bike visibility at intersections and encourage walkability.

Parks and Recreation:

12. The development will provide activity areas and site amenities such as open space, parks, a skate park, restrooms, and trails to facilitate pedestrian/bike activity throughout the development and highlight the outdoor quality of life we enjoy in Montana. The goal of the development is to provide amenities for all ages and abilities so a diverse range of residents and community members can enjoy and utilize outdoor spaces. Another goal is to provide safer connections and access to the river and to maintain a connection to the existing overflow area on the northeastern side of the property adjacent to the river.

Public Services and Facilities:

13. The design of the development is to allow adequate infrastructure supported by the developer to help facilitate new facilities and systems that support the development and future connections. Updated infrastructure will also minimize or eliminate potential contamination and protect our environment. The design also facilitates safety and assists in visual and physical access to all areas and buildings by police and fire throughout the development which will increase emergency response time.

B. Lessening Congestion in the Streets and Providing Safe Access:

The development plans to move the existing entrance at the south end of the US Highway 2 bridge 375 feet south to increase site distance and provide a safer ingress/egress to the development. River Road will be upgraded to City standards increasing safety and drivability and continue to provide a scenic and alternative route from the west to the City core. Additionally, with the higher density zoning, it will warrant signalization of an already dangerous intersection and improve safety of drivers and pedestrians. The interior roads throughout the development are planned for urban collector, alleyway, and fire access to accommodate the development's traffic and increase safety access.

C. Promoting safety from fire, panic, and other dangers:

The proposed development would include city street sections as a part of the development and adequate circulation throughout any interior site development, accommodating the residential traffic, police, ambulance, and fire trucks. Connections to River Road on the east and west side of the property allows for alternative routes out of the development.

D. Promoting the public interest, health, comfort, convenience, safety, and general welfare:

Placing a CR-4 zoning in this area would have little change to the overall public interest, health, comfort, convenience, safety and general welfare from CR-3. The property is located efficiently to allow access to the downtown area, surrounding cities, Glacier National Park, and the Flathead River. This allows for a large number of residents to be able to access the development and distribute traffic throughout the City and surrounding areas without adding traffic to the south. The access to site amenities and the Flathead River provides unique recreational facilities and natural amenities for the residents. Given the present need for housing throughout the Flathead Valley, the amended zoning would be in the public interest to allow more units in a location so close to these amenities and downtown Columbia Falls.

E. Preventing the Overcrowding of Land:

CR-3 One-Family Residential and CR-4 Urban Residential are districts that are intended for urban residential development and under conditional uses allows for cluster developments. To meet the Growth Policy goals, a higher density residential development provides for logical expansion of alternative housing and infrastructure to an area suitable for urban development.

F. Avoiding Undue Concentration of Population:

Adjacent properties to the southeast and north are zoned CR-3 and including a higher density development next to additional residential subdivisions provides a wider variety of housing opportunities and integrates into the urban context of surrounding properties. The property is located within a mile of downtown making it somewhat walkable with sidewalk available the entire route and is easily bikeable.

G. Facilitating the Adequate Provision of Transportation, Water, Sewage, Schools,**Parks, and other Public Facilities:**

The City of Columbia Falls has adequate infrastructure service on the north side of the US Highway 2 bridge, and with the River Highlands' development the services would be extended across the bridge allowing for future expansion of development beyond the project and will help provide services to existing residences currently on well and septic. This will help to alleviate future issues with surrounding septic fields and minimize any contamination concerns.

H. Giving Reasonable Consideration to the Character of the District

The development has been sensitive to the character of the surrounding district and has provided minimum 30 feet buffers between the adjacent properties and the buildings. Landscape screening, muted building colors, and a heavy focus on opening scenic views and focal points facilitate the integration of the surrounding areas into the design of the development. A 50 feet open space and landscape buffer along River Road help to maintain the wooded, rural feel along the existing roadway. Locating a higher density zoning adjacent to the state highway creates an easily accessible location for developments within the district.

I. Giving Consideration to the Peculiar Suitability of the Property for Particular**Uses:**

The site's vicinity to US Highway 2, accessibility to the downtown area makes this site particularly suitable for a denser residential development. It allows for quick access for residents in and out of the development to surrounding areas as well as areas of the Greater Flathead Valley. Additionally, it is close to Flathead River, Glacier National Park, and state forests.

J. Protecting and Conserving the Value of Buildings:

No buildings on the property will remain, including the two dilapidated farm buildings. Given the proximity of this project to other CR-3 zoned properties and CSAG-5 & 10 zoned properties, it can be assumed any change in value to other buildings will be due to the overall area's zoning and future developments. It will not be tied specifically to the zoning type of this parcel.

K. Encouraging the most appropriate use of land by assuring orderly growth

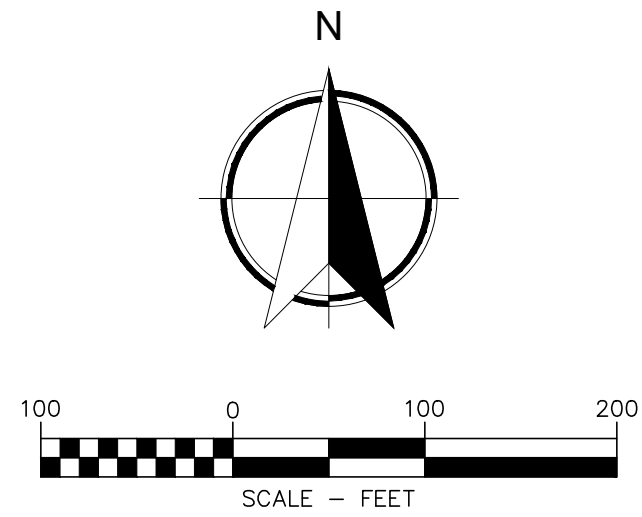
The City requires a zoning change as a part of the proposed Planned Unit Development (PUD) to push for denser and appropriate land use in the area. The PUD process is in place to allow the City to help guide more dense developments and encourage responsible, orderly growth. The need for housing outlined in the 2019 growth policy has further increased and the addition of higher housing in this location should be considered as a viable area due to its vicinity to a main highway and proximity to downtown.

The signing of this application signifies approval for Columbia Falls staff to be present on the property for routine monitoring and inspection during approval process.

Item No.3.

(Applicant Signature)

(Date)

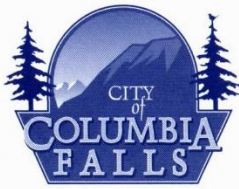


SUBJECT PROPERTY ZONED CR-3
ZONING TO BE CHANGED TO CR-4
WITH ZONE MAP AMENDMENT

LEGAL DESCRIPTION:
SECTION 16, T30N, R20W, LOTS 1,
2, & 3 OF LOFFLER SUBDIVISION &
TRACTS 7B & 7BB, FLATHEAD
COUNT, MONTANA



ZONING MAP EXHIBIT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.3.

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Project Name: Former River Highlands
Name of Applicant: River Highlands LLC
Mailing Address: 3645 Lower Valley Road
City/State/Zip: Kalispell, MT 59901 Phone: 406-756-4848
Name and address of owner if different than applicant:
Name: _____
Mail Address: _____
City/State/Zip: _____ Phone: _____
Technical Assistance: WGM Group / Mike Brodie, P.E.
Mail Address: 431 1st Ave W
City/State/Zip: Kalispell, MT 59901 Phone: 406-756-4848
If there are others who should be notified during the review process, please list those.

Check One:

- ☒ Initial PUD Proposal
☐ Amendment to an existing PUD

Property Address: 264, 316, 378, 494 River Rd, Columbia Falls, MT
Total Area of Property: 49.10 acres
Legal description including section, township, range: Section 16, T30N, R20W, Lots 1, 2, & 3 of Loffler Subdivision & Tracts 7B and 7BB, Flathead County, Montana
The present zoning of the above property is: CR-3

Please provide the following information in a narrative format with supporting drawings or other format as needed: See Narrative included herein.

- 1) An overall description of the goals and objectives for the development of the project.
- 2) In cases where the development will be executed in increments, a schedule showing the time within phases will be completed.
- 3) The extent to which the plan departs from zoning and subdivision regulations including but not limited to density, setbacks and use, and the reasons why such departures are or are not deemed to be in the public interest;
- 4) The nature and extent of the common open space in the project and the provisions for maintenance and conservation of the common open space; and the adequacy of the amount and function of the open space in terms of land use, densities and dwelling types proposed in the plan;

- 5) The manner in which services will be provided such as water, sewer, storm water management, schools, roads, traffic management, pedestrian access, recreational facilities and other applicable services and utilities;
- 6) The relationship, beneficial or adverse, of the planned unit development project upon the neighborhood in which it is proposed to be established;
- 7) How the plan provides reasonable consideration to the character of the neighborhood and the peculiar suitability of the property for the proposed use;
- 8) Where there are more intensive uses or incompatible uses planned within the project or on the project boundaries, how will the impacts of those uses be mitigated;
- 9) How the development will further the goals, policies and objectives of the Columbia Falls Growth Policy;
- 10) Include site plans, drawings and schematics with supporting narratives where needed that include the following information:
 - a. Total acreage and present zoning classifications;
 - b. Zoning classification of all adjoining properties;
 - c. Density in dwelling units per gross acre;
 - d. Location, size height and number of stories for buildings and uses proposed for buildings;
 - e. Layout and dimensions of streets, parking areas, pedestrian walkways and surfacing;
 - f. Vehicle, emergency and pedestrian access, traffic circulation and control;
 - g. Location, size, height, color and materials of signs;
 - h. Location and height of fencing and/or screening
 - i. Location and type of landscaping
 - j. Location and type of open space and common areas;
 - k. Proposed maintenance of common areas and open space;
 - l. Property boundary locations and setback lines;
 - m. Special design standards, materials and/or colors;
 - n. Proposed schedule of completions and phasing of the development, if applicable;
 - o. Covenants, conditions and restrictions;
 - p. Any other information that may be deemed relevant and appropriate to allow for adequate review.

If the PUD involves the division of land for the purpose of conveyance, a preliminary plat shall be prepared in accordance with the requirements of the subdivision regulations.

Please note that the approved final plan, together with the conditions and restrictions imposed, shall constitute the zoning for the district. No building permit shall be issued for any structure within the district unless such structure conforms to the provisions of the approved plan.

The signing of this application signifies that the aforementioned information is true and correct and grants approval for the City of Columbia Falls staff to be present on the property for routine monitoring and inspection during review process.

Applicant Signature

Date

Application Process

A. Pre-application meeting:

A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of proposed zone change with surrounding zoning classifications, and the application procedure.

B. Complete Application Form

C. Application fee per schedule, made payable to City of Columbia Falls.

PUD Zoning Review:

SEE FEE SHEET

D. A bona fide legal description of the subject property and a map showing the location and boundaries of the property.

E. A list of the names and mailing addresses of all property owners within 150 feet of the subject property as shown on the Assessor's roll. Public streets and right of ways are not included in the 150 feet.

Please consult with the City of Columbia Falls Planning Office for submittal dates and dates for the planning board meeting at which it will be heard in order that requirements of state statutes and the zoning regulations may be filled. The application must be accepted as complete 45 days prior to the scheduled planning board meeting.

RIVER HIGHLANDS PUD

The following is a narrative for the River Highlands Planned Unit Development (PUD) application. Also included is the site plan, utility layout, and development applications for the PUD and preliminary plat.

BACKGROUND

The proposed project site is 49.10 acres located just east of the Flathead River on the south side of US Highway 2. The property was previously approved as a PUD in 2008 also under the name “River Highlands”. At the time, the project was initially zoned as CR-3 and annexed with the intention of developing 151 residential units (single family and multifamily) at approximately 3.12 dwelling units per acre. As a part of these units, cabins were planned for nightly/short term rentals. This included plans to install a wastewater lift station to convey sewage from the east side of the river back to the Columbia Falls wastewater conveyance and treatment system. This project was never completed as a result of the economic recession. Previous approvals and information pertaining to the original application and approval are included with this application in “Part M.”

NARRATIVE

1. An overall description of the goals and objectives for the development of the project.

The overall goals and intent of the River Highlands PUD is to provide high-quality long-term rental property in a superb landscape setting alongside the Flathead River in close proximity to the Columbia Falls City Center. The proposed development offers the opportunity to adjust the alignment of River Road to a safer location and provide improvements to said intersection as deemed necessary in the included Traffic Impact Study (TIS). The existing River Road and parking area will be separated to become a neighborhood park allowing equitable use for the location without privatization of riverfront lots. A setback of over 100 feet has been provided from the top of the riverbank (~15-20 feet above the river) to any proposed housing structure to lessen impacts to Flathead River; in most locations this setback exceeds 200 feet from the river’s high water mark.

The proposed development consists of 49.10 acres with 65 attached single-family lots (townhomes/rowhouses) and several multifamily apartment buildings housing 390 units; a total of 455 units. Approximately one acre of land for 10 of the townhomes/rowhouses will be donated to the Northwest Montana Community Land Trust for the construction of affordable housing. The variety of housing types for residents provides options to the community by offering a range of units that compliment different sectors and income levels, lifestyles, age

groups, and needs. Additionally, it gives residents an opportunity to grow into a townhome unit or have the ability to downsize to an apartment without having to leave the neighborhood. By utilizing apartment buildings, the density allows for more preservation of open areas by building “up not out”. The Project’s goals are to integrate the various housing products into an open space system of natural areas and interconnected linear parks to emphasize pedestrian walkability and bike accessibility. The overall goal is to create a cohesive, community focused lifestyle that connects to and enriches existing systems. The goals of the development are as follows:

1. Planning for a variety of housing sizes, types, and socioeconomic levels by providing multifamily and attached townhomes or rowhouses. This includes a land donation to the Northwest Montana Community Land trust to allow for construction of 10 of these townhome units.
2. Allow for residential density vertically to preserve open spaces and prevent sprawl.
3. Preserve existing Flathead River corridor and limit river impacts by keeping development away from the river and building in smaller footprints.
4. Include site amenities such as recreational corridors and a trail system throughout the development that connects a circulating trail system with points of interest and developed park areas throughout the site. Include site amenities such as recreational corridors, extensive multi-use path systems, and a variety of play opportunities that are connected together through green corridors. The multi-use trail system will connect to the existing pedestrian access at the US Highway 2 bridge on the north side of the property.
5. Create a park area to perpetuate existing public use of the northern location for overflow parking for the Fish Wildlife and Parks Tea Kettle River Access.
6. Create a holistic development with an emphasis on community that incorporates the ability to live and play in one area. The park and trail system promotes outdoor activities and walkability throughout the development and accessibility to the adjacent park and river.
7. Extend City services to the eastern side of the river to prevent septic leachate from reaching the Flathead River without proper treatment.

The increase in manufacturing Flathead Valley has seen in recent years will also benefit from the additional housing in this location. Companies like Applied Materials continue to push their manufacturing operations and consistently struggle with housing their workforce. Areas like Columbia Falls grew around manufacturing and industrial based jobs and existing industrial infrastructure exists within the City limits. Additional housing supply is attractive to companies looking to relocate or expand and could provide economic benefits to Columbia Falls as a whole.

Columbia Falls and the greater Flathead Valley are currently facing a housing crisis with one of the primary issues being supply. Additionally, with the country facing increasing supply chain difficulties, manufacturing in the valley has ramped up which further exacerbates the

need for housing. This development is intended to create additional housing in the Columbia Falls community in a location suitable for such land use. The traditional neighborhood design includes sidewalks with tree-lined streets, a linked network of open spaces and a linear park system with playgrounds, pavilions, picnic areas, and a multi-use path system interwoven throughout the development.

2. In cases where the development will be executed in increments, a schedule showing the time within phase will be completed.

The proposed project will be heavily dependent in initial infrastructure investment including the extensions of City Services and improvements to the intersection of River Road and US Highway 2. It is important to acknowledge that although the development includes 455 units at full build out, this will take several years to build out in optimum market conditions.



Figure 1: Phasing Map

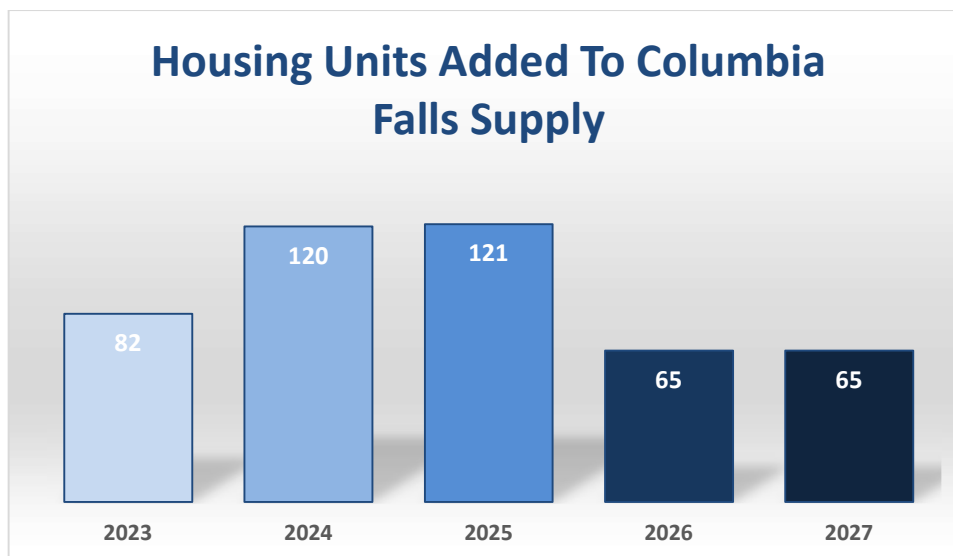


Figure 2: Housing Supply Added to Columbia Falls

Phase 1 will include the six apartment buildings totaling 178 units, 25 townhomes/row houses, and a clubhouse. This will be the largest phase as a significant investment in infrastructure will be required including the adjustments of the River Road alignment, water extensions, and a sewer lift station. Phase 1 will likely begin construction in 2023 to be completed in 2024.

Phase 2 will include the apartments on the south side of the ring road totally 82 apartment units and 40 townhomes/row houses. Of these 40 townhomes/rowhouses, the lots for 10 of them will be donated to the Northwest Montana Community Land Trust. This would be constructed from 2024 - 2025.

Phase 3 will be the first phase of apartments adjacent to River Road totaling 65 units. This would likely be slated for construction beginning in 2025 and completion in 2026.

Phase 4 will be the first phase of apartments adjacent to River Road totaling 65 units. This would likely be slated for construction beginning in 2026 and completion in 2027.

This housing supply increase provided in this application corresponds with anticipated needs outlined in the 2019 Growth Policy for Columbia Falls, which anticipates a need for 300 units by 2025 and another 336 by 2030 (page 15). A phasing plan and estimated timeline have been included with this application. It should be noted that this timeline is approximate and assumes market conditions and demand exist as they do today. This timeline will likely change if housing demand dwindles or increases.

3. **The extent to which the plan departs from zoning and subdivision regulations including but not limited to density, setbacks and use, and the reasons why such departures are or are not deemed to be in the public interest.**

The River Highlands PUD was originally approved in 2008 which was a very different market from today. The original approval included 151 lots of primarily single family with condos, townhomes and individual cabins. With the original approval, initial zoning was granted for CR-3 (One Family Residential) with a PUD overlay. Although the zoning was for “One Family Residential,” the application had variances to accommodate the requested commercial component, condos, attached townhomes, and reduced lot sizes.

The current River Highlands PUD application includes a concurrent zone map amendment modifying the zoning from CR-3 to CR-4 and applies the following variances from the Subdivision Regulations and Zoning Ordinance:

- a. Additional 10 feet of height (maximum height of 45 feet) for architectural creativity and ability to provide pitched roofs on all structures. All buildings would be limited to a maximum of three floors.
 - b. Reduction in parking standards from two per unit to 1.5 per apartment unit.
 - c. Reduction of fire access road width to 12 feet.
- The 10 foot variation request is further clarified in the elevations of the apartments provided in “Part N Precedent Images and Building Renderings” of this application.
 - The parking standard reduction is being requested as garage structures are planned in addition to the parking being provided for the tenants. This parking provided is equivalent to the Silverbrook Apartments in Kalispell which is owned/operated by the developer. Additional parking is planned near the club house to allow tenants to drive to access amenities should they choose.
 - Based on discussions with the Columbia Falls Fire Chief (Karl Weeks), the 20-foot width required in the Columbia Falls standards was deemed excessive for the fire access road being provided given the building layout. Additionally, the fire access road is intended to serve as a pedestrian corridor (at times when there is no fire) throughout the development and access to internal amenities. Buildings are planned to be sprinkled further adding to fire protection.

The increased density over what is allowed within the CR-4 zoning district will provide more housing options and opportunities for area residents, in accordance with Growth Policy housing goals. The intent of a PUD is “to encourage a more efficient use of land and public services by allowing, under certain circumstances, a more flexible means of land development than is otherwise generally permissible under lot-by-lot restrictions.” The increased supply of housing directly adjacent to the main highway corridor of Columbia Falls coupled with its vicinity to the City’s downtown makes it a prime location to allow for this type of development. The added height allows for a residential look while building up, not out, leaving more open space while helping to satisfy the need for residential housing units in the Columbia Falls area.

4. The nature and extent of the common open space in the project and the provisions for maintenance and conservation of the common open space; and the adequacy of the amount and function of the open space in terms of the land use, densities and dwelling types proposed in the plan

The proposed development will create approximately 23 acres (nearly 50% of the property) of open space and park space throughout the development to maintain and support the rural character of the surrounding area . The PUD shows a series of park areas that will be associated with each phase which will include a larger skate park, restroom, and amenities on the northeast corner and a clubhouse for the residents on the southeast side of the project. The park areas will include amenities such as fixtures, pavilions, playgrounds for youth and tot, hard surface courts, nature play, and a dog park. The location and detail of each park amenity will be developed during the construction document phase, but currently the tan circles are associated with playground and amenity areas. Flexible use spaces within the large park and open space system will allow residents the opportunity to promote place-making by planning community events, providing a wide variety of play and passive recreation opportunities, and encourage walkability throughout the development. To promote open space the project developed several greenway corridors along the perimeter which provides visual and physical buffer from existing properties and maintains the rural feel along River Road. Large central greenways provide connectivity throughout the project and emphasize visual and physical connections to the river and surrounding views. The clubhouse will provide indoor amenities during winter months such as a fitness room and a recreation room for indoor games. During the warmer months an outdoor pool and spa, nature play, and ground games will activate and expand recreation options at the clubhouse.

The multi-use trail system is integrated throughout the development to encourage outdoor activities and support easy access to playground and amenities. An 8' multi-use sidewalk along the ring road will allow for safer routes within the development and provide a strong connection to the skatepark and the river. A multi-use path will be located along the southern portion of River Road to increase safety of pedestrians and cyclists traveling to the east to access the greater Columbia Falls trails system.

Maintenance of the trail, open space, and park system south of River Road will be maintained by the Home Owners Association. The applicant would like to work with the City to develop a public/private partnership in the maintenance of the skate park, restrooms, and dog park area on the northeastern side of the project.

The acreage of open space areas shown on the PUD plan are as follows:

- Phase I Developed Open Space: 2.79 acres (does not include 10 ft from building).
- Neighborhood Park Land Dedication: 5.18 acres (incl. 0.27 acres for roads/parking)
- Conservation Area: 4.18 acres
- Entrance Area (adjacent to Lift Station): 0.67 acres
- Phase II Developed Open Space 2.49 acres

Phase II Passive Open Space: 1.39 acres
Phase III Developed Open Space 5.29 acres

Flexible use spaces within the large park and open space system will allow residents the opportunity to promote place-making by planning community events, providing a wide variety of play and passive recreation opportunities, and encourage walkability throughout the development. Paths and sidewalks will link the open space network and provide over a mile of trails for recreation and access with points of interest along the way to activate the trail system. These trail networks will also be used to access the greater Columbia Falls pedestrian network. The open space and parks will be maintained by the Homeowners Association of the development.

A full list of lot and site areas including the open spaces has been included with this application.

5. The manner in which services will be provided such as water, sewer, storm water management, schools, roads, traffic management, pedestrian access, recreational facilities and other applicable services and utilities.

The project will utilize City of Columbia Falls sewer and water facilities which will be extended from near 3rd Avenue East, along US-2 and under the Flathead River by means of directional drilling. Drilling by nature is less impactful to the environment and connecting to the City utilities will have a much lower impact to the river than other methods of sewer disposal (namely septic/drain field). Preliminary plans for water, sewer, and storm have been included with this application in "Part E". A traffic impact study is included in "Part J".

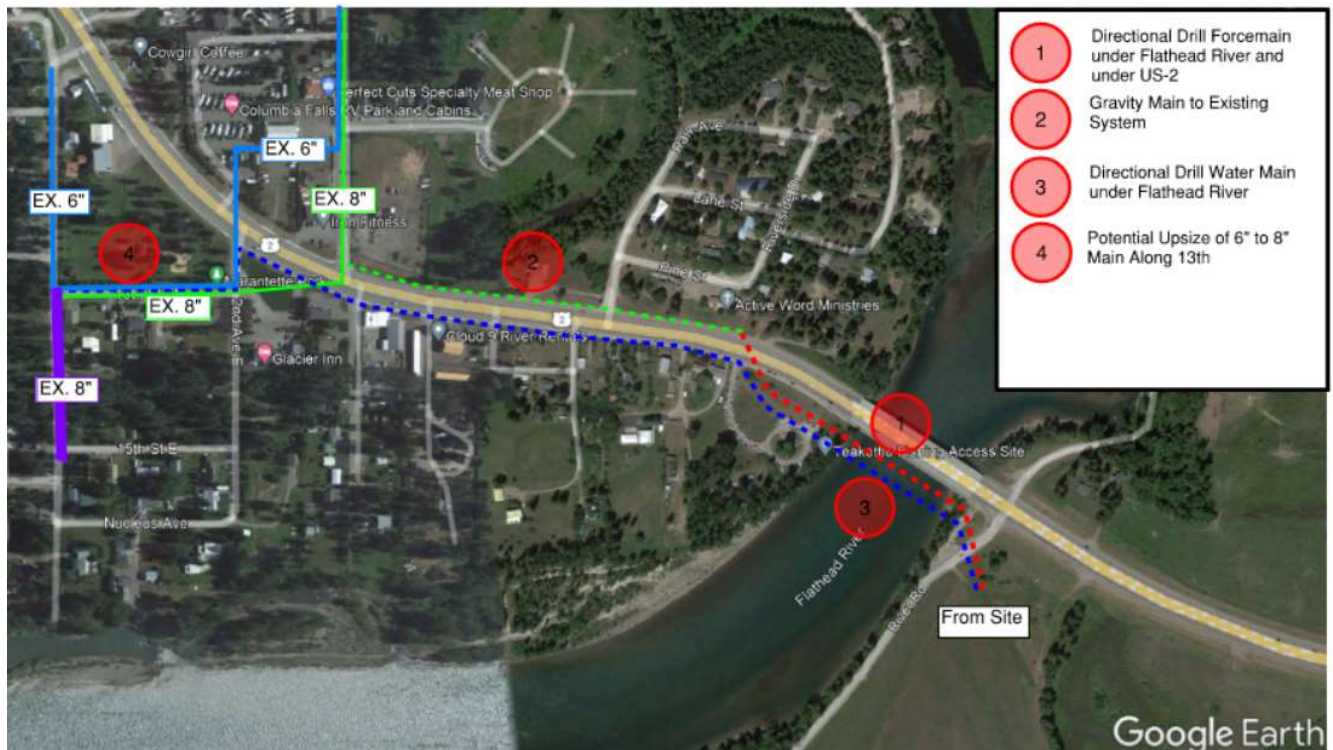


Figure 3: Connection to Existing City Utilities

SEWER

The nearest gravity sewer main is located at the intersection of US-2 and 3rd Avenue East. This is an 8 inch main and will require a lift station on the subject property to cross the river underground. This pressurized main will discharge into a gravity manhole at a point where gravity conveyance becomes feasible. The lift station will be sized to accommodate this development and if needed, additional growth in this area.

WATER

Similar to the sewer, it is proposed that water will be directionally drilled under the river and extended parallel to US Highway 2. The nearest connection point is slightly beyond 3rd Avenue East. Based on discussions with the City Public Works Director, the mains in this area are 6 inch diameter cast iron mains. In order to provide adequate pressures and supply at the property, a section of the 6 inch main may require upsizing/replacement to reach the closest 8 inch mains. Initial investigations indicate this will be sufficient based on elevation and supply. Pressure data has been requested from the City of Columbia Falls but has not currently been modeled.

STORM

Stormwater will be collected in the development streets and conveyed to one of several ponds proposed on the site. All ponds proposed are planned for detention with flow-controlled release with stormwater treatment structures installed upstream of the ponds to ensure water quality standards are met. Infiltration will be proposed if soils allow; cursory review indicates

the soils present on site will have workable infiltration rates (type A and B soils). The Flathead River will be the primary stormwater outfall area for detention basins, however; all developed areas generating additional stormwater runoff will be subject to water quality treatment prior to discharge. All outfalls will be appropriately stabilized to prevent erosion and permitting via Army Corp or Conservation district will be obtained as needed.

ACCESS

The site is accessed via River Road which directly accesses US Highway 2 which will be the primary location for ingress and egress from the development. As previously discussed, the intersection of River Road and US-highway 2 in its current configuration is somewhat dangerous due to limited sight distance at the bridge and heavy east-to-west traffic making left turns very difficult. To improve these issues, the developer intends to reroute River Road further east on Highway 2 and when warranted, install a traffic signal to allow for left turns.

Access to the development will be provided off of River Road or via a ring road that provides accesses to the different apartment parking lots throughout the development. The townhomes will be fronted on this ring road and accessed via 20 foot private alleys from the back. A TIS has been included in this application which analyzes the intersections being created throughout providing levels of service at full build out and proposed mitigations for impacts.

SCHOOLS

The project site is within School District #6 (Columbia Falls). When the development is completed there will be 455 dwelling units. Per US Census, approximately 21.7% of Flathead County population is under 18 years old (school age) and each household has an estimated population of 2.55 people. This translates to 252 school age children potentially at full build out (in approximately 5 years).

The following four schools are within this district:

- Glacier Gateway Elementary School - 1.6 miles from the project site.
- Ruder Elementary School - 2.3 miles from the project site.
- Columbia Falls Junior High School - 2.5 from the project site.
- Columbia Falls High School - 1.7 miles from the project site.

PARKS AND PEDESTRIAN ACCESS:

Internal to the development, sidewalks will be provided along the streets to promote pedestrian connectivity coupled with a path system that links park features and the clubhouse for the apartments. The path system will connect to the US-Highway 2 bridge, which has a pedestrian crossing and sidewalks that can bring pedestrians downtown (within 1 mile of the site). Additionally, the highway has a wide shoulder which can accommodate bike traffic for the short distance to town. External to the site, Marantette Park, Rivers Edge Park, and Fenholt Park are both approximately one mile from the subject property (across the river and to the north). Meadow Lake Golf Course and Resort is approximately 3.7 miles northwest of the property. Horine Park is approximately 3 miles west of the property.

OTHER UTILITIES AND SERVICES

There are presently communications, gas and power all available at the property. Power is provided by Flathead Electric and gas by Northwestern Energy. Communications available is unclear although there are pedestals and markers adjacent and within the property.

6. The relationship, beneficial or adverse, of the PUD project upon the neighborhood in which it is proposed to be established.

The relationship to the neighborhood will be a combination of beneficial and perceived adversity. Expansion beyond the City's largest physical barrier to growth is a huge undertaking as previously described and has been planned for over a decade and has never happened. This expansion will be viewed by some as an adverse effect on properties east of the river. The density proposed in the project may also be perceived as adverse. With any growth, it is most easily experienced day to day through traffic commutes and traffic generated by this development will be perceived as an adverse impact.

The following benefits help to address these adversities and provide benefits to the neighbors, and the community as a whole:

- a) **Utility Extensions** – The most valuable natural feature in this vicinity is the Flathead River. The extensions of these utilities means the river will not be affected by septic leachate and the directional drill method of installation will limit impacts to banks and habitat. Additionally, this means that future developments that occur on this side of the river have the option to access city services further lowering the impact to the river.
- b) **Density** – This project is concentrating a large amount of people in a location that previously did not have as many people. With access in mind, there is no more appropriate location for density than along a state highway. Density should also be viewed as “up” and not “out”. The layout has been thoughtfully created to perpetuate existing open space and views, limit impacts to the river, and creating housing which the City and the greater county drastically need.
- c) **Parkland/Public Access** – The park at the north of the property allows for continued use for parking or provide overflow parking to the Teakettle Boat Launch. Additionally, the developer has been speaking with local skateboard organizations about how a Columbia Falls Skate Park could be located on this property. This is at the outskirts of town, however; downtown Columbia Falls is under a mile from the site and there is sidewalk and pedestrian access the entire way from the property. Providing a public park along the river allows access for all residents vs. providing single family homes on private property.
- d) **Traffic** – While the development will add traffic, US-Highway 2 will be the primary ingress and egress from the property. As a part of the development, River Road is proposed to be rerouted to allow for improved site distance and based on WGM's traffic study (Part J of this application), a signal will need to be installed at this intersection. This will allow anyone using this intersection to benefit from a signalized left turn as they head toward Columbia Falls; a movement that is currently difficult to make during peak traffic periods.

- e) **Housing/Affordable Housing/Long Term Rentals** – While the definition of affordability is often intended to be nebulous, the Housing and Urban Development (HUD) defines this on which a household can be obtained for 30% or less of its income. According to the 2022 HUD Income Limits Summary, the Median Family Income in Flathead County is \$80,300, resulting in a Very Low Income Limit (VLIL) for a family of four at \$39,700. Meaning to qualify for affordable housing, a combined household income of less than \$40,000 would be required, which most households do not qualify (see Figure 4). The major issue for our workforce in the Flathead is the limited supply of housing exacerbated by migration resulting from the pandemic and rise of remote work. In this case, the developer is attempting to meet the housing needs of the community two-fold. The first of which is by providing long term rental units in a quantity and attainable price that can make an immediate impact to the workforce housing crisis (see phasing discussion above for anticipated supply provided). Additionally, the property for two townhome clusters (10 units) on the western side of the property will be donated to the Northwest Montana Community Land Trust for construction of for-sale affordable housing. Short term rentals are not planned or being requested as a part of this application.

FY 2022 Income Limits Summary										
Selecting any of the buttons labeled "Click for More Detail" will display detailed calculation steps for each of the various parameters.										
FY 2022 Income Limit Area	Median Family Income Click for More Detail	FY 2022 Income Limit Category	1	2	3	4	5	6	7	8
Flathead County, MT	\$80,300	Very Low (50%) Income Limits (\$) Click for More Detail	27,800	31,800	35,750	39,700	42,900	46,100	49,250	52,450
		Extremely Low Income Limits (\$)* Click for More Detail	16,700	19,050	23,030	27,750	32,470	37,190	41,910	46,630
		Low (80%) Income Limits (\$) Click for More Detail	44,450	50,800	57,150	63,500	68,600	73,700	78,750	83,850

Figure 4: HUD Income Limits Flathead County

7. Describe how the plan provides reasonable consideration to the character of the neighborhood and the peculiar suitability of the property for the proposed use.

The plan provides consideration to the character of the neighborhood by aligning with the intent of the Growth Policy and Future Land Use Map, by utilizing larger pieces of property suitable for development near the City Center and providing a mix of residential uses and densities. The Growth Policy designates this location as Urban Residential with up to eight dwelling units per acre (see Figure 2). While the proposal borders on the upper end of the

growth policy designation as urban residential (up to eight units per acre), the proposed PUD will be approximately 9.4 dwelling units per acre which is in substantial compliance with the proposed zoning and growth policy. Based on discussions with the City of Columbia Falls, this would not require a growth policy amendment.

Presently, the Growth Policy calls for areas near this property to be developed as urban residential with single family and limited quantity of multi-family. Being the first property to bring services to the east side of the river provides a catalyst for future responsible development on this side of the City. The substantial open space being provided as a part of the development integrates the projects into the character of the area and enhances the experience along the river. View corridors have been enhanced throughout the site from both River Road and surrounding properties to emphasize and celebrate the natural features and views.

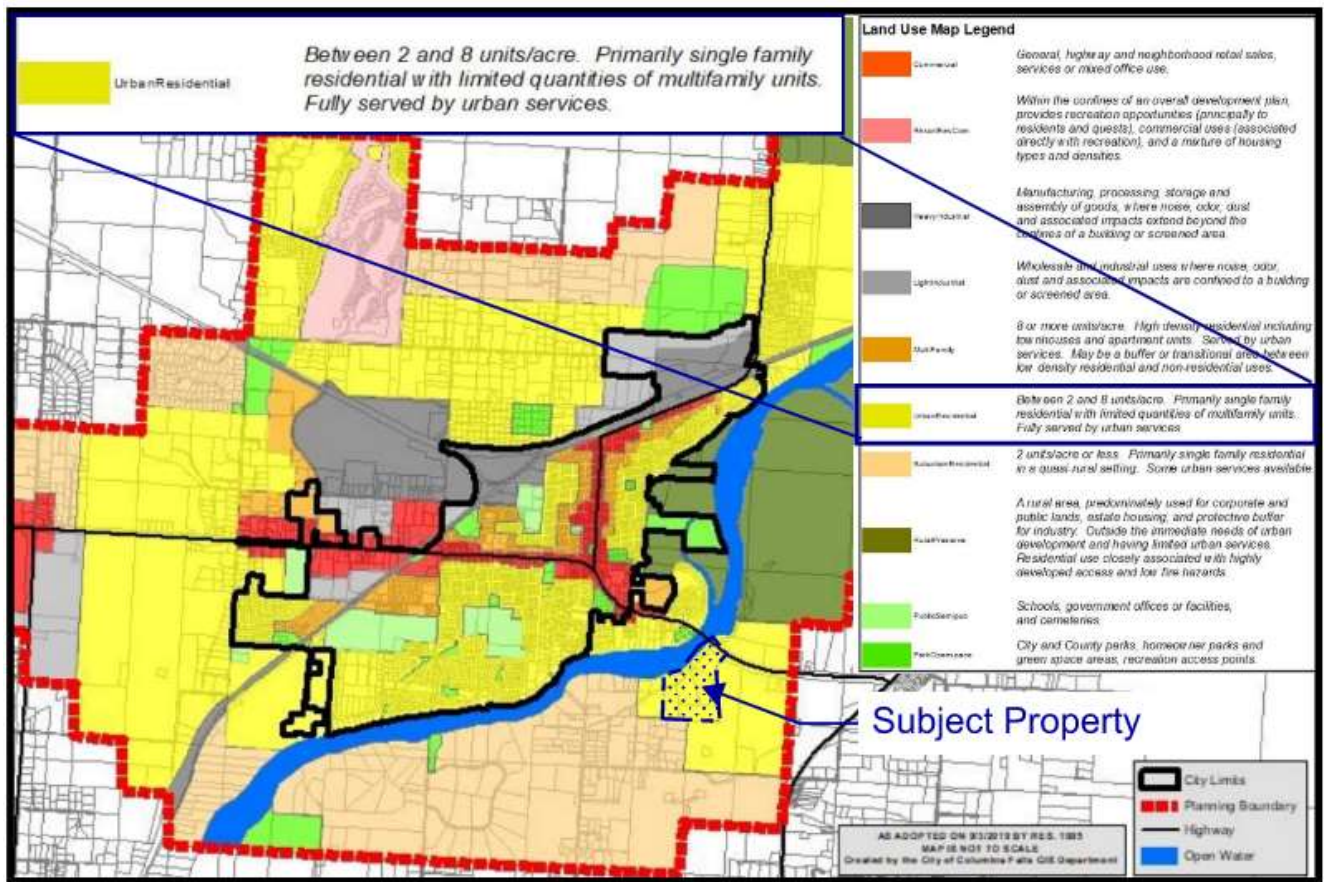


Figure 5: Growth Policy and Future Land Use Map

The Land Use – Residential Housing policy within the Growth Policy states: “Decent affordable housing in a desirable living environment is the aspiration of every community. Providing such housing within the growth policy area has become an important issue.” This issue has become exacerbated in Columbia Falls and the greater Flathead Valley and the need for housing is near all-time highs, in particular for long term rental properties. To address this, the following goals were established in the Growth Policy:

Goals:

1. An adequate supply and mix of housing options (in terms of cost, location, type and design) to meet the needs of present and future residents.
2. Residential development that does not excessively burden the local government and is adequately served by public facilities and services.
3. Solid, stable, well maintained neighborhoods which are safe from the intrusion of incompatible uses.

Allowing this type of design will allow “an adequate supply and mix of housing options” in a unique location for a development of this type. The installation of the supporting infrastructure will not burden the local government and allow for public facilities/services, and the nature of the planned unit development will create a unique and well-maintained neighborhood where increased density is offset by a generous amount of open space and recreational amenities. While the proposal borders on the upper end of the growth policy designation as urban residential (up to eight units per acre). The vicinity to the downtown area and highway makes this location suitable for dense residential housing in this location. The extension of City services has been planned for years and with the rising costs of infrastructure, there is no way to adequately service it without the density to offset the costs

The site is located in an area with good transportation connectivity and immediate access to City and Private utility services which makes it particularly suitable for a higher density residential area.

8. Where there are more intensive uses or incompatible uses planned within the project or on the project boundaries, how will the impacts of those uses be mitigated.

The River Highlands site is currently bordered by agricultural land with the exception of the Flathead River to the north which has residential developments along its banks on the opposite side. The south and eastern side of the property abuts CSAG-5 zoning, and the western edge of the property abuts CSAG-10 zoning. The current zoning map shows the following land use adjacencies:

- North: CR-3 One Family Residential
- South: CSAG-5 Suburban Agricultural
- East: CSAG-5 Suburban Agricultural, and CR-3/PUD One Family Residential PUD
- West: CSAG-10 Suburban Agricultural

The proposed land uses of the subject property of single- and multi-family residential are compatible with the 2019 Growth Policy and promotes much needed attainable housing. The multi-family residential area includes townhomes or rowhouses and three-story apartment

complexes with ample open space and recreational areas. The denser portion of the housing will be located in the middle of the property providing a sizeable buffer to the neighboring properties, while the lower townhome/rowhouses will be located around the perimeter to transition between the residential and rural character. A 30 foot minimum buffer between the townhomes and adjacent properties also provides screening opportunity and blends into the wooded character of the area. Along the northern portion of the property, a minimum 50 foot greenspace between River Road and the proposed buildings maintains the rural feel and character of the existing road and enhances habitat opportunities between the river and the community. The extensive trail and sidewalk system will encourage residents to increase physical activity, reduce vehicular use, promote community connections, and provide easy access to recreational amenities throughout the development.

9. How the development plan will further the goals, policies and objectives of the Columbia Falls Growth Policy.

The development plan will meet the 2019 Growth Policy goals which is to support a diverse population, enhance and increase manufacturing and local businesses, maintain Flathead River access and enhance recreational opportunities, accommodate and manage future growth for all income levels, and provide an attainable housing alternative to “encourage a healthy supply of new housing stock to serve Columbia Falls’ growing population and continue to provide housing affordable to the average working family.”

Additionally, the following policies are met through the River Highlands development:

Growth Management Policies:

- a) With limited available vacant developable land within the City for residential use, the industrial sites to the north, physical barriers such as the railroads, the western hillside, and Flathead River, and surrounding residential neighborhoods, the project location is suitable to increase density to provide a mix of housing needs that supports a more diverse and growing population. This allows for community vitality, helps to maintain quality of life, and encourages more dynamic neighborhoods.
- b) The development will represent the values of the community by promoting walkability, outdoor lifestyles, enhancement of scenic views, river access, and diversity.
- c) Water and sewer services will be extended across the river to provide updated infrastructure without impacting natural environments.
- d) Provides a source of housing that is attainable to the average wage earner and supplements the lack of existing housing stock currently available. The development will support the general welfare of the community and help support local businesses by providing housing that is affordable and accessible.
- e) The development utilizes the space appropriately and creatively to balance the need for housing with ample open space and buffer zones.

- f) The City's 2019 Growth Policy points out a probable need of 300 new housing units by 2025 and another 336 by 2030. The proposed development fills this need which has arguably grown since 2019.

Land Use- Multi-family Residential Policies:

- g) The development plan will provide an adequate supply of housing that meets current needs but also provides options for future housing for individuals and families of all social and economic levels by including apartments and townhomes.
- h) Multi-family residential areas have typical densities of eight to twenty dwellings per gross acre. This development will provide 9.2 dwellings per acre.
- i) Several activity areas, parks, trails, a skate park, and open spaces will be integrated throughout the development to provide the public a recreational destination and promote outdoor activities. The development will also maintain existing access and recreational opportunities along the river for the residents and the surrounding communities.
- j) The housing is designed for multi-generational experiences and will provide adequate considerations of functional design to accommodate seniors and disabled residents and residents of all ages. Looped walking & biking trails, sidewalks, and tot and youth playgrounds, and a community center will encourage walkability and an active lifestyle for all ages and abilities.
- k) Design standards will increase within the development by using street trees along the right of way, landscaping around the buildings, façade treatments and architectural interest to break up the massing, and extensive trail and sidewalk systems. Apartments were clustered within the center of the development to provide for a wider buffer zone between existing residences and properties to allow for more screening.

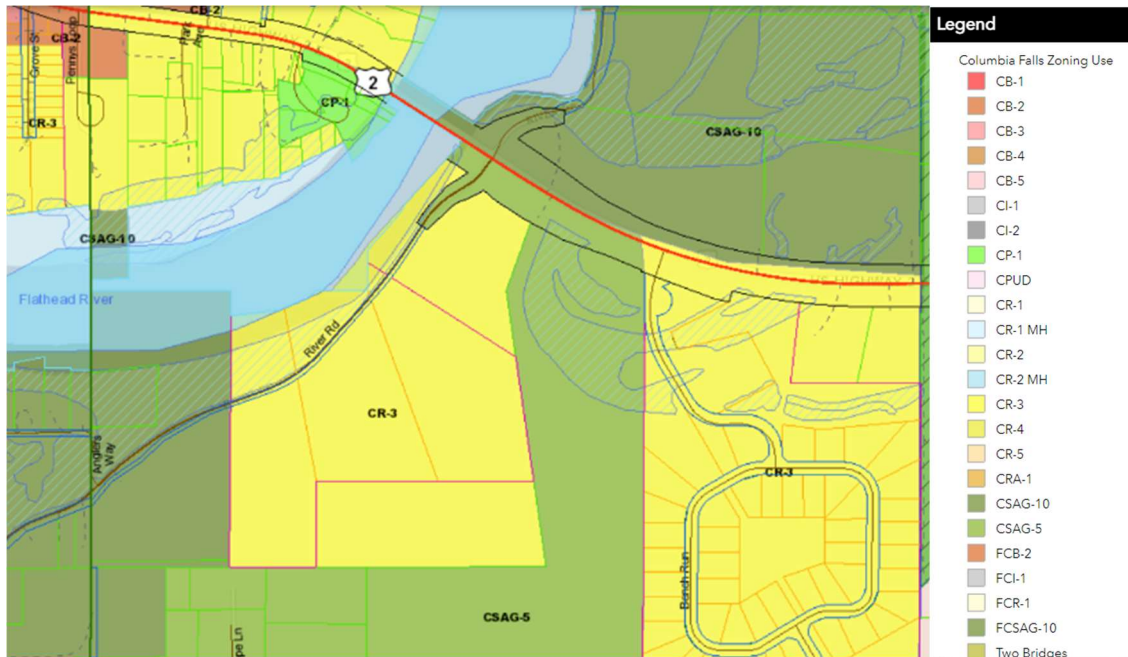


Figure 6: Future Land Use Map showing existing CR-2 zoning with CR-3 and CSAG-5 & 10 surrounding the property

Transportation:

- l) The implementation of this development will provide needed upgrades to the existing River Road street, including sidewalks which will provide safer pedestrian and bike access along the river edge. The development of sidewalks and trails throughout the project will encourage residents to walk vs. drive to recreational amenities, decreasing chances of car and pedestrian/bike incidents. An intersection placed 375 feet away from the eastern end of the US Highway 2 bridge will provide a much safer ingress/egress from River Road onto the highway and provide adequate site distance for drivers coming off of the bridge. A complete street approach will be implemented throughout the development to increase pedestrian/bike visibility at intersections and encourage walkability.

Parks and Recreation:

- m) The development will provide activity areas and site amenities such as open space, parks, a skate park, restrooms, and trails to facilitate pedestrian/bike accessibility throughout the development and highlight the outdoor quality of life we enjoy in Montana. The goal of the development is to provide amenities for all ages and abilities so a diverse range of residents and community members can enjoy and utilize outdoor spaces. Another goal is to provide safer connections and access to the river and to maintain a connection to the existing overflow area on the northeastern side of the property adjacent to the river.

Public Services and Facilities:

- n) The design of the development is to allow adequate infrastructure supported by the developer to help facilitate new infrastructure systems that support the development

and future connections. Updated infrastructure will also minimize or eliminate potential contamination and protect our environment. The design also aids safety and assists in visual and physical access to all areas and buildings by police and fire throughout the development which will increase emergency response time.

10. Include site plans, drawings and schematics with supporting narratives where needed that includes the following information:

a. Total acreage and present zoning classifications.

49.10 Acres currently zoned as CR-3-PUD.

b. Zoning classification of all adjoining properties;

North: Flathead River/CP-1/CR-3

West: SAG-10 (city)

East: SAG-5 (city)

South: SAG-5 (city)

c. Density in dwelling units per gross acre;

Gross Acreage: 49.10 Acres

455 Dwelling units

9.27 Dwelling units per acre

d. Location, size, height and number of stories for buildings and uses proposed for buildings;

The townhomes shown on the plan will be two to three stories tall with a maximum height of 45 feet for architectural creativity allowing for pitched roofs to better create a residential aesthetic. The multifamily conceptual building renderings are included with this application; these buildings are planned to vary from two to three stories with a maximum height of 40 feet. The height of the buildings is concentrated at the center of the structure to soften the impact of a taller building. Similarly, the multifamily structures have been concentrated toward the center of the site to scale to the surrounding properties with townhomes along the sites perimeter. No buildings are proposed within 40 feet of the property line.

e. Layout and dimensions of streets, parking areas, pedestrian walkways and surfacing;

The proposed PUD layout is included with this application. This layout utilizes a 34 foot wide roadway with five foot sidewalk on either side for the ring road that serves the development.

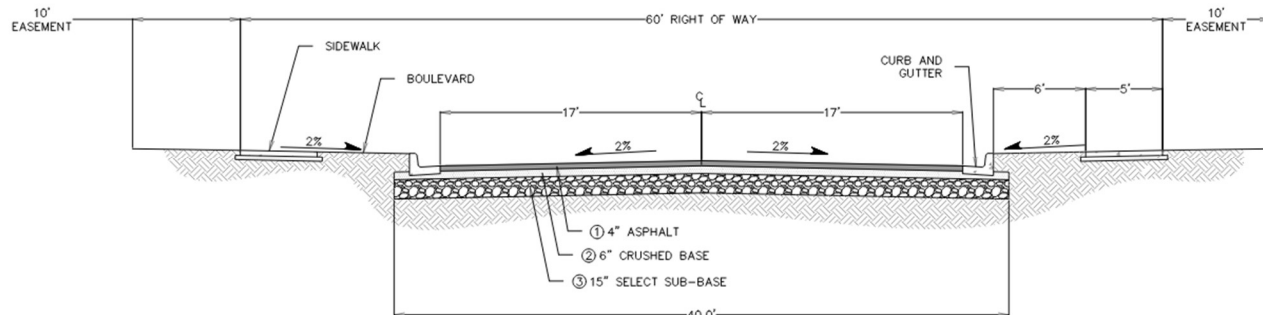


Figure 7: Typical Road Section w. 60 ft ROW

The alleys provided at the backs of the row houses and townhomes are shown with a minimum width of 20 feet and proposed as private to accommodate multiple vehicles passing each other both directions. Two parking stalls per unit will be provided at each townhome/rowhouse.

Parking for the multi-family shown will accommodate 1.5 stalls per unit. Additionally, several garage units will be proposed along some of the parking and alleys for garage space and storage.

Minimum of 10 feet wide multi-use paths are proposed throughout the development to link open space and recreational areas, the community center, and the neighborhood park along the river, and the Flathead River itself. The paths create a pleasant and convenient, walkable experience to encourage outdoor exercise and community connections with other residents. Portions of the multi-use path will accommodate a fire truck to support emergency access between the multi-family housing.

f. Vehicle, emergency and pedestrian access, traffic circulation and control;

Proposed circulation, access, and control is shown on the site and phasing plans. Each phase will have access via a minimum of two locations for vehicle and emergency access and all roads have been schematically designed to accommodate emergency vehicles:

Phase I – will be accessed via US Highway 2, River Road, and the ring road surrounding the development (two points on River Road).

Phase II – will be accessed from River Road and the ring road developed in Phase 1.

Phase III – will be accessed from access on River Road and the ring road developed in Phase 1.

Phase IV- will be accessed from River Road from two locations.

Phase P- will be accessed from River Road and direct access to US Highway 2 will be closed.

A 20 foot fire truck rated surface along the multi-use path between the buildings will accommodate the width and loads needed for emergency vehicles and provide sufficient access to all sides of the buildings. This path is shown on plans and will be marked for use during winter months with indicators.

g. Location, size, height, color and materials of signs;

Subdivision identification sign locations are shown on the plans. Colors and materials are yet to be defined. The site signage will meet the City's requirements as follows:

"One subdivision sign per entrance on streets with different names not exceeding twenty four (24) square feet per face nor exceeding six feet in height. The subdivision may have multiple signs at the entrance provided the total square footage does not exceed twenty four square feet. Fences or landscape features, such as rock or log features, do not count against the square footage when the signage on such structures."

h. Location and height of fencing and/or screening;

No fencing is proposed with the development, landscaping buffers and topsoil berming providing some relief and screening will be provided in locations depicted on plan.

i. Location and type of landscaping;

A conceptual landscaping plan has been included with the submittal. A formal landscaping plan will be assembled during design and submitted to the Columbia Falls Parks and Recreation department for review and approval.

j. Location and type of open space and common areas;

The parks, trails, and open space site plan shows the system that connects the open space network together. The open space network is intended to provide access to the site's amenities as well as the park area and Flathead River. These open space corridors have been designed to create view corridors for residents as well as perpetuate views of those traveling along River Road and nearby residential properties.

k. Proposed maintenance of common areas and open space;

The Homeowners Association (HOA) will maintain and manage the common areas and open space. Generally, the entirety of the property will be retained under a single ownership and HOA. If individual lots are sold in the future, individual homeowners will be responsible for yard and boulevard maintenance and will be incorporated with the HOA open space management / maintenance plan.

l. Property boundary locations and setback lines;

Property boundaries are shown on the site plan.

m. Special design standards, materials and / or colors;

Photos of the Silverbrook Apartments (similar buildings to what is proposed in this development) have been included with the application along with Conceptual renderings of the layout. The intent is to provide a variety of units while creating a somewhat unique and varied street frontage. Draft Covenants, Conditions and Restrictions (CCRs) have been included with this application with regulations that pertain to the architectural aesthetics for the property.

n. Proposed schedule of completions and phasing of the development, if applicable;

The phasing schedule is discussed in section 2 of this narrative and a phasing diagram has been included with the submittal.

o. Covenants, conditions and restrictions;

CCRs are in development and will be provided by the owner. A draft is available in the application, Part "H".

p. Any other information that may be deemed relevant and appropriate to allow for adequate review.

This is a PUD application for the property that was previously approved as a PUD in 2008 (also called River Highlands) and has since expired. This was approved under City of Columbia Falls Ordinance No. 705 and No. 706. Additionally, a rezoning request has been submitted with this application to modify the underlying zoning of the property from CR-3 to CR-4. The specifics of this are included within the accompanying zone map amendment application.

RIVER HIGHLANDS PUD

Overall Site Plan

Project Number: 201111

May 6, 2022

PUD LEGEND

TOTAL AREA: 49.10 ACRES

TOTAL APARTMENT UNITS: 390 DU

TOTAL TOWNHOME UNITS: 55 DU

TOTAL DONATED UNITS: 10 DU

TOTAL UNITS: 455 DU

TOTAL DENSITY: 9.27 DU/AC

TOTAL AREA IN LOTS: 31.28 AC*

TOTAL AREA IN ROW: 5.82 AC

TOTAL IMPERVOUS AREA: 16.65 AC
(BUILDINGS/ ROADS)

DEVELOPED OPEN SPACE AREA*: 11.16 AC

CONSERVATION AREA: 5.16 AC

TOTAL COMMUNITY PARK AREA: 5.18 AC

TOTAL OPEN SPACE AREA: 21.50 AC
(43.7% OPEN SPACE)

*APARTMENT LOTS ALL INCLUDE ASSOCIATED
OPEN SPACE



NORTH

0 50 100 150'

WWW.WGMGROUP.COM
431 1ST AVENUE WEST
KALISPELL, MT 59901
TEL: 406-756-4848



Phase P

Phase 4

2026-2027

Phase 3

2025-2026

Phase 2

2024-2025

Phase 1

2023-2024

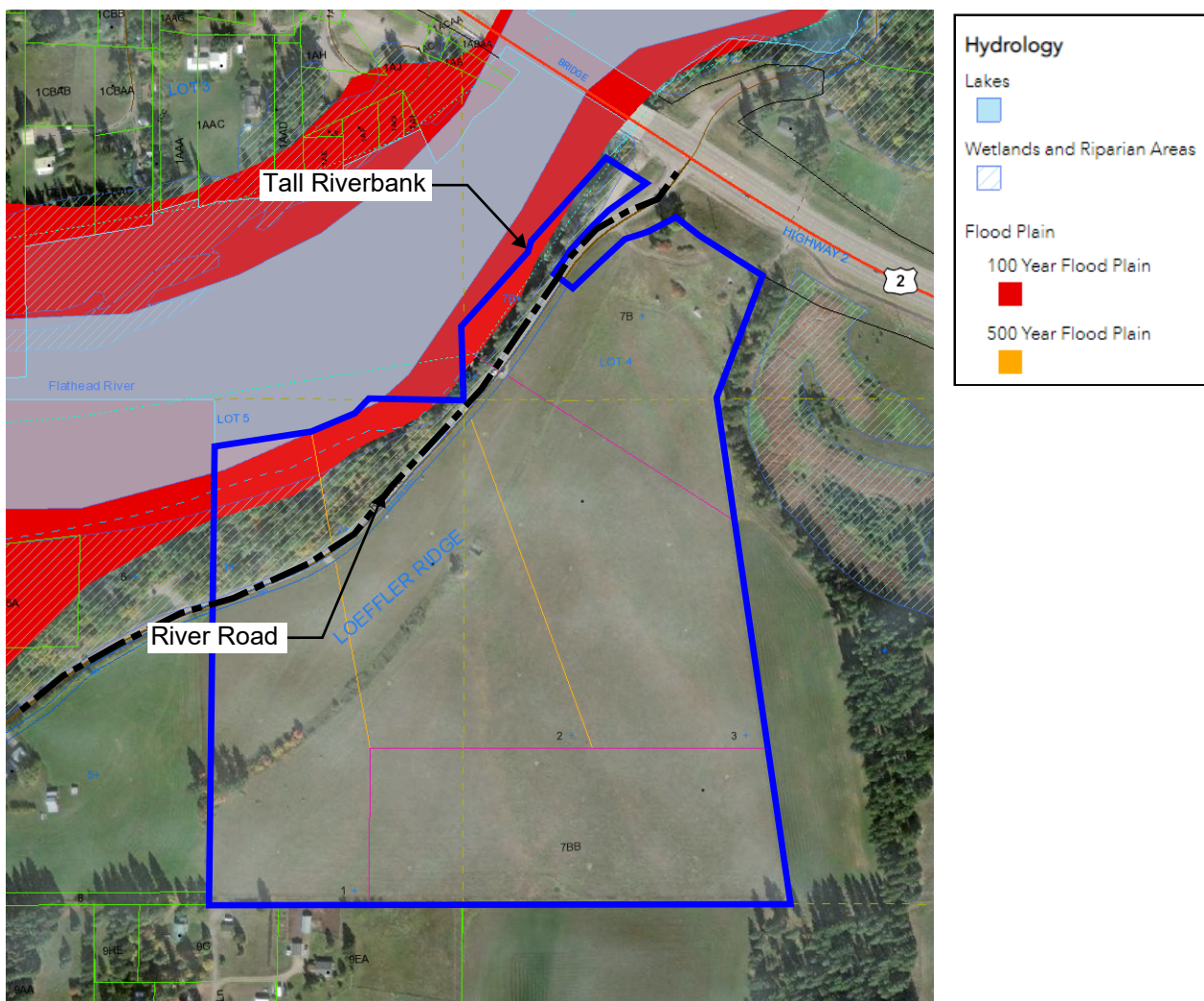
CONCEPTUAL LAYOUT - T

RIVER HIGHLANDS

COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: ----
LAYOUT: ----
SURVEYED: VALUE
DESIGN: ###
DRAFT: VALUE
APPROVE: VALUE
DATE:



LAND USE

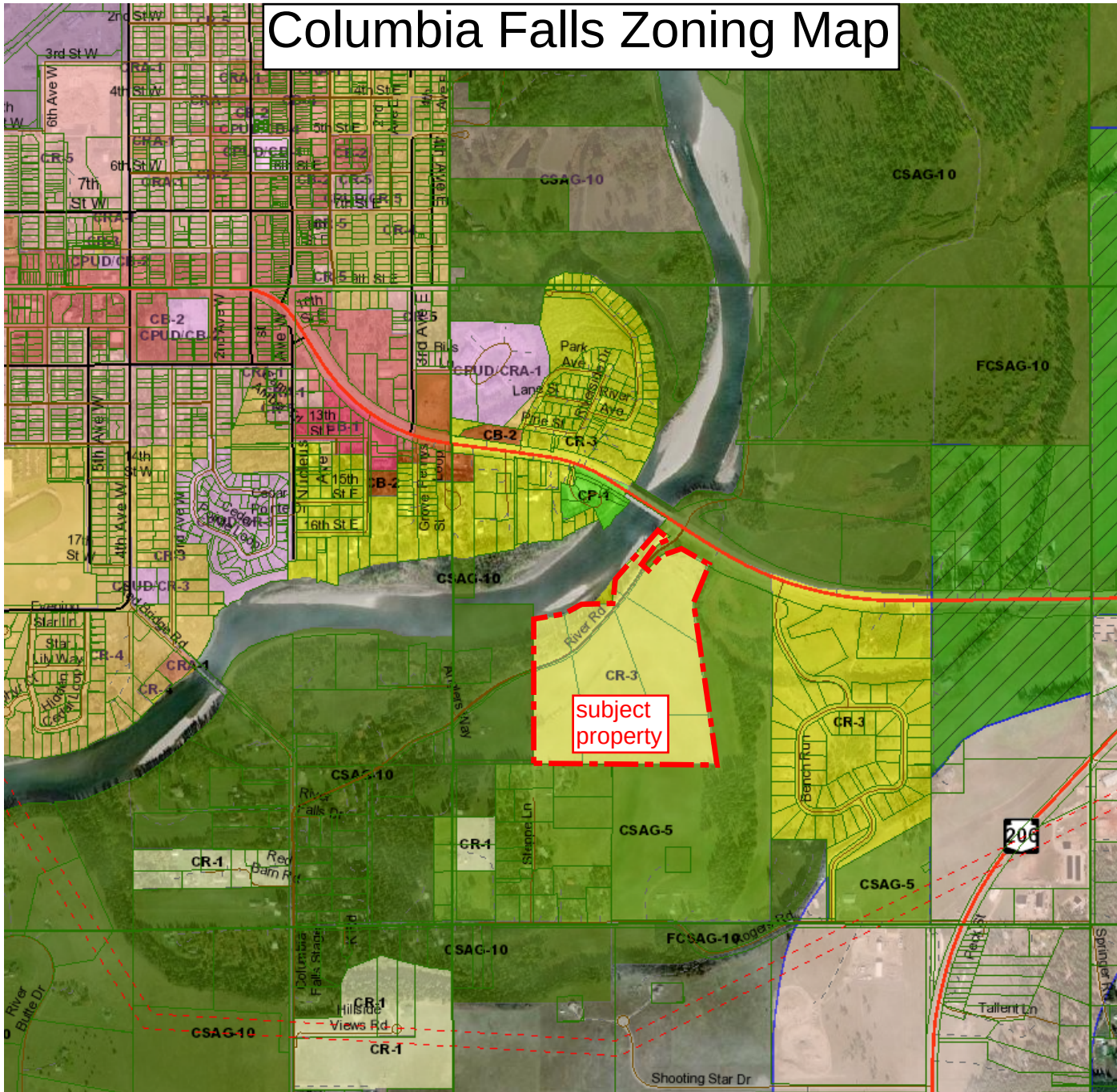
	Sq Ft	Acres		
Gross Property Area	2,138,895	49.10	Units	455
Conservation Area	246,818	5.67	Unit/Gr Ac	9.266373525
River Road 20' Easement	25,800	0.59		

APARTMENT LOTS

Phase 1/Lot 100	242,366	5.56	*Apartment Building Areas include 10 ft around perimeter and open space in lots is reduced by this amount.
Apartment Buildings*	32,580	0.75	
Buildings w/10' offset	51,224	1.18	
Parking and storage	69,591	1.60	
Open Space*	121,551	2.79	
Phase 2/Lot 101	278,330	6.39	
Apartment Buildings*	43,524		
Buildings w/10' offset	70,316	1.61	
Parking and Roads	99,720	2.29	
Open Space*	108,294	2.49	
Phase 3/Lot 102	229,067	5.26	
Apartment Buildings*	32,580	0.75	
Buildings w/10' offset	51,224	1.18	
Parking and Storage	66,951	1.54	
Open Space*	110,892	2.55	
Phase 4/Lot 103	159,945	3.67	
Apartment Buildings*	24,946	0.57	
Buildings w/10' offset	39,641	0.91	
Parking and Roads	37,991	0.87	
Open Space*	82,313	1.89	
Phase 5/Lot 104	179,349	4.12	
Apartment Buildings*	24,946	0.57	
Buildings W/10' offset	39,641	0.91	
Parking and Roads	39,222	0.90	
Open Space*	100,486	2.31	

OPEN SPACE LOTS		
SW Park Lot 200	80,434	1.85
Lot 200 (Garage and ROW)	19,866	0.46
Lot 200 (Open Space Area)	60,568	1.39
NW Lift station Lot 201	34,912	0.80
Lot 201 (Lift Station Portion)	5,560	0.13
Lot 201 (Open Space area)	29,352	0.67
NW Park 202	225,689	5.18
Lot 202 (Parking and ROW)	11,664	0.27
Lot 202 (Open Space Area)	214,025	4.91
Riverside lot 203	182,156	4.18
Total Open	486,101	11.16
TOWNHOME LOTS		
West Lots	102,886	2.36
South Lots	120,491	2.77
DONATION LOT		
Donation Lot 300	49,945	1.15
PUBLIC ROAD RIGHT OF WAY		
River Road	104,040	2.39
Community Road	149,280	3.43

Columbia Falls Zoning Map



Columbia Falls Zoning Use

- | | |
|---|-------------|
|  | CB-1 |
|  | CB-2 |
|  | CB-3 |
|  | CB-4 |
|  | CB-5 |
|  | CI-1 |
|  | CI-2 |
|  | CP-1 |
|  | CPUD |
|  | CR-1 |
|  | CR-1 MH |
|  | CR-2 |
|  | CR-2 MH |
|  | CR-3 |
|  | CR-4 |
|  | CR-5 |
|  | CRA-1 |
|  | CSAG-10 |
|  | CSAG-5 |
|  | FCB-2 |
|  | FCI-1 |
|  | FCR-1 |
|  | FCSAG-10 |
|  | Two Bridges |



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.3.

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

FEE ATTACHED _____ **FEES: SEE FEE SHEET**

SUBDIVISION NAME: River Highlands Apartments

OWNER(S) OF RECORD:

Name River Highlands LLC Phone _____

Mailing Address 3695 Lower Valley Road.

City Kalispell State MT Zip 59901

TECHNICAL/PROFESSIONAL PARTICIPANTS (Surveyor/Designer/Engineer, etc):

Name & Address WGM Group, 431 1st Ave. West, Kalispell, MT 59901

Name & Address 406-756-4848

Name & Address _____

LEGAL DESCRIPTION OF PROPERTY:

Property Address 264, 316, 378, 494 River Road, Columbia Falls, MT 59912

Assessor's Tract No(s) _____ Lot No(s) LOTS 1, 2, 3, OF LOFFLER SUBDIVISION & TRACTS 7B AND 7BB, FLATHEAD COUNTY, MONTANA

1/4 Sec SW Section 16 Township 30 N Range 20 W

GENERAL DESCRIPTION OF SUBDIVISION:

Number of Lots or Rental Spaces 21 Total Acreage in Subdivision 49.1

Total Acreage in Lots 30.1 Minimum Size of Lots or Spaces 0.34

Total Acreage in Streets or Roads 5.8 Maximum Size of Lots or Spaces 6.39

Total Acreage in Parks, Open Spaces and/or Common Areas 13.2

PROPOSED USE(S) AND NUMBER OF ASSOCIATED LOTS/SPACES:

Single Family N/A Townhouse 65 units Mobile Home Park N/A

Duplex N/A Apartment 390 units Recreational Vehicle Park N/A

Commercial 1 unit Industrial N/A Planned Unit Development YES

Condominium N/A Multi-Family N/A Other _____

APPLICABLE ZONING DESIGNATION & DISTRICT CR-3 (Zoning amendment and PUD submitted concurrently for CR-4/PUD)

ESTIMATE OF MARKET VALUE BEFORE IMPROVEMENTS \$4,000,000

IMPROVEMENTS TO BE PROVIDED:

Roads: Gravel _____ Paved ☒ Curb ☒ Gutter ☒ Sidewalks ☒ Alleys ☒ Other _____
Water System: Individual _____ Multiple User _____ Neighborhood _____ Public ☒ Other _____
Sewer System: Individual _____ Multiple User _____ Neighborhood _____ Public ☒ Other _____
Other Utilities: Cable TV ☒ Telephone ☒ Electric ☒ Gas _____ Other _____
Solid Waste: Home Pick Up _____ Central Storage _____ Contract Hauler ☒ Owner Haul _____
Mail Delivery: Central ☒ Individual _____ School District: _____
Fire Protection: Hydrants ☒ Tanker Recharge _____ Fire District: _____
Drainage System: Detention and retention ponds proposed with water quality via landscaping and vortex treatment.
See preliminary engineering plans.

PROPOSED EROSION/SEDIMENTATION CONTROL: See preliminary engineering plans.

ESTIMATE OF IMPACTS:

Provide an estimate of the type and amount of impact the subdivision will have on the following categories of the natural and operating environment:

A. Impacts on agriculture

Agriculture is defined as all aspects of farming or ranching including the cultivation or tilling of soil; dairying; the production, cultivation, growing, harvesting of agricultural or horticultural commodities; raising of livestock, bees, fur-bearing animals or poultry; and any practices including, forestry or lumbering operations, including preparation for market or delivery to storage, to market, or to carriers for transportation to market.

Development is located on property that has historically used for farming evidenced by piles of field stones. Though farming has occurred on property, it has not been farmed since the early 2000's (prior to the original River Highlands PUD) based on google earth imagery.

B. Impact on agricultural water user facilities

Agricultural water user facilities are defined as those facilities which provide water for irrigation or stock watering to agricultural lands for the production of agricultural products. These facilities include, but are not limited to, ditches, head gates, pipes, and other water conveying facilities.

The development will be connected to the city of Columbia Falls water system and will have limited to no impact on agricultural water uses.

C. Impact on local services

Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens.

The development will have limited impacts offset by impact fees, property taxes, and added population in the vicinity of the Columbia Falls (subject to resort tax). Preliminary discussions with Columbia Falls Public works have taken place and capacity was indicated. A "will serve" letter has been requested.

D. Impact on natural environment

The natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, noise, light and objects of historic and aesthetic significance.

The development will have minimal impact. Development is being kept away from the Flathead River to the greatest extents possible and all bank areas are being left as is with a large portion of the property kept for conservation. Any runoff discharged from the site will be limited to pre-developed flows and subject to water quality treatment prior to leaving the site. Infiltration will be the primary method of stormwater management and will be subject to water quality treatment. The development will be kept on the historic agricultural area. By connecting sewer to the City of Columbia Falls system the impacts to the river as a result of septic leachate will be non-existent as a result of this development. Lighting will be subject to City of Columbia Falls requirements and will be directed downward to help limit lighting impacts to the surrounding areas. a full environmental assessment has been included with this application.

E. Impacts on wildlife and habitat

Wildlife is defined as those animals that are not domesticated or tamed; and wildlife habitat is defined as the place or area where wildlife naturally lives or travels through.

The development will have minimal impact. Development is being kept away from the Flathead River to the greatest extents possible and all bank areas are being left as is. Areas of the site that were previously used for agriculture are being developed. A river riparian conservation area is being preserved along the bank of the river.

F. Impacts on public health and safety

Public health and safety is defined as the prevailing healthful, sanitary condition of well-being for the community at large. Conditions that relate to public health and safety include but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes, and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards.

The development will have minimal impact. The development will be designed to meet the required standards for Fire Protection, Water Quality Standards, Sanitary Sewer conveyance, and storm water control. The final design will be approved by the emergency service coordinators, and Columbia Falls public works.

VARIANCES: ARE ANY VARIANCES REQUESTED? ^{Yes} (yes/no) If yes, please complete the information below:

SECTION OF REGULATIONS CREATING HARDSHIP: ^{See exceptions requested on PUD application}

EXPLAIN THE HARDSHIP THAT WOULD BE CREATED WITH STRICT COMPLIANCE WITH SUBDIVISION REGULATIONS

see PUD Application and Narrative for all items below.

PROPOSED ALTERNATIVE(S) TO STRICT COMPLIANCES WITH SUBDIVISION REGULATIONS: _____

**PLEASE ANSWER THE FOLLOWING QUESTIONS IN THE SPACES PROVIDED
BELOW:**

1. Will the granting of the variance be detrimental to the public health, safety or general welfare or injurious to other adjoining properties?

2. Will the variance cause a substantial increase in public costs?

The variance will not change the cost to the public.

3. Will the variance affect, in any manner, the provisions of any adopted zoning regulations, Master Plan or Growth Policy?

4. Are there special circumstances related to the physical characteristics of the site (topography, shape, etc.) that create the hardship?

5. What other conditions are unique to this property that creates the need for a variance?

APPLICATION CONTENTS:

The subdivider shall submit a complete application addressing items below to the Columbia Falls Planning Department at least thirty five (35) days **prior** to the date of the Planning Board meeting at which it will be heard.

1. Preliminary plat application;
2. All information required in **Appendix A** and **B** of the Columbia Falls Title 17 Subdivision Regulations;
3. Two copies of the preliminary plat not less than 24 in. x 36 in.;
4. One reduced copy of the preliminary plat, each sheet not to exceed 11 in. by 17 in., nor less than 8½ in. by 11 in., in a size appropriate to the detail and scope of the development, and printed on a medium suitable for photocopier use;
5. One reproducible set of supplemental information (See Appendix A of this title);
6. Application fee as established by the City;
7. Adjoining Property Owners List (see example below and attached notice from County Plat Room):

<u>Assessor#</u>	<u>Sec-Twn-Rng</u>	<u>Lot/Tract No</u>	<u>Property Owner & Mailing Address</u>
_____	_____	_____	_____

I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be untrue, I understand that any approval based thereon may be rescinded, and other appropriate action taken. The signing of this application signifies approval for the Columbia Falls Planning staff to be present on the property for routine monitoring and inspection during the approval and development process.

(Applicant)

(Date)

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<u>Assessor#</u>	<u>Sec-Twn-Rng</u>	<u>Lot/Tract No</u>	<u>Property Owner & Mailing Address</u>
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(Applicant)

5/9/2022
(Date)

Eric Mulcahy

From: David Prunty <dprunty@flathead.mt.gov>
Sent: Tuesday, May 31, 2022 10:24 AM
To: 'Eric Mulcahy'
Subject: RE: River Highlands PUD and Subdivision

Hi Eric:

Thanks for talking with me and allowing comment. After reviewing the provided docs I don't have too many comments on the proposed PUD. I do believe the traffic signal at River Road and Hwy 2 is warranted but MDT is who would have the final say on that analysis. I also understand the River Road and the property will be annexed into the City of C Falls so the County Road Dept jurisdiction ceases when that occurs. We can have discussions for winter maintenance with Chris and his folks on River Road and possibly find a trade road if that makes sense for both entities.

Thanks again for letting me know about this project.

David Prunty
 Public Works Director
 Flathead County
 Road and Bridge 406-758-5790
 Solid Waste 406-758-5912

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Tuesday, May 24, 2022 11:04 AM
To: David Prunty <dprunty@flathead.mt.gov>; 'Burton, Stevie' <Stevie.Burton@mt.gov>; Franke, Rebecca <rfranke@mt.gov>
Cc: Susan Nicosia <nicosias@cityofcolumbiafalls.com>; sobczakc@cityofcolumbiafalls.com
Subject: River Highlands PUD and Subdivision

Good Morning,

I am emailing you as the Columbia City Planner (Contract Planner) requesting agency comment on the attached PUD and Subdivision. The Applicants are requesting a PUD and Subdivision that would allow them to create 455 dwelling units in apartments and townhomes on 49 acres of property. They will be extending City water and sewer utilities across the river to service this neighborhood. The City of Columbia Falls has designated this property as Urban Residential anticipating this growth form more than 15 years. Part of the project will be to relocate River Road and the Traffic Impact Study indicates that a traffic signal may be warranted. The River frontage will be left in native vegetation and park area. This project will be going to the July Planning Board meeting. If you have comment, please provide it to me within two weeks so that I can incorporate it into the staff reports and findings. Please call if you have questions.

Eric H. Mulcahy, AICP
 Sands Surveying, Inc
 (406) 755-6481
eric@sandssurveying.com

2 Village Loop
 Kalispell, MT 59901



Region One
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501
Ref: 07-06-03
May 31, 2022

Columbia Falls City Hall
Attn: Barb Staaland, City Clerk
130 6th Street West
Room A
Columbia Falls, MT 59912

RE: Planned Unit Development, River Highlands

Dear Ms. Nicosia,

Thank you for the opportunity to comment on the proposed Planned Unit Development called The River Highlands. This proposed subdivision would create 455 units inclusive of 65 attached single-family townhomes/rowhouses and several multifamily apartment buildings housing 390 units on 49.10 acres located in Section 16, Township 30 N, Range 20 W, Flathead County. This area is heavily used by wildlife and provides habitat for numerous wildlife species, including white tailed deer, elk, black bears, grizzly bears, and migratory birds. It is characterized by grasslands, mature riparian woodlands, and directly abuts the Flathead River. Development of a high-density subdivision on this property will have significant impacts to wildlife on this parcel and in the surrounding area. Continued high density development throughout this area will have cumulative impacts to wildlife species in the Flathead Valley.

Deer and Elk Habitat

This area provides wintering habitat for both deer and elk, which require contiguous, unfragmented winter ranges. Development of this area will fragment habitat with roads and building construction, and associated human and domestic pet activity will further impact the area. By way of example, on a whitetail winter range near Kalispell, FWP researchers Carolyn Sime and Eric Schmidt (1999) documented dogs from nearby houses at large. They noted:

“Dogs were photographed up to 2.5 km [1 mi] from the nearest home site. Some dogs were explicitly photographed chasing deer. Individual dogs were photographed in multiple years and on multiple occasions within a single year. One in particular was photographed on 6 different occasions at 5 different sites in 15 days. Two of those sites were 3 km [1.2 mi] apart. The majority of dogs wore collars (88.5%) and were photographed during daylight (65.9%).”

Bill Vogel studied the effects of housing development on deer in Montana's Gallatin Valley and found that:

"An increase in density of housing and associated increase in human activity in the Gallatin Valley were related to several responses in distribution and behavior of deer. The most important response was decreased use of the developed area by deer..."

He also showed a near linear relationship of deer avoiding developed areas, with the effect diminishing with distance. Within 600 meters (about 1/3 mile) of development there were only about 1/4 the number of deer that were observed at random control points, and there continued to be detectable deer avoidance out to 1.5 miles, the furthest distance he examined.

The proposed project area is heavily used by a resident elk herd. This parcel is part of a continuous movement corridor for elk, which cross highway 2 to the north to access larger tracts of available habitat. This lot is a critical connection for elk moving south to the river corridor through the remaining bands of open space and forest. The loss of this habitat will alter movement patterns and eliminate this habitat for elk security and foraging. Cumulatively, high density development on this parcel and surrounding parcels could eventually displace elk completely from this area.

Black and Grizzly Bears

In addition to ungulates, the area is used by black and grizzly bears. FWP grizzly bear conflict biologists have responded to numerous black and grizzly bear conflicts both north and south of highway 2 in this area. Both bear species travel through these larger undeveloped parcels to access the river corridor to the north and south. Development of this area would displace bears from natural habitat, and result in increased human-bear conflicts.

Subdivisions in grizzly and black bear habitat create bear attractants in the form of garbage, pet foods, bird feeders, fruit bearing trees, and numerous other food sources. FWP is regularly called upon to address public safety issues arising from these attractants, and too often must lethally remove food-habituated bears, even while the NCDE grizzly bear population remains on the federal Threatened and Endangered Species list.

Riparian Corridor

The northwestern flank of the project borders the Flathead River and a mature riparian corridor that provides habitat for songbirds, migratory birds and raptors, wildlife cover, and an important corridor for wildlife movement. While the corridor is designated a Conservation Area in the preliminary plat, high density development within the adjacent uplands will reduce the area's functionality, including its use as a movement corridor. Disturbance caused by increased human activity and that of unleashed pets, including cats, will reduce the areas use by wildlife, including utilization and success of ground and shrub-nesting birds.

For developments adjacent to rivers, FWP's design standards recommend a minimum of 250 feet of vegetated buffer plus 50 additional feet of building setback from the ordinary high-water mark. This is 100 feet greater than the building setback currently proposed in the preliminary plat.

Wildlife Attractants/Wildlife Conflicts/Living with Wildlife

Human development increases artificial attractants that often bring mountain lions, bears, deer, and other wildlife into conflict with people. Garbage, pet foods, livestock feed, chickens, bird feeders, barbecue grills, and anything that looks or smells like food to a bear is an attractant that often leads to the death of the bear and increases concern over public safety. We recommend that all garbage be collected in electrically fenced, bear-proof, centralized waste disposal areas. There are additional suggestions for ways to minimize wildlife/ human conflicts, including conflicts with bears in FWP's Fish and Wildlife Recommendations for Subdivision Development in Montana at:

<http://fwp.mt.gov/fishAndWildlife/livingWithWildlife/buildingWithWildlife/subdivisionRecommendations/>.

The following conditions are recommended to minimize problems that future homeowners could have with wildlife, as well as help those individuals protect themselves, their property, and the wildlife. If this development occurs, we recommend that all future property owners in this subdivision be made aware of the potential for wildlife conflicts and be given a copy of the following information. Future homeowners need to be aware that FWP cannot respond to all wildlife problems, and it is the homeowner's responsibility to avoid such problems. The following recommendations will help.

- a) Homeowners must be aware of the potential for vegetation damage by wildlife, particularly from deer feeding on lawns, gardens, flowers, ornamental shrubs, and trees in this subdivision. Homeowners need to take the responsibility to plant nonpalatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Landscape plantings of certain species of native vegetation are less likely to suffer extensive feeding damage by deer. We recommend the excellent booklet, *Minimizing Deer Damage to Residential Plantings*, put out by the Montana State University Animal & Range Sciences Extension Service and available online at: http://www.animalrangeextension.montana.edu/articles/wildlife/deer_damage.htm.
- b) Fruit-producing trees and shrubs should not be allowed because they attract bears. If present, they must be fenced with electric fencing to deter bears. Keep produce and any fruit picked and off the ground. Ripe or rotting fruit or vegetable material attracts bears, deer, skunks, and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Electric fencing for deer should be at a minimum of 8 feet, as well.
- c) Garbage must be stored either in secure, bear-resistant containers or indoors, preferably both, to avoid attracting wildlife such as bears and raccoons. If stored indoors, garbage cans may not be set out until the morning of garbage pickup and must be brought in no later than that same evening. If home sites are occupied seasonally or if the occupants are to be away from the household for 7 days or more, garbage from the home, other buildings, or containers must be removed from the property prior to their departure.
- d) Do not feed wildlife or offer supplements such as salt or mineral blocks, attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that can lead to overuse of vegetation, disease transmission, and other adverse effects to wildlife (such as foundering of deer). Such actions unnecessarily accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract ungulates, bears, or mountain lions with supplemental food attractants (any food, garbage, salt

block, hay, grain, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in “an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety.” Also, homeowners must be aware that deer can attract mountain lions to the area.

- e) Birdseed is an attractant to bears, deer, and turkeys. Use of bird feeders is not recommended from April 1 through November 30. If used, bird feeders must be suspended a minimum of 10 feet above ground level (measured from bottom of catch plate), be at least 4 feet from any support poles or points, and be designed with a catch plate located below the feeder and fixed such that it collects the seed knocked off the feeder by feeding birds. Hummingbird feeders follow the same criteria.
- f) Pets at large, particularly dogs and cats, are a real threat to wildlife. Pets must be confined to the house, a fenced yard, or an outdoor kennel when not under the immediate control of the owner, and not allowed to roam. Under state law it is illegal for dogs to chase hoofed game animals (MCA 87-3-124). Keeping pets confined also helps protect them from predatory wildlife. We recommend the FWP brochure Living with Dogs & Cats.
- g) Pet food should be stored indoors, in closed sheds, or in bear-resistant containers in order to avoid attracting wildlife such as bears, mountain lions, skunks, and other wildlife. When feeding pets, do not leave food out overnight.
- h) Barbecue grills should be stored indoors, and permanent outdoor barbecue grills should not be allowed. Keep all portions of the barbecues routinely clean. Food spills and smells on and near the grill attract bears and other wildlife.
- i) Fencing of lot boundaries is discouraged. If used, rail or smooth wire fences that are no higher than 40” at the top rail/wire and no lower than 18” at the bottom rail/wire are necessary to facilitate wildlife movement and help avoid animals injuring themselves when trying to jump the fence. Please refer to the helpful booklet on wildlife-friendly fences available from FWP and online at: <http://fwp.mt.gov/fishAndWildlife/landowners/>.
- j) Compost piles and beehives can attract bears and should be fenced with electric fencing to prevent access to them, or be disallowed.

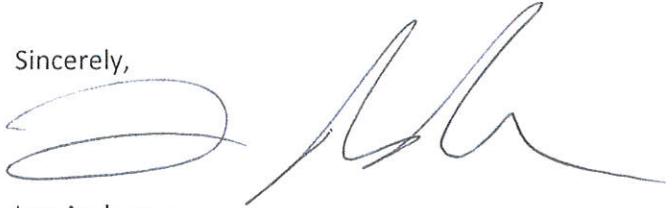
Recreation

- The proposed development would likely increase use of three FWP sites in the area: Teakettle Fishing Access Site, Kokanee Bend Fishing Access Site and Bad Rock Canyon Wildlife Management Area.
- The proposed parking area, and open space along the Flathead River would help mitigate some of those impacts to FWP sites, especially Teakettle Fishing Access Site.
- The developer should consider how management and maintenance of that parking area and open space will be funded and executed to ensure long term viability, and prevent resource damage and illegal activity.
- The developer should work with FWP, the City of Columbia Falls, Flathead County, Montana Department of Transportation, Gateway to Glacier Trails Association and other interested parties to provide trail connectivity to FWP sites, City Parks, and other trail systems.

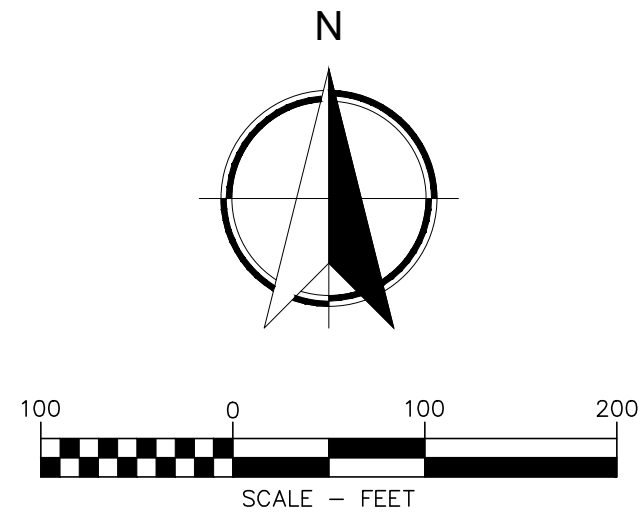
- Figure 3 of the PUD Narrative shows a utility running through Teakettle Fishing Access Site and the developer would need to secure an easement from FWP for development.

Thank you for the opportunity to provide comments regarding this subdivision. If you have any questions, please feel free to contact area wildlife biologist Franz Ingelfinger at (406) 751-4580, FIngelfinger@mt.gov, or Recreation Manager Tony Powell at (406) 751-5423, TPowell@mt.gov.

Sincerely,

A handwritten signature in blue ink, appearing to be 'Lee Anderson', written over a horizontal line.

Lee Anderson
Region 1 Supervisor



LOTS		
LOT NAME	LOT AREA (SQ.FT)	PARCEL AREA (ACRES)
APARTMENT: 100	242366.38	5.56
APARTMENT: 101	278329.86	6.39
APARTMENT: 102	229067.36	5.26
APARTMENT: 103	159944.69	3.67
APARTMENT: 104	179349.05	4.12
OPENSACE: 200	80434.09	1.85
OPENSACE: 201	34471.84	0.79
OPENSACE: 202	225689.35	5.18
OPENSACE: 203	182156.28	4.18
RESERVED - DONATION: 300	48758.17	1.12
TOWNHOUSE: 105	23950.54	0.55
TOWNHOUSE: 106	16129.81	0.37
TOWNHOUSE: 107	19244.37	0.44
TOWNHOUSE: 108	20529.01	0.47
TOWNHOUSE: 109	23032.44	0.53
TOWNHOUSE: 110	22673.16	0.52
TOWNHOUSE: 111	21044.75	0.48
TOWNHOUSE: 112	19255.56	0.44
TOWNHOUSE: 113	21679.44	0.50
TOWNHOUSE: 114	21057.75	0.48
TOWNHOUSE: 115	14779.95	0.34

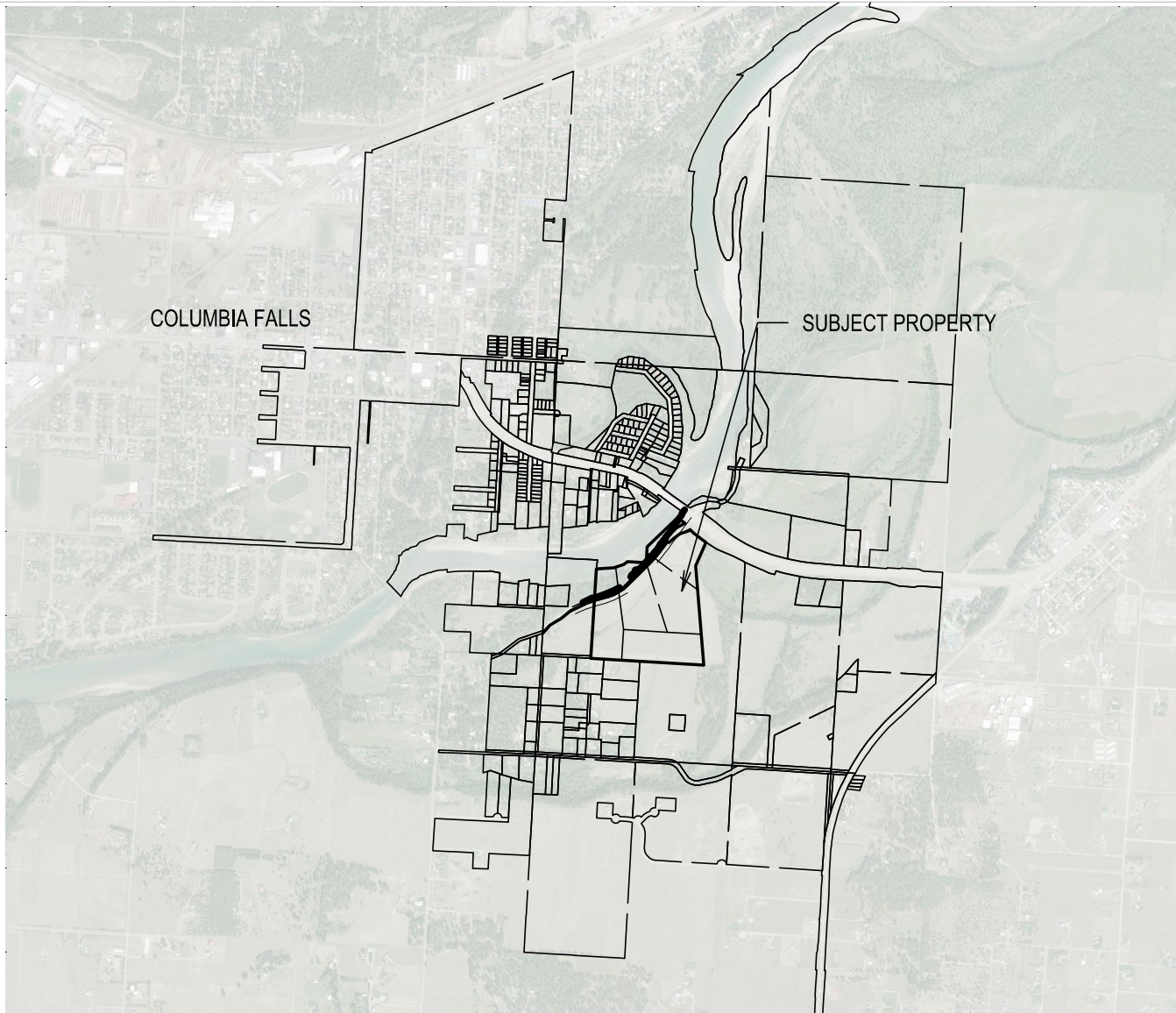
PRELIMINARY PLAT SHEET

RIVER HIGHLANDS APARTMENTS

COLUMBIA FALLS, MONTANA



CONCEPTUAL



VICINITY MAP
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

1 OF 1



WGM GROUP
WWW.WGMGROUP.COM

PRELIMINARY

PLOTTED: 6/9/22
SAVED: 6/9/22

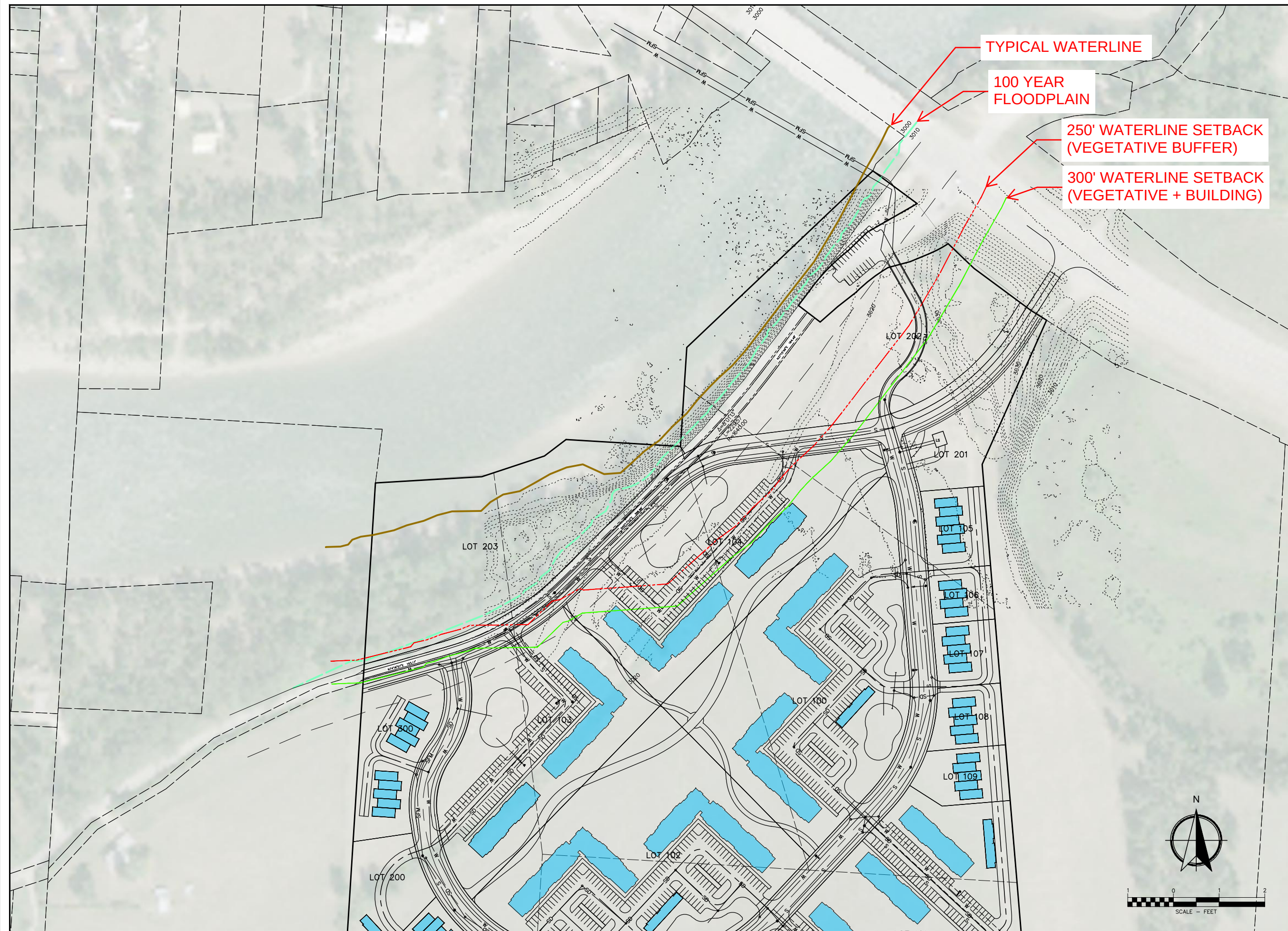
**FWP BUFFER SETBACKS
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA**

REVISIONS:
NO. DESCRIPTION DATE

PROJECT: 20-11-11
LAYOUT: Layout Name
SURVEYED: KM
DESIGN: JCN
DRAFT: JCN
APPROVE: MJB
DATE:

JUNE 2022

SHEET
1 OF 1





WGMGROUPTM



**Environmental Assessment
Former River Highlands
WGM Project Number: 201111.1
Client: ARIM Columbia Falls
5.1.2022**

REPORT DATE:

05.1.2022

AUTHOR:

Mike Brodie, P.E.

Senior Project Engineer

WGM Group, Inc.



GEOLOGY

- A. Locate on a copy of the preliminary plat any known hazards affecting the development which could result in property damage or personal injury due to:
1. Falls, slides or slumps - soil, rock, mud, snow.
 2. Any rock outcropping.
- B. Describe any proposed measures to prevent or reduce the danger of property damage or personal injury from any of these hazards.

Not applicable. The majority of the site is flat pasture without any major apparent rock areas. Soil on the site consists of chamokane and banks soils, as well as mires loam and mires gravelly loam. A copy of the Soils map has been included in Appendix A.

Source: WGM Site Visit/Inspection

Source: Natural Resources & Conservation Services Soils Maps

SURFACE WATER

Locate on a copy of the preliminary plat:

- A. Any natural water systems such as streams, rivers, intermittent streams, lakes or marshes (also indicate the names and sizes of each).
- B. Any artificial water systems such as canals, ditches, aqueducts, reservoirs and irrigation systems (also indicate the names, sizes and present uses of each).
- C. Any areas subject to flood hazard, or if available, 100-year floodplain maps (using best available information).

The northerly portion of the project area are adjacent to the Flathead River and is therefore in FEMA's regulatory floodway. The riverbank is steep and up to 20 feet above the surface of the water in locations. Flooding of the property is very unlikely, however; the primary area being developed is being kept away from River Road which runs parallel to the Flathead River at the top of the bank. Keeping this development away from the river will reduce impacts of the development



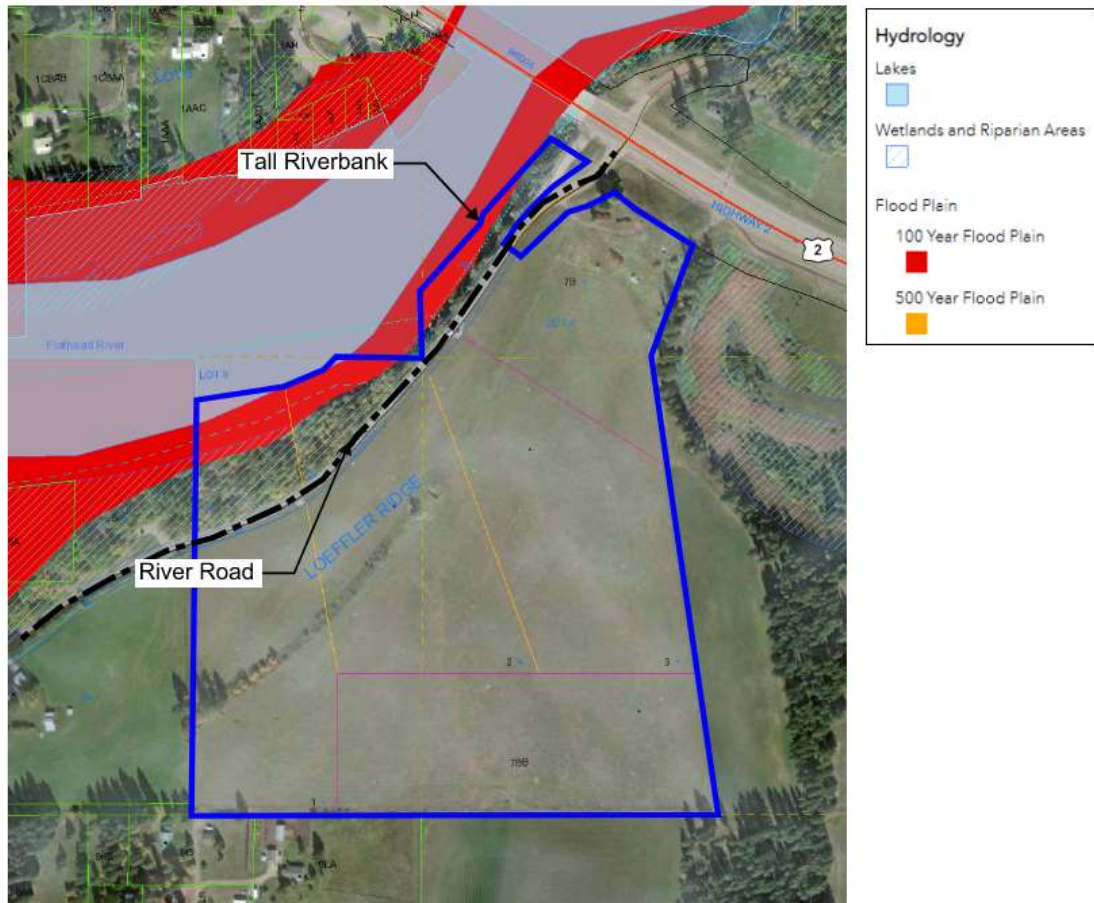


Figure 1: Surface Waters and Flood Plain

Source: WGM Site Visit/Wetland Delineation

Source: FEMA's National Flood Hazard Layer Viewer <https://hazards-fema.maps.arcgis.com/apps/webappviewer/index.html>

VEGETATION

- Locate on a copy of the preliminary plat the major vegetation types within the subdivision (e.g., marsh, grassland, shrub and forest).
- Describe the amount of vegetation that is to be removed, or cleaned, from the site, and state the reasons for such removal.
- Describe any proposed measures to be taken to protect vegetative cover.

The Land Use/Land Cover database for Montana categorizes the majority of the project site area as a human land use area used as pasture or for hay. "These agriculture lands typically have perennial herbaceous cover (e.g. regularly-shaped plantings) used for livestock grazing or the production of hay. There are obvious signs of management such as flood irrigation and haying that distinguish it from natural grasslands."



There are very few trees on the site, as it does appear to have been farmed historically evidenced by a pile of field stones near the center of the site.

WGM performed a site walk through and no apparent wetland plants were identified, however, it would be anticipated that areas immediately adjacent to the river on the lower portions of the banks would serve as habitat for wetland vegetation. No development is proposed in these areas and vegetation on the river side of River Road will be left undisturbed as a part of this development to limit impacts to habitat and river.

A full list of species is provided in Appendix B.

Source: WGM Site Visit and Preliminary Plans

Source: Land Use/Land Cover Database

https://geoinfo.msl.mt.gov/Home/msdi/land_use_land_cover

Source: Montana Heritage Program <http://mtnhp.org/SpeciesSnapshot/>

WILDLIFE

- A. What major species of fish and wildlife, if any, use the area to be affected by the proposed subdivision?
- B. Locate on a copy of the preliminary plat any known important wildlife areas, such as big game winter range, waterfowl nesting areas, habitat for rare and endangered species and wetlands.
- C. Describe any proposed measures to protect wildlife habitat or to minimize habitat degradation.

Species of concern in the project area may include the following:

Mammals – Canada Lynx, Grizzly Bear, Fisher, Hoary Bat, North American Porcupine, Townsend’s Big-eared Bat, Western Pygmy Shrew, Wolverine, and Little Brown Myotis

Birds – American White Pelican, Bald Eagle, Black Swift, Bobolink, Brown Creeper, Cassin’s Finch, Clark’s Nutcracker, Common Loon, Evening Grosbeak, Golden Eagle, Gray-crowned Rosy-Finch, Great Blue Heron, Lewis’s Woodpecker, Northern Goshawk, Northern Hawk Owl, Pacific Wren, Peregrine Falcon, Pileated Woodpecker, Trumpeter Swan, Varied Thrush, and Veery

Amphibians – Northern Leopard Frog, Western Toad

A full list of Species is provided in Appendix C.

It should be noted that the amphibian species and water dependent fowl, would not be affected on the site as the riverbank areas will remain undisturbed, but could potentially benefit from expanding habitat into stormwater utilizing stormwater management areas as habitat.



None of these species have been observed onsite, and the primary habitat area adjacent to the river will remain largely undisturbed.

Source: Montana Natural Heritage Program – Species Snapshot (Township 030N020W) <http://mtnhp.org/SpeciesSnapshot/>

Source: WGM Group Field observations and preliminary plans.

AGRICULTURAL AND TIMBER PRODUCTION

- A. State the acreage, type and agricultural classifications of soils on the site.
- B. State the history of production of this site by crop type and yield.
- C. State the historical and current agricultural uses which occur adjacent to the site.
- D. Explain any steps which will be taken to avoid or limit development conflicts with adjacent agricultural uses.
- E. If the site is timbered, state any timber management recommendations which may have been suggested or implemented by the U.S.D.A. Division of Forestry in the area of this proposal.

As previously stated, this project site has traditionally been used as pasture. No timber management recommendations have been provided by the USDA at this time. There are no adjacent agricultural uses as most of the surrounding tracts are also pasture land with the exception of the tracts near the southwest which are either developed open space or low intensity residential.

Source: Land Use/Land Cover Database:

https://geoinfo.msl.mt.gov/Home/msdi/land_use_land_cover

HISTORICAL, ARCHAEOLOGICAL OR CULTURAL FEATURES

- A. Locate on a copy of the preliminary plat any known or possible historic, archaeological or cultural sites which exist on or near the site.
The existing site map shows the location of two dilapidated structures
- B. Describe any known or possible sites delineated on the preliminary plat.
There is an old foundation at the center of the property and an old homestead site on the hill adjacent to the highway. These structures have no known historic significance.
- C. Describe any measures that will be taken to protect such sites or properties.
None will be taken as the structures will become hazardous to leave in place with the site being a residential community. There is no possibility of



restoration and preservation doesn't serve a historic significance aside from age.

SEWAGE TREATMENT

- A. Where individual sewage treatment systems are proposed for each parcel:
Not applicable, no onsite sewer treatment proposed.
- B. For a proposed public or community sewage treatment system:
 1. Estimate the average number of gallons of sewage generated per day by the subdivision when fully developed.
Our current plans estimate around 455 units for the development. At 200 gallons per day per unit, this is an average of 91,000 gallons per day.
 2. Where an existing system is to be used:
 - a. Identify the system and the person, firm or agency responsible for its operation and maintenance.
The intention is to connect to the City of Columbia Falls wastewater conveyance and treatment system via lift station and directional drill under the river. The lift station will be conveyed to the City of Columbia Falls for ownership and maintenance upon completion and acceptance by City.
 - b. Indicate the system's capacity to handle additional use and its distance from the development.
Preliminary discussions have occurred with the City of Columbia Falls Public Works department. It is the understanding of the developer that there is sufficient capacity in the system. This will be regular residential flow and will not add high strength wastewater to the system.
 - c. Provide evidence that permission to connect has been granted.
Documented permission has not yet been obtained aside from emails with the public works director.
 3. Where a new system is proposed:
 - a. Attach a copy of the plat showing the location of all collection lines and the location and identification of the basic components of the treatment system.
 - b. If subsurface treatment of the effluent is proposed, give the results of the preliminary analysis and percolation tests in the area of the treatment site.
 - c. Provide a description of the following physical conditions:
 - 1) Depth to groundwater at time of year when water table is nearest the surface and how this information was obtained.
 - 2) Minimum depth to bedrock or other impervious material, and how this information was obtained.
 - d. Indicate who will bear the costs of installation and who will own, operate and maintain the system. Also, indicate the anticipated date of completion.
No new system is proposed. A schematic plan for utilities connecting to the City of Columbia Falls has been included with the application.



WATER SUPPLY

- A. Where an individual water supply system is proposed for each parcel:
1. If individually drilled wells are to be used, provide evidence as to adequate quantity and quality of the water supply.
 2. If any other method of individual water supply is to be used:
 - a. Explain why the alternate form of water supply is proposed instead of drilled wells.
 - b. Identify the source of water supply and provide evidence that it is of sufficient quantity and quality to serve the development.
 3. Attach two (2) copies of the plat showing the proposed location of each spring, well, cistern, or other water source and indicate the distance to existing or proposed sewage treatment systems.

Not Applicable.

- B. Where a public or community water system is proposed:
1. Estimate the number of gallons per day required by the development (including irrigation, if applicable).
Our current plans estimate around 455 units for the development. With an estimated 2.5 people per unit, will generate a demand of approximately 100 gallons per person per day or 113,750 gallons per day (base domestic demand).

For irrigation, an additional 20% is assumed, but will need to be more closely determined at the time of design and will be dependent on park design and what level of irrigation system is proposed. This translates to roughly 136,500 gallons per day total.

2. Where an existing system is to be used:
 - a. Identify the system and the person, firm or agency responsible for its operation and maintenance.
A connection to the City of Columbia Falls' distribution system is proposed by directional drilling and extension of water main to the development.
 - b. Indicate the system's capacity to handle additional use and its distance from the development.
Pressure data has been requested from the City, based on elevations, pressure should not be an issue. The closest connection point for this development is located approximately 1,000 feet to the west. Additional main replacements may be required to upgrade 6" to 8" main. A schematic layout is shown on the maps included in "Part E" Preliminary Engineering.
 - c. Provide evidence that permission to connect has been granted.
No permission has been obtained yet, but discussions with the City have occurred and no initial concern was voiced.
3. Where a new system is to be used:
 - a. Provide evidence that the water supply is adequate in quantity, quality and dependability.



- b. Indicate who will bear the costs of installation, when it will be completed and who will own, operate and maintain the system.
- c. Attach a copy of the plat showing the proposed location of the water source and all distribution lines.

Not Applicable

SOLID WASTE

- A. Describe the proposed method of collecting and disposing of solid waste from the development.
Individual cans and dumpster service will be provided by Evergreen disposal. Cans will be placed in alleys behind single family homes.
- B. If central collection areas are proposed within the subdivision, show their location on a copy of the preliminary plat.
Not Applicable.
- C. If use of an existing collection system or disposal facility is proposed, indicate the name and location of the facility.
Evergreen Disposal can provide garbage services based on initial phone call discussion.

DRAINAGE

- A. Streets and Roads:
 - 1. Describe any proposed measures for disposing of storm run-off from streets and roads.
Curb inlets, manholes, and conveyance to detention/retention ponds is proposed throughout the development. Ponds will be shaped and landscaped to be visually pleasing, and aid in runoff treatment. Additionally, water treatment will be provided by means of bioretention, filter strips, or vortex treatment facilities to remove oil, grit, and trash. Designed plans will be submitted to City of Columbia Falls Public Works for approval prior to construction. Based on initial soils review, it appears infiltration will be possible, but likely a discharge to the Flathead River will be required after treatment of runoff.
 - 2. Indicate the type of road surface proposed.
All proposed roads will be asphalt.
 - 3. Describe any proposed facilities for stream or drainage crossing (i.e., culverts, bridges).
Not applicable.
- B. Other areas:
 - 1. Describe how surface run-off will be drained or channeled from lots or common areas.
Lots will generally grade towards streets and reach them via sheet flow. In areas where it is not possible to drain lots towards streets, additional measures may be considered to help prevent stream contamination or



erosion. Surface runoff within the majority of open areas will likely infiltrate or sheet flow to collection system and ultimately the Flathead River.

2. Indicate if storm run-off will be drained or channeled from lots or common areas.
Lots will generally grade towards streets and reach them via sheet flow. Surface runoff within the majority of open areas will sheet flow to designed depressions for infiltration or collection. Runoff in streets will be collected via storm conveyance system as described in “A” above.
3. Describe any proposed sedimentation and erosion controls to be utilized both during, and after, construction.
Typical best management practices and Stormwater Pollution Prevention Plan (SWPPP) will be in place at time of construction. Such measures include silt fence, straw wattles, concrete washouts, and stabilized construction entrance.
4. Attach a copy of the plat showing how drainage on lots, road and other areas will be handled (include sizes and dimensions of ditches, culverts, etc.)
Preliminary engineering plans have been included with this submittal.

ROADS

- A. Estimate how much daily traffic the development, when fully developed, will generate on existing or proposed roads providing access to the development.
 1. Discuss the capability of existing and proposed roads to safely accommodate this increased traffic (e.g., conditions of the road, surface and right-of-way widths, current traffic flows, etc.).
 2. Describe any increased maintenance problems and costs that will be caused by this increase in volume.
A traffic impact study has been submitted with the preliminary plat application.
- B. Indicate who will pay the cost of installing and maintaining dedicated and/or private roadway.
The Developer will pay for capital construction costs for all infrastructure. Ownership and maintenance of public roads will be turned over to the City of Columbia Falls upon completion. Parking lots and alleys will remain owned and maintained by the property owner with easements provided for City access to public utilities where needed.
- C. Describe the soil characteristics, on site, as they relate to road and building construction and measures to be taken to control erosion of ditches, banks and cuts as a result of proposed construction.
The majority of the site is primarily flat pasture. Soil on the site consists of chamokane and banks soils, as well as mires loam and mires gravelly loam according to the USGS Websoils survey (Appendix A). Geotechnical recommendations will be required for determining road sections during design. These are not uncommon soils in the Flathead Valley and standard erosion control measures as shown in the plans should suffice. No steep slopes or river bank mitigation should be needed and none is proposed.



- D. Explain why access was not provided by means of a road within the subdivision if access to any of the individual lots is directly from City, County, State or Federal roads or highways.

Not Applicable, all access is provided by means of roads into the subdivision. Primary access to townhomes is provided by alleys with street facing units, and via parking lots to the apartments.

- E. Is year-round access by conventional automobile over legal rights-of-way available to the subdivision and to all lots and common facilities within the subdivision?

Yes. The lot is served by internal roads that will have right of way dedicated to the City of Columbia Falls or will be privately owned and maintained for the private roads.

- F. Identify the owners of any private property over which access to the subdivision will be provided.

Not Applicable.

EMERGENCY SERVICES

- A. Describe the emergency services available to the residents of the proposed subdivision including the number of personnel and number of vehicles and/or type of facilities for:

The numbers of personnel and vehicles of each of the facilities is unknown but it is assumed this application will be circulated among the associated City services. As this development will be within the City, it is assumed the taxes generated and city impact fees will provide the adequate coverage from each of the listed services below.

1. Fire Protection:

- a. Is the proposed subdivision in an urban or rural fire district? If not, will one be formed or extended?

It is within the Badrock Fire District, but it will be within the city limits as a result of annexation and with the addition of city water.

- b. In absence of a fire district, what fire protection procedures are planned?

Not Applicable, but fire hydrants will be provided throughout with fire sprinkler systems in all apartment buildings.

- c. Indicate the type, size and location of any proposed recharge facilities.

Not Applicable.

- d. If fire hydrants are proposed, indicate water pressure capabilities and the locations of hydrants.

Water pressures have not been determined at this time, but the City of Columbia Falls typically has sufficient pressure levels throughout their water system.

2. Police Protection.

Since this project site will be annexed into the City of Columbia Falls a part of the preliminary plat application, this will fall under the City of Columbia Falls Police Jurisdiction.

3. Ambulance Service.



Three Rivers EMS is located in Downtown Columbia Falls approximately one mile to the west.

4. Medical Services.

Cedar Palace Medical Facility is located approximately two miles from the proposed development.

- B. Can the needs of the proposed subdivision for each of the above services be met by present personnel and facilities?

1. If not, what additional expense would be necessary to make these services adequate?
2. At whose expense would the necessary improvements be made?

The additional tax revenue should be sufficient to increase the services as needed.

SCHOOLS

- A. Describe the educational facilities which would serve the subdivision (school facilities, school personnel, bus routes and capabilities, etc.).

The project site is within School District #6 (Columbia Falls). The following four schools are within this district:

- **Glacier Gateway Elementary School - 1.6 miles from the project site.**
- **Ruder Elementary School - 2.3 miles from the project site.**
- **Columbia Falls Junior High School - 2.5 from the project site.**
- **Columbia Falls High School - 1.7 miles from the project site.**

Currently, Bus Route 15 stops 1/3 of a mile away at 186 River Road at 7:52 am before and at 4:06 pm after stopping at all four schools.

- B. Estimate the number of school children that will be added by the proposed subdivision, and how they will affect existing facilities.

We are currently estimating around 455 lots/dwelling units for this project site. Per US Census, approximately 21.7% of the Flathead County population is under 18 (school age) and each household has an estimated 2.55 people. This translates to 252 new school age children in a fully built and occupied development. This development will be phased and all students will not hit schools at once and ages will vary.

ECONOMIC BENEFITS

- A. Provide the present assessment classifications and range of the total assessed valuation of all land and structures.

According to the Flathead County Tax Records, the property had the following taxable values in 2021:

- **Assessor number 0007578 \$50.23**
- **Assessor number 0004299 \$50.23**



- Assessor number 0004300 \$50.23
- Assessor number 0004302 \$51.43
- Assessor number 0506850 \$40.05

B. Provide the anticipated assessment classification and range of the total assessed valuation of all structures (at 25% and 90% occupancy - also give estimated year of said occupancy).

The median home in Columbia Falls is valued at \$628,000 with a townhome unit likely closer to \$400,000 new. The apartment buildings and associated lots are difficult to estimate but assume a minimum of \$120,000/unit based on the buildings and associated land.

The project would likely reach 25% complete by the end of 2023, which means about 15 lots and 178 units will be completed at an approximate assessed value of \$23,800,000. Conservatively, if you assume a 1% tax rate, this translates to \$1,233/unit or \$238,000 in annual tax revenue.

The project would likely reach 90% complete by the end of 2026, which means about 50 lots/ 325 units will be completed at an approximate assessed value of \$59,000,000. Again, if you assume a 1% tax rate, this translates to \$1,573/unit or \$590,000 in annual tax revenue.

Market conditions and tax rates are subject to change, and inflation is not accounted for in the above estimates.

Source: Zillow.com <https://www.zillow.com/columbia-falls-mt/home-values/>

C. Provide anticipated revenue increases, per unit, from water, sewer and solid waste fees.

Columbia Falls Residential Sewer Rates are \$5 / 1000 gallons per month. For the estimated 455 units at 100 gallons per day / person, this calculates out to \$17,062.50 per month revenue increase (\$204,750 per year).

Columbia Falls Residential Water Rates are \$1.77/1000 gallons per month. For the estimated 455 units at 100 gallons per day / person , this calculates out to \$6,050 per month revenue increase (\$72,481.50 per year). It should be noted that this does not include irrigation, so usage and subsequent revenue would increase during summer months when landscaped areas are irrigated.

Source: City of Columbia Falls Website
<https://www.cityofcolumbiafalls.org/publicworks/page/utility-rates>

LAND USE

A. Describe the existing historical use of the site.

The project area was historically used as pastureland and is taxed as non-qualified agricultural land.



- B. Describe any comprehensive plan recommendations and other land use regulations on and adjacent to the site. If zoning is proposed explain why this project fits within the proposed zone district prescriptions. If annexation is proposed explain why this is desired.

The existing zoning on the property is CR-3 and a zone change application is being submitted with the PUD (Planned Urban Development) and Preliminary Plat application.

- C. Describe the present uses of lands adjacent to or near the proposed development.
The tract to the south of lots 2 & 3 is also zoned as CR-3. To the south of lot 1 and to the east of the project site zoning is CSAG-5 for smaller suburban agricultural functions. West of the project site, the zoning is CSAG-10 for suburban agricultural functions.
- D. Describe how the subdivision will affect access to any adjoining land and/or what measures are proposed to provide access.
No existing access will be impeded as a part of this project. The existing River Road and US Highway 2 access will be relocated to improve sight distance and provide a safer condition as well as require signalization per the traffic impact study. This will improve access to adjacent properties and the larger area south of US Highway 2.
- E. Describe any health or safety hazards on or near the subdivision (mining activity, high voltage lines, gas lines, agricultural and farm activities, etc.) Any such conditions should be accurately described and their origin and location identified.
None on site.
- F. Describe any on-site uses creating a nuisance (unpleasant odor, unusual noises, dust, smoke, etc.). Any such conditions should be accurately described, and their origin and location identified.
Lift stations have the potential to create unpleasant odors but are not typically too problematic if they are cycled frequently enough. Odors tend to develop during long cycle times where sewage sits and can become septic. This will be considered during design.

PARKS AND RECREATION FACILITIES

- A. Describe park and recreation facilities to be provided within the proposed subdivision and other recreational facilities which will serve the subdivision.
The PUD plan includes a large park dedication at the north end of the property adjacent to Flathead River. This is slated to be dedicated to the City for a future park and a local skateboard organization has been in discussion with the developer about potentially locating a skate park in this location. Overall, this property is over three acres in size. Additionally, each of the apartment lots being created will provide an open space and a landscaped trail system will provide recreational benefit to residents. A large club house will be constructed for tenant use as a part of the first phase of the development. A park and open space plan will be submitted to the City prior to the final plat.
- B. List other parks and recreation facilities or sites in the area and their approximate



distance from the site.

Marantette Park and Fenholt Park are both approximately one mile from the subject property (across the river and to the north). Meadow Lake Golf Course and Resort is approximately 3.7 miles northwest of the property. Horine Park is approximately three miles west of the property.

- C. If cash-in-lieu of park land is proposed, state the purchase price per acre or current market value (values stated must be no more than 12 months old).

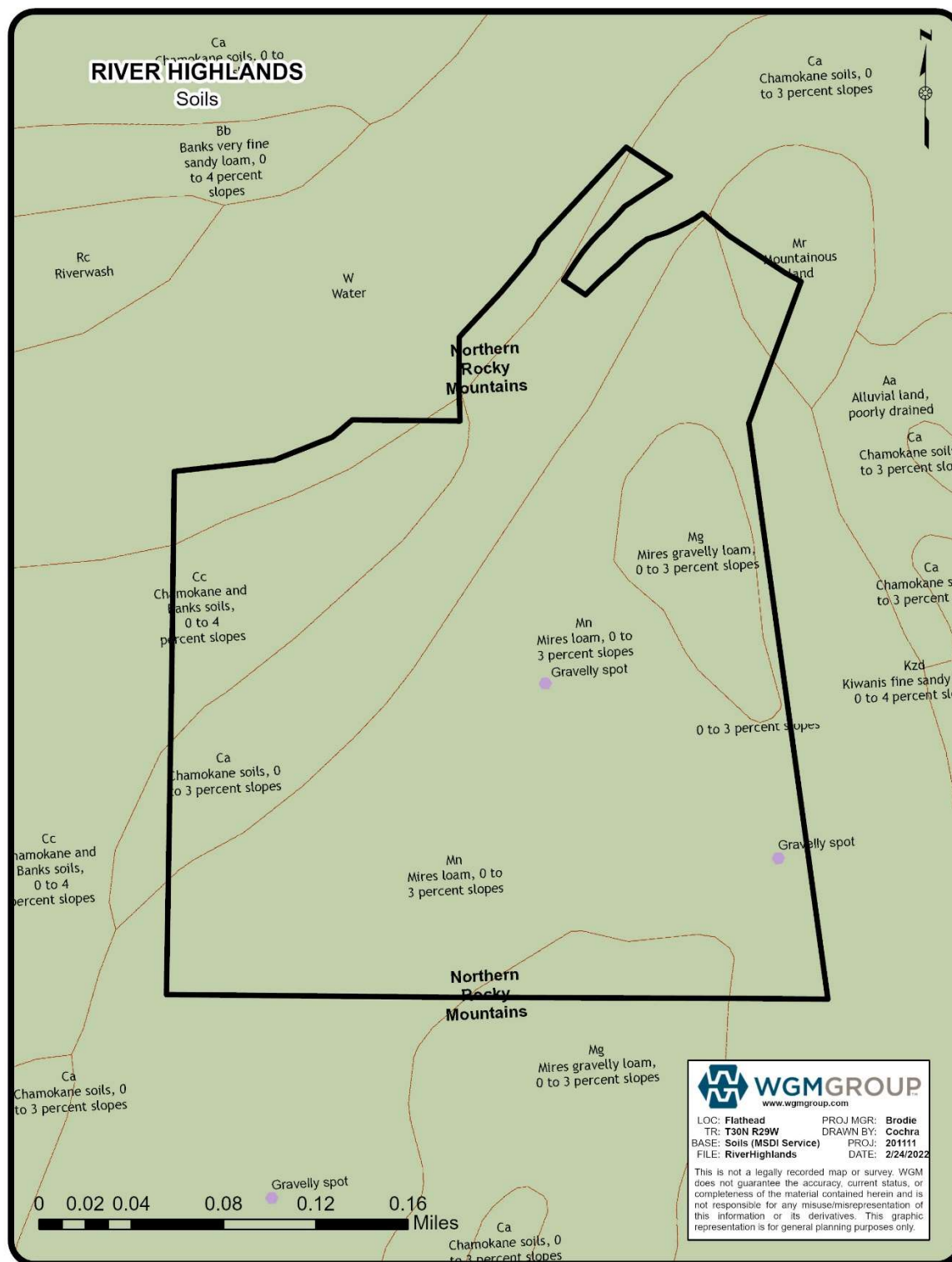
Not applicable.

UTILITIES

- A. Indicate the utility companies involved in providing electrical power, natural gas, or telephone service. To what extent will these utilities be placed underground?
Flathead Electric will provide power. Northwestern Energy will provide gas. Calls have been placed to cable/internet/phone companies, but no response has been provided at this time although cable and phone appear to be located within the property limits.
- B. Has the preliminary plat been submitted to affected utilities for review?
The pre-plat has not been reviewed by utilities yet.
- C. Estimate the completion date of each utility installation.
To be determined.



APPENDIX A: SOILS MAP



APPENDIX B: VEGETATION SPECIES (VASCULAR PLANTS)

COMMON NAME	SCIENTIFIC NAME
Yellow Toadflax	Linaria vulgaris
Alaskan Oniongrass	Melica subulata
Bog Buckbean	Menyanthes trifoliata
Common Water-milfoil	Myriophyllum sibiricum
Eurasian Water-milfoil	Myriophyllum spicatum
Whorled Water-milfoil	Myriophyllum verticillatum
Slender Naiad	Najas flexilis
Pygmy Water-lily	Nymphaea leibergii
American Water-lily	Nymphaea odorata
Engelmann Spruce	Picea engelmannii
Lodgepole Pine	Pinus contorta
Water Smartweed	Polygonum amphibium
Grassy Pondweed	Potamogeton gramineus
Floating Pondweed	Potamogeton natans
Longleaf Pondweed	Potamogeton nodosus
White-stem Pondweed	Potamogeton praelongus
Richardson's Pondweed	Potamogeton richardsonii
Flatstem Pondweed	Potamogeton zosteriformis
Silvery Cinquefoil	Potentilla argentea
Douglas-fir	Pseudotsuga menziesii
Tall Buttercup	Ranunculus acris
Thimbleberry	Rubus parviflorus
Water Bulrush	Schoenoplectus subterminalis
Sprangletop	Scolochloa festucacea
Common Snowberry	Symphoricarpos albus
Common Tansy	Tanacetum vulgare
Greater Bladderwort	Utricularia vulgaris



APPENDIX C: WILDLIFE SPECIES

TABLE 1: MAMMALS

COMMON NAME	SCIENTIFIC NAME
American Black Bear	Ursus americanus
Beaver	Castor canadensis
Bushy-tailed Woodrat	Neotoma cinerea
California Myotis	Myotis californicus
Columbian Ground Squirrel	Urocitellus columbianus
Deer Mouse	Peromyscus maniculatus
Dusky or Montane Shrew	Sorex obscurus
Fisher	Pekania pennanti
Grizzly Bear	Ursus arctos
Hoary Bat	Lasiurus cinereus
Little Brown Myotis	Myotis lucifugus
Long-eared Myotis	Myotis evotis
Long-legged Myotis	Myotis volans
Masked Shrew	Sorex cinereus
Meadow Vole	Microtus pennsylvanicus
Moose	Alces alces
Mountain Lion	Puma concolor
Mule Deer	Odocoileus hemionus
Muskrat	Ondatra zibethicus
Northern Pocket Gopher	Thomomys talpoides
Northern River Otter	Lontra canadensis
Red Squirrel	Tamiasciurus hudsonicus
Silver-haired Bat	Lasionycteris noctivagans
Striped Skunk	Mephitis mephitis
Vagrant Shrew	Sorex vagrans
White-tailed Deer	Odocoileus virginianus
Yellow-pine Chipmunk	Tamias amoenus

TABLE 3: BIRDS

COMMON NAME	SCIENTIFIC NAME
American Avocet	Recurvirostra americana
American Coot	Fulica americana
American Crow	Corvus brachyrhynchos
American Goldfinch	Spinus tristis
American Kestrel	Falco sparverius
American Pipit	Anthus rubescens
American Redstart	Setophaga ruticilla
American Robin	Turdus migratorius
American Three-toed Woodpecker	Picoides dorsalis
American Tree Sparrow	Spizelloides arborea
American Wigeon	Mareca americana
Bald Eagle	Haliaeetus leucocephalus
Bank Swallow	Riparia riparia
Barn Swallow	Hirundo rustica
Barred Owl	Strix varia
Barrow's Goldeneye	Bucephala islandica
Belted Kingfisher	Megasceryle alcyon
Black Swift	Cypseloides niger
Black-billed Magpie	Pica hudsonia
Black-capped Chickadee	Poecile atricapillus
Black-chinned Hummingbird	Archilochus alexandri
Black-headed Grosbeak	Pheucticus melanocephalus
Black-necked Stilt	Himantopus mexicanus
Blue Jay	Cyanocitta cristata
Blue-winged Teal	Spatula discors
Bobolink	Dolichonyx oryzivorus
Bohemian Waxwing	Bombycilla garrulus
Bonaparte's Gull	Chroicocephalus philadelphia
Boreal Owl	Aegolius funereus
Brewer's Blackbird	Euphagus cyanocephalus



Brown Creeper	Certhia americana
Brown-headed Cowbird	Molothrus ater
Bufflehead	Bucephala albeola
Bullock's Oriole	Icterus bullockii
California Gull	Larus californicus
Calliope Hummingbird	Selasphorus calliope
Canada Goose	Branta canadensis
Canada Jay	Perisoreus canadensis
Cassin's Finch	Haemorhous cassinii
Cassin's Vireo	Vireo cassinii
Cedar Waxwing	Bombycilla cedrorum
Chipping Sparrow	Spizella passerina
Cinnamon Teal	Spatula cyanoptera
Clay-colored Sparrow	Spizella pallida
Cliff Swallow	Petrochelidon pyrrhonota
Common Goldeneye	Bucephala clangula
Common Loon	Gavia immer
Common Merganser	Mergus merganser
Common Nighthawk	Chordeiles minor
Common Raven	Corvus corax
Common Redpoll	Acanthis flammea
Common Yellowthroat	Geothlypis trichas
Cooper's Hawk	Accipiter cooperii
Dark-eyed Junco	Junco hyemalis
Dark-eyed Junco (Montana)	Junco hyemalis montanus
Dark-eyed Junco (Pink-sided)	Junco hyemalis mearnsi
Dark-eyed Junco (Slate-colored)	Junco hyemalis hyemalis / cismontanus
Downy Woodpecker	Dryobates pubescens
Dusky Flycatcher	Empidonax oberholseri
Eastern Kingbird	Tyrannus tyrannus
Eurasian Collared-Dove	Streptopelia decaocto
European Starling	Sturnus vulgaris
Evening Grosbeak	Coccothraustes vespertinus
Fox Sparrow	Passerella iliaca
Franklin's Gull	Leucophaeus pipixcan
Gadwall	Mareca strepera
Glaucous Gull	Larus hyperboreus
Golden Eagle	Aquila chrysaetos
Golden-crowned Kinglet	Regulus satrapa
Gray Catbird	Dumetella carolinensis
Great Blue Heron	Ardea herodias
Great Gray Owl	Strix nebulosa
Great Horned Owl	Bubo virginianus
Greater Scaup	Aythya marila
Greater Yellowlegs	Tringa melanoleuca
Green-winged Teal	Anas crecca
Hairy Woodpecker	Dryobates villosus
Hammond's Flycatcher	Empidonax hammondi
Harris's Sparrow	Zonotrichia querula
Hermit Thrush	Catharus guttatus
Herring Gull	Larus argentatus
Hooded Merganser	Lophodytes cucullatus
Horned Grebe	Podiceps auritus
House Finch	Haemorhous mexicanus
House Sparrow	Passer domesticus
House Wren	Troglodytes aedon
Iceland Gull	Larus glaucoideus
Killdeer	Charadrius vociferus
Lapland Longspur	Calcarius lapponicus
Lazuli Bunting	Passerina amoena
Least Flycatcher	Empidonax minimus
Lesser Scaup	Aythya affinis
Lesser Yellowlegs	Tringa flavipes
Lewis's Woodpecker	Melanerpes lewis
Lincoln's Sparrow	Melospiza lincolni
Long-billed Dowitcher	Limnodromus scolopaceus
MacGillivray's Warbler	Geothlypis tolmiei
Mallard	Anas platyrhynchos
Marsh Wren	Cistothorus palustris



Merlin	Falco columbarius
Mountain Bluebird	Sialia currucoides
Mountain Chickadee	Poecile gambeli
Mourning Dove	Zenaidura macroura
Nashville Warbler	Leiothlypis ruficapilla
Northern Flicker	Colaptes auratus
Northern Flicker (Red-shafted)	Colaptes auratus cafer
Northern Goshawk	Accipiter gentilis
Northern Harrier	Circus hudsonius
Northern Pintail	Anas acuta
Northern Pygmy-Owl	Glaucidium gnoma
Northern Rough-winged Swallow	Stelgidopteryx serripennis
Northern Shoveler	Spatula clypeata
Northern Shrike	Lanius borealis
Northern Waterthrush	Parkesia noveboracensis
Olive-sided Flycatcher	Contopus cooperi
Orange-crowned Warbler	Leiothlypis celata
Osprey	Pandion haliaetus
Pectoral Sandpiper	Calidris melanotos
Pied-billed Grebe	Podilymbus podiceps
Pileated Woodpecker	Dryocopus pileatus
Pine Grosbeak	Pinicola enucleator
Pine Siskin	Spinus pinus
Pygmy Nuthatch	Sitta pygmaea
Red Crossbill	Loxia curvirostra
Red-breasted Merganser	Mergus serrator
Red-breasted Nuthatch	Sitta canadensis
Red-eyed Vireo	Vireo olivaceus
Red-naped Sapsucker	Sphyrapicus nuchalis
Red-necked Grebe	Podiceps grisegena
Red-tailed Hawk	Buteo jamaicensis
Red-winged Blackbird	Agelaius phoeniceus
Redhead	Aythya americana
Ring-billed Gull	Larus delawarensis
Ring-necked Duck	Aythya collaris
Ring-necked Pheasant	Phasianus colchicus
Rock Pigeon	Columba livia
Rough-legged Hawk	Buteo lagopus
Ruby-crowned Kinglet	Corthylio calendula
Ruddy Duck	Oxyura jamaicensis
Ruffed Grouse	Bonasa umbellus
Rufous Hummingbird	Selasphorus rufus
Sandhill Crane	Antigone canadensis
Savannah Sparrow	Passerculus sandwichensis
Say's Phoebe	Sayornis saya
Sharp-shinned Hawk	Accipiter striatus
Snow Bunting	Plectrophenax nivalis
Snow Goose	Anser caerulescens
Song Sparrow	Melospiza melodia
Sora	Porzana carolina
Spotted Sandpiper	Actitis macularia
Steller's Jay	Cyanocitta stelleri
Swainson's Thrush	Catharus ustulatus
Tennessee Warbler	Leiothlypis peregrina
Townsend's Solitaire	Myadestes townsendi
Townsend's Warbler	Setophaga townsendi
Tree Swallow	Tachycineta bicolor
Tundra Swan	Cygnus columbianus
Turkey Vulture	Cathartes aura
Varied Thrush	Ixoreus naevius
Vaux's Swift	Chaetura vauxi
Vesper Sparrow	Poocetes gramineus
Violet-green Swallow	Tachycineta thalassina
Warbling Vireo	Vireo gilvus
Western Grebe	Aechmophorus occidentalis
Western Meadowlark	Sturnella neglecta
Western Tanager	Piranga ludoviciana
Western Wood-Pewee	Contopus sordidulus
White-breasted Nuthatch	Sitta carolinensis



White-crowned Sparrow	Zonotrichia leucophrys
White-throated Sparrow	Zonotrichia albicollis
White-winged Crossbill	Loxia leucoptera
Wild Turkey	Meleagris gallopavo
Williamson's Sapsucker	Sphyrapicus thyroideus
Willow Flycatcher	Empidonax traillii
Wilson's Snipe	Gallinago delicata
Wilson's Warbler	Cardellina pusilla
Wood Duck	Aix sponsa
Yellow Warbler	Setophaga petechia
Yellow-headed Blackbird	Xanthocephalus xanthocephalus
Yellow-rumped Warbler	Setophaga coronata
Yellow-rumped Warbler (Audubon's)	Setophaga coronata auduboni
Yellow-rumped Warbler (Myrtle)	Setophaga coronata coronata

TABLE 4: REPTILES

COMMON NAME	SCIENTIFIC NAME
Northern Alligator Lizard	Elgaria coerulea

TABLE 5: AMPHIBIANS

COMMON NAME	SCIENTIFIC NAME
Long-toed Salamander	Ambystoma macrodactylum



APPENDIX D: EVERGREEN DISPOSAL WILL-SERVE LETTER



APPENDIX E: EROSION CONTROL BMP'S / PRELIMINARY ENGINEERING EXHIBIT





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Item No.3.

Custom Soil Resource Report for Upper Flathead Valley Area, Montana

RIVER HIGHLANDS PUD



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

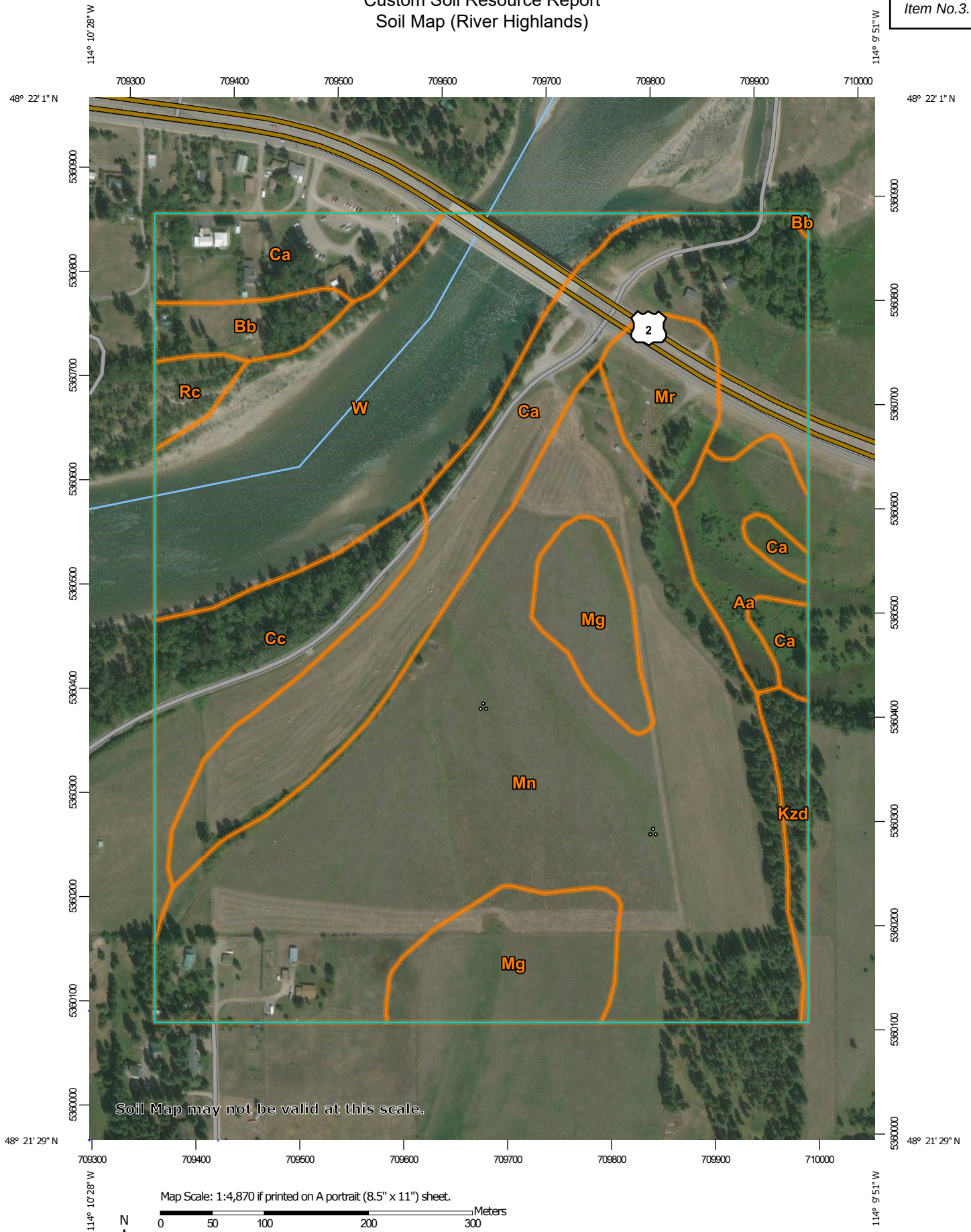
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map (River Highlands)

Item No.3.



MAP LEGEND**Area of Interest (AOI)**
 Area of Interest (AOI)
Soils
 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points
Special Point Features
 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features
Water Features
 Streams and Canals
Transportation
 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads
Background
 Aerial Photography
MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Upper Flathead Valley Area, Montana
Survey Area Data: Version 17, Sep 2, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2014—Nov 2, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend (River Highlands)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Aa	Alluvial land, poorly drained	4.2	3.4%
Bb	Banks very fine sandy loam, 0 to 4 percent slopes	2.3	1.9%
Ca	Chamokane soils, 0 to 3 percent slopes	25.5	21.0%
Cc	Chamokane and Banks soils, 0 to 4 percent slopes	7.5	6.2%
Kzd	Kiwanis fine sandy loam, 0 to 4 percent slopes	1.8	1.5%
Mg	Mires gravelly loam, 0 to 3 percent slopes	9.4	7.8%
Mn	Mires loam, 0 to 3 percent slopes	45.6	37.7%
Mr	Mountainous land	3.5	2.9%
Rc	Riverwash	1.2	1.0%
W	Water	20.1	16.6%
Totals for Area of Interest		121.1	100.0%

Map Unit Descriptions (River Highlands)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the

scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Upper Flathead Valley Area, Montana

Aa—Alluvial land, poorly drained

Map Unit Setting

National map unit symbol: 4vnl
Elevation: 2,000 to 4,800 feet
Mean annual precipitation: 16 to 19 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 90 to 120 days
Farmland classification: Not prime farmland

Map Unit Composition

Alluvial land and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Alluvial Land

Typical profile

H2 - 20 to 50 inches: stratified gravelly sandy loam to silty clay loam
H3 - 50 to 60 inches: stratified gravelly loamy sand to coarse sandy loam

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: About 18 to 36 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 5w
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: C
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Poorly drained soils

Percent of map unit: 25 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Bb—Banks very fine sandy loam, 0 to 4 percent slopes

Map Unit Setting

National map unit symbol: 4vnp
Elevation: 1,600 to 2,100 feet
Mean annual precipitation: 13 to 18 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 110 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Banks and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Banks

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 3 inches: loamy fine sand
C - 3 to 60 inches: loamy fine sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components**Somewhat poorly drained soils***Percent of map unit: 10 percent**Landform: Flood plains**Down-slope shape: Linear**Across-slope shape: Linear**Hydric soil rating: Yes***Ca—Chamokane soils, 0 to 3 percent slopes****Map Unit Setting***National map unit symbol: 4vp7**Elevation: 2,890 to 3,030 feet**Mean annual precipitation: 15 to 19 inches**Mean annual air temperature: 39 to 45 degrees F**Frost-free period: 90 to 120 days**Farmland classification: Prime farmland if irrigated***Map Unit Composition***Chamokane and similar soils: 50 percent**Chamokane and similar soils: 40 percent**Minor components: 10 percent**Estimates are based on observations, descriptions, and transects of the mapunit.***Description of Chamokane****Setting***Landform: Flood plains**Down-slope shape: Linear**Across-slope shape: Linear**Parent material: Sandy alluvium***Typical profile***A - 0 to 7 inches: fine sandy loam**C1 - 7 to 24 inches: fine sandy loam**2C2 - 24 to 60 inches: gravelly sand***Properties and qualities***Slope: 0 to 3 percent**Depth to restrictive feature: More than 80 inches**Drainage class: Moderately well drained**Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)**Depth to water table: About 24 to 48 inches**Frequency of flooding: OccasionalNone**Frequency of ponding: None**Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)**Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)*

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Description of Chamokane

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 7 inches: loam
C1 - 7 to 24 inches: fine sandy loam
2C2 - 24 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: C
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Somewhat poorly drained soils

Percent of map unit: 10 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Cc—Chamokane and Banks soils, 0 to 4 percent slopes

Map Unit Setting

National map unit symbol: 4vp9
Elevation: 1,600 to 3,080 feet
Mean annual precipitation: 13 to 19 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Banks and similar soils: 50 percent
Chamokane and similar soils: 45 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Banks

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 3 inches: loamy fine sand
C - 3 to 60 inches: loamy fine sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Description of Chamokane**Setting**

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 7 inches: fine sandy loam
C1 - 7 to 24 inches: fine sandy loam
2C2 - 24 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components**Somewhat poorly drained soils**

Percent of map unit: 5 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Kzd—Kiwanis fine sandy loam, 0 to 4 percent slopes**Map Unit Setting**

National map unit symbol: 4vr3
Elevation: 3,000 to 5,000 feet
Mean annual precipitation: 12 to 17 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 130 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Kiwanis and similar soils: 90 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kiwanis

Setting

Landform: Stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium

Typical profile

A - 0 to 9 inches: fine sandy loam

C1 - 9 to 39 inches: fine sandy loam

2C2 - 39 to 70 inches: very gravelly sand

Properties and qualities

Slope: 0 to 4 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: RareNone

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: A

Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P

Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 10 percent

Hydric soil rating: No

Mg—Mires gravelly loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 4vrl

Elevation: 2,900 to 5,600 feet

Mean annual precipitation: 17 to 25 inches
Mean annual air temperature: 43 to 45 degrees F
Frost-free period: 70 to 105 days
Farmland classification: Not prime farmland

Map Unit Composition

Mires and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires

Setting

Landform: Terraces, outwash fans
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Outwash

Typical profile

A - 0 to 8 inches: gravelly loam
Bw - 8 to 18 inches: very gravelly loam
2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 15 percent
Hydric soil rating: No

Mn—Mires loam, 0 to 3 percent slopes**Map Unit Setting**

National map unit symbol: 4vrq
Elevation: 2,600 to 3,400 feet
Mean annual precipitation: 15 to 19 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 100 to 120 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Mires and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires**Setting**

Landform: Terraces, outwash fans
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Outwash

Typical profile

A - 0 to 14 inches: loam
Bw - 14 to 18 inches: very gravelly loam
2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.5 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: B
Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Nonhydryc

Percent of map unit: 15 percent

Hydryc soil rating: No

Mr—Mountainous land

Map Unit Setting

National map unit symbol: 4vrt

Elevation: 2,000 to 4,640 feet

Mean annual precipitation: 15 to 30 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 90 to 130 days

Farmland classification: Not prime farmland

Map Unit Composition

Mountainous land and similar soils: 35 percent

Whitefish and similar soils: 25 percent

Rock outcrop: 25 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mountainous Land

Typical profile

H2 - 5 to 18 inches: loam

H3 - 18 to 26 inches: gravelly silt loam

H4 - 26 to 60 inches: gravelly loam

Properties and qualities

Slope: 30 to 70 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 7.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: B

Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P

Hydryc soil rating: No

Description of Whitefish**Setting**

Landform: Moraines
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Glacial till

Typical profile

Oi - 0 to 1 inches: slightly decomposed plant material
E - 1 to 9 inches: cobbly silt loam
E/Bt - 9 to 14 inches: gravelly silt loam
Bt - 14 to 20 inches: gravelly clay loam
Bk - 20 to 33 inches: gravelly silt loam
C - 33 to 60 inches: gravelly silt loam

Properties and qualities

Slope: 30 to 70 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 8.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: C
Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P
Hydric soil rating: No

Minor Components**Nonhydric**

Percent of map unit: 15 percent
Hydric soil rating: No

Rc—Riverwash**Map Unit Composition**

Riverwash: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Minor Components

Flooded and ponded soils

Percent of map unit: 10 percent

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

W—Water

Map Unit Composition

Water: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

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Montana Natural Heritage - Species Snapshot

All Montana

Plants
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals						
Birds						
Reptiles						
Amphibians						
Fish						
Invertebrates						
ALL ANIMALS						
Vascular Plants	32					32
Bryophytes	16					16
Lichens	1					1
Algae						
ALL PLANTS	49					49

Vascular Plants 32 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Vascular Plants - Bidens beckii (Beck Water-marigold) soc Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	7	2	View Model
Vascular Plants - Botrychium ascendens (Upward-lobed Moonwort) soc Species of Concern Native Species Global Rank: G3 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 4	1		View Model

Vascular Plants - Botrychium campestre (Prairie Moonwort) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	
Vascular Plants - Botrychium crenulatum (Wavy Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	2	View Model
Vascular Plants - Botrychium hesperium (Western Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	4	View Model
Vascular Plants - Botrychium lanceolatum (Lanceleaf Moonwort) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	View Model
Vascular Plants - Botrychium paradoxum (Peculiar Moonwort)	1	View Model

soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: SENSITIVE MNPS Threat Rank: 4			
Vascular Plants - Botrychium sp. (SOC) (Moonworts (SOC)) soc Species of Concern Native Species Global Rank: G1G3 State Rank: S1S3 SO Delineation Criteria Mapped occurrences for Botrychiums are based on observations of one or more Botrychium species documented or reported for a site as opposed to individual species being mapped independently. Data is managed and presented in this format as a result of more than one Botrychium "species" commonly growing at a site, problems with reliably identifying Botrychiums to species and instability in Botrychium taxonomy. Botrychium Species of Concern locations have at least one reported observation of an individual Botrychium species listed by MTNHP as a Species of Concern. Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		5	
Vascular Plants - Braseniaschreberi (Watershield) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	14	2	View Model
Vascular Plants - Castilleja covilleana (Coville Indian Paintbrush) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT) Sensitive - Suspected on Forests (BD) BLM: MNPS Threat Rank: 2		1	View Model
Vascular Plants - Cypripedium passerinum (Sparrow's-egg Lady's-slipper) soc		1	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2				
Vascular Plants - Drosera anglica (English Sundew) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: MNPS Threat Rank: 3			1	View Model
Vascular Plants - Dryopteris cristata (Crested Shieldfern) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3	2		2	View Model
Vascular Plants - Eleocharis rostellata (Beaked Spikerush) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: MNPS Threat Rank: 2			1	View Model
Vascular Plants - Epipactis gigantea (Giant Helleborine) SOC		5		4	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, LOLO) Sensitive - Suspected on Forests (BRT, KOOT) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2				
Vascular Plants - Equisetum pratense (Meadow Horsetail) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Eriophorum gracile (Slender Cottongrass) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3		3	6	View Model	
Vascular Plants - Lathyrus bijugatus (Latah Tule Pea) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3			1	View Model	
Vascular Plants - Lobelia kalmii (Kalm's Lobelia) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Mimulus floribundus (Floriferous Monkeyflower) SOC Species of Concern Native Species Global Rank: G5 State Rank: SH Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4		2	2	View Model	
Vascular Plants - Nymphaea leibergii (Pygmy Water-lily) SOC		3	3	View Model	

Species of Concern Native Species Global Rank: G5 State Rank: S1 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3			
Vascular Plants - Ophioglossum pusillum (<i>Adder's Tongue</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3	2	2	View Model
Vascular Plants - Pinus albicaulis (<i>Whitebark Pine</i>) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Point and/or polygonal observations are buffered by a minimum distance of 400 meters in order to account for stands instead of individual trees and to a maximum distance of 2,000 meters in order to encompass locational uncertainty associated with some common data sources for this species.	Agency Status USFWS: P USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE MNPS Threat Rank: 2	3	2	View Model
Vascular Plants - Ranunculus pedatifidus (<i>Northern Buttercup</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Rubus arcticus (<i>Nagoonberry</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S2	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Scheuchzeria palustris (<i>Pod Grass</i>) soc		3	3	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) Sensitive - Suspected on Forests (BRT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Schoenoplectus subterminalis (Water Bulrush) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	4	1	View Model
Vascular Plants - Scolochloa festucacea (Sprangletop) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4	1	1	View Model
Vascular Plants - Senecio hydrophilus (Alkali-marsh Ragwort) soc Species of Concern Native Species Global Rank: G5 State Rank: S3	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	View Model
Vascular Plants - Silene spaldingii (Spalding's Catchfly) soc Species of Concern Native Species Global Rank: G2 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: LT BLM: MNPS Threat Rank: 1		1	View Model
Vascular Plants - Trichophorum cespitosum (Tufted Club-rush) soc		4	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Vaccinium myrtilloides (Velvetleaf Huckleberry) soc Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 2		1	View Model

Bryophytes

16 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Bryophytes - Aloina brevirostris (Short-beaked Aloe Moss) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	3	
Bryophytes - Catoscopium nigritum (Black Golf Club Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Dicranella schreberiana (Schreber's Dicranella Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		3	
Bryophytes - Grimmia brittoniae (Britton's Dry Rock Moss) soc Species of Concern Native Species Global Rank: G2 State Rank: S2	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank:	2	8	View Model
Bryophytes - Hamatocaulis vernicosus (Hamatocaulis Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Henediella heimii (Heim's Henediella Moss) soc			3	

Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:			
Bryophytes - Meesia longiseta (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Meesia triquetra (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT) BLM: MNPS Threat Rank:	1	1	View Model
Bryophytes - Meesia uliginosa (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		5	
Bryophytes - Meiotrichum lyallii (<i>Lyall's Polytrichum Moss</i>) SOC Species of Concern Native Species Global Rank: G3G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		2	
Bryophytes - Sarmentypnum exannulatum (<i>Warnstorfia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Sphagnum angustifolium (<i>Narrowleaf Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum centrale (<i>A Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum fimbriatum (<i>Fringed Bogmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum mendocinum (<i>Mendocino Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Syntrichia norvegica (<i>Norwegian Syntrichia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	

Item No.3.

			Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Lichens - Lobaria hallii	(Gray Lungwort Lichen)	SOC	1	1	
Species of Concern					
Native Species					
Global Rank: G4?					
State Rank: S2					
<u>Agency Status</u>					
USFWS:					
USFS:					
BLM:					
MNPS Threat Rank:					

Montana Natural Heritage - Species Snapshot

All Montana

Animals
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals	10					10
Birds	35					35
Reptiles	1					1
Amphibians	2					2
Fish	4					4
Invertebrates	5					5
ALL ANIMALS	57					57
Vascular Plants						
Bryophytes						
Lichens						
Algae						
ALL PLANTS						

Mammals 10 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Mammals - Canada Lynx (<i>Lynx canadensis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Areas designated as Critical Habitat for the species by the U.S. Fish and Wildlife Service on September 12, 2014 because they currently contain physical and biological features (e.g. boreal forests with snowshoe hare) essential to the conservation of the species and state and other lands within the outer boundaries of USFWS Critical Habitat polygons. Agency Status USFWS: LT; CH USFS: BLM: THREATENED FWP SWAP: SGCN3		1	3	View Model
Mammals - Fisher (<i>Pekania pennanti</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence of adults or juveniles within tracking regions containing core habitat for the species. Outer boundaries of tracking regions are defined by areas of forest cover on individual mountain ranges or clusters of adjacent mountain ranges with continuous forest cover. Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3		1	1	View Model
Mammals - Grizzly Bear (<i>Ursus arctos</i>) SOC		16	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Species Occurrence polygons represent areas delineated by the U.S. Fish and Wildlife Service (USFWS) that encompass both home ranges and potential transitory movements based on verified sightings. Within these areas, the USFWS wants project proponents to consider whether the species "may be present" when evaluating the potential impacts of a project and to work with the USFWS to develop and implement best management practices to minimize or eliminate project effects on the species.	Agency Status USFWS: PS: LT; XN USFS: BLM: THREATENED FWP SWAP: SGCN2-3			
Mammals - Hoary Bat (<i>Lasiurus cinereus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles during the active season. Point observation location is buffered by a minimum distance of 3,500 meters in order to be conservative about encompassing the maximum reported foraging distance for the congeneric <i>Lasiurus borealis</i> and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: SENSITIVE FWP SWAP: SGCN3	2	5	View Model
Mammals - Little Brown Myotis (<i>Myotis lucifugus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, or definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 1,600 meters in order to encompass the greater than 1,500 meters foraging distance reported for the species in New Brunswick, Canada and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,600 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	3	5	View Model
Mammals - Long-eared Myotis (<i>Myotis evotis</i>) SOC		1	1	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the average distances traveled from capture locations to roosts and between roosts in western Montana, Alberta, and Oregon and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Mammals - Long-legged Myotis <i>(Myotis volans)</i> SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 2,000 meters in order to encompass the average distances traveled from capture locations to roosts in Washington, Oregon, and in the Black Hills of South Dakota and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 2,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:		1	View Model
Mammals - Townsend's Big-eared Bat <i>(Corynorhinus townsendii)</i> SOC		4	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 4,500 meters in order to encompass the 95% confidence interval for nightly foraging distance reported for the species in California and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 4,500 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3			
Mammals - Western Pygmy Shrew (Sorex eximius) SOC Species of Concern Native Species Global Rank: GNR State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the population density reported for the species and buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	1	2	View Model
Mammals - Wolverine (Gulo gulo) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy supported by recent (post-1980), nearby (within 10 kilometers) observations of adults or juveniles. Tracking regions were defined by areas of primary habitat and adjacent female dispersal habitat as modeled by Inman et al. (2013). These regions were buffered by 1 kilometer in order to link smaller areas and account for potential inaccuracies in independent variables used in the model.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3	5	1	View Model

Birds

35 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Birds - American White Pelican (Pelecanus erythrorhynchos) SOC	3		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction on islands buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and new fledglings.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3		
Birds - Black Swift (<i>Cypseloides niger</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S1B SO Delineation Criteria Confirmed breeding area based on the presence of an occupied nest or birds conspicuously flying in or out of waterfall habitats during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass adjacent areas of potentially suitable nesting habitat that could be used for renesting and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC10 USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN1, SGIN PIF: 2	14	View Model
Birds - Black Tern (<i>Chlidonias niger</i>) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.		Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	30	1 View Model
Birds - Black-backed Woodpecker (<i>Picoides arcticus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the majority of home range sizes reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	2	View Model
Birds - Black-necked Stilt (<i>Himantopus mexicanus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies and adjacent terrestrial habitats documented as having been used for breeding. Water bodies are buffered by 300 meters in order to encompass terrestrial habitats that are likely to be used for nesting.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	11	View Model
Birds - Bobolink (<i>Dolichonyx oryzivorus</i>) soc			13	3 View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to conservatively encompass male territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Boreal Chickadee (<i>Poecile hudsonicus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to encompass the breeding territory size of the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	2	1	View Model
Birds - Brown Creeper (<i>Certhia americana</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 1	131	7	View Model
Birds - Caspian Tern (<i>Hydroprogne caspia</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	1		View Model
Birds - Cassin's Finch (<i>Haemorhous cassinii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing the courtship and foraging distance from nesting areas and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	87	3	View Model
Birds - Clark's Nutcracker (<i>Nucifraga columbiana</i>) SOC		36	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with direct evidence of breeding activity or indirect evidence of breeding activity between early March and mid-July within forested habitats containing Whitebark Pine (<i>Pinus albicaulis</i>), Limber Pine (<i>Pinus flexilis</i>), or Ponderosa Pine (<i>Pinus ponderosa</i>). Observations are buffered by a minimum distance of 1,000 meters in order to encompass the spring/summer breeding territory size reported for the species or the locational uncertainty of the observation to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Common Loon (<i>Gavia immer</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting and brood rearing buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success. Where breeding has been documented on extremely large water bodies, only the portion of the water body with territorial activity is delineated.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: FWP SWAP: SGCN3 PIF: 1	99	5	View Model
Birds - Evening Grosbeak (<i>Coccothraustes vespertinus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the maximum foraging distance from nests reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF:	298	15	View Model
Birds - Ferruginous Hawk (<i>Buteo regalis</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 2,000 meters in order to encompass the average home range size reported for the species and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	1		View Model
Birds - Forster's Tern (<i>Sterna forsteri</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence for nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	5		View Model
Birds - Franklin's Gull (<i>Leucophaeus pipixcan</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7		View Model

Birds - Golden Eagle (<i>Aquila chrysaetos</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,000 meters in order to be conservative about encompassing the entire breeding territory and area commonly used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: BGEPA; MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF:	30	1	View Model
Birds - Gray-crowned Rosy-Finch (<i>Leucosticte tephrocotis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 4,000 meters in order to encompass the known foraging distance from nests of the congeneric Black Rosy-Finch and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN2, SGIN PIF:	5		View Model
Birds - Great Blue Heron (<i>Ardea herodias</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 6,500 meters in order to be conservative about encompassing the areas commonly used for foraging near the breeding colony and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	63	6	View Model
Birds - Great Gray Owl (<i>Strix nebulosa</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,200 meters in order to encompass the known foraging distance and area likely to be used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3, SGIN PIF: 3	5		View Model
Birds - Harlequin Duck (<i>Histrionicus histrionicus</i>) SOC		4	2	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Stream reaches with confirmed presence of downy young, juveniles, or where breeding effort is believed to occur due to confirmed effort in adjacent areas or consistent observations of pairs over several breeding seasons. Minimum stream reach length is 1,000 meters (500 meters below and above a point observation). Occurrences on smaller order streams include the area 500 meters above an observation down to the mouth of that stream. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches, and, where appropriate, standing water bodies are buffered 100 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) BLM: FWP SWAP: SGCN2 PIF: 1			
Birds - Horned Grebe (<i>Podiceps auritus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of breeding activity buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	31		View Model
Birds - LeConte's Sparrow (<i>Ammospiza leconteii</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the estimated breeding territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC11 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	1	1	View Model
Birds - Lewis's Woodpecker (<i>Melanerpes lewis</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the likely foraging area used by breeding adults around the nest tree and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10; BCC17 USFS: Species of Conservation Concern on Forests (HLC) BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	8		View Model
Birds - Loggerhead Shrike (<i>Lanius ludovicianus</i>) soc		1		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the maximum breeding territory size reported for the species in Alberta and Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Long-billed Curlew (<i>Numenius americanus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 200 meters in order to approximate the breeding territory size reported for the species in Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC11 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	1		View Model
Birds - Northern Goshawk (<i>Accipiter gentilis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 750 meters in order to encompass the area around the nest known to be defended by adults and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2	44	2	View Model
Birds - Northern Hawk Owl (<i>Surnia ulula</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 1,000 meters in order to encompass the known foraging distance from the nest and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3, SGIN PIF:	2		View Model
Birds - Pacific Wren (<i>Troglodytes pacificus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2	74	22	View Model
Birds - Peregrine Falcon (<i>Falco peregrinus</i>) SOC			24	3	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 500 meters in order to encompass the area around the nest known to be defended by adults as well as the minimum distance reported between nests. Otherwise the nest area is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Pileated Woodpecker (<i>Dryocopus pileatus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 1,500 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2	1004	12	View Model
Birds - Trumpeter Swan (<i>Cygnus buccinator</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	42	1	View Model
Birds - Varied Thrush (<i>Ixoreus naevius</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 225 meters in order to encompass the reported minimum stand size occupied by breeding pairs and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	106	29	View Model
Birds - Veery (<i>Catharus fuscescens</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7	4	View Model
Birds - White-faced Ibis (<i>Plegadis chihi</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	3		View Model

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Reptiles - Northern Alligator Lizard (<i>Elgaria coerulea</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 200 meters in order to encompass habitats supporting other individuals and probable maximum home range sizes. Otherwise the point observation is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN	2	2	View Model

Amphibians 2 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Amphibians - Northern Leopard Frog (<i>Lithobates pipiens</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1, S4 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (BRT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN1	6		View Model
Amphibians - Western Toad (<i>Anaxyrus boreas</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN2	15	3	View Model

Fish 4 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Fish - Bull Trout (<i>Salvelinus confluentus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species is believed to be present based on the professional judgement of a fisheries biologist, potentially supported by habitat assessment, direct capture, or confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: LT, CH USFS: BLM: THREATENED FWP SWAP: SGCN2	62	5	View Model
Fish - Lake Trout (<i>Salvelinus namaycush</i>) SOC		2		View Model

Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies within the native range of the species (i.e. Elk and Twin Lakes in southwestern Montana and Saint Mary and Waterton Lakes in the Saskatchewan River drainage) where its presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN2			
Fish - Pygmy Whitefish (<i>Prosopium coulterii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN		3	View Model
Fish - Westslope Cutthroat Trout (<i>Oncorhynchus clarkii lewisi</i>) SOC Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5T4 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: SENSITIVE FWP SWAP: SGCN2	177	37	View Model

Invertebrates

5 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Invertebrates - Isocapnia crinita (<i>Hooked Snowfly</i>) SOC			1	

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Invertebrates - Isocapnia integra (Alberta Snowfly) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Prophyaon humile (Smoky Taildropper) soc Species of Concern Native Species Global Rank: G3 State Rank: S2S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:	2		2
Invertebrates - Salmasellus steganothrix (A Cave Obligate Isopod) soc Species of Concern Native Species Global Rank: G2G3 State Rank: S1S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation locations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). Adjacent hexagons are included in the Species Occurrence in order to ensure that the entire cave system is encompassed.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Somatochlora walshii (Brush-tipped Emerald) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction (larval nymphs) or presumed reproduction (adults) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to adults and wetland health.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1

Item No.3.



55 West Valley Drive
Kalispell, MT 59901

May 9, 2022

Mike Brodie, PE
Senior Project Engineer - WGMGROUP
Kalispell, MT 59901
406-756-4848

RE: Will Serve for River Highlands PUD

Dear Mike:

The purpose of this letter is to confirm that Waste Connections of Montana d/b/a Evergreen Disposal (hereinafter, "Evergreen") has the capacity to provide services to the planned subdivision, River Highlands PUD.

The provision of these services is contingent upon the development meeting minimum safe access to each home or business to provide waste collection services at the curbside, alley or in a trash enclosure/structure for Evergreen's standard, full-sized waste collection vehicles. In addition, roadways must be properly maintained including snow and ice removal and/or sanding as needed during winter months and Evergreen must at all times have safe and reasonable turnaround capabilities as well as reasonable egress/ingress for its full-sized waste collection vehicles.

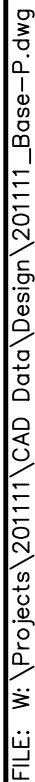
As planning begins, should a permanent garbage enclosure or "group collection area" be proposed or required due to mountainous territory and/or private roads, Evergreen will need to review and approve the structure's dimensions and location to ensure sufficient capacity for the subdivision's projected waste type and volumes, as well as features such as adequate safe access, overhead clearance, visibility, minimum turn radius, road maintenance, and egress necessary to facilitate safe weekly waste collection.

I look forward to working with you and please don't hesitate to reach out with questions.

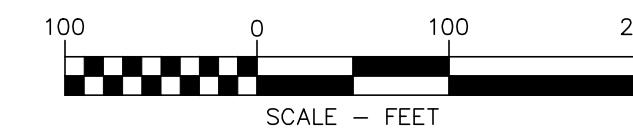
Warm regards,

A handwritten signature in black ink, appearing to read "SS", followed by a horizontal line.

Scott Shreves, Montana District Manager
(406) 249-9371
ScottSh@WasteConnections.com
{00099898.DOCX.}

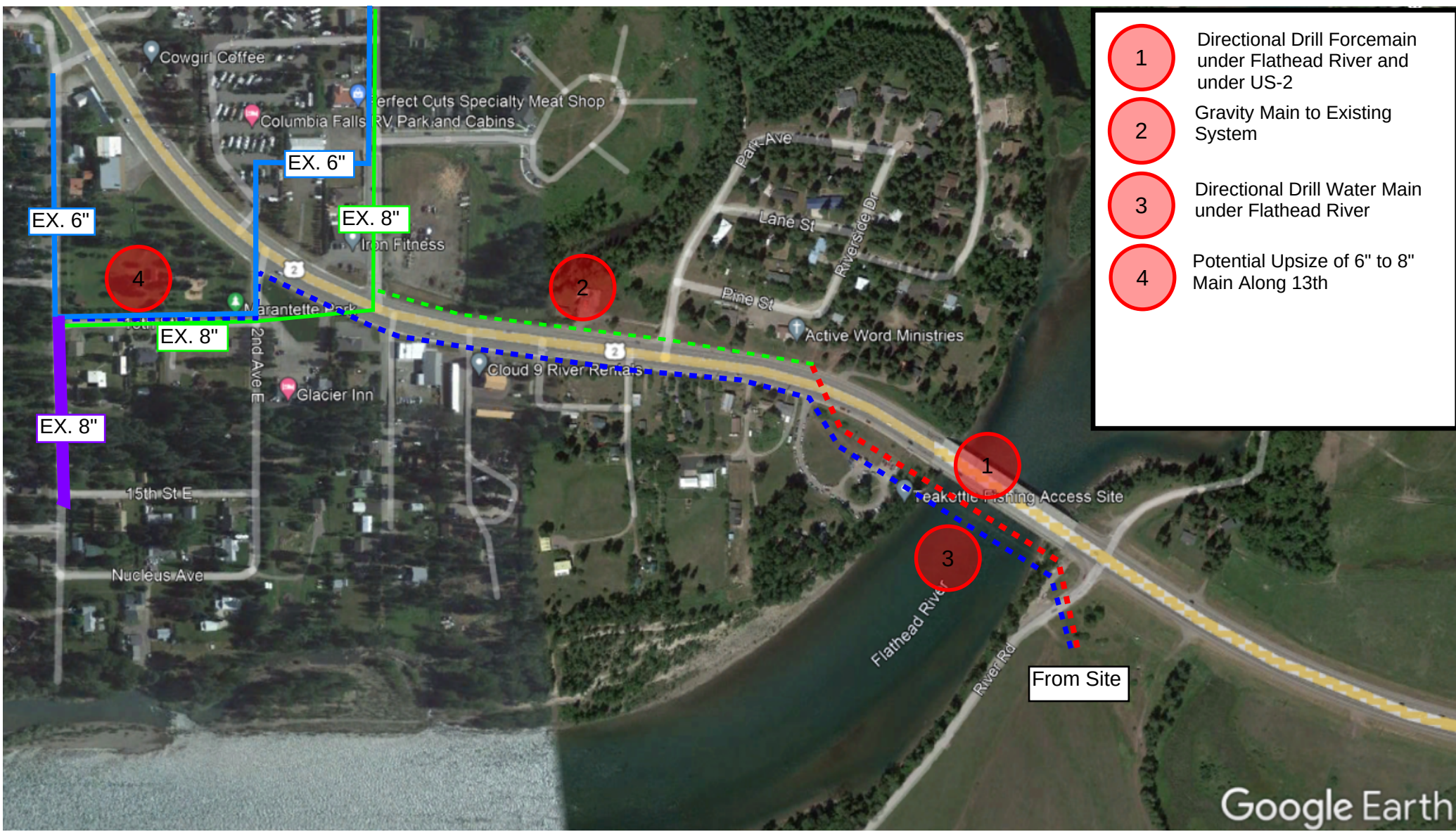


CONCEPTUAL



PRELIMINARY ENGINEERING LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

1 OF 1



- 1 Directional Drill Forcemain under Flathead River and under US-2
- 2 Gravity Main to Existing System
- 3 Directional Drill Water Main under Flathead River
- 4 Potential Upsize of 6" to 8" Main Along 13th

ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:


Fidelity National Title*
Insurance Company

Commitment Number:

FT1585-213257**NOTICE**

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Fidelity National Title Insurance Company

By:

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

Countersigned By:

 Authorized Officer or Agent
Karla Kemm

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Fidelity National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

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FIDELITY NATIONAL TITLE INSURANCE COMPANY**COMMITMENT NO. FT1585-213257****Transaction Identification Data for reference only:**

ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Karla Kemm (MG) Fidelity National Title Company of Flathead Valley, LLC 150 1st Avenue WN, Suite B Kalispell, MT 59901 Main Phone: (406)755-7004 Email: Karla.Kemm@fnf.com	Escrow Officer: Tracy Dugan Fidelity National Title Company of Montana, LLC 284 Flathead Avenue Ste 101 Whitefish, MT 59937 Phone: 406-862-7914 Fax: 866-269-7802 Main Phone: (406)862-7914 Email: Tracy.Dugan@fnf.com

Order Number: FT1585-213257**SCHEDULE A**

1. Commitment Date: September 8, 2021 at 08:00 AM

2. Policy to be issued:

- (a) ALTA Owner's Policy 2006 (Standard)
(The premium shown reflects a reissue rate)
Proposed Insured: Matt Fritter
Proposed Policy Amount: \$3,250,000.00
Premium:
Total:

\$ 4,770.37

\$ 4,770.37

3. The estate or interest in the Land described or referred to in this Commitment is:

Fee Simple

4. The Title is, at the Commitment Date, vested in:

Flathead Mountain River LLC, a Montana limited liability company

5. The Land is described as follows:

Tract 1:

lots 1, 2, and 3 of Loeffler Ridge, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Tract 2:

Tract 3 of Certificate of Survey No. 14045, located and being in North Half of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana

Tract 3:

Tract 2 (North) and Tract 2 (South) of Certificate of Survey No. 14045, located and being in Government Lot 4 and the Northeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana.**END OF SCHEDULE A**

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SCHEDULE B, PART I REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. If a power of attorney is to be used in this transaction, furnish a true and correct copy in recordable form, for review and approval prior to executing any documents.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation. The Company may require that the attorney-in-fact named in the power of attorney execute an affidavit stating that the power of attorney has not been revoked and that he/she has no knowledge or information regarding the death or incapacity of the principal therein.

6. If this transaction is to be involved in a 1031 or similar exchange, the closing officer must be notified well in advance of closing.
7. In the event matters are discovered during the closing process which would otherwise be insured by the Covered Risks included in the policy, the Company may limit or delete insurance provided by the affected Covered Risk. In such event, a supplemental will be issued prior to closing.
8. The Company requires a satisfactory statement from the Association or its agent stating the amount, if any, of unpaid common or maintenance charges against the property, to the date of closing. At that time, the Company may make additional requirements or exceptions.
9. If Fidelity Title is to be named a Trustee, reference it as follows:

Fidelity Title of Flathead Valley, LLC
10. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
11. If the Seller or Borrower intends to sign documents required to insure the transaction utilizing a remote online notary, please notify the Company immediately as additional underwriting requirements will need to be satisfied.
12. The Company will require the following documents for review prior to the issuance of any title insurance predicated

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**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Flathead Mountain River, LLC, a Montana limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

13. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
14. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.
15. Additional requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the Company.

END OF SCHEDULE B, PART I

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SCHEDULE B, PART II EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
 - a. Rights or claims of parties in possession not shown by the Public Records.
 - b. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the Land including, but not limited to, insufficient or impaired access and matters contradictory to any survey plat shown by the Public Records.
 - c. Easements, or claims of easements, not shown by the Public Records.
 - d. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
 - e. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters accepted under (a), (b), (c) are shown by the Public Records.
 - f. Taxes to special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
 - g. County road rights-of-way, not recorded and indexed as a conveyance of record in the office of the Clerk and Recorder pursuant to Title 70, Chapter 21 MCA, including, but not limited to any right of the public to use and occupy those certain roads and trails.
 - h. Mineral rights, claims or title to minerals in or under said land, including but not limited to metals, oil, gas, coal, or other hydrocarbons, sand, gravel, or stone, and geothermal energy rights, and easement or other rights or matters relating thereto, whether express or implied, recorded, or unrecorded.

Paragraphs 1, a, b, c, d, and f will not appear as printed exceptions on extended coverage policies, except as to such parts thereof which may be typed as a Special Exception as shown below.

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

SPECIAL EXCEPTIONS:

2. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0004299

Affects: Tract 1, Lot 1

3. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0004300

Affects: Tract 1, Lot 2

4. General Taxes for the year 2020

1st Half: \$25.55 PAID

2nd Half: \$25.54 PAID

Tax ID No.: 06-0004302

Affects: Tract 1, Lot 3

5. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0007578

Affects: Tract 2

6. General Taxes for the year 2020

1st Half: \$581.24 PAID

2nd Half: \$581.23 PAID

Tax ID No.: 06-0506850

Affects: Tract 3

7. General County Taxes for the year 2021 and subsequent years, which are a lien but not yet due or payable.

8. Any possible additional tax assessments because of construction and/or improvements to the property.

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SCHEDULE B, PART II
EXCEPTIONS
(continued)

9. Any adverse claim based upon the assertion that:
- a) Some portion of said Land is tide or submerged land, or has been created by artificial means or has accreted to such portion so created.
 - b) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Flathead River or has been formed by accretion to any such portion.
10. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Flathead River.
11. Any prohibition or limitation of use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now or has been formerly covered by water.
12. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: March 15, 1962
Recording No.: Book 443, page 88
13. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: December 14, 1962
Recording No.: Book 452, page 13
14. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: February 27, 1975
Recording No.: Book 579, page 454
15. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Pacific Power & Light Company
Recording Date: March 19, 1975
Recording No.: Book 579, page 62

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

16. Contract for Radio & Telephone Dispatch Services & Message Communication Center Services
- Recording Date: January 10, 1997
Recording No.: 1997-0110-09030
17. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: CenturyTel of Montana, Inc. dba CenturyTel
Recording Date: September 26, 2000
Recording No.: 2000-270-09310
18. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: CenturyTel of Montana, Inc. dba CenturyTel
Recording Date: September 26, 2000
Recording No.: 2000-270-09320
19. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Flathead Electric Cooperative, Inc.
Recording Date: October 4, 2000
Recording No.: 2000-278-08130
20. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Flathead Electric Cooperative, Inc.
Recording Date: October 4, 2000
Recording No.: 2000-278-08200
21. State of Montana Department of Environmental Quality Certificate of Subdivision Approval
- Recording Date: November 8, 2000
Recording No.: 2000-313-10100
22. Recitals, notes, dedications, easements, certificates and covenants as contained on the plat of Coetiler Ridge.
Reference is hereby made to the plat for more particulars.

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

23. State of Montana Department of Environmental Quality Certificate of Subdivision Approval

Recording Date: December 21, 2000

Recording No.: ~~2000-356-11200~~

24. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 28, 2000

Recording No.: ~~2000-363-13311~~

Release of Covenants Regarding Tracts 1, 2 and 3, C.O.S. 14045

Recording Date: November 22, 2006

Recording No.: ~~2006-326-12310~~

Release of Covenants Regarding Tracts 1, 2, and 3, C.O.S. 14045

Recording Date: March 28, 2008

Recording No.: ~~200800008484~~

25. Ordinance No. 639

Recording Date: March 20, 2003

Recording No.: ~~2003-079-15040~~

26. Ordinance No. 705

Recording Date: October 30, 2008

Recording No.: ~~200800029945~~

27. Ordinance No. 706

Recording Date: October 30, 2008

Recording No.: ~~200800029948~~

28. Ordinance No. 773

Recording Date: April 25, 2018

Recording No.: ~~201800008035~~

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SCHEDULE B, PART II
EXCEPTIONS
(continued)

29. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
30. In order to expedite this report to you, no physical inspection of the Land has been made. If a physical inspection is made, any matters found by our inspection requiring disclosure to you will be shown in a Supplement Report.
31. The land described in the commitment/policy shall not be deemed to include any home trailer or mobile home located on the property.
32. Exceptions and reservations contained in Patents of record.

Common address: 264, 316, 378, 3500, and 494 River Road, Columbia Falls, MT 59912

END OF SCHEDULE B, PART II

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COMMITMENT CONDITIONS**1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I-Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

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(continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

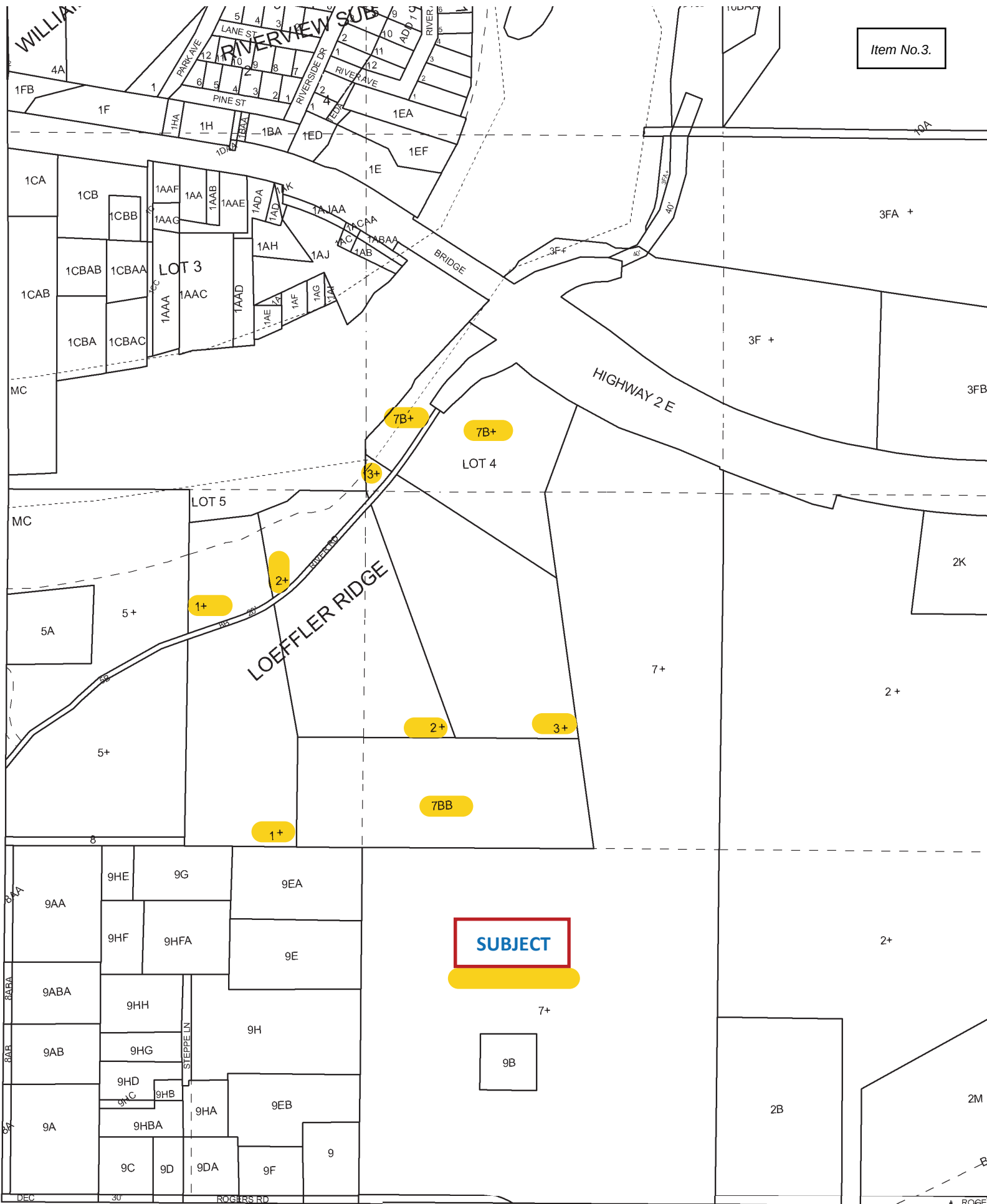
END OF CONDITIONS

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16-30-20

The map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

This mapplat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

TR. 6, 7B, 7C - 0506850

By: **Larsen Engineering and Surveying, Inc., P.C.**

Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59801
Phone: 406-752-7808

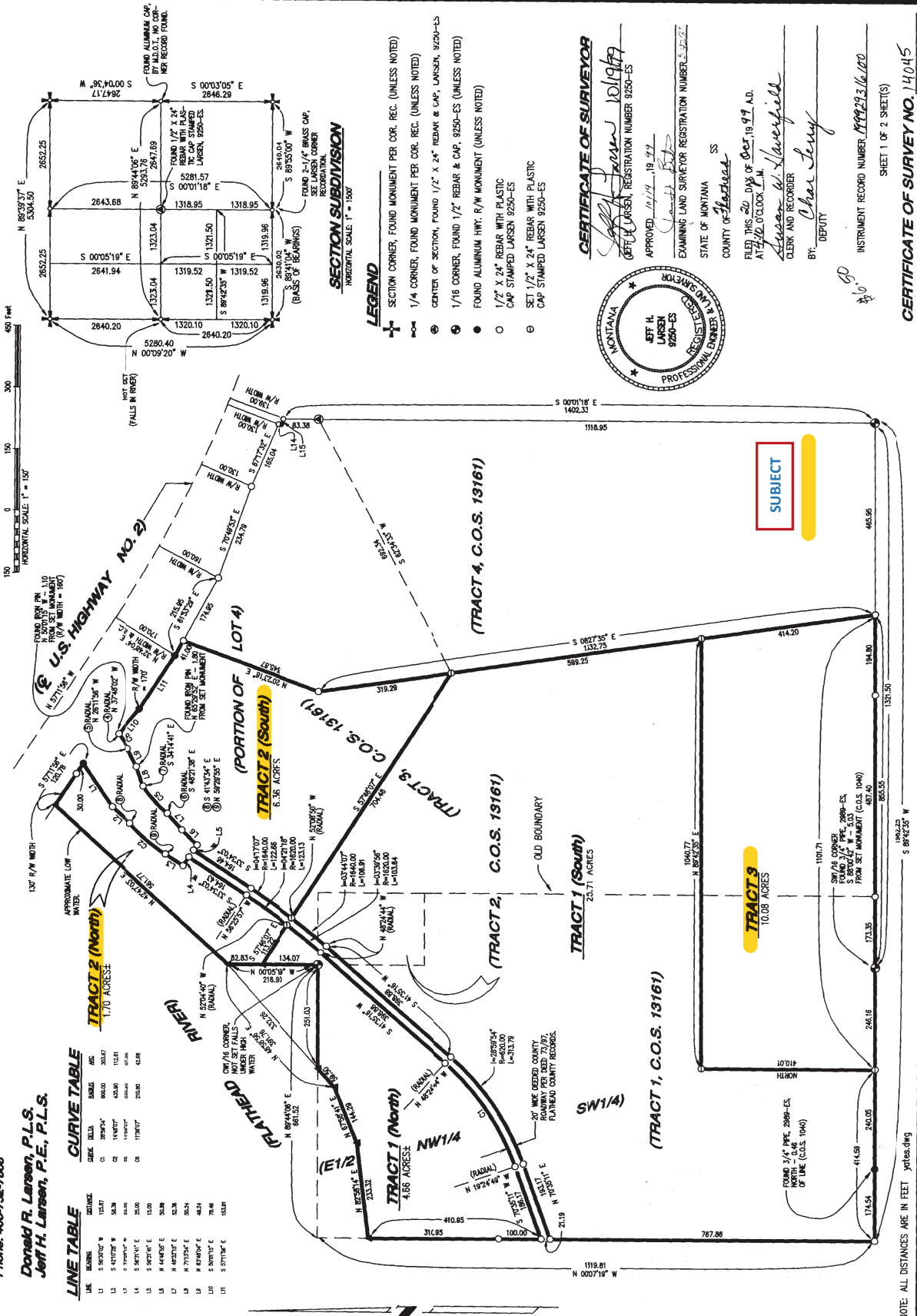
Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
Owner: **Columbia Farms, Inc.** AND **HENRY R. LOEFFLER**
Date: **September 1989**



LINE TABLE

LINE	BEARING	DISTANCE
1	S 89°00'00\"	1.00
2	S 89°00'00\"	1.00
3	S 89°00'00\"	1.00
4	S 89°00'00\"	1.00
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CURVE TABLE

LINE	BEARING	DISTANCE
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LEGEND

- SECTION CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- 1/4 CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- CENTER OF SECTION, FOUND 1/2\" X 24\" REBAR & CAP, LARSEN, 9250-ES
- 1/16 CORNER, FOUND 1/2\" REBAR & CAP, 9250-ES (UNLESS NOTED)
- FOUND ALUMINUM HWY. R/W MONUMENT (UNLESS NOTED)
- 1/2\" X 24\" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- SET 1/2\" X 24\" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES

CERTIFICATE OF SURVEYOR

Jeff H. Larsen
REGISTERED LAND SURVEYOR
MONTANA
APPROVED: **10/19/89**
EXAMINING LAND SURVEYOR REGISTRATION NUMBER: **5502**
STATE OF MONTANA
COUNTY OF **Flathead**
FILED THIS **20** DAY OF **Oct** 19 **89** A.D.
AT **2:42** O'CLOCK P.M.
CLERK AND RECORDER
BY: **Char Lery**
DEPUTY



INSTRUMENT RECORD NUMBER **1992316.00**
SHEET 1 OF 2 SHEET(S)

CERTIFICATE OF SURVEY NO. **14015**

By: **Larsen Engineering and Surveying, Inc., P.C.**
 Civil Engineering and
 Land Surveying
 P.O. Box 2077
 780 Two Mile Drive
 Kalispell, Mont. 59901
 Phone: 406-752-7606

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
 P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
 Owner: **Columbia Farms, Inc.**
 Date: **September 1999**



AND HENRY R. LOEPFELZ

LEGAL DESCRIPTIONS

TRACT 1 (North)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Beginning at the SW1/4 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north line of the deceased county roadway per Deed Book 73, Page 97; Flathead County Records; said point line to the right with a radius of 1620.00 feet and a radius of 1620.00 feet; thence along said curve and right of way on an arc length of 103.64 feet; thence S 41°30'16" W, 398.88 feet along said curve and right of way to the beginning of the curve to the right with a radius of 600.00 feet; thence along said curve and right of way on an arc length of 303.67 feet; thence S 28°59'54" W, 289.94 feet along said curve and right of way to the west boundary of the Flathead River; thence S 70°35'11" W, 186.17 feet along said right of way to the west boundary of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.50 feet; N 68°35'38" E, 35.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.662 acres of land.

TRACT 1 (South)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; thence leaving said west boundary, thence N 70°35'11" W, 398.88 feet along said curve and right of way on an arc length of 103.64 feet; thence S 41°30'16" W, 398.88 feet along said curve and right of way to the beginning of a tangent curve to the left with a radius of 600.00 feet; thence along said curve and right of way on an arc length of 313.79 feet, through a central angle of 28°59'54"; thence N 41°51'15" E, 328.83 feet to the beginning of a tangent curve to the left with a radius of 1640.00 feet; thence along said curve and right of way on an arc length of 106.91 feet, through a central angle of 03°44'07"; thence leaving said right of way, S 57°46'07" E, 184.48 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 599.25 feet along the west boundary of Tract 4 of C.O.S. 13161; thence leaving the west boundary of said Tract 4, S 89°42'35" W, 1040.77 feet to the point of beginning. Containing 25.71 acres of land.

TRACT 2 (North)

A Tract of land, situate, lying and being in Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Commencing at the SW1/4 corner of said Section 16; thence N 00°05'19" W, 134.07 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence N 00°05'19" W, 82.83 feet to the approximate low water line of the Flathead River; thence N 42°47'03" E, 361.77 feet along said approximate low water line to the south right of way of U.S. Highway No. 2; thence leaving said low water line, the following courses are along U.S. Highway No. 2 right of way, S 57°15'56" E, 120.78 feet; S 56°30'02" W, 125.87 feet; S 42°10'29" W, 58.39 feet to the beginning of a curve to the left with a radius of 112.61 feet, through a central angle of 435.90 feet; thence along said curve and U.S. Highway No. 2 right of way on an arc length of 112.61 feet, through a central angle of 14°48'07"; thence leaving said curve and U.S. Highway No. 2 right of way, S 33°28'19" W, 50.00 feet; S 56°31'41" E, 25.00 feet to the north right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; thence along said curve and right of way on an arc length of 1620.00 feet; thence along said curve and county right of way to the right with a radius of 1620.00 feet; thence leaving said curve and county right of way, S 57°46'07" W, 113.22 feet to the point of beginning. Containing 1.702 acres of land.

TRACT 2 (South)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Commencing at the SW1/4 corner of said Section 16; thence S 82°34'33" W, 692.34 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence S 82°34'33" W, 692.34 feet to the west boundary of Tract 4 of C.O.S. 13161; thence leaving said west boundary, N 57°46'07" W, 704.48 feet to the south right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; said point line to the right with a radius of 1226.66 feet, through a central angle of 04°17'07"; thence N 33°44'03" E, 164.46 feet along said right of way to the south right of way of U.S. Highway No. 2; thence leaving said county right of way, the following courses are along U.S. Highway No. 2 right of way, S 56°31'41" E, 15.00 feet; N 44°46'55" E, 50.99 feet; N 48°32'15" E, 52.36 feet to the beginning of a curve to the right with a radius of 27.88 feet, through a central angle of 14°08'57"; thence the following courses are along said U.S. Highway No. 2 right of way, S 42°10'29" E, 50.24 feet; N 63°48'04" E, 49.24 feet to the beginning of a curve to the left with a radius of 27.88 feet, through a central angle of 11°36'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 50°01'15" E, 153.91 feet; S 61°52'29" E, 41.00 feet to the northwest corner of Tract 4 of C.O.S. 13161; thence leaving said U.S. Highway No. 2 right of way, S 20°23'18" W, 345.87 feet; thence S 08°27'35" E, 319.29 feet to the point of beginning. Containing 6.36 acres of land.

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

TRACT 3

A Tract of land, situate, lying and being in the SW1/4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Beginning at the SW1/4 corner of said Section 16; thence S 89°42'35" W, 248.16 feet along the south boundary of Tract 1 of C.O.S. 13161; thence leaving said south boundary, thence S 08°27'35" E, 414.20 feet to the southwest corner of said Tract 4; thence S 89°42'35" W, 655.55 feet to the point of beginning. Containing 10.08 acres of land.

OWNER'S CERTIFICATE

I, hereby certify that the purpose of this division of land for Tracts 1, 2 and 3 is to relocate common boundary between adjoining tracts outside of a platted subdivision, and that the purpose of this division is to create, therefore, this division of land is exempt from payment of a subdivision pursuant to Section 76-3-207(1)(c), M.C.A.

I also certify that Tracts 2 and 3 are exempt from review by the Montana Department of Environmental Quality because Tracts 2 and 3 are areas of land where sanitary facilities will not be used, in which no structures requiring water or sewage disposal will be erected. Pursuant to 17-36-606(2)(c), A.R.M.

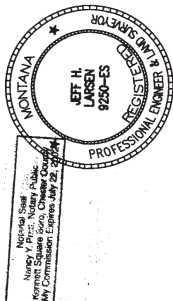
John E. Rogers
John E. Rogers
Personal Representative of
the Estate of Henry P. Rogers

State of Montana
 County of Flathead
 On this 19th day of Sept. in the year 1999
 before me, personally appeared *John E. Rogers*, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

John E. Rogers
 NOTARY PUBLIC for the State of Montana
 My Commission Expires 12/31/2003

State of Montana
 County of Flathead
 On this 19th day of Sept. in the year 1999
 before me, personally appeared *John E. Rogers*, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

John E. Rogers
 NOTARY PUBLIC for the State of Montana
 My Commission Expires 12/31/2003



INSTRUMENT RECORD NUMBER: 1999-09316-170
 SHEET 2 OF 2 SHEETS

CERTIFICATE OF SURVEY NO. 17045



ORDER CONFIRMATION

Date: May 06, 2022

Insured Titles Order Number: **1044949-FT**

Customer Reference Number:

Buyer/Borrower: **River Highlands, LLC**

Property Address: **264, 316, 378, 494 & NHN River Rd. Columbia Falls, MT 59912**

County: **Flathead**

Your local contact information:

Title Office:

Insured Titles
44 4th Street West/P.O. Box 188
Kalispell, Montana 59901
Phone (406)755-5028 Fax (406)755-3299



FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.3.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004299
TAX BILL NUMBER: 202009900
SCHOOL DISTRICT: 06
GEO CODE: 07418616304200000

Property Location:
264 RIVER RD
COLUMBIA FALLS MT 59912
Property Description
16.30 20 LOEFFLER RIDGE SUB LOT 1

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	516	78.00
No Buildings Assessed	0	0
Totals	516	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.65
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		35.73
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.44
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 49.82

51836 **1st Installment due 11/30/2020 = 24.92**
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004299
TAX BILL NUMBER: 202009900
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.3.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004300
TAX BILL NUMBER: 202009901
SCHOOL DISTRICT: 06
GEO CODE: 07418616304250000

Property Location:
316 RIVER RD
COLUMBIA FALLS MT 59912
Property Description
16.30 20 LOEFFLER RIDGE SUB LOT 2

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	518	78.00
No Buildings Assessed	0	0
Totals	518	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.65
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		35.73
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.44
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 49.82

51838 **1st Installment due 11/30/2020 = 24.92**
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004300
TAX BILL NUMBER: 202009901
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

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DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.3.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004302
TAX BILL NUMBER: 202009902
SCHOOL DISTRICT: 06
GEO CODE: 07418616304300000

Property Location:

378 RIVER RD
COLUMBIA FALLS MT 59912

Property Description

16.30.20 LOEFFLER RIDGE SUB LOT 3

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	531	80.00
No Buildings Assessed	0	0
Totals	531	80.00

Description	Percentage	Amount
County Functions	25.38%	12.97
Education	71.73%	36.65
Other	2.87%	1.47

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.49	COUNTY LIBRARY	.006260	0.50
SHERIFF	.038700	3.10	CO PERM MED LEVY	.012760	1.02
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.06
ROAD	.023020	1.84	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.48			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.97
STATE - UNIVERSITY	.006000	0.48	GENERAL SCHOOLS	.104120	8.33
STATE - SCHOOL AID	.040000	3.20	FLAT VAL COM COLLEGE	.014490	1.16
COLUMBIA FALLS H.S.	.061960	4.96	CF RURAL ELEM 06	.225490	18.04
FVCC PERMIS MED LEVY	.006040	0.48			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		36.65
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.34
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.47
Total Mills Levied	0.638720				
Total Taxes and Fees . . . 51.09					

51837 1st Installment due 11/30/2020 = 25.55
2nd Installment due 05/31/2021 = 25.54

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

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Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004302
TAX BILL NUMBER: 202009902
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 25.54

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

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If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 25.55

51.09

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.3.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0007578
TAX BILL NUMBER: 202010163
SCHOOL DISTRICT: 06
GEO CODE: 07418616304150000

Property Location:
494 RIVER RD
COLUMBIA FALLS MT 59912
Property Description
16.30 20 TR 7BB IN L5 & NE4SW4

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	519	78.00
No Buildings Assessed	0	0
Totals	519	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...		.162180		12.65	
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....		.458100		35.73	
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....		.018440		1.44	
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 49.82

51835 **1st Installment due 11/30/2020 = 24.92**
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
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If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0007578
TAX BILL NUMBER: 202010163
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

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If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.3.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0506850
TAX BILL NUMBER: 202013213
SCHOOL DISTRICT: 06
GEO CODE: 07418616304350000

Property Location:

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Property Description
16.30.20 TR 7B IN L4 SE4NW4

Type of Property	Market Value	Taxable Value
Real Estate	134,830	1,820.00
No Buildings Assessed	0	0
Totals	134,830	1,820.00

Description	Percentage	Amount
County Functions	25.39%	295.17
Education	71.72%	833.74
Other	2.88%	33.56

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	124.92	COUNTY LIBRARY	.006260	11.39
SHERIFF	.038700	70.43	CO PERM MED LEVY	.012760	23.22
NOXIOUS WEEDS	.001280	2.33	COUNTYWIDE MOSQUITO	.000910	1.66
911 GENER OBLIG BOND	.001880	3.42	PERM SRS LEVY	.000700	1.27
ROAD	.023020	41.90	COUNTY PLANNING	.002050	3.73
BOARD OF HEALTH	.005990	10.90			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		295.17
STATE - UNIVERSITY	.006000	10.92	GENERAL SCHOOLS	.104120	189.50
STATE - SCHOOL AID	.040000	72.80	FLAT VAL COM COLLEGE	.014490	26.37
COLUMBIA FALLS H.S.	.061960	112.77	CF RURAL ELEM 06	.225490	410.39
FVCC PERMIS MED LEVY	.006040	10.99			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		833.74
SOIL & WATER CONSERV	.001680	3.06	BADROCK FIRE	.016760	30.50
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		33.56
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 1162.47

51834 **1st Installment due 11/30/2020 = 581.24**
2nd Installment due 05/31/2021 = 581.23

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
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MAY 31, 2021

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Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0506850
TAX BILL NUMBER: 202013213
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 581.23

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 581.24

1162.47

1ST 2020 REAL ESTATE





Debbie Pierson, Flathead County MT by AC

202000038996

Page: 1 of 3

Fees: \$21.00

11/18/2020 1:55 PM

Item No.3.

AND WHEN RECORDED MAIL TO:

Flathead Mountain River, LLC

3500 E Lakeshore Drive

Whitefish, MT 59937

Filed for Record at Request of:

First American Title Company

Space Above This Line for Recorder's Use Only

Order No.: 939770-CT

Parcel No.: 0004299

WARRANTY DEED

FOR VALUE RECEIVED,

AviBree Real Estate Holdings, LLC a Nevada Limited Liability Company

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

Flathead Mountain River, LLC

whose address is: **3500 E Lakeshore Drive, Whitefish, MT 59937**

Hereinafter called the Grantee, the following described premises situated in **Flathead County, Montana**, to-wit:

PARCEL 1:

LOTS 1, 2 AND 3 OF LOEFFLER RIDGE, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF FLATHEAD COUNTY, MONTANA.

PARCEL 2:

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN AS FOLLOWS:

TRACT 3 OF CERTIFICATE OF SURVEY NO. 14045.

PARCEL 3:

A TRACT OF LAND, SITUATED, LYING AND BEING IN GOVERNMENT LOT 4 OF SECTION 16, TOWNSHIP 30, NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN

★★ 0004299, 0004300, 0004302, 00075278, 0506850 sa



AS:

TRACT 2 (NORTH) OF CERTIFICATE OF SURVEY NO. 14045

AND

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHWEST QUARTER AND GOVERNMENT LOT 4 OF SECTION 16, TOWNSHIP 30, NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN AS:

TRACT 2 (SOUTH) OF CERTIFICATE OF SURVEY NO. 14045

SUBJECT TO covenants, conditions, restrictions, provisions, easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 17, 2020

AviBree Real Estate Holdings, LLC , a Nevada
limited liability company

By: 
Name: Lloyd M. Claycomb, II
Title: Manager

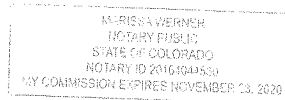


STATE OF Colorado)
COUNTY OF Adams)

This instrument was acknowledged before me on November 17, 2020, by **Lloyd M. Claycomb, II, Manager of AviBree Real Estate Holdings, LLC.**

Marissa Werner

Notary Public for the State
of Colorado
Residing at: Adams County
My Commission Expires: 11-23-20



TR 6, 7B, 7C - 0506850

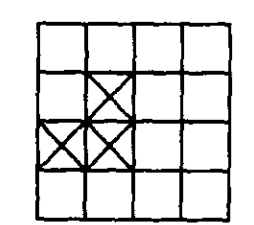
By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-752-7808

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

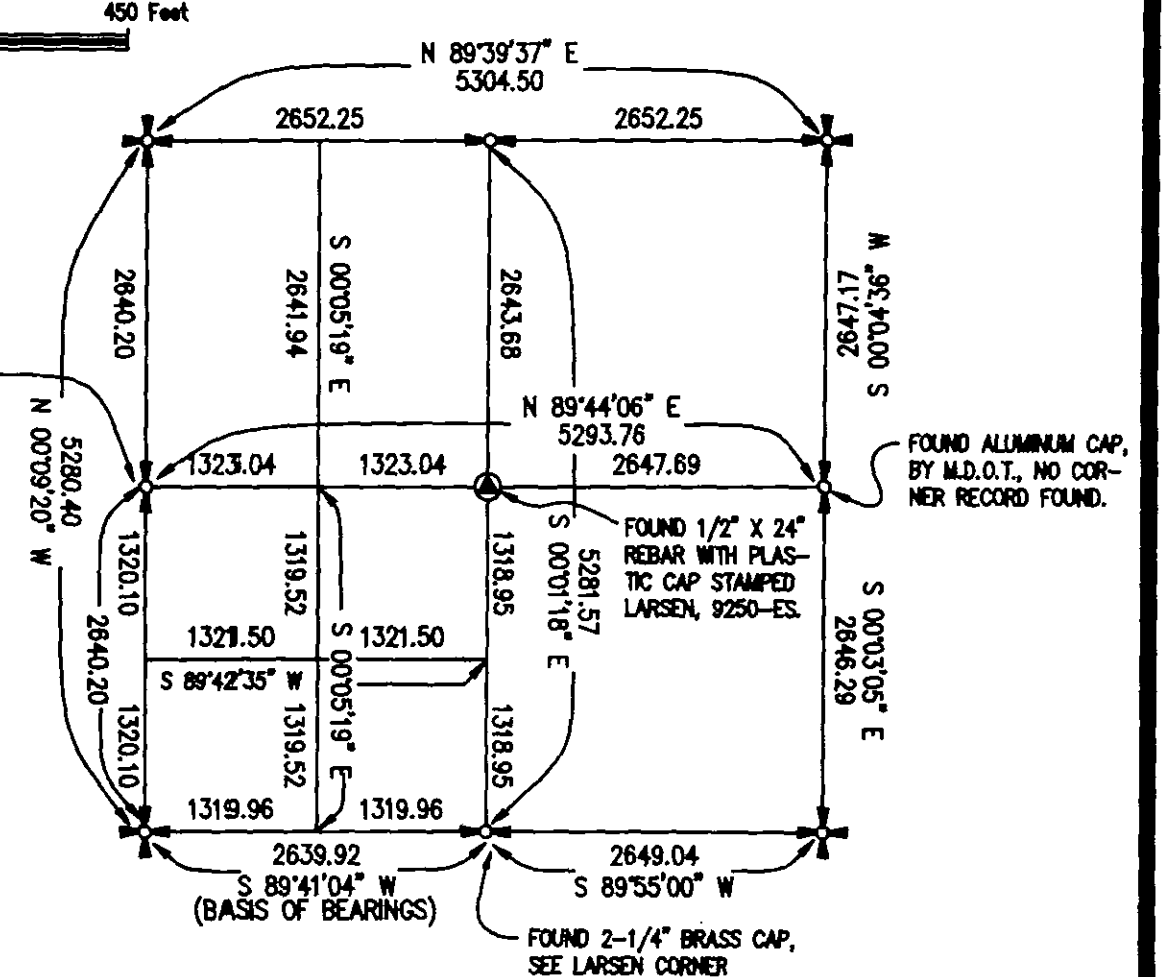
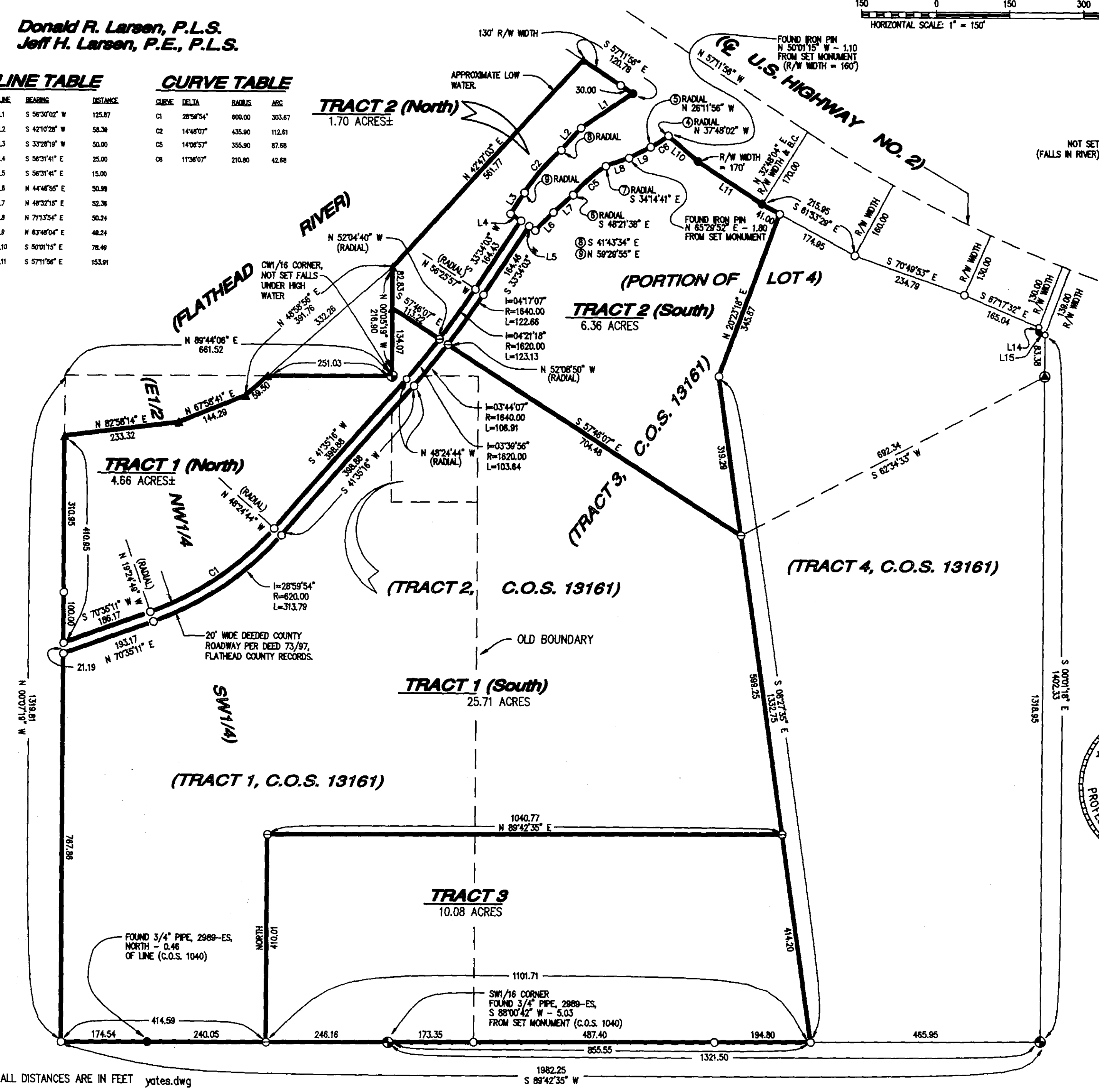
CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.
For: Lulu E. Rogers
Owner: Columbia Farms, Inc. AND HENRY R. LOEFFLER
Date: September 1999



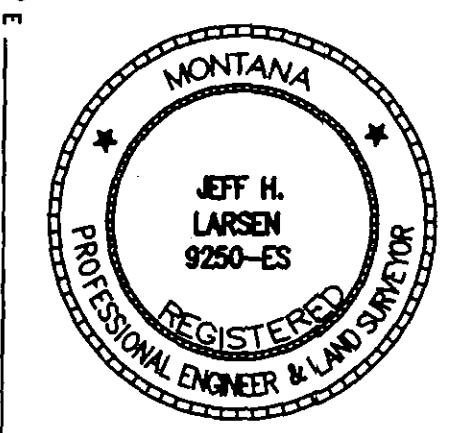
LINE TABLE			CURVE TABLE			
LINE	BEARING	DISTANCE	CURVE	DELTA	RADIUS	ARC
L1	S 56°30'02" W	125.87	C1	28°54'54"	800.00	303.67
L2	S 42°10'28" W	58.38	C2	14°48'07"	435.90	112.61
L3	S 33°28'19" W	50.00	C3	14°08'57"	355.90	87.88
L4	S 56°31'41" E	25.00	C4	11°36'07"	210.80	42.68
L5	S 56°31'41" E	15.00				
L6	N 44°46'55" E	50.88				
L7	N 48°32'15" E	52.36				
L8	N 71°33'54" E	50.24				
L9	N 83°48'04" E	48.24				
L10	S 50°01'15" E	78.48				
L11	S 57°11'56" E	153.91				



SECTION SUBDIVISION

HORIZONTAL SCALE: 1" = 150'

- LEGEND**
- SECTION CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
 - 1/4 CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
 - CENTER OF SECTION, FOUND 1/2" X 24" REBAR & CAP, LARSEN, 9250-ES
 - 1/16 CORNER, FOUND 1/2" REBAR & CAP, 9250-ES (UNLESS NOTED)
 - FOUND ALUMINUM HWY. R/W MONUMENT (UNLESS NOTED)
 - 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
 - SET 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES



CERTIFICATE OF SURVEYOR
Jeff H. Larsen 10/19/99
JEFF H. LARSEN, REGISTRATION NUMBER 9250-ES
APPROVED 10/19/99
EXAMINING LAND SURVEYOR REGISTRATION NUMBER 54285
STATE OF MONTANA
COUNTY OF Flathead
FILED THIS 20 DAY OF Oct, 19 99 A.D.
AT 4:10 O'CLOCK P.M.
Susan W. Haverfield
CLERK AND RECORDER
BY: *Char Lerry*
DEPUTY
INSTRUMENT RECORD NUMBER 199929316100

CERTIFICATE OF SURVEY NO. 14045

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

14045

By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-752-7808

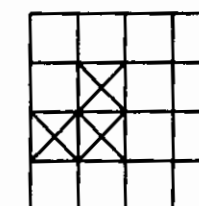
Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
 P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
 Owner: **Columbia Farms, Inc.** AND HENRY R. LOEFFLER
 Date: **September 1999**



TRACT 1 (North)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the CW1/16 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records, said point lies on a curve to the right with a radial bearing of N 52°04'40" W and a radius of 1620.00 feet; thence along said curve and right of way an arc length of 103.64 feet, through a central angle of 03°39'56"; thence S 41°35'16" W, 398.88 feet along said north right of way to the beginning of a tangent curve to the right with a radius of 600.00 feet; thence along said curve and right of way an arc length of 303.67 feet, through a central angle of 28°59'54"; thence S 70°35'11" W, 186.17 feet along said right of way to the west boundary of Tract 1 of C.O.S. 13161; thence N 00°07'19" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.29 feet; N 48°58'56" E, 59.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.66± acres of land.

TRACT 1 (South)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said west boundary, thence N 70°35'11" E, 193.17 feet along said south right of way to the beginning of a tangent curve to the left with a radius of 620.00 feet; thence along said curve and right of way an arc length of 313.79 feet, through a central angle of 28°59'54"; thence N 41°35'16" E, 398.88 feet to the beginning of a tangent curve to the left with a radius of 1640.00 feet; thence along said curve and right of way an arc length of 106.91 feet, through a central angle of 03°44'07"; thence leaving said right of way, S 57°46'07" E, 704.48 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 599.25 feet along the west boundary of said Tract 4; thence leaving the west boundary of said Tract 4, S 89°42'35" W, 1040.77 feet; thence South, 410.01 feet to the south boundary of Tract 1 of C.O.S. 13161; thence S 89°42'35" W, 414.59 feet to the point of beginning. Containing 25.71 acres of land.

TRACT 2 (North)

A Tract of land situate, lying and being in Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing at the CW1/16 corner of said Section 16; thence N 00°05'19" W, 134.07 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence N 00°05'19" W, 82.83 feet to the approximate low water line of the Flathead River; thence N 42°47'03" E, 561.77 feet along said approximate low water line to the south right of way of U.S. Highway No. 2; thence leaving said low water line, the following courses are along U.S. Highway No. 2 right of way, S 57°11'56" E, 120.78 feet; S 56°30'02" W, 125.87 feet; S 42°10'28" W, 58.39 feet to the beginning of a curve to the left with a radial bearing of S 41°43'34" E and a radius of 435.90 feet; thence along said curve and U.S. Highway No. 2 right of way an arc length of 112.61 feet, through a central angle of 14°48'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 33°28'19" W, 50.00 feet; S 56°31'41" E, 25.00 feet to the north right of way of a Deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said U.S. Highway No. 2 right of way, S 33°34'03" W, 164.43 feet along said north county roadway right of way to the beginning of a tangent curve to the right with a radius of 1620.00 feet; thence along said curve and county right of way an arc length of 123.13 feet, through a central angle of 04°21'18"; thence leaving said county right of way, N 57°46'07" W, 113.22 feet to the point of beginning. Containing 1.70± acres of land.

TRACT 2 (South)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing at the C1/4 corner of said Section 16; thence S 62°34'33" W, 692.34 feet to the TRUE POINT OF BEGINNING of the Tract of land being described, said point lies on the west boundary of Tract 4 of C.O.S. 13161; thence leaving said west boundary, N 57°46'07" W, 704.48 feet to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records, said point lies on a curve to the left with a radial bearing of N 52°08'50" W and a radius of 1640.00 feet; thence along said curve and right of way an arc length of 122.66 feet, through a central angle of 04°17'07"; thence N 33°34'03" E, 164.46 feet along said right of way to the south right of way of U.S. Highway No. 2; thence leaving said county right of way, the following courses are along said U.S. Highway No. 2 right of way, S 56°31'41" E, 15.00 feet; N 44°46'55" E, 50.99 feet; N 48°32'15" E, 52.36 feet to the beginning of a curve to the right with a radial bearing of S 48°21'38" E and a radius of 355.90 feet, thence along said curve and U.S. Highway No. 2 right of way an arc length of 87.68 feet, through a central angle of 14°06'57"; thence the following courses are along said U.S. Highway No. 2 right of way, N 71°13'54" E, 50.24 feet; N 63°48'04" E, 49.24 feet to the beginning of a curve to the left with a radial bearing of N 26°11'56" W and a radius of 210.80 feet; thence along said curve and U.S. Highway No. 2 right of way an arc length of 42.68 feet, through a central angle of 11°36'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 50°01'15" E, 78.49 feet; S 57°11'56" E, 153.91 feet; S 61°53'29" E, 41.00 feet to the northwest corner of Tract 4 of C.O.S. 13161; thence leaving said U.S. Highway No. 2 right of way, S 20°23'18" W, 345.87 feet; thence S 08°27'35" E, 319.29 feet to the point of beginning. Containing 6.36 acres of land.

TRACT 3

A Tract of land, situate, lying and being in the SW1/4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the SW1/16 corner of said Section 16; thence S 89°42'35" W, 246.16 feet along the south boundary of Tract 1 of C.O.S. 13161; thence leaving said south boundary, North, 410.01 feet; thence N 89°42'35" E, 1040.77 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 414.20 feet to the southwest corner of said Tract 4; thence S 89°42'35" W, 855.55 feet to the point of beginning. Containing 10.08 acres of land.

OWNER'S CERTIFICATE

I, hereby certify that the purpose of this division of land for Tracts 1, 2 and 3 is to relocate common boundary lines between adjoining Tracts outside of a platted subdivision, and no additional tracts are hereby created; therefore, this division of land is exempt from review as a subdivision pursuant to Section 76-3-207(1)(a), M.C.A.

I also certify that Tracts 2 and 3 are exempt from review by the Montana Department of Environmental Quality because Tracts 2 and 3 are parcels of land where sanitary facilities will not be used, in which no structure requiring water or sewage disposal will be erected. Pursuant to 17.36.605(2)(e), A.R.M.

Lulu E. Rogers
 for *Columbia Farms, Inc.*
Henry R. Loeffler
 Personal Representative for
 the Estate of Henry R. Loeffler

State of Montana

County of Flathead

On this 22 day of Sept in the year 1999
 before me, personally appeared Lulu E. Rogers for Columbia Farms, Inc.
 known to me to be the person whose name is subscribed therein
 to the within instrument, and acknowledged to me that
she executed the same.

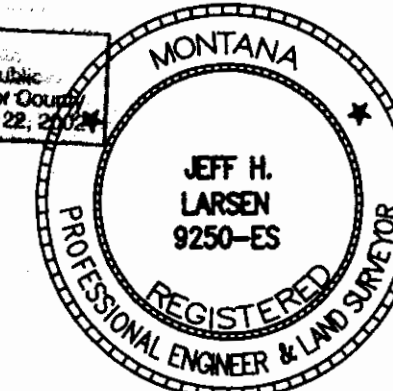
Michael J. Larson
 NOTARY PUBLIC for the State of Montana
 RESIDING at Kenmet Square
 My Commission Expires 3/9/03

State of Montana Pennsylvania
 County of Flathead Chester

On this 22 day of October in the year 1999
 before me, personally appeared Elizabeth A. L. Rhoads
 known to me to be the person whose name is subscribed
 to the within instrument, and acknowledged to me that
she executed the same.

Michael J. Larson
 NOTARY PUBLIC for the State of Montana Pennsylvania
 RESIDING at Kenmet Square
 My Commission Expires 7-22-02

Notarial Seal
 Nancy Y. Price, Notary Public
 Kenmet Square Boro, Chester County
 My Commission Expires July 22, 2004



INSTRUMENT RECORD NUMBER 199929316100

SHEET 2 OF 2 SHEET(S)

CERTIFICATE OF SURVEY NO. 14045

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

EE-01-9

TR BC-0506-860 pt 6-10-33

Item No. 3.

By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-753-7808

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

SUBDIVISION PLAT LOEFFLER RIDGE

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

HORIZONTAL SCALE: 1" = 150'

ACREAGE SUMMARY

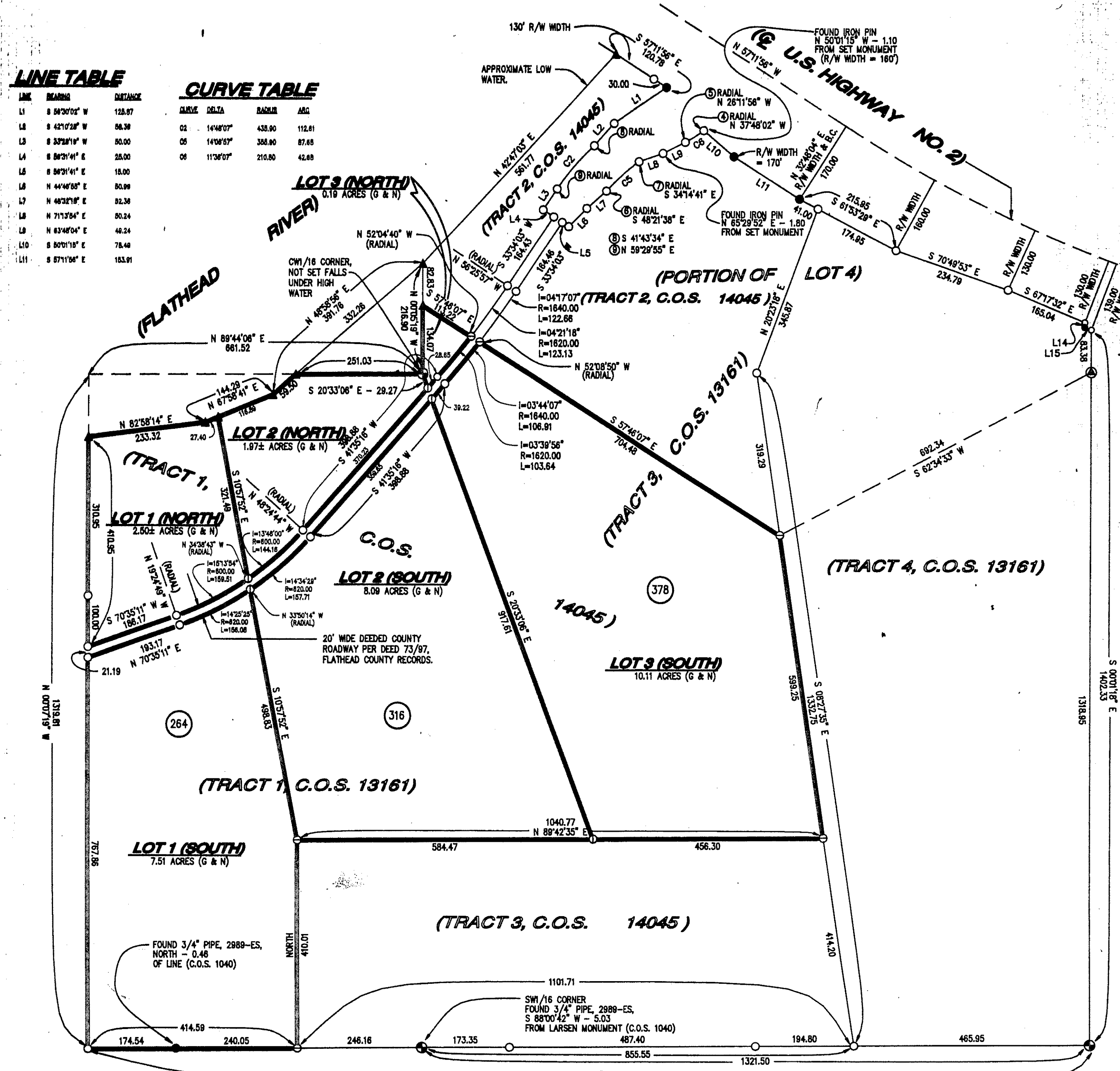
LOT 1 = 10.01 AC. (GROSS)	10.01 AC. (NET)
LOT 2 = 10.08 AC. (GROSS)	10.08 AC. (NET)
LOT 3 = 10.30 AC. (GROSS)	10.30 AC. (NET)
TOTAL	30.37 ACRES (GROSS) 30.37 ACRES (NET)

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°05'19" W	128.87
L2	S 42°12'51" E	56.38
L3	S 32°39'11" E	50.00
L4	S 89°05'19" E	50.00
L5	N 44°04'06" E	50.00
L6	N 44°04'06" E	50.00
L7	N 44°04'06" E	50.00
L8	N 44°04'06" E	50.00
L9	N 44°04'06" E	50.00
L10	N 44°04'06" E	50.00
L11	S 89°05'19" E	128.87

CURVE TABLE

CURVE	DATA	DATA	DATA
C1	14°40'07"	435.90	112.81
C2	14°40'07"	368.80	87.65
C3	11°30'07"	216.80	42.88



LEGEND

- SECTION CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- 1/4 CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- CENTER OF SECTION, FOUND 1/2" X 24" REBAR & CAP, LARSEN, 9250-ES
- 1/16 CORNER, FOUND 1/2" REBAR & CAP, 9250-ES (UNLESS NOTED)
- FOUND ALUMINUM HWY. R/W MONUMENT (UNLESS NOTED)
- 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- SET 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- HOUSE NUMBER (TYPICAL)

G = GROSS
N = NET

SUBDIVISION PLAT NOTES

- House numbers shall be visible at the driveway entrances.
- All disturbed areas shall be revegetated in accordance with the requirements of the Flathead County Weed Department.
- All new utilities shall be installed underground. The "backbone" service shall extend along the subdivision road in order to provide utilities to each lot. Utility easements shall be provided and indicated on the final plat in accordance with Sections 3.17 and 3.18 of the Flathead County Subdivision Regulations.
- This neighborhood is an agricultural community and dust, noise, and odor are by-products of agricultural production.
- That no residence may be placed on the north side of River Road due to the designated floodway restrictions.

CERTIFICATE OF COUNTY COMMISSIONERS

We, the undersigned, **ROBERT WATKINS** Chairman of the Board of Commissioners of Flathead County, Montana and **SUSAN W. HAVENFELD** County Clerk of said County, do hereby certify that this accompanying plat of Loeffler Ridge, Flathead County, Montana, has been submitted to the Board of Commissioners of Flathead County, Montana for examination and has been found by them to conform to law and was approved by them at a regular meeting held on the 21 day of DEC. 2000.

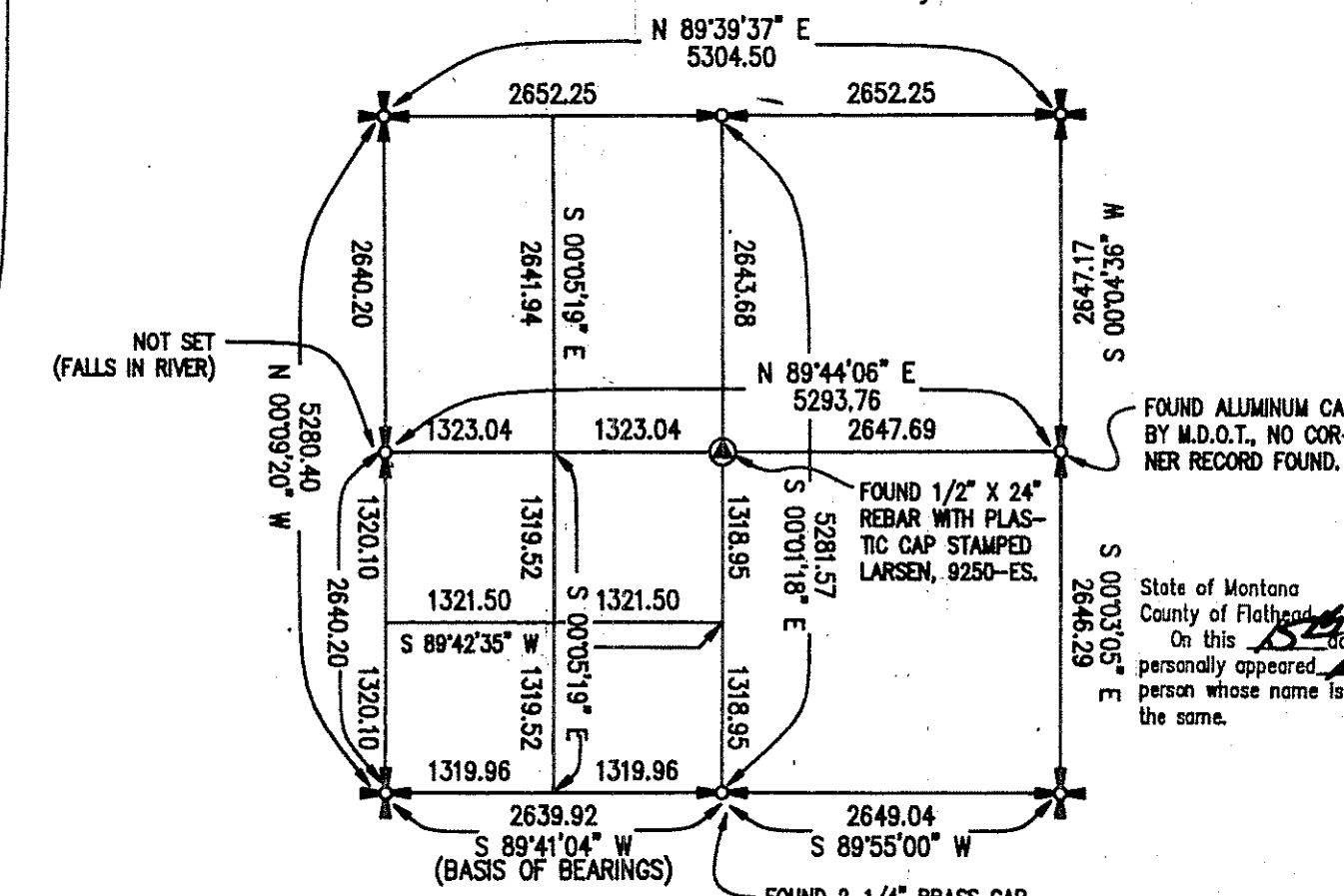
Robert Watkins
Chairman-Board of County Commissioners
Flathead County

Susan W. Havenfeld
County Clerk-Flathead County
Michelle M. Anderson
Deputy

CERTIFICATE OF COUNTY ATTORNEY

This plat has been examined by the office of the County Attorney according to Section 76-3-612 (2), M.C.A. Relying on Title report No. 21004004700160 and has been approved based upon information submitted by the developer and/or his agent.

Dennis J. Kester
date 12/19/00 by



SECTION SUBDIVISION

HORIZONTAL SCALE: 1" = 1500'

CERTIFICATE OF DEDICATION

I, the undersigned, property owner do hereby certify that I have caused to be surveyed and platted into lots all of the following described property as described in the Certificate of Dedication and shown by the annexed plat or map situate, lying and being in the SW1/4 Sec. 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

(NORTH PORTION)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the NW1/4 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north-right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; said point lies on a curve to the right with a radial bearing of N 52°04'40" W and a radius of 1620.00 feet; thence along said curve and right of way on an arc length of 103.64 feet, through a central angle of 03°39'56"; thence S 41°35'16" W, 398.88 feet along said north-right of way to the beginning of a tangent curve to the right with a radius of 600.00 feet; thence along said curve and right of way on an arc length of 303.67 feet, through a central angle of 28°59'54"; thence S 70°35'11" W, 186.17 feet along said right of way to the west boundary of Tract 1 of C.O.S. 13161; thence N 00°07'19" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.29 feet; N 48°58'56" E, 59.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.66± acres of land.

(SOUTH PORTION)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said west boundary, thence N 70°35'11" E, 193.17 feet along said south-right of way to the beginning of a tangent curve to the left with a radius of 620.00 feet; thence along said curve and right of way on an arc length of 313.79 feet, through a central angle of 28°59'54"; thence N 41°35'16" E, 398.88 feet to the beginning of a tangent curve to the left with a radius of 1640.00 feet; thence along said curve and right of way on an arc length of 106.91 feet, through a central angle of 03°44'07"; thence leaving said right of way, S 57°46'07" E, 704.48 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 599.25 feet along the west boundary of said Tract 4; thence leaving the west boundary of said Tract 4, S 89°42'35" W, 1040.77 feet; thence South, 410.01 feet to the south boundary of Tract 1 of C.O.S. 13161; thence S 89°42'35" W, 414.59 feet to the point of beginning. Containing 25.71 acres of land.

The above described property shall be known as Loeffler Ridge.

In witness whereof I have caused my hand to be set this 30th day of OCTOBER, 2000
Columbia Farms, Inc.
OWNER
Jeff H. Larsen
OWNER by **John Rogers**

State of Montana Flathead County of Flathead
On this 30th day of October, in the year 2000, before me a Notary Public for the State of Montana, personally appeared **Jeff H. Larsen**, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that they executed the same.

Jeff H. Larsen
NOTARY PUBLIC for the State of Montana Flathead County
RESIDING at Kalispell, Montana
My commission expires July 22, 2002

UTILITY CERTIFICATE

A ten (10) foot wide utility easement is hereby reserved for each lot of this subdivision, centered on the utility service for each lot. Said easement shall extend from the point of origin to the required service point.

Columbia Farms, Inc.
OWNER
John Rogers
OWNER by **John Rogers**

The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide, telephone, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for construction, maintenance, repair and removal of their lines and other facilities in and under each area designated on this plat as "Utility Easement" to have and hold forever. All extensions or additions to existing and future utilities shall be underground.

State of Montana Flathead County of Flathead
On this 21st day of October, in the year 2000, before me a Notary Public for the State of Montana, personally appeared **Jeff H. Larsen**, known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that they executed the same.

Jeff H. Larsen
NOTARY PUBLIC for the State of Montana Flathead County
RESIDING at Kalispell, Montana
My commission expires July 22, 2002

CERTIFICATE OF SURVEYOR

Jeff H. Larsen 11/17/00
JEFF H. LARSEN, REGISTRATION NUMBER 9250-ES

APPROVED 10/11/2000
John Rogers
EXAMINING LAND SURVEYOR REGISTRATION NUMBER 5268

STATE OF MONTANA SS
COUNTY OF Flathead

FILED 21 DAY OF October, A.D.
AT 12:00 O'CLOCK P.M.
Susan W. Havenfeld
CLERK AND RECORDER

BY: **John Rogers**
DEPUTY

INSTRUMENT RECORD NUMBER 200035611000

SHEET 1 OF 2 SHEET(S)

CERTIFICATE OF SURVEY NO. 6-10-33

For: **Lulu E. Rogers**
Owner: **Columbia Farms, Inc. and Henry R. Loeffler**
Date: **October 1999**

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

After recording return to:
 William VanCanagan
 Datsopoulos, MacDonald & Lind, P.C.
 201 W. Main Street, Suite 201
 Missoula, MT 59802
 Phone: (406) 728-0810

**DECLARATION OF COVENANTS, CONDITIONS,
 RESTRICTIONS AND EASEMENTS FOR THE RIVER HIGHLANDS PUD**

This Declaration of Covenants, Conditions, Restrictions and Easements for the River Highlands PUD (this “**Declaration**”) is made this ____ day of _____, 2022 (the “**Effective Date**”), by _____, LLC, a/n _____ limited liability company (the “**Declarant**”).

RECITALS

WHEREAS, Declarant is the owner of the following described real property:

(the “**Property**”); and

WHEREAS, Declarant intends to develop the Property as several distinct projects and phases (each, a “**Phase**”), including, without limitation, a multi-family apartment project containing approximately 390 dwelling units, and townhome project containing approximately 65 dwelling units, and/or other improvements and uses permitted by applicable law and by the terms and conditions of the PUD applicable to the Property (collectively, the “**Project**”); and

WHEREAS, Declarant desires to establish certain covenants, conditions, restrictions and easements for the common benefit and enjoyment of the Owners from time to time in order to promote, preserve and enhance the value and desirability of the Property and to facilitate the continuing care and maintenance of Common Areas, and in furtherance thereof, intends to submit the Property to the provisions of this Declaration;

NOW, THEREFORE, Declarant, as the owner of the Property, hereby declares that the Property is hereby submitted to the following covenants, conditions, restrictions, and easements, which shall run with the land and bind and inure to the benefit of all Owners and any other Persons from time to time having or acquiring any right, title or interest in the Property or any portion thereof:

1. **Incorporation.** The foregoing recitals and all exhibits attached hereto are hereby incorporated into this Declaration by reference as if fully set forth in this Section 1.

2. **Definitions.** Capitalized terms used in this Declaration shall have the following meanings:

a. **“Assessments”** has the meaning set forth in Section 5.b below.

b. **“City”** means the City of Columbia Falls, Montana.

c. **“Common Areas”** means any area, improvement, equipment, or facility situated on the Property and intended or designed for the use and enjoyment of more than one, or all, of the Phases, including, without limitation: (i) streets, roads, and driveways (ii) trails, (iii) water mains, sewer mains, and other utility lines and facilities, (v) retention ponds and associated improvements and facilities providing stormwater management for the Property; (vi) entry monument signage, and (vii) open space and forest buffer areas. If and to the extent an area, improvement, equipment, or facility has been dedicated for public use and the City has assumed the responsibility for maintaining, repairing, and replacing the same, it shall not be considered a Common Area for purposes of this Declaration.

d. **“Common Expenses”** means the actual and estimated expenses incurred, or anticipated to be incurred, by the Owners in operating, maintaining, repairing, and replacing the Common Areas, including reasonable reserves.

e. **“Declarant”** means _____, LLC and its successors and assigns designated as such by the Declarant in writing.

f. **“Declaration”** means this Declaration, as it may be amended and supplemented from time to time.

g. **“Effective Date”** has the meaning given to it in the preamble of this Declaration.

h. **“Majority of the Owners”** means the Owners holding more than fifty percent (50%) of all Proportionate Shares.

i. **“Owner”** means one or more Persons who hold record title to any Phase or an interest as a purchaser under a contract for deed for any Phase. “Owner” shall not include a Person holding an interest merely as security for the performance of an obligation, or a Person who is a seller under a contract for deed for any Phase. Where this Declaration imposes responsibility for conduct of an Owner and where otherwise appropriate given the

context, the term “Owner” shall include such Owner’s occupants, tenants, guests, contractors, invitees, and licensees.

The term “Owner” does not include owners of individual dwelling units but instead refers to all such owners in a particular Phase collectively. Where a Phase is owned by more than one Person, those Persons shall, in writing, appoint a single representative who shall have the authority to act on behalf of and bind such Persons in respect to all matters arising under this Declaration, and the other Owners shall be entitled to rely, without further inquiry, on the representations and actions of such authorized representative. Accordingly, where a Phase has been submitted to a condominium, townhome, or other common-interest community governed by a homeowners association, the board of directors of such homeowners association shall be the authorized representative for such Phase.

j. **“Period of Declarant Control”** means the time period during which Declarant is an Owner.

k. **“Person”** means a natural person, a corporation, a partnership, a trustee, or any other legal entity.

l. **“Phase”** has the meaning set forth in the recitals. During the period of Declarant Control, Declarant, in its sole discretion and without the consent of any other Owner, may designate individual Phases with more specificity from time to time by recording amendments or supplements to this Declaration. A Phase may, but is not required to be, a phase identified in the PUD and/or a distinct tract of record established by deed, subdivision, certificate of survey, or otherwise.

m. **“Project”** has the meaning set forth in the recitals.

n. **“Proportionate Share”** has the meaning set forth in Section 5.a below.

o. **“PUD”** means the planned unit development applicable to the Project and the Property, as approved by the City and as the same may be amended from time to time.

3. Basic Responsibilities of the Owners. Without limiting any other obligation or responsibility of the Owners set forth herein, each Owner shall (i) comply in all respects with the terms and conditions of the PUD as they apply to such Owner’s Phase; (ii) use the Common Areas exclusively for purposes for which they are designed; (iii) avoid causing damage, other than ordinary wear and tear, to the Common Areas; (iv) cause the Common Areas benefiting such Owner’s Phase to be maintained in good working condition and repair, as set forth in more detail in Section 4 below, and (v) contribute to Common Expenses by paying Assessments as set forth in Section 5 below.

4. Maintenance of Common Areas. The Owners shall cause the Common Areas to be operated and maintained in good working condition and repair. Maintenance of the Common Areas includes, without limitation:

a. regular snow removal from all Common Area streets, roads, and driveways;

- b. maintaining, repairing, and replacing, as necessary, all paving, curb, sidewalk, and gravel improvements to Common Area streets, roads, and driveways;
- c. maintaining, repairing, and replacing, as necessary, the surface of the Common Area trail on the Property;
- d. maintaining, repairing, and replacing, as necessary, all Common Area water mains, sewer mains, and other Common Area utility lines and facilities;
- e. maintaining, repairing, and replacing, as necessary, all Common Area stormwater management improvements and facilities;
- f. maintaining all buffers and open spaces thereon in compliance with the Open Space Management Plan for the Project attached hereto as Exhibit "A"; and
- g. maintaining, repairing, and replacing, as necessary, all Common Area entry monument signage.

The Declarant (during the Period of Declarant Control) or a Majority of the Owners (after the Period of Declarant Control) may, from time to time designate a property manager to undertake, or coordinate the undertaking of, some or all of the Common Area maintenance required by this Declaration, and the fees of such property manager shall constitute Common Expenses.

The Declarant (during the Period of Declarant Control) or a Majority of the Owners (after the Period of Declarant Control) may, but are not required to, form an association in the nature of a non-profit, mutual benefit, property owners' association for the purposes of administering the maintenance responsibilities of the Owners, collecting Assessments, and paying Common Expenses as provided in this Declaration. Voting power in such property owners' association shall be in accordance with the Owners' Proportionate Shares.

5. Common Expenses.

a. Contribution for Common Expenses. Each Owner hereby agrees to contribute its Proportionate Share of Common Expenses by paying Assessments as hereinafter provided. "**Proportionate Share**" means each Owner's proportionate share of Common Expenses based on the relative benefit received by such Owner from the Common Areas. The Owners' Proportionate Shares shall be determined initially by Declarant and set forth in a subsequent amendment or a supplement to this Declaration, and thereafter may be adjusted from time to time by the Declarant (during the Period of Declarant Control) or by a Majority of the Owners (after the Period of Declarant Control), acting reasonably and in good faith. In making such determination, the Declarant or the Owners, as the case may be, may take into account, for example and without limitation, the acreage of each Owner's Phase, the number of dwelling units in each Phase, the building square footage in each Phase, the traffic generated by each Phase, the amount of impervious surface in each Phase, material differences in the improvements and uses in each Phase, and the extent to which certain Common Areas primarily or exclusively benefit certain Phases and not others.

b. Assessments; Lien for Common Expenses. Each Owner, by acceptance of a deed to, or other interest in, a Phase, whether or not it shall be so expressed in any such deed or other conveyance for such Phase, hereby covenants and agrees to contribute its Proportionate Share of Common Expenses and to pay other costs and fees levied pursuant to this Declaration (collectively, “**Assessments**”). Such Assessments, costs, and fees, not paid when due, together with interest thereon at the rate of twelve percent (12%) per annum, late fees in the amount of five percent (5%) of the total amount past due, and costs of collection (including, without limitation, attorneys’ fees incurred in respect thereto whether or not suit shall be instituted), shall be a charge and a continuing lien upon the Phase against which such levy is made in favor of all other Owners.

c. Annual Assessments. Collection and expenditure of Assessments and the holding of reserves may be done in any reasonable manner determined by a Majority of the Owners (including, without limitation, through a property owners association as provided in Section 4 above. Unless a Majority of the Owners determines otherwise, each year on or before December 1st, the Owners shall meet and confer on a budget for Common Area maintenance for the ensuing calendar year (which may include a reasonable amount for reserves), which budget may be approved by a Majority of the Owners. The approved budgeted amount shall be apportioned among the Owners in accordance with their Proportionate Shares, and on or before the fifth (5th) day of each calendar month of said year, each Owner shall be liable for and obligated to pay one-twelfth (1/12th) of such Owner’s share of its Proportionate Share of the total annual Common Expenses.

d. Special Assessments. A Majority of the Owners may at any time or from time-to-time levy special assessments on all Phases and the Owners thereof in accordance with their Proportionate Shares for the purpose of defraying, in whole or in part, the cost incurred or to be incurred for any unbudgeted Common Area maintenance, repair, or replacement.

e. Specific Assessments. A Majority of the Owners, acting reasonably and in good faith, shall have the power to levy specific assessments against a particular Phase and the Owner(s) thereof (i) to cover costs incurred in bringing a nonconforming Phase into compliance with this Declaration; and/or (ii) to cover costs or liabilities incurred as a consequence of the conduct of such Owner(s), provided the Owner(s) subject to the specific assessment shall have received notice (or a reasonable effort shall have been made to notify such Owner(s)) and a reasonable opportunity to cure before such specific assessment is levied.

f. Nonpayment of Assessments. Any Assessment which is not paid when due shall be deemed delinquent, with no requirement for notice to the delinquent Owner. If an Assessment is not paid within five (5) days after the delinquency date, such Assessment shall be subject to interest and late fees as provided in Section 5.b above from the delinquency date. If an Owner fails to pay when due any Assessment, charge, fee, cost, or other amount authorized to be charged to the Owner hereunder, such amount shall constitute a default hereunder and a lien on the Phase of such Owner. The other Owners shall have all rights and remedies to enforce collection as permitted by law, including bringing an action at law or in equity against such Owner and foreclosing the aforesaid

lien. All expenses incurred by such other Owners in connection with such action or proceedings, whether or not suit shall be instituted, including attorneys' fees and court costs and other fees and expenses, shall be charged to, and assessed against, such Owner (and shall constitute a personal liability of such Owner) and shall be added to and deemed part of that Owner's Assessment.

g. Subordination of Lien to Mortgage. The lien for Assessments provided for herein shall be subordinate to the lien of any prior, recorded first mortgage or trust deed on a Phase made to any *bona fide*, arms-length lender, except for the amount of any Assessments which becomes due and payable from and after the date such lender obtains title to or possession of such Phase pursuant to a decree of foreclosure or any other proceeding in lieu of foreclosure. Such transfer of title or possession shall not relieve any Owner from personal liability for any Assessments.

h. Failure to Levy or Notify. Failure of the Owners to fix Assessment amounts or rates or to deliver or mail each Owner an Assessment notice shall not be deemed a waiver, modification, or a release of any Owner from the obligation to pay Assessments.

i. No Withholding of Payment. No Owner shall be entitled to withhold, offset, or abate Assessments for any reason. Specifically, but without limitation, no Owner shall withhold Assessments due to interruption to services or due to an Owner's failure or refusal to benefit from Common Areas or the maintenance thereof.

j. HOA Assessments. Any homeowners association established in any Phase shall account for Assessments required hereunder and shall assess its homeowners for the same in the manner provided for in the applicable homeowners, condominium, or townhome declaration.

6. Easements and Use of Common Areas. Declarant hereby declares, grants, and establishes the following non-exclusive, perpetual easements:

a. Use of Common Areas. Subject to the provisions of this Declaration and any reasonable rules and regulations that may be adopted by a Majority of the Owners from time to time (which rules may include, without limitation, reasonable restrictions on the nature and extent of permitted uses of the Common Areas), each Owner shall have the non-exclusive right to use the Common Areas for their intended purposes in common with all other Owners.

b. Easement for Maintenance and Enforcement. A blanket easement over the Property (but not under or within any building situated on the Property from time to time) is hereby granted in favor of all Owners for the purpose of exercising their respective rights and performing their respective duties under this Declaration.

7. Reserved Rights of Declarant. Without limiting any other rights of Declarant provided by this Declaration or by law, Declarant hereby expressly reserves the following rights.

a. Notwithstanding any provision of this Declaration to the contrary, during the Period of Declarant Control, Declarant reserves the right and power to prepare, execute

and record amendments to this Declaration (i) to correct clerical or typographical or similar errors in this Declaration or any exhibit hereto; or (ii) to make any other changes to this Declaration which do not materially and adversely affect the rights or responsibilities of any other Owner. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to Declarant to vote in favor of, make or consent to such an amendment on behalf of each Owner as proxy or attorney in fact, as the case may be. Each deed, mortgage, trust deed, other evidence of obligation, or other instrument affecting a Phase, and the acceptance thereof, shall be deemed to be a grant and acknowledgment of, and a consent to the reservation of, the power to the Declarant to vote in favor of, make, execute, and record such amendments.

b. Nothing in this Declaration shall be construed to prohibit Declarant (including its contractors, employees, and agents) from undertaking any activity upon, or use of, the Property or any portion thereof in furtherance of development and disposition of the Project including, without limitation, activities related to advertising, construction, demolition, excavation, grading, maintenance, marketing, planning, surveying, sales, and leasing. To the extent any provision of this Declaration could be construed to limit any such activity by Declarant upon the Property or any portion thereof, Declarant shall be deemed to be exempt from such limitation.

8. General Provisions.

a. Manner of Giving Notices. Notices provided for in this Declaration to any Owner shall be in writing and addressed to the address at which such Owner receives tax bills according to the Flathead County property tax department or assessor's office, except that any Owner may from time to time designate a different address or addresses for notices by recording an instrument to that effect in the public records of Flathead County (which instrument shall reference this Declaration by book, page, and document number) and giving written notice thereof to all other Owners. Notices addressed as above shall be deemed delivered two (2) business days after deposit with the United States Postal Service, certified mail, return receipt requested, or on the day of delivery if delivered in person or by e-mail.

b. Partial Invalidity. The invalidity of any covenant, restriction, condition, limitation or any other provision of this Declaration, or any part of the same, shall not impair or affect in any manner the validity, enforceability, or effect of the rest of this Declaration.

c. Term; Perpetuities and Other Invalidity. This Declaration shall continue in effect in perpetuity. If any of the options, privileges, covenants, or rights created by this Declaration would otherwise be unlawful or void for violation of the rule against perpetuities, the rule restricting restraints on alienation, or any other statutory or common law rules imposing time limits, then such provision shall continue for so long as permitted by law.

d. Amendments. Subject to all of Declarant's rights as set forth above, this Declaration may only be amended by a written instrument that is approved in writing by all Owners.

e. No Waivers. No covenants, restrictions, conditions, obligations, or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.

f. Enforcement. Any Owner, or the Declarant shall have the option and right to enforce by any proceeding at law or in equity all restrictions, conditions, covenants, reservations, and charges imposed by the provisions of this Declaration. The method of enforcement may include legal action seeking an injunction to prohibit any violation, to recover damages, or both. Should any lawsuit or other legal proceeding be instituted against an Owner who is alleged to have violated one or more of the provisions of this Declaration, the prevailing party in such proceeding shall be entitled to reimbursement for the costs of such proceeding, including reasonable attorneys' fees.

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IN WITNESS WHEREOF, Declarant has executed this Declaration on the Effective Date.

_____, LLC
a/n _____ limited liability company

By: _____
Its: Authorized Signatory

STATE OF _____)
) SS
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 2021 by _____, authorized signatory of _____, LLC.

Notary Public for the State of _____
Printed Name: _____
Residing At: _____
My Commission Expires: _____

EXHIBIT A
OPEN SPACE MANAGEMENT PLAN

[attached]

OPEN SPACE MANAGEMENT PLAN – EXHIBIT A

I. GOALS AND OBJECTIVES

The Open Space Management Plan is intended to guide the management and use of the River Highlands PUD open space lands for conservation and recreational purposes. Open space is defined as an area that either remains in its natural state or is developed as usable parkland associated with the development. Lands addressed by this document are either owned in fee by the River Highlands PUD property owners, or the homeowner's association, to be formed at the time of subdivision in Phase 2 and 3 as outlined in the River Highlands PUD application Phasing Plan. Any information contained within this "Exhibit A" found to conflict with the approved Covenants, Conditions, and Restrictions for River Highlands will be amended in favor of the CCRs. A formal management plan may be developed to replace this "Exhibit A" prior to occupancy of development and amendments will be made for subsequent phases to ensure site specific items are addressed and incorporated.

Goal: To preserve, protect and manage open space properties.

Objectives include:

- Preserve and protect wildlife habitat, scenic views, scenic roads, and aesthetic values;
- Maintain the area's rural character;
- Protect and enhance the areas natural environment;
- Develop management plans for specific developed parks associated with the development.

Goal: To provide access to and/ or linkage among open space and recreational sites.

Objectives include:

- Promote walkability throughout the development;
- Protect natural treed river corridor;
- Seek to preserve pedestrian access by creating links through and around existing passive open space to areas of interest and with recreational opportunities.

Goal: To enable use of PUD open space for recreation.

Objectives include:

- Mark and maintain existing trails and easements, and create new trails where and as necessary;
- Diversify recreational opportunities available to residents;
- Provide opportunities for passive recreational activities that require trails or paths;

II. MANAGEMENT OF DEVELOPED OPEN SPACE LANDS AND PHYSICAL IMPROVEMENTS

1. Ownership of the Rental Community will be responsible for developed open space areas immediately adjacent to rental community buildings. This is estimated to be approximately two acres and includes the following:
 - a. Patio area, sidewalks, and concrete appurtenances supporting the building.
 - b. Playground equipment, benches or hard usable landscape features installed as a part of the developed landscape plans.
 - c. Trail system
 - d. Landscaping of these areas.
 - e. Irrigation systems.

2. Maintenance will include the following and will be done in accordance with the Covenants, Conditions, and Restrictions for the River Highlands PUD. Maintenance responsibilities will ensure that items outlined in item 1 are usable year round, with the exclusion of seasonal irrigation. This includes the following:
 - a. Physical maintenance of sidewalks to perpetuate American Disability Act (ADA) requirements/needs.
 - b. Physical maintenance of hard landscape features such as playground equipment to ensure safety and usability. This will not include clearing of equipment during winter.
 - c. Snow plowing/clearing access for residents.
 - d. Any methods required to perpetuate existing landscaping within developed openspace areas.
3. The Rental Ownership or Homeowners Associations (on for sale properties) may choose to appoint a Land Management Advisory Committee, either composed of residents or owners to set priority, identify issues, or provide improved maintenance.

III. TRAILS AND CROSSINGS

1. Ownership of the rental community will be responsible for maintaining access to trails and specifically fire access roads year-round for safety and walkability. This includes the following:
 - a. Maintain a walkable drivable surface free of any impedances such as ice, tripping hazards, and areas effected by erosion or frost damage.
 - b. Snow removal with the following order of importance.
 - i. Building access to ensure people can move freely in and out of the building
 - ii. Snow removal on the parking areas and fire access roads, including around fire hydrants to ensure these can be accessed and located if needed by City of Columbia Falls Fire Department.
 - iii. Adjacent trails within Highway Right of Way.
2. Access trails within property and adjacent to City of Columbia Falls and MDT Right of way, shall be maintained by the property immediately adjacent. This includes the following:
 - a. The asphalt or concrete surface to ensure ADA access is maintained, Asphalt typically has a life span of 10 years and concrete 20+ years.
 - b. Snow removal.

IV. GARBAGE REMOVAL AND COLLECTION

1. Ownership will be responsible for providing, maintaining, and emptying trash receptacles around the developed park area adjacent to the building.
2. Individually owned units will be responsible for paying for their own garbage collection and will be subject to
3. All receptacles provided shall be wildlife resistant to include mechanisms for restricting wildlife access.
4. Pet waste stations (dog bags) shall be provided in key areas surrounding the building to ensure pet waste is adequately addressed and disposed.
5. Ownership will be responsible to schedule trash removal for all provided receptacles to ensure usability and preventing overflow which could impede locking mechanisms.

V. CONDITIONAL USES OF PROPERTY

1. All property and occupants of the property will be subject to laws and regulations set forth by The City of Columbia Falls.
2. Pet owners shall keep all pets leashed at all times to protect other residents and to protect wildlife within natural open space surrounding development.
3. Organized events or group activities should be scheduled with rental community management for groups of more than 10 on rental community property.
4. Organized events or group activities on for sale properties will be subject to future developed Homeowners Association regulations.
5. Commercial activity including display of goods for sale is prohibited without written consent and approval from management and/or ownership on rental community property.
6. Commercial activity including display of goods for sale is prohibited on for sale properties and will be relegated to commercial district. This use will be at the discretion of owners of this property and subject to any developed Home Owners/Business Association guidelines.
7. Posters, leaflets, placards, or advertisements shall not be affixed to any property without written approval of individual property owners, management, and/or ownership on rental community property.

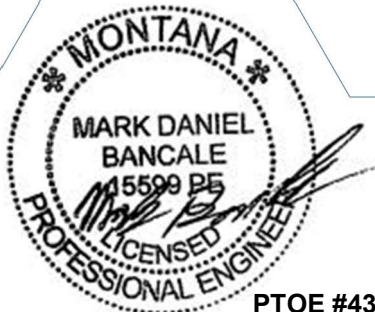
VI. ENFORCEMENT AND EMERGENCIES

The Rental Management or Homeowners Association will enforce the rules and regulations as necessary to preserve property's open space lands for their intended uses within the guidelines set forth in the above plan, CCRs, or subsequent HOA or Rental Agreements.

The City of Columbia Falls' Fire, Police, and EMT personnel are responsible for emergency procedures to be in place for response to emergencies at town open space lands. Motorized vehicles are allowed on the open space lands for public safety emergencies without prior written permission of the ownership of the properties.



WGMGROUPTM



PTOE #4336

**Traffic Impact Study
River Highlands
WGM Project Number: 20-11-11
American Residential Investment Management
05.06.2022**

REPORT DATE:

05.06.2022

AUTHOR:

Mark Bancale, P.E., PTOE

Senior Traffic Engineer

WGM Group, Inc.



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- A – Traffic Count Data
- B – Capacity Analysis Worksheets
- C – Level of Service Definitions



INTRODUCTION

American Residential Investment Management (ARIM) proposes to construct a residential development located east of Columbia Falls, MT on the south side of US Highway 2 (see **Figure 1**). The proposed 42-acre development will include 55 townhomes and 390 apartment units. A community gathering area featuring a skate park, green space, and public access to the Flathead River is also proposed in the north portion of the development. Buildout and occupancy of this development is expected to require approximately four years; accordingly, the study year for this traffic analysis is 2026.

Vehicle access to the site is proposed via five approaches that intersect with River Road (see the preliminary site plan in **Figure 2**). The currently undeveloped subject property is within both the Columbia Falls Urban Area and the Growth Policy planning boundary, as defined in the 2021 Columbia Falls Transportation Plan. The Flathead River parallels the property's west boundary; surrounding adjacent land use is undeveloped along the east boundary and low density residential and agricultural along the south boundary.

This traffic impact study (TIS) was prepared using standard traffic engineering techniques to forecast traffic volumes and operations at the proposed site access points and nearby study intersections. Capacity analysis is presented both with and without the traffic generated by the proposed River Highlands development to determine what impact this development will have on traffic operations.

A detailed traffic analysis was completed of the following study intersections:

1. US Highway 2 and River Road
2. US Highway 2 and Montana Highway 206
3. All Primary Site Access Intersections

In brief, the analysis conducted for this report leads to the conclusion that the subject development will not negatively impact traffic operations to the degree that would require mitigation at most of the intersections addressed in this study, and that traffic at the proposed development access points will operate at a good level of service during peak hours. A signal warrant study is recommended for the intersection of US Highway 2 and River Road, as explained further in the *Capacity Analysis* portion of this report.





FIGURE 1: SITE VICINITY MAP





FIGURE 2: PRELIMINARY SITE PLAN

EXISTING TRAFFIC VOLUME

WGM Group conducted mid-week (Tuesday and Thursday) AM and PM peak period manual intersection turning-movement counts on January 27, 2022 and February 1, 2022 to identify existing traffic volumes at the intersection of US Highway 2 and River Road. AM peak period counts were conducted between 7:00 and 9:00 AM. PM peak period counts were conducted between 4:00 and 6:00 PM. Turning movement data collected by the Montana Department of Transportation (MDT) on Wednesday, July 21, 2021 was referenced to obtain AM and PM peak period traffic volumes at US Highway 2 and Montana Highway 206. The count data (included in **Appendix A**) was analyzed to determine the existing AM and PM peak hour traffic volumes at each study intersection.

It is understood that traffic volumes on US Highway 2 through Columbia Falls are significantly influenced by seasonal tourist traffic associated with Glacier National Park. To ensure that the analysis conducted in this report reflects conditions during the peak summer season, the peak AM and PM hour eastbound, and peak PM hour westbound, through-movement volumes on Highway 2 at the intersection with River Road observed in the winter of 2022 were increased to balance with the peak summer traffic volumes counted by MDT at Highway 206. The peak AM hour westbound through-movement volume on Highway 2 was actually greater in the winter of 2022 than in the summer of 2021. Therefore, this volume was not balanced with Highway 206, as that would have resulted in a volume reduction at River Road and a less conservative analysis. These peak summer season traffic volumes were used as the baseline for all of the intersection capacity analysis discussed in this report and are illustrated in **Figure 3**.



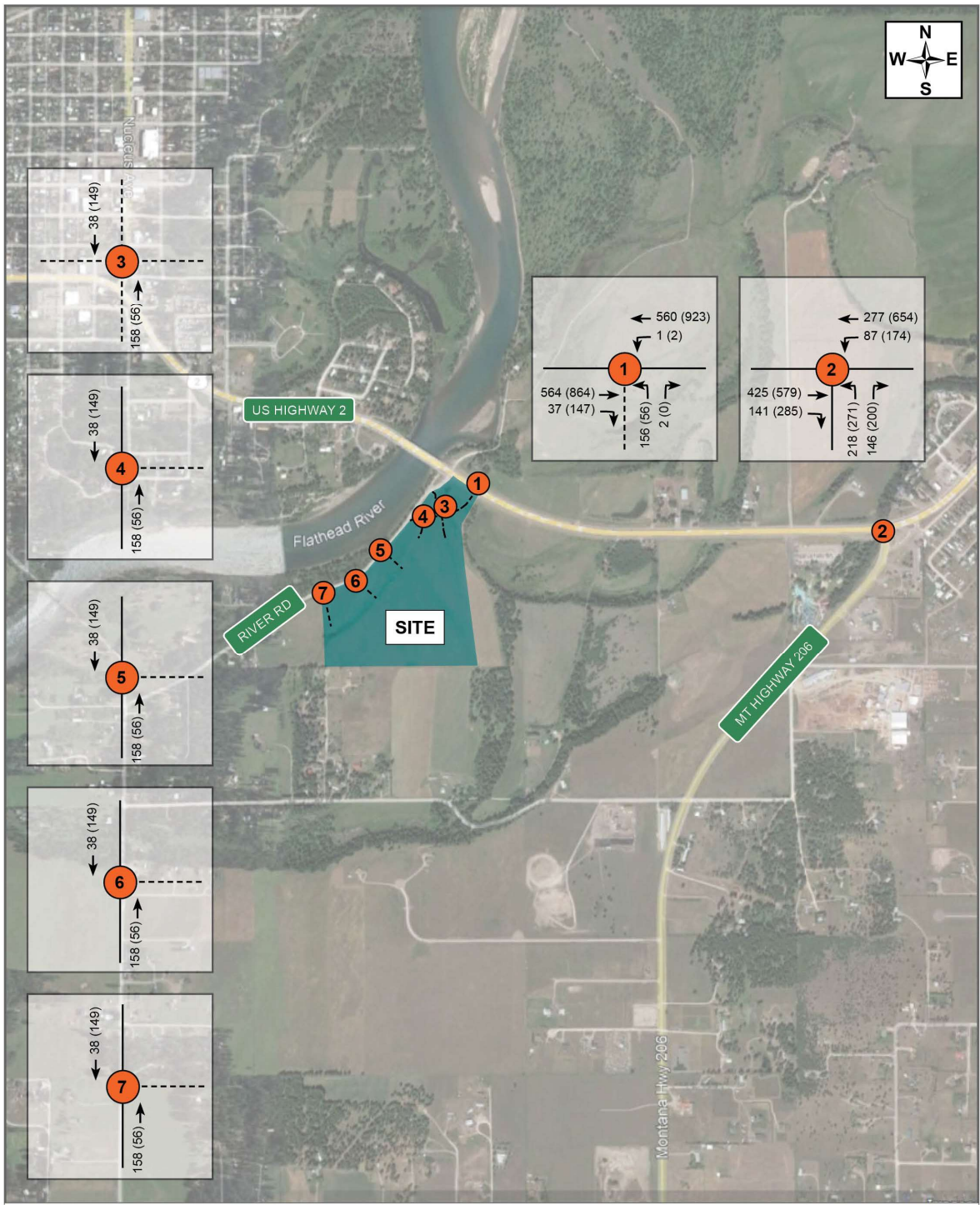


FIGURE 3: 2021/2022 EXISTING PEAK HOUR TRAFFIC



2024 NO-BUILD TRAFFIC VOLUMES

Although existing traffic volume data was collected in 2021 and 2022, the base year for this analysis is assumed to be 2021 for a more conservative estimate of future volumes. The year 2021 existing peak hour traffic volumes were projected to the study year 2026 using an annually compounded growth rate of 2.0%. This rate was calculated based on data from MDT annual counts of total two-way average daily traffic (ADT) along Highway 2 at the nearest available permanent MDT count location.

ADJACENT DEVELOPMENT TRAFFIC VOLUMES

The Benches is a planned residential development consisting of 48 single family homes located on a parcel east of the subject property. At the time of this report, a traffic impact study, site plan, and development schedule were not made available. Instead, trip generation and distributions were estimated as part of this analysis because this development will add new traffic to the intersections studied in this report. This “adjacent development” traffic must be included in the no-build traffic volume forecasts. The estimated peak hour traffic generated by The Benches is illustrated in **Figure 4**.

The total 2026 no-build traffic volumes illustrated in **Figure 5** are the sum of the seasonally adjusted existing traffic volume as grown to the study year using the 2.0% per year traffic growth rate and the estimated traffic generated by The Benches adjacent development. These are the volumes projected to exist in the analysis year 2026 without construction of River Highlands.



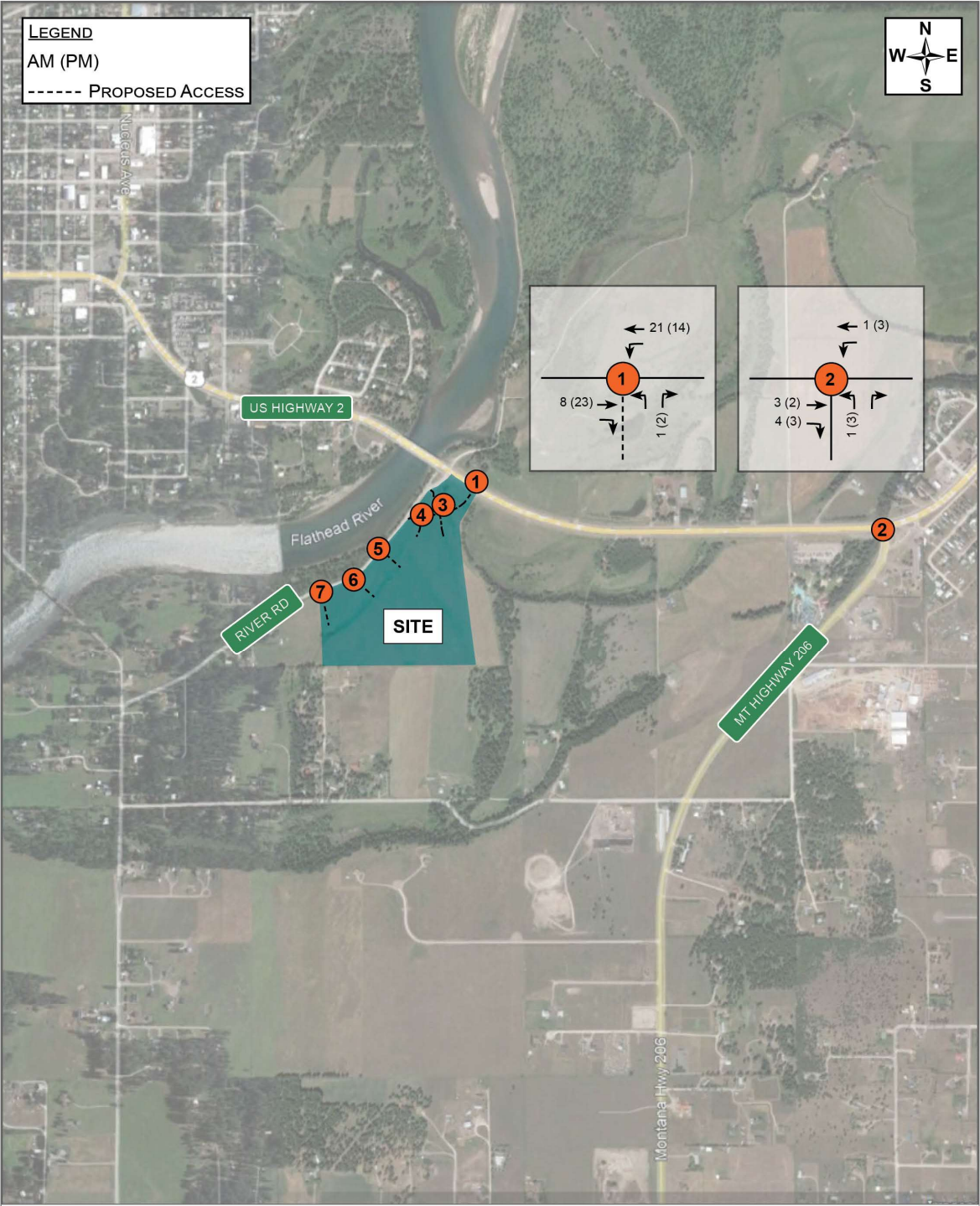


FIGURE 4: THE BENCHES ADJACENT DEVELOPMENT PEAK HOUR TRAFFIC



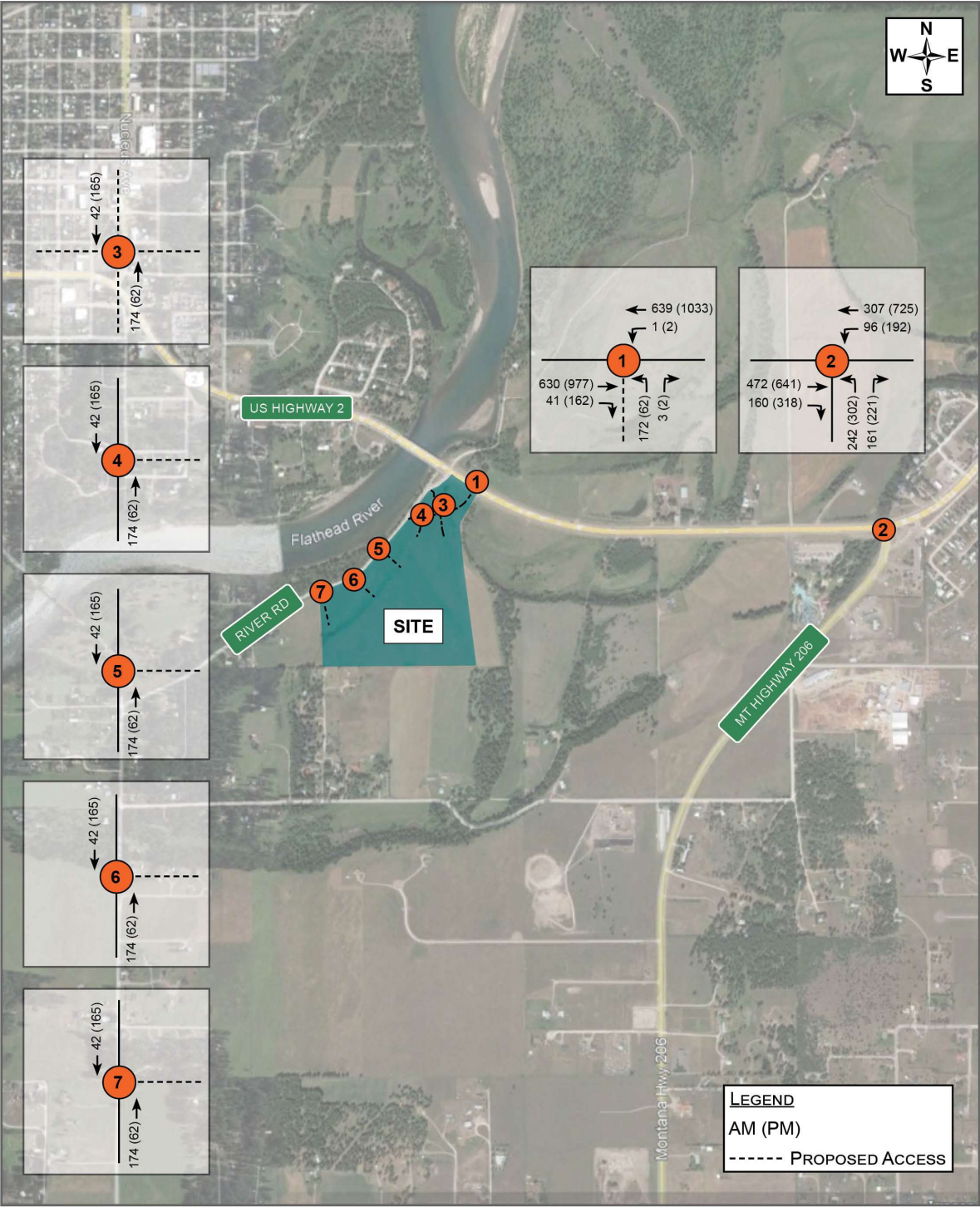


FIGURE 5: 2026 NO-BUILD PEAK HOUR TRAFFIC



SITE-GENERATED TRAFFIC

River Highlands is planned to include 55 townhomes and 390 apartment units. Data from the Institute of Transportation Engineers (ITE) publication *Trip Generation* (11th Edition) was used to estimate the number of vehicle trips that will be generated by the proposed development. **Table 1** shows the results of these trip-generation calculations.

TABLE 1: SITE-GENERATED VEHICLE TRIPS

Land Use	Size	ITE Land Use Code	ADT	AM Peak Hour Trips		PM Peak Hour Trips	
				Entering	Exiting	Entering	Exiting
Townhomes	55 units	215	369	7	16	16	13
Apartments	390 units	220	2575	35	109	118	70
Total New Site Traffic			2944	42	125	134	83



ASSIGNMENT OF SITE-GENERATED TRIPS

Roadway network connections were analyzed, the region's retail and employment distribution/density were considered (including Columbia Falls, Evergreen, Kalispell, and Whitefish), and traffic volumes on the adjoining streets were reviewed to identify potential arrival and departure patterns for the site-generated traffic. The expected site arrival and departure patterns are illustrated in **Figures 6 and 7**, respectively.

The site-generated vehicle trips from **Table 1** were distributed through the study intersections in accordance with the estimated arrival and departure patterns, resulting in the AM and PM peak hour site-generated vehicle trips shown in **Figure 8**. These are the peak hour vehicle trips that are new to the roadway network as a direct result of the River Highlands development.



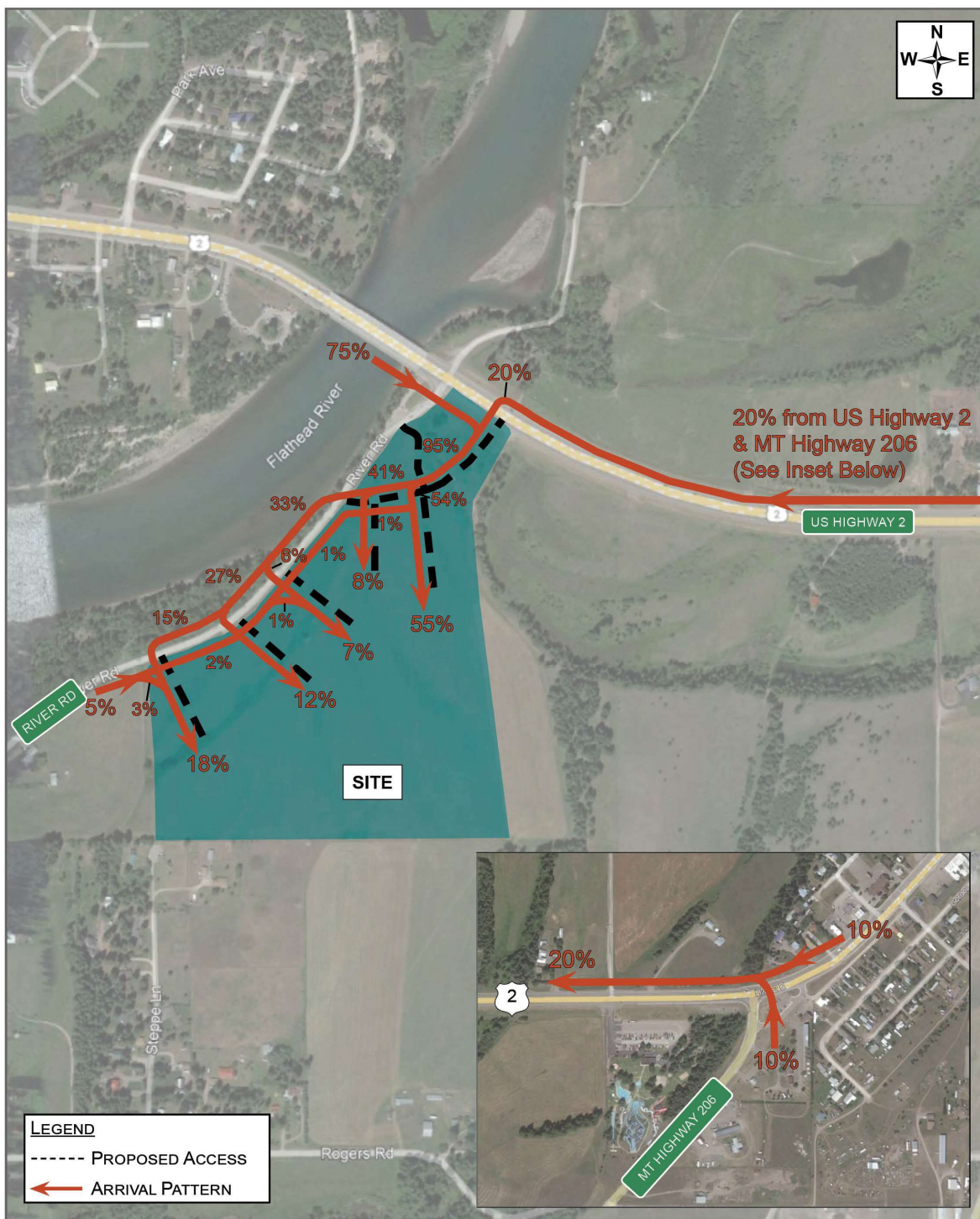


FIGURE 6: SITE TRAFFIC ARRIVAL PATTERN





FIGURE 7: SITE TRAFFIC DEPARTURE PATTERN



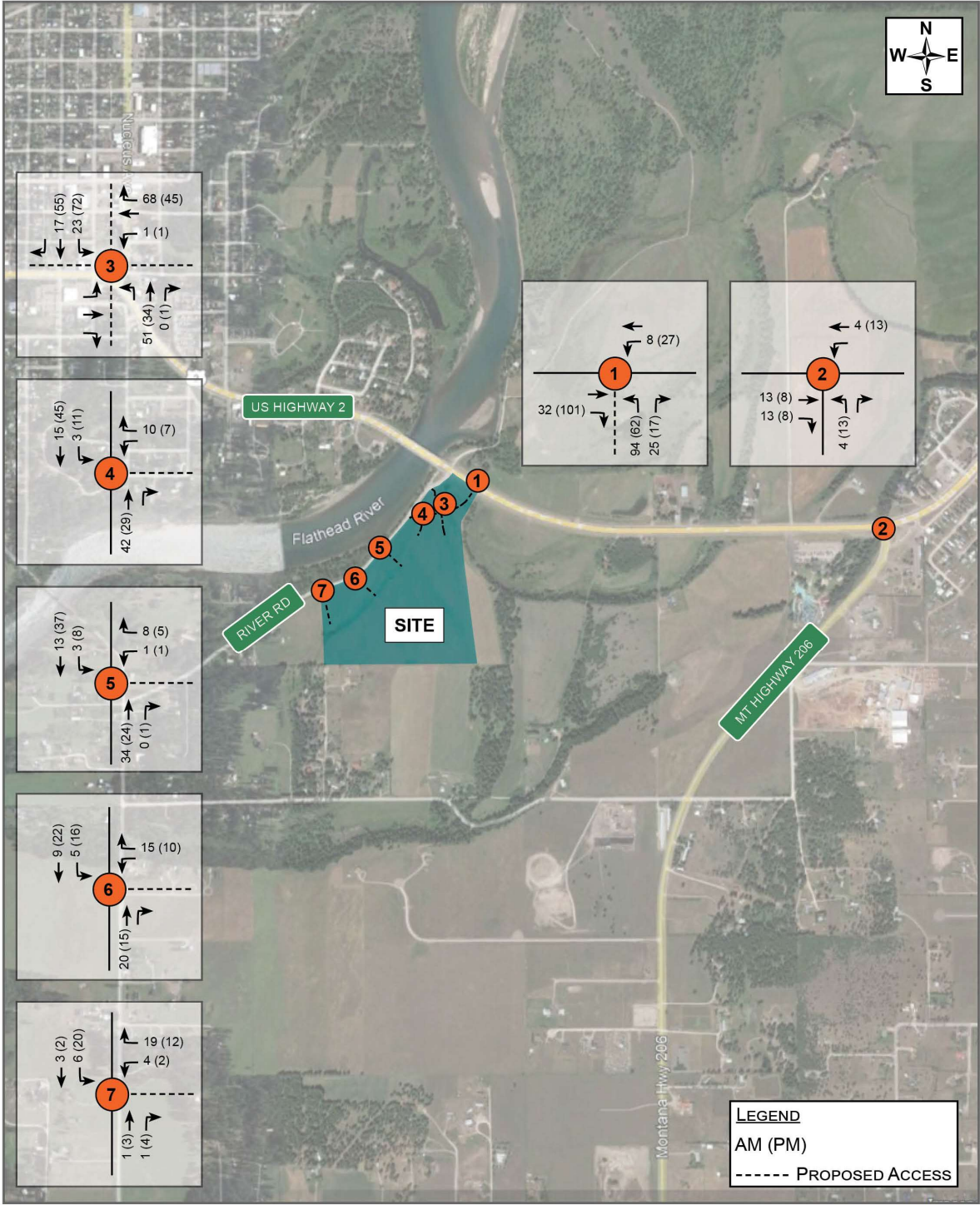


FIGURE 8: SITE-GENERATED PEAK HOUR TRAFFIC



2026 BUILD TRAFFIC VOLUMES

Combining the site-generated trips from **Figure 8** with the 2026 no-build traffic volumes from **Figure 5** results in the projected study year 2026 build traffic volumes shown in **Figure 9**. These are the total traffic volumes from all sources projected to exist at the study intersections when the River Highlands development is fully built-out and occupied.



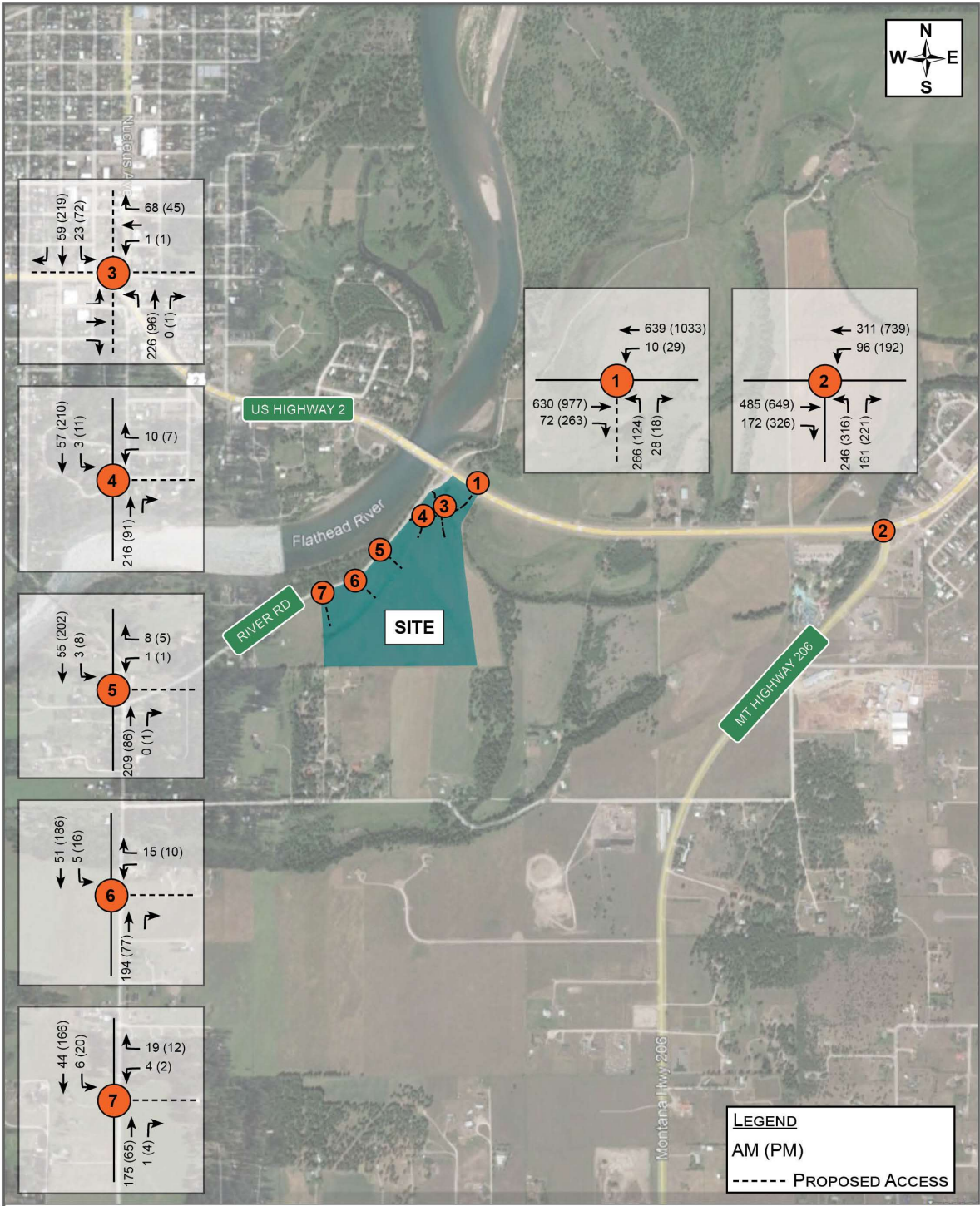


FIGURE 9: 2026 BUILD PEAK HOUR TRAFFIC



CAPACITY ANALYSIS

Capacity analysis was conducted for each of the study intersection using the AM and PM no-build and build traffic volumes forecasted in this report. Intersections were evaluated in accordance with the procedures presented in the *Highway Capacity Manual* 7th Edition (2022), published by the Transportation Research Board. The analysis results are discussed below, and the analysis worksheets are contained in **Appendix B**.

The capacity analysis procedures result in traffic level of service (LOS) rankings from A to F, with A representing essentially free-flow conditions and F representing congested conditions. See **Appendix C** for a description of the various LOS categories for signalized and unsignalized intersections.



INTERSECTION OF US HIGHWAY 2 AND RIVER ROAD

EXISTING CONDITIONS

US Highway 2 is an east/west roadway with two travel lanes in each direction and a center two-way, left-turn lane. River Road is a north/south roadway with one travel lane in each direction. The Draft 2021 Columbia Falls Transportation Plan classifies US Highway 2 as a principal arterial and River Road as a minor collector. The speed limit for this section of US Highway 2 is 55 miles per hour and 35 miles per hour on River Road. The southbound approach of this intersection does not have a functional classification and provides access to only a few residential properties. The northbound and southbound approaches of this intersection are stop-controlled.

Shifting the northbound approach of this intersection approximately 300' east is proposed as part of the River Highlands Development to improve intersection sight distances for northbound turning vehicles.

CAPACITY ANALYSIS

Capacity analysis of this intersection was conducted using the 2026 no-build and build traffic volumes developed earlier in this report and is based on a T-configured intersection that is stop-controlled on the northbound approach. The results of this analysis are summarized in **Table 2**.

TABLE 2: US HIGHWAY 2 & RIVER ROAD LOS SUMMARY

	PEAK AM HOUR				PEAK PM HOUR			
	2026 NO-BUILD		2026 BUILD		2026 NO-BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Westbound Left	9.2	A	9.3	A	11.5	B	12.5	B
Northbound Lt/Rt	75.4	F	273.4	F	138.3	F	630.1	F

Delay is measured in seconds per vehicle.

The analysis summarized in **Table 2** shows that existing northbound traffic is experiencing delays longer than what is generally considered acceptable. Furthermore, site-generated traffic will have an appreciable impact on delay and traffic operations at this intersection for northbound turning vehicles. Given the context of the intersection and anticipated growth of through traffic on US Highway 2, a capacity analysis of this location as a signalized intersection was also completed. Signal timing parameters in this model



were based on the existing parameters of US Highway 2 and Montana Highway 206. The results of this analysis are summarized in **Table 2B**.

TABLE 2B: US HIGHWAY 2 & RIVER ROAD - SIGNALIZED LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Eastbound Th/Rt	7.5	A	5.7	A
Westbound Left	14.4	B	24.9	C
Westbound Through	7.4	A	5.1	A
Northbound Lt/Rt	23.6	C	29.0	C
Overall Intersection	10.4	B	7.0	A

Delay is measured in seconds per vehicle.

The analysis summarized in **Table 2B** shows that the subject intersection operates at an acceptable LOS when signalized in the build scenario. A signal warrant study is recommended for this intersection during buildout of River Highlands to determine when a traffic signal becomes warranted based on the Manual on Uniform Traffic Control Devices traffic signal warrant criteria.



INTERSECTION OF US HIGHWAY 2 AND MONTANA HIGHWAY 206

EXISTING CONDITIONS

US Highway 2 is an east/west principal arterial roadway with two travel lanes in each direction and a center two-way, left-turn lane. Montana Highway 206 is a north/south minor arterial with one travel lane in each direction. This T-configured intersection is controlled by a two-phase traffic signal. The current timing parameters for this signal were obtained from MDT and used for this analysis. The northbound approach to this intersection consists of one dedicated left-turn lane and one dedicated right-turn lane. The eastbound approach to this intersection has one through lane and a shared through/right-turn lane. The westbound approach consists of two through lanes and one dedicated left-turn lane. The speed limit on this section of US Highway 2 is 55 miles per hour and 60 miles per hour on Montana Highway 206.

CAPACITY ANALYSIS

Capacity analysis of this intersection was conducted using the 2026 no-build and build traffic volumes developed earlier in this report and the intersection configuration described above. The results of this analysis are summarized in **Table 3**. The site-generated traffic does not have an appreciable impact on delay or LOS. No improvements or mitigation are required at this location.

TABLE 3: US HIGHWAY 2 AND MONTANA HIGHWAY 206 LOS SUMMARY

	PEAK AM HOUR				PEAK PM HOUR			
	2026 NO-BUILD		2026 BUILD		2026 NO-BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Eastbound Th/Rt	6.5	A	6.7	A	8.3	A	8.7	A
Westbound Left	13.9	B	14.5	B	32.0	C	34.7	C
Westbound Through	5.8	A	5.8	A	7.5	A	7.8	A
Northbound Left	22.9	C	22.9	C	31.3	C	31.3	C
Northbound Right	20.8	C	20.7	C	28.6	C	28.1	C
Overall Intersection	11.2	B	11.3	B	14.7	B	15.2	B

Delay is measured in seconds per vehicle.



PRIMARY SITE ACCESS INTERSECTIONS

At the time of this report, street names for site access roadways are not yet assigned; therefore, lettering is used to differentiate the five proposed intersecting approaches with River Road. The most northern site access roadway is Street “A”, a horseshoe shaped street internal to the proposed development. Although Street “A” is oriented north/south at this intersection with River Road, it is modeled as the eastbound and westbound approach since River Road is primarily oriented north/south. This four-way intersection is modeled with single-lane approaches and stop-controlled on the eastbound and westbound approaches of Street “A”.

The remaining four site access locations are T-oriented intersections with River Road; locations “B”, “C”, and “D” are approaches into parking areas while Street “E” is the west terminus of the horseshoe shaped corridor internal to the development. The four intersections are all modeled with single-lane approaches and as stop-controlled on the site access leg of the intersection with River Road.

CAPACITY ANALYSIS

Capacity analysis of the five site access intersections was conducted using the 2026 no-build and build traffic volumes developed earlier in this report and the intersection configurations described above. The analyses summarized in **Tables 4, 5, 6, 7, and 8** show that each of the site accesses will operate at a very good LOS during both the AM and PM peak hours.

TABLE 4: RIVER ROAD AND STREET “A” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Th/Rt	10.1	B	9.1	A
Northbound Lt/Th/Rt	7.4	A	7.7	A
Southbound Lt/Th/Rt	7.8	A	7.6	A

Delay is measured in seconds per vehicle.



TABLE 5: RIVER ROAD AND ACCESS POINT “B” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	9.6	A	8.8	A
Southbound Lt/Th	7.7	A	7.4	A

Delay is measured in seconds per vehicle.

TABLE 6: RIVER ROAD AND ACCESS POINT “C” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	9.6	A	9.1	A
Southbound Lt/Th	7.7	A	7.4	A

Delay is measured in seconds per vehicle.

TABLE 7: RIVER ROAD AND ACCESS POINT “D” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	9.4	A	8.7	A
Southbound Lt/Th	7.7	A	7.4	A

Delay is measured in seconds per vehicle.

TABLE 8: RIVER ROAD AND STREET “E” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	9.5	A	8.9	A
Southbound Lt/Th	7.6	A	7.4	A

Delay is measured in seconds per vehicle.



TRAFFIC CRASH ANALYSIS

WGM Group requested three years of crash data from MDT for the intersections of US Highway 2 and River Road, US Highway 2 and MT 206, and the segment of US Highway 2 between these two intersections. Crash data documented between January 1, 2018 and December 31, 2020 was reviewed and is summarized below. There were no documented fatalities or major injuries associated with the reviewed crashes.

US Highway 2 & River Road

There were three crashes recorded at this intersection during the three-year period of reviewed data.

The collision types are as follows:

- One “Left turn, opposite direction”
- One “Rear-end”
- One “Right angle”

The “left turn opposite direction” and “right angle” collisions both involved northbound left turning vehicles and eastbound through vehicles resulting in suspected minor injuries. Ongoing monitoring of this intersection’s crash data is recommended to see if a crash trend develops. These types of collisions could be addressed through upgrading this intersection to signalized traffic control.

US Highway 2 & MT Highway 206

There were ten incidents recorded at this intersection during the three-year period of reviewed data.

The collision types are as follows:

- Three “left turn, opposite direction”
- Seven “rear-end”

All three of the “left turn, opposite direction” collisions occurred involved a westbound left turning vehicle and an eastbound through vehicle from August 2018 to August 2019. It is recommended that crash data at this intersection is monitored by MDT and local jurisdictions for a continued trend in this crash type which could be addressed by incorporating a dedicated left turn phase for westbound traffic.

Of the seven recorded “rear-end” collisions, five incidents involved westbound vehicles with two incidents involving left-turning vehicles and three incidents involving through movement vehicles. One possible explanation is that this intersection is located within a horizontal curve. However, there is advanced



warning including flashing “Be Prepared to Stop” signage on a mast arm. The other two rear-end collisions occurred on the northbound approach of the intersection. “Rear-end” collisions are not considered correctable through intersection improvements.

US Highway 2 between River Road and MT Highway 206

There were 17 incidents recorded for this section of US Highway 2 during the three-year period of reviewed data. The collision types are as follows:

- One “rear-end” (contribution circumstance recorded as animal in roadway)
- One “right angle” (occurring at a driveway/alley access)
- Two “rollover”
- One “sideswipe, same direction”
- Twelve “wild animal”

The significant number of collisions involving wild animals over a three-year period is notable. It is recommended that this section of corridor continues to be monitored and that consideration to road ecology is given by MDT when future improvements are programmed. No other correctable crash trends were observed in the reviewed data.



NON-MOTORIZED TRANSPORTATION

In addition to sidewalks along internal streets, a proposed multi-modal trail system will provide non-motorized access to open space areas within the development. This system will promote alternative uses of transportation and walkability throughout the development. The 2019 Columbia Falls Growth Policy identified continued development of the bike and pedestrian network around schools, parks, and major commercial areas to connect with residential neighborhoods. The City and developers are encouraged to seek opportunities to develop and expand the non-motorized infrastructure in the community, to promote healthy lifestyles and reduce roadway congestion. The proposed River Highlands development takes positive steps toward those goals.



SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The discussion and analyses contained in this report can be summarized as follows:

- River Highlands will include 55 townhomes and 390 apartment units.
- Vehicle access to the development will be via five site access approaches. The intersections of these access points, along with two surrounding intersections, are the focus of this traffic analysis.
- One adjacent development proposal will add traffic to the study intersections. This traffic is included in the no-build traffic volumes.
- The proposed River Highlands development will generate new traffic through the study intersections. *Highway Capacity Manual* based analysis shows that this traffic can be accommodated at most of the study intersections without the need for improvements to mitigate the site-generated trips.
- A signal warrant analysis is recommended for the intersection of US Highway 2 and River Road during buildout of River Highlands to determine when traffic signalization is warranted at this intersection.
- In addition to sidewalks on streets within the River Highlands development, an internal non-motorized trail system will be provided to connect the internal residential units to open the proposed park/green space thereby promoting walkability and non-motorized transportation within the proposed development.



APPENDIX A

TRAFFIC COUNT DATA



Manual Traffic Count
Intersection of US Highway 2 & River Road
Columbia Falls, MT

$$PHF = \frac{V}{V_{15} * 4}$$

Thursday, January 27, 2022
Peak AM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly
		Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Total	Total
7:00 AM	7:15 AM	0	0	0	0	84	0	0	0	33	4	43	0	164	
7:15 AM	7:30 AM	1	0	0	0	125	0	1	0	36	6	43	0	212	
7:30 AM	7:45 AM	0	0	0	0	173	0	0	0	39	7	49	0	268	
7:45 AM	8:00 AM	0	0	0	0	149	0	0	0	44	10	63	0	266	910
8:00 AM	8:15 AM	0	0	0	0	113	1	1	0	37	14	76	0	242	988 <-- Peak Hour
8:15 AM	8:30 AM	0	0	0	0	86	1	0	0	17	14	80	0	198	974
8:30 AM	8:45 AM	0	0	0	0	84	0	0	0	15	9	42	0	150	856
8:45 AM	9:00 AM	0	0	0	0	56	0	0	0	11	8	53	0	128	718
Peak Hour Volume		1	0	0	0	560	1	2	0	156	37	231	0		
PHF =														0.92	

Tuesday, February 1, 2022
Peak PM Period

		Southbound			Westbound			Northbound			Eastbound			Interval	Hourly
		Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Right	Thru	Left	Total	Total
4:00 PM	4:15 PM	0	0	0	0	70	1	0	0	16	21	99	0	207	
4:15 PM	4:30 PM	0	0	0	0	60	0	0	0	19	23	114	0	216	
4:30 PM	4:45 PM	0	0	0	0	87	0	0	0	15	45	131	0	278	
4:45 PM	5:00 PM	0	0	0	0	81	0	0	0	20	32	118	0	251	952
5:00 PM	5:15 PM	0	0	0	0	87	1	0	0	13	31	131	0	263	1008
5:15 PM	5:30 PM	0	0	0	0	72	1	0	0	8	39	123	0	243	1035 <-- Peak Hour
5:30 PM	5:45 PM	0	0	0	0	50	0	0	0	12	28	93	0	183	940
5:45 PM	6:00 PM	0	0	0	0	42	0	0	0	15	34	104	0	195	884
Peak Hour Volume		0	0	0	0	327	2	0	0	56	147	503	0		
PHF =														0.93	

MDT Traffic Count Data Transfer
Intersection of US Highway 2 & MT 206
Columbia Falls, MT

$$PHF = \frac{V}{V_{15} * 4}$$

Wednesday, July 21, 2021

Peak AM Period

		Westbound		Northbound		Eastbound		Interval	Hourly	
		Thru	Left	Right	Left	Right	Thru	Total	Total	
7:00 AM	7:15 AM	54	16	33	38	22	80	243		
7:15 AM	7:30 AM	63	25	36	38	31	89	282		
7:30 AM	7:45 AM	86	19	34	60	35	106	340		
7:45 AM	8:00 AM	62	17	39	63	43	116	340	1205	
8:00 AM	8:15 AM	54	19	37	48	30	95	283	1245	
8:15 AM	8:30 AM	75	32	36	47	33	108	331	1294	<-- Peak Hour
8:30 AM	8:45 AM	63	29	48	45	27	116	328	1282	
8:45 AM	9:00 AM	81	22	47	51	32	109	342	1284	
Peak Hour Volume		277	87	146	218	141	425			
0.95										

Wednesday, July 21, 2021

Peak PM Period

		Westbound		Northbound		Eastbound		Interval	Hourly	
		Thru	Left	Right	Left	Right	Thru	Total	Total	
4:00 PM	4:15 PM	137	43	51	62	53	113	459		
4:15 PM	4:30 PM	170	39	59	51	63	132	514		
4:30 PM	4:45 PM	151	45	48	63	53	135	495		
4:45 PM	5:00 PM	187	33	54	62	73	155	564	2032	
5:00 PM	5:15 PM	139	46	52	71	83	143	534	2107	
5:15 PM	5:30 PM	172	50	47	66	66	146	547	2140	
5:30 PM	5:45 PM	156	45	47	72	63	135	518	2163	<-- Peak Hour
5:45 PM	6:00 PM	187	49	47	53	60	147	543	2142	
Peak Hour Volume		654	174	200	271	285	579			
0.96										

APPENDIX B

CAPACITY ANALYSIS WORKSHEETS



HCS Two-Way Stop-Control Report

Item No.3.

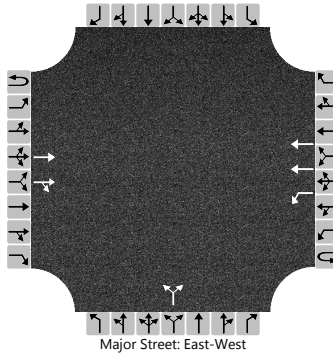
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/04/2022
Analysis Year	2026
Time Analyzed	AM No-Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			630	41	0	1	639			172		3				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						1					190					
Capacity, c (veh/h)						864					221					
v/c Ratio						0.00					0.86					
95% Queue Length, Q ₉₅ (veh)						0.0					6.7					
Control Delay (s/veh)						9.2					75.4					
Level of Service (LOS)						A					F					
Approach Delay (s/veh)					0.0				75.4							
Approach LOS					A				F							

HCS Two-Way Stop-Control Report

Item No.3.

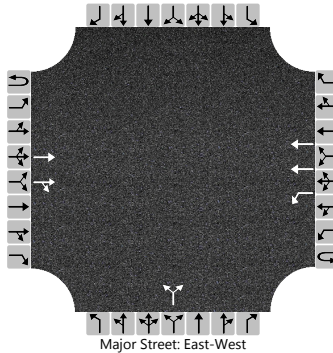
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/06/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			630	72	0	10	639			266		28				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

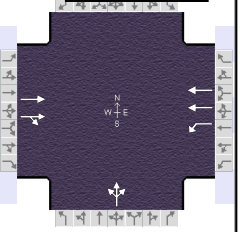
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						11					320					
Capacity, c (veh/h)						839					218					
v/c Ratio						0.01					1.46					
95% Queue Length, Q ₉₅ (veh)						0.0					19.0					
Control Delay (s/veh)						9.3					273.4					
Level of Service (LOS)						A					F					
Approach Delay (s/veh)					0.1				273.4							
Approach LOS					A				F							

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	AM Build	PHF	0.92
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & RIVER ROAD	File Name	1_AM_Build_Signalized.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		630	72	10	639		266	0	28			

Signal Information											
Cycle, s	55.5	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	30.0	12.2	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		12.0		
Phase Duration, s		36.8		36.8		18.7		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		0.9		0.9		3.6		
Queue Clearance Time (g_s), s		16.2		16.8		11.4		
Green Extension Time (g_e), s		0.1		0.1		0.9		
Phase Call Probability		1.00		1.00		0.99		
Max Out Probability		0.00		0.00		0.00		

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7	4	14			
Adjusted Flow Rate (v), veh/h		388	375	11	695			320				
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1774	720	1752			1788				
Queue Service Time (g_s), s		14.2	6.8	0.6	6.3			9.4				
Cycle Queue Clearance Time (g_c), s		14.2	6.8	14.8	6.3			9.4				
Green Ratio (g/C)		0.54	0.54	0.54	0.54			0.22				
Capacity (c), veh/h		995	959	335	1894			394				
Volume-to-Capacity Ratio (X)		0.390	0.391	0.032	0.367			0.812				
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.8	2.7	0.1	2.4			6.9				
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.01	0.00			0.00				
Uniform Delay (d_1), s/veh		7.4	7.4	14.4	7.3			20.6				
Incremental Delay (d_2), s/veh		0.1	0.1	0.0	0.0			3.1				
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0			0.0				
Control Delay (d), s/veh		7.5	7.5	14.4	7.4			23.6				
Level of Service (LOS)		A	A	B	A			C				
Approach Delay, s/veh / LOS	7.5	A		7.5	A		23.6	C		0.0		
Intersection Delay, s/veh / LOS	10.4						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Two-Way Stop-Control Report

Item No.3.

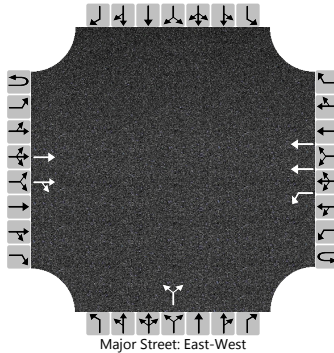
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/06/2022
Analysis Year	2026
Time Analyzed	PM No-Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			977	162	0	2	1033			62		2				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						2					69					
Capacity, c (veh/h)						559					84					
v/c Ratio						0.00					0.82					
95% Queue Length, Q ₉₅ (veh)						0.0					4.2					
Control Delay (s/veh)						11.5					138.3					
Level of Service (LOS)						B					F					
Approach Delay (s/veh)					0.0				138.3							
Approach LOS					A				F							

HCS Two-Way Stop-Control Report

Item No.3.

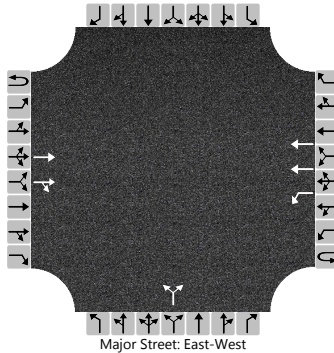
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/06/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			977	263	0	29	1033			124		18				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

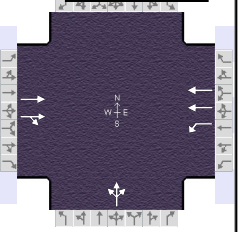
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						31					153					
Capacity, c (veh/h)						508					73					
v/c Ratio						0.06					2.10					
95% Queue Length, Q ₉₅ (veh)						0.2					14.1					
Control Delay (s/veh)						12.5					630.1					
Level of Service (LOS)						B					F					
Approach Delay (s/veh)					0.3				630.1							
Approach LOS					A				F							

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	PM Build	PHF	0.93
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & RIVER RD	File Name	1_PM_Build_Signalized.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		977	263	29	1033		124	0	18			

Signal Information											
Cycle, s	57.7	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	37.8	6.6	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		12.0		
Phase Duration, s		44.6		44.6		13.1		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		0.9		0.9		3.7		
Queue Clearance Time (g_s), s		33.5		37.6		6.8		
Green Extension Time (g_e), s		0.2		0.2		0.4		
Phase Call Probability		1.00		1.00		0.91		
Max Out Probability		0.00		0.00		0.00		

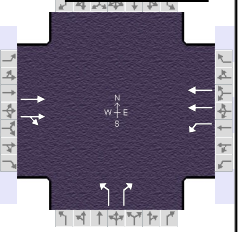
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7	4	14			
Adjusted Flow Rate (v), veh/h		689	645	31	1111			153				
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1706	420	1752			1782				
Queue Service Time (g_s), s		31.5	12.1	4.1	9.2			4.8				
Cycle Queue Clearance Time (g_c), s		31.5	12.1	35.6	9.2			4.8				
Green Ratio (g/C)		0.66	0.66	0.66	0.66			0.11				
Capacity (c), veh/h		1207	1119	171	2298			203				
Volume-to-Capacity Ratio (X)		0.570	0.576	0.182	0.483			0.753				
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		3.1	2.9	0.6	2.2			3.8				
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.05	0.00			0.00				
Uniform Delay (d_1), s/veh		5.5	5.5	24.7	5.0			24.8				
Incremental Delay (d_2), s/veh		0.2	0.2	0.2	0.1			4.2				
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0			0.0				
Control Delay (d), s/veh		5.6	5.7	24.9	5.1			29.0				
Level of Service (LOS)		A	A	C	A			C				
Approach Delay, s/veh / LOS	5.6	A		5.6	A		29.0	C		0.0		
Intersection Delay, s/veh / LOS	7.0						A					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	AM No-Build	PHF	0.95
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_AM_No-Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		472	160	96	307		242		161			

Signal Information											
Cycle, s	53.7	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On								
Force Mode	Fixed	Simult. Gap N/S	On								

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		36.8		36.8		16.9		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.1		1.1		3.5		
Queue Clearance Time (g_s), s		14.2		19.4		9.4		
Green Extension Time (g_e), s		0.1		0.1		1.1		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		0.00		0.00		

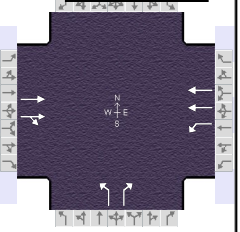
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		346	319	101	323		255		169			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1681	789	1752		1753		1560			
Queue Service Time (g_s), s		12.2	5.6	5.3	2.4		7.4		5.3			
Cycle Queue Clearance Time (g_c), s		12.2	5.6	17.4	2.4		7.4		5.3			
Green Ratio (g/C)		0.56	0.56	0.56	0.56		0.19		0.19			
Capacity (c), veh/h		1028	939	396	1957		340		303			
Volume-to-Capacity Ratio (X)		0.337	0.340	0.255	0.165		0.749		0.560			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.0	1.9	1.3	0.8		4.7		2.9			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.10	0.00		0.46		0.00			
Uniform Delay (d_1), s/veh		6.4	6.5	13.7	5.8		20.4		19.6			
Incremental Delay (d_2), s/veh		0.1	0.1	0.1	0.0		2.5		1.2			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		6.5	6.5	13.9	5.8		22.9		20.8			
Level of Service (LOS)		A	A	B	A		C		C			
Approach Delay, s/veh / LOS	6.5	A		7.7	A		22.1	C		0.0		
Intersection Delay, s/veh / LOS	11.2						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	AM Build	PHF	0.95
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_AM_Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		485	172	96	311		246		161			

Signal Information											
Cycle, s	53.9	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	30.0	10.6	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		36.8		36.8		17.1		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.1		1.1		3.5		
Queue Clearance Time (g_s), s		14.8		20.3		9.5		
Green Extension Time (g_e), s		0.1		0.1		1.1		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		0.00		0.00		

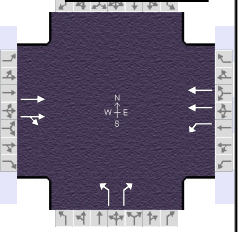
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		361	331	101	327		259		169			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1676	770	1752		1753		1560			
Queue Service Time (g_s), s		12.8	5.9	5.5	2.5		7.5		5.3			
Cycle Queue Clearance Time (g_c), s		12.8	5.9	18.3	2.5		7.5		5.3			
Green Ratio (g/C)		0.56	0.56	0.56	0.56		0.20		0.20			
Capacity (c), veh/h		1025	933	380	1952		344		306			
Volume-to-Capacity Ratio (X)		0.352	0.355	0.266	0.168		0.753		0.554			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.1	2.0	1.3	0.9		4.8		2.9			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.10	0.00		0.47		0.00			
Uniform Delay (d_1), s/veh		6.6	6.6	14.3	5.8		20.4		19.5			
Incremental Delay (d_2), s/veh		0.1	0.1	0.1	0.0		2.5		1.2			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		6.7	6.7	14.5	5.8		22.9		20.7			
Level of Service (LOS)		A	A	B	A		C		C			
Approach Delay, s/veh / LOS	6.7	A		7.9	A		22.0	C		0.0		
Intersection Delay, s/veh / LOS	11.3						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	PM No-Build	PHF	0.96
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_PM_No-Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		641	318	192	725		302		221			

Signal Information											
Cycle, s	74.5	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	45.0	16.2	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		51.8		51.8		22.7		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.3		1.3		3.5		
Queue Clearance Time (g_s), s		22.6		47.0		14.7		
Green Extension Time (g_e), s		0.4		0.0		1.4		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		1.00		0.00		

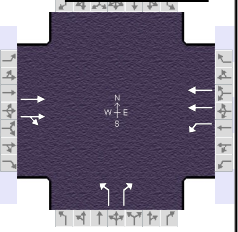
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		529	470	200	755		315		230			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1633	577	1752		1753		1560			
Queue Service Time (g_s), s		20.6	11.9	24.4	8.1		12.7		10.1			
Cycle Queue Clearance Time (g_c), s		20.6	11.9	45.0	8.1		12.7		10.1			
Green Ratio (g/C)		0.60	0.60	0.60	0.60		0.22		0.22			
Capacity (c), veh/h		1113	987	286	2118		380		338			
Volume-to-Capacity Ratio (X)		0.476	0.476	0.700	0.357		0.827		0.680			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		5.6	5.0	6.3	3.6		8.7		6.2			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.50	0.00		0.85		0.00			
Uniform Delay (d_1), s/veh		8.2	8.2	25.7	7.4		27.8		26.8			
Incremental Delay (d_2), s/veh		0.1	0.1	6.3	0.0		3.5		1.8			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		8.3	8.3	32.0	7.5		31.3		28.6			
Level of Service (LOS)		A	A	C	A		C		C			
Approach Delay, s/veh / LOS	8.3	A		12.6	B		30.1	C		0.0		
Intersection Delay, s/veh / LOS	14.7						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.3.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	PM Build	PHF	0.96
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_PM_Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		649	326	192	739		316		221			

Signal Information											
Cycle, s	75.2	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	45.0	16.9	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		51.8		51.8		23.4		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.3		1.3		3.5		
Queue Clearance Time (g_s), s		23.1		47.0		15.5		
Green Extension Time (g_e), s		0.4		0.0		1.4		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		1.00		0.00		

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		538	477	200	770		329		230			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1632	568	1752		1753		1560			
Queue Service Time (g_s), s		21.1	12.5	23.9	8.5		13.5		10.1			
Cycle Queue Clearance Time (g_c), s		21.1	12.5	45.0	8.5		13.5		10.1			
Green Ratio (g/C)		0.60	0.60	0.60	0.60		0.22		0.22			
Capacity (c), veh/h		1101	976	276	2097		394		351			
Volume-to-Capacity Ratio (X)		0.489	0.489	0.724	0.367		0.835		0.656			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		6.1	5.4	6.8	3.9		9.1		6.2			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.54	0.00		0.89		0.00			
Uniform Delay (d_1), s/veh		8.6	8.6	26.8	7.8		27.8		26.5			
Incremental Delay (d_2), s/veh		0.1	0.1	7.9	0.0		3.5		1.6			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		8.7	8.7	34.7	7.8		31.3		28.1			
Level of Service (LOS)		A	A	C	A		C		C			
Approach Delay, s/veh / LOS	8.7	A		13.4	B		30.0	C		0.0		
Intersection Delay, s/veh / LOS	15.2						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Two-Way Stop-Control Report

Item No.3.

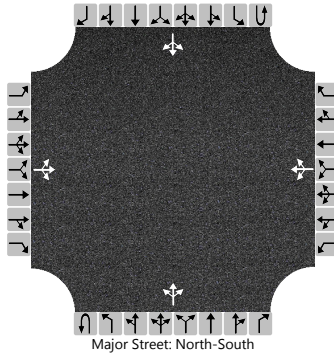
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/20/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "A"
Jurisdiction	
East/West Street	Street "A"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		0	0	0		1	0	68		0	226	0		23	59	0
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.13	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			0			75				0				25		
Capacity, c (veh/h)			0			787				1532				1315		
v/c Ratio						0.10				0.00				0.02		
95% Queue Length, Q ₉₅ (veh)						0.3				0.0				0.1		
Control Delay (s/veh)						10.1				7.4	0.0	0.0		7.8	0.2	0.2
Level of Service (LOS)						B				A	A	A		A	A	A
Approach Delay (s/veh)					10.1				0.0				2.3			
Approach LOS					B				A				A			

HCS Two-Way Stop-Control Report

Item No.3.

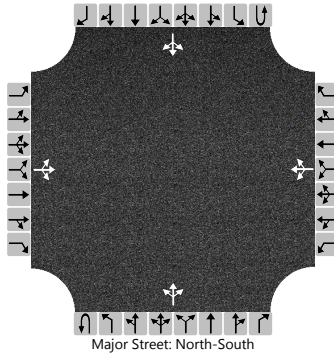
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/20/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "A"
Jurisdiction	
East/West Street	Street "A"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	1	0		0	1	0	0	0	1	0	0	0	1	0
Configuration			LTR				LTR				LTR				LTR	
Volume (veh/h)		0	0	0		1	0	45		0	96	1		72	219	0
Percent Heavy Vehicles (%)		3	3	3		3	3	3		3				3		
Proportion Time Blocked																
Percent Grade (%)	0				0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)		7.1	6.5	6.2		7.1	6.5	6.2		4.1				4.1		
Critical Headway (sec)		7.13	6.53	6.23		7.13	6.53	6.23		4.13				4.13		
Base Follow-Up Headway (sec)		3.5	4.0	3.3		3.5	4.0	3.3		2.2				2.2		
Follow-Up Headway (sec)		3.53	4.03	3.33		3.53	4.03	3.33		2.23				2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)			0			49				0				77		
Capacity, c (veh/h)			0			926				1326				1481		
v/c Ratio						0.05				0.00				0.05		
95% Queue Length, Q ₉₅ (veh)						0.2				0.0				0.2		
Control Delay (s/veh)						9.1				7.7	0.0	0.0		7.6	0.5	0.5
Level of Service (LOS)						A				A	A	A		A	A	A
Approach Delay (s/veh)					9.1				0.0				2.2			
Approach LOS					A				A				A			

HCS Two-Way Stop-Control Report

Item No.3.

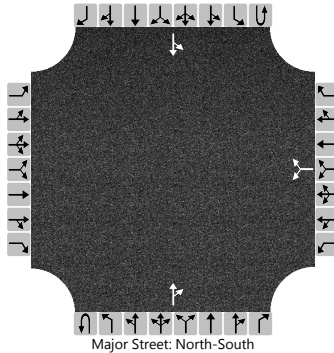
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "B"
Jurisdiction	
East/West Street	Street "B"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						0		10			216	0		3	57	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							11							3		
Capacity, c (veh/h)							802							1327		
v/c Ratio							0.01							0.00		
95% Queue Length, Q ₉₅ (veh)							0.0							0.0		
Control Delay (s/veh)							9.6							7.7	0.0	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)					9.6								0.4			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

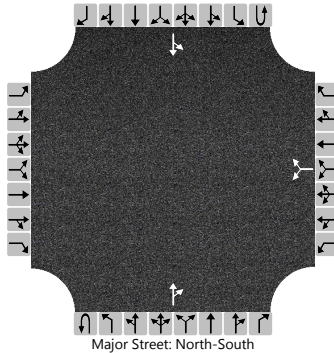
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "B"
Jurisdiction	
East/West Street	Street "B"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						0		7			91	0		11	210	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							8							12		
Capacity, c (veh/h)							955							1489		
v/c Ratio							0.01							0.01		
95% Queue Length, Q ₉₅ (veh)							0.0							0.0		
Control Delay (s/veh)							8.8							7.4	0.1	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)					8.8								0.4			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

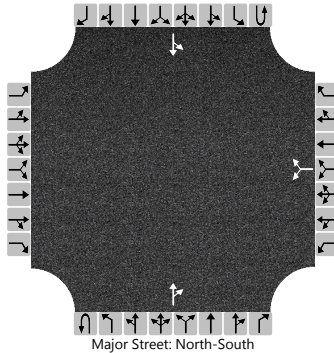
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "C"
Jurisdiction	
East/West Street	Street "C"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						1		8			209	0		3	55	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						10								3		
Capacity, c (veh/h)						795								1335		
v/c Ratio						0.01								0.00		
95% Queue Length, Q ₉₅ (veh)						0.0								0.0		
Control Delay (s/veh)						9.6								7.7	0.0	
Level of Service (LOS)						A								A	A	
Approach Delay (s/veh)					9.6								0.4			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

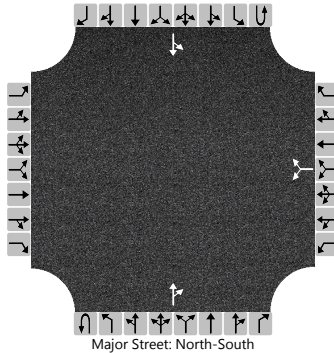
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "C"
Jurisdiction	
East/West Street	Street "C"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						1		5			86	1		8	202	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							6							9		
Capacity, c (veh/h)							894							1494		
v/c Ratio							0.01							0.01		
95% Queue Length, Q ₉₅ (veh)							0.0							0.0		
Control Delay (s/veh)							9.1							7.4	0.0	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)					9.1								0.3			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

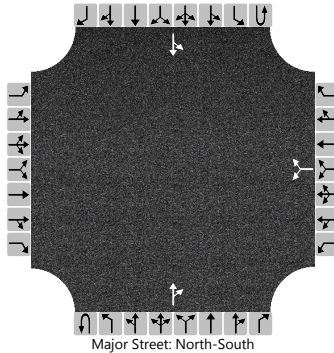
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "D"
Jurisdiction	
East/West Street	Street "D"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						0		15			194	0		5	51	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						16								5		
Capacity, c (veh/h)						827								1354		
v/c Ratio						0.02								0.00		
95% Queue Length, Q ₉₅ (veh)						0.1								0.0		
Control Delay (s/veh)						9.4								7.7	0.0	
Level of Service (LOS)						A								A	A	
Approach Delay (s/veh)					9.4								0.7			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

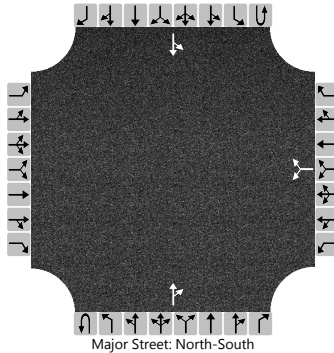
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "D"
Jurisdiction	
East/West Street	Street "D"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						0		10			77	0		16	186	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							11							17		
Capacity, c (veh/h)							974							1508		
v/c Ratio							0.01							0.01		
95% Queue Length, Q ₉₅ (veh)							0.0							0.0		
Control Delay (s/veh)							8.7							7.4	0.1	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)					8.7								0.7			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

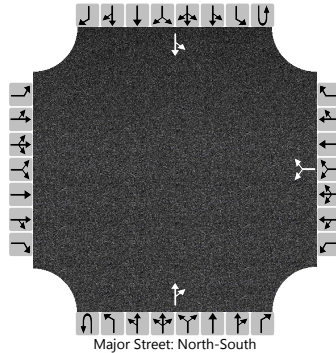
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "E"
Jurisdiction	
East/West Street	Street "E"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						4		19			175	1		6	44	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						25								7		
Capacity, c (veh/h)						825								1376		
v/c Ratio						0.03								0.00		
95% Queue Length, Q ₉₅ (veh)						0.1								0.0		
Control Delay (s/veh)						9.5								7.6	0.0	
Level of Service (LOS)						A								A	A	
Approach Delay (s/veh)					9.5								0.9			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.3.

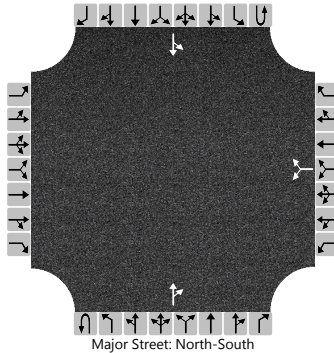
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	4/21/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "E"
Jurisdiction	
East/West Street	Street "E"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						2		12			65	4		20	166	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						15								22		
Capacity, c (veh/h)						929								1519		
v/c Ratio						0.02								0.01		
95% Queue Length, Q ₉₅ (veh)						0.0								0.0		
Control Delay (s/veh)						8.9								7.4	0.1	
Level of Service (LOS)						A								A	A	
Approach Delay (s/veh)					8.9								0.9			
Approach LOS					A								A			

APPENDIX C

LEVEL OF SERVICE DEFINITIONS



UNSIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINED

Level of Service (LOS) for unsignalized (two-way-stop-controlled) intersections is determined by the control delay experienced by drivers on each minor approach. Minor movements are those entering from or exiting onto the stop-controlled side street(s). LOS is not defined for the intersection as a whole, but rather for each minor movement individually.

The delay value used in determining LOS is known as “control delay.” Control delay is defined as the total delay experienced by a driver and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delay a vehicle experiences is a function of the capacity of the approach and the degree of saturation on the uncontrolled (unstopped) roadway (i.e. the number of acceptable gaps in the passing traffic stream).

LOS values range from A to F. The delay range for each LOS value is as shown in the following table.

LOS CRITERIA FOR TWO-WAY AND ALL-WAY STOP-CONTROLLED INTERSECTIONS

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Source: Transportation Research Board, *Highway Capacity Manual*, 7th Edition



SIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINED

Level of Service (LOS) for signalized intersections is determined by the control delay experienced by drivers and is calculated for each movement, for each approach, and for the intersection as a whole.

The delay value used in determining LOS is known as “control delay.” Control delay is defined as the total delay experienced by a driver and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delay a vehicle experiences is a function of the capacity of the approach, the volume of traffic, and the signal timing.

LOS values range from A to F. The delay range for each LOS value is as shown in the following table.

LOS CRITERIA FOR SIGNALIZED INTERSECTIONS

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-20
C	>20-35
D	>35-55
E	>55-80
F	>80

Source: Transportation Research Board, *Highway Capacity Manual*, 7th Edition





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Item No.3.

Custom Soil Resource Report for Upper Flathead Valley Area, Montana

RIVER HIGHLANDS PUD



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

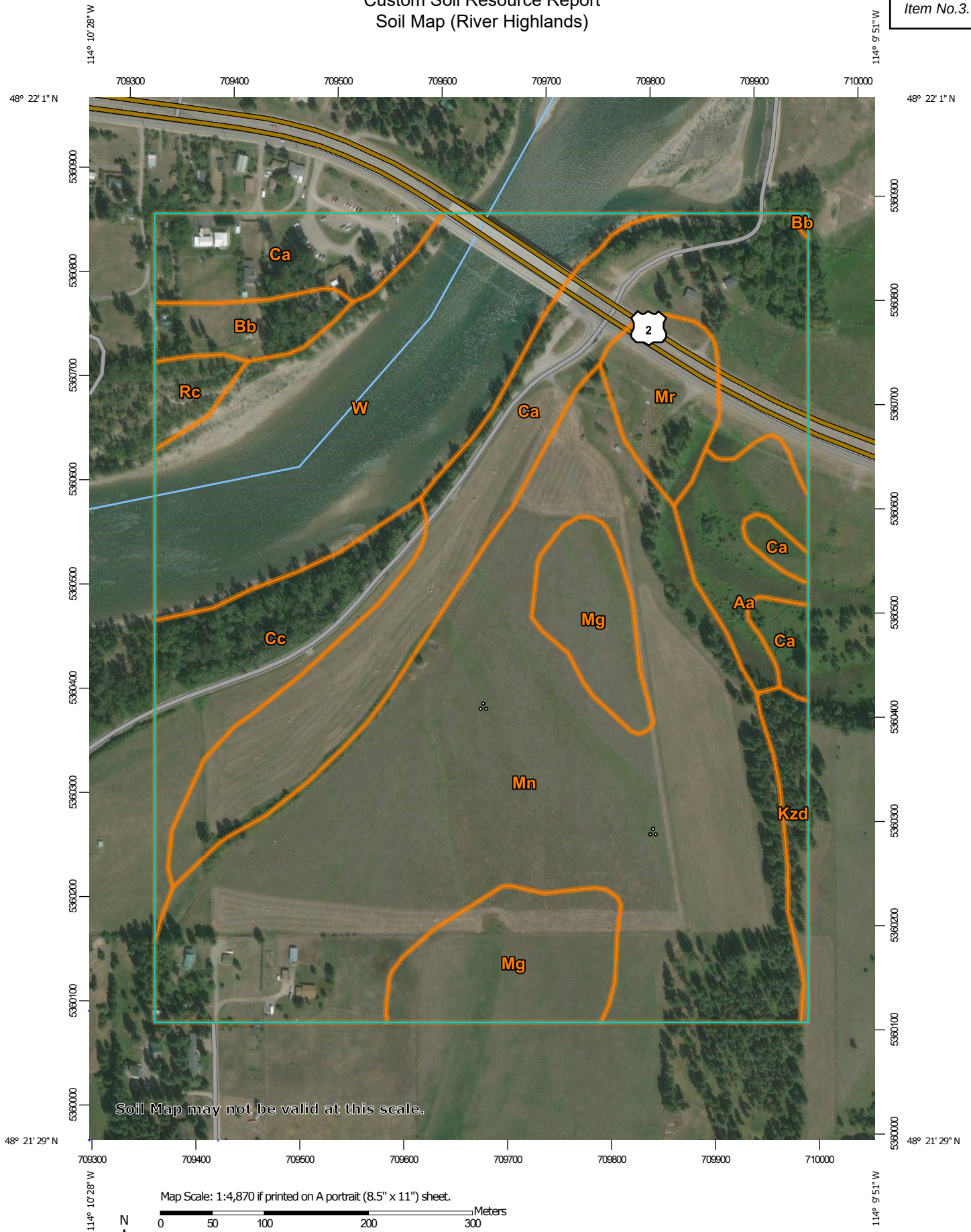
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report Soil Map (River Highlands)

Item No.3.



MAP LEGEND**Area of Interest (AOI)**
 Area of Interest (AOI)
Soils
 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points
Special Point Features
 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features
Water Features
 Streams and Canals
Transportation
 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads
Background
 Aerial Photography
MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Upper Flathead Valley Area, Montana
Survey Area Data: Version 17, Sep 2, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Aug 27, 2014—Nov 2, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend (River Highlands)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Aa	Alluvial land, poorly drained	4.2	3.4%
Bb	Banks very fine sandy loam, 0 to 4 percent slopes	2.3	1.9%
Ca	Chamokane soils, 0 to 3 percent slopes	25.5	21.0%
Cc	Chamokane and Banks soils, 0 to 4 percent slopes	7.5	6.2%
Kzd	Kiwanis fine sandy loam, 0 to 4 percent slopes	1.8	1.5%
Mg	Mires gravelly loam, 0 to 3 percent slopes	9.4	7.8%
Mn	Mires loam, 0 to 3 percent slopes	45.6	37.7%
Mr	Mountainous land	3.5	2.9%
Rc	Riverwash	1.2	1.0%
W	Water	20.1	16.6%
Totals for Area of Interest		121.1	100.0%

Map Unit Descriptions (River Highlands)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the

scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Upper Flathead Valley Area, Montana

Aa—Alluvial land, poorly drained

Map Unit Setting

National map unit symbol: 4vnl
Elevation: 2,000 to 4,800 feet
Mean annual precipitation: 16 to 19 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 90 to 120 days
Farmland classification: Not prime farmland

Map Unit Composition

Alluvial land and similar soils: 75 percent
Minor components: 25 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Alluvial Land

Typical profile

H2 - 20 to 50 inches: stratified gravelly sandy loam to silty clay loam
H3 - 50 to 60 inches: stratified gravelly loamy sand to coarse sandy loam

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: About 18 to 36 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 5w
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: C
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Poorly drained soils

Percent of map unit: 25 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Bb—Banks very fine sandy loam, 0 to 4 percent slopes

Map Unit Setting

National map unit symbol: 4vnp
Elevation: 1,600 to 2,100 feet
Mean annual precipitation: 13 to 18 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 110 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Banks and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Banks

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 3 inches: loamy fine sand
C - 3 to 60 inches: loamy fine sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components**Somewhat poorly drained soils***Percent of map unit: 10 percent**Landform: Flood plains**Down-slope shape: Linear**Across-slope shape: Linear**Hydric soil rating: Yes***Ca—Chamokane soils, 0 to 3 percent slopes****Map Unit Setting***National map unit symbol: 4vp7**Elevation: 2,890 to 3,030 feet**Mean annual precipitation: 15 to 19 inches**Mean annual air temperature: 39 to 45 degrees F**Frost-free period: 90 to 120 days**Farmland classification: Prime farmland if irrigated***Map Unit Composition***Chamokane and similar soils: 50 percent**Chamokane and similar soils: 40 percent**Minor components: 10 percent**Estimates are based on observations, descriptions, and transects of the mapunit.***Description of Chamokane****Setting***Landform: Flood plains**Down-slope shape: Linear**Across-slope shape: Linear**Parent material: Sandy alluvium***Typical profile***A - 0 to 7 inches: fine sandy loam**C1 - 7 to 24 inches: fine sandy loam**2C2 - 24 to 60 inches: gravelly sand***Properties and qualities***Slope: 0 to 3 percent**Depth to restrictive feature: More than 80 inches**Drainage class: Moderately well drained**Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)**Depth to water table: About 24 to 48 inches**Frequency of flooding: OccasionalNone**Frequency of ponding: None**Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)**Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)*

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Description of Chamokane

Setting

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 7 inches: loam
C1 - 7 to 24 inches: fine sandy loam
2C2 - 24 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.4 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: C
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Somewhat poorly drained soils

Percent of map unit: 10 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Cc—Chamokane and Banks soils, 0 to 4 percent slopes**Map Unit Setting**

National map unit symbol: 4vp9
Elevation: 1,600 to 3,080 feet
Mean annual precipitation: 13 to 19 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 135 days
Farmland classification: Not prime farmland

Map Unit Composition

Banks and similar soils: 50 percent
Chamokane and similar soils: 45 percent
Minor components: 5 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Banks**Setting**

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 3 inches: loamy fine sand
C - 3 to 60 inches: loamy fine sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (5.95 to 19.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 1.0
Available water supply, 0 to 60 inches: Low (about 4.8 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Description of Chamokane**Setting**

Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy alluvium

Typical profile

A - 0 to 7 inches: fine sandy loam
C1 - 7 to 24 inches: fine sandy loam
2C2 - 24 to 60 inches: gravelly sand

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B
Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components**Somewhat poorly drained soils**

Percent of map unit: 5 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Kzd—Kiwanis fine sandy loam, 0 to 4 percent slopes**Map Unit Setting**

National map unit symbol: 4vr3
Elevation: 3,000 to 5,000 feet
Mean annual precipitation: 12 to 17 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 130 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Kiwanis and similar soils: 90 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kiwanis

Setting

Landform: Stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium

Typical profile

A - 0 to 9 inches: fine sandy loam

C1 - 9 to 39 inches: fine sandy loam

2C2 - 39 to 70 inches: very gravelly sand

Properties and qualities

Slope: 0 to 4 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: RareNone

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: A

Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P

Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 10 percent

Hydric soil rating: No

Mg—Mires gravelly loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 4vrl

Elevation: 2,900 to 5,600 feet

Mean annual precipitation: 17 to 25 inches
Mean annual air temperature: 43 to 45 degrees F
Frost-free period: 70 to 105 days
Farmland classification: Not prime farmland

Map Unit Composition

Mires and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires

Setting

Landform: Terraces, outwash fans
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Outwash

Typical profile

A - 0 to 8 inches: gravelly loam
Bw - 8 to 18 inches: very gravelly loam
2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 15 percent
Hydric soil rating: No

Mn—Mires loam, 0 to 3 percent slopes**Map Unit Setting**

National map unit symbol: 4vrq

Elevation: 2,600 to 3,400 feet

Mean annual precipitation: 15 to 19 inches

Mean annual air temperature: 39 to 45 degrees F

Frost-free period: 100 to 120 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Mires and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires**Setting**

Landform: Terraces, outwash fans

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Outwash

Typical profile

A - 0 to 14 inches: loam

Bw - 14 to 18 inches: very gravelly loam

2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 4.5 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: B

Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P

Hydric soil rating: No

Minor Components**Nonhydryc***Percent of map unit: 15 percent**Hydryc soil rating: No***Mr—Mountainous land****Map Unit Setting***National map unit symbol: 4vrt**Elevation: 2,000 to 4,640 feet**Mean annual precipitation: 15 to 30 inches**Mean annual air temperature: 37 to 45 degrees F**Frost-free period: 90 to 130 days**Farmland classification: Not prime farmland***Map Unit Composition***Mountainous land and similar soils: 35 percent**Whitefish and similar soils: 25 percent**Rock outcrop: 25 percent**Minor components: 15 percent**Estimates are based on observations, descriptions, and transects of the mapunit.***Description of Mountainous Land****Typical profile***H2 - 5 to 18 inches: loam**H3 - 18 to 26 inches: gravelly silt loam**H4 - 26 to 60 inches: gravelly loam***Properties and qualities***Slope: 30 to 70 percent**Depth to restrictive feature: More than 80 inches**Drainage class: Well drained**Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)**Depth to water table: More than 80 inches**Frequency of flooding: None**Frequency of ponding: None**Calcium carbonate, maximum content: 10 percent**Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)**Available water supply, 0 to 60 inches: Moderate (about 7.7 inches)***Interpretive groups***Land capability classification (irrigated): None specified**Land capability classification (nonirrigated): 7e**Hydrologic Soil Group: B**Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P**Hydryc soil rating: No*

Description of Whitefish

Setting

Landform: Moraines
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Glacial till

Typical profile

Oi - 0 to 1 inches: slightly decomposed plant material
E - 1 to 9 inches: cobbly silt loam
E/Bt - 9 to 14 inches: gravelly silt loam
Bt - 14 to 20 inches: gravelly clay loam
Bk - 20 to 33 inches: gravelly silt loam
C - 33 to 60 inches: gravelly silt loam

Properties and qualities

Slope: 30 to 70 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 8.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: C
Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P
Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 15 percent
Hydric soil rating: No

Rc—Riverwash

Map Unit Composition

Riverwash: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Minor Components

Flooded and ponded soils

Percent of map unit: 10 percent

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

W—Water

Map Unit Composition

Water: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

References

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United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

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United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

ORDINANCE NO. 705

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM CSAG-5 (SUBURBAN AGRICULTURE – 5 ACRE) TO CR-3 (ONE-FAMILY RESIDENTIAL) OF CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT DESCRIBED AS LOTS 1, 2 & 3 OF LOEFFLER RIDGE SUBDIVISION AND TRACTS 7B & 7BB LOCATED IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED ON EXHIBIT “B” ATTACHED HERETO.

WHEREAS, Avi Bree Real Estate Holdings, LLC, the purported owner of the property, has requested a zone change from CSAG-5 (Suburban Agriculture – 5 Acre) to CR-3 (One-Family Residential) for certain real property more particularly described on Exhibit “B” attached hereto;

WHEREAS, said zone change request was considered by the Columbia Falls Planning Office in Report #CZC-08-03, dated August 6, 2008, wherein it was recommended that said request be approved subject to certain conditions; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board and Zoning Commission in a public hearing at its regularly scheduled meeting on August 12, 2008, and the Commission recommended approval of said change in zoning classification subject to certain conditions; and

WHEREAS, the Columbia Falls Planning Office on August 27, 2008, revised Staff Report #CZC-08-03, to reflect recommendations made by the Planning Board; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Tuesday, September 2, 2008, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board and Zoning Commission, the revised report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning change, subject to certain conditions, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-08-03, dated August 27, 2008, reflecting certain changes and including the

conditions set forth on Exhibit "A", attached hereto, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the zoning classification is hereby changed from CSAG-5 (Suburban Agriculture – 5 Acre) to CR-3 (One-Family Residential) for certain real property, consisting of approximately 48.5 acres, more particularly described in Exhibit "B" attached hereto.

Section Three. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Four. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Five. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1. The site must be overlaid with a Planned Unit Development to permanently set-aside sensitive areas such as floodplain, steep slopes and forested areas.
2. Municipal water and sewer must be provided when development occurs that makes use of any density that is greater than one acre lots.
3. Areas along the river must not be developed with structures closer than 125 feet of the high point of the slope adjacent to the Flathead River bank.
4. The intersection of River Road with Highway 2 must be moved to the east side of Tract 7B.
5. River Road should be reconstructed at a location south east of the current location a sufficient distance to significantly reduce the opportunity for vehicles to encounter the steep bank of the Flathead River.
6. Lot 1 and Tract 7BB must be developed in a manner that provides a landscape buffer along their respective western and southern borders where they abut developed parcels that possess a density less than that permitted by R3 zoning.
7. The hill along the north east side of Tract 7B should be maintained to a height to shield view of the development in a manner that protects the view shed for traffic on Highway 2.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP TO ALLOW THE DEVELOPMENT OF A PLANNED UNIT DEVELOPMENT (PUD) (KNOWN AS RIVER HIGHLANDS) OVERLAY OVER THE EXISTING CR-3 (ONE-FAMILY RESIDENTIAL) ZONING, WHICH PROPERTY IS LOCATED IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO.

WHEREAS, Avi Bree Real Estate Holdings, LLC, the purported owner of the property, has requested an amendment to the Columbia Falls zoning map to allow the development of a Planned Unit Development (PUD) overlay zone for approximately 48.5 acres of land presently zoned CR-3 (One-Family Residential) to allow the construction of about 146 units on about 30 acres or about 4.8 units per acre.

WHEREAS, said PUD request was considered by the Columbia Falls Planning Office in Report #CPUD-08-01 dated August 6, 2008, wherein it was recommended that said request be approved, subject to certain conditions; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board and Zoning Commission in a public hearing at its regularly scheduled meeting on August 12, 2008, and the Commission recommended approval of said change in zoning classification subject to certain conditions; and

WHEREAS, the Columbia Falls Planning Office revised Report #CPUD-08-01 on August 27, 2008, to reflect the recommendations made by the Planning Board and Zoning Commission, subject to certain conditions; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Tuesday, September 2, 2008, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board and Zoning Commission, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the PUD request, subject to certain conditions, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-08-03, dated August 27, 2008, reflecting certain changes and including the conditions set forth on Exhibit "A", attached hereto, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the requested Planned Unit Development (PUD) overlay on property presently zoned CR-3 (One-Family Residential) to allow the construction of about 146 units on about 30 acres, or about 4.8 units per acre, and other improvements, is hereby approved. Said property is more particularly described in Exhibit "B" attached hereto.

Section Three. All documents included in the site plan and the recommendations of the Planning Department are hereby incorporated by reference.

Section Four. The Council finds that the proposal complies with Chapter 18.348 of the Columbia Falls Area Zoning Regulations, and that the proposal results in a more efficient use of the land than is otherwise permissible.

Section Five. Inconsistent Provisions: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section Six. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Seven. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1. The project shall be built in substantial compliance with the submitted "Planned Unit Development Plan for River Highlands", plan dated June 28, 2008, as prepared by Sitescape Associates except as modified by a preliminary plat or as modified below.
2. All lots within the development must meet the Design Standards of the Columbia Falls Subdivision Regulations.
3. All lots with the development will conform to the Columbia Falls Zoning Regulations for R3 Districts with the following exceptions:
 - a. Lot size may vary in area and front yard width but changes in size and widths shall transition across multiple adjacent lots along the same side of the same street; not less than four lots and not more than twenty percent (20%) change across the four lots.
 - b. Single family lots shall be a minimum of 6,000 square feet (sf) in area and possess at least thirty foot of street frontage.
 - c. Townhouse sublots shall be a minimum of 2,000 sf in area and possess at least thirty foot of street frontage.
 - d. Multifamily structures, bearing more than four units, and commercial structures shall adhere to the small building standards of the zoning regulations.
 - e. Lots that have a rear yard abutting a designated open space or project border buffer may have a rear yard setback of fifteen feet.
 - f. Lots that have a rear yard abutting an alley shall have on-lot parking and garages that access from the alley.
 - g. Lots possessing an area of less than 6,000 sf may cover up to fifty percent (50%) of the lot with structures.
 - h. At the time of preliminary plat application, the plat shall include a revised PUD plan showing building envelope plan for each lot and upon approval of the preliminary plat the PUD plan shall be modified to show these building envelopes. This final PUD plan shall be filed in conjunction with the approved final plat.
 - i. Use of commercial building(s) shall be limited to permitted uses allowed in B1 Neighborhood Business Zoning and recreational facilities that are open, as a minimum, to use or membership of the residents of the PUD.
4. The entire site shall be provided municipal water and sewer provided by the City of Columbia Falls.
5. Single lots or building that front River Road shall have vehicle access only to side streets.
6. Parking on River Road shall be prohibited and so signed.
7. All drive accesses and alleys shall be paved.
8. Storm water shall be maintained and disposed of on-site based on an engineered plan approved by the City of Columbia Falls prior to construction or significant site disturbance. The storm water management design shall include elements that assure that all design runoff can be effectively diverted away from the steep slopes and the Flathead River.

9. The existing trees, scrubs and grass shall be maintained in the following manner during construction of public infrastructure:
 - a. Any disturbance within the public right-of-way or public access area shall be the minimum necessary to allow construction of required improvements and with prior consent of the City. Construction limits shall be clearly staked in the field prior to commencing any work; staking shall be maintained while construction is in progress.
 - b. Areas disturbed but not covered with surface infrastructure shall be restored to conditions that provide ground cover to resist dust and weed infestations.
 - c. Set-aside areas outside the approved construction limits shall not be disturbed, nor used as a storage or parking area.
 - d. All disturbed areas shall be monitored to assure that noxious weeds are eradicated.

10. A Non-Motorized Trail System shall be developed and constructed within the PUD and the designated open space areas that meet the following requirements:
 - a. The Non-Motorized Trail System shall be located where the current River Road pavement is located.
 - b. The applicant shall either construct a path along the entire length of the north side of the site, adjacent to Highway 2, or pay a cash-in-lieu sufficient to allow for construction of this segment of a future Non-Motorized Trail System link.
 - c. The north end of the trail shall provide a minimum of six parking spaces within the current River Road approach to Highway 2.

11. Residential units constructed throughout the site shall be constructed as prescribed herein:
 - a. The outward appearance of the building shall reasonably conform to the elevation views provided with the PUD submittal.
 - b. Adjacent structures shall be dissimilar in vertical and horizontal configuration.

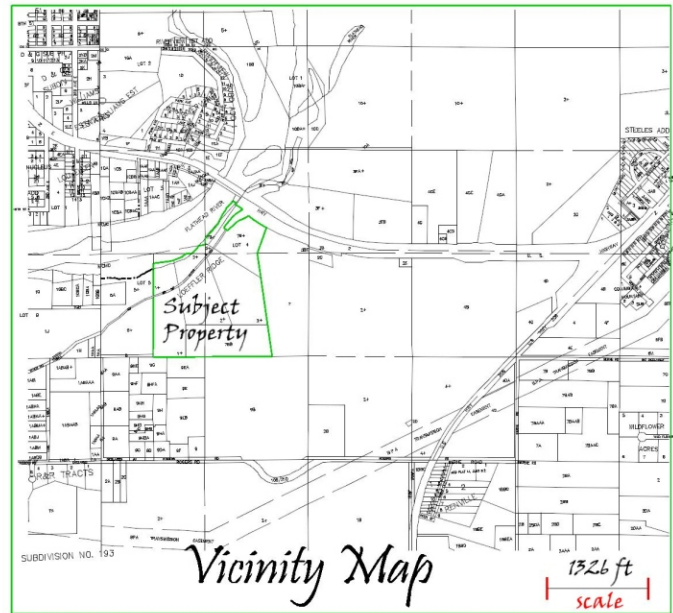
12. Buildings shall conform to the following minimum requirements:
 - a. Building shall not be sited outside the buildable limits shown on the final PUD Plan submitted with the final plat submittal.
 - b. Every building shall be constructed in accordance with City building codes.
 - c. Use and construction on all lots shall conform to the stipulation of the underlying zoning except as modified by the approved PUD conditions.

13. All land within the subdivision not platted in lots or public right-of-way shall be managed in the following manner:
 - a. Such lands shall be enrolled in a conservation easement, or similar instrument approved by the City attorney and held by the City or an approved private entity.

- b. Maintenance of the open space shall be the responsibility of the Home Owners Association approved by the City. Stipulation of such an assignment shall include provisions that the governing jurisdiction may file a lien against Home Owners property with the PUD for failure to provide maintenance of the open space.
 - c. Such area shall be maintained using native species commonly found therein prior to issuance of preliminary plat.
 - d. Noxious weeds shall be controlled and eradicated.
- 14. All utilities including electrical, telephone and cable shall be placed underground.
- 15. All conditions must be complied with prior to the issuance of an occupancy permit by the Building Inspector. If certain conditions such as paving or landscape improvements cannot be reasonably complied with because of unforeseen circumstances, such as winter conditions, the applicant may, upon prior approval of the City Manager, post a bond or financial security found to be acceptable by the City Manager and equal to 125% of the cost of the improvements as certified by a licensed engineer or where appropriate, a landscape architect.
- 16. The subdivision plat, dedications, covenants and other agreements relative to the River Highlands PUD shall be recorded in the Office of the County Clerk and Recorder. These documents shall also include those that create automatic membership in a non-profit homeowners' association or corporation to be formed to control, develop, and maintain common areas, properties and facilities. These documents shall also place title to any common property or facilities in the association or corporation.
- 17. Any commercial developments are limited to the intent and uses permitted in a B-1 zoning district.
- 18. The covenants for the development shall include the following language: " No agricultural or farming operation, place, establishment, or facility or any of its appurtenances or the operation thereof is or becomes a public nuisance because of the normal operation thereof as a result of changed residential or commercial conditions in or around its locality if the agricultural or farming operation, place, establishment, or facility has been in operation longer than the complaining resident has been in possession or commercial establishment has been in operation."¹
- 19. Fishing site access shall be provided internally within River Highlands PUD. Existing access will be closed subject to MDT approval.
- 20. East and South buffer areas shall be increased by a minimum of 5 feet.
- 21. One access will be eliminated onto River Road contingent upon review and approval of Columbia Falls emergency services.

¹ 45-8-111. Public nuisance.

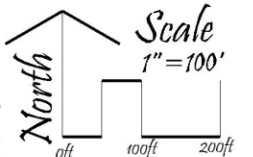
22. Buffers and barriers created with natural vegetation shall be encouraged. Fences shall not be allowed within the rear and front setbacks.



River Highlands

Planned Unit Development
Columbia Falls, Montana
Owner/Developer: Avi Bree Real Estate Holdings LLC

Total Property Area = 48.41 Acres, Existing Loeffler Ridge Subdv. (5 Lots)
Existing Zoning = CSAG-5
Growth Policy = Suburban Residential, 3-8 du/AC
Proposed Zoning = CR-3 w/ PUD Overlay
Total Residential Units = 151, Density = 3.12 du/ac
Total Single-Family Lots 77 Lots = 51% Total Units
Total Townhouse Lots = 31 Lots = 20.5% Total Units
Total Condominiums = 30 Units = 19.9% Total Units
Total Cabins - 13 Units = 8.6% Total Units (.23 Acre Total = .48%)
Total Area in Single-Family Lots = 16.04 Acres = 33.1%
Total Area in Townhouse Lots = 2.19 Acres = 4.5%
Total Area in Condos = .52 Acres = 1.0%
Total Area Village Market Site = .82 Acres = 1.7%
Total Area in Road Right-of-Way = 9.55 Acres = 19.7%
Total Area in Road Pavement = 5.68 Acres = 11.7% (36' boc to boc typ.)
Total Area in Open Space = 14.84 Acres = 30.7% (not incl. parkways)
Total Area in Roadway Landscaped Parkways = 1.66 Acres = 3.45%
Total Area in Clubhouse, Cabin, Condo Parking/access = 4.2 Acres = 8.8%
Total Length River Path = 1676 LF = .32 Miles (10 ft width)
Total Length River Access Path = 817 LF = .15 Miles (6 ft width)
5' Sidewalks on both sides of street except S side of New River Road



- Soil profile. See soil profile log, supplement to this topographic map.
- Found 2" diameter Montana Department of Transportation aluminum cap.
- Found 3/4" diameter rebar, no cap.
- Found 1" diameter, red, plastic cap marked, "LARSSEN 9250ES".
- Projected position from the Subdivision Plat of Loeffler Ridge. Monument either not found or under asphalt pavement.
- Deciduous tree, trunk diameter, and species if known.
- Coniferous tree, trunk diameter and species.
- Underground gas line or wire as noted.
- Overhead powerline
- Underground powerline
- Power pole
- Transformer
- Underground phone line
- Phone pedestal
- Post
- Street sign

Sitescape Associates
Brent F. Lott, Landscape Architect
Land Planning & Landscape Architecture
3000 1/2 Century Drive
Columbia Falls, Montana 59712
406.872.9482
Date: 6-28-08

Master Development Plan

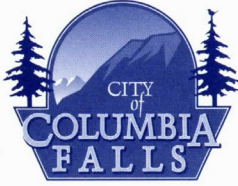
River Highlands

Planned Unit Development









Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.3.

May 24, 2022

James Barnett
3500 E. Lakeshore Dr
Whitefish, MT 59937

Sent via email

RE: Completeness and Sufficiency Review for the River Highlands PUD and Subdivision.

Dear Applicant:

Pursuant to MCA 76-3-604(2)(b) and the Columbia Falls Subdivision Regulations Section 17.12.030(B)(2) we have determined your application:

☒ Contains complete and sufficient elements to commence review of the application.

☐ Is lacking required detail in the following elements:

☐ Until the above –mentioned items are submitted, no further review will occur on your project.

If you have any questions, please feel free to contact me at (406) 755-6481.

Sincerely,

Eric H. Mulcahy, City Planner

C: WGM Group Attn: Mike Brodie, PE
431 1st Ave West
Kalispell, MT 59901



This Document Prepared By:
Fidelity National Title Company of Montana, LLC
284 Flathead Avenue Ste 101
Whitefish, MT 59937

After Recording Return To:
Matt Fritter
River Highlands LLC
2404 Lewis Grove Lane
Raleigh, NC 27608

Order No.: FT1585-213257-TD

Recorded by Fidelity National Title

FNT 1585-213257

WARRANTY DEED

For Value Received Flathead Mountain River, LLC, a Montana limited liability company, the grantor(s), do(es) hereby grant, bargain, sell and convey unto River Highlands LLC, a Montana limited liability company, of 2404 Lewis Grove Lane, Raleigh, NC 27608, the grantee(s), the following described premises, in Flathead County, Montana, to wit:

Tract 1:

Lots 1, 2, and 3 of Loeffler Ridge, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Tract 2:

Tract 3 of Certificate of Survey No. 14045, located and being in North Half of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M., M., Flathead County, Montana

Tract 3:

Tract 2 (North) and Tract 2 (South) of Certificate of Survey No. 14045, located and being in Government Lot 4 and the Northeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M., M., Flathead County, Montana.

TO HAVE AND TO HOLD unto the Grantee and to the heirs and assigns forever, subject, however, to:

- A. All reservations and exceptions of record and in patents from the United States or the State of Montana;
- B. All existing easements and rights of way of record, building, use zoning, sanitary and environmental restrictions;
- C. Taxes and assessments for the year 2021 and subsequent years;
- D. All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons;

Except with reference to items referred to in paragraphs above, this Deed is given with the usual covenants expressed in §30-11-110, Montana Code Annotated.

This conveyance is made and accepted upon the express agreement that the consideration heretofore paid constitutes an adequate and full consideration in money or money's worth.

Approved 12/01/2021 sa 0004299, 0004300, 0004302, 0007578, 0506850



WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Flathead Mountain River, LLC, a Montana limited liability company

BY: G. Stacy Smith
G. Stacy Smith
Member

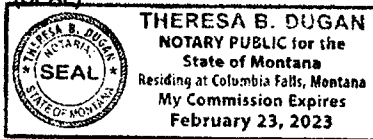
State of MT

County of Flathead

This instrument was acknowledged before me on Nov. 24th, 2021 by G. Stacy Smith,
Member of Flathead Mountain River, LLC, a Montana limited liability company.

Theresa B. Dugan
Notary Public for the State of _____
Residing at _____
My Commission Expires: _____

(SEAL)



GUARANTEE

Issued by

Insured Titles

44 4th Street West/P.O. Box 188, Kalispell, MT 59901

Title Officer: Sheri Smith

Phone: (406)755-5028

FAX: (406)755-3299



First American Title™

Item No.3.

Form 5010500 (7-1-14)

Guarantee Number: 501055-1044949-FT

Guarantee Face Page

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY



First American Title Insurance Company

Dennis J. Gilmore, President

Greg L. Smith, Secretary

This jacket was created electronically and constitutes an original document

SCHEDULE OF EXCLUSIONS FROM COVERAGE OF THIS GUARANTEE

Item No.3.

1. Except to the extent that specific assurances are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters against the title, whether or not shown by the public records.
 - (b) (1) Taxes or assessments of any taxing authority that levies taxes or assessments on real property; or, (2) Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not the matters excluded under (1) or (2) are shown by the records of the taxing authority or by the public records.
 - (c) (1) Unpatented mining claims; (2) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (3) water rights, claims or title to water, whether or not the matters excluded under (1), (2) or (3) are shown by the public records.
2. Notwithstanding any specific assurances which are provided in Schedule A of this Guarantee, the Company assumes no liability for loss or damage by reason of the following:
 - (a) Defects, liens, encumbrances, adverse claims or other matters affecting the title to any property beyond the lines of the land expressly described in the description set forth in Schedule (A), (C) or in Part 2 of this Guarantee, or title to streets, roads, avenues, lanes, ways or waterways to which such land abuts, or the right to maintain therein vaults, tunnels, ramps or any structure or improvements; or any rights or easements therein, unless such property, rights or easements are expressly and specifically set forth in said description.
 - (b) Defects, liens, encumbrances, adverse claims or other matters, whether or not shown by the public records; (1) which are created, suffered, assumed or agreed to by one or more of the Assureds; (2) which result in no loss to the Assured; or (3) which do not result in the invalidity or potential invalidity of any judicial or non-judicial proceeding which is within the scope and purpose of the assurances provided.
 - (c) The identity of any party shown or referred to in Schedule A.
 - (d) The validity, legal effect or priority of any matter shown or referred to in this Guarantee

GUARANTEE CONDITIONS AND STIPULATIONS**1. DEFINITION OF TERMS.**

The following terms when used in the Guarantee mean:

- (a) the "Assured": the party or parties named as the Assured in this Guarantee, or on a supplemental writing executed by the Company.
- (b) "land": the land described or referred to in Schedule (A)(C) or in Part 2, and improvements affixed thereto which by law constitute real property. The term "land" does not include any property beyond the lines of the area described or referred to in Schedule (A)(C) or in Part 2, nor any right, title, interest, estate or easement in abutting streets, roads, avenues, alleys, lanes, ways or waterways.
- (c) "mortgage": mortgage, deed of trust, trust deed, or other security instrument.
- (d) "public records": records established under state statutes at Date of Guarantee for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without knowledge.
- (e) "date": the effective date.

2. NOTICE OF CLAIM TO BE GIVEN BY ASSURED CLAIMANT.

An Assured shall notify the Company promptly in writing in case knowledge shall come to an Assured hereunder of any claim of title or interest which is adverse to the title to the estate or interest, as stated herein, and which might cause loss or damage for which the Company may be liable by virtue of this Guarantee. If prompt notice shall not be given to the Company, then all liability of the Company shall terminate with regard to the matter or matters for which prompt notice is required; provided, however, that failure to notify the Company shall in no case prejudice the rights of any Assured unless the Company shall be prejudiced by the failure and then only to the extent of the prejudice

3. NO DUTY TO DEFEND OR PROSECUTE.

The Company shall have no duty to defend or prosecute any action or proceeding to which the Assured is a party, notwithstanding the nature of any allegation in such action or proceeding.

4. COMPANY'S OPTION TO DEFEND OR PROSECUTE ACTIONS; DUTY OF ASSURED CLAIMANT TO COOPERATE.

Even though the Company has no duty to defend or prosecute as set forth in Paragraph 3 above:

- (a) The Company shall have the right, at its sole option and cost, to institute and prosecute any action or proceeding, interpose a defense, as limited in (b), or to do any other act which in its opinion may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured, or to prevent or reduce loss or damage to the Assured. The Company may take any appropriate action under the terms of this Guarantee, whether or not it shall be liable hereunder, and shall not thereby concede liability or waive any provision of this Guarantee. If the Company shall exercise its rights under this paragraph, it shall do so diligently.
- (b) If the Company elects to exercise its options as stated in Paragraph 4(a) the Company shall have the right to select counsel of its choice (subject to the right of such Assured to object for reasonable cause) to represent the Assured and shall not be liable for and will not pay the fees of any other counsel, nor will the Company pay any fees, costs or expenses incurred by an Assured in the defense of those causes of action which allege matters not covered by this Guarantee.
- (c) Whenever the Company shall have brought an action or interposed a defense as permitted by the provisions of

this Guarantee, the Company may pursue any litigation to final determination by a court of competent jurisdiction and expressly reserves the right, in its sole discretion, to appeal from an adverse judgment or order.

- (d) In all cases where this Guarantee permits the Company to prosecute or provide for the defense of any action or proceeding, an Assured shall secure to the Company the right to so prosecute or provide for the defense of any action or proceeding, and all appeals therein, and permit the Company to use, at its option, the name of such Assured for this purpose. Whenever requested by the Company, an Assured, at the Company's expense, shall give the Company all reasonable aid in any action or proceeding, securing evidence, obtaining witnesses, prosecuting or defending the action or lawful act which in the opinion of the Company may be necessary or desirable to establish the title to the estate or interest as stated herein, or to establish the lien rights of the Assured. If the Company is prejudiced by the failure of the Assured to furnish the required cooperation, the Company's obligations to the Assured under the Guarantee shall terminate.

5. PROOF OF LOSS OR DAMAGE.

In addition to and after the notices required under Section 2 of these Conditions and Stipulations have been provided to the Company, a proof of loss or damage signed and sworn to by the Assured shall be furnished to the Company within ninety (90) days after the Assured shall ascertain the facts giving rise to the loss or damage. The proof of loss or damage shall describe the matters covered by this Guarantee which constitute the basis of loss or damage and shall state, to the extent possible, the basis of calculating the amount of the loss or damage. If the Company is prejudiced by the failure of the Assured to provide the required proof of loss or damage, the Company's obligation to such Assured under the Guarantee shall terminate. In addition, the Assured may reasonably be required to submit to examination under oath by any authorized representative of the Company and shall produce for examination, inspection and copying, at such reasonable times and places as may be designated by any authorized representative of the Company, all records, books, ledgers, checks, correspondence and memoranda, whether bearing a date before or after Date of Guarantee, which reasonably pertain to the loss or damage. Further, if requested by any authorized representative of the Company, the Assured shall grant its permission, in writing, for any authorized representative of the Company to examine, inspect and copy all records, books, ledgers, checks, correspondence and memoranda in the custody or control of a third party, which reasonably pertain to the loss or damage. All information designated as confidential by the Assured provided to the Company pursuant to this Section shall not be disclosed to others unless, in the reasonable judgment of the Company, it is necessary in the administration of the claim. Failure of the Assured to submit for examination under oath, produce other reasonably requested information or grant permission to secure reasonably necessary information from third parties as required in the above paragraph, unless prohibited by law or governmental regulation, shall terminate

any liability of the Company under this Guarantee to the Assured for that claim.

6. OPTIONS TO PAY OR OTHERWISE SETTLE CLAIMS: TERMINATION OF LIABILITY.

In case of a claim under this Guarantee, the Company shall have the following additional options:

- (a) To Pay or Tender Payment of the Amount of Liability or to Purchase the Indebtedness.
The Company shall have the option to pay or settle or compromise for or in the name of the Assured any claim which could result in loss to the Assured within the coverage of this Guarantee, or to pay the full amount of this Guarantee or, if this Guarantee is issued for the benefit of a holder of a mortgage or a lienholder, the Company shall have the option to purchase the indebtedness secured by said mortgage or said lien for the amount owing thereon, together with any costs, reasonable attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of purchase. Such purchase, payment or tender of payment of the full amount of the Guarantee shall terminate all liability of the Company hereunder. In the event after notice of claim has been given to the Company by the Assured the Company offers to purchase said indebtedness, the owner of such indebtedness shall transfer and assign said indebtedness, together with any collateral security, to the Company upon payment of the purchase price. Upon the exercise by the Company of the option provided for in Paragraph (a) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4, and the Guarantee shall be surrendered to the Company for cancellation.
- (b) To Pay or Otherwise Settle With Parties Other Than the Assured or With the Assured Claimant.
To pay or otherwise settle with other parties for or in the name of an Assured claimant any claim assured against under this Guarantee, together with any costs, attorneys' fees and expenses incurred by the Assured claimant which were authorized by the Company up to the time of payment and which the Company is obligated to pay. Upon the exercise by the Company of the option provided for in Paragraph (b) the Company's obligation to the Assured under this Guarantee for the claimed loss or damage, other than to make the payment required in that paragraph, shall terminate, including any obligation to continue the defense or prosecution of any litigation for which the Company has exercised its options under Paragraph 4.

7. DETERMINATION AND EXTENT OF LIABILITY.

This Guarantee is a contract of Indemnity against actual monetary loss or damage sustained or incurred by the Assured claimant who has suffered loss or damage by reason of reliance upon the assurances set forth in this Guarantee and only to the extent herein described, and subject to the

Exclusions From Coverage of This Guarantee.

The liability of the Company under this Guarantee to the Assured shall not exceed the least of:

- (a) the amount of liability stated in Schedule A or in Part 2;
- (b) the amount of the unpaid principal indebtedness secured by the mortgage of an Assured mortgagee, as limited or provided under Section 6 of these Conditions and Stipulations or as reduced under Section 9 of these Conditions and Stipulations, at the time the loss or damage assured against by this Guarantee occurs, together with interest thereon; or
- (c) the difference between the value of the estate or interest covered hereby as stated herein and the value of the estate or interest subject to any defect, lien or encumbrance assured against by this Guarantee.

8. LIMITATION OF LIABILITY.

- (a) If the Company establishes the title, or removes the alleged defect, lien or encumbrance, or cures any other matter assured against by this Guarantee in a reasonably diligent manner by any method, including litigation and the completion of any appeals therefrom, it shall have fully performed its obligations with respect to that matter and shall not be liable for any loss or damage caused thereby.
- (b) In the event of any litigation by the Company or with the Company's consent, the Company shall have no liability for loss or damage until there has been a final determination by a court of competent jurisdiction, and disposition of all appeals therefrom, adverse to the title, as stated herein.
- (c) The Company shall not be liable for loss or damage to any Assured for liability voluntarily assumed by the Assured in settling any claim or suit without the prior written consent of the Company.

9. REDUCTION OF LIABILITY OR TERMINATION OF LIABILITY.

All payments under this Guarantee, except payments made for costs, attorneys' fees and expenses pursuant to Paragraph 4 shall reduce the amount of liability pro tanto.

10. PAYMENT OF LOSS.

- (a) No payment shall be made without producing this Guarantee for endorsement of the payment unless the Guarantee has been lost or destroyed, in which case proof of loss or destruction shall be furnished to the satisfaction of the Company.
- (b) When liability and the extent of loss or damage has been definitely fixed in accordance with these Conditions and Stipulations, the loss or damage shall be payable within thirty (30) days thereafter.

11. SUBROGATION UPON PAYMENT OR SETTLEMENT.

Whenever the Company shall have settled and paid a claim under this Guarantee, all right of subrogation shall vest in the Company unaffected by any act of the Assured claimant. The Company shall be subrogated to and be entitled to all rights and remedies which the Assured would have had against any person or property in respect to the claim had this Guarantee not been issued. If requested by the Company,

the Assured shall transfer to the Company all rights and remedies against any person or property necessary in order to perfect this right of subrogation. The Assured shall permit the Company to sue, compromise or settle in the name of the Assured and to use the name of the Assured in any transaction or litigation involving these rights or remedies. If a payment on account of a claim does not fully cover the loss of the Assured the Company shall be subrogated to all rights and remedies of the Assured after the Assured shall have recovered its principal, interest, and costs of collection.

12. ARBITRATION.

Unless prohibited by applicable law, either the Company or the Assured may demand arbitration pursuant to the Title Insurance Arbitration Rules of the American Arbitration Association. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the Assured arising out of or relating to this Guarantee, any service of the Company in connection with its issuance or the breach of a Guarantee provision or other obligation. All arbitrable matters when the Amount of Liability is \$1,000,000 or less shall be arbitrated at the option of either the Company or the Assured. All arbitrable matters when the amount of liability is in excess of \$1,000,000 shall be arbitrated only when agreed to by both the Company and the Assured. The Rules in effect at Date of Guarantee shall be binding upon the parties. The award may include attorneys' fees only if the laws of the state in which the land is located permits a court to award attorneys' fees to a prevailing party. Judgment upon the award rendered by the Arbitrator(s) may be entered in any court having jurisdiction thereof.

The law of the situs of the land shall apply to an arbitration under the Title Insurance Arbitration Rules.

A copy of the Rules may be obtained from the Company upon request.

13. LIABILITY LIMITED TO THIS GUARANTEE; GUARANTEE ENTIRE CONTRACT.

- (a) This Guarantee together with all endorsements, if any, attached hereto by the Company is the entire Guarantee and contract between the Assured and the Company. In interpreting any provision of this Guarantee, this Guarantee shall be construed as a whole.
- (b) Any claim of loss or damage, whether or not based on negligence, or any action asserting such claim, shall be restricted to this Guarantee.
- (c) No amendment of or endorsement to this Guarantee can be made except by a writing endorsed hereon or attached hereto signed by either the President, a Vice President, the Secretary, an Assistant Secretary, or validating officer or authorized signatory of the Company.

14. NOTICES, WHERE SENT.

All notices required to be given the Company and any statement in writing required to be furnished the Company shall include the number of this Guarantee and shall be addressed to the Company at **First American Title Insurance Company, Attn: Claims National Intake Center, 1 First American Way, Santa Ana, California 92707. Phone: 888-632-1642.**



First American Title

Schedule A

Property Owner's Notice Guarantee

Item No.3.

ISSUED BY

First American Title Insurance Company

GUARANTEE NUMBER

5010500-1044949-FT

LIABILITY: **\$400.00**

ORDER NO.: **1044949-FT**

FEE: **\$375.00**

REFERENCE NO.:

Name of Assured: WGM Group

Date of Guarantee: May 10, 2022 at 7:30 A.M.

The assurances referred to on the face page hereof are:

1. That, according to the last equalized real property assessment roll in the office of Flathead County, Montana.
 - a. The persons listed below as "assessed owner" are shown on the assessment roll as owning real property within 150 feet of the land identified on the assessment roll as Assessor's Parcel Number(s):
0004299, 0004300, 0004302,
0506850, 0007578
 - b. The Assessor's Parcel Number (APN) and any address shown below are shown on the assessment roll.
2. That according to the Company's property records (but without examination of those company records maintained or indexed by name), there have been no documents recorded subsequent to the following, purporting to transfer title to any of the properties listed below, except as indicated.

APN	ASSESSED OWNER
0148640 202 River Rd., Columbia Falls, MT 59912 and 1040 Simitan Ln Lake Havasu AZ 86404	Brian M. & Lisa L. Fitzpatrick
E000898 800 S. Main Kalispell, MT 59901	Flathead County
0824480 154 Steppe Ln., Columbia Falls, MT 59912	Randy L. Houk & Cindy L. Houk

0401351
162 Steppe Ln/PO Box 2181
Columbia Falls, MT 59912

M. Kathleen O'Hair

0048170
269 Rogers Rd.
Columbia Falls, MT 59912

George L. & Katherine A. Baughman

0002110
355 Rogers Rd.
Columbia Falls, MT 59912

Columbia Farms, Inc.

Exception: NONE

By document recorded the land was purportedly transferred to . Mailing Address: .

Insured Titles

By: 
Authorized Countersignature



Privacy Notice

Effective: October 1, 2019

Notice Last Updated: January 1, 2021

This Privacy Notice describes how First American Financial Corporation and its subsidiaries and affiliates (together referred to as "First American," "we," "us," or "our") collect, use, store, and share your information. This Privacy Notice applies to information we receive from you offline only, as well as from third parties, when you interact with us and/or use and access our services and products ("Products"). For more information about our privacy practices, including our online practices, please visit <https://www.firstam.com/privacy-policy>. The practices described in this Privacy Notice are subject to applicable laws in the places in which we operate.

What Type of Information Do We Collect About You? We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do we Share Your Information? We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect your Information? The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

How Long Do We Keep Your Information? We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact us dataprivacy@firstam.com or toll free at 1-866-718-0097.



First American Title™

For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018 ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of **personal information** we have collected about or from you; (2) the categories of sources from which the **personal information** was collected; (3) the business or commercial purpose for such collection and/or disclosure (4) the categories of third parties with whom we have shared your **personal information**; and (5) the specific pieces of your **personal information** we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Right of Deletion. You also have a right to request that we delete the **personal information** we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For either a request to know or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale. We do not sell California resident information, nor have we sold California resident information in the past 12 months. We have no actual knowledge of selling the information of minors under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of **personal information** we have collected about California Residents over the last 12 months, please see "What Information Do We Collect About You" in www.firstam.com/privacy-policy. To learn about the sources from which we collected that information, the business and commercial purpose for its collection, and the categories of third parties with whom we have shared that information, please see "How Do We Collect Your Information", "How Do We Use Your Information", and "How Do We Share Your Information" in www.firstam.com/privacy-policy.

Notice of Sale. We have not sold the **personal information** of California residents in the past 12 months.

Notice of Disclosure. To learn more about the categories of **personal information** we may have disclosed about California residents in the past 12 months, please see "How Do We Use Your Information", and "How Do We Share Your Information" in www.firstam.com/privacy-policy.

Planning Department

Item No.3.



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

PHONE (406) 892-4391

FAX (406) 892-4413

June 15, 2022

Re: Public hearing notice for a Zone Change, PUD and Subdivision for located at 264,316,378,494 River Road in Columbia Falls.

Dear Adjacent Property Owner:

Our records indicate that you are the owner of property within 150-feet of the proposed project.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with notice of public hearings for a Zoning Map Amendment, Planned Unit Development and Subdivision. The request will change the zoning from CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential). The PUD will allow the development of 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. The unit mix consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The development will occur in phases and could take six or more years to complete. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. The PUD/subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path.

If you have questions or comments concerning this matter, please call, visit or write me at City Hall. For written comment to be included in the Planning Board packet, it needs to be submitted to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 no later than Thursday July 7th, 2022 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comments may be provided up to 5:00 pm on the day of the hearing; it will just be emailed and/or passed out at the hearing.

Sincerely,

Eric H. Mulcahy, City Planner

CITY OF COLUMBIA FALLS

NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, July 12, 2022 at 6:30 p.m. at the Council Chambers of City Hall, 130 6th Street West, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on August 1, 2022 starting at 7:00 p.m. in the same location.

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

Mick Ruis is requesting a zoning map amendment on behalf of HC 246 LLC in the Columbia Falls Zoning Jurisdiction. The property is located at 230 Highway 2 East in Columbia Falls and is described as Assessor's Tracts 2E, 2EC, 4EA, 4EAA and 4E Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County (See Exhibit A for Metes and Bounds Description). The property is currently zoned CB-1 (Neighborhood Business) and the applicant is proposing CB-2 (General Business).

Request for a Zoning Map Amendment in the Columbia Falls Planning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a zoning map amendment in the Columbia Falls Zoning Jurisdiction. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The property is currently zoned CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential).

Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

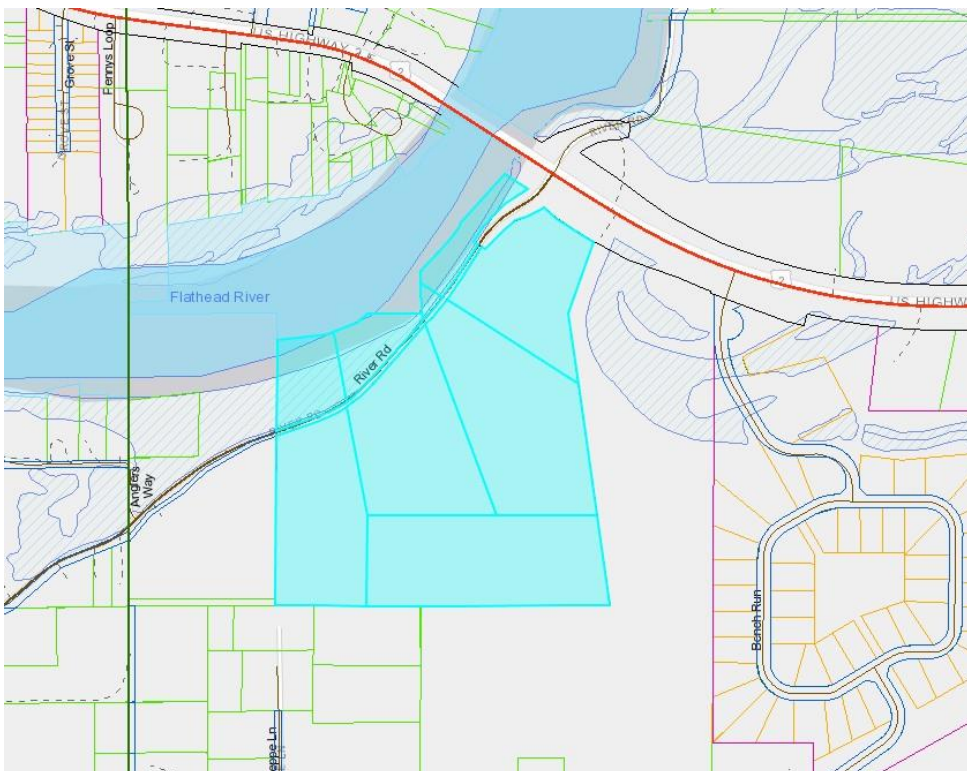
James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the development is called River Highlands Apartments. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre. The applicant is proposing 21.5 acres (43%) of the site as park and open space. With the project, the applicants are proposing to move River Road further east on Highway 2 and if supported by the MDOT the applicants would install a traffic signal at Highway 2 and River Road. Two deviations are requested with the PUD, the applicant is requesting to zoning deviations, one would allow an increase in height of ten feet allowing a

portion of the apartment buildings to approach 45 feet in height and the second deviation would reduce the parking requirement from 2 spaces per unit down to 1.5 spaces per unit.

Request for a subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loffler Subdivision and Assessor's Tracts 7B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The subdivision will create 21 lots (17 residential and 4 open space lots) The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be privately maintained but open to the public. The proposed subdivision is part of the zone change and PUD application for River Highlands Apartments

Interested persons are allowed to attend the hearing(s) in person or via ZOOM. Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the hearing. Written comments may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. To obtain the ZOOM meeting registration, contact City Clerk Barb Staaland via email or by calling (406) 892-4391 no later than 5:30 p.m. the day of the meeting.



Barb Staaland

From: Jorden Decker <jorden.decker@yahoo.com>
Sent: Thursday, June 23, 2022 9:34 AM
To: staalandb@cityofcolumbiafalls.com

I do NOT agree with the subdivision being built in Columbia Falls nor do most residents that live in the valley. It's so frustrating and heartbreaking seeing all the ruined land and buildings like this taking over what was once our little town, 1 of the many reasons my family left the valley and won't be returning. Columbia Falls is not Whitefish nor is it Kalispell, I wish people would stop trying to make it that way. People from out of state are swarming in with their money buying and renting everything up causing residents to leave the valley simply because we can't afford living and there's nothing available in a decent price range. I understand there's a few people native to Columbia falls that would benefit from a subdivision being built for the reason that there's more places to live but I'm sure rent will be crazy expensive and it'll be mostly out of staters renting/buying.

Sent from Yahoo Mail for iPhone

RECEIVED
JUN 23 2022
CITY OF COLUMBIA FALLS

Barb Staaland

From: Paige Moriarty <paigeamoriarty@gmail.com>
Sent: Thursday, June 23, 2022 1:23 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Flathead Mountain River LLC proposal

RECEIVED
JUN 23 2022
CITY OF COLUMBIA FALLS

Barb Staaland,

It has come to my attention, shockingly, that there is a proposal to reroute river road to provide river front access to future homeowners. As a lifetime resident of Columbia falls with many family members and friends who live down river road, this is an outrage. I have driven and ridden that road my entire life and have always loved the view that it provides. The entire community has be shaken in recent years by change in our town, change that often ushers in people who do not truly understand the beauty and magic of Columbia Falls. As a concerned citizen and local, I urge you to stand in opposition to this proposal. I am horrified to imagine a world where I can no longer drive along the flathead river on my way to grandma's house. I urge you to allow the locals and general public access to the beautiful views of Montana. The outdoors should not be reserved for the wealthy. I hope this strikes a cord with you, because I know I am not alone in my concerns.

Thank you,
Paige Moriarty

Barb Staaland

RECEIVED

JUN 24 2022

CITY OF COLUMBIA FALLS

From: Michael Ober <michaelober209@gmail.com>
Sent: Friday, June 24, 2022 4:03 PM
To: staalandb@cityofcolumbiafalls.com
Subject: proposed subdivision

Under NO circumstances should this flawed development be allowed to move forward. The same developers tried to create a similar, high-density development in Whitefish and was soundly defeated by the locals. C Falls must do the same on the grounds that it would severely impact traffic and scenic values at the mouth of the Canyon and would be sited in flood plain corridors. Additionally, the height deviation request would allow for high-rise structures that would block views of Teakettle and Canyon viewsheds. I drive US 2 every day and would not like to navigate another C Falls traffic light in my commute!

Please deny this proposal! Thank you.

Michael J. Ober

Professor Emeritus, Flathead Valley Community College
michaelober209@gmail.com

54 Buffalo Hill Drive

Kalispell, MT 59901

406-257-2040 home

406-890-9472 cell

Barb Staaland

From: Dan Cirenza <danielcirenza@gmail.com>
Sent: Friday, June 24, 2022 5:08 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Rd Proposed Development

RECEIVED
JUN 24 2022
CITY OF COLUMBIA FALLS

Hello -

I'm writing in regards to irresponsible land development in our community. I'm a resident of Kokanee Bend and our neighborhood's access is via River Rd. This proposed development and changing the zoning will have long term implications beyond just this one new project. It will ultimately open the doors for continued development through our beautiful open spaces where elk winter, deer graze, and all of us here enjoy beautiful views without a sense of the hustle and bustle that is overtaking Flathead County.

The developer, Flathead Mountain River LLC (founded November 3, 2020), had previously operated under other names which caused much of the development that quickly turned Bozeman into what it is today - a place for second homeowners and degraded the character of the community. I, amongst others from this community DO NOT want to see this happen here. We should be protecting our valuable and limited open spaces. Turning rural Columbia Falls into an Urban Residential zone will ruin the sense of community that C Falls has held onto as Kalispell and Whitefish have exploded.

Our community doesn't have the infrastructure, schools, and services to provide for an additional **455 residential units, 1/2 of which according to Flathead Mountain River LLC will become short term rentals** even furthering our current housing crisis.

I'm asking as a concerned citizen, taxpayer, and active community member to say no to this proposal. Please keep our town, a town! Protect our natural environments that make this place so special to all of us. Don't be fooled into the guise that this will provide needed housing. 10 units is a far cry from the affordable housing needed here. This project is so other real estate investors can pick up some rental properties while leaving actual community members with less opportunity to find long term housing.

Say no to Flathead Mountain River LLC's proposal on River Road. Save our community.

A very concerned and angry resident,

--
Dan Cirenza
406-885-2355

Barb Staaland

From: Cindy Houk <amontanagl@gmail.com>
Sent: Saturday, June 25, 2022 9:02 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River road subdivision

RECEIVED

JUN 27 2022

CITY OF COLUMBIA FALLS

Mr. Mulcahy,

I would like to address the River road subdivision plans. I understand the need for progress and the need for new affordable housing in the valley, however, the density of this development is not what this city needs. Nor is it what the people of this town want.

I understand the city is looking at the dollar's that the development will bring, but we need to take the dollar's out of the issue and look at what will happen if you allow this zone change and the development to go as requested.

1. One issue is obviously traffic....especially in tourist season and moving the road and placing a stop light is not going to accomplish much. River road and the surrounding residential roads are not built to handle this kind of traffic. I understand that last summer the County did a count on River road and the average was approximately 2600 vehicles per day already. Taking into account that the development will have 455 units and normally each family has at least 2 vehicles...you will be adding approx. over 900 vehicles to this count on a daily basis.
2. Another issue is with the city sewer and water....the current sewage plant is having issues already trying to keep up with the growth that has already happened in the last couple of years. And I remember a study that happened quite a few yrs ago (can't remember when) but it was stated at that time that where the plant is currently located it CAN NOT be upgraded or expanded. So....do you really think that allowing this development to go through with bringing sewer and water across the bridge will be the only development that happens after that? We will see the Hwy 2 corridor through the Heights all the way to the House of Mystery being developed. I do understand that the city would like the dollars that all this development will bring in....but the dollar amount is just not worth the issues that it will cause. Who will pay for the new sewage plant? Where will a new plant be located?
3. This area is currently zoned as Family Residential and I would like to see it kept that way. All the homes in that area are currently 2 to 10 acres except for the Rogers place. If the city denies the zone change, the developers will still be able to build a lot of homes in that 50 acres, just like the development that is currently being built just up the road. The 65 homes might work but all the apartment buildings and row houses are just way to much. If Mrs. Steppe hadn't subdivided her place, I wouldn't be living here.....so I do understand the need for new housing...it's the density that is the major issue.
4. The type of buildings they are proposing will not only be an eyesore to the residents on that side of the bridge but to the tourists as well. This area is known for its beauty and all you will be doing is destroying what we are known for and what the tourists come here for.
5. Columbia Falls is not a large city and we don't want to become one, we like the small town feel, the small town look. That's why we all live here, please don't allow these developers to change that.
6. Are you prepared for the additional school employee's, school buses, police, city service workers that will also need to be hired to accommodate the influx of people that not only this development will bring but future

developments? The county currently maintains the roads in this area...that will fall to the city if you allow this development to go through.

Please, do not approve this zone change or the developers request for all the variances they want....it's just not the right location for this large of a development.

Thank you
Cindy Houk
154 Steppe Lane
Columbia Falls
406-314-8759

Barb Staaland

From: hidalgo396@gmail.com
Sent: Saturday, June 25, 2022 9:24 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed development East of River road

RECEIVED
JUN 27 2022
CITY OF COLUMBIA FALLS

Not no, but, hell no. This proposed development not only would increase, already a challenge, of entering Hwy. 2 from River Road, but, would severely impact the peace and serenity that we as residents enjoy on the East side of the River. The last thing we need is another stop light and a tremendously long inconvenience of having to deal with the construction delays this would cause. As much as I avoid anything that has to do with Whitefish, they made a wise choice in denying these egotistical out of town monsters to swallow up our piece of "The last best place" just to line their pockets with our open space. Please say NO to this stupid idea.

Sincerely,

Leonard Hidalgo

Sent from my iPhone=

Barb Staaland

From: Don Slabaugh <rdmontana2@gmail.com>
Sent: Sunday, June 26, 2022 7:35 PM
To: staalandb@cityofcolumbiafalls.com
Subject: comment on the proposed Loffler subdivision

RECEIVED
 JUN 27 2022
 CITY OF COLUMBIA FALLS

Dear Sirs and Madams,

We the undersigned wish to strongly speak in opposition to the proposed Loffler subdivision by Flathead Mountain River LLC. We state it again strongly. We oppose the proposed subdivision.

The Flathead Valley is a very special place, a place of history, beauty, natural environment that has unspeakable appeal.

If the proposed zoning change to make allowance for the proposed development a reality, this valley will be forever changed, never again to regain the beautiful place this area has been over the year. This place we have called home for many years will no longer exist but have pass by.

If this proposal is approved, it will be the first of more and more development in this area. The developer states how their work will make this further development possible as the sewer and water mains will make such additional development possible.

A question we would have the authorities to ask is, "Why make decisions that will benefit the developers and at the same time take away what so many others in this valley consider "pure gold", the beauty of the natural Flathead we have loved for so many years. Where do the rights of a quality home environment come into play as this proposal is considered. Please do not ignore the others appeals who live here.

We will let others address the practical issues that would result from such a development – the impact on traffic, resources, impact on the city of Columbia Falls and other organizations that would need to provide more and more services.

Our emphasis is on the HEART of the MATTER. Please do not destroy the special place this Flathead Valley that it is.

PLEASE REJECT THIS DEVELOPMENT PROPOSAL FOR THE GOOD OF ALL THE PEOPLE.

We, the undersigned, join in this email communication.

Michal A Funderburgh
 Kristen J Funderburgh
 Mary Ruth Slabaugh
 Donald M Slabaugh

135 Haskill Drive
 Whitefish, Mt. 59937
 406-270-5285
 Sent from Mail for Windows

Barb Staaland

From:**Sent:****To:****Subject:**

Andrew Briefer <abriefer@comcast.net>
Sunday, June 26, 2022 2:18 PM
staalandb@cityofcolumbiafalls.com
Proposed Loffler subdivision

RECEIVED

JUN 27 2022

CITY OF COLUMBIA FALLS

I am a homeowner in Bad Rock Canyon area. I am writing to express my opposition to the large residential development proposed for the Loffler property on the East side of the river. I understand that housing availability and affordability are both important problems that need to be addressed, but I believe this proposed development is the wrong way to do it. We have considerable underutilized real estate in the town in areas served by existing infrastructure. Paving over the scenic Gateway to Glacier and river side with large unsightly commercial apartment buildings and/or McMansions destroys the values that is the reason so many people choose to live in Columbia Falls and the surrounding areas. While it may seem that urban sprawl is a foreign and unlikely problem, adding huge developments in areas not currently served by town services will cause us to have to support a larger town infrastructure, will invite further development to support the convenience of future residents and lead to more sprawl and traffic. Furthermore, having undeveloped buffers along the river will help maintain water quality and reduce the impacts of flooding (and don't get me started with the environmental risk of running a pressured sewer main over or under the river that is the crown jewel of the valley). Infill development is a much better approach to maintaining the natural character of the landscape while also bringing the town the opportunity to enhance a concentrated downtown service district.

Andrew Briefer
1503 Berne Rd
Columbia Falls, MT

June 27,2022

City of Columbia Falls Planning and Zoning Committee and City Council
City Clerk
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
JUN 27 2022
CITY OF COLUMBIA FALLS

Members of the Planning and Zoning Committee and Council,

I am very concerned about the proposed development being considered on the Loeffler subdivision. I recognize the population growth in the Flathead Valley is significant which makes careful consideration of proposals even more important. Water quality, a natural rural ethos and healthy living must be prioritized when considering development.

Growth to maximize opportunity for a developer's financial gains without regard to community and environment is reckless. Resources **are not** infinite and without careful consideration the land and our community could be impacted much more than we expect. One thing leads to another and another, soon there is no going back.

I support and highly value our natural resources and rural community ethos. We in the Columbia Falls community have embraced being the Gateway to Glacier Park, a pristine natural landscape. I believe we must afford the same regard for promoting this marketable gateway to reflect healthy and natural living. Framing the gateway with 2 and 3 story buildings does not preserve the natural setting.

The proposed density of development does not protect these natural, healthy values. Instead it sets up a pattern of density along the corridor of the gateway to be strewn with more and more development. This more and more will negatively impact the ability for our small town to provide services of clean water, fire, and police protection. The infrastructure to assimilate an additional 1200 residents has the potential of overwhelming city and community resources. Our schools just now remodeled and rebuilt could quickly become overcrowded.

Planning for growth needs a large lens. I encourage the council and planning committee to engage an investigation into long range planning. It seems that developers are ready to impose their gain without regard to community values recently identified by our local community.

The opportunity to grow wisely will be available in the future. Glacier's gateway will still exist. The question is whether the gateway to a pristine natural park remains more natural than urban snarled by a traffic mess amid a community underserved with public services.

Please deny this proposal and instead develop a community comprehensive plan before reaching across the Flathead for city expansion.

Thank you for your consideration.
Nancy Flint
125 Lewis Lane
Columbia Falls, MT 59912

Barb Staaland

From: Christopher Kay <christopher_kay1@yahoo.com>
Sent: Tuesday, June 28, 2022 9:59 AM
To: staaldb@cityofcolumbiafalls.com
Subject: Attention: Barb Staaland

JUN 28 2022
CITY OF COLUMBIA FALLS

Barb Staaland,

I am emailing you to raise my concerns and ask questions regarding the proposed development on River Road in Columbia Falls on the Loffler Subdivision. The same developer, who had been rejected from Whitefish for improper planning, is now attempting to make a repeated mistake but in Columbia Falls. I cannot express my opposition strongly enough, whether that be pragmatically or emotionally.

Pragmatically speaking:

What environmental survey was conducted? Keeping septic and sewage in mind specifically, as well as factors including but not limited to shore erosion, noise pollution, light pollution etc.

What economic survey was conducted? Are these affordable homes for the already troubled local population or are these summer homes for the out of state income? What business is it bringing into the town to allow it become sustainable? What is the projected impact on vehicular, cellular and basic resource necessities?

Emotionally speaking:

This developer seems to have no issue making local taxpayers cover the costs of his ill-planned financial endeavors. So I am to understand that these new homes are going to cost me in taxes to pay for the traffic lights and utilities provided for homes that are unwanted and I have no access to? I am expected to smile and be joyous over homes that will not be available to the local population who work at the stores and restaurants that allow this town to be more than a gas station? To watch schools that already struggle with the increase in population and lead pipes used for drinking water that exceed acceptable limits choke under the what feels like a get rich quick scheme?

Montana has slowly edged it's way into a subtle caste system of those who have money and those who do not. At what point does Montana stop being a playground for the wealthy?

"Semper Fidelis"

Respectfully,

Christopher L Kay

Barb Staaland

From: BONNIE MACIOROSKI <bmacski@aol.com>
Sent: Tuesday, June 28, 2022 2:59 PM
To: staalandb@cityofcolumbiafalls.com
Subject: We don't need or want the development on River Road

RECEIVED

JUN 28 2022

CITY OF COLUMBIA FALLS

Do not vote for this development on River Road! We don't want it, he can take his building out of state! If you vote for it, you are part of destroying our valley! Vote NO!

Robert an Bonnie Macioroski

Sent from my iPhone BonnieMac

Barb Staaland

From: Nancy Flint <neflint@gmail.com>
Sent: Wednesday, June 29, 2022 11:21 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Public comment River Road subdivision
Attachments: July 12th River Road development.docx; Untitled attachment 00121.txt

Please note the attached document is in regards to the proposal for development along River Road, the Loeffler subdivision. Please include this as my public comment for the CF Planning Board and City Council.

Thank you
Nancy Flint
125 Lewis Lane
Columbia Falls, MT 59912

JUN 29 2022
CITY OF COLUMBIA FALLS

Barb Staaland

From: SHANA CANDAU <shana.candauinc@gmail.com>
Sent: Thursday, June 30, 2022 9:33 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Planned Unit Development - OPPOSED

I am strongly **opposed** to James Barnett's request for a zoning map amendment, on the River Road development.

Shana Candau

RECEIVED
JUN 29 2022
CITY OF COLUMBIA FALLS

June 24, 2022

RECEIVED
JUN 30 2022
CITY OF COLUMBIA FALLS

To Whom It May Concern.

I am writing this letter after reading about the proposed homes to be built off River Road and all the logistics that will be included in the building site along with proposed task of moving River Road.

I am a resident of the Kokanee Bend Homeowners subdivision and have resided on Kokanee Bend for 5 years. We purchased this home so that we could have privacy and easy access to Columbia Falls and Kalispell. With the proposed new homes/apartments, and River Road access, it could drastically change our access to Columbia Falls and increase traffic in our area to the point of ridiculous. Then on top of that moving the sewer and water down Hwy 2 and across Flathead River so that future development would be possible up the canyon. What will these homes and apartments cost? Are they going to help our valley by building affordable housing for those who cannot afford to buy a home for 500,000.00 with cash sight unseen? I believe I heard that the builders who want to make this change to our area also tried to change Whitefish by expanding up there, but Whitefish did not let it happen and voted it down. If that is the case, WHY are we in Columbia Falls going to approve this?!

I disagree with all of this on so many different levels! First being I am tired of all the open land being turned into massive homes and subdivisions and creating more traffic and problems for our communities while those of us who are native Montanans or have lived here a long time are tired of our land being changed into a Lake Tahoe Resort feel. I have lived in Montana for 26 years and moved here to get away from big city life when it was not the "IN" place to move. We bought our current home because it was quiet and away from everything. With this proposed development this will change the way of life my husband and I have strived to keep for so many years. If we do not stand up and say no, our area is going to become one big resort, and no one will be able to afford anything and the land we love so much will be gobbled up along with natural resources and wildlife being affected. There is more at stake than just building some homes!!! So, please think about what we will lose if this proposed plan goes through before you vote. You could be voting to save our way of life.!!

Suzanne R. Oswalt
406-871-9315

RECEIVED
JUN 30 2022
CITY OF COLUMBIA FALLS

I strongly
oppose moving river
road. Please don't
allow it. I have
lived in Col Falls 76
years & love the river
view.

Sincerely
Shuley Hursey
406-892-4098 75 Sunshine Trl
Col Falls

Barb Staaland

From: Patti Gochanour <pattigochanour@yahoo.com>
Sent: Friday, July 1, 2022 6:55 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River road development

RECEIVED
JUL 01 2022
CITY OF COLUMBIA FALLS

Absolutely NO

Sent from my iPhone

Barb Staalnd

From: Judy Territo <judyterrito@gmail.com>
Sent: Friday, July 1, 2022 3:15 AM
To: staalndb@cityofcolumbiafalls.com
Subject: James Barnett Requests

RECEIVED
JUL 01 2022
CITY OF COLUMBIA FALLS

I strongly **oppose** Mr. Barnett's request for a zoning map amendment on the River Road property from a CR-3 to a CR-4.

I also strongly oppose the request of a Planned Unit Development in the CF Zoning Jurisdiction on River Road. His ideas for that beautiful property are absurd and would completely ruin the view that we so enjoy of Columbia Mountain. The request to allow an increase in height of ten feet should never be allowed:

Thank you for taking serious consideration of this request and voting the whole request down.

--
Judy Territo
(406)212-0098

July 1, 2022

Columbia Falls City Hall
Attn: Barb Staaland, City Clerk
130 6th Street West, Rm A
Columbia Falls, MT 59912

RECEIVED
JUL 01 2022
CITY OF COLUMBIA FALLS

RE: Flathead Mountain River LLC Loffler Subdivision Planned Unit Development

Dear Ms. Staaland and the Columbia Falls Planning Board:

Please convey to us at the earliest convenient time the preliminary Findings of Fact which Mr. Mulcahy will bring before the Columbia Falls City-County Planning Board pursuant to the July 12 hearing on the above "Planned Unit Development".

Absent those preliminary Findings of Fact at this time, we offer these preliminary comments to the Planning Board.

We are residents of and property owners in the City of Columbia Falls. We reside at 62 Crescent Drive and have resided in Flathead County (West Glacier and Columbia Falls) since 1969. Obviously, the planned development cited above is not within a sight-line of our property; nevertheless we have a definite perspective pertaining to this proposed development.

Our first and overriding concern is with density, and not just with density of structures and people, but with the obvious issues of vehicular traffic, access, egress, parking and so on.

River Road is best understood as an important farm-to-market road. While many small farms and residences downstream of the junction of River Road and Hwy 2 fall outside the immediate jurisdiction of the Columbia Falls Planning Board, they are very much an integral part of the Columbia Falls community writ large, and of its trade area. We often purchase commodities such as eggs (year-round) and vegetable produce (seasonally) from small farms off River Road. We have a significant number of friends with whom we interact and visit on a regular basis who live on, or who are most easily accessed via River Road as well. This would be true of many Columbia Falls residents.

Small acreages predominantly define the "neighborhood" that flows along River Road and other connectors. Property values and even economic income could be adversely affected if traffic flow were throttled, as would likely happen with the proposed density of this "idealized" development. River Road has already seen significant increased traffic flow over the years, and we raise a question about what additional traffic it can safely carry. It is not a wide road in the first place.

We understand that the developer is willing to pay for the installation of a traffic light at the juncture of River Road and Hwy 2. But we also understand that this would have to be approved by the Montana DOT. It took a very long time to win approval of a traffic light at the west end of Columbia Falls, and an even longer time for a light to be installed at our regional airport (both were desperately needed).

The current junction of River Road and Hwy 2 was engineered with a pullout lane to ease the ability of traffic to merge into the flow of traffic going north into the city. To place a traffic light at this junction would be, without further engineering, confusing at best.

Moving River Road "further east" is also proposed. This raises serious questions as to the expense in terms of design, acquisition of right-of-way, displacement of current residences, and what jurisdiction(s) would bear the cost. It strikes us that such a rerouting would be very expensive even if we were to measure the cost only on construction.

"At some point in the future" would be insufficient planning, short-sighted and tantamount to creating an unmitigated set of problems if not overall disaster. Besides which, the stretch of Hwy 2 from the bridge to the already existing junction with Hwy 206 is a short span. A new junction of River Road further from away from the present junction would impede traffic flow where the Hwy 206 merges with Hwy 2. For several reasons we would oppose the MT DOT adding a light "further east", and we'd be surprised if many others would oppose such an installation, the principal reason being to maintain traffic flow on Hwy 2 as the overriding necessity. Hwy 2, after all and within memory, was routed into and through Columbia Falls with an eye to traffic flow. This has been an economic advantage to Columbia Falls. We are fortunate to have avoided some of the issues Whitefish currently faces, and can be thankful to the MT DOT as well as careful advocacy from within Flathead County.

On principal, we do not favor approving a zone change from CR-3 to CR-4. This would completely redefine the nature of the neighborhood for miles downstream and between River Road and Hwy 206. Such a change would even redefine "neighborhood" within Columbia Falls.

Similarly, employing much the same reasoning, we do not favor a zoning deviation in the height of buildings. It would be entirely out of character to the neighborhood on both sides of the river.

And, in particular, we cannot condone, from our point of view, a deviation that would reduce the parking requirement from two spaces to 1.5 spaces. Even if approved, how would this be enforced, by whom and at what expense? This comes right back to the density problem—density of residents and density of vehicles (including service vehicles such as internet providers, plumbers, electricians, etc. that inevitably would be called into the development.

There is evidently just one road inlet/outlet to and from the entire development. This doesn't strike us as prudent, whether speaking of emergency access, school bus egress, or simply how traffic flow from the development would merge onto River Road without additional stop signs—stop signs that would be detrimental to those already living downstream.

The developer is willing to pay the cost of access to city water and sewer service, and we applaud that willingness. We await further details as to the engineering and associated costs and impact on Columbia Falls' current infrastructure.

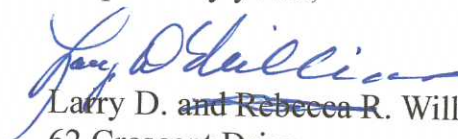
We have concerns about how much additional policing might be required through annexation, and about impacts on the school district over time.

If this development were approved as proposed, the "Red Bridge" could well come into play, although in what ways is uncertain. It is certain that the city "intends to have nothing to do with the bridge", being that it is a county bridge. It is not inconceivable, though, that residents (and particularly high school students) might want to access the north side of Flathead River as a pedestrian short-cut to "town", rather than tracking along Hwy 2. At a minimum this needs to be discussed with Flathead County. Again, "at some point in the future" or "it's not within our jurisdiction" is insufficient planning.

Finally, the newly-approved Badrock Wildlife Management Area, just a short distance upstream from Hwy 2, has won the hearts, minds and pocketbooks of many Flathead County residents, and the proposed Loffler Sub-division Planned Development is incompatible with the Badrock Wildlife Management Area. In short, the Badrock Wildlife Management Area was a giant step forward; the proposed development area would be two giant steps back.

The Columbia Falls City-County Planning Board has many weighty issues to consider before making its recommendation. We thank you for your service but most especially for your earnest deliberation and assessment.

Respectfully yours,


Larry D. and Rebecca R. Williams
62 Crescent Drive
Columbia Falls, MT 59912

mailing address: P. O. Box 3097
Columbia Falls< MT 59912

e-mail address: lbwillia69@hotmail.com

RECEIVED

JUL 01 2022

Barb Stagland

CITY OF COLUMBIA FALLS

In regards to moving river road away from the river, I am strongly opposed. It is one of the few places left where you can see all the way to the old steel bridge just by driving.

In my opinion it would only benefit the developers and the few people that would build on the river, so a few people would have the view and 1000's that drive that road everyday would only be driving through a new housing development.

Thanks for what you do
it must be hard to make
these decisions

Jim Harner

Barb Staaland

From: Will Hammerquist <whammerquist@gmail.com>
Sent: Saturday, July 2, 2022 8:28 AM
To: staalandb@cityofcolumbiafalls.com
Subject: sewer capacity

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

Whose is gonna pay for the sewer capacity when cfalls runs out?

I don't want to. And I don't think my neighbors do either.

People don't want 45 foot tall buildings next to the river.

River road is narrow.

Whose is gonna pay for the stop light?

Will=

Barb Staaland

From: Denise Davies <deetledavies@yahoo.com>
Sent: Sunday, July 3, 2022 7:34 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

I am writing in opposition to the proposed River Highlands subdivision. I have been a resident here since 1986. This valley has sadly become a mess because of lack of zoning, haphazard commercial development, and subdivisions.

The developer's request for a zone change to Urban, and the proposed density of 455 units, including two and three story apartments, is absurd and **completely out of character** for the location. Granted the Flathead Valley needs housing, but this is not the proper place! It is not Urban, nor should it ever be. Allowing Urban zoning at this location will pave the way for future projects at the gateway to Glacier Park. The 49 acres is a beautiful and environmentally sensitive area immediately adjacent to the Flathead River. A more appropriate density for this property and location would be ten single family homes. In addition, the potential environmental impact of running utilities under the Flathead River is dire. Not to mention the traffic and impact on local schools.

James Barnett and The American Residential Investment Management company needs to find a more suitable location for their high density project.

Please do not vote in favor of this proposal.

Sincerely,
Denise Davies

Barb Staaland

From: chuck territo <chuckterrito@gmail.com>
Sent: Monday, July 4, 2022 7:58 AM
To: staalandb@cityofcolumbiafalls.com
Subject: James Barnett Zoning Map Amendment

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

Mr Barnett,s request of an Urban Residential in the current One Family Residential area is not in the best interests of the Columbia Falls community.

As the " Gateway to Glacier Park "crossing the beautiful Flathead River looking over at the Columbia Mountain and having an Apartment Complex in the picture is just not right.

I strongly oppose this request .

--

Chuck Territo

Barb Staaland

From: Sharon O'Neill <soyogamt@gmail.com>
Sent: Monday, July 4, 2022 6:47 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development

RECEIVED
 JUL 05 2022
 CITY OF COLUMBIA FALLS

Good morning,

I agree with former Mayor Gary Hall, this is asinine.

Instead of waking to celebrate our country's birthday, I woke with a heavy heart and thoughts of what the future holds. I live off of Columbia Falls Stage Rd, I am from the Flathead Valley, and I have watched the changes from the sidelines over the past decade. I am not ignorant to the lack of housing in the area. Short term rentals have driven the long term housing demand through the roof. It's a problem to be sure.

Meanwhile, I drive our 'country' roads and see one plot of farm land after another littered with perk test pipes. Houses are being built by the thousands every year. With these houses, the roads are becoming less maintained, more animals are being killed by traffic, more fatal accidents are happening, and there are less and less EMS, fire, and police crew to keep a grip on our little town.

My husband volunteered for the Bad Rock Fire department in 2018-2020. They are desperate for help, desperate for donations, and wildly under experienced. Meanwhile there is ONE paid fireman in Columbia Falls, the fire chief. The rest of the department runs solely on volunteers. Small businesses can't find Paid employees, let alone volunteer employees willing to get out of bed at 3AM on a Wednesday morning to help the 87 year old that fell down going to the bathroom. It's a serious concern of safety bringing in potentially thousands more people in a high density neighborhood without the proper staffing of EMS.

That brings me to water and sewer. Not only is it environmentally corrosive to burrow under the riverbed in order to bring utilities to this subdivision, but it will put a massive amount of strain on our current waterworks system. Who is going to pay for expansion of our water and sewer department? Who is going to staff it? What happens when the flood gates open for yet another development because now east access has been created across the river? What happens when there is the inevitable water shortage that has been predicted?

The crowded schools: under staffed and underfunded, will burst at the seams. Leaving our poor children neglected.

The health of the river will be seriously compromised by litter, over fishing, reduced access, pesticide runoff, and congestion. I demand a wildlife impact study.

The deer birth fawns here every spring, the elk roam those fields in the falls. The squeeze on wildlife is only going to get more aggressive.

Traffic: this area cannot handle the traffic, period.

My suggestion is to deny the permit, deny the zone change, deny the short term rentals. Approve 20-30 homes or town homes that can be purchased by members of society who contribute to our schools and EMS staff through taxes and community contribution.

Columbia Falls is not Kalispell, it is not Whitefish. It's the gateway to Glacier and it's small town feel is important and imperative to maintain the human-nature balance.

Thank you for reading. Please make the right decision for our community.

Sharon O'Neill

--

Sharon O'Neill, PTA, 200-RYT

Barb Staaland

From: Sarah Benedict <benedics14@hotmail.com>
Sent: Monday, July 4, 2022 10:32 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed development in cfalls

RECEIVED

JUL 05 2022

CITY OF COLUMBIA FALLS

I am a local resident of the valley and I am against the proposed development that would be located in Columbia falls
Keep our land beautiful and wild

Sent from my iPhone=

RECEIVED Columbia Falls, MT.

JUL 05 2022

7-2-22

CITY OF COLUMBIA FALLS
To: Columbia Falls Planning Board

After reading the facts regarding the proposed 455-unit subdivision planned for River Road property it is very apparent that the negative impacts far outweigh anything positive. I believe that it would be a huge mistake to allow this project to proceed.

Please vote NO when a decision is made concerning this very important issue. It absolutely makes no sense.

Sincerely

Ron Bond
(Columbia Falls Resident
for the past 63 years)

27 June 2022

Columbia Falls City Hall
City Clerk
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
JUL 06 2022
CITY OF COLUMBIA FALLS

To Columbia Falls Planning Board –

I am very much opposed to the proposed Planned Unit Development by James Barnett, on behalf of Flathead Mountain River LLC, that is proposed for the open farm field just east of the river on River Road. I am opposed to the zoning change.

I use River Rd virtually every day - sometimes multiple times per day. The thought of 455 units of housing on that road is disturbing. I have no desire to be driving through a dense population area on my way to and from town. It would ruin a part of my daily experience of living in the Columbia Falls area.

I see that in addition to moving River Rd, the developer seeks to have a traffic light installed. Can you just imagine looking at rows of traffic lined up on the bridge! How awful and ridiculous!

The Flathead River has the designation of "Wild and Scenic River". It would be very short-sighted to clog the view of that river with dense housing units. It would forever change the landscape for the worse. Clogging that beautiful riverside area with more than a 1000 residents is unthinkable.

I also understand that Whitefish has declined to permit a similar development. We need to follow suit – we don't need to approve here what has already been disapproved elsewhere. There are surely other locations for this Development in an area already zoned for such things.

Please do not ruin what is beautiful and charming about our little town.

A strong "NO" "OPPOSED" from this citizen of Columbia Falls.



VICKI BROWN
385 Bad Rock Dr
Columbia Falls, MT 59912

520-249-4576
azcaninevicki@gmail.com

July 5, 2022

George & Katherine Baughman

269 Rogers Rd.

Columbia Falls, MT 59912

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

Columbia Falls City Clerk
130 6th St. West
Columbia Falls, MT 59912

Re: Public hearing for proposed River Highlands Zone Change, PUD, and Subdivision.

We are appalled by the proposed River Highlands excessively high density development in this scenic rural area. The proposed density is higher than density in any comparable sized areas within the existing Columbia Falls city limits. This area is zoned for single family residences on large lots, and the people who live here chose the rural environment and paid for it when they bought their homes. The zoning was decided long ago with community input. What is the point of setting up zoning in the first place if it can be changed whenever a developer or someone comes forward with a proposal that doesn't fit the neighborhood? There is no sensible reason to change it now.

We do understand that as more people move to the area, they need homes. It is reasonable to us to provide low level single-family homes on large lots that our neighborhood is zoned for. Apartment buildings 45 feet high are not appropriate in this rural setting.

It was decided not long ago by the citizens of Columbia Falls that expansion of the city should spread to the west. The Flathead River is a natural and obvious city boundary.

We are told that water and sewer services will be provided by drilling under the river. Will the city of Columbia Falls have, in the future, funds to regularly inspect and maintain an under-river system, knowing that riverbed scouring occurs? Has there been a study of the potential for scouring of the river bottom in this area?

For 4-10 years, there will be construction noise and dust permeating this rural environment. Elk, deer, fox, bald and golden eagles, turkey, pheasants, turkey buzzards, falcons, and hawks are regularly seen using this land. Those that can't adapt will be displaced. The high-rise buildings will clash with the scenic views.

To suggest that a study will be made in the future of the need for a traffic light at the River Road/Highway 2 intersection is absurd. It is obvious to anybody who regularly drives River Road during high traffic periods that this intersection is even now marginally adequate from a safety concern. A signal light at the intersection should be absolutely required with this development.

This comment process is flawed. Not providing the public with critical details of the proposed development until just a few days before a hearing is not in the public interest. This goes against the intent of the open public hearing process. Staff reports and developers' applications should be made available a minimum of 2 weeks before a hearing.


Katherine Baughman

Barb Staaland

From: Scott Yeats <wthunter2@hotmail.com>
Sent: Tuesday, July 5, 2022 10:35 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands proposal comments

RECEIVED
JUL 06 2022
CITY OF COLUMBIA FALLS

Dear CF Planning Board

I was surprised and shocked to hear about the proposed River Highlands development along the Flathead River. The specifications of this development are in direct contrast to the nature of the upper Flathead and are a slap in the face to the many rural residents of this area along with the annual visitors who enjoy seeing open space as they approach Bad Rock Canyon and Glacier Park. I was even more disturbed to see that the City of Columbia Falls specifically highlighted this area of proposed development for high density housing in it's 2018 Development Plan. It defies logic that an area outside of city limits would be designated for a higher density of housing then the majority of the existing city. This reeks of underhandedness and corruption.

The list of impacts from this proposed development are myriad including increased traffic and congestion in an area that is already overwhelmed by traffic flow, a high risk of contamination to the Flathead river due to the proposed running of sewer lines under the river, and a complete change to the character of the area with exceedingly high density housing. These are just a few of the impacts this development will have.

I strongly encourage the Planning Board to reject this proposed development. Further, the Development Plan needs to be amended to remove this parcel, and any other areas east of the river from high density development. The nature of this area and the reason it is attractive to so many people rest on it's rural, and lightly developed nature. Attempting to change this will kill the very things that attract people to Columbia Falls and the surrounding area. In addition, moving city services across the river will only serve to increase the number of these proposals and further degrade and threaten the area.

Thank you,

Scott Yeats

Barb Staaland

From: Peg <peghoppe@bresnan.net>
Sent: Tuesday, July 5, 2022 9:52 AM
To: StaalandB@cityofColumbiaFalls.com
Subject: Proposed Sub-division on River Road -- AGAINST proposal

RECEIVED
JUL 06 2022
CITY OF COLUMBIA FALLS

For the record, I am completely AGAINST approving the proposed high density sub-division on River Road in Columbia Falls. This whole plan is absurd in every way. Why would you want to impact the city and area in this manner. Rerouting River Road is ridiculous. Just leave things alone. With this plan, you would be taking away the only view of the river that we can drive by. Running the sewer and water under the river is not an option, not to mention the load on the present system. The only thing the city planning director has in his mind is more tax base for the town! I call it greed! Sub-divisions of this size need to be located miles out of the city! You have already ruined downtown with Ruiz' monstrosity that towers over all of the other buildings.

It seems there is always a request for a zoning change in these matters from developers. The developers knew what the zoning was when they looked into the property. Why is it that zoning requests are always accepted and changed. Why is land pre-zoned, if it can always be changed??

I have lived all of my 69 years in Columbia Falls and am very sad to see how our valley has changed and how some people in charge have allowed some of these ridiculous changes. You may think that because I have lived here all my life that I am against change, but that is not true. I am all for change that makes sense, but, this plan is far from it.

Peggy Hoppe
231 Midway Drive
Columbia Falls, MT 59912

Sent from Mail for Windows

Barb Staalnd

From: Joel Territo <verte178@gmail.com>
Sent: Tuesday, July 5, 2022 1:15 PM
To: staalndb@cityofcolumbiafalls.com
Subject: James Barnett's Requests

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

I strongly oppose all 3 of Mr. Barnett's requests:

1) A strong "No" to the zoning map amendment from CR-3 to CR-4. The land is too beautiful to add high rise apartments and take away the view of Columbia Mountain.

2) A strong "No" to the request of the Planned Unit Development. Again the land and view are too beautiful for such a development and another "No" to the increased height of 10'.

3) A strong "No" to the request of a subdivision on the CF Zoning Jurisdiction. Same reasons above. Mr. Barnett does not appear to appreciate the beauty of our area and will obscure the views of our scenic corridor with his high rise developments.

Thank you for your consideration of this issue in voting "No" on all 3 requests.

Barb Staaland

From: krissell@gci.net
Sent: Tuesday, July 5, 2022 12:56 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development Objection x2

RECEIVED
JUL 05 2022
CITY OF COLUMBIA FALLS

I am writing to you for myself, Kris Sell, and my 79-year- old mother, Ann Sneed, whose vision problems make written correspondence difficult. I grew up at 2995 Columbia Falls Stage Road, a 40 acre farm my father bought in 1969. My mother, my husband, and I all live there now. My husband's objections will be in a separate letter. First, I will speak for myself. I have multiple concerns about the infrastructure associated with a development providing housing to the equivalent of almost 20% of the town of Columbia Falls. The water and sewer may be installed by the developer but repairs will fall on the city. A major failure could be financially devastating. Likely, most adults in the development will work in Kalispell or Whitefish. The pressure on surrounding roads, like Columbia Falls Stage Road, will be far greater than the traffic for which it was designed. The school age students brought to the area will substantially impact Columbia Falls schools. Are we prepared for that?

My mother's primary concern is being able to safely walk on Columbia Falls Stage Road with increased traffic. The addition of hundreds of commuters a day, workers going to Kalispell, will make the shoulder free road extremely dangerous to pedestrians.

Thank you for considering that feedback.

Kris Sell
2995 Columbia Falls Stage Road
Columbia Falls, MT, 59912
406-261-8604

Barb Staaland

From: Peggy Hoppe <pigtail2010@live.com>
Sent: Tuesday, July 5, 2022 10:12 AM
To: StaalandB@cityofcolumbiafalls.com
Subject: Against River Road Zoning change

RECEIVED
JUL 06 2022
CITY OF COLUMBIA FALLS

For the record, I am completely AGAINST approving the proposed high density sub-division on River Road in Columbia Falls. This whole plan is absurd in every way. Why would you want to impact the city and area in this manner. Rerouting River Road is ridiculous. Just leave things alone. With this plan, you would be taking away the only view of the river that we can drive by. Running the sewer and water under the river is not a good option with the chance of the bad things that can happen, not to mention the load on the present system. The only thing the city planning director has in his mind is more tax base for the town! I call it greed! Sub-divisions of this size need to be located miles out of the city! You have already ruined downtown with Ruiz' monstrosity that towers over all of the other buildings.

It seems there is always a request for a zoning change in these matters from developers, this land must have been zoned the way it is for a good reason.. The developers knew what the zoning was when they looked into the property. Why is it that zoning requests are always accepted and changed. Why is land pre-zoned, if it can always be changed??

I have lived all of my 72 years in Columbia Falls and am very sad to see how our valley has changed and how some people in charge have allowed some of these ridiculous changes. You may think that because I have lived here all my life that I am against change, but that is not true. I am all for change that makes sense, but, this plan is far from it. All this developer is interested in is filling his pockets full on money just as Ruiz has done in uptown Columbia Falls.

Bill Hoppe
231 Midway Drive
Columbia Falls, Mt. 59912

Sent from Mail for Windows

From: Detra Anderson <hazel45ander@gmail.com>
Sent: Friday, July 8, 2022 10:22 AM
To: staaandb@cityofcolumbiafalls.com
Subject: Development

We are adamantly opposed to the development across the river. We have concerns about sewer under the river, numbers of added students to our schools, added numbers needed for police department-especially with 1 1/2 parking spots, and ultimately changing the tenor of our small close-knit community. In our travels across this country we have observed all the problems areas have if they grow too quickly

Normally we do not agree with our partner city to the west, however they have turned down this dense development.

Thoughtfully,
Detra and Andy Anderson
276 5th Ave East North
Columbia Falls, MT

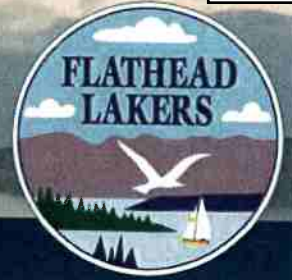
From: MIKE hahne <mikehahne@hotmail.com>
Sent: Friday, July 8, 2022 10:40 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands sub division

Dears sir's, as 15 year residents of property located near the Tea Kettle boat launch we are extremely worried about the proposed expansion. We feel the population density is far in excess of what would be reasonable! Traffic issues, over utilization of River assets, pollution concerns are just a few of the issues. Columbia Falls does not need nor want this type of "grand slam" approach to our cities expansion. Let's take our time and get it right!

Very truly yours,
Mike & Melissa Hahne

From: Gary Hall <reachgaryhall@gmail.com>
Sent: Friday, July 8, 2022 11:36 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Fwd: Shallow Aquifer
Attachments: R2L.shallow-aquifer-handout.pdf; Untitled attachment 00043.htm

Good Morning, can I ask you to please forward this information to the planning board, thank you very much. Gary Hall



make a clear difference for Flathead Lake Shallow Aquifer – A Shared Resource

WHY SHOULD WE CARE?

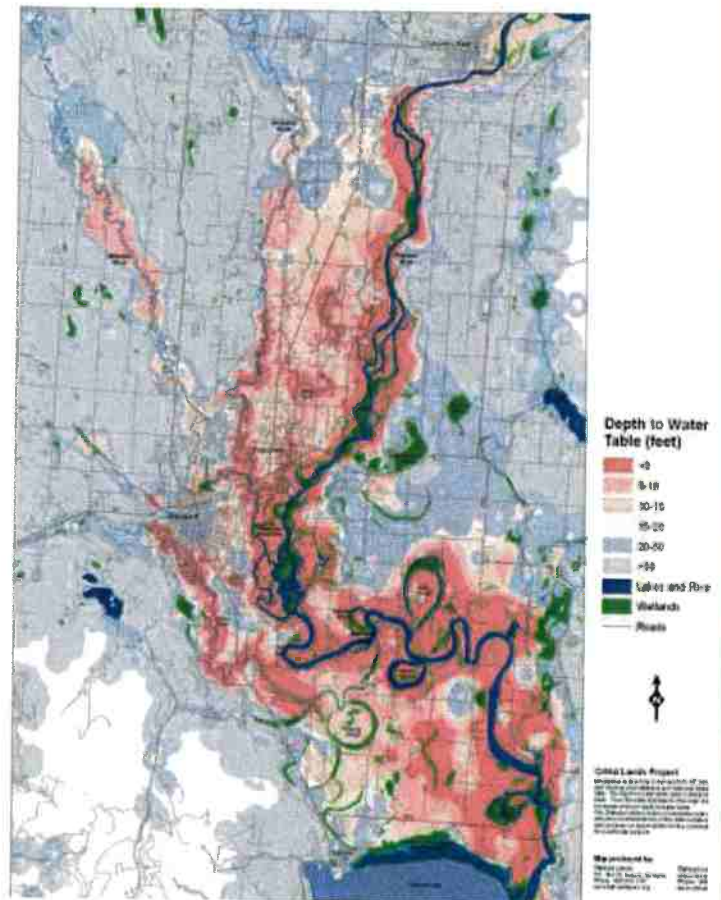
As glaciers receded ten thousand years ago, the meltwater became a river many times larger than the Flathead River of today. The glaciers and ancient river left behind a huge area of gravels permeated by water that forms a shallow alluvial aquifer, often referred to as the Evergreen Aquifer.

We may not see it today, but water still moves underground between the Flathead River and the aquifer.

This aquifer is located between the Flathead River to the east and Whitefish River to the west, and between Badrock Canyon to the north and the confluence of the Flathead and Whitefish rivers to the south.

The depth to groundwater in this area is generally less than 50 feet and for much of the area less than five feet.

Depth to Water Table



WHY IS THIS AQUIFER IMPORTANT?

Water quality and the economy go hand in hand

In a natural state, the shallow aquifer provides a buffer that filters out pollutants before they reach the water. The aquifer contains a complex network of organisms that naturally cleanse the waters.

The shallow aquifer can help reduce flooding. During floods, water from the river can saturate the aquifer and absorb some of the floodwaters reducing flooding.

CLEAN WATER TOOL KIT: Shallow Aquifer

WHAT CAN WE DO?

The problem

- Pollution entering the alluvial aquifer, such as oil and gas, heavy metals, or nutrients from faulty septic systems or excessive fertilizer application, can contaminate the aquifer and damage or destroy its natural cleansing system, jeopardizing groundwater supplies.
- Polluted groundwater can also move into the Flathead River and flow down to Flathead Lake, one of the cleanest, large freshwater lakes in populated areas in the world.

The solution

We can protect clean water by encouraging responsible development away from vulnerable areas, such as the shallow alluvial aquifer.

- **Build in upland areas** where the groundwater is not so shallow and limit the density of any development, including paved areas, over the aquifer.
- **Maintain your septic system** with annual checks, and pump your tank as needed.
- **Protect wetlands** and riparian habitat.
- **Apply fertilizers and pesticides sparingly.** When use is necessary, do not exceed recommended amounts.
- **Dispose of household hazardous products**, such as paints, pesticides, insecticides, motor oil, and pharmaceuticals at a collection facility. Don't pour them onto the ground or into storm drains, sinks or toilets. For small spills, sprinkle with sawdust or kitty litter, seal in a trash bag, and put in the trash. For large spills call your County Emergency Services or 911.
- **Share information** about the shallow aquifer with your friends, neighbors, Flathead County Commissioners, and newcomers to help them be good stewards and help keep Flathead waters clean and beautiful.

WHERE TO LEARN MORE?

Find out more about caring for the Shallow Aquifer and clean water at the Flathead Lakers website:

<http://www.flatheadlakers.org/index.php?page=Shallow-Groundwater>

For more information and maps contact:

Flathead County Planning and Zoning office in Kalispell (406) 751-8200.

Flathead County Health Department (406) 751-8100

Flathead Lakers (406) 883-1346, www.flatheadlakers.org

Together, we can keep Flathead Lake blue! Visit the Flathead Lake Clean Water Toolkit:

www.flatheadlakers.org/toolkit or call 883-1341.

FLATHEAD LAKERS | P.O. Box 70 | Polson, MT 59860

406-883-1341 | flatheadlakers.org



Comments on proposed River Highlands

Thank you for this opportunity to comment on this most unwelcome proposed subdivision. I want you to know that I have great respect for your position, in my political career I have approved literally 100's of subdivisions so I have some institutional knowledge of this process. I also want you to know I highly respect your Planning and zoning director, I was mayor when Susan came on board and she replaced me as Mayor of Columbia Falls so this is not personal but I couldn't disagree more with her on her support of this project. I know the work that Eric Mulcahy has put in to this project, he is another man I have great respect for. I also do not like the fact that you have a busy summer weekend to pour over pages of very complicated information provided by Eric and Susan, its much like Senators in Washington getting a 2 thousand page bill with the weekend to read it.

Please allow me to read my many concerns condensed by points, in my 3 minutes.

1. In my strongest opinion I don't believe that Columbia Falls needs or will ever need a development of this size. It will completely change the character we all live here for. Affordable housing for workers is a point they make, that simply is not true, we have had no new industries, this is the most desirable community to live in evidenced by many Whitefish people buying and living here. A blaring question here is the fact that the majority of apartments, will they really be

affordable? One thing I have observed in my years of elected office is that developers espouse a portion of the development will be affordable then they come back and request that they pay the city a fee in place of the affordable aspect, it happens ALL the time. What is being proposed simply will turn our beautiful community in to another Kalispell, traffic grid lock, crime, water sewer issues, police understaffing to name just a few. I would remind you, the planning board, that your decisions will be your legacy, you do not have to rubber stamp your planning offices recommendations, you alone will determine the future of your community, this size project is not needed here, there are plenty of other space available including west between Nucleolus and the blue moon.

2. One other strong point I want to make is that God forbid this went through you should require a 2 million dollar surety bond for the expenses the City will/may incur as a result of this monstrous development. Not a penny less. It also should be surrounded by a tall security fence to keep some of the 1200 people from wondering on to our farms forcing us to lock everything up and not living in safety.
3. Probably the most glaring outrageous affect of this development is River road. As millions of cars traveling east at 70 MPH on Hwy 2 it will make this almost impossible to access from River road, it actually currently is very difficult to access

Highway 2. I may have missed it but I did not see reference to the county road study done 2 years ago. I cannot agree to page 19 where they say **"does not have appreciable impact on this road"**, false information. The traffic count taken 2 years ago on River Road was 2660 cars per day on an average 7 day period. While in your packet they have pages of their own difficult to understand road study, the fact remains, the current number is much higher than that and can you just imagine the thousands of daily trips on to an inferior road. Yes, they plan to rebuild river road along the boundary of their subdivision but the road leading up to it has no shoulders, is in terrible condition and currently is an unsafe road. Another consideration that I have not seen any information on is the recent subdivisions being and recently built on Columbia Falls Stage road and middle road which will add many more vehicles. The study states that a light will be considered **IF** MDOT deems it necessary. That is a big **IF**, even during construction, it will be a nightmare. Reminder, this road is the only available road for the hundreds of farms and homes south of this project, it simple will NEVER be adequate especially since it currently is not adequate. By approval you are taking away our access to the highway, literally. This is rural farmland surrounded by long time residents that are now being asked to give up their lifestyle and conform to a developers plans who I

might add does not live here, has no personal interest here other than making money at the expense of our beloved community.

4. I would remind the board that there are other large developments on the books across the highway and once sewer is put under the river probably more will be proposed, again, why do we think we have to be another Kalispell. Also, WGM requested 3 years to do this project and only got 2 years.
5. A reminder also of a recent revelation from the City of Kalispell, they do not have enough water simply stated in the paper because their development was more than they anticipated. Our city will have the same issue in the near future, who pays for that, the City and your tax dollars. Not only water shortages but our current sewer plant is near capacity with no property to expand, what happens when 1200 extra people are flushing, again, who pays for that, where do they expand to, one can only imagine the expense there.
6. Concerning the aquifer, you can read all the statistics provided, (which sometimes I think they provide so much data that they know a layman will never understand it all but my point is the river flows under this property. They put the test tubes 13 feet down. I guarantee you that its not much more depth you will run in to water, this 45 foot tall building project will demand the foundations be much deeper than that. If you note the main river bend immediately north of the highway

bridge, the river flows hard into a major bend that in my opinion only will force the water into the gravel bank thus moving swiftly directly in to this property, its common sense as the river runs under both east and west of the main river. This information is backed by the Flathead Lakers.

Lastly on this point, where does all the runoff from this massive project go to, in to the aquifer, oils gas etc. from the massive surface of this project, please consider this point.

7. This developer was required to explain how this project affects the character of the neighborhood. Has he done that, he doesn't live here how can he truly understand the impact this will have on our rural community. The average size lots in this area is 5-8 acres, he is proposing 9.27 units per acre. This project calls for high density in a rural setting. Again, why does the city staff and council promote high density in rural settings. It will effectively ruin our community.
8. Another avoided point that must be considered is that this piece of land has been an old Native American camp spot for 100's of years. Locals have found many artifacts from arrowheads to knives. Materials found are of native stone, obsidian and agate, which means tribes from every direction used this site as a trading center. This alone should cause one to pause in their considerations.
9. Why would you consider allowing for 45 foot tall apartment buildings. It literally blocks the view of

the mountains and glacier park from all its neighbors, the glaring question is WHY?

10. A few other observations are why would the City of Columbia Falls want to burden its residents with such an outrageous overbuild, it simply doesn't make sense. Show me where any business in Columbia Falls needs hundreds of employees, the workforce housing needs does not match up with this proposal at all, now or in the future. No offense to the developer but after you leave the City is on the hook and the locals will be devastated. We don't need to be over populated, which this project leaves us with. Our community forefathers would be heartbroken as will those of us that have to live with this monstrous development. This project in my mind leaves the door open for much litigation. This project also will reduce our property values of those of us that have invested our life savings.
11. In closing, I have to ask, why do we have to give away the last best place, GATEWAY TO GLACIER, for an out of town developer which I personally believe is all about the money, both for the developer and the City. Another reminder is that we neighbors do not have a vote in this, you represent us, only city residents, this is our only voice, please listen to us. Lastly, you are our gatekeepers/watchmen, please keep us healthy, vibrant and proud of our community. I sincerely thank you for considering my comments and concerns. Respectfully, Gary Hall

From: Jerry Smalley <smalljn@centurylink.net>
Sent: Friday, July 8, 2022 11:54 AM
To: staalandb@cityofcolumbiafalls.com
Subject: FW: River Highlands Proposal

Barb,

I oppose the River Highlands subdivision and I urge the Columbia Falls City Planning Board to oppose the River Highlands subdivision.

But because an approval was granted in 2008, the development should be only permitted within conditions adopted at that time.

Adding hundreds of home sites, seeking a height variance that will challenge the Fire Department, and switching from ownership to rentals because that makes most sense to the developers in the 2022 market—all typical develop and vanish tactics.

I drive over the US Highway 2 bridge several times a day. Thankfully MDOT recognizes the potential for icing(no traffic signal), but what really concerns me are vehicles turning left off River Road and racing down the middle of the bridge, trying to merge into westbound traffic. Another 400+(at least) vehicles at that intersection in a hurry to get to town? Stupid and preventable.

My first choice is the Planning Board rescind the 2008 approval, but recognizing that won't happen, I urge the Planning Board to stick to the 2008 parameters and not approve greater density, increased height, more traffic at the intersection of River Road and US Highway 2.

Thank you for listening,

Jerry Smalley
1142 Columbia Mountain Road
Columbia Falls, MT 59912

From: Shirley Folkwein <shirfolk48@gmail.com>
Sent: Friday, July 8, 2022 12:17 PM
To: Barbara Staaland
Subject: Letters for River Highlands Hearing on Tuesday
Attachments: UFNA Ltr.Planning Board.7.8.22.docx; R2L.shallow-aquifer-handout.pdf; Bookmann Ltr.Planning Board7.12.22.pdf; CFalls_depth to water table.pdf

Barb,

Thank you so much for your hard work in pulling all the packet together for the meeting Tuesday evening, and all these additional letters for the Planning Board! Yours is not an easy job at times like this.

Attached is the Upper Flathead Neighborhood Association letter for the Planning Board. Note the 2 attachments to go with. Please let me know you have received this.

Since the packet is already online I'm wondering if this letter will be e-mailed to the Board ahead of the meeting as you indicated to Luci Yeats you would be doing with these additional letters you are receiving?

I'm also attaching a letter from a property owner that was cc'd to me on Tuesday evening; you would have found it Wednesday in your e-mail. I didn't see it in the packet so wanted to make sure you had received it.

Thanks again for all you do.
Shirley Folkwein

July 8, 2022

Columbia Falls City-County Planning Board
c/o Barb Staaland, City Clerk
130 6th Street West
Columbia Falls, MT 59912

Members of Columbia Falls City-County Planning Board,

RE: Comments in Opposition to River Highlands Zoning, PUD and Preliminary Plat Applications

The Upper Flathead Neighborhood Association is opposed to the River Highlands rezoning, PUD, and Preliminary Plat Applications, as proposed, for a number of reasons. First, consider these technical issues we raise.

Technical Completeness of the River Highland Application, Legal Notice and Staff Report.

The law requires a clear identification of the owner of the property, who is applying, and the applicant's location. The documents included in this application and staff's response lack clarity in this regard.

1. The Application for PUD states River Highlands LLC is the name of applicant; the Application for Preliminary Plat identifies River Highlands as the Owner of Record; the Application for Zoning Map Amendment indicates James Barnett is the applicant. The address for all is Lower Valley Road, Kalispell, MT 59901; however, two applications indicate the address as 3645, the Preliminary Plat Application is 3695. The Petition to Annex states the Owner's Legal Name as River Highlands, LLC, Raleigh NC.
2. The Traffic Impact Study states "American Residential Investment Management (ARIM) proposes to construct a residential development located east of Columbia Falls...." Their address, as seen on their website, is Raleigh, NC.
3. The Notice of Public Hearing indicates James Barnett on behalf of Flathead Mountain River LLC is requesting the Zoning Map Amendment, the PUD and the Request for a Subdivision. Flathead Mountain River is the previous owner, as evidenced on the Warranty Deed, dated November 24, 2021, found in the Planning Board Packet. Finally, the Staff Report #CPUD-22-02 dated June 21, 2022 lists the Petitioners as James Barnett, 3500 E. Lakeshore Drive, Whitefish, MT 59937. That is the address for Flathead Mountain River LLC.
4. The cover letter from WGM Group addressed to Susan Nicosia and Eric Mulcahy dated May 9, 2022 indicates the location of the River Highlands property as 964 Foy's Lake Rd., 28N 22W, Tract 9. And, by the way the correct spelling of the subdivision is Loeffler, not Loffler. Perhaps picky on that item but, I think you can see why, at this point, I'm feeling a bit picky.

About Upper Flathead Neighborhood Association

UFNA is a MT nonprofit comprised of property owners and other concerned citizens living in the neighborhood east and south of the Flathead River as well as in Columbia Falls. Please know UFNA is not opposed to development; in fact, our mission statement concludes "...to maintain the quality of life and economic vitality in the Flathead Valley through citizen participation, education and land use planning for sensible growth." We acknowledge growth and support "sensible growth." This is not sensible.

Role of Decision Makers

It is the role of decision makers to practice deliberation in a thoughtful and informed manner utilizing due diligence in reviewing proposals such as this River Highlands proposal. It is the Board's legal duty to engage in a probing analysis to qualify and quantify the issues presented in this proposal. It is important for this Board, not just the public, to take a hard look at reasonably foreseeable impacts. In this case,

- the introduction of a high density 455-unit apartment and townhouse complex (1,200 people on 49 acres),
- in historical farmland,
- in a wildlife corridor and less than a quarter mile from the newly designated Bad Rock Canyon Wildlife Management Area,
- heavily trafficked country road,
- next to rural residential areas,
- bounded on one side by a world-class river fed by tributaries designated as wild and scenic, under which city sewer and water services will be drilled

These conditions will have far reaching impacts including the cumulative impacts of this and past and future developments in this fragile area of the Flathead River Valley. This application is not to be taken lightly by the CF Planning Board, CF staff, or the public.

Please consider the following points as an alternate finding of facts.

Growth Policy

The 2019 Columbia Falls Growth Policy is the guide for developers and the City alike. The introductory paragraph reads, "As growth and development occur, it is important for the residents of our community to participate in planning and implementation of a plan that will maintain the quality of our community." The description of the updating process goes on to explain that an electronic survey was conducted; the results are presented in graphs. One question--...where do you see the City limits expanding, north...east...west? Expansion to the west was indicated by 45% of the respondents, 18% north and only 18% east. What do you value about CF that you want preserved as the community grows? Forty-eight percent indicated "small town community."

The residents of our community participated in planning. So why then was the growth policy written to support this River Highlands-type of high density development (urban residential), extension of city services, and annexation into the city of the outlying areas east of Columbia Falls? How does this reflect the residents' wishes as they participate in planning...that will maintain the quality of our community? It doesn't. However, I believe you are seeing the residents participating in the "implementation" of the plan in regards to this River Highlands proposal.

Does This Development Fit the Neighborhood's Character?

Density of River Highlands

We oppose the density of this development which would be allowed with the zone change to CR-4 and the request to increase density to 9 units. CR-4 Urban Residential allows for single family dwellings but with the PUD overlay the density increases for up to 12 units, according to the Staff Report. Two units per acre would be acceptable (the minimum number in urban residential), even 4 units per acre but, 9 units per acre does not fit with the character of this neighborhood nor does the requested increase in height to 45 feet and the reduction in parking spaces from 2 per unit to 1.5 per unit.

The character of this neighborhood and the values of the neighbors on the east side of the Flathead River are values of respect and appreciation for the natural resources, water quality, bird and wildlife habitat and rural landscapes of our neighborhood, and an understanding of our human connection to the land. There is still farming in the neighborhood.

The smallest acreage in this neighborhood is .4 acres—approximately one house per half acre. The average size is .125 units per acre which is a far cry from 9.27 units per acre. There is no multi-family housing in the neighborhood. This development has little in common with the character and values of our neighborhood. Nor does it fit the character and density of the neighborhood of Columbia Falls – a random sampling of lot sizes shows a density of 5 units per acre in town. The Growth Policy approved higher density in our rural areas than in the City limits. If approved River Highlands will have more three-story apartment buildings and townhouses than anywhere in Columbia Falls. This is Bozeman or Kalispell or Denver; this is not the “small town feel” of Columbia Falls the Growth Policy respondents requested.

Reasonable Consideration to the Character of the Neighborhood

As stated above, this plan gives little or no consideration to the character of the neighborhood nor of the values of the current residents. Besides the issues listed above, the proposal mentions the open spaces and views integrating the project into the character of the area. Maybe for the 1200 residents but not the current residents. “View corridors have been enhanced throughout the site from both River Road and surrounding properties...” Placing 2 and 3 story townhouses (PUD, p. 16) with a maximum height of 45 feet and within 40 feet (13 yards) of property lines does not “enhance” the view, especially for the neighbors on Steppe Lane. If one visits Silverbrook Apartments and walks out 40 feet from a 3-story building, one gets the idea of what the neighbors’ view will be from a living room window. There is no indication from the design map that “view corridors” are provided for the neighboring properties, just a long row of 45 foot high buildings, completely blocking the view of the North Fork, Teakettle Mountain, Columbia Mountain, and Badrock Canyon, and the siting of wildlife in the open field is a thing of the past. Perhaps with some trees planted, taking years to mature, there would at least be a screen from the buildings. Additionally, that 30-40 foot buffer between buildings and neighboring properties will include a 20 foot wide alley providing for access to townhouse parking. This will provide a steady stream of traffic 30 feet or less from the neighbor’s living room window.

Wildlife Greatly Impacted

What is the impact on wildlife and wildlife habitat? The proposal takes a very narrow view, indicating there’s no impact because the development provides for setback from the River. The Environmental Assessment included in the proposal is woefully inadequate. Consider, rather, the very thoughtful and thorough letter included in the packet from Mr. Anderson, Region 1 Supervisor of MT Fish, Wildlife and Parks. Those of us who live here, and MT Fish, Wildlife and Parks know this field is abundant in whitetail deer, with elk, grizzly and black bear, mountain lion and other mammals passing through. Smaller mammals and numerous birds, including raptors and songbirds are also present. The property not only serves as habitat for these animals, but also as an important corridor as they travel from the south, northward to the new Bad Rock Canyon Wildlife Management Area of which City leaders supported the acquisition. River Highlands will destroy nearly 50 acres of habitat, leaving just a 500 foot strip of land between this development and the new subdivision to the east for the essential wildlife corridor. Human-bear conflicts are already prevalent in the neighborhood as Mr. Anderson’s letter states. There will be more. Consider the cumulative effect of all the current and soon to be proposed developments east of the River. Watch for a development proposal for the 22 acres north of Highway 2.

Parkland/Public Access

Plans for a park at the north end of the property on the edge of the River will only add to the congestion of people and traffic. The hillside down to the River at the east end of the bridge is already eroded by foot traffic down to the water's edge. Imagine the increased erosion with hundreds of people from River Highlands and the public using the park scrambling up and down the steep embankment all along the park and further south along the River, despite a "trail" proposed for the entirety of the River's edge.

Extension of Utilities

The proposal and Staff Report considers this to be a "benefit" to our neighborhood (PUD Application #6). While this appears to be a benefit to avert septic leachate, extending services to the east side of the River will open up the land on the entire east side of the River for future high density development, aka, "urban residential." This is not what the respondents to the Growth Policy survey requested. This is not a benefit for the residents currently living in the area, to persons traveling Highway 2, to the wildlife who are already being squeezed out of the area due to an earlier approved subdivision. Nor is this a benefit to the tax payers of Columbia Falls. With the extension of city services to this area and the annexation, resources now available to residents inside the city limits will be shared with an additional 1,200 residents – 1/5 of the current population of Columbia Falls (5,300: 2020 census). Septic waste, now hauled to the County landfill (DIL: 10/2021) will be increased by 20%. More water wells will need to be dug, if not for this development then additional developments down the road. Upgrades in water and sewer systems, snow removal, street maintenance, police and fire protection will all be stretched thinner and the property taxes in this proposal may or may not cover these expenses.

Directional drilling of utilities under major rivers seems to be the norm, although we have not been able to find any record of this under the Flathead River. Questions remain – How will the normal scouring of the River bottom and edges affect the sewer and water lines? How will the City maintain the water and sewer lines buried under the River? How will they be monitored for leaks? (The City seems to have a major problem with leaking water lines.) How will the leaks be repaired and who will pay for that? How will the polluting of the Flathead River be mitigated? Permits that are issued by agencies at the inception of the project don't provide any help in dealing with the issues down the road.

In this proposal the utilities will be drilled under the Flathead River to prevent septic leachate from individual septic systems so, barring a leak under the pristine Flathead River, septic leachate will not be a problem. While this property appears to be "high and dry" from any potential flooding of the Flathead River it should be noted that the Depth to Water Table -- the "underground river" noted in the attached document (Shallow Aquifer-A Shared Resource from Flathead Lakers) varies from 5 -20 feet. It is likely the storm water system will impact the ground water as well as the Flathead River. No information is provided on how the overflow of storm water will get to the River. Despite the plan assuring the storm water ponds will be treated for pollutants there will be a high rate of herbicides and fertilizers used on the large amount of landscaping, and road and auto pollutants will also affect the storm drainage and potentially find their way into the ground water and/or the River.

Additionally, it should be noted that the septic leachate from the 48-49 Benches subdivision septic systems will be draining to the River under the River Highlands development. (See *Expert Report -- Benches Subdivision Analysis and Neighboring Lands Prepared for the Upper Flathead Neighborhood Association*, by Dr. Willis D. Weight, PhD, PE Hydrogeologist, June 1, 2021. Provided to CF City Staff in September 2021.

Traffic

The potential for a stop light at the new River Road and Highway 2 is serving as a diversionary tactic to avoid dealing with the real issues of traffic congestion on River Road and ingress/egress to the development. I urge you to carefully review the proposed River Highlands map. Consider the traffic patterns in and out of the development. Every single one of the 5 roads in and out of the development converge on River Road. There is no alternate route in and out of the development. This is a safety issue as well as a congestion issue. At least 682 vehicles (1.5 parking spaces x 450 units) using River Road times the number of trips per day. A recent subdivision proposal in the neighborhood suggests 10 trips per day per unit which in this case equals 4,550 trips/day added to the already 2,660 cars using River Road each day (Flathead County 2020 study).

If you read the proposal carefully it does not guarantee a traffic light for the new River Road (300-375 feet east of the bridge) and Highway 2 intersection. It only suggests a "signal warrant study" be conducted after the development has been approved and build out accomplished (4-6, or more years). It generally takes additional years before a light is actually installed. (As of last week the Maintenance Chief, Kalispell Division, MT Department of Transportation (MDOT) knew nothing of a proposal for moving River Road nor developer's interest in a stop light at the intersection.)

The proposal does not address the 2,660 cars using River Road daily (2020) drawing from the remainder of River Road, Columbia Falls Stage, Rogers Road, Middle Road, Kokanee Bend, and subdivisions further south. The potential for these drivers to divert away from the congestion of River Road (which would be hundreds of times busier than a normal city street) and begin using the east/west routes of Rogers Road, Kelley Road, and Badrock Drive to access Highway 206 will increase traffic on these narrow county roads not built for this kind of traffic.

In addition, IF a traffic light were to be installed, the proposal does not mention the difficulty residents of North River Road will have accessing Highway 2 since it will no longer be directly across Highway 2 from South River Road and not controlled by the light. Also the farm access now in place on the south side of Highway 2 immediately to the east of River Highlands property will be adjacent and parallel to the new River Road and the stop light making it difficult if not impossible to access this neighboring property from Highway 2. This all sounds like a grand idea for River Highlands but not so much for the neighbors.

Safety Issues

Fire Threats

As mentioned above, all of the traffic ingress/egress is off of River Road. ALL of the 682 vehicles will route onto River Road. There is no "backdoor" alternate route out of the development, no "escape" route should River Road be impassable due to traffic pileup, an accident, a fire, snow. Rick Trembath, Wildland Urban Interface Fire Instructor for the National Fire Academy, and former Bigfork fire chief, responded to my questions about potential for a wildland fire overtaking this development with 1,200 inhabitants and no alternate way out. He said this neighborhood is low risk for spread of wildfire because of the natural barriers such as the River and Highway 2. BUT, he is greatly concerned about the high density, the buildings so close together and the size of the buildings. He said the alignment with the wind is a crucial factor in the spread of structure fires. A spark from a grass fire could set one building on fire and the strong winds (of which we residents are very familiar with) out of Badrock Canyon or the strong south wind (both can gust up to 35-50 mph) could create a domino effect blowing fire from one building to the next. This development is setting up a situation for a major loss of large

structures. The heat is so intense the fire cannot be contained and anything downwind is at great risk. He said, and I quote, "You build too many large structures too close together and you end up with a fire situation; you'll have one big bonfire; you can't stop it." City leaders must decide if they want to take this community to this level of risk and required services.

High Pressure Gas Line

Overlooked by the applicant is the Northwest Energy high pressure gas line that crosses the north end of the property.

Housing/Affordable Housing/Long Term Rentals

Columbia Falls does not need to provide housing for the entire Flathead Valley, nor should the data presented be representative of the entire County. The proposal indicates the median family income in Flathead County is \$80,300. That may be so but, according to the 2020 US Census, the Columbia Falls median income is \$48,427; the median income for "nonfamilies" or single persons is \$20,884. Based on the Housing and Urban Development (HUD) definition of "affordability," quoted in the River Highlands proposal, in which a household should obtain housing for 30% or less of its income that would mean in order to be affordable a Columbia Falls household could afford rent at \$1,210/month; a single person \$522/month, both falling short of the proposed \$1,500-\$2,000 rent/unit. Rent increases are not uncommon. This would not be affordable housing/workforce housing for the community of Columbia Falls.

This developer need not think his is the only proposal for housing in Columbia Falls and would need to meet all of the housing needs projected in the Growth Policy through 2030. A quick survey of recent Council approvals includes 2-6 plexes (12 units) on Diane Road; Mr. Ruis wants to turn the Glacier Inn into multifamily housing and the former junior high school into senior housing; Mr. Gilchrist's 2-19 unit buildings of long-term rentals off of Meadow Lake Blvd. (38 units); and, again Mr. Ruis' large housing development approved northwest of Columbia Falls.

The River Highlands proposal indicates this would be rental housing but then states the land available to the NW MT Community Land Trust would be "for-sale affordable housing." Short-term rentals are not planned but someone will need to monitor this. Does Columbia Falls have a mechanism in place to do this?

Consider Alternatives

The Upper Flathead Neighborhood Association Board met with Mr. Barnett and Mr. Brodie. We suggested modifications to the plan which would honor the traditional agricultural roots of our neighborhood combined with reduced cluster housing setback from the Road and the River. This is the way to build community—working together. The neighbors and the leaders of Columbia Falls do not need to protect the bottom line of any developer and suffer the consequences.

Respectfully Submitted,
Shirley Folkwein, Board President
Upper Flathead Neighborhood Association
Columbia Falls, MT 59912



Lowell (Lee) and Sally BOOKMAN

3440 Crestline Way, Soquel, CA 95073

tel: 831-234-1183

tel: 831-818-9959

leebookman75@gmail.com

sally@sallybookman.com

Item No.3.

July 5, 2022

To: Columbia Falls City Council
Columbia Falls City Planning and Zoning Committee

RE: Comments on the proposed "River Highlands" project.

My wife and I are owners of a property just west of River Road, which is in the immediate area of the proposed River Highlands project. Please note that we are both licensed real estate brokers and are NOT in opposition to residential housing developments in general. However, the "River Highlands" project, as proposed, evidences a number very troubling features.

First, it has not been demonstrated that Columbia Falls, a city of less than 6000 residents has a pressing need to house an additional 1200 people within city limits.

Second, it has not been demonstrated that River Road itself, even reconfigured at Highway 2, can accommodate the increase in traffic that will result from this project without widening, and without a functioning traffic light at the junction. We are talking about an increase of 680-800 cars using River Road daily, in addition to the number of cars already using it.

And then there is the question of city services.....water, gas, electricity, police and fire protection, medical services, etc. etc. Does the project proposal for "River Highlands" include funding for expanding city services? It's all well and good for project developers to pay for installing utility services under the Flathead River, but what about the expansion of city services themselves. Who is going to pay for expanding the capacity of those services to accommodate 1200 additional people?

But these are merely technical issues and potentially they can be resolved.

Of greater concern is what the proposed project will do to the character of Columbia Falls. Columbia Falls is the Gateway to Glacier National Park. At present, visitors head to the Park across the bridge over the Flathead River and are immediately enveloped by a rural scenic countryside that is an invitation and an introduction to the Park itself. Heading up Highway 2 puts them in a mood of anticipation..

Against this, the project is proposing to construct a monumental eyesore.... 455 housing units, consisting of 12 two -and-three story apartment buildings, and 13 four-to-five unit condominium buildings, spread out over 49 acres of what is currently pristine green meadow.

It's unimaginable that you would allow this abomination to happen. It's an architectural nightmare. Dozens and dozens of buildings all in neat little rows in a grid pattern, all of the same boring design, all with the same dark roofs. Honestly, the drawings look like the proposal for a concentration camp.

As I mentioned at the beginning, we are NOT against residential development in general.....nor even against residential development of the 49-acre meadow on River Road. We are not necessarily against expanding the city limits of Columbia Falls, although there is a question about the proven need for that.

However, we are adamantly against the "River Highlands" project as proposed. It's too big, it's too ugly, and it's completely out of character with the existing neighborhood there.

It would be far better...and more pleasing to the eye of locals and tourists... if the property were developed into a number of single-family residential parcels of perhaps one acre or even half an acre, each suitable for a one story home, laid out along winding streets and charming cul-de-sacs, and dressed in attractive landscaping.

In any case, we strongly urge you not to spoil the unique rural character of Columbia Falls as the Gateway to Glacier National Park by approving this project.

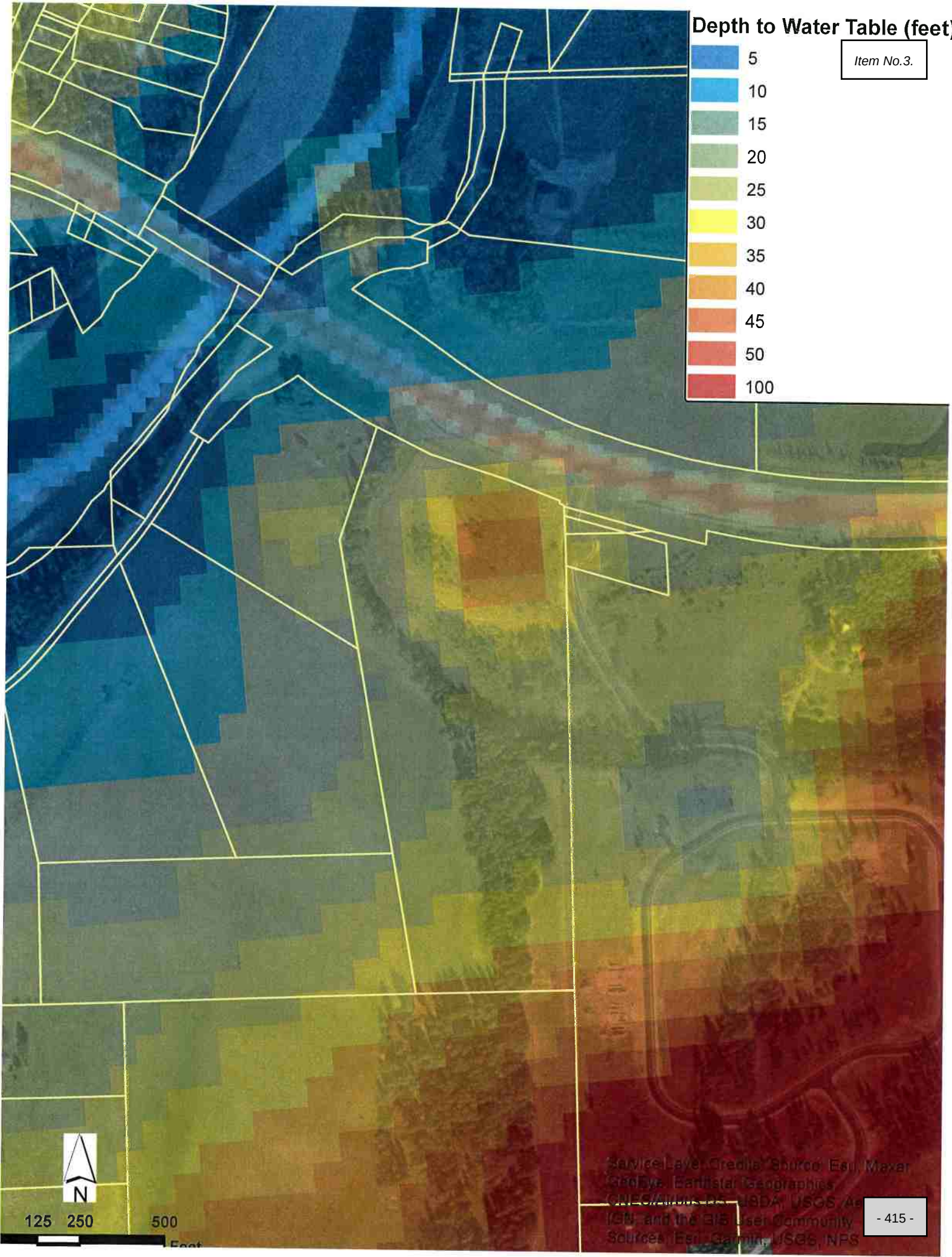
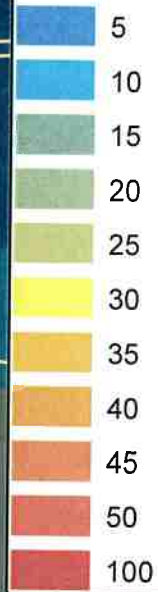
Respectfully

Lowell and Sally Bookman

The block contains two handwritten signatures. The top signature is in black ink and appears to be 'Lowell Bookman'. The bottom signature is in blue ink and appears to be 'Sally Bookman'.

Depth to Water Table (feet)

Item No.3.



Source: Layer Credits: Source: Esri, Maxar
GeoEye, Earthstar Geographics,
CNES/Airbus DS, USDA, USGS, Aero
GRID, IGN, and the GIS User Community
Source: Esri, Garmin, USGS, NPS

From: Ava Helton <avahelton75@gmail.com>
Sent: Friday, July 8, 2022 12:57 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development Statement

Hello Mrs. Staaland,

Below is my written statement regarding the proposed River Road development:

It is clear that Columbia Falls, and the country at large, is facing a housing crisis. This does not mean that shortcuts that will eventually cause more harm should be taken to mitigate the situation. The proposed River Road development will provide housing, yes, but it will also cause damage to the area. Placing so many units near the river will strain the existing habitat. Maintaining a healthy river system is imperative to the overall health of the community and environment. In the plan, developers want to run city sewage underneath the Flathead river in order to provide sewage to the development. This plan is an environmental accident waiting to happen. As a community seated at the top of the watershed, it is our duty to make sure the water stays clean for ourselves and the hundreds of thousands of Americans who live below us. This development is also seated outside city limits. Allowing this development to be constructed would giveaway to more sprawl within the community. The people of Columbia Falls are fiercely protective of our natural lands. Giving way to residential sprawl will take away these lands, and the natural beauty we are so lucky to have. Do not allow for this development to be approved.

Thank you for taking my input and concerns regarding the River Road development.
-Ava Foley

Anne Wheeler

13225 Highway 2 East, West Glacier, MT 59936 nyackmt@gmail.com

City of Columbia Falls, MT

As someone who owns a residential home/lot within a mile of the proposed development, I pose some questions to the development company and to City personnel.

1. Is the development proposed as the River Highlands Unit Development, basically the same as the proposal that you submitted in Whitefish entitled the Mountain Gateway development? The intent of my question is to ask how much of this project was already engineered under a different title.
2. You are proposing a massive development in a low density agricultural/low density housing zone. When was the area changed from an Agriculture zone to the CR-3 designation? Now you are requesting a zone change again from CR-3 to CR-4 (urban residential). The high density nature of the proposed development seems more appropriate within the existing City limits. Did you look for a location or two within the city limits to develop? As someone who lives in the area, I am opposed to the zone change. The surrounding properties will be damaged by this high-density housing area. The development is not in keeping with the tone of surrounding properties.
3. We can all agree that there is a need for additional housing within Columbia Falls. What your company is hoping to develop is a massive offering of units that are all going to be offered to the public as leased units. A virtual money mill for your company. Are you proposing to sell any of the units?
4. Is the development company asking that the City of Columbia Falls extend its' boundary out to include the River Highlands PUD property? If the City is being asked to extend its services of water and sewage out to include this proposed subdivision, it should be taxing the whole of the subdivision as being within the city limits. Currently the 49 acres in question are in the "donut area" outside to the city.
5. Your proposal asks for a variance to reduce parking to under 2 spaces per unit for the apartment units. This will be potentially problematic. Typically, each adult has a car so they can drive to work or school.

Where will parking be allowed to accommodate the additional cars around the proposed units? If each unit is allotted 1.5 parking spaces, where will folks park their cars/trucks/trailers/ATVs/ boats/etc? Will on-the-street parking be allowed? From looking at the schematics it appears proposed fire lanes have already been reduced in width. Will there be enough room on the streets for designated parking areas? When visitors come to a unit where will they park? When parents come to drop off kids who are carpooling to school, where will they safely park? Will there be school bus stops around the subdivision? Parking in a high-density living environment is something that should be looked at with safety in mind. Will there be lighting around parking areas? Who will be responsible for plowing/de-icing the parking areas? Will there be sidewalks from living units that lead to parking areas? Will parking spaces be designated for certain units or will residents be vying for parking spots? Will each living unit have a double garage or carport in addition to the parking slots drawn in on the plans? Many high-density units include 2 covered parking spaces and an unheated storage closet for residents.

6. Because of the large increase in traffic on River Rd, would the "new" section of River Rd be built to different specs than the current road? Do you guarantee to put a traffic light at the intersection of River Road and Highway 2 during the first phase of this project?
7. Additionally, you seem to acknowledge the increase in traffic will be high enough that a traffic circle will be needed near the north end of River Rd so that traffic would not back up onto the Highway. I will presume Flathead County will be in charge of River Rd. Will your company step forward and reimburse Flathead County for the redesign and future maintenance of that section of road? Will all proposed roads and parking areas in River Highland PUD be paved so that dust is not an issue?
8. The overall site plan for River Highlands Unit Development shows a schematic displaying over 500 mature trees planted around the development. Are you committing to plant those 500 mature trees and have you budgeted for that expense? Are you consulting with MT FWP's about species of trees to plant?
9. What is the opinion of the current manager of the Columbia Falls Sewage Treatment facility regarding this project? Can the current treatment facility accommodate the estimated input from an additional +1000 people considering the other developments already taking place within the City limits? Would an expansion of the current sewage

treatment facility be needed? What would the cost of an expansion of the facility? Who would bear the cost of an expansion?

10. I am opposed to granting a height variance for the River Highland PUD. The request for height variance does not meet all the conditions under **18.209.030 Procedure For Consideration** paragraph 3.

Three story building are high and dominate the landscape intrusively. The buildings and their residents would block surrounding views, potentially create noise that would carry long distance due to height of origin. Both those conditions would potentially affect neighboring properties and the public using the adjacent Park areas and River Access.

Respectfully submitted,

Anne Wheeler
nyackmt@gmail.com

From: Kate Foley <kfol4794@gmail.com>
Sent: Friday, July 8, 2022 1:08 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highland

Yes, we have a housing crisis in the Flathead, but River Highland is not the solution. Please do not change the zoning, which is in place for a reason, to accommodate this project. Silverbrook Estates and the sprawling north of Kalispell will continue until it fills in the entire area between Kalispell and WF. Is this the vision Columbia Falls has for itself?

If Mr Barnett is so eager to develop a piece of MT, why not start by purchasing property in Columbia Heights and develop that eyesore?

Sincerely,
Kate M Foley

From: Sarah Dakin <sarahbow.sgd@gmail.com>
Sent: Friday, July 8, 2022 3:33 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands comment

July 8, 2022

Dear Planning Board,

As a former Columbia Falls planning board member, I wish to comment on the proposed River Highlands subdivision east of the river.

The thought of running Columbia Falls sewer and water under the Flathead River makes me cringe. For years valley residents have been working on protecting our rivers and lakes. We know that river crossings change as river conditions change. We also have seen lack of proactive maintenance on pipelines that go under rivers. Consider the potential for a major catastrophe to the Flathead Basin.

Is Columbia Falls ready to expand the water and sewer facilities to service the entire community or will residents be looking at possible rationing like Kalispell is currently preparing for?

Another concern is the statement by the developer that the units will all be long term rentals. Is there any condition that can be added to the plan that would codify that? Columbia Falls already allows short term rentals in all zones.

The request for a height variance also seems out of character for the community, especially as an entrance to the community. 35 feet is reasonable.

Please do not change the parking requirements! We know most families have 2 vehicles. We have seen what happens in subdivisions, such as Fran Lou. People do not follow the signage and it becomes a nightmare for snowplowing.

I am not opposed to new developments but we must be respectful to what the character of the community is. We do not have to accept any or all proposals. Growth is happening. Let us be mindful of what the community of Columbia Falls is and where we want to guide it for the future.

Thank you,

Sarah Dakin

--
Sarah Dakin
477 E Village Dr.
Bigfork, MT 59911
406.270.3559 (M)
406.837.5512 (H)



Virus-free. www.avast.com

Thank you for giving me this opportunity to share my thoughts and concerns regarding the River Highlands subdivision. I will try to be clear and succinct in my thoughts.

First and foremost of my concerns are with the extremely high density and concentration of people in this subdivision. It is not at all compatible with the surrounding area which, consists of single family homes with varying size of lots/acreage. I understand our community is growing as is the whole of the Flathead. This provides an opportunity for us to grow and develop with sane, sensible and compatible planning. This is now and where we decide how our community will develop and what we are leaving for our young to inherit. We need to decide on how our community will look like and function, it's for us the members of Columbia Falls and the surrounding areas of the town. We don't need developers from out of state to come in and tell us how we should develop our home. They have no vested interest other than money in our home. Just because someone comes knocking on the door to sell something we don't need to say yes. This is surely the time to say no. I cannot think of a place in town and its surrounding area that this development would be suitable and compatible. If the area is going to grow then let's be wise in how we choose to develop, not from some outsider who does not have any inkling on living here.

Because this is such a concentrated amount of people it brings with it many potential problems and concerns. There will be an abundance of ground pollutants, these include gas, oil and antifreeze leaking from vehicles. Additional pollutants will include pesticides, insecticides and fertilizers. The great concern is where do these pollutants end up at, the river and/ or aquifer. We are so truly fortunate to live in an area where the river short distance upstream is classified as "wild and scenic". It is our obligation and responsibility to keep the river as pristine as it flows past our shores of this area. We cannot afford to allow these pollutants to damage this amazing and beautiful river. The other place these pollutants may seep into is the aquifer which is shallow and very susceptible to the run off from the above mentioned pollutants. If the aquifer is polluted it will have a massive impact on all of those who get their water from it. I believe I should be able to depend on the clean quality of water that is now present. When I drink a glass of water I shouldn't have to question is it safe?

City water and sewer are planned to be brought across the river for the development. Is the city capable of providing enough water for this dense of population, keeping in mind the large subdivision west of town? Does the city have enough capacity to hold the increase of sewage? My biggest concern regarding sewage crossing the river is what happens to it when we experience a major flood event. It's only a matter of when. Remember Yellowstone! We then will have polluted a beautiful, pristine river for miles and miles when it was under our care and supervision. This is not wise nor sensible planning.

I haven't touched on many other concerns such as traffic from the subdivision, traffic coming and going on River road. Most of all the traffic regarding Hwy #2. There may be several vehicles on River Road trying to turn right onto the Hwy. This intersection is already very dangerous then an additional 1200 people will be added to an already dangerous situation. I have read where the developers would like to have a traffic light IF MTDOT agrees. How many years will that take? How many accidents, injuries and possible fatalities will occur?

In conclusion, this development is the tipping point for how we are going to grow. Let it be wise, sensible and compatible planning.

Kathleen O'Hair

This is my draft for the River Highlands Subdivision 7/8/2022

July 7, 2002

Item No.3.

Columbia Falls City Hall
130 6th St. W, Room A
Columbia Falls, MT 69912

RECEIVED
JUL 08 2002
CITY OF COLUMBIA FALLS

Dear Mr. Mulcahy, City Planner:

Thank you for the opportunity to comment on the proposed River Highlands Subdivision project. My name is David Lange and I reside at 1335 Jellison Road, Columbia Falls, MT. We live outside the city limits but within the planning district of Columbia Falls. We have lived here since 1980 and raised our family in this community.

I do not support the River Highlands subdivision as described in the Hungry Horse News, page 1, on July 6, 2022 for the following reasons:

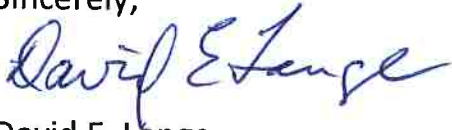
1. Traffic congestion is a life safety concern, exceeding current use limits on the narrow River Road.
2. The subdivision is inconsistent with the unique aesthetics of the rural landscape surrounding Columbia Falls with mountains, river and farmland.
3. The subdivision presents potential cumulative affects to the natural, cultural and recreational values of the Columbia Falls community.
4. It is difficult to assess impacts of this project without an updated vision and long-range planning document based on unprecedented increase in seasonal and year-round growth in the Flathead Valley within recent years.
5. The subdivision will increase the demand on the city support facilities such as water, sewer, schools, local businesses and services that are already stretched trying to support growth in the downtown, the Meadow Lake project north of town, housing units east of town and proposed housing west of town between Meadow Lake Boulevard and North Hilltop Road.
6. The cost to the city of shared maintenance for the subdivision with the county of is unclear.

Columbia Falls is a unique community based on the beauty of our small rural culture, surrounded by mountains, forests and river, where "Adventure Begins Here" and the "Gateway to Glacier National Park." People come from all over the world to experience our environment, recreation, and rural lifestyle either as full time residents or seasonal visitors. This is a critical time for our leaders to make decisions based on long-term values, not short-term decisions with long-term affects and impacts. The proposed large and densely populated subdivision is in the wrong location and will not blend in with the surrounding landscape. Reference of similarities to the Silverbrook subdivision north of Kalispell is an inappropriate

comparison. Therefore, I do not agree with requests of the contractor to modify current zoning and modifications to height, parking, road width and occupant density per residence.

This is the time to find the balance in planning for future development and sustainability of the cultural and environmental values of our community. We need to pay close attention to the hydrologic assessments of the Flathead River, wildlife affects to the Badrock Canyon Wildlife Management Area, and increased affect on the historic lifestyle and community of local residents. We also need to openly share the projected plans of development if the land from the steel bridge to Columbia Heights, including the River Highlands is annexed into the city.

Sincerely,

A handwritten signature in blue ink that reads "David E. Lange". The signature is fluid and cursive, with the first name "David" being more prominent.

David E. Lange

July 8, 2022

Columbia Falls City Hall
Attn: Barb Staaland, City Clerk
130 6th Street West, Rm A
Columbia Falls, MT 59912

RE: Flathead Mountain River LLC Loffler Subdivision Planned Unit Development

Dear Ms. Staaland and the Columbia Falls Planning Board:

As a resident of Flathead County (West Glacier and, currently, Columbia Falls) since 1969, I want to take this opportunity to voice my strongest possible opposition to the high-density subdivision immediately east of the Flathead River, as proposed by James Barrett.

It is grossly inappropriate to impose a subdivision with ultimately 9 units/acre on a neighborhood with a current density of about 0.125 units/acre. Not only would that destroy the character of the neighborhood, but subject current residents to potential traffic gridlock on rural roads. It would adversely affect already-strained city coffers in order to provide adequate fire and police protection, street maintenance, snow removal, sewer and water. (Though this spring has seen an abundance of water, future demands may well place a shortage of that resource on the horizon for Columbia Falls, as is already the case for Kalispell).

The city of Columbia Falls is justifiably proud of the recently designated Badrock Canyon Wildlife Management Area, established after enthusiastic local support from a broad constituency. Our city also promotes itself as the Gateway to Glacier. Therefore, it behooves our city officials and especially our Planning Board, to keep well in mind what current residents cherish about our community; it is much akin to what is attracting visitors and new residents--open vistas and opportunities to view wildlife rank at or near the top of most lists. Planting a high-density subdivision within a quarter of a mile of our precious wildlife area would severely compromise its integrity and profoundly degrade the experience of "Gateway to Glacier." Apartment buildings belong elsewhere.

I oppose a zone change for this area from CR-3 to CR-4, and, likewise, oppose a zoning deviation in height of buildings and reducing the parking requirement from two spaces to 1.5.

I appreciate the opportunity to comment on this proposal and fervently hope that the planning board applies a long term vision to this special area, that will in the future affect so many, human and nonhuman alike.

Respectfully submitted,



Rebecca R. Williams
PO Box 3097
Columbia Falls, MT 59912
lbwillia69@hotmail.com

Samantha Towery and Matthew Kennedy
 711 3rd Ave East
 Columbia Falls, MT 59912

July 6, 2022

City Clerk
 130 6th Street West
 Columbia Falls, MT 59912

To Columbia Falls Planning and Zoning Board:

This letter is in response to the proposed development along River Road in Columbia Falls, MT and should be included in the Planning Board Packet for the July 12, 2022, Columbia Falls Planning and Zoning Board meeting.

As current residents of Columbia Falls, MT, and long-time residents of Flathead Valley, we are deeply concerned about the proposed development plan (River Highlands Apartments) and zoning change request submitted by James Barnett on behalf of Flathead Mountain River LLC. Our concerns include, but are not limited to, the following:

1. The size and scale of the River Highlands Apartments proposal is not in character with the neighborhood. The average size of tracts in the current neighborhood is approximately 8 acres with an average of 0.125 units per acre. The proposed development density is 9.27 units per acre. We are interested to hear the developer explain how the current proposal provides reasonable consideration to the character of the neighborhood. We assume he or his representative will need to be skilled in verbal judo to make that case as the River Highlands Apartments proposal certainly does *not* provide reasonable consideration and would become the highest density development within Columbia Falls.
2. The proposal includes a zoning change request from CR-3 (one family residential) to CR-4 (urban residential) and a height ordinance amendment increasing allowable building height to 45 feet. Zoning change requests and ordinance amendments on this scale are troubling and if the requests are approved would result in construction of units not within the basic character of the area. Twelve 2 and 3-story apartment buildings and thirteen 4 and 5-unit town houses is not only an eyesore but a burden on current Columbia Falls residents and potentially an environmental hazard. Why would the Columbia Falls Planning and Zoning Board consider changing zoning when the benefits to the community are questionable, and the change is likely detrimental? Because the developer asked for it? That reason alone is not enough, and the Board needs to be able to justify any change and explain the benefits to the community members.
3. The proposal includes annexation into Columbia Falls with city utility services (water and septic) extended under the Flathead River. Allowing this developer, or any developer, to expand city utility services to the east side of Flathead River will open the way for more large-scale

Apartments proposal, he offered that a percentage of those units would be affordable. We have seen no such offer in this proposal.

The mission of the City of Columbia Falls includes *listening to citizens and responding to their needs*, respecting diversity and differences of opinion, and evaluating the status quo and *practicing thoughtful planning*.

We encourage the Planning and Zoning Board to adhere to that mission and listen to the citizens of Columbia Falls and the overwhelming outcry to deny this proposed development. This proposed development holds no benefit for current residents and will only open the door for more outside investors looking to market the opportunity to live at the Gateway to Glacier National Park. Typically, those investors make a quick buck and are on to the next opportunity with little regard for the local community and the natural environment they unabashedly promote to appeal to buyers. We can only assume this developer fits that category based on the River Highlands Apartments proposal and similar proposals from the same developer.

We are totally opposed to the proposed River Highlands Apartments development!

Sincerely,

Samantha Towery and Matthew Kennedy

Barb Staaland

From: Michael Ober <michaelober209@gmail.com>
Sent: Friday, July 8, 2022 9:08 AM
To: staalandb@cityofcolumbiafalls.com
Subject: subdivision proposal

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

A big NO to the proposed subdivision east of our bridge to Glacier Park. It is ugly, too big, inaccessible, loaded with traffic problems, loaded with "variances" as requested by the greedy developer asking to have the city conform to ITS demands and smells of growth in just the wrong place. DEFEAT this proposal now just like Whitefish did at the entrance to the Big Mountain Road. There is no place for this nonsense. Thank you.

Michael J. Ober

Professor Emeritus, Flathead Valley Community College
michaelober209@gmail.com

54 Buffalo Hill Drive
Kalispell, MT 59901
406-257-2040 home
406-890-9472 cell

Barb Staaland

From: Katie Yale <kjyale@gmail.com>
Sent: Friday, July 8, 2022 9:05 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed River Bend housing development

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS, MT

To whom it may concern,

I recently learned of the proposed mega-development along River Road and Highway 2, and would like to express my worries and dissent about such a project. My family and I live off of Middle Road and drive down River Road every day. That road is the most dangerous part of our drive, between narrow turns, ice in the winter, bikes in the summer, and myriad deer and other wildlife. Adding a massive development there would (1) add to very real traffic dangers. It would also (2) greatly affect all the wildlife who use that river corridor around Badrock Wildlife Area, River's Edge Park, and the river bank itself. And finally, (3) running the kind of sewer line necessary to support a couple of thousand people UNDER THE RIVER brings the potential for utter environmental disaster -- not if, but when, that pipe leaks, that waste would contaminate multiple communities (humans and nonhuman) downstream.

I understand the need for more affordable housing in the Flathead. But I question that most of these units would be "affordable" to begin with, and more than that -- why so many? I know it is unrealistic to fight all change in our area, and that some of these open fields will be developed eventually, but a more reasonably sized project makes a lot more sense for the safety of the river, the roads, the humans who use those roads, the animals, and the community in general. Measured growth and planning make sense. I do not believe throwing up a massive new development with needs that exceed our infrastructure to make one company rich serves our community.

Sincerely,
Kathleen Yale
Columbia Falls, MT

RECEIVED

Item No.3.

Attn: Opposition to Flathead River Development

JUL 08 2022

July 7, 2022

I am appalled at the thought of this development being considered for approval by those who do not live in the vicinity. We have lived here for 44 years and raised our two sons on Rogers Road in a family friendly, safe neighborhood. They still love to come home to visit and unwind. I can't even imagine the outlandish amount of people who will be crammed into this small space with this unwanted development.

1. We do not have the infrastructure to support this large influx of people. There is no sewer treatment plant and all waste has to be trucked to the landfill. The cost of fuel alone will be a huge expense.
2. Very concerned about the sewer lines fouling our pristine Flathead River. Who will monitor this? Is it even possible to accurately do? If there is an unfortunate mishap, who is responsible for the cleanup?
3. Concerns for the drilling of new wells. Kalispell is already experiencing water shortages. Do we really want to deal with water rationing?
4. Columbia Falls does not have the infrastructure to support this development: police, medical emergency services, fire department, schools, road maintenance/snow removal, garbage pickup, animal control, ect. The citizens of Columbia Falls will surely see an increase in taxes and utility rates.
5. Traffic congestion is already a concern. It is difficult to enter Hwy 2 from River Road when turning left toward town. One needs to have patience with all the traffic, especially during tourist season. I understand that a stop light may be installed, but that would only result in traffic being backed up to at least as far as Stage Road. Unacceptable!
6. Over the years people have searched for arrow heads on this field. Has there been a study done to see if this is hallowed ground?
7. This field is home to many deer and other wildlife. In this overcrowded world, do we want to take away their home for the greed of others not from around here?
8. The city of Whitefish recognized and turned down this folly for the sake of the health of our valley. Do we not have the same values?
9. Do we really want multimillionaires moving in to build their complexes to make more money? Then moving on leaving us to deal with it in the future? Things like upkeep, maintenance, repairs, crime and everything else that comes with overcrowded complexes.

I see no advantage to this horrible idea. This is a special close knit community that does not want to grow into an overcrowded congested area. Please take my concerns seriously. Don't take away our way of life for the sake of money. That is not what Montana stands for!

Betty & Randy Belston
125 Rogers Road

Barb Staaland

From: Christopher Solomon <solochris@gmail.com>
Sent: Thursday, July 7, 2022 10:35 PM
To: staalandb@cityofcolumbiafalls.com
Subject: A public comment, under the wire, on the River Highlands PUD proposal

Hi, Ms. Staaland,
I've got a public comment about the River Highlands PUD, on the last evening of the last day for public comment.

Thanks very much.

Chris Solomon
Twisp, Wa

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

To:
Planning Board
Columbia Falls City Hall

My name is Christopher Solomon. I live in rural Washington state. I am a writer who publishes work in a variety of national publications on topics related to the West: the environment, the outdoors, outdoor recreation.

I spent time in Columbia Falls not long ago, while reporting a large story for National Geographic magazine — out this summer — about the future of recreational fishing. In the course of my homework, I spent a great deal of time reading studies about the importance of rivers — to fish, to wildlife, and also to the economic and social health of communities. And I also interviewed people, including in Columbia Falls.

Your corner of Montana has been blessed with clean, cold water. And that water, and the opportunities it provides—particularly for fishing—is a large reason Montana is so appealing to visitors, not to mention those who live here. In 2017, anglers spent \$919 million on fishing in Montana, and 3.3 million angler days. The money anglers spend—especially anglers from out of state—ripples through an economy. A 2020 report by the U.S. Bureau of Economic Analysis (BEA) found that Montana's outdoor recreation economy as a whole contributed \$2.5 billion to the economy, and employed 31,598 people, while making up 4.7% of the state's total economy. That places Montana near the top ranking for its size—third in the country.

I learned in my reporting, however, that the Flathead system and other Montana rivers are under pressure. A changing climate is squeezing them in several ways. So are other factors that are abetted by that changing climate, such as introduced species. And, of course, development nibbles at them, as it does at river systems everywhere, with impacts ranging from road runoff, to sediment that drains into the river, to catastrophic failures of infrastructure.

I believe a 455-unit development on the banks of the Flathead is a wrong idea for your community. Atop all the other environmental impacts of a development of that size, the proposal calls for running septic and water lines under the river—the same river that now is the economic and cultural lifeblood of your community. The risks of doing so are not worth the potential damage.

You have in the entire Flathead River System a goose that lays a golden egg, year after year. But a treasure that must be cared for, or it will wither. The river does not need development, it needs stewardship. Please consider what has nourished your community in the past, when you think about the future.

Thank you.
Christopher Solomon
Twisp, WA
347-556-6364
solochris@gmail.com

In 2017, anglers spent \$919 million on fishing in Montana, and 3.3 million angler days

Barb Staaland

From: Cedes Hoffmann <cedes.hoffmann@gmail.com>
Sent: Thursday, July 7, 2022 9:23 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Objection to River Highlands development

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

Hello City of Columbia Falls Planning Board and City Council,

I am a resident and property owner in Columbia Falls. I chose to live here because I love the small town atmosphere surrounded by rural landscape. I also greatly enjoy the easy access to outdoor recreation that our town has. I am writing today because I do not feel that the proposed River highlands development is a positive choice for our community. As previously stated we live in a largely rural area, I believe that the River Highlands development would significantly urbanize our little town and forever change the culture and character of our community. Such high density development surely would be a blight on the green spaces of the east shore of the Flathead River.

Additionally, I believe that the strain of adding so many housing units to our infrastructure would be overwhelming. The thought of drilling under the flathead river to provide sewer and water lines is folly.

Please do not approve the annexation of this land into the city and do not approve its zoning for high density housing.

Thank you,
Cedes Hoffmann

Barb Staaland

From: Carolyn and Jeff Clark <jwccrc@gmail.com>
Sent: Thursday, July 7, 2022 8:39 PM
To: stalandb@cityofcolumbiafalls.com
Subject: Public Comment - Proposed River Highlands PUD

RECEIVED
 JUL 08
 CITY OF COLUMBIA FALLS

To: City Clerk / Columbia Falls Planning Board

Subject: Proposed River Highlands PUD

We would like to voice our thoughts and concerns about the proposed River Highlands development that is coming before the Planning Board on July 12 and the subsequent meeting with the City Council currently scheduled for August 1.

We understand that growth is important to the future health of a community and that we need additional housing in and around Columbia Falls. We also understand the long-term benefits of finding a developer who will underwrite the cost of extending city services across the Flathead. And although we hate to see 50 acres of open farmland plowed under for housing, we do not necessarily disagree with developing this property. But the proposed River Highland plans exceed common sense development on too many fronts for us to support the current proposal.

Our key concerns focus on those areas that even exceed the city's current planning guidelines.

1. **Density:** The most egregious issue with this proposal is the density or units per acre. Not only is the developer requesting a change from agricultural zoning to residential, they then aggravate the issue by going to a density (9.27 units per acre) that is substantially higher than the neighborhood (less than 1 unit per acre) and even higher than Columbia Falls proper (about 5 units per acre). Then the Developer claims that the plan "fits the neighborhood character" – it does not even fit the character of central Columbia Falls much less the agricultural area being proposed.
2. **Requests for deviations to the accepted height limits and parking spaces per unit:** In addition to the unreasonably high density of this proposal, the Developer then asks for additional deviations. An additional 10 feet in height for the apartment units will be totally out of character with the area. Putting multi-story units in this environment is difficult to accept but violating the height restrictions compounds the problem. In addition, the request to plan for 1.5 parking spaces per unit rather than the accepted 2 per unit simply shows that the Developer knows this proposal is over capacity. When this actually turns out to be 2 / unit, where will they park – on River Road which is already a traffic problem.
3. **Traffic:** Taking into account the density and parking space issues noted above, we are looking at a major traffic problem. Adding over 4000 trips / day to a road that today struggles with around 2500 / day is simply ridiculous. River Road and the surrounding area cannot handle this flow. The Developer also claims they may approach the DOT about a light on Rt 2. This is not even close to a commitment and clearly pushes a big problem down the road for someone else to deal with.
4. **Environmental concerns:** Preserving the water quality of the Flathead Valley should be a top priority of the Planning Board. Building a development of this size so close to the river is concerning. There is little indication that much research has been done on the effects of running water/sewage lines under an ever changing, frequently flooding river, not to mention the capacity of the Columbia Falls infrastructure and runoff from all the pavement directly into the river.

Development is likely coming, but it must be carefully planned. Lower the density, lower the height, plan reasonable numbers for parking and put in place a realistic traffic plan that is supported by the DOT – now not later.

Columbia Falls is a great place to live because of Glacier National Park, the clear skies, clean water, mountains, wildlife – all which is described as its character. This proposal in its current form violates so much of what is good and brings people to Columbia Falls that we cannot support it.

Sincerely,

Carolyn and Jeffrey Clark

315 Shooting Star Drive, Columbia Falls

Barb Staaland

From: Jennifer Archer <jarchermassage@gmail.com>
Sent: Thursday, July 7, 2022 8:34 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Regarding new subdivision

Hi my name is Jen Archer, my family lives in Columbia Falls. I have many concerns regarding this new development and completely oppose it. This will be devastating to this valley and for the wildlife that seek refuge. For the sake of Columbia Falls please do permit this subdivision to take place. Thank you for your time.

Jen Archer

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

Barb Staaland

From: beehousehives@gmail.com
Sent: Thursday, July 7, 2022 8:24 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Firmly opposed to subdivision on River Road

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

I am firmly opposed to the massive River Highlands subdivision James Barnett is proposing.

I suggest he subdivide his own land and see how that feels.

455 units on 49.1 acres right next to Flathead River will have many negative impacts.

I believe for future success, we need to stand united as these types come along to try and convince our town they have our best interest in mind.

Sarah Anderson
Middle Road
Columbia Falls

Barb Staaland

From: Katie Olson <kt.olson08@yahoo.com>
Sent: Thursday, July 7, 2022 7:06 PM
To: staaladb@cityofcolumbiafalls.com
Subject: River Road development

RECEIVED

JUL 08 2022

CITY OF COLUMBIA FALLS

To the City of Columbia Falls Clerk, Barbara Staaland,

I am opposed to the River Road development project currently proposed by James Barnett, Flathead Mountain River LLC. 455 units that spire 45 feet in the air is out of keeping with the agricultural and residential landscape we currently enjoy.

I am one of the residents who use River Road to access Columbia Falls. It can be quite a wait during the summer season to safely cross Highway 2. More housing near or at this intersection means no reprieve from what is now only seasonal traffic. More traffic just begs for longer waits and more accidents as people experience the frustration of delayed access.

I am absolutely opposed to running the sewage for this proposal under our unspoiled river. Also, can the city of Columbia Falls handle that much additional sewage to its system? If it can, than build closer to town where this kind of development doesn't stick out like a sore thumb. The apartments across from Smith's is an example of providing housing in a sensible location. If Columbia Falls is interested in expanding to accommodate more housing facilities, how about looking at properties to the north of Columbia Falls.

Flathead County is suffering growing pains because thousands of people are fleeing to our mountain paradise. Please do not allow our paradise to be spoiled with unsightly housing that creates bottleneck traffic problems and potential river pollution.

Sincerely,
Christy Olson
3555 Middle Rd
Columbia Falls, MT



P.O. Box 638 ← Kalispell, MT 59903-0638

RECEIVED

JUL 08 2022

CITY OF COLUMBIA FALLS

July 7, 2022

----- Submitted via E-Mail -----

Columbia Falls Planning Board
Attn: Barb Staaland, City Clerk
130 6th Street West
Room A
Columbia Falls, MT 59912

RE: Planned Unit Development, River Highlands

Sirs:

Thank you for the opportunity to comment on the proposed Planned Unit Development along River Road called River Highlands. The proposed Planned Unit Development would create 455 residential units consisting of 65 attached townhomes and several multifamily apartment buildings with 390 units on approximately 49 acres along River Road across the Flathead River from the Teakettle Fishing Access site.

Flathead Valley Chapter of Trout Unlimited is a local cold water conservation organization consisting of over 400 members with shared concerns about wild and native fish, water quality and aquatic habitat. Our members and many more members of the public have enjoyed the opportunity to recreate on the Flathead River on the reaches within the Flathead Valley specifically between the Teakettle Fishing Access Site and both the Kokanee Bend and Presentine Bar Fishing Access Sites. This Planned Unit Development sits directly along the Flathead River in this stretch. The proposed density of this project will certainly affect the river user experience but that is not our primary concern here.

Our primary concern with the location and scope of this project has to do with its location over a shallow aquifer connected with the Flathead River and its effect on ground and surface water.

In the middle 2000's, you may remember the Glacier Mall project proposed by Bucky and Chad Welford. The initial project site was 147 acres in Evergreen. The project site was subsequently moved to higher ground near US Highway 93 and Reserve Drive due, in part, to concerns about stormwater runoff into the shallow aquifer which is directly connected to the Flathead River and ultimately into Flathead Lake. In that particular case, the specific concern was about the accumulation of automotive and parking lot related pollutants (antifreeze, oil, gasoline, paint, asphalt, etc) that could be carried into the aquifer by rain and snow melt.

The River Highlands Planned Unit Development presents similar risks of automotive related parking lot pollution with a planned parking density of 1.5 spaces per unit. However, a residential development also presents the added potential hazards of landscaping chemicals such as fertilizer, pesticides and herbicides into the stormwater drainage system. We noted in the Zone Change Request submitted to the Planning Board that "There is no public stormwater collection and disposal available to this area. The applicant is proposing and will be required, to detain all stormwater on site."

We urge the Planning Board to carefully consider the requirements of an onsite stormwater retention solution for this site, keeping in mind the shallow ground water situation. It does not take much of these kinds of pollutants to make a noticeable difference in a waterbody. A very small example of the effects of these pollutants on a water body can be seen only 2 ½ miles downstream of the proposed project site. On the north side of the river just below the Veterans Home, algae growth present is the result of abnormal nutrients entering the river. This is the type of uncaptured stormwater runoff that does affect water quality.

We thank you for your efforts on behalf of the city of Columbia Falls and the opportunity to submit our comments and concerns about this project to you.

Sincerely,

/S/

Daniel D Short
President
Flathead Valley Chapter Trout Unlimited



**BACKCOUNTRY
HUNTERS & ANGLERS
MONTANA**

July 7, 2022

Columbia Falls Planning Board
Columbia Falls City Council
c/o City Clerk
130 6th Street West,
Columbia Falls, MT 59912
staalandb@cityofcolumbiafalls.com

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

Columbia Falls Planning Board and the Columbia Falls City Council,

I write today as a board member and Flathead-area representative for the Montana Chapter of Backcountry Hunters & Anglers. We represent nearly 3,000 Montanans who hunt and fish and care deeply about conserving the quality of Montana's wild public lands, waters and wildlife.

Montana has been discovered. People are moving here in droves and our population is growing faster than we can accommodate. We understand the need for additional housing. As more people move here, there will be more development, without question. That said, we strongly encourage the Planning Board and City Council to think big-picture and long-term when approving new developments. Good planning now will pay dividends in the future, and keep the Columbia Falls area a desirable destination and home.

The proposed River Highlands development demands careful consideration and planning to preserve the character of Columbia Falls, what we love about the "Gateway to Glacier." As this project goes through the approval process, it's critical that the city of Columbia Falls prevents the local environment, the Flathead River, and our current residents from forcibly absorbing the external costs of the proposed high-density development.

Our goals are not mutually exclusive. Housing developments can be approved and built while requiring developers to adhere to rules that will ensure the protection of the local environment, river, and current citizens. Taking these proactive steps now is key.

The River Highlands developer is proposing to drill sewer and water lines under the Flathead River just south of the Highway 2 bridge to hook into the city's utility system. While this option is preferred to a high-density septic system on the river's edge, running sewage pipes under the



WWW.BACKCOUNTRYHUNTERS.ORG/MONTANA_BHA
MONTANA@BACKCOUNTRYHUNTERS.ORG

river still is a great risk. The potential for those lines to leak or break is real, especially during spring runoff, and would cause major impacts to the water quality and cause extensive damage to the fishery, which includes threatened bull trout.

What is the process in the event of a catastrophic sewage leak during spring runoff? Fixing a leak or break in this sewage line and conducting the reclamation downstream would cost millions of dollars. Will the developer or the citizens of Columbia Falls - or all residents of Montana - be on the hook for that cost? Consistent monitoring, inspection and maintenance is a must to prevent a catastrophic failure. What do those services cost and who will pay for them?

These are just a small set of very important questions and considerations that must be addressed prior to the approval of the River Highlands development.

The city of Columbia Falls must consider long-term risks to ensure that this development, and others which are sure to come, employs the best technology and the highest quality process and standards to prevent catastrophic damage to the river. And we expect the city to outline ways to shield our city and state residents from being forced to absorb the negative external costs that are possible from these sorts of risky developments.

Thank you for your careful consideration,

Aaron Agosto, Bigfork, MT
Flathead Valley Chapter Leader
Montana Chapter of Backcountry Hunters & Anglers



WWW.BACKCOUNTRYHUNTERS.ORG/MONTANA_BHA
MONTANA@BACKCOUNTRYHUNTERS.ORG

Barb Staaland

From: Bob & Ruth Clawson <rrc6164@gmail.com>
Sent: Thursday, July 7, 2022 2:56 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development

July 7, 2022

TO THE MEMBERS OF THE COLUMBIA FALLS PLANNING BOARD:

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

We are opposed to this River Highlands development as proposed.

Because our property borders the proposed River Highland Development on the south and east sides, we have many concerns among which are:

1. To avoid the resulting obvious traffic congestion at the junction of River Road and Highway 2, commuters will be using Rogers Road (our road), Kelley Road and the other crossroads to access Highway 206 only to still encounter a bottleneck at River Road and Highway 2 in attempting to get to Columbia Falls' schools, shopping, etc. Currently, Rogers Road is a quiet neighborhood and perfect for a leisurely walk.
2. This spring at one point we counted 103 deer in the field north of our home which is south of the proposed development. This part of the Columbia Falls doughnut area is prime wildlife habitat and provides a north-to-south corridor for them to pass through safely back and forth to the new Bad Rock Canyon Management Area. The city of Columbia Falls whole heartedly endorsed this wildlife management area.
3. A development of this proportion will bring an influx of people to this area who will want to go for a nice walk with their dogs on our open property. Who will be responsible for policing this situation? An influx of people across the fence from our property is way too many. We don't want to spend the rest of our retirement requesting assistance to evict trespassers.

We ask you to please carefully consider the ramifications of a development of this type and size that will negatively affect the character of our neighborhood and the east entrance to Columbia Falls forever.

Thank you for your concern.

Sincerely,

Bob and Ruth Clawson

Barb Staaland

RECEIVED

JUL 08 2022

CITY OF COLUMBIA FALLS

From: Mark Fuller <fullerfishing@gmail.com>
Sent: Thursday, July 7, 2022 7:32 PM
To: staalandb@cityofcolumbiafalls.com
Subject: 455-unit high-density housing project planned for River Road property

Dear Columbia Falls City Council or whomever this may concern,

My name is Mark Fuller I'm a fishing outfitter, local business owner, and a Fishing Outfitters Association of Montana Board of Director that represents the Flathead river system. I am writing you to voice my opposition towards the 455-unit high-density housing project planned for River Road property . I am concerned that there has not been enough thought and research into drilling under the Flathead River. If there is a leak of any sort in that river systems due to the proposed pipeline it would be very detrimental to my income and the income of several people that live in the area and make a living on that Flathead river. I am very aware that we need housing in this valley but the Flathead River is too precious of a resource to jeopardize. Please do not allow this project to move forward.

--

Mark Fuller

Owner, Head Guide

Wild Montana Anglers

m: (406) 261-4343

w: wildmontanaanglers.com e: mark@wildmontananglers.com

Barb Staaland

From: Kelsey Johnson <kelsey.redmond@gmail.com>
Sent: Thursday, July 7, 2022 6:17 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board,

I am writing to oppose the 455-unit development James Barnett has proposed for the 49-acre lot on River Road. As a property owner in the neighborhood, Montana native, and Registered Nurse, I beg you to deny this plan. Although my concerns for this proposal are endless, I worry most about how our town and surrounding environment will negatively change. I worry about compromising the water quality of our mountain rivers with 1000 people living so close to the river. I worry about the loss of habitat for deer, elk, bears, turkeys, migratory birds, etc. Additionally, as a Registered Nurse in our local Emergency Department, I view public safety as a major concern in adding a 455-unit development. Our two hospitals and other medical facilities in the valley are already bursting at the seams. Our two grocery stores in town are currently extremely busy every day of the week and a wait list for child care is two years. We do not have the capacity in Columbia Falls to add another 1000 people in such a small space. This development will smother our town and the uniqueness of Columbia Falls will be changed forever.

Please consider what damage this development will have on Columbia Falls and oppose this plan.

Thank you,
Kelsey R. Johnson, BSN, RN

Barb Staaland

From: Karen Schuster <pln3089@blackfoot.net>
Sent: Thursday, July 7, 2022 3:29 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Housing property development

RECEIVED
JUL 08 2022
CITY OF COLUMBIA FALLS

Please vote NO ! We must do all we can to help preserve and protect natural resources, water quality, wildlife habitat and rural landscapes.

I am a homeowner in Essex Mt., this would be a terrible mistake that could not be undone!

Karen Schuster
227 Izaak Walton Inn
Essex mt. 59916

Sent from my iPhone

July

Item No.3.

- To whom it may Concern -

We would like to voice our opposition on the large new hotel (where Glacier Inn is) being built.

Due to heavy traffic already in this area, limited parking, Next to our City Park (Marentette Park),

We live on Grove St. and can not get out on the highway now, Not to mention people trying to get out on 3rd Ave E., Eastwood Village, and misc streets on both sides of the highway.

Not that developers care - But our quiet area is being destroyed.

Judydel Perry (Jarrett)
(lifetime resident)

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

July

Item No.3.

To Whom it may Concern

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

It seems like an excess of
apartment housing is being built -
"45 flt" 9.27 units per Acre!

To the "Glacier Gateway to
the Park" - and Flathead River -

Running City Services under the
pristine River. Do these folks
ever look at what we have here
that no other place has due to growth
& people not taking pride & care of.

Traffic on River Rd is already
at an excess amount. Try pulling
out into the hwy. You mention a
stop light — Really a 4-7 year
process. How many accidents - some
fatal! for growth!

It will put additional strain
on our City Services and put numerous
folks into the city boundaries. Water,
sewer prices will be in excess
also -

Judy del Perry (Garrett)
(lifetime resident)

Pg 2

Not to forget all of the
wild life that depends on this
area!

Whitefish did not let this happen
there — why would we here!!

Judyal Perry (Garrett)

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

July 6, 2022

To the Columbia Falls City Planning and Zoning Committee,

I am writing to oppose the proposed River Highlands development east of the Flathead River and outside the current city limits.

The scale of this high-density development is most definitely out of character with the neighborhood.

And it runs counter to the city's newly adopted and aptly named moniker as the "Gateway to Glacier" with its negative impact on the abundant wildlife present, wildlife corridor, proximity to the Bad Rock Canyon Wildlife Management Area and the environmentally sensitive area along the pristine Wild and Scenic Flathead River.

Running sewer and water under this special river, that floods regularly, is dangerous and foolish.

Annexation stretches thin the services already offered in Columbia Falls of police protection, firefighters, snow removal, road maintenance and sewer and water.

The density in this development is higher than anywhere within the city limits. This development belongs within the existing city limits.

Sincerely,



Victoria Byrd Rinck

167 6th Ave E. N.

Columbia Falls

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

July 6, 2022

To the Columbia Falls City Council,

I am writing to oppose the proposed River Highlands development east of the Flathead River and outside the current city limits.

The scale of this high-density development is most definitely out of character with the neighborhood.

And it runs counter to the city's newly adopted and aptly named moniker as the "Gateway to Glacier" with its negative impact on the abundant wildlife present, wildlife corridor, proximity to the Bad Rock Canyon Wildlife Management Area and the environmentally sensitive area along the pristine Wild and Scenic Flathead River.

Running sewer and water under this special river, that floods regularly, is dangerous and foolish.

Annexation stretches thin the services already offered in Columbia Falls of police protection, firefighters, snow removal, road maintenance and sewer and water.

The density in this development is higher than anywhere within the city limits. This development belongs within the existing city limits.

Sincerely,



Victoria Byrd Rinck

167 6th Ave E. N.

Columbia Falls

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

From: Yeats <yrland@centurytel.net>
Sent: Thursday, July 7, 2022 2:11 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Letter Concerning River Highlands
Attachments: Letter to Planning Board.docx

July 7, 2022

Columbia Falls City-County Planning Board
130 6th Street West
Columbia Falls, Mt 59912

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

Dear Planning Board Members:

I would like to express my views to you as you contemplate whether or not to approve the zone change, preliminary plat application and PUD application for the River Highlands development. I am totally against this development. It speaks of big money buying up a beautiful property and turning it into something that is not a good fit for the property.

I have several concerns about this proposed high-density development, which include:

- The use of the Growth Policy map as a sole reason for such high-density development
- Lack of respect for the character of the neighborhood
- Impacts on wildlife and on the new Bad Rock Canyon Wildlife Management Area
- Impacts on the River Corridor and river recreation
- Columbia Falls as the "Gateway to Glacier"
- Increased traffic entering River Road and onto Highway 2
- Placing city services under the Flathead River and monitoring of leakage
- At full build out development would hold about one fifth of today's City of CF population
- Cumulative effects as this development would open the floodgates to development east of the Flathead River

I have been through this Planning process enough to figure that Eric Mulcahy, the contract planner, will go through the applicant's paperwork, write up his Staff Report and find no reason that this development should not be approved. It is your job, the Planning Board, to consider the real facts, listen to the people of the community and not be afraid to deny the development as proposed.

I personally met with Mr. Barnett and it is very frightening that he confidently states the City is all for this development and the Growth Policy map shows this property can be developed with 2-8 units per acre. (Not to mention this is proposed at more than 8 units per acre with the PUD). Please consider that there is more to the Growth Policy than just the map.

I have copied certain sections of the Growth Policy which I feel underscore my arguments:

"The Growth Policy is composed of two major components, the text and the growth policy map, and supported by a comprehensive Resource and Analysis Document. **Both the text and map are equally important and must be equally weighed.** The Resource and Analysis Document provides valuable information that supports the Growth Policy recommendations. To adequately interpret and implement the Growth Policy, all three must be consulted for insight and direction. **Relying on only one component will not always give a clear picture of the broad community concepts or the spirit of the Growth Policy. Worse, it may lead to a twisting or manipulation of the Growth Policy.**" City of Columbia Falls Growth Policy, page 2.

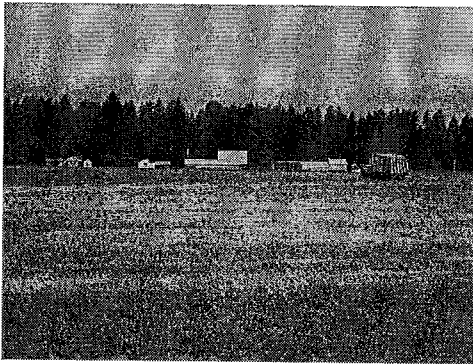
"Each time a proposed action may impact an element of the Growth Policy, the Growth Policy should be consulted. Relevant goals, policies, and recommendations should be identified. Specific findings should then be made as to the conformance of the issue with the identified goals, policies and recommendations. Where policies are not or cannot be met, a specific finding should be made distinguishing whether or not site conditions or other extenuating circumstances justify nonconformance with the Growth Policy." Growth Policy, page 3.

.....

The lack of respect for the character of the neighborhood is an atrocity. The neighborhood around this proposed development averages about .125 units per acre, a far cry from the 9.27 proposed. The density in the City of CF isn't even this high. The Flathead River to the west, the open fields and timber, and the wetlands all allow for animals to move freely through the neighborhood. Hunting is currently allowed on this land and in the Bad Rock Canyon Wildlife Management Area, which is less than a quarter mile away from the proposed development.

The Environmental Assessment included in the application has pages about endangered species, but not one mention that I can find about the deer, elk, bear, small mammals, and birds that frequent the property.

The neighborhood also includes agriculture, but on page 4 of the EA the applicant claims there are no adjacent agricultural uses. Here are two pictures I took on July 2 of this year as several tons of alfalfa/grass hay were being stacked in the field directly to the south and bordering the proposed development.



Approving this development would be total disregard for the agricultural heritage and the character of the neighborhood.

.....

"The Growth Policy Map is a visual policy statement.... 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.** Hence, to fully appreciate and interpret the Growth Policy Map, it must be viewed in light of the Goal and Policy Statements provided in the text of the Growth Policy." Growth Policy, Page 3.

.....

A creative developer and his engineering team should be able to come up with a plan that would allow for some transitions, not pushing three story townhouses right up to the edge of the development.

“3. **Urban Residential:** a. Urban residential areas should be encouraged to be developed where adequate service facilities are available, or extensions can be provided. b. Typical densities are two to eight dwellings per gross acre. **Single-family houses are the primary housing type.** Duplexes, guest houses, accessory apartments, and **small** dispersed areas of multifamily housing are also anticipated.” Growth Policy, page 26.

As I mentioned, the south boundary of the new Bad Rock Canyon Wildlife Management Area is less than one quarter mile away from the north boundary of the proposed development. The City of Columbia Falls seemed very supportive and happy about the creation of the BRCWMA. The name itself would indicate there is wildlife present, and this field is a major part of the wildlife movement to and from the WMA, as well as habitat for those animals. There was so much monetary and verbal support for the WMA, it seems as though we would be throwing all that support away with a high-density housing development in close proximity.

.....

“NATURAL RESOURCES

Issues:

- 1. The natural environment is an important part of what makes the area an appealing place to live and could be jeopardized if growth is not properly guided.
- 2. Various key sectors of the area’s economy depend upon and impact the natural environment.
- 3. Development of the farming, ranching and woodland areas reduce open space that functions in a practical and productive manner. Development of these areas can diminish the quality of the natural environment.
- 8. Wildlife and wildlife habitat is being displaced by residential development resulting in the loss of important habitat.

Goals:

- 1. Encourage development that is compatible with or enhances natural resource values including air, water, soil and vegetation.
- 4. Development should be compatible with important wildlife habitat and travel corridors.
- 5. Protect the health and integrity of the natural environment because of its importance in maintaining a competitive advantage with other regions and for the enjoyment and wellbeing of the people.

Policies:

- 11. Wildlife travel corridors should be conserved and maintained possibly through easements or other voluntary restrictions.” Growth Policy, Pages 16-18, not inclusive

.....

At full build out of 1200 residents the impact on the WMA, the Teakettle Fishing Access and on the Flathead River would be hard to imagine. As Glacier Park, Jewel Basin, MT State Parks and other recreation areas become more crowded it would seem those 1200 people would recreate closer to home, putting way too much pressure on the WMA and on the river.

Speaking of recreationists on the river, the last thing they should be seeing from the Teakettle Fishing Access is 50 acres filled with three story apartments and townhouses. And touting Columbia Falls as the “Gateway to Glacier?” Those

tourists driving by will have no idea they are anywhere close to Glacier when they see an out of place development such proportions.

.....

“3. Highway Corridor/Community Entrance:

b. Encourage the use of innovative land use regulations to achieve a pleasing community entrance.” Growth Policy, Page 31

.....

The summer tourist traffic is one thing, but what about the year around folks that drive River Road every day? A pleasure to most is when they exit Highway 2 and enjoy the drive, with the river on their right and the open field on their left. Instead, they will see nothing but apartment buildings and will face the 5 entrances onto River Road from the development, plus one from the “park” area.

Facing that development traffic when they head towards the highway will be a whole different story. Presently there can be a wait of up to five minutes to enter the highway. A traffic light is not a guarantee. Surely a light will not be warranted during the first phases of the development, but the traffic will increase.

If residents choose to avoid River Road, that will add to traffic on other arterials, including Rogers Road, Kelly Road, and Highway 206. Those statistics would never be included in a traffic study.

.....

“A signal warrant analysis is recommended for the intersection of US Highway 2 and River Road during buildout of River Highlands to **determine when traffic signalization is warranted** at this intersection.” Applicant’s Traffic Study, Page 25

.....

Drilling under the Flathead River is surely something quite feasible to accomplish, although I have found no evidence that has yet been done under the Flathead. The concern I have includes the fact the developer will turn those water and sewer lines over to the City of Columbia Falls. It would seem the City does not have a good track record at the present time with leaking pipes. So, the pipes will have to be monitored to detect leaks. Then how will the City’s public works know they are leaking? How will that leak be remedied? The City of Columbia Falls will be held liable for any environmental damage to the Flathead River and Flathead Lake caused by a leaking septic pipe. Is the City willing to take on that kind of responsibility?

At full buildout, according to my calculations, this proposed development could contain about one fifth of today’s City population. That is totally absurd to think the Planning Board would approve a high-density development that is denser than the city and could contain that percentage of the population on 50 acres. The perceived housing shortage is not a reason to decimate the environment. Columbia Falls does not need to provide housing for the whole Flathead Valley. If the economy slows down in the middle of build out, what are we left with? A ruined view with water, sewer and roads leading nowhere.

The cumulative effects of this development cannot be understated. This idea of city services across the river has been talked about for years. If those services are brought across, that will open the floodgates for more development on the north side of Highway 2. Is that what you want to see as an entrance to Columbia Falls?

You as a Planning Board have a great responsibility to all of us in the Flathead Valley, for this does not affect only the residents of Columbia Falls and the surrounding area, but the whole Valley. The building of this high-density development, as proposed, will be life changing for many of us. This development has garnered much attention, partly

because Whitefish rejected Mr. Barnett's development there. I sincerely hope you study all the aspects and take time making a decision.

Item No.3.

Thank you for your time.

Sincerely,
Luci Rogers Yeats

Brian Kennedy
4200 Columbia Falls Stage Road
Columbia Falls, Montana

July 7, 2022

To the Columbia Falls Planning Board and City Council members,

I have lived just south of Columbia Falls along the Flathead River for nearly 45 years. I recognize that growth of our community is inevitable, but we have a duty to ensure it is both sensible and responsible. River Highlands is neither. My major objections to this complex of apartment buildings, townhouses and acres of asphalt are these:

— Unacceptably high density that is entirely out of place in this rural area. The proposed density of 9.27 units per acre for River Highlands is far greater than anywhere in the current city limits. This development will have more two- and three-story apartment buildings and townhouses than are in Columbia Falls right now. That makes it out of character for anywhere in Columbia Falls much less the rural neighborhood where it's proposed.

— Increased traffic congestion on River Road and its intersection with Highway 2. Whether a traffic light is eventually installed there or not — no guarantee of that — all traffic from River Highlands will be funneled onto River Road. The developer's design shows no other exits. That means existing traffic from the neighborhood and areas farther south like Middle Road and Columbia Falls Stage (2,600 cars per day according to a 2020 Flathead County study of River Road) will be added to the estimated 4,500 car trips per day from River Highlands at full build out. This will be congestion beyond comprehension during busier times of the day.

— Drilling sewer and water lines under the Flathead River. This unreasonable extension of city sewer and water lines in a tunnel under the river would be a permanent mistake. And a potentially costly one. The city is risking a lawsuit if the Columbia Falls Planning Board and City Council carelessly push ahead with this development. Potential degradation of the river downstream and into Flathead Lake when those lines leak or break are a serious threat, as is the extensive drilling project required to dig those lines under the river bed initially. Long-lasting impacts to the pristine water quality and extensive fishery, including the bull trout which is a threatened species, are major concerns. Considering how much the Columbia Falls economy is dependent on outdoor recreation, we must be vigilant in protecting our resources. It makes no sense to have upper sections of the Flathead River designated as Wild and Scenic and then possibly fouling with pollution that same river a few miles downstream as it flows by Columbia Falls. City planners, engineers and leadership are supposed to prevent such problems and provide professional oversight because we know the developer's risk assessment of this issue will be inadequate and highly questionable.

— How will Columbia Falls city and business leaders still legitimately proclaim the town as the "Gateway to Glacier" with an unsightly cluster of 12 three-story apartment buildings on the east edge of town greeting Glacier Park visitors and buried pipes under the Flathead River carrying sewage and chlorinated water — all authorized and endorsed by the city of Columbia Falls?

Please do not approve this development.

Thank you for considering the opinions I have offered.

Brian Kennedy
 Rural Columbia Falls resident since 1978

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

Brian Kennedy

Barb Staaland

From: Ratzlaff Enterprise <janelratzlaff@gmail.com>
Sent: Thursday, July 7, 2022 11:27 AM
To: staalandb@cityofcolumbiafalls.com
Subject: New development

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Hi Planning Board Members

I recognize the tough job that you have before you. The growth is upon us and at such a rapid pace.

I reach out today to ask you to proceed with extreme caution on the Mountain Gateway proposal. The impacts of this project appear to out way the benefits. We certainly do not need another hit to our environment in that area, our water system not to mention the overall Infrastructure of traffic management, utilities etc. I respectfully ask that you decline this proposal as too large of an impact.

Thank you for the hard work and tough decisions.
Best always

Jane Ratzlaff

Fred and Lynne Vanhorn
151 River Butte Dr.
Columbia Falls, Montana 59912

July 6, 2022

Susan Nicosia
City Manager/Planning Director
City Hall
130 6th St. West
Columbia Falls, Montana 59912

Re: Regarding the proposed "River Highlands" development

Dear Ms. Nicosia and Members of the Columbia Falls City Planning Board,

We have lived in the River Butte subdivision across the Flathead River from Columbia Falls for 25 years. We chose this area because of its rural character, the 10 acre lot zoning, and proximity to Columbia Falls.

We are writing to protest the proposed high density development of the property east of the Flathead River and south of Highway 2.

This development would adversely affect all the current residents of the Columbia Falls Stage, Middle Road, Kokanee Bend, River Butte, Rogers Road, and River Road neighborhoods. It will change the character of the area from what it was when we all chose to live here.

The increased traffic on River Road, or a re-routed River Road, would create a great deal of traffic, and a hardship for people trying to get to work, school, shopping or any other activity in town.

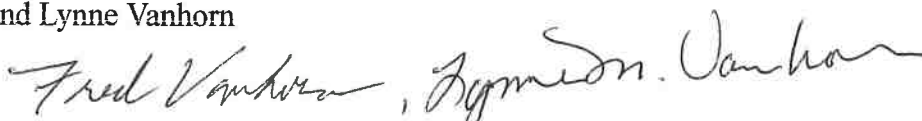
The high density of this development will negatively impact the wildlife that we enjoy, especially those that follow the river corridor.

The proposal to put a sewer line under the river is particularly disturbing because of the potential for leaks and damage to the lines due to high water or scouring of the riverbed. This hazard has been demonstrated by oil spills on the Yellowstone River.

Although the developer is planning to pay for installing the water and sewer lines to the development, it will fall to the city to maintain them. There will also be additional costs of all other city services and infrastructure. This will become the burden of the taxpayers. The developer and his money will be long gone.

Please consider these issues when voting whether to approve this development.

Fred and Lynne Vanhorn



From: Dayton Johnson <mizpagh@gmail.com>
Sent: Thursday, July 7, 2022 10:03 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed subdivision

I'm in favor of the subdivision. We need more housing and that's what it's about. Also included are low income housing which is also needed. I don't see rolling farmland and the only crop ever produced was grass hay. The Alaska pipeline goes over 34 major rivers and streams and has never caused a problem. It's not going to have a major impact on wildlife either (half in park and half in housing). Approve the subdivision.

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

From: Kate Sheridan <kate@flatheadlakers.org>
Sent: Thursday, July 7, 2022 10:47 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Flathead Lakers comments in response to River Highlands proposal

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Columbia Falls Planning Board,

I am writing on behalf of the Flathead Lakers, a 501c3 environmental advocacy nonprofit that serves as the watchdog for water quality issues in the Flathead Basin. We are severely concerned about the proposed River Highlands development and the potential impacts to water quality downstream and in Flathead Lake. Of particular concern are the city sewer and water lines underneath the Flathead River, which, if damaged, would create a serious impact to water quality downstream, including both ecosystem and public health threats.

We ask that the Columbia Falls Planning Commission votes no on this proposal.

Sincerely,

Kate Sheridan

Executive Director, Flathead Lakers

From: Mike Huffman <huffmanm5377@msn.com>
Sent: Thursday, July 7, 2022 10:47 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands comments

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

To the CFalls P&Z Commission -

We use River Road daily and had noted the perc wells going in last year. We were saddened yet hopeful that there might be a handful of houses on large lots in keeping with the overall rural character of the area. We're in utter disbelief over the scope of this proposal now that the details have emerged.

Bringing utilities under the Flathead sounds extremely careless and foolhardy. It will open a Pandora's Box of even more speculative development to the East.

That the City would even consider this, given that there's a major water leak in town to the tune of tens of millions of gallons per month, is also alarming.

Added traffic congestion, accidents, and crime will put more pressure on understaffed EMS/1st responder resources.

There will be more light and noise pollution.

Taxes will go up because growth does not pay for itself; developers always leave the rest of us holding the bag for problems they create.

Of 455 units, only 10 will be set aside for affordable housing?! How does this help the community?

This project is very likely being shopped around to investors who will buy up most of the units if/when the project were to move forward.

Will there be restrictions imposed on short term rentals and 2nd or 3rd homes? If not, that should be reason enough to reject this project, as that market is out of control and displacing many of our local working & middle class.

We already have the Ruis project downtown, along with a future subdivision of ~100 or more units coming. Then there is The Benches ~48 house subdivision just East and adjacent to this proposed development, and potentially 32 more apartments just West of the green box site in town. And, acreage being split up and subdivided everywhere else around the area.

Why not consider the CFAC site for this type of project? That site has been excavated, has utilities, and would be more turnkey. To tarnish a beautiful piece of land with this type of development is irresponsible and wrong on so many levels.

Demand is cooling, rates will continue going up, the stock market is wobbling, and inflation and supply chain issues will persist for months, maybe years, as the global economy slides into recession. Suddenly there are a lot of homes for sale around here that are sitting on the market. Prices must come down to accommodate rising interest rates, which may help local buyers who are currently priced out.

This project appears to be less driven by demand, and more by greed and speculation. The area does not have the economy to support this kind of growth, and it's clearly not geared toward helping those who have to live and work here.

Wrong location, wrong project, wrong time.

Item No.3.

Please do the right thing for the community and preserve its most beautiful and scenic places by rejecting this proposal.

Respectfully submitted,

Mike Huffman & Julie Barter
CFalls

From: Ashley Yeats <alaskamiranda1@gmail.com>
Sent: Thursday, July 7, 2022 11:19 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River highlands comments

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

July 6, 2022

Dear Planning Board,

Thank you in advance for taking a few moments to review this letter. I'm writing from Alaska expressing my concern regarding the possibility of a 455 unit high density housing project which is planned for River Road. My husband and his family have lived on land adjacent to River Road, and on Rogers Road for over 120 years. The actual land that is being proposed as the building site for this colossal project, used to be land in his family.

We have two young children, and we visit the Flathead Valley several times a year. I'll never forget the first time I visited Columbia Falls, and we turned onto River Road. My husband pointed out the old buildings, still standing on River Road where his Great Grandmother lived, and his Grandmother was born. These buildings and that land all hold a very precious place in our hearts.

The thought of this land being turned into housing for 455 units raises several concerns. My understanding is that this level of development is greater than anywhere else in the Columbia Falls area. This is no small endeavor, everything that is proposed is on a large scale. In a generation where more is better, I would politely disagree, that less is actually more. My son who is only 5 has already been on a few successful deer hunts, on the family farm. The wildlife, will be greatly impacted by this housing project. As you know, "The Benches" neighborhood has already caused severe damage to the land nearby, and the animals who call it home. The wildlife has already suffered, and if this plan passes, it's looking very gloom for the animals left.

I'm extremely concerned about an estimated 1,200 new residents in this small area. I wonder what precautions and planning is being made for the impact all of these residents will have on the community. Where will all of these children go to school? Where will the trash go from all of these homes? What impact will the vehicles and traffic have on the nearby highways and roads? Is anyone coming to give back, or are they only taking? There are many, many effects that will take place over years to come. Drilling under the Flathead River for sewer and water lines presents a variety of difficulties. Have experts in the area, and in this field been contacted to ask their opinion of such drastic means to supply needs for this many residents?

The proposed plan is irrevocable. I understand that development is inevitable. The Flathead Valley is a very attractive place for many people to move to. People of all ages appreciate the open space, the views, and the wildlife. There are other areas, there are other spaces that will not make quite the impact that this area of River Road would have if this is approved. This may seem like an appealing idea now, but what about in 5, 10, 15 years. What would happen if this same idea, happened on all open land? How was this one section, picked from the growth plan, for development?

I'm sincerely concerned, and deeply saddened that community leadership would consider treating the land and community this way. When I think of Montana, and when I speak to my children about this area, this is the last thing I would want them to think of as normal and strong leadership for a community. Strong leadership means talking to all stake holders, strong leadership means looking at all aspects, including the environmental impact that every choice would make. Lastly, I urge you to consider that sometimes less is more. More money, more development, more houses is not everything. What has happened to a more simple lifestyle, honoring the past, and carefully and respectfully moving into the future? Thank you for your time, and all of your efforts to lead this community.

Kindly,

Ashley Yeats

From: Brad Bulkley <bbulkley@bulkleycapital.com>
Sent: Thursday, July 7, 2022 11:26 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Object to River Road Development if You Care

RECEIVED
JUL 07 2022
COLUMBIA FALLS

Columbia Falls Planning Board:

Just after James Barnett and American Residential Investment Management (ARIM) gets turned down in Whitefish for their proposed grandiose development near Lake Shore and Big Mountain Road, he pops up again with an even more disproportionate build by River Road near Columbia Falls. The proposed project is completely out of character with the surrounding community and should be scaled back significantly. Zoning changes, annexation, running sewer and water lines under Flathead River at risk of great peril, and 455 units - really? Most of us support responsible development *and* increasing workforce housing, **but this isn't the way to do it** - by literally destroying the character of our beautiful communities. That is all of our responsibility – including yours.

It's this simple, until our city planners and council members in the Valley send a message to these developers that we value our pristine rivers and are interested in preserving our beautiful neighborhoods, these singularly focused out of state return-on-investment groups will keep coming back and proposing reckless projects. I urge you to object to the proposed and insist it be scaled back substantially as well as insist it have an affordable housing component that is *guaranteed*.

Thank you and for your service.

With best regards,

G. Bradford Bulkley

2124 Houston Drive

Whitefish, MT 59937

From: Ratzlaff Enterprise <janelratzlaff@gmail.com>
Sent: Thursday, July 7, 2022 11:27 AM
To: staalandb@cityofcolumbiafalls.com
Subject: New development

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Hi Planning Board Members

I recognize the tough job that you have before you. The growth is upon us and at such a rapid pace.

I reach out today to ask you to proceed with extreme caution on the Mountain Gateway proposal. The impacts of this project appear to out way the benefits. We certainly do not need another hit to our environment in that area, our water system not to mention the overall Infrastructure of traffic management, utilities etc. I respectfully ask that you decline this proposal as too large of an impact.

Thank you for the hard work and tough decisions.
Best always

Jane Ratzlaff

From: David Hadden <paddler4210@gmail.com>
Sent: Thursday, July 7, 2022 11:37 AM
To: staaladb@cityofcolumbiafalls.com
Subject: Comment: River Highlands Proposal

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board:

This letter represents my brief comments and deep concerns regarding the proposed River Highlands development on the east side of the Flathead River from Columbia Falls.

My primary concern is the proposed sewer line under the Flathead River. Sewer lines are not allowed under lakes in Montana. Lakes are static and without current. The reason for this rule is the potential for sewer line failure and subsequent pollution of lake water.

The proposed River Highlands sewer line runs a much higher risk of failure because of river scouring at high water and particularly when extreme flooding occurs.

Take a look at the flash flood that hit Canmore BC in 2013. (Link: <https://globalnews.ca/news/1338351/15-compelling-images-of-canmore-in-the-2013-flood/>).

This catastrophic event occurred because of a torrential rain-on-snow event. *Our area features similar topography and weather. And, It could very well happen here.*

The Flathead Valley is experiencing tremendous growth pressure. If we are to conserve what we value most (and most residents HIGHLY value our spectacular clean water) we need to think long-term about the impacts of proposed developments.

The River Highlands development does not pass the "sniff test" let alone deep scrutiny when it comes to ensuring that the Flathead River (and Flathead Lake) remain clean and healthy for Montana citizens and fish and wildlife. This proposal is of concern to folks all across the Valley who treasure our clean water.

Please deny the required permits for the River Highlands development, and any future proposals that would propose to run sewer lines under the Flathead River.

Thanks you for considering my concerns.

Sincerely, Dave Hadden
545 Holt Drive
Bigfork, MT 59911
406-270-3184

--

Dave Hadden
406-270-3184

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Thursday, July 7, 2022 11:40 AM
To: 'Barb Staaland'
Subject: Call on River Highlands

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Barbara Cole called my office to voice her objection to River Highlands. She objects to the density, traffic, and the City annexing the property. She is concerned with wildlife, sewer mains crossing the river, and the quality of life.

Eric H. Mulcahy, AICP
Sands Surveying, Inc
(406) 755-6481
eric@sandssurveying.com

2 Village Loop
Kalispell, MT 59901

From: Bob Jordan <ryj59937@yahoo.com>
Sent: Thursday, July 7, 2022 1:33 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose River Highland Development

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

I would like to go on record as opposing the the proposed River Highland development. I am very concerned about doing horizontal directional drilling under the Flathead River to accommodate the sewer main. As a longtime river outfitter and conservationist, I am appalled that this proposal has even been brought before city council .

Thank you for your consideration of my comments.

Bob Jordan
Montana Outfitter # 36

From: Jami Belt <octopujami@yahoo.com>
Sent: Thursday, July 7, 2022 1:30 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Comments regarding the proposed River Highlands PUD development

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Good day Barb

I would like to express my opposition to the proposed River Highlands PUD development.

This subdivision brings high density development into a rural area that is vital wildlife habitat rather than concentrating growth into the part of Columbia Falls that already has city services and infrastructure. It place development along the river corridor, inevitably diminishing the world class water quality that our community has worked so hard to maintain. This will reduce the quality of life opportunities, including fishing, boating and scenery that are responsible for drawing people into our growing valley and will ultimately lead to the slowing down of our growth economy. Development should be focused in areas with existing infrastructure rather than expanding the area serviced the already overtaxed Columbia Fall water and sewer systems. The nature of this development as a large density rental areas means that the tax revenue brought in will not compensate the city for the extra expenses on ongoing maintenance and upgrades need to service this new small city (with up to 1500 or more residents). The city will most likely be required to also maintain and monitoring the new water and sewer lines under the river, leading to costly repairs and high potential for permanent degradation of the river that makes our city so vibrant and unique.

If this division is permitted, what mitigations will the city propose to accommodate the sudden huge growth in residents and its accompanying traffic volume, school system registrations, fire and police department demands? At the minimum, a bike path along river road and highway 2 (for the lower income residents that will inhabit the apartments), a traffic light on highway 2, contributions to the school system and a river monitoring plan are absolutely necessary. Additionally, planning of undeveloped land corridors on this plat are critical to allow for continued use of the land for elk wintering range. This will ensure that the block management hunt on the new Wildlife Management area on the north side of River Road that the community treasures can continue.

If we cannot take measures like this to guide development proposals like this in a way that protects our shared wildlife heritage, water quality and scenery, what stand ours city out from the hundreds of cities across the west like those in California that are characterized by sprawl?

Thanks for the ability to provide comments. I look forward to attending the public hearing on July 12.

Thanks

Jami Belt

From: Terri Smiley <talfterri09@yahoo.com>
Sent: Thursday, July 7, 2022 1:16 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands proposed subdivision - comments for Planning & Zoning Board consideration

JUL 07 2022

CITY OF COLUMBIA FALLS

Columbia Falls Planning and Zoning Board,

We urge you to REJECT the proposal for the River Highlands subdivision in it's current form.

We have lived on Columbia Falls Stage Rd since the 1970's. Our major concerns are:

1. Traffic increases -

a. C Falls Stage Rd is NOT sufficient to accommodate the increase in vehicle traffic that the subdivision will generate. Most people work in Kalispell and the best way to get there is via this road.

b. Turning left from River Rd onto Hwy 2 is already is safety challenge. The proposal does not assure that a traffic signal will be installed.

2. Drilling sewer and water lines under the Flathead River - too many environmental issues associated with this plan.

3. Wildlife corridor: The density of buildings and people will obstruct wildlife from accessing the river.

4. Character of the neighborhood: High density apartment buildings are NOT in character with this rural neighborhood, and do not fit well with our community's "Gateway to Glacier" vision. The appearance of the proposed buildings look like "Anytown, USA", i.e. bland and utilitarian, with huge asphalt parking lots.

Thank you for the opportunity to weigh in on this major proposal.

Paul (Doc) and Terri Smiley
3020 Columbia Falls Stage
Columbia Falls MT 59912
406-250-1741

Barb Staaland

From: Edith and Brad Hermann <ehermann@centurytel.net>
Sent: Thursday, July 7, 2022 10:43 AM
To: staalandb@cityofcolumbiafalls.com
Cc: shirfolk48@gmail.com
Subject: proposed new subdivision along River Road

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board,

My name is Brad Hermann. I have lived on Middle Road, about 4 miles south of this proposed development, for 23 years with my wife Edith. I feel this is an entirely inappropriate use of this property. I do not deny a developer's right to develop a property and building homes here would be fine, but not at the proposed density. A development of this size would need a septic treatment plant update which should be paid for by the developer. There seems to be many other areas of Columbia Falls where a high density development would be entirely more appropriate.

Sincerely, Brad Hermann



Virus-free. www.avast.com

July 5, 2022

Columbia Falls City-County Planning Board
Columbia Falls, Montana

Re: Proposed Development of Loffler subdivision

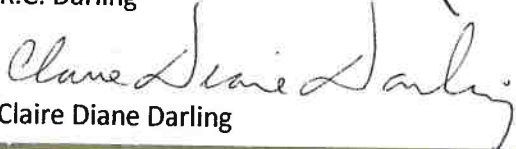
Dear Board Members.

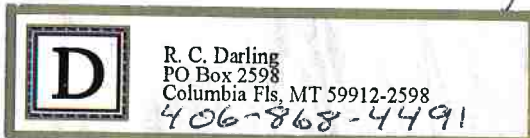
My wife and I are deeply concerned about the proposed development of the Loffler subdivision just east of the city and adjacent to the Flathead River, especially the proposal to run the sewage line for this development under the Flathead River or across the river suspended on the highway bridge. We are vehemently against this proposal. The Flathead River is one of the most pristine flowing waterways in the United States. To have a developer even hint at such an endeavor is beyond comprehension. In fact it borders on lunacy. We don't care if the developer employs the finest engineering firm in the country with the brightest minds in the industry to design, and then try to assure this community against any failures of the sewage system. At some point a disaster will occur, whether it be man-made or a natural occurrence. This proposed sewage system will fail and there will be raw sewage spewing into the Flathead River.

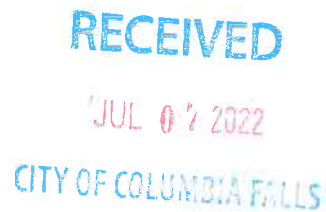
My wife and I are not alarmists. We are common sense individuals that care about our city and the environment around us. Development in the valley is rampant and almost uncontrolled. There are good and bad sides to the development in the valley and the consequences that come with it.

Flathead Mountain River LLC is completely out of line with their proposal for this major development. It is too large and completely unsustainable by the city of Columbia Falls. Community growth is inevitable. Community growth without reasonable and long range planning is insane. A sewage line under or over the Flathead River should not and must not even be considered a viable option for the sake of development.


R.C. Darling


Claire Diane Darling





July 7, 2022

Flathead County Planning Board

I am writing as a concerned Flathead County resident regarding the high density River Highlands subdivision on River Road in Columbia Falls.

I am in opposition to this project for a number of reasons. I use River Road as a daily commute all year. This development will not only greatly change the character of this area but create traffic nightmares. With no guarantee of a traffic light and installing one close to the bridge does not seem the best scenario.

The zoning changes do not fit the area and should not be changed. As a county resident I would like to remain a county resident. I would prefer the city to not expand their boundaries closer to my residence. It could set a precedence for future developments in our area. A development of this density should remain in current city limits. Kalispell is considering water restrictions due to overgrowth on their systems and Columbia Falls could find themselves in the same situation. Extending city services to this large of a development will have impacts on the current system and the risk to our river could be great.

Growth is expected and will happen. Let's make sure we are not allowing the wrong growth in the wrong areas to please out of state developers and frustrate year round residents.

Sincerely yours,

Sam Ashe

A handwritten signature in blue ink, appearing to be "Sam Ashe", written over a horizontal line.

21 Blue Jay Way Columbia Falls

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Jennifer Ashe
21 Blue Jay Way
Columbia Falls, MT 59912

July 6, 2022

Flathead County Planning Board,

I am writing in opposition of the "River Highlands Planned Unit Development." I use River Road as my daily commute and have for the last 20 plus years. I believe this area should remain outside of the city limits. The zoning request changes and development design are out of character for the area. Please honor the the local residents who don't want to see this area annexed into the city and completely change the character of the area.

A few areas of concern:

- Annexing the area into the city
- changing the current zoning
- River Road traffic. No guarantee of stop light and stop light so close to bridge.
- Extending city services under the river.
- Disturbed wildlife population in such a dense project
- Units are rentals only and not the possibility for more home ownership.

Most of us understand that we need more housing, but let's keep the high density housing in the current city limits and not change our rural zoning to line the pockets of an out of state developer.

Thank you for your time,

Jennifer Ashe



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JUL 07 2022
CITY OF COLUMBIA FALLS

July 7, 2022

Columbia Falls City Council
130 – 6th Street West
Columbia Falls, MT 59912

Dear Council:

This letter is in very strong opposition to the proposed River Road development for the following reasons:

- This is wholly inappropriate and out of character for the area.
- We do not want this type of development in Columbia Falls.
- Traffic congestion.
- Sewers too close to the river.
- Impact on wildlife.

We are losing our community to unwanted development. The people I have talked to are already very unhappy with what is going on in Columbia Falls, even to the effect of comments such as "We want Columbia Falls back." This is wrong! Please do not allow this to go through.

Sincerely,



Debora K. Hall
180 Burke Lane
PO Box 2707
Columbia Falls, MT

July 5, 2022

To: Columbia Falls City-County Planning Board members
Subject: Proposed River Highlands PUD on the Loffler subdivision

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Dear Members:

I live just off River Road about a half mile south of Highway 2, on Anglers Way. I have lived here for 29 years. I was a member of a group of local folks that convened about 15 years ago to create a River Road Neighborhood Plan. This was being done under the guidance of the late Bill Shaw (former Columbia Falls city manager). That plan was never finalized because the proposed development was withdrawn, primarily due to the housing market crash in 2009. That was the same land that Mr. Barnett (developer) is now proposing to develop. From what I understand, the proposed development would have a much higher density than what was being proposed in the late 2000's. Both proposals want the moving of River Road, presumably to create more river frontage.

There are serious concerns/issues, social and ecological, that need to be considered for this development:

Zoning

The existing setting is obviously rural (see attached image). There is not a compelling need to change the zoning from CR-3 to CR-4 as is being requested by the developer. One Family Residential is a better fit for the area. The Hungry Horse News stated that the developer indicated that all the proposed units would be rentals. Is this what this rural area needs? As you probably know, the developer proposing this project was denied a similar high density development project at the base of the Big Mountain Road in Whitefish because it wasn't a good fit for the area. The same is true here.

The developer is requesting a couple of variances. One is to reduce parking from 2 to 1.5 spaces per apartment. What is the rationale for this? Is this better for occupiers of the units or better for the developer? The other is increasing building height from 35 to 45 feet. Why? Supposedly to allow for "architectural creativity". The regulations are in place for good reasons. An

Overall

Columbia Falls is becoming a thriving community and has many great assets such as Rivers Edge Park, Maranette Park, Meadow Lake Golf course, the Flathead River, and many commercial entities. Entering and exiting Columbia Falls from the east is currently an aesthetically pleasing experience. I believe that the proposed River Highlands PUD will take our community in the wrong direction. Columbia Falls is benefitting by its small town charm with enough amenities to satisfy tourists. Our small town charm is enhanced by the rural transition that currently exists from Columbia Falls for all that live or visit the Flathead and travel eastward toward the Park and other destinations.

I recommend you deny the River Highlands PUD, as currently proposed. The density of units need to be drastically reduced. Single family homes would be a better fit our rural neighborhood. Do not allow the moving of River Road. Thank you for hearing me out.

Sincerely,

Henry Rivera

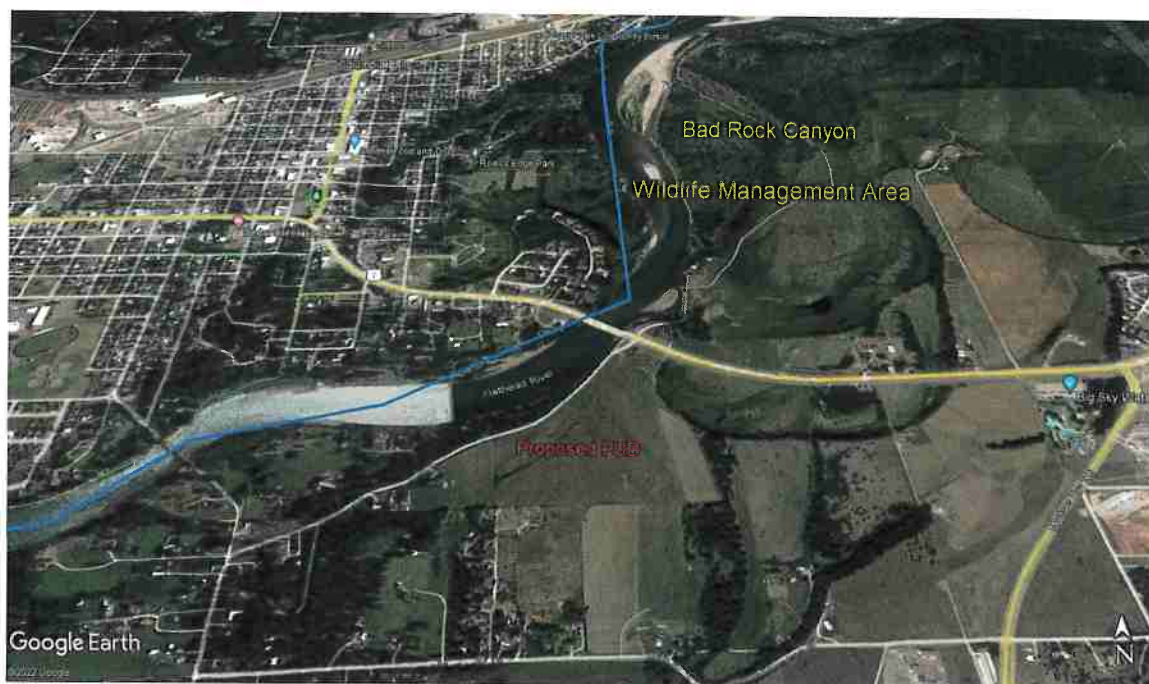


79 Anglers Way, Columbia Falls

Mailing Address:

PO Box 1883

Whitefish, MT 59937



Barb Staaland

From: Jamie Burkholder <jamieburkholder@yahoo.com>
Sent: Thursday, July 7, 2022 8:59 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River road development

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Good morning,

As a resident of Columbia Falls I am very much opposed to the proposed development on River road. I dont believe we should run utilities across the river nor should we change the zoning.

Thank you,

Jamie Burkholder

494 kokanee bend dr

Sent from Yahoo Mail on Android

Monday, July 4, 2022 12:26 PM

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

To: Columbia Falls Planning Board
City of Columbia Falls, Montana

From: Larry and Dawn Fisher
112 Allen Drive
Columbia Falls, Montana

We oppose the proposed development of the 49 acres at River Road and Highway 2. Our concerns are many. As residents of Columbia Falls, we do not want urban sprawl destroying the peace and beauty of the Glacier Park Gateway. It is the wrong place to build any city type dwellings.

Development of this area on the east side of the Flathead River would be detrimental to the environment and wildlife we are all granted the privilege to protect. Increased traffic issues is another concern. Overflow to neighborhood roads would no longer be healthy or safe to run, walk, or bike. Additionally, pollution would result from the number of people living in the 49 acres. It would make more sense to locate such a development closer to a city hub with already existing systems for sewer, water, and traffic control. Crime will no doubt multiply exponentially.

This proposed development would permanently extinguish the positive mental and physical qualities of our community. It would only benefit the developer, not by any means be beneficial for Columbia Falls residents or even the tourists who escape from these kinds of developments who visit and enjoy our gateway.

Sincerely,

The Fishers

Barb Staaland

From: Jules Woodward <juleswoodward@gmail.com>
Sent: Thursday, July 7, 2022 6:55 AM
To: staaladb@cityofcolumbiafalls.com
Subject: NO to subdivision proposal

RECEIVED
JUL 07 2022
CITY OF COLUMBIA FALLS

Hello,

I am a resident of Columbia Falls and writing in to tell you I do not approve this new proposed subdivision east of Flathead river. NO NO NO NO. This is not good for our community, this is not good for our rivers, this is only just going to add to overpriced housing. Let's keep our beautiful town free of big huge subdivisions by out of state developers.

Thank you for hearing my thoughts.
-Julia Woodward

July 5, 2022

To the Columbia Falls Leaders, Planning Board and City Council,

I am writing this letter to convey my feelings towards the proposed development on the east side of the Flathead River along River Road. I am adamantly against rerouting River Road. I do not support rezoning of this area to allow multiple housing buildings resulting in a high density development. For environmental reasons, I am strongly opposed to routing sewer lines under, beside or over the Flathead River.

Rerouting River Road would limit the beauty of the River to a select few. For years all the people of Columbia Falls, the Flathead Valley and visitors have had the pleasure of being able to take a drive and enjoy looking at the River. I have very fond memories of taking drives specifically to peek at the River, adding to those memories when my wife and I took our children on the same drive and now my adult children take my grandchildren on this road. It seems very selfish to move this road so only a very small handful of people have access to this incredible scenery.

I understand that growth is necessary but also planning where growth occurs is essential. The River is the gem of Columbia Falls and preserving the scenic corridor of the River draws recreation enthusiasts from all over. In my opinion, we have a responsibility to protect our River for our town and our future generations. Routing sewer/waste lines across or under the river would create the possibility of future catastrophic detriment to our clean waters and should not be a consideration. If a sewage contamination disaster did occur, would the City be legally at fault? We need to take pride in our River which includes a responsibility to take every precaution to safeguard the natural look and purity of our habitat. The image of sewer pipes and tall buildings looming over the immaculate water brings a picture of big cosmopolitan cities, not an image of the "Gateway to Glacier".

The many individuals that raft, boat, kayak, etc on our river will have much better adventures if the banks of the river have limited development. The land where the units are proposed should not be rezoned to allow apartments, town houses or taller buildings and the height restrictions should remain. Not only would the tall buildings be an eyesore for the people enjoying river sport, but it would also restrict the view of Columbia Mountain. There are areas in Columbia Falls that do not require running sewer lines across our pristine river where high density developments can be built that will not ruin the charm of the River, which is an integral part of Columbia Falls. This proposed development would irrevocably ruin the essence of Columbia Falls.

If this development was approved, it would benefit a select few wealthy individuals who would not fully appreciate the rich history and splendor of Columbia Falls; further restrict the general public from enjoyment of our magnificent river which defines our town. The land where the units are proposed should remain zoned for single home residents and specifically restrict high density housing along the river corridor. The height restrictions should remain and River Road should not be altered from the current path.

I ask you, what does the Gateway of Glacier look like?

Sincerely,
Mark Gilley
a long time resident who loves our town

RECEIVED

Item No.3.

JUL 07 2022

CITY OF COLUMBIA FALLS

Barb Staaland

From: Brian Fitzpatrick <able20027@aol.com>
Sent: Wednesday, July 6, 2022 8:22 PM
To: staalandb@cityofcolumbiafalls.com
Cc: Brian Fitzpatrick
Subject: River Highlands Development-Columbia Falls-Letter

Att: City of Columbia Falls,

We are writing to express our concern regarding the proposed development River Highlands. Our property is right next to this development and one of our main concerns with the proposed amount of units is that this will create a problem with trespassing, people meandering onto our property, loss of privacy, noise and disturbances. How will River Highlands rectify this problem? Would they be required to put up signs and fencing etc...? We are also very concerned about our property taxes and how this will affect land values in the neighborhood. Would this development cause our property taxes to go up? Another issue is that River Road is very busy and at times gets very congested. We feel this new development will compound this problem. How will River Highlands development mitigate this with all the new people they would potentially bring in.

We feel this development does not fit with our neighborhoods character and would prefer not to see this happen here.

Regards,

Brian and Lisa Fitzpatrick
202 River Road
Columbia Falls, MT 59912

PH: 406-892-9003
Email: able20027@aol.com

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

July 5, 2022

To the Columbia Falls Leaders, Planning Board and City Council,

I am writing this letter to convey my feelings towards the proposed development on the east side of the Flathead River along River Road. I am adamantly against rerouting River Road. I do not support rezoning of this area to allow multiple housing buildings resulting in a high density development. For environmental reasons, I am strongly opposed to routing sewer lines under, beside or over the Flathead River.

Rerouting River Road would limit the beauty of the River to a select few. For years all the people of Columbia Falls, the Flathead Valley and visitors have had the pleasure of being able to take a drive and enjoy looking at the River. I have very fond memories from when I was a kid taking Sunday afternoon drives specifically to peek at the River and adding to those memories now when my wife and I take our children on the same drive. It seems very selfish to move this road so only a very small handful of people have access to this incredible scenery.

I understand that growth is necessary but also planning where growth occurs is essential. The River is the gem of Columbia Falls and preserving the scenic corridor of the River draws recreation enthusiasts from all over. In my opinion, we have a responsibility to protect our River for our town and our future generations. Routing sewer/waste lines across or under the river would create the possibility of future catastrophic detriment to our clean waters and should not be a consideration. If a sewage contamination disaster did occur, would the City be legally at fault? We need to take pride in our River which includes a responsibility to take every precaution to safeguard the natural look and purity of our habitat. The image of sewer pipes and tall buildings looming over the immaculate water brings a picture of big cosmopolitan cities, not an image of the "Gateway to Glacier".

The many individuals that raft, boat, kayak, etc on our River will have much better adventures if the banks of the river have limited development. The land where the units are proposed should not be rezoned to allow apartments, town houses or taller buildings and the height restrictions should remain. Not only would the tall buildings be an eyesore for the people enjoying river sport, but it would also restrict the view of Columbia Mountain. There are areas in Columbia Falls that do not require running sewer lines across our pristine river where high density development s can be built that will not ruin the charm of the River ,which is an integral part of Columbia Falls. This proposed development would irrevocably ruin the essence of Columbia Falls.

If this development was approved, it would benefit a select few wealthy individuals who would not fully appreciate the rich history and splendor; further restrict the general public from enjoyment of our magnificent river. The land where the units are proposed should remain zoned for single home residents and should be restricted to not allow high density housing. The height restrictions should remain and River Road should not be altered from the current path.

I ask you, what do you think the Gateway of Glacier looks like?

Sincerely,

Tanner Perry
a 31 year resident who loves our town

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

July 5, 2022

To the Columbia Falls Leaders, Planning Board and City Council,

I am writing this letter to convey my feelings towards the proposed development on the east side of the Flathead River along River Road. I am adamantly against rerouting River Road. I do not support rezoning of this area to allow multiple housing buildings resulting in a high density development. For environmental reasons, I am strongly opposed to routing sewer lines under, beside or over the Flathead River.

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I ask you, what do you think the Gateway of Glacier looks like?

Sincerely,

Danielle Perry
a 29 year resident who loves our town

RECEIVED

JUL 07 2022

CITY OF COLUMBIA FALLS

July 5, 2022

To the Columbia Falls Leaders, Planning Board and City Council,

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I understand that growth is necessary but also planning where growth occurs is essential. The River is the gem of Columbia Falls and preserving the scenic corridor of the River draws recreation enthusiasts from all over. In my opinion, we have a responsibility to protect our River for our town and our future generations. Routing sewer/waste lines across or under the river would create the possibility of future catastrophic detriment to our clean waters and should not be a consideration. If a sewage contamination disaster did occur, would the City be legally at fault? We need to take pride in our River which includes a responsibility to take every precaution to safeguard the natural look and purity of our habitat. The image of sewer pipes and tall buildings looming over the immaculate water brings a picture of big cosmopolitan cities, not an image of the "Gateway to Glacier".

The many individuals that raft, boat, kayak, etc on our river will have much better adventures if the banks of the river have limited development. The land where the units are proposed should not be rezoned to allow apartments, town houses or taller buildings and the height restrictions should remain. Not only would the tall buildings be an eyesore for the people enjoying river sport, but it would also restrict the view of Columbia Mountain. There are areas in Columbia Falls that do not require running sewer lines across our pristine river where high density development s can be built that will not ruin the charm of the River ,which is an integral part of Columbia Falls. This proposed development would irrevocably ruin the essence of Columbia Falls.

If this development was approved, it would benefit a select few wealthy individuals who would not fully appreciate the rich history and splendor of Columbia Falls; further restrict the general public from enjoyment of our magnificent river which defines our town. The land where the units are proposed should remain zoned for single home residents and specifically restrict high density housing along the river corridor. The height restrictions should remain and River Road should not be altered from the current path.

I ask you, what does the Gateway of Glacier look like?

Sincerely,
Laurie Gilley
a 52 year resident who loves our town

Barb Staalnd

From: Marilyn Sullivan <skyfireyes@yahoo.com>
Sent: Wednesday, July 6, 2022 5:13 PM
To: staalandb@cityofcolumbiafalls.com
Subject: URGENT TOPIC: Request for Consideration of NOT APPROVING - a Planned Unit Development(455 Unit Housing) in the Columbia Falls Zoning Jurisdiction on next week's Agenda

My husband and I are residents of Columbia Falls near the area of River Road, and are greatly opposed to this 455 Unit Housing being requested East of Columbia Falls. This would completely destroy the tranquility of our small town, along with negatively impacting our wildlife area, overloading our roadway and infrastructure, and causing our taxes to increase based on the influx of people flooding into those housing units. We moved here from Kalispell, years ago, to have an improved quality of life. Our roads are already taxed with high traffic due to being the corridor to Glacier National Park. If your Board approves this it will get much worse, along with a higher crime rate, increased motor vehicle accidents, and all impacts negative will flood into our community. We are already facing outrageous housing costs, higher taxes, and congested roads due to the influx of Newcomers/Corporations buying up property in surrounding towns. **Please do not further erode our way of life in Columbia Falls. Montana is the "Last Best Place to Live" Please help us keep Columbia Falls a representation of that statement.**

Please vote NO on approving this project from James Barnett that consists of 65 attached single family row houses, 390 apartment units and 10 row house units dedicated to the Northwest Montana Community Land Trust. The total unit count is 455 units on 49.1 acres gross for a density of 9.2 units per acre.

Sincerely,
Marilyn Paulson
139 River Butte Drive
Columbia Falls, MT

JUL 06 2022

To the City CITY OF COLUMBIA FALLS

The opinions of the citizens seems to have little influence in the decisions of our town, but I am giving it anyway!

NO, NO, NO to this newest plan for along River Road! Gary Hall's letter says it all! He has the insight to the problems that everyone else seems to ignore! ~~Talk about~~ What are we doing to our Columbia Falls? Its hard to recognise our home town. Seems we have no VISION as to what Columbia Falls should be. - just build!

How about Water supply
We all know what can
happen if we have a
few dry years. Why
should the present
citizens have to
possibly conserve because
of more & more housing
developments. Do we
really want our little
town to grow that much?
Why??

Small is friendly and
enough!

Stop all the madness

Shirley Reynolds

Barb Staaland

From: Bob Ratliff <ratliff1@gmail.com>
Sent: Wednesday, July 6, 2022 2:03 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed Loffler/River Highlands subdivision comments

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JUL 06 2022
CITY OF COLUMBIA FALLS

Dear City Council,

I have read that the city of Columbia Falls is going to have a hearing on a proposed 455 unit subdivision in Columbia Falls, that I believe will be called River Highlands. I am **strongly opposed** to this subdivision, everything I have read about it is ludicrous, and I am honestly surprised that the city council is even considering the proposal. There are so many issues with this subdivision, but I will comment on my main concerns. First off, we already have 2 subdivisions being built in Columbia Falls, and I do not see the need for a third one, especially one of this magnitude. Columbia Falls, is a small spread out area, and to have this monstrosity of a development being built will forever change the area in a negative way. Secondly, the fact that they are asking for zoning changes and wanting to change the height restrictions for the buildings is a problem. Why even have zoning restrictions, if the city is just going to change them for some developers who do not care about the community and only want to make money. I'm sure every single person in city council that owns a home would not want the zoning changed where they lived. Third, I am all for helping out locals with housing, however, I have yet to see any of the housing developments in Flathead county help locals. The reason I say this, is because these developments are not offered first to local residents, and instead people with more money and from out of state are buying them, which is only making the housing problems worse. The combination of the out of state money and work from home allows non-locals to be able to buy these units and contribute nothing to the community. Furthermore, I can guarantee the vast majority of locals would not be able to afford a home in one of these developments. Fourth, tying to extend water and sewage through the river for this site is such an environmental disaster waiting to happen that I again question why the city is even hearing this farce. If a sewage pipe under the river ever leaked, one of the most pristine and amazing rivers in the world is permanently ruined. Lastly, the amount of traffic this proposed development will cause is something that will be problematic for everyone, especially with them wanting to put a traffic light on the highway. I do not want to hear about how this development will help the community because the only people that benefit from this subdivision are the developers who could care less about the community, the only thing the developers care about is the money. Otherwise, why did they try to get the development built in Whitefish before trying for Columbia Falls? Anyways, to conclude, I strongly oppose this proposed 455 super high density development that would be an eye sore in Flathead county, change the character of the community, and be of no benefit to the locals of Columbia Falls. I ask the the city council of Columbia Falls vote against this absurd proposed development being built.

Thank you,

Bob Ratliff

City of Columbia Falls Planning Board**July 6, 2022**

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I am writing in regards to the Request for a Zoning Amendment by Mick Ruis at 230 Highway 2 East, Columbia Falls. Mick Ruis want to change the Zone from CB-1 (Neighborhood Business) to CB-2 (General Business).

This is a very nice neighborhood with Neighborhood Businesses. (CB-1)

I OPPOSE amending this Zone to a CB-2. (General Business).

Our town square is a travesty and we sure don't need more that kind of thinking along our highway – supposedly Gateway to Glacier.

Creations of Mick Ruis have definitely not fit growth in Columbia Falls with a hometown atmosphere. This is NOT California!!

Plus Mick Ruis is good at promises and short on following thru – such as: Steakhouse, Health Club. He seems to always need a variance after the original plan has been approved – and he gets it. Why?

We need to preserve our Scenic Corridor – please do not let this Zone change occur.

Thank you for your time,

Kathie Arvidson
7123 Highway 2 East
Columbia Falls, MT

JUL 06 2022

CITY OF COLUMBIA FALLS

City of Columbia Falls Planning Department

July 6, 2022

In regard to PUD Request by James Barnett called River Highland Apartments:

As you drive East out of Columbia Falls and cross the Flathead River Bridge – off to your right are 455 apartments on 49 acres. Is this really what we want to see in our Scenic Corridor ride? This land is prime farmland with wildlife and public access to the river. Isn't there a less dramatic way for our town to grow?? Something on a smaller scale??

Then there's annexation to the City. Lookout Columbia Falls taxpayers – I think your Taxes may go up! How long will the existing Sewer Treatment Plant and City Wells be able to keep up with this growth before we need more??

And how about Sewer and Water under the Flathead River?? Who is responsible if they fail – the Contractor – or may the City?? Especially if the City decides to put in a larger line and pays for part of this construction.

The Scouring Effect is of concern as well – with high water, the river bed changes. How long will it be before the pipe is exposed? And the Salish and Kootenai own the Water Rights to the Middle Fork of the Flathead River – Are they OK with this??

The PUD application states: Documented permission has not yet been obtained aside from emails with the public works director. *Hopefully by now, they have gotten written permission.*

Traffic is definitely a huge concern. River Highlands Traffic Study in their application packet states: Highway Capacity Manual based analysis shows that this traffic can be accommodated at most of the study intersections without the need for improvement to mitigate the site-generated trips. A signal warrant analysis is recommended for the intersection of US Highway 2 and River Road during build out of River Highlands to determine when traffic signalization is warranted at this intersection. IN BRIEF: The analysis conducted for this report leads to the conclusion that the subject development will not negatively impact traffic operations. (end quote).

The highway this summer is super busy – with the building of 48 houses in Benches and 450 apartments, I cannot believe how unworried this developer is about congestion.

This project is an enormous step for Columbia Falls – it sets the precedent for most future building to the East. Please look at the Application submitted – it is very vague. At this time I would hope there is a COMPLETE Project Plan. I don't think the Public has had fair access to a total plan. There are just too many unanswered questions!!

Please reject this Plan and opt for something a little more friendly to our Community!!

Thank you,
Kathie Arvidson
7123 Highway 2 East
Columbia Falls, MT

City of Columbia Falls Planning Board

July 6, 2022

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CITY OF COLUMBIA FALLS

Regarding: Request for a Zoning Amendment by James Barnett on property located at 264, 316, 378, 494 River Road in Columbia Falls. The property is currently Zoned CR-3 (One Family Residential) and the applicant is proposing CR-4 (Urban Residential).

CR-3 and CR-4 are basically the same in Permitted Uses and Conditional Uses (except CR-4 adds Bed & Breakfasts).

The difference is in Dimension Requirements – smaller lot area (front yard 25' as opposed to 20') and lot coverage (30% for CR-3 and 35% for CR-4)

I am OPPOSED to this Zone Change. It will create undue concentration. This will be a negative look to our Scenic Corridor. Basically open farmland would become a very dense area.

I believe CR-3 is a wise use of this area and a CR-4 Zone Change would be a giant step. I know that growth is happening but we need to be thoughtful of our land and natural resources as we make choices that will reflect on all of our futures.

Please do not enable this major request!

Thank you,
Kathie Arvidson
7123 Highway 2 East
Columbia Falls, MT

Barb Staaland

From: Edith and Brad Hermann <ehermann@centurytel.net>
Sent: Wednesday, July 6, 2022 1:30 PM
To: staalandb@cityofcolumbiafalls.com
Cc: shirfolk48@gmail.com
Subject: proposed development along River Road

RECEIVED
 JUL 06 2022
 CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board, and Columbia Falls City Council,

I am a long time resident of Columbia Falls (40+ years) and have always lived along Middle Road south of town. I travel River Road all the time to reach town for shopping, work, and anything else one might do in town. On numerous occasions I have seen elk feeding in the fields along River Road, and bald eagles soaring around the river and fields. Deer are always there too. Although the deer are already taking the brunt of current traffic in this area, I've seen many dead deer along this stretch of road. If the vehicle traffic on River Road is potentially increased by another 4500 vehicle trips per day (according to a Flathead County traffic study and City of Columbia Falls trip estimation used for the Benches subdivision), it would be catastrophic for deer! All this prime animal habitat would be lost with this proposed development and it's negative impacts such as increased garbage, traffic, human activity. And the risks for people trying to get out onto Highway 2 would be immense! With only one access to the Highway, the congestion would be very dangerous. River Road can get extremely icy in the winter along the river, and with 4500 extra vehicle trips and irritated drivers due to so much traffic congestion, this is catastrophe waiting to happen. Even if there is a traffic light on the highway, the traffic coming out of the development all goes on River Road first. Who would pay for a traffic light on the highway? It should be the developer, not the city residents. Who would pay for maintenance of the roads in the subdivision and on River Road? I don't think city residents should have to pay. As far as the water for this subdivision, one only has to look back a few weeks at the Daily InterLake to see headlines stating concern about enough water for all the new residents moving to this area. Why would the Planning Board put EVERYONE at risk of having a water shortage just to add a new subdivision? The city of Columbia Falls does not have enough water right now, it's already talking about needing to drill new wells. It's widely known that it is difficult to dispose of sewer waste in the Valley; how is this subdivision going to negatively affect this? As for the proposed sewer and water lines running across the Flathead River, this is a risk of extreme proportions! Who would be responsible to maintain these lines? Who would be responsible to inspect these lines? WHO HAS TO PAY IF THERE IS A FAILURE? Also, every year I see articles in the paper about how overcrowded the schools are. How many children are estimated to be living in this new subdivision and using Columbia Falls schools? Do the schools in town have the capability to absorb these new additions? This proposed development is in the flood zone of the Flathead River. Who has to pay when streets get flooded and people need evacuated? Does city emergency services have the capabilities to provide for another 1200 residents? Also, not least of all, what about increased crime? This Valley is already seeing a huge increase in crime activity. Why would the planning board want to subject the people of Columbia Falls and surrounding area to even more crime that is known to come along with high density subdivisions?

In overview, I don't think this proposed subdivision was well thought out. It does not fit well with the nature of this rural area. There are too many concerns of negative impacts to wildlife, too much traffic congestion, too much added costs to city residents for water and septic services, too much increases for schools to handle, too much risk of increased crime activity. I am very much against the proposed River Highlands development and I urge you to deny this proposed use.

Sincerely, Edith Hermann

Barb Staalnd

From: Zach Rutt <zachrutt@gmail.com>
Sent: Wednesday, July 6, 2022 9:20 AM
To: staalndb@cityofcolumbiafalls.com
Subject: Strongly opposed to Proposed River Road Development

As a resident of Columbia Falls, I am strongly opposed to the massive development proposed on the East side of Flathead River for three reasons; the environment impacts, unprecedented size of the development outside of city limits, and the future implications for our city.

With the new WMA along Flathead River, we have achieved a great success in protecting the wildlife, wild spaces, and the river; that draw millions of visitors and millions of dollars to our city each year. However these large mammals are all migratory and need connected habitat to survive. The builder might pay for the city services to be drilled under the River, but who is responsible for maintenance, repairs, cost and cleanup when we have flooding? The water situation in Red Lodge and Gardiner should give us pause when considering this aspect of the project. There would be enormous environmental and monetary risks to the valley when the spring torrents arrive each year.

I am not opposed to development, and I understand that growth requires change, but we have the responsibility to ensure appropriate growth that lies within the character of our neighborhoods and city. The proposed population density of the River Highlands Development is higher than the city itself. So it would be illogical to build this in a farming community, it doesn't fit the character of the neighborhood. There is room within the city limits, where services and zoning exist, for high density housing, a place where people walk to restaurants, bars and shops and don't overload our streets with vehicles. This is what the city is designed to be and there is room for growth within its limits. There is no doubt that the edges of our town will be developed, but we must do this in a way that does not radically change the communities that have existed here for over 100 years.

Currently our cities population is about 5600 residents, and this development would be adding 1200 residents, which is over 20% of the cities population. If this project goes through as proposed, it opens the door to at least 3 others in the near future between Columbia falls and Columbia heights. Within 10 years the road between will be filled with higher density housing than the city itself and we'll have a new city to manage. What should we call this new city? How many traffic light will be added?

Looking at a satellite image of the current Columbia Falls city shows the river as a natural boundary, and ample space within the city for high density development. Let's not change the entire character of our rural communities to line the pockets of out of town developers. This proposal could set a dangerous precedent for future unchecked sprawl East of our city. Needed housing creates an opportunity for our city to build in a way that limits traffic, sprawl and maintains the character that draws people here.

Concerned resident,
Zach Rutt

Barb Staaland

From: Whitney Kross <whitney.kross@gmail.com>
Sent: Wednesday, July 6, 2022 12:06 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development

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JUL 06 2022
CITY OF COLUMBIA FALLS

To the City of Columbia Falls,

I am adamantly against this development. I was raised in Columbia Falls on River Road and when I graduated from college and started my own career, I chose to move back to support the community I loved. However, this development proposal goes against everything this community stands for and seems to only consider how much money one developer can make rather than fit the needs and wants of the local community. I hope the officials I helped elect will stand against this development and not cater to a developer that was already chased out of Whitefish.

Thank you,

Whitney Kross

Sent from my iPhone=

Barb Staaland

From: Samantha Towery <samanthatowery80@gmail.com>
Sent: Wednesday, July 6, 2022 10:24 AM
To: staalandb@cityofcolumbiafalls.com
Cc: Matt Kennedy
Subject: Public Comment Related to Proposed River Highlands Apartments Development

Samantha Towery and Matthew Kennedy

711 3rd Ave East

Columbia Falls, MT 59912

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 JUL 06 2022
 CITY OF COLUMBIA FALLS

July 6, 2022

City Clerk

130 6th Street West

Columbia Falls, MT 59912

To Columbia Falls Planning and Zoning Board:

This is in response to the proposed development along River Road in Columbia Falls, MT and should be included in the Planning Board Packet for the July 12, 2022, Columbia Falls Planning and Zoning Board meeting.

As current residents of Columbia Falls, MT, and long-time residents of Flathead Valley, we are deeply concerned about the proposed development plan (River Highlands Apartments) and zoning change request submitted by James Barnett on behalf of Flathead Mountain River LLC. Our concerns include, but are not limited to, the following:

1. The size and scale of the River Highlands Apartments proposal is not in character with the neighborhood. The average size of tracts in the current neighborhood is approximately 8 acres with an average of 0.125 units per acre. The proposed development density is 9.27 units per acre. We are interested to hear the developer explain how the current proposal provides reasonable consideration to the character of the neighborhood. We

assume he or his representative will need to be skilled in verbal judo to make that case as the River Highlands Apartments proposal certainly does *not* provide reasonable consideration and would become the highest density development within Columbia Falls.

2. The proposal includes a zoning change request from CR-3 (one family residential) to CR-4 (urban residential) and a height ordinance amendment increasing allowable building height to 45 feet. Zoning change requests and ordinance amendments on this scale are troubling and if the requests are approved would result in construction of units not within the basic character of the area. Twelve 2 and 3-story apartment buildings and thirteen 4 and 5-unit town houses is not only an eyesore but a burden on current Columbia Falls residents and potentially an environmental hazard. Why would the Columbia Falls Planning and Zoning Board consider changing zoning when the benefits to the community are questionable, and the change is likely detrimental? Because the developer asked for it? That reason alone is not enough, and the Board needs to be able to justify any change and explain the benefits to the community members.
3. The proposal includes annexation into Columbia Falls with city utility services (water and septic) extended under the Flathead River. Allowing this developer, or any developer, to expand city utility services to the east side of Flathead River will open the way for more large-scale development in that area. Will the City Council consider the majority opinion and is it prepared to deny subsequent requests? On what will it base that denial? Where does it end?
4. Annexation will increase the Columbia Falls population from approximately 5,300 (in 2020) to 6,500; a 20% increase from a single development. Increased population means more demand on all city services including water, sewer, public safety, road maintenance, etc. We understand the developer is proposing to pay the cost of extending water and sewer to the development site, but we are unwilling to pay increased taxes to cover increased demand for all services after the initial water and sewer service expansion. We believe it is unfair to ask current Columbia Falls residences to foot most of the increased bill over time.
5. The River Highlands Apartments proposal would increase traffic along River Road, Rogers Road, Kelley Road, Badrock Drive, 3rd Avenue East, Highway 2, Highway 206 and others. The current roadways are barely able to handle increased tourist traffic and adding a minimum of 680 vehicles per day to already congested roads will result in more congestion and more near-fatal and fatal accidents. A stop light on Highway 2 intended to control traffic will only back up traffic along all roadways, including the section of Highway 2 west of the proposed development and intersecting 3rd Avenue East. A traffic study should be conducted on 3rd Avenue East as there are already hundreds of cars per day using that road to access Rivers Edge Park and residences, as well as avoiding Nucleus Avenue to access Smith's, the Post Office, etc. Those residing in the River Highlands Apartments, if the proposal is approved, will likely do the same therefore eroding the character of a neighborhood not directly associated with the new development.
6. Boring under a river to extend water and sewer service does not come without possible stream disturbance and required recurring maintenance. Who is responsible for those maintenance costs? Current Columbia Falls residents should not pay for that recurring maintenance and the costs should be borne solely by the developer. The proposed River Highlands Apartments also appear to be in or directly adjacent to a flood plain. Has the developer included mitigations in the proposal or is he solely concerned with the monetary gain he stands to make in marketing and selling river-front property?
7. The Bad Rock Canyon Wildlife Management Area (Area) is an asset to wildlife living in and traveling through that protected Area and is within a mile of the proposed River Highlands Apartments. The proposed development will bring unacceptable impacts to that wildlife through increased foot traffic to the Area and the attractants associated with such a large-scale development (e.g., garbage generated by an additional 1200 residents). The impact associated with an additional 1200 people using the Area was likely not considered when the Area was established. If the proposed development or some version of the proposed development is

approved, the developer must pay for wildlife-safe garbage storage and ensure all other attractants are b the development.

8. The River Highlands Apartments proposal is unlikely to provide much-needed affordable housing. This same developer is currently developing Silver Brook Apartments in Kalispell, MT. Those units are marketed as up-scale and run upwards of \$2000 per month. The PUD layout for the River Highlands Apartments proposal is very similar to the Silver Brook Apartments layout and we can only conclude the pricing will be similar or higher based on proximity to the Flathead River. \$2000 per month and higher is not "affordable". When this developer asked for approval from Whitefish City Council for a development similar in size and scale to the River Highlands Apartments proposal, he offered that a percentage of those units would be affordable. We have seen no such offer in this proposal.

The mission of the City of Columbia Falls includes *listening to citizens and responding to their needs*, respecting diversity and differences of opinion, and evaluating the status quo and *practicing thoughtful planning*.

We encourage the Planning and Zoning Board to adhere to that mission and listen to the citizens of Columbia Falls and the overwhelming outcry to deny this proposed development. This proposed development holds no benefit for current residents and will only open the door for more outside investors looking to market the opportunity to live at the Gateway to Glacier National Park. Typically, those investors make a quick buck and are on to the next opportunity with little regard for the local community and the natural environment they unabashedly promote to appeal to buyers. We can only assume this developer fits that mold based on the River Highlands Apartments proposal and similar proposals across the Flathead Valley from the same developer.

We are in total opposition to the proposed River Highlands Apartments development!

Sincerely,

Samantha Towery and Matthew Kennedy

208 Red Barn Road
Columbia Falls, MT 59912
July 5, 2022

City County Planning Board
City Clerk
130 6th Street West
Columbia Falls, MT 59912

REC'D
JUL 06
CITY OF CO
COLUMBIA FALLS

Re: Opposing River Highlands Subdivision on River Road

I am a native to Columbia Falls and I adamantly oppose the subdivision.

I oppose a plan that the City Council approved a growth policy that called for a greater density in a rural setting than is found in the current city limits.

River Road is a narrow highly used road that is currently difficult to access Highway 2. Flathead County Road Department did a traffic study two years ago that gave the number 2,600 cars per day over a seven day period. At 2-1/2 car trips daily, at full build out, 5,600 car trips per day, even with a light, that may or may not be installed by the developer, is grossly too much for this area.

River Highlands are going to run sewer and water under the river. Any streambank or stream bed disturbance is serious business because it impacts the quality of our pristine western Montana streams, rivers and lakes. Considering how much the economy of Columbia Falls and the "Gateway to Glacier" corridor is dependent on recreation on the Flathead River, we must be vigilant in its protection. It makes no sense to have some upper reaches of the Flathead River designated as "wild and scenic" and then polluted the river downstream.

Questions I have about the sewer and water under the river: Who is responsible for maintenance and monitoring the mains under the river? Is it whoever owns the system, according to the Flathead Conservation District. Will this be the City of Columbia Falls? Are city personnel qualified to perform these duties? How often will these lines be inspected for leakage? Is that even possible as it will be buried under the river? Hydrogeologists say "scouring" takes place on riverbeds, especially during spring run-off when water volume is greatest. Water releases from Hungry Horse Dam upstream create river flow fluctuations year-round adding to this Flathead River bed scouring.

River Highlands is not just an issue for rural residents outside the city limits. City residents will feel the long-term impact too. City services will be extended to this development which will also be annexed into Columbia Falls. Services including water, sewer, public safety, i.e., police and fire protection, road maintenance – that include snow removal – among other things. Even if city officials figure they have the capacity for water and sewer for 1,200 additional people (adding

one-fifth of the current Columbia Falls population 5,300 in 2020) current resources will be stretched further with less available to current residents.

In October 2021 the Daily Inter Lake ran a story about the shortage of ways to dispose of septic waste for Flathead Valley municipalities and county residents with individual septic systems. The article said Columbia Falls has been hauling all of its septic waste to the county landfill for the past three years. That is four loads per week at a weight of 5.5 tons per load. In 2020 the city disposed of 188 loads of waste, totaling 1,034 tons. What additional burden will River Highlands add – the cost of fuel alone will be major.

More water wells must be dug. The city is already talking about additional wells to supply the growing demand. How will those wells affect the aquifer? Is our water really of limitless supply here? City residents will soon be paying for upgrades in the water system and waste system and it's questionable whether the property taxes in this proposal will pay the cost for those upgrades as well as additional snow removal equipment, additional police officers, and more paid fire fighters.

The Bad Rock Canyon Wildlife Management Areas is 772 acres, located along the Flathead River, upstream from the proposed River Highlands development. The Wildlife Management Areas southern boundary is a mere quarter mile from the development's northern property line. The river and river corridor, including open fields, are habitat for many aquatic species, as well as elk, deer, both grizzly and black bear, mountain lion and other mammals. Smaller mammals and numerous birds, including raptors and songbirds, are also present. The development property not only serves as habitat for these animals, but also as an important corridor as they travel from the south, northward to the Wildlife Management Areas and other undeveloped properties. River Highlands will destroy nearly 50 acres of habitat. Garbage, pet food, bird feeders, fruit bearing trees and other food sources in the development will serve as bear attractants and will result in human-bear conflicts.

Please reconsider this plan before approving it.

Thank you for your time.

Sincerely,

Justin Halverson
Justin Halverson


Lowell (Lee) and Sally BOOKMAN
3440 Crestline Way, Soquel, CA 95073
tel: 831-234-1183
leebookman75@gmail.com
tel: 831-818-9959
sally@sallybookman.com

July 5, 2022

To: Columbia Falls City Council
 Columbia Falls City Planning and Zoning Committee

RE: Comments on the proposed "River Highlands" project.

My wife and I are owners of a property just west of River Road, which is in the immediate area of the proposed River Highlands project. Please note that we are both licensed real estate brokers and are NOT in opposition to residential housing developments in general. However, the "River Highlands" project, as proposed, evidences a number very troubling features.

First, it has not been demonstrated that Columbia Falls, a city of less than 6000 residents has a pressing need to house an additional 1200 people within city limits.

Second, it has not been demonstrated that River Road itself, even reconfigured at Highway 2, can accommodate the increase in traffic that will result from this project without widening, and without a functioning traffic light at the junction. We are talking about an increase of 680-800 cars using River Road daily, in addition to the number of cars already using it.

And then there is the question of city services.....water, gas, electricity, police and fire protection, medical services, etc. etc. Does the project proposal for "River Highlands" include funding for expanding city services? It's all well and good for project developers to pay for installing utility services under the Flathead River, but what about the expansion of city services themselves. Who is going to pay for expanding the capacity of those services to accommodate 1200 additional people?

But these are merely technical issues and potentially they can be resolved.

Of greater concern is what the proposed project will do to the character of Columbia Falls. Columbia Falls is the Gateway to Glacier National Park. At present, visitors head to the Park across the bridge over the Flathead River and are immediately enveloped by a rural scenic countryside that is an invitation and an introduction to the Park itself. Heading up Highway 2 puts them in a mood of anticipation..

Against this, the project is proposing to construct a monumental eyesore.... 455 housing units, consisting of 12 two -and-three story apartment buildings, and 13 four-to-five unit condominium buildings, spread out over 49 acres of what is currently pristine green meadow.

It's unimaginable that you would allow this abomination to happen. It's an architectural nightmare. Dozens and dozens of buildings all in neat little rows in a grid pattern, all of the same boring design, all with the same dark roofs. Honestly, the drawings look like the proposal for a concentration camp.

As I mentioned at the beginning, we are NOT against residential development in general.....nor even against residential development of the 49-acre meadow on River Road. We are not necessarily against expanding the city limits of Columbia Falls, although there is a question about the proven need for that.

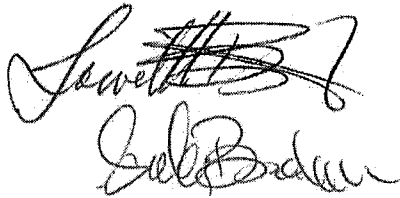
However, we are adamantly against the "River Highlands" project as proposed. It's too big, it's too ugly, and it's completely out of character with the existing neighborhood there.

It would be far better...and more pleasing to the eye of locals and tourists... if the property were developed into a number of single-family residential parcels of perhaps one acre or even half an acre, each suitable for a one story home, laid out along winding streets and charming cul-de-sacs, and dressed in attractive landscaping.

In any case, we strongly urge you not to spoil the unique rural character of Columbia Falls as the Gateway to Glacier National Park by approving this project.

Respectfully

Lowell and Sally Bookman

The block contains two handwritten signatures in black ink. The top signature is for Lowell Bookman, written in a cursive style with a large, sweeping 'L'. The bottom signature is for Sally Bookman, also in cursive, with a large 'S' and 'B'.

Barb Staaland

From: cory.sarah anderson <cory.sarah.anderson@gmail.com>
Sent: Tuesday, July 5, 2022 11:00 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Opposed to Planned Subdivision on River Road

RECEIVED
JUL 06 2022
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board and City Council,

Please publicly record my absolute opposition to the high density proposed subdivision/housing project and city annexation of the high density subdivision on River Road, east of the Flathead River and Columbia Falls for the following reasons:

- 1) Drastic, negative change to the rural character of the immediate area, surrounding area and impacts to the river riparian corridor and associated wildlife habitat.
- 2) Adjacency and immediate impacts to the new Badrock WMA(loss of connectivity to river corridor south of Hwy 2.)
- 3) Lack of tangible benefits to the Community of Columbia Falls and short-sightedness relative to the future vision of what, we as a community, desire to grow into.
- 4) Actual, long-term monetary cost of annexation related to the city sewer and water infrastructure capacity.
- 5) Significant traffic increase on River Road and Hwy 2, regardless of whether a stop light is installed or not!
- 6) Potential loss of public access to the Flathead River on the east side of the current Hwy 2 Bridge.
- 7) Undetermined impacts of water/sewer lines under the dynamic Flathead River-think 1964 flood and future potential for issues and who bears the cost of those water/sewer lines failing.
- 8) And the list goes on.

Truthfully, I am very offended that the developer, James Barnett, seems to be "shopping around" for development opportunities after failing to solidify support for his previous proposal in Whitefish. It's almost as if he thinks that the rightfully proud, blue collar folks of Columbia Falls won't put up a fight to oppose such absurd development proposals! I beg to differ! This development is absolutely proposed in the wrong place at the wrong time!

Thank you for hearing my opposition. As elected officials considering this proposal, I trust that you will always remember that you represent the broad public interest, and the future of home of our children. And last but not least, Thank you for your public service! It is vitally important!

Sincerely,

Cory Anderson, 624 Homestake Trail, Columbia Falls MT

Barb Staaland

From: Chris Bookman <bookmandh2@yahoo.com>
Sent: Tuesday, July 5, 2022 6:35 PM
To: staalandb@cityofcolumbiafalls.com
Subject: 455 Housing Project - Public Opinion

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JUL 06 2022
CITY OF COLUMBIA FALLS

The proposed project seems completely out of character for the East of River Road neighborhood which is totally rural and scenic. The proposal would be suitable in an urban setting inside the EXISTING city limits of Columbia Falls.

Extending urban city limits out into the rural/scenic area does NOT automatically make the project conform to the neighborhood already out there. It's rural, not urban.... And simply extending the boundaries of the city into a rural area does NOT create an urban setting suitable for such a development.. It's still rural.

Chris Bookman
55 Anglers Way (formerly 185 River Road)
Columbia Falls, MT 59912
406-472-5332