



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, MAY 11, 2021 BEGINNING AT 6:30 PM
COUNCIL CHAMBERS CITY HALL

CALL TO ORDER AND ROLL CALL

APPROVAL OF MINUTES:

1. Approval of March 9, 2021 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. **Request change in zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:**

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

- A. Adopt Staff Report CZC-21-03 as Findings of Fact
- B. Recommend Approval of Zone Change to City Council

ADJOURNMENT

Next Regular Planning Board Meeting – June 15, 2021

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

CALL TO ORDER AND ROLL CALL

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

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

APPROVAL OF MINUTES:

Approval of February 9, 2021 Regular Meeting Minutes

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

VISITOR OR PUBLIC COMMENT:

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

PUBLIC HEARINGS AND ACTION:

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

City Planner Mulcahy delivered Staff Report CZC-21-02, reviewing each of the Findings of Fact. The property is currently zoned SAG-10 Suburban Agricultural and the applicant would like to change it to SAG-5 Suburban Agricultural. The largest difference in this requested zone is that it would allow the lot to be split into two five acre lots, increasing the density by one. This would allow potentially a single-family home and a guest house on each property, as well as accessory structures. The Growth Policy allows for higher density in the area, but there are no city services available. Mulcahy noted that the property is not in the Wildland Urban Interface or the 100 Year Floodplain. Flathead County will review the septic and ground water monitoring regardless of a zone change. Mulcahy reported that SAG-5 has similar building setbacks and lot coverage criteria to SAG-10. This residential use is a predicted in the Growth Policy, Mulcahy noted.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chairman,

Alex Vissotzky | Public Works Clerk

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

Item No.2.

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, May 11, 2021 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 Monday June 7, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

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

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. 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.

DATED this 20th day of April, 2021

Susan Nicosia

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

Publish: Daily Interlake Sunday April 25th, 2021

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
TWIN PEAK FARMS, LLC
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#21-03
May 3, 2021**

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 CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) within the Columbia Falls Zoning Jurisdiction. The zone change request is scheduled for a public hearing before the Planning Board on Tuesday, May 11, 2021, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council June 7, 2021 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Owner/Applicant:

Twin Peak Farms, LLC
197 S. Silverwood Way
Eagle, ID 83616-6165

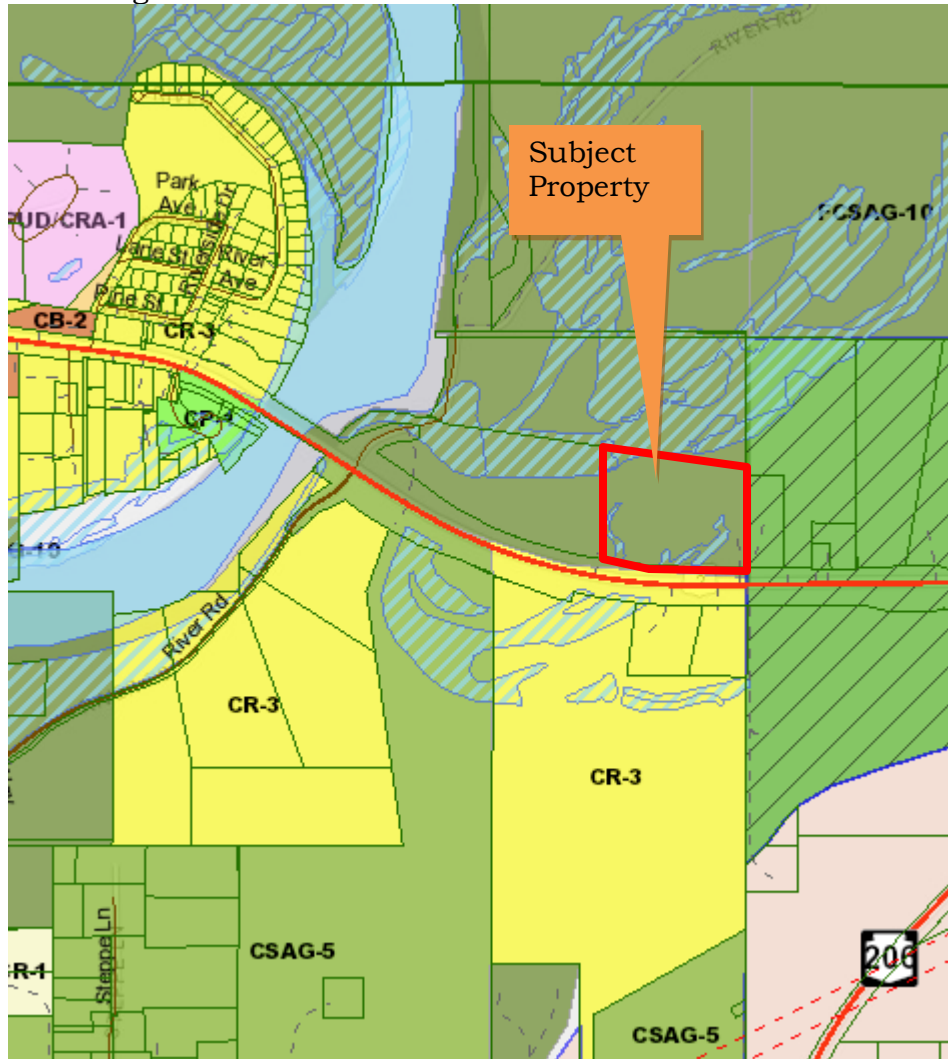
B. LOCATION/DESCRIPTION

The property is located at 7030 Highway 2 E. Columbia Falls. The 10-acre property is described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) in Section 16, T30N, R20W, P.M.M., Flathead County.

C. REQUEST

The request would amend the zoning on this site from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural). See figure 1. The property is approximately 10 acres in size and is currently vacant.

Figure 1



Flathead County GIS

D. REASON FOR REQUEST

The applicant has owned by Twin Peak Farms for some time and the owner would like to sell the property with the proposed zoning that would allow the property to be split into two five acre parcels.

E. EXISTING LAND USE

The parcel is a vacant parcel with a hay crop. (See Figure 2).

Figure 2



Source: Flathead County GIS – Photo Layer

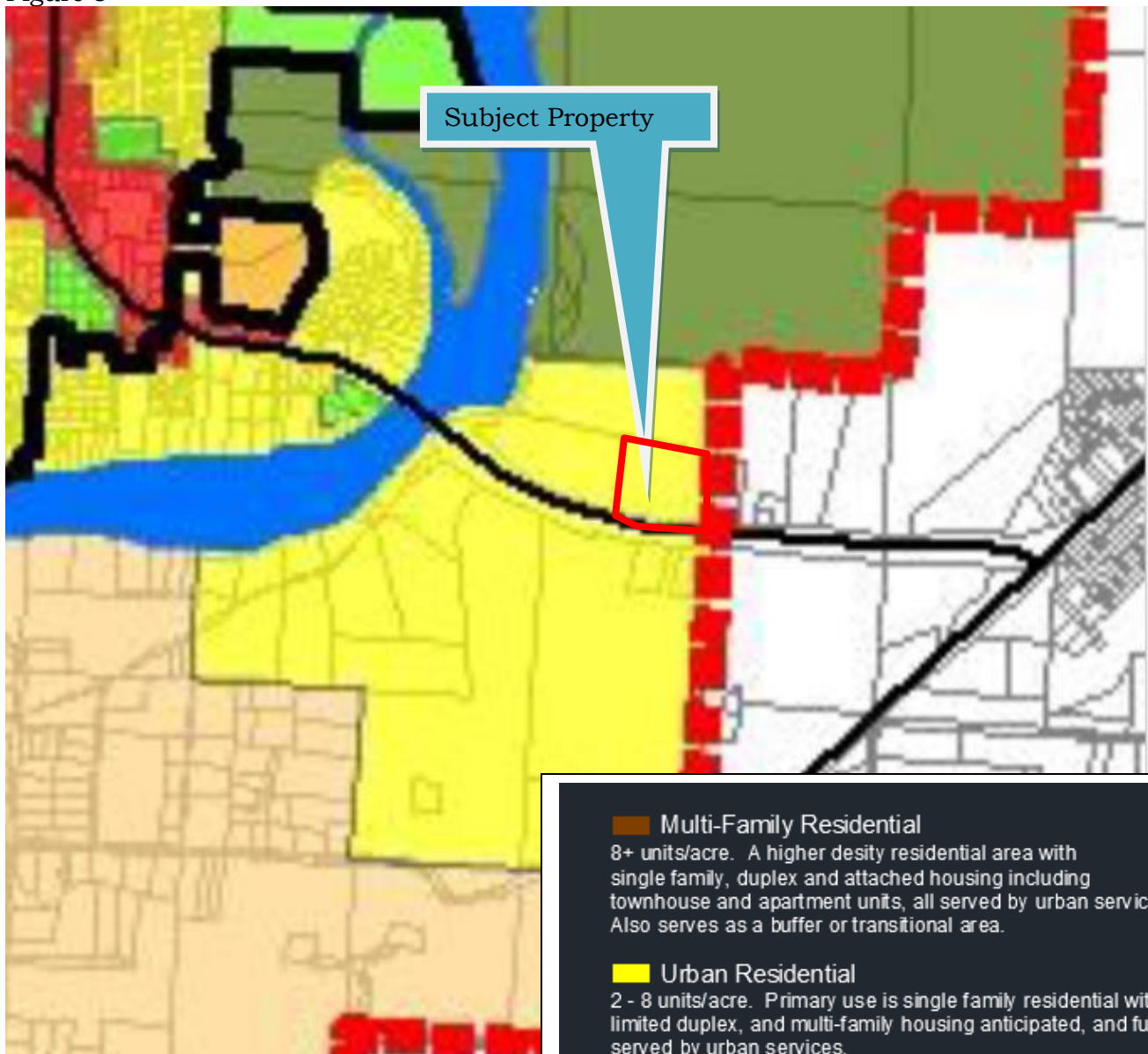
F. ADJACENT ZONING AND LAND USE:

Direction from Site	Current Zoning	Current Use
North	CSAG-10 and SAG-10	Grazing and open lands
South	CR-3 (The Benches Preliminary Plat) and CSAG-5	MDOT Shops
West	CSAG-10	Residential and agricultural uses
East	SAG-10	Residential and RBM agricultural uses

G. GROWTH POLICY DESIGNATION

The Columbia Falls Growth Policy Map designates the subject property for “Urban Residential” (Figure 3). The proposed CSAG-5 zoning is not an urban zoning designation but it is a transitional zoning classification that “provides a buffer between urban and unlimited agricultural uses, encouraging separation of such uses in areas where potential conflicts of uses will be minimized, and to provide areas of estate-type residential development.” The Growth Policy document is a guide and not a regulatory document and therefore zoning map amendments can loosely follow the growth policy as is the case here. The subject property is near and adjacent to other Suburban Agricultural zoning designations and at present there are no public sewer or water facilities that would support the urban density proposed in the Growth Policy.

Figure 3



Excerpt from the 2019 Columbia Falls Growth Policy Map

Multi-Family Residential

8+ units/acre. A higher density residential area with single family, duplex and attached housing including townhouse and apartment units, all served by urban services. Also serves as a buffer or transitional area.

Urban Residential

2 - 8 units/acre. Primary use is single family residential with limited duplex, and multi-family housing anticipated, and fully served by urban services.

Suburban Residential

1 - 2 units/acre. Primary use is limited agriculture and single family residential in a quasi-rural setting, with some but not all urban services available

Agriculture/Timber/Estate/Rural Preserve

A rural area with limited urban services outside of the immediate development needs of the city, including corporate and public lands, estate housing and protective buffers for industry, such as CF Aluminum Company

H. UTILITIES/SERVICES

<u>Water</u>	The property is served by an individual well.
<u>Sewer</u>	The property is served by on-site septic system
<u>Fire Protection</u>	Badrock Rural Fire District
<u>Police Protection</u>	Flathead County Sheriff's Office
<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 proposed CSAG-5 zoning is not an urban zoning classification but the Columbia Falls Zoning Code defines this zoning as a transition land use category buffering more intensive agricultural uses from higher density residential uses. Given the location and transitional nature of this area, Staff determines that the proposed zoning is consistent with the Growth Policy.
2. **Is the requested zone designed to lessen congestion in the streets?**
The subject property consists of approximately 10 acres. The proposed CSAG-5 designation is much less intense than the CR-3 zoning that is located south of the highway. At most, the applicant would be able to split the property one time under the proposed zoning.
3. **Will the requested zone secure safety from fire, panic, and other dangers?**
The property is located in the Badrock Fire District. 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).
4. **Will the requested change promote the health and general welfare?**
The proposed zone change establishes a density of one dwelling unit per five acres. Development of any structure will require approval of on-site water and sewer systems by the Flathead City-County Health Department. The zoning will also buffer urban uses from the potential conservation easement under consideration for the former CFAC lands.
5. **Will the requested zone provide for adequate light and air?**
The proposed CSAG-5 allows one dwelling per five acres. The setbacks of the for the CSAG-5 zone are 20-feet on all sides while the CSAG-10 have 30-feet front and 20-feet on sides and rear. Lot coverage is also similar with 25% on CSAG-5 and 20% on CSAG-10. The proposed zoning will provide adequate light and air.

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

The proposed zone change would only increase the density of the property by one parcel. The proposed zoning will not overcrowd the land.

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

The proposed CSAG-5 allows one dwelling per five acres while the existing CSAG-10 allows one dwelling per ten acres. With a total of ten acres in the subject property the permitted dwellings will not create an undue concentration of people.

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 for or require the adequate provisions of infrastructure. However, when and if the property is split sometime in the future, water and sewer will be provided by on-site systems compliant with MDEQ rules. The applicant will need to secure an approach permit from the MDOT for the increased use. Schools are provided by the Columbia Falls School District. Parks are provided by the City, County and State. Systems are in place to ensure compliance with and facilitate public requirements.

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

The property is currently vacant land with the occasional hay crop. Adjacent uses include agricultural and residential. The proposed zoning will not change the permitted uses of the property only the density.

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

Properties north of the Highway are zoned CSAG-10 while properties south of the Highway are zoned CR-3, CSAG-5 and SAG-10. The proposed CSAG-5 is almost identical in the permitted and conditionally permitted uses found in the CSAG-10. The Suburban Agricultural zoning designation complies with the character of the District.

11. Will the new zoning affect property values?

The proposed zoning of CSAG-5 is consistent with use and density with much of the zoning surrounding the property and therefore should have no negative affect on property values.

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

The subject property is on the edge of the Columbia Falls Zoning and Planning jurisdiction. Many of the uses on the edge of the zoning district are suburban agricultural in nature. The Columbia Falls Zoning Regulations define the CSAG-5 designation as a buffer or transitional zone between more intensive agricultural uses and urban uses. The proposed zoning designation is an appropriate use given that the property across the Highway is zoned CR-3 and being developed to semi-urban densities.

RECOMMENDATION

Staff finds that the subject sufficiently meets the adopted review criteria to be rezoned from CSAG-10 to CSAG-5. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-21-03 as findings of fact as the first motion. As a second motion staff proposes that the Planning Board send a recommendation of approval for the zone change to the Columbia Falls City Council.



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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

PAI

Item No.2.

APR 12 2021

CITY OF COLUMBIA FALLS

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ 1,500

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: Twin Peaks Farms LLC, Attn: Ron Mayhew

MAIL ADDRESS: 2098 W. Champagne Ct.

CITY/STATE/ZIP: Eagle, Idaho 83616 PHONE: 208-890-6669

INTEREST IN PROPERTY: Owner

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 7030 US Highway 2E, Columbia Falls, MT 59912
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number
(Section, Township, Range)
S16, T30 N, R20 W, 16981, Parcel n/a; TR 3FB IN SW4NE4 & SE4NW4
- (Attach sheet for metes and bounds)
- C. Land in zone change (ac)
10 acres; just east of Flathead River bridge, north side of Hwy 2.
- D. The present zoning of the above property is: SAG 10
- E. The proposed zoning of the above property is: SAG 5
- F. State the changed or changing conditions that make the proposed amendment necessary:
Zoning for two owners of homes/buildings. 5 acres is a preferred lot size.

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

- A. Promoting the Growth Policy
Zoning for two property owners with homes/buildings, instead of one.

- B. Lessening congestion in the streets and providing safe access

There are 2 existing access points to Hwy 2 that allow access for SAG 5.

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

Pond is on property if additional water is needed for the fire department.

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

Homes/buildings would be on well & septic as Columbia Falls does not have services yet.

The property has open space with trees, pasture and pond that enhances the Hwy 2 corridor.

These would be improved further with development.

- E. Preventing the overcrowding of land

5 acres is consistent with nearby homes and businesses.

- F. Avoiding undue concentration of population

N/A

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

Additional taxes from developed property should support the Columbia Falls infrastructure.

- H. Giving reasonable consideration to the character of the district

Consistent with other homes along the Hwy 2 corridor.

- I. Giving consideration to the peculiar suitability of the property for particular uses
The 10 acres is ideally suited as SAG 5 in that 2 entrances exist. A berm along the highway provides some screening for both owners and the traffic. Additionally, a pond and trees provide enhanced landscaping features.
- J. Protecting and conserving the value of buildings
No existing buildings.
- K. Encouraging the most appropriate use of land by assuring orderly growth
New homes/buildings with associated landscaping/pasture improvements would enhance the Hwy 2 corridor.
- Note: P&Z approved previous an application under different applicant.

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.

Ronald Mayler
(Applicant Signature)

4-5-2021
(Date)

APPLICATION PROCESS**APPLICABLE TO ALL ZONING APPLICATIONS:**

A. Pre-Application Meeting:

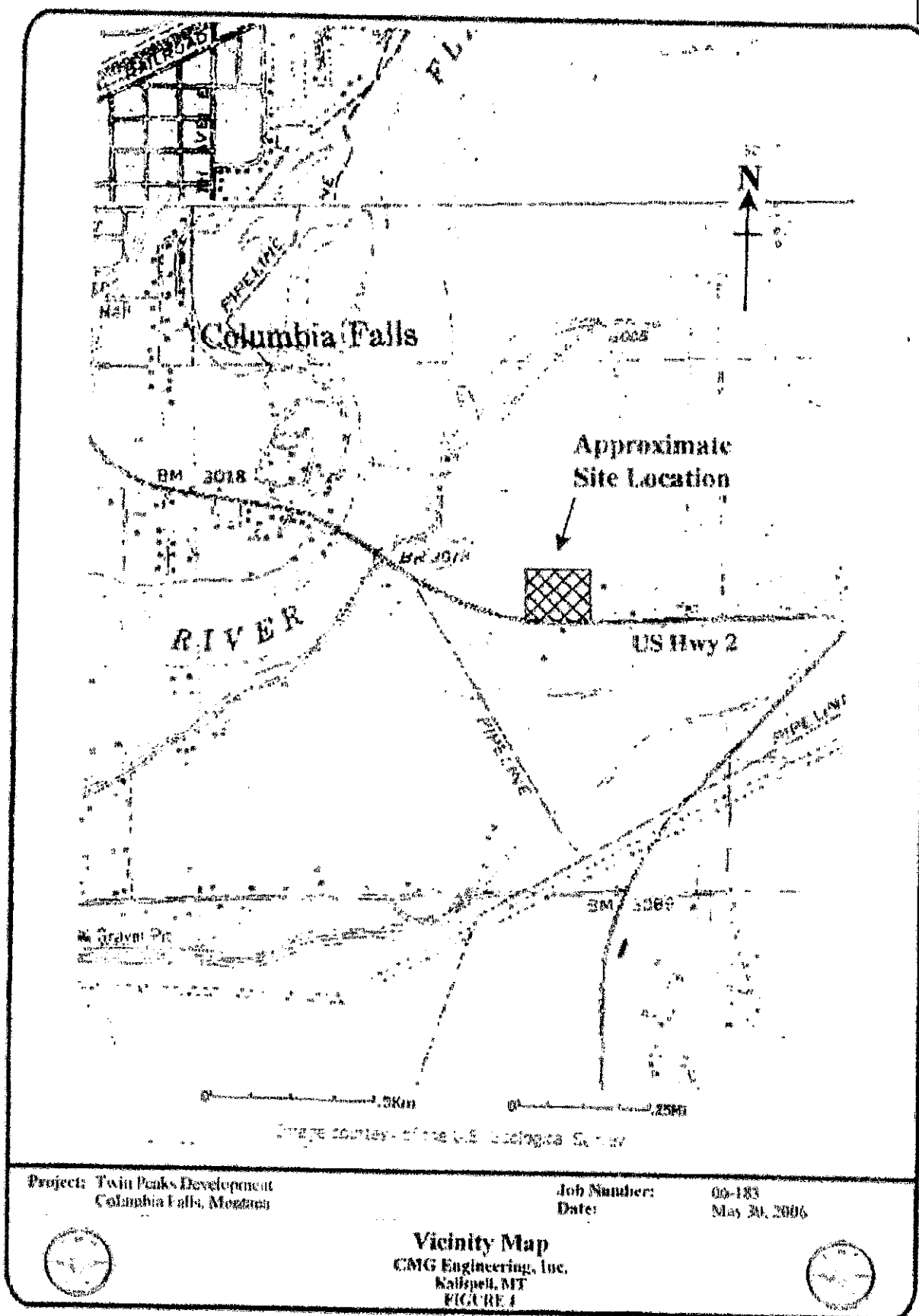
A discussion with the planning director or designated member of staff must precede filing of this application. Among topics to be discussed are: Growth Policy compatibility with the application, compatibility of the proposed zone change with surrounding zoning classifications, and the application procedure.

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.





PRELIMINARY TITLE COMMITMENT ATTACHED

Date: January 26, 2021 **File No.:** 536523

Property: 7030 Highway 2 East, Columbia Falls, MT 59912

Buyer/Borrower: Iron Gate Montana, LLC

Seller: Twin Peaks Farms LLC

In connection with the above referenced transaction, we are providing you with the following contact information. Enclosed please find your Title Commitment.

Listing Agent:

Keller Williams Realty Northwest
Montana
1830 3rd Ave. E, Ste. 102
Kalispell, MT 59901
Phone: (406) 752-4700
ejames1978@kw.com
Attn: Elizabeth James

Selling Agent:

PureWest Real Estate

492 E 2nd St.
Whitefish, MT 59937
Phone: (406)862-4900
austin@purewestmt.com
Attn: Austin Elm

Lender:

Phone:

Attn:

Seller:

Twin Peaks Farms LLC
2098 W. Champagne Court
Eagle, ID 83616

Buyer/Borrower:

Iron Gate Montana, LLC
12384 Herbaugh Road
Bentonville, AR 72712

Yes, it matters where you close.

Commitment for Title Insurance

Subject to conditions and stipulations contained therein

Your contacts for this transaction are as follows:



Escrow Officer

Amber Cooper
501 S Main St, PO Box 879
Kalispell, MT 59901
amber.cooper@alliancetitle.com
(406) 309-6069

Title Officer

Brandy Woods
brandy.woods@alliancetitle.com
(406) 752-7606
501 S Main St, PO Box 879
Kalispell, MT 59901

Email escrow closing documents to:

kalispell@alliancetitle.com



In an effort to assure that your transaction goes smoothly, please review the following checklist and contact your Escrow Officer or Title Officer if you answer "Yes" to any of the following:

- ❖ **Will you be using a Power of Attorney?**
- ❖ **Are any of the parties in title incapacitated or deceased?**
- ❖ **Has a change in marital status occurred for any of the principals?**
- ❖ **Will the property be transferred into or from a trust, partnership, corporation or Limited Liability Company?**
- ❖ **Has there been any construction on the property in the last six months?**

Remember, all parties signing documents must have a current driver's license or other valid government issued photo I.D.

Idaho	\$15 for a Deed under 30 pages. \$45 for a Deed of Trust or Mortgage under 30 pages. Otherwise, \$10 first page, \$3 for each additional page
Montana	\$7.00 per page for a conforming document. Add \$10.00 per document if the document is non-conforming (outside the required margins etc.)
Washington	\$103.50 for the first page of a Deed and \$104.50 for the first page of a Deed of Trust with, \$1 for each additional page
Wyoming	\$12 for the first page, \$3 for each additional page
E-File Fees	An additional \$4.50 per document in Idaho. An additional \$5.00 per document in Wyoming & Montana. An additional \$4.50 per document in Washington.

Recording Fees

Endorsements:	
Inspection Fee	
Additional Chain	
Closing Protection Letter	

Other Borrower Fees

Product	CD Disclosed	Actual Premiums	Premium Adjustments
Loan Policy	\$0.00	\$0.00	(Simultaneous Issue Credit) \$0.00
Owner's Policy	\$1,120.00	\$1,120.00	(Short Term Discount - If Any) \$0.00

Title Policy Calculations For Disclosure

Sales Price		\$350,000.00	
Owners Coverage	X	Standard Coverage	Extended Coverage
Loan Amount			
Loan Coverage		Standard Coverage	Extended Coverage
Underwriter			Old Republic National Title Insurance Company

Coverage

Title Fees & Breakdown





**COMMITMENT FOR TITLE INSURANCE
ISSUED BY
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**

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, Old Republic 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 180 Days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

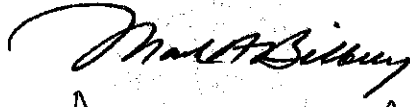
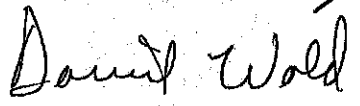
This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions.

Issued through the Office of Alliance Title & Escrow, LLC
501 S Main St., PO Box 879
Kalispell, MT 59901
(406)752-7606

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
A Stock Company
400 Second Avenue South, Minneapolis, Minnesota 55401
(612) 371-1111



Authorized Signatory

By  President
Attest  Secretary

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice, the Commitment to Issue Policy, the Commitment Conditions, Schedule A, Schedule B, Part I—Requirements, and Schedule B, Part II—Exceptions.

- 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; and
- (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.
- (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.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions.



Transaction Identification Data for reference only:

Issuing Agent: Alliance Title & Escrow, LLC
Issuing Office: 501 S Main St., PO Box 879, Kalispell, MT 59901
Loan ID Number:

Customer Reference Number:

Issuing Office File Number: 536523

Property Address: 7030 Highway 2 East, Columbia Falls, MT 59912

Revision Number: _____

SCHEDULE A

1. Commitment date: December 10, 2020 at 7:30 A.M

2. Policy or Policies to be issued:

(a) 2006 ALTA@ Owner's Policy

☒

Standard

Amount:
Premium:

\$350,000.00
\$1,120.00

☐

Extended

Proposed Insured:

Iron Gate Montana, LLC

(b) 2006 ALTA@ Loan Policy

☐

Standard

Amount:
Premium:

\$0.00

☐

Extended

Endorsements:

Proposed Insured:

3. The estate or interest in the Land described or referred to in this Commitment is FBE SIMPLE

4. Title to the FBE SIMPLE estate or interest in the Land is at the Commitment Date vested in:

Twin Peaks Farms LLC

5. The Land is described as follows:

See Attached Exhibit 'A'

Old Republic National Title Insurance Company

Authorized Signatory

File No. 536523

Exhibit 'A'

That portion of the Southwest 1/4, Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Shown as Parcel 1 of Certificate of Survey No. 16981.

Note No. 2: In the event this transaction fails to close and this commitment is cancelled a fee will be charged complying with the state insurance code.

And rerecorded on November 16, 2005 as Instrument No. 200532012040.

Instrument No.: 20024511590

Recorded: September 2, 2005

Grantee: Twin Peaks Farms, LLC

Grantor: Northwestern Holdings, LLC

Warranty Deed

We note the following transfer of title to subject property:

Note No. 1: We find no activity in the past 24 months regarding transfer of title to subject property.

parties authorized to execute documents on behalf of Iron Gate Montana, LLC.

9. Delivery to and approval by the Company of documentation authorizing transaction and setting forth

current list of its members and managers for Iron Gate Montana, LLC, a limited liability company.

8. The company will require a copy of articles of organization, operating agreements, if any, and a

parties authorized to execute documents on behalf of Twin Peaks Farms, LLC.

7. Delivery to and approval by the Company of documentation authorizing transaction and setting forth

current list of its members and managers for Twin Peaks Farms, LLC, a limited liability company.

6. The company will require a copy of articles of organization, operating agreements, if any, and a

therewith when the final amounts are approved.

whichsoever is the lesser. Proposed Policy Amount(s) will be revised and premiums charged consistent

collateral, then for not less than the unencumbered value of the land or the amount of the loan,

in excess thereof to cover foreclosure costs, etc., or (b) if the indebtedness is secured by other

full principal amount of the indebtedness secured by the insured mortgage and may include up to 20%

improvements at the time of issuance of the policy. A Loan policy shall be for not less than (a) the

thereto, or (2) if no sale is to be made, the amount equal to the value of the land and any existing

than (1) the amount of the current sales price of the land and any existing improvements appurtenant

insured, and any additional premium must be paid. An Owner's policy shall be issued for not less

5. The Proposed Policy Amount(s) must be increased to the full value of the estate or interest being

both, must be properly authorized, executed, delivered, and recorded in the Public Records.

4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or

3. Pay the premiums, fees, and charges for the Policy to the Company.

2. Pay the agreed amount for the estate or interest to be insured.

Company may then make additional Requirements or Exceptions.

this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in

The following requirements must be met:

SCHEDULE B - SECTION I REQUIREMENTS



Note No. 3: According to the available County Assessor's Office records, the purported address of said land is:

[7030 Highway 2 East, Columbia Falls, MT 59912](#)

Note No. 4: We would like to take this opportunity to thank you for your business, and inform you that your Title Officer is Brandy Woods, and your Escrow Officer is Amber Cooper.

A copy of our Privacy Policy is available on our website, via email, or paper format upon request. Please contact your Title Officer if you would like to request a copy of our Privacy Policy.



SCHEDULE B - SECTION 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.
2. Rights or claims of parties in possession not shown by the public records.
3. Any encroachment, encumbrance, violation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Easements, or claims of easements, not shown by the public records.
5. 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.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights or easements appurtenant to water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
7. Taxes or special assessments which are not shown as existing liens by the public 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.
8. County road rights-of-way not shown by the Public Records, including, but not limited to any right of the Public and the County of Flathead to use and occupy those certain roads and trails as depicted on County Surveyor's maps on file in the office of the County Surveyor or of Flathead County.
9. All minerals in or under said land including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto, whether expressed or implied.
10. General Taxes for the year 2020 a Lien, the first half is paid and the second half is now due and payable.

Parcel No.: [06-0000424](#)

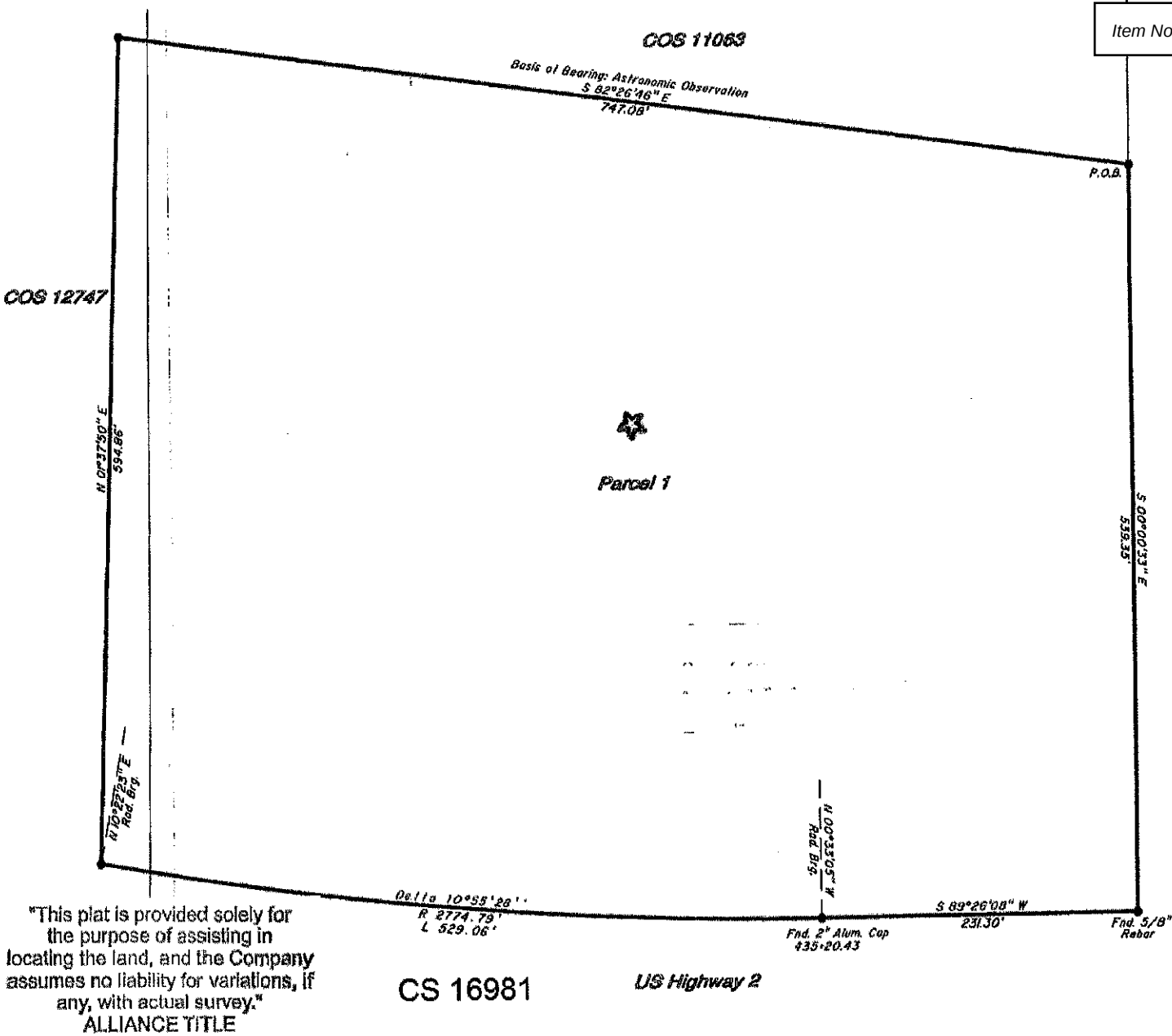
In the original amount of: \$1,338.12

11. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: The Montana Power Company
Purpose: Public Utilities
Recorded: February 2, 1966
Instrument No.: 800 in [Book 477 Page 434](#)
12. An easement for the purpose shown below and rights incidental thereto as set forth in document:
Granted To: PacifiCorp, a corporation, dba Pacific Power and Light Company
Purpose: Public Utilities
Recorded: September 4, 1992
Instrument No.: [199224809570](#)
13. Easements reservations and dedications, as shown on Certificate of Survey No. [12747](#).
Recorded: August 22, 1996
Instrument No.: [199623509090](#)
14. Terms and provisions of State of Montana, Department of Environmental Quality, Certificate of Subdivision Plat Approval, recorded with Certificate of Survey No. [12747](#) on August 22, 1996 as Instrument No. [199623509090](#), of Official Records.
15. Easements reservations and dedications, as shown on Certificate of Survey No. [16981](#).
Recorded: October 24, 2005
Instrument No.: [200529714320](#)

END OF SCHEDULE B

This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions.







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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.2.

April 20, 2021

Re: Public hearing notice for a Zone Change to SAG-5 (Suburban Agricultural)

Dear Adjacent Property Owner:

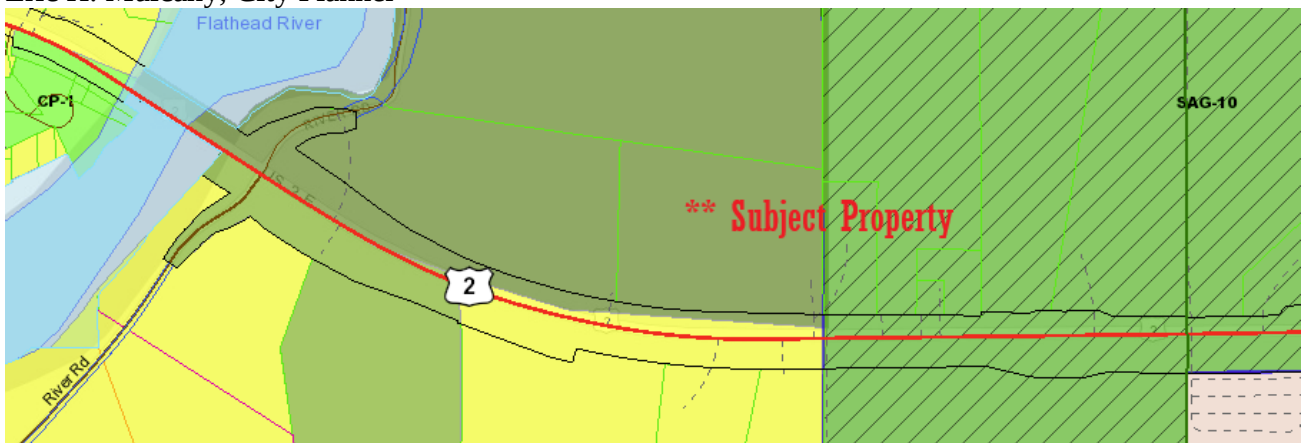
Our records indicate that you are the owner of property within 150-feet of the proposed zone change.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with a notice of a public hearing for a Zone Change. The Zone Change would convert the existing CSAG-10 (Suburban Agricultural) designation to a CSAG (Suburban Agricultural) designation. The primary difference between the two zoning designations is that the proposed zoning would allow the property to be split into two five-acre tracts. Permitted and Conditionally permitted uses are almost identical in the two zoning designations. The vacant property is approximately 10 acres in size and is located approximately ¼ mile east of the bridge over the Flathead River. The property is described as Parcel 1 of COS 16981 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County

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 May 6, 2021 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comment 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 a public hearing for the following item at their regular meeting on Tuesday, May 11, 2021 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 Monday June 7, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

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

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. 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.

DATED this 20th day of April, 2021

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING
The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, May 11, 2021 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 Monday June 7, 2021 starting at 7:00 p.m. in the same location. Both hearings will be conducted in accordance with the most current recommended and/or required public health and safety protocols in place at the time of the hearing. The City website, <https://cityofcolumbiafalls.org>, will contain updated information if there is any change to the planned hearings.

Request change the zoning from CSAG-10 (Suburban Agricultural) to CSAG-5 (Suburban Agricultural) in the Columbia Falls Zoning Jurisdiction:

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

Persons are allowed to attend the hearing(s), subject to the most recent public gathering restrictions enacted by County and State agencies at or prior to the time of the hearing. 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.

DATED this 20th day of April, 2021

Susan Nicosia
City Manager/Planning & Zoning Administrator
COLUMBIA FALLS CITY-

COUNTY PLANNING BOARD

April 25, 2021
MNAXLP

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. 27737**

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 APRIL 25, 2021

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.

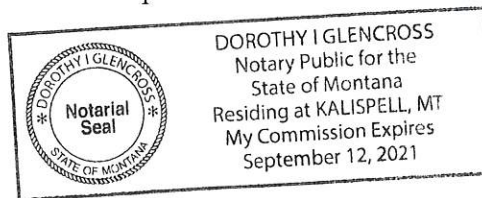
Mary Booth

Subscribed and sworn to
Before me this, April 25, 2021

Dorothy I. Glencross

Dorothy I. Glencross

Notary Public for the State of Montana
Residing in Kalispell
My commission expires 9/12/2021



April 30, 2021

To: City of Columbia Falls Planning Department

Re: Public Hearing for a Zone Change at 7030 Hwy 2 East, Columbia Falls

1. Please consider this parcel when split – where will the wetlands be located? Please carefully assess the fact that the land just across the fence is a swamp year round.
2. Please be pro-active in regards to there being 2 septic systems as opposed to 1 septic system as it stands now. The property to the north is all wetlands and drains into the river. In checking with a hydrogeologist the water flow in this area is Northwest. Also there is actually only one small area this is high enough for safe building.
3. Also 2 Septic Systems in the spring could be a large problem as this property is very wet. There is usually standing water on this property (besides the pond) in early spring. The DEQ perk test would of course detect this.
4. Also take into account the added traffic of 2 families as opposed to 1 entering the highway on this busy curve with the proposed entrance of Benches subdivision (potentially 40+ families) on the south side of the road. There are two entrances to this property.

In summary – I am not totally opposed to this rezone. I just want the Planning Board to use their expertise to hopefully avert any future problems or repercussions. To me it is sad that our local farmland is slowly being developed. Land that is very marginally suited to housing is being used like it was any other field.

Thank you for your time.

Rudy & Kathie Arvidson
7123 Hwy 2 East, Columbia Falls