



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

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

**CITY COUNCIL REGULAR MEETING
AGENDA
MONDAY, MARCH 20, 2023
COUNCIL FALLS JUNIOR HIGH SCHOOL – 1805 TALBOT ROAD**

FINANCE COMMITTEE – 6:30 P.M

(Barnhart, Robinson, Piper)

PLEASE NOTE: VIRTUAL ZOOM MEETING IS NOT AVAILABLE DUE TO THE ALTERNATE LOCATION

REGULAR MEETING – 7:00 P.M.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

CONSENT AGENDA:

- 1.** Approval of Claims - March 20, 2023 - \$105,859.01
- 2.** Approval of Payroll Claims - March 17, 2023 - \$155,360.02
- 3.** Approval of Regular City Council Meeting Minutes - March 6, 2023
- 4.** Contract Amendment - General Engineering On-Call Services - Morrison-Maierle and authorize City Manager to Execute

VISITORS/PUBLIC COMMENT (Items not on agenda)

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

5. Public Hearings - Planning Items Within the Columbia Falls Jurisdiction:

The Columbia Falls City-County Planning Board held public hearings for the following items at their regular meeting on Tuesday, February 14, 2023 at 6:30 p.m. at the Cafetorium in the Columbia Falls Junior High School, 1805 Talbot Road, Columbia Falls, Montana. **The Columbia Falls City Council will hold a subsequent hearing on March 20, 2023 starting at 7:00 p.m. in the same location.**

FIRST HEARING:

Request to amend an approved Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The RH2 LLC is requesting an amendment to a previously approved Planned Unit Development overlay for the property located at 812 4th Ave West which is at the corner of 8th Street West and 4th Ave West. The original PUD allows nine residential units and three commercial spaces in two buildings on the half acre parcel. The amendment would replace the three commercial units with three residential units for a total of twelve residential units. The three story buildings will meet the setback and height standards of the CB-2 (General Business) zoning district as well as providing 24 off-street parking spaces. The property is described as Assessors' Tract 8AA (Parcel B of COS 12484) in the SW1/4 of Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

- A. Adopt Staff Report CPUD-23-01 as Findings of Fact
- B. Approve PUD with Conditions and Direct Staff to Prepare Ordinance for April 3, 2023 Regular Council Meeting

SECOND HEARING:

A Zone Change Request from CSAG-5 and CSAG-10 to CR-4 in the Columbia Falls Zoning Jurisdiction.

The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and 500 River Partners LLC are requesting a zone change for property located at 7030 Highway 2 East and 500 River Road in Columbia Falls. The properties are currently zoned CSAG-5 and CSAG-10 (Suburban Agricultural) with a 5 and 10 acre minimum lot size. The proposed zoning is a CR-4 (Urban Residential) zoning. The two properties total approximately 22.5 acres and are located just east of the bridge over the Flathead River. The properties are described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

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

The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and River Partners LLC are requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the urban scale development is located at 7030 Highway 2 East and 500 River Road in Columbia Falls and is described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The project consists of 180 residential units (99 single family attached units and 81 apartment units). The gross density of project is 7.9 units per acre. The applicant is proposing 12.21 acres (55%) of the site as park and open space. With the project, the applicants are proposing to extend Columbia Falls Water and Sewer service to the site. Other than the clustering of density and the density bonus provided by the PUD regulations, the applicant is not requesting any deviations.

- A. Adopt Staff Report CZC-23-01 as Findings of Fact
- B. Approve Zone Change and Direct Staff to Prepare Ordinance for April 3, 2023 Meeting
- C. Adopt Staff Report CPUD-23-02 as Findings of Fact
- D. Approve PUD with Conditions and Direct Staff to Prepare Ordinance for April 3, 2023 Meeting

6. Notice of Public Hearing - Conditional Use Permit - City Council April 3, 2023

The Columbia Falls City-County Planning Board held a public hearing for the following item at their regular meeting on Tuesday, March 14, 2023 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 April 3, 2023 starting at 7:00 p.m. in the same location.

Conditional Use Permit – Sports Bar and Casino: A request by J & L Golf, Levi LaPrath and Jarred Griffis to open a sports bar with a casino of up to twenty gaming machines. The building in question is located at 605 Nucleus Avenue, Unit B, currently a Hair Salon. The property is zoned CB-4 (Central Business) District and the zoning ordinance requires a Conditional Use Permit for new casinos while bars and restaurants are permitted uses. The property is described as Lots 1 and 2, Block 45 of the Columbia Falls Original Townsite located in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

NEW BUSINESS:

- 7.** Award Bids - 5th Ave EN Water Main ARPA Project to Sandry Construction in the amount of \$253,350 and authorize City Manager to Execute Contract Documents
- 8.** Approval of Request from Baiar Holdings Industrial Park, 290 Truck Route, Outside City Limits, to Connect to City Sewer
- 9.** Approve Letter of Support - Drug Task Force MBCC 23-24 FY Grant Request
- 10.** Approve Letter of Support - Flathead County 2023 FLAP Grant Application - North Fork Road

RESOLUTIONS:

- 11.** Resolution # 1895 - A Resolution of the City Council of the City of Columbia Falls, Montana, Designating the Columbia Falls Chamber of Commerce as the Nonprofit Organization that Will Oversee the Lodging Facility Use Tax Revenue Collected Within the City to Promote Columbia Falls as a Tourism Destination

REPORTS / BUSINESS FROM MAYOR & COUNCIL

CITY MANAGER REPORT

CITY ATTORNEY REPORT

MISCELLANEOUS

[12.](#) Correspondence

[13.](#) February 2023 - Financial Reports

ADJOURN

Next Scheduled Meetings:

City Council – Regular Meeting, **April 3, 2023** – 7:00 PM - City Hall

Planning Board - April 11, 2023 - City Hall

Parks Committee Meeting - Wednesday, March 22, 2023 - 6:30 PM Council Chambers

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09:22:58

CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 3/23

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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
44264		877 APPLIED INDUSTRIAL TECHNOLOGIES	12.41							
	7026445886	03/07/23 SWR-O RING SAMPLE	12.41			5310 430600	220		101000	
		Total for Vendor:	12.41							
44259		2863 BATES, SHAWN	242.00							
	GFOA TRAINING NEWPORT BEACH, CA 2/26-3/4/2023									
	030923	03/09/23 FIN-TRAINING MEALS REIMB.	242.00			1000 410500	380		101000	
		Total for Vendor:	242.00							
44262		3174 BNSF RAILWAY COMPANY	2,432.28							
	90248825	03/06/23 BNSF ENGIN- QUIET ZONE INV #	2,432.28			1000 410100	399		101000	
		Total for Vendor:	2,432.28							
44231		1700 BRECK LAW OFFICE, PC	7,468.62							
	APRIL									
	030223	03/02/23 LGL-FEES FOR APRIL 2023	1,830.17			1000 411100	350		101000	
	030223	03/02/23 CITY COURT-FEES FOR APRIL 2023	3,730.44			1000 410365	350		101000	
	030223	03/02/23 WTR-FEES FOR APRIL 2023	601.38			5210 430500	350		101000	
	030223	03/02/23 SWR-FEES FOR APRIL 2023	601.38			5310 430600	350		101000	
	030223	03/02/23 PLG/ZONING-FEES FOR APRIL 2023	300.69			1000 411000	350		101000	
	030223	03/02/23 PD-FEES FOR APRIL 2023	121.55*			1000 420100	399		101000	
	030223	03/02/23 WTR-FEES FOR APRIL 2023	27.01			5210 430500	357		101000	
	030223	03/02/23 SWR-FEES FOR APRIL 2023	39.94			5310 430600	357		101000	
	030223	03/02/23 STRS-FEES FOR APRIL 2023	54.02			2500 430200	399		101000	
	030223	03/02/23 LGL-ADD'L FEES FOR APRIL 2023	162.04			1000 411100	350		101000	
		Total for Vendor:	7,468.62							
44253		E 2852 CHARTER COMMUNICATIONS	267.94							
	030123	03/01/23 PD-INTERNET 3/1/23-3/31/23	129.98			1000 420100	345		101000	
	030623	03/06/23 SWR-INTERNET 3/6/23-4/5/23	137.96			5310 430600	345		101000	
		Total for Vendor:	267.94							
44269		1145 CITY OF WHITEFISH BUILDING	2,252.90							
	Permits issued for FEBRUARY 2023									
	030123	03/01/23 BUILDING PERMITS 2/23	878.15			2394 420500	398		101000	
	030123	03/01/23 ELECTRICAL PERMITS 2/23	598.00			2394 420500	398		101000	

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	030123	03/01/23 MECHANICAL PERMITS 2/23	607.75			2394 420500	398		101000
	030123	03/01/23 PLUMBING PERMITS 2/23	169.00			2394 420500	398		101000
		Total for Vendor:	2,252.90						
44277		776 COL.FALLS VOLUNTEER FIRE	4,294.65						
	031623A	03/16/23 Jan, Feb & March TAX - PP	13.14			7120 212520			101000
	031623A	03/16/23 Jan, Feb & March TAX P&I	20.60			7120 212520			101000
	031623A	03/16/23 Jan, Feb, & March TAX - REAL	2,019.54			7120 212520			101000
	031623A	03/16/23 Jan & Feb Interest Earnings	85.62			7120 212520			101000
	031623A	03/16/23 State Entitlement 3rd Q 2023	2,155.75			7120 212520			101000
		Total for Vendor:	4,294.65						
44255		2343 COLJ CONFERENCE REGISTRATION	300.00						
	SPRING 2023	COLJ CONFERENCE APR 24-27, 2023							
	031323	03/13/23 CRT-SPRING COLJ CONFERENCE	300.00			1000 410360	380		101000
		Total for Vendor:	300.00						
44257		3026 DAILY INTER LAKE	659.81						
	02152023	02/15/23 CALL FOR BID 5TH AVE EN ARPA	267.45			5210 430500	930		101000
	02262023	02/26/23 CALL FOR BID 5TH AVE EN ARPA	267.45			5210 430500	930		101000
	02262023	02/26/23 LePRATH CASINO	124.91			1000 411000	331		101000
		Total for Vendor:	659.81						
44247		2889 DAKOTA SUPPLY GROUP	41.18						
	S102530725	02/22/23 SWR-PLEATED POLYESTER FILT	41.18			5310 430600	220		101000
		Total for Vendor:	41.18						
44265		1797 DEPARTMENT OF ADMINISTRATION	54.63						
	SITSD51901	03/15/23 PD-ITSD/EMAIL 2/1/23-2/28/	54.63			1000 420100	355		101000
		Total for Vendor:	54.63						
44228		2501 ENCOMPASS SUPPLY	395.13						
	88356	03/02/23 SWR-NITRILE GLOVES,TOILET PAPR	270.13			5310 430600	220		101000
	88356-1	03/09/23 SWR-NITRILE GLOVES	125.00			5310 430600	220		101000
		Total for Vendor:	395.13						

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44232	E	1879 EVERGREEN WASTE CONNECTIONS	558.55						
	030123	03/01/23 FAC-2/1/23-2/28/23	85.46			1000 411200	340		101000
	030123	03/01/23 STRS-2/1/23-2/28/23	171.95			2500 430200	340		101000
	030123	03/01/23 WTR-2/1/23-2/28/23	129.24			5210 430500	340		101000
	030123	03/01/23 SWR-2/1/23-2/28/23	71.15			5310 430600	340		101000
	030123	03/01/23 PRKS-2/1/23-2/28/23	100.75			1000 460400	340		101000
		Total for Vendor:	558.55						
44221		438 FERGUSON WATERWORKS	4,609.96						
	0842559	03/02/23 WTR-25 3/4 INCH METERS	4,500.00			5210 430500	230		101000
	1306633-1	03/03/23 SWR-FILTERS FOR NON POT WAT	109.96			5310 430600	220		101000
		Total for Vendor:	4,609.96						
44223	E	2961 FIRST BANKCARD-ELECTRONIC PYMT	3,318.28						
	7403460	01/23/23 SWR-SEATS FOR CAMERA TRAILER	129.99			5310 430600	240		101000
	012412	01/24/23 ADMIN-ECONOMIC OUTLOOK SEMINAR	120.00			1000 410400	380		101000
	171614	01/24/23 FD-CERTIFICATION FRAMES	39.98			1000 420400	220		101000
	5791467	01/18/23 PD-BULK FLASH DRIVES	206.66			1000 420100	220		101000
	D96344/34	01/25/23 PD-12GA SHOTGUN AMMO	519.20			1000 420100	220		101000
	0953005	01/23/23 SWR-ZIP CABLE TIES	8.48			5310 430600	220		101000
	2549866	01/25/23 PD-STICKY NOTES	6.99			1000 420100	210		101000
	9473861	01/25/23 PD-PLASTIC WALL PROTECTORS	18.99			1000 420100	220		101000
	337074	01/26/23 ADMIN-MEETING LUNCH	75.63			1000 410400	380		101000
	0810608	01/23/23 SWR-SEAT PARTS CAMERA TRAILER	83.76			5310 430600	240		101000
	36893	01/30/23 STRS-DIESEL EXH FLUID MODULE	1,034.14			2500 430200	232		101000
	013009	01/30/23 CNCL-BARNHART ECONOM SEMINAR	90.00			1000 410100	380		101000
	1247816413	02/02/23 AWS EMAIL 1/1-1/31/23	334.21			1000 410580	355		101000
	020223	02/02/23 FD-K DOLPH CPR CARD	32.50			1000 420730	380		101000
	219-36	02/03/23 FD-M DICKERSON FF1 ACADEMY	200.00			1000 420400	380		101000
	1532244	02/01/23 FIN-PASSWORD ORGANIZER BOOKS	25.98			1000 410500	210		101000
	804345067	02/07/23 FD-K WEEKS EMT RENEWAL	35.00			1000 420730	380		101000
	8045467946	02/07/23 FD-K WEEKS NALOXONE ENDORS	10.00			1000 420730	380		101000
	8045499364	02/07/23 FD-L GROGAN NALOXONE ENDOR	10.00			1000 420730	380		101000
	8049386617	02/08/23 FD-T SHANKS EMT RENEWAL	35.00			1000 420730	380		101000
	8049394311	02/08/23 FD-T SHANKS NALOXONE ENDOR	10.00			1000 420730	380		101000
	8050898634	02/09/23 FD-C STUHLER EMT RENEWAL	35.00			1000 420730	380		101000

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	8046646645	02/07/23 FD-J LOUGHERY NALOXONE END	10.00			1000 420730	380		101000
	8046639742	02/07/23 FD-J LOUGHERY EMT RENEWAL	35.00			1000 420730	380		101000
	73	02/09/23 PRKS-AUSTIN & NATE LUNCH	20.00*			1000 460400	220		101000
	020923	02/09/23 FD-C STUHLER NALOXONE ENDORSEM	25.00			1000 420730	380		101000
	YNDCTSZN13	02/10/23 PD-DROPBOX SUBSCRIPT 2/10-	11.99			1000 420100	355		101000
	8335401	02/08/23 PD-FLASH DRIVES	37.99			1000 420100	210		101000
	8335401	02/08/23 PD-PENS	9.99			1000 420100	220		101000
	037210	02/14/23 FD-FILTERS FOR VACUUM	39.99			1000 420400	220		101000
	4190647	02/15/23 FAC-HALOGEN BULBS	17.52*			1000 411200	220		101000
	2380766486	02/15/23 SWR-ADOBE PRO MONTHLY SUBS	19.99			5310 430600	355		101000
	0049058	02/15/23 WTR-STORAGE CLIPBOARD-C HANLE	9.77			5210 430500	220		101000
	0049058	02/15/23 SWR-STORAGE CLIPBOARD-C HANLE	9.77			5310 430600	220		101000
	0049058	02/15/23 STRS-STORAGE CLIPBOARD-CHANLE	9.76			2500 430200	220		101000
		Total for Vendor:	3,318.28						
44233		663 FLATHEAD COUNTY SOLID WASTE	2,728.97						
	SLUDGE HAULING	02/01/23-02/28/23							
	9431	03/01/23 SWR-SLUDGE HAUL 2/1/23-2/28/23	2,728.97			5310 430600	395		101000
		Total for Vendor:	2,728.97						
44243		24 FLATHEAD COUNTY TREASURER	438.00						
	030623	03/06/23 CRT-TECH SUR 2/23	192.00			1000 212201			101000
	030623	03/06/23 CRT-LEA/CRIM CONV SURCRG 2/23	246.00			1000 212201			101000
		Total for Vendor:	438.00						
44239		21 FLATHEAD ELECTRIC COOP INC	14,459.74						
	1/25-2/24/23								
	022323	02/28/23 FAC-1/25-2/24/23	440.95			1000 411200	341		101000
	022323	02/28/23 PD-1/25-2/24/23	42.58			1000 420100	341		101000
	022323	02/28/23 FD-1/25-2/24/23	402.97			1000 420400	341		101000
	022323	02/28/23 PARKS-1/25-2/24/23	425.18			1000 460400	341		101000
	022323	02/28/23 POOL-1/25-2/24/23	68.30			1000 460445	341		101000
	022323	02/28/23 LIGHTING-1/25-2/24/23	2,552.18			2400 430200	341		101000
	022323	02/28/23 STRS-1/25-2/24/23	195.85			2500 430200	341		101000
	022323	02/28/23 WTR-1/25-2/24/23	3,382.28			5210 430500	341		101000
	022323	02/28/23 SWR-1/25-2/24/23	6,949.45			5310 430600	341		101000
		Total for Vendor:	14,459.74						

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44240		3019 FLATHEAD PUBLISHING GROUP	1,673.00						
	5268-21720	02/28/23 PD-PATROLMAN JOB AD	1,673.00			1000 420100	390		101000
		Total for Vendor:	1,673.00						
44251		3198 FRIESEN, MICAH	596.96						
	031223	03/12/23 PD-MLEA MILEAGE/ TRAVEL MEALS	596.96			1000 420100	380		101000
		Total for Vendor:	596.96						
44256		2948 GLACIER CLOTHING CO.	196.20						
	11623	03/02/23 SWR-EMBROIDERY FOR SWR	89.18*			5310 430600	226		101000
	11623	03/03/23 STRS-EMBROIDERY FOR STREETS	107.02*			2500 430200	226		101000
		Total for Vendor:	196.20						
44249		1455 GRAINGER	20.16						
		STREETS ORDERED THE WRONG ITEM BUT WAS UNABLE TO STOP IT FROM BEING SHIPPED. WE REJECTED THE ITEM WHEN IT ARRIVED BUT STILL NEED TO PAY FOR THE SHIPPING COST.							
	9601521280	02/08/23 STRS-SHIPPING FOR ERROR PU	20.16			2500 430200	390		101000
		Total for Vendor:	20.16						
44237		3095 GREAT NORTHERN LOCK AND SAFE	295.00						
	11640	03/02/23 FAC-CITYHALL FRONT DOOR REPAIR	295.00*			1000 411200	360		101000
		Total for Vendor:	295.00						
44266		3122 GUNTHER, LINKOLN	25.00						
	031423	03/14/23 WTR-L GUNTHER NOTARY APP FEE	12.50			5210 430500	380		101000
	031423	03/14/23 SWR-L GUNTHER NOTARY APP FEE	12.50			5310 430600	380		101000
		Total for Vendor:	25.00						
44275		3163 HANLEY, CHRIS	46.00						
		MRWS CONFERENCE IN GREAT FALLS 3/21/23-3/24/23							
	031623	03/16/23 WTR-MEALS REIMB	23.00			5210 430500	380		101000
	031623	03/16/23 SWR-MEALS REIMB	23.00			5310 430600	380		101000
		Total for Vendor:	46.00						

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44222		2806 HANSON'S HARDWARE	76.44						
	604883	03/06/23 SWR-NOZZLE & EXT CORD	28.98			5310 430600	220		101000
	604883	03/06/23 SWR-DOOR STOP, BRASS CONNECTOR	23.48			5310 430600	240		101000
	604830	03/01/23 FD-COUPPLING/Y SHUTOFF	23.98			1000 420400	240		101000
		Total for Vendor:	76.44						
44272		1119 HDR ENGINEERING, INC.	12,259.27						
		WWTP AND SEWER IMPROVEMENTS PROJECT INVOICE #12							
	1200507923	03/10/23 SWR ARPA INV #12 THRU 2/25	12,259.27			5310 430600	930		101000
		Total for Vendor:	12,259.27						
44246		2849 J2 BUSINESS PRODUCTS	646.33						
	1267138-0	03/06/23 WTR-HIGHLIGHTERS	3.25			5210 430500	210		101000
	1267138-0	03/06/23 SWR-HIGHLIGHTERS	3.25			5310 430600	210		101000
	1267138-0	03/06/23 FIN-HIGHLIGHTERS	3.25			1000 410500	210		101000
	1261580-0	02/14/23 FAC-TP,TOWELS,UNINAL SCREEN	349.48*			1000 411200	220		101000
	1269844-0	03/14/23 CRT-COPY PAPER	287.10			1000 410360	210		101000
		Total for Vendor:	646.33						
44276		847 JENKINS, GRADY	46.00						
		MRWS CONFERENCE IN GREAT FALLS 3/21/23-3/24/23							
	031623	03/16/23 SWR-MEALS REIMB	46.00			5310 430600	380		101000
		Total for Vendor:	46.00						
44258		999999 JOHNSON, JAMES	375.00						
		REFUND ON AUCP FEE - PAID INCORRECT AMOUNT, APPLICATION NOT YET ELIGIBLE FOR SUBMISSION.							
	030823	03/08/23 REFUND ACUP FEE 100 BILLS LANE	375.00			1000 341070			101000
		Total for Vendor:	375.00						
44220		1504 KALISPELL COPY CENTER	124.75						
	238386	03/02/23 STRS-SAFETY VESTS FOR CREW	124.75*			2500 430200	226		101000
		Total for Vendor:	124.75						

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CITY OF COLUMBIA FALLS
Claim Approval List
For the Accounting Period: 3/23

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Report ID: AP100V

* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
44252		2047 LAURIE'S DELI	51.49						
		DISASTER MITIGATION MEETING FOOD FOR 7 PEOPLE							
		022823 02/28/23 ADMIN-DISASTER MITIGATION MTG	51.49			1000 410400	380		101000
		Total for Vendor:	51.49						
44263		999999 LUCICH, LUCCA	40.00						
		Faxed and paid online for a business license not realizing what he was doing.							
		After a discussion with Lucca it was found that he does not need a city business							
		license.							
		030723 03/07/27 REFUND BUSINESS LIC FEE	40.00			1000 322030			101000
		Total for Vendor:	40.00						
44226		146 MIKE'S CONOCO CORPORATE OFFICE	17.28						
		3344 03/03/23 SWR-ANTIFREEZE	17.28			5310 430600	220		101000
		Total for Vendor:	17.28						
44236		43 MONTANA ENVIRONMENTAL LABORATORY	624.00						
		STATEMENT ENDING 2/28/23							
		2301051 02/06/23 WTR-COLIFORM	145.00			5210 430500	394		101000
		2300925 02/07/23 SWR-NITRATE+NITR, TNK	66.00			5310 430600	394		101000
		2301549 02/27/23 SWR-NITRATE+NITRITE, TKN	66.00			5310 430600	394		101000
		2301153 02/14/23 SWR-AMMONIA, NITRATE, BOD, CBOD	266.00			5310 430600	394		101000
		2301398 02/21/23 SWR-NITRATE+NITRITE, TKN	66.00			5310 430600	394		101000
		2301055 02/08/23 SWR-DISOLVED ALUMINUM	15.00			5310 430600	394		101000
		Total for Vendor:	624.00						
44229		44 MONTANA LEAGUE OF CITIES AND	321.42						
		JAN TO MARCH 2023 CONTRIBUTIONS TO THE SETPOINT COMMUNICATIONS SUPPORT MONTHLY							
		CONTRACT FEES.							
		ML00625 03/01/23 SETPOINT COMMUN SUPPT FEES	321.42			1000 410100	399		101000
		Total for Vendor:	321.42						
44260		722 MORRISON-MAIERLE, INC.	19,180.14						
		12TH AVE IMPROVEMENTS, 5TH AVE EN WATER MAIN REPLACEMENT, BUSINESS DISTRICT SIDE							
		WALKS AND PARKING IMPROVEMENTS.							
		SEVERAL ON CALL SERVICES							
		000230427 03/06/23 12TH AVE W IMPROVEMENTS	1,169.64			2959 470300	930		101000

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/	Document \$/	Disc \$						Cash
		Invoice #/Inv Date/Description	Line \$		PO #	Fund Org Acct	Object	Proj	Account	
	000230424	03/06/23 BIZ DISTRICT PARKNG & SIDEW	10,828.50			2310 470300	931		101000	
	000230425	03/06/23 5TH AVE EN WATER MAIN PROJE	3,640.50			5210 430500	930		101000	
	000230428	03/10/23 ON CALL SVC - RUIS HOTEL	159.00			5310 430600	354		101000	
	000230428	03/10/23 ON CALL SVC - GARNIER HEIGH	636.00			5210 430500	354		101000	
	000230428	03/10/23 ON CALL SVC - GARNIER HEIGH	636.00			5310 430600	354		101000	
	000230428	03/10/23 ON CALL SVC-ST RICHARDS MFE	397.50			5210 430500	354		101000	
	000230428	03/10/23 ON CALL SVC-ST RICHARDS MFE	397.50			5310 430600	354		101000	
	000230428	03/10/23 ON CALL SVC-WTR CAPACITY ME	874.50			5210 430500	354		101000	
	000230423	03/06/23 OVERLAY & RECONSTRUCT PROJE	441.00			4040 430200	950		101000	
		Total for Vendor:	19,180.14							
44271		2707 MOUNTAIN ALARM	100.75							
		ALARM MONITORING 4/1-4/31/23								
	3448094	04/01/23 FAC-CITY HALL APR 2023	47.35			1000 411200	366		101000	
	3447058	04/01/23 FAC-FD APR 2023	53.40			1000 411200	366		101000	
		Total for Vendor:	100.75							
44225		1247 MURDOCH'S RANCH & HOME KALISPELL	41.98							
	9890/34	02/08/23 STRS-AAA BATTERIES	22.99			2500 430200	220		101000	
	9891/34	02/08/23 STRS-PRICE CREDIT ON AAA BATT	-8.00			2500 430200	220		101000	
	9964/34	02/17/23 SWR-PREMIXED ENGINE FUEL	26.99			5310 430600	231		101000	
		Total for Vendor:	41.98							
44248		52 NAPA AUTO PARTS	139.21							
	036646	02/28/23 SWR-WIPER SWITCH	90.24			5310 430600	232		101000	
	036484	02/27/23 SWR-FLUID OIL PUMP	11.99			5310 430600	240		101000	
	030223	03/02/23 FD-15W40 OIL	22.99			1000 420400	231		101000	
	036700	03/01/23 SWR-SIGNAL/STERLING WHL PULLER	99.98			5310 430600	232		101000	
	036816	03/02/23 SWR-RTN STERLING WHL PULLER	-85.99			5310 430600	232		101000	
		Total for Vendor:	139.21							
44218		2002 NORTHWEST PARTS & EQUIPMENT &	91.22							
	C320159	03/06/23 SWR- GREASE GUN	85.72			5310 430600	212		101000	
	C320159	03/06/23 SWR-GREASE COUPLER	5.50			5310 430600	220		101000	
		Total for Vendor:	91.22							

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
44241		1437 NORTHWESTERN ENERGY	3,615.58						
		NATURAL GAS SERVICE 03/13/23							
	022823	02/28/23 FAC-1/21-2/20/23	854.95			1000 411200	344		101000
	022823	02/28/23 PD-1/21-2/20/23	128.83			1000 420100	344		101000
	022823	02/28/23 FD-1/21-2/20/23	641.33			1000 420400	344		101000
	022823	02/28/23 STRS-1/21-2/20/23	481.46			2500 430200	344		101000
	022823	02/28/23 WTR-1/21-2/20/23	142.49			5210 430500	344		101000
	022823	02/28/23 SWR-1/21-2/20/23	1,366.52			5310 430600	344		101000
		Total for Vendor:	3,615.58						
44219		2816 O'REILLY AUTO PARTS	162.38						
	423107	03/02/23 SWR-HEX PLUG/ AIR PLUG	4.29			5310 430600	240		101000
	423090	03/02/23 SWR- DRAIN COCK, AIR PLUG	9.52			5310 430600	240		101000
	423608	03/08/23 WTR-OIL FILTER, AIR FILTER	31.12			5210 430500	232		101000
	423606	03/08/23 WTR-MOTOR OIL 10 QTS	85.98			5210 430500	231		101000
	424009	03/12/23 PD-MOTOR OIL 3 QTS	31.47			1000 420100	231		101000
		Total for Vendor:	162.38						
44270		950 PETERSON, BRAD	899.00						
	031423	03/14/23 FD-EMT COURSE	899.00			1000 420730	380		101000
		Total for Vendor:	899.00						
44268		1495 PLATT ELECTRIC SUPPLY	616.67						
	3R85905	03/07/23 LGHTNG-STREET LIGHT BULBS	616.67			2400 430200	240		101000
		Total for Vendor:	616.67						
44267		3136 RICE, BRANDON	251.76						
		MLEA TRAINING							
	031423	03/14/23 PD-FUEL & MEALS	251.76			1000 420100	380		101000
		Total for Vendor:	251.76						
44245		3108 SEAWESTERN FIRE FIGHTING	156.90						
		THOMAS & ARNOLD							
	INV21953	03/06/23 FD-NAME PLATE-THOMAS,ARNOLD	156.90			1000 420400	226		101000
		Total for Vendor:	156.90						

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CITY OF COLUMBIA FALLS
Claim Approval List
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
44250		2755 SHERWIN-WILLIAMS CO	3,391.11						
	3721-5	03/08/23 WTR-PAINT FOR WELL	151.40			5210 430500	240		101000
	3741-3	03/09/23 STRS-STREET PAINTING PAINT	1,439.60			2500 430200	220		101000
	3869-2	03/14/23 STRS-STREET PAINTING PAINT	1,800.11			2500 430200	220		101000
		Total for Vendor:	3,391.11						
44261		3175 SIGN SOLUTIONS USA, LLC	619.46						
	405217	03/10/23 STRS-BLINKING STOP SIGN RING	619.46			2500 430200	243		101000
		Total for Vendor:	619.46						
44254		3107 SMITH'S CUSTOMER CHARGES	12.86						
	034148	02/28/23 POOL-CANDY FOR JOB FAIR	12.86*			1000 410500	220		101000
		Total for Vendor:	12.86						
44273		3166 SOBCZAK, CALEB	45.00						
		BUILDING CODE CONFERENCE 3/12-3/14/23							
	031523	03/15/23 BLDG - MEALS AT TRAINING	45.00			2394 420500	380		101000
		Total for Vendor:	45.00						
44238		3124 STUFFLEBEEM, WAYNE	306.80						
		FIELD TRAINING OFFICER COURSE 3/26-3/31/22							
	022723	02/27/23 PD-MEALS/MILEAGE TRAINING	306.80			1000 420100	380		101000
		Total for Vendor:	306.80						
44230		3068 SUPERIOR LAND & LAWN CARE LLC	625.00						
	82	03/02/23 FD-FEBRUARY SNOW REMOVAL	625.00			1000 420400	399		101000
		Total for Vendor:	625.00						
44242		3016 TRANSUNION RISK AND ALTERNATIVE	100.00						
	202302-1	03/01/23 PD-2/1/23-2/28/23	100.00			1000 420100	335		101000
		Total for Vendor:	100.00						
44234		3063 UTILITIES UNDERGROUND LOCATION	23.55						
		MONTH OF SERVICE FEBRUARY							
		15 TOTAL							
	3025069	02/28/23 WTR-FEBRUARY 2023 UDIGS	7.85			5210 430500	318		101000

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CITY OF COLUMBIA FALLS
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* ... Over spent expenditure

Claim/	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
	3025069	02/28/23 SWR-FEBRUARY 2023 UDIGS	7.85			5310 430600	318		101000
	3025069	02/28/23 STRS-FEBRUARY 2023 UDIGS	7.85			2500 430200	318		101000
		Total for Vendor:	23.55						
44244		1134 VICTIM-WITNESS ADVOCATE PROGRAM	288.00						
	030623	03/06/23 CRTS-FEBRUARY 23	288.00			2917 410360	356		101000
		Total for Vendor:	288.00						
44227		84 WESTERN BUILDING CENTER	231.85						
	4I111366	02/27/23 SWR-ASSORTED FASTENERS	1.53			5310 430600	240		101000
	4I110536	02/27/23 SWR-ASSORTED FASTENERS	1.50			5310 430600	240		101000
	4I137663	03/08/23 WTR-6" BAR CLAMP	22.99			5210 430500	212		101000
	4I141072	03/10/23 FD-PARTS FOR TRUCK 481	63.28			1000 420400	232		101000
	4I136959	03/08/23 SWR-WIRE CONNECTORS	7.09			5310 430600	240		101000
	4I132160	03/03/23 FD-WASHER HOSE AND HOSE ADPT	37.47			1000 420400	240		101000
	4I142301	03/13/23 SWR-UTILITY WATER PUMP	97.99			5310 430600	212		101000
		Total for Vendor:	231.85						
44235	E	2733 WEX Fleet Universal	5,890.44						
		STATEMENT ENDING 02/28/2023							
	87034151	02/28/23 PD-FEBRUARY FUEL	1,725.21			1000 420100	231		101000
	87034151	02/28/23 PD-FEBRUARY FUEL	111.34			1000 420100	380		101000
	87034151	02/28/23 FIRE-FEBRUARY FUEL	560.77			1000 420400	231		101000
	87034151	02/28/23 WTR-FEBRUARY FUEL	251.80			5210 430500	231		101000
	87034151	02/28/23 SWR-FEBRUARY FUEL	386.56			5310 430600	231		101000
	87034151	02/28/23 STRS-FEBRUARY FUEL	2,854.76			2500 430200	231		101000
		Total for Vendor:	5,890.44						
44224	E	2767 WILSON& COMPANY, INC. ENGINEERS	7,100.00						
		BNSF MT UIC 22W-13906 CITY OF COLUMBIA FALLS							
		PERMIT TRACKING #22-13906							
	228213906	03/03/23 EDA 12TH AVE W PROJECT	7,100.00			2959 470300	930		101000
		Total for Vendor:	7,100.00						
		# of Claims	59	Total:	105,859.01	# of Vendors	54		
		Total Electronic Claims			17,135.21				
		Total Non-Electronic Claims			88723.80				

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CITY OF COLUMBIA FALLS
Fund Summary for Claims
For the Accounting Period: 3/23

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Fund/Account	Amount
1000 GENERAL FUND	
101000 CASH/CASH EQUIVALENTS	\$24,092.89
2310 TAX INCREMENT DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$10,828.50
2394 BUILDING CODE ENFORCEMENT FUND	
101000 CASH/CASH EQUIVALENTS	\$2,297.90
2400 SPECIAL LIGHTING DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$3,168.85
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	
101000 CASH/CASH EQUIVALENTS	\$8,935.88
2917 CRIME VICTIMS ASSISTANCE FUND	
101000 CASH/CASH EQUIVALENTS	\$288.00
2959 EDA	
101000 CASH/CASH EQUIVALENTS	\$8,269.64
4040 CAPITAL PROJECTS FUND - Street	
101000 CASH/CASH EQUIVALENTS	\$441.00
5210 WATER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$15,610.46
5310 SEWER ENTERPRISE FUND	
101000 CASH/CASH EQUIVALENTS	\$27,631.24
7120 FIRE RELIEF DISABILITY/PENSION FUND	
101000 CASH/CASH EQUIVALENTS	\$4,294.65
Total:	\$105,859.01

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CITY OF COLUMBIA FALLS
Claim Approval Signature Page
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Council Meeting Date: 03/20/2023

Claims Submitted to Council: \$ 105,859.01

Claims Denied/Withheld by Council Finance Committee: \$ _____ Claim #'s: _____

Prepared By: Shawn Bates, Finance Director

Shawn Bates

Approved by Susan M. Nicosia, City Manager

Susan Nicosia

City Council to Approve by motion on consent agenda

The following claims are significant:

Wilson & Company Inc. - \$7,100.00-12th Ave W railroad inspection services. (Fund 2959)
HDR Engineering Inc. - \$12,259.27-WWTP and sewer improvements engineering. (Fund 5310)
Morrison-Maierle Inc. - \$19,180.14-5th Ave EN, overlay project, 12th Ave W and on call engineering. (Fund 2959, 2310, 5210, 5310 and 4040)

The remaining claims are routine. Please let me know if you have any questions.
Shawn

03/16/23
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CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/17/23 to 03/17/23

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Total for Payroll Checks

	Employee	Employer	Amount
COMA HOURS (Comp Time Accumulated)	2.25		
COMP HOURS (Comp Time Used)	10.50		258.94
OVER HOURS (Overtime)	91.00		3,954.07
REG HOURS (Regular Time)	2,651.26		80,979.46
SHFN HOURS (Shift B)	256.50		513.00
SHFQ HOURS (OVT B)	25.00		75.00
SICK HOURS (Sick Time)	159.50		4,891.83
VACA HOURS (Vacation Time Used)	87.50		2,108.47
VOLN HOURS (Not in use)	25.00		1,250.00
GROSS PAY	92,780.77	0.00	
NET PAY	64,305.12	0.00	
NET PAY (CHECKS)	330.80		
NET PAY (DIRECT DEPOSIT)	63,974.32		
AFLAC-POSTTAX	111.67	0.00	
AFLAC-PRETAX	165.04	0.00	
CHILD SUPPORT P	413.07	0.00	
CITY OF COLUMBI	20.00	0.00	
FIT	6,980.98	0.00	
FLEX ALLEGIANCE	1,051.30	32.50	
FLEX DEP CARE	208.33	2.50	
FOP	360.00	0.00	
HEALTHINS/PRE	2,190.89	20,783.07	
MEDICARE	1,336.23	1,336.23	
MT ST FIRE ASSO	95.49	0.00	
NATIONWIDE/CITY	0.00	2,987.28	
NATIONWIDE/EMP	338.33	0.00	
P.E.R.S.	3,898.10	4,426.08	
PERS/FURS	1,021.70	1,371.19	
PERS/POLICE	2,585.47	4,139.60	
SIT	4,150.00	0.00	
SOCIAL SECURITY	3,101.25	3,101.25	
TEAMSTERS DUES	343.50	0.00	
UNEMPL. INSUR.	0.00	502.61	
UNUM LIFE INS.	104.30	0.00	
WORKERS' COMP	0.00	3,301.62	
CHARLES SCHWAB	1,578.59	0.00	
FIRST INTERSTAT	2,239.29	0.00	
FREEDOM BANK	4,463.01	0.00	
GLACIER BANK KA	5,450.06	0.00	
GLACIER BANK/CF	16,035.06	0.00	
GLACIER BANK/WF	1,734.67	0.00	
NAVY FEDERAL CR	1,965.55	0.00	
PARKSIDE CR U	11,877.19	0.00	
THREE RIVERS	1,145.12	0.00	
USAA FEDERAL	1,317.14	0.00	
USBANK.	2,678.66	0.00	
VERIDIAN CREDIT	400.00	0.00	
WELLS FARGO	5,874.47	0.00	

March 17, 2023
Payroll
\$ 155,360.02
Baw Stanley

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CITY OF COLUMBIA FALLS
Payroll Summary For Payrolls from 03/17/23 to 03/17/23

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WFISH CR UNION	7,215.51	0.00
FIT/SIT BASE	81,529.94	0.00
MEDICARE BASE	92,152.49	0.00
PERS BASE	87,618.99	0.00
SOC SEC BASE	50,020.46	0.00
UN BASE	91,380.77	0.00
WC BASE	92,712.76	0.00

Total 41,983.93
Total Payroll Expense (Gross Pay + Employer Contributions): 134,764.70
*** PAYROLL REGISTER + VOLUNTEER PAYROLL REGISTER = PAYROLL SUMMARY ***

Check Summary

Payroll Checks Prev. Out. \$7,732.96
Payroll Checks Issued \$330.80
Payroll Checks Redeemed \$7,637.71
Payroll Checks Outstanding \$426.05
Electronic Checks \$63,974.32

		Carried Forward	Deduction	Difference	Liab Account
Deductions Accrued		From Previous Month	Checks Issued		
-----		-----	-----	-----	-----
Social Security	6202.50	6202.50		12405.00	212260
Medicare	2672.46	2672.46		5344.92	212260
P.E.R.S.	8324.18	8324.18		16648.36	212270
Unempl. Insur.	502.61	3071.91		3574.52	212210
Workers' Comp	3301.62	19695.23		22996.85	212220
FIT	6980.98	6980.98		13961.96	212260
SIT	4150.00	4150.00		8300.00	212260
AFLAC-PRETAX	165.04	330.08		495.12	212230
NATIONWIDE/EMP	338.33	338.33		676.66	212280
Teamsters dues	343.50	687.00		1030.50	212310
PERS/Police	6725.07	6725.07		13450.14	212240
NATIONWIDE/CITY	2987.28	2987.28		5974.56	212280
AFLAC-POSTTAX	111.67	223.34		335.01	212230
PERS/FURS	2392.89	2392.89		4785.78	212275
MT ST FIRE ASSO	95.49	95.49		190.98	212315
HEALTHINS/PRE	22973.96	45947.92		68921.88	212400
CITY OF COLUMBI	20.00	20.00		40.00	212450
UNUM LIFE INS.	104.30	208.60		312.90	212400
FLEX ALLEGIANCE	1083.80	1083.80		2167.60	212285
CHILD SUPPORT P	413.07	413.07		826.14	212330
FOP	360.00	360.00		720.00	212335
FLEX DEP CARE	210.83	210.83		421.66	212285
Total Ded.	70459.58	113120.96	0.00	183580.54	

**** Carried Forward column only correct if report run for current period.

CITY OF COLUMBIA FALLS

CITY COUNCIL REGULAR MEETING MINUTES

HELD MARCH 06, 2023

At 7:00 p.m. Mayor Barnhart called the meeting to order.

ROLL CALL: Councilor Fisher, Councilor Hamilton, Councilor Piper, Councilor Shepard and Mayor Barnhart.
Absent: Councilor Lovering and Councilor Robinson.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA: Councilor Fisher motioned to approve the agenda, seconded by Councilor Piper and the motion carried.

CONSENT AGENDA: Councilor Piper made motion to approve the consent agenda noting all claims appeared to be in order, seconded by Councilor Shepard and the motion carried.

Approval of Claims - March 6, 2023 - \$47,533.74

Approve Payroll Claims, March 3, 2023 - \$109,716.95

Approval of Regular City Council Meeting Minutes - February 21, 2023

VISITORS/PUBLIC COMMENT (Items not on agenda)

Chris Peterson said he witnessed a bicyclist nearly get hit by a vehicle at 11th St. W. and 4th Ave. W. Mr. Peterson asked if the city would consider extending the bike path for public safety.

Mayor Barnhart mentioned installing pedestrian signs and re-painting the pedestrian crossing.

NOTICE OF PUBLIC HEARINGS/PUBLIC HEARINGS:

Mayor Barnhart read the Notice of Public Hearing - City Council March 20, 2023 - Zoning in Columbia Falls Jurisdiction:

The Columbia Falls City-County Planning Board held public hearings for the following items at their regular meeting on Tuesday, February 14, 2023 at 6:30 p.m. at the Cafetorium in the Columbia Falls Junior High School, 1805 Talbot Road, Columbia Falls, Montana. **The Columbia Falls City Council will hold a subsequent hearing on March 20, 2023 starting at 7:00 p.m. in the same location.**

Request to amend an approved Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The RH2 LLC is requesting an amendment to a previously approved Planned Unit Development overlay for the property located at 812 4th Ave West which is at the corner of 8th Street West and 4th Ave West. The original PUD allows nine residential units and three commercial spaces in two buildings on the half acre parcel. The amendment would replace the three commercial units with three residential units for a total of twelve residential units. The three story buildings will meet the setback and height standards of the CB-2 (General Business) zoning district as well as providing 24 off-street parking spaces. The property is described as Assessors' Tract 8AA (Parcel B of COS 12484) in the SW1/4 of Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

A Zone Change Request from CSAG-5 and CSAG-10 to CR-4 in the Columbia Falls Zoning Jurisdiction.

The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and 500 River Partners LLC are requesting a zone change for property located at 7030 Highway 2 East and 500 River Road in Columbia Falls. The properties are currently zoned CSAG-5 and CSAG-10 (Suburban Agricultural) with a 5 and 10 acre

minimum lot size. The proposed zoning is a CR-4 (Urban Residential) zoning. The two properties total approximately 22.5 acres and are located just east of the bridge over the Flathead River. The properties are described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

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

The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and River Partners LLC are requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the urban scale development is located at 7030 Highway 2 East and 500 River Road in Columbia Falls and is described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The project consists of 180 residential units (99 single family attached units and 81 apartment units. The gross density of project is 7.9 units per acre. The applicant is proposing 12.21 acres (55%) of the site as park and open space. With the project, the applicants are proposing to extend Columbia Falls Water and Sewer service to the site. Other than the clustering of density and the density bonus provided by the PUD regulations, the applicant is not requesting any deviations.

Notice of Public Hearings - Planning Board March 14, 2023 and City Council April 3, 2023:

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, March 14, 2023 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 April 3, 2023 starting at 7:00 p.m. in the same location.

Conditional Use Permit – Sports Bar and Casino: A request by J & L Golf, Levi LaPrath and Jarred Griffis to open a sports bar with a casino of up to twenty gaming machines. The building in question is located at 605 Nucleus Avenue, Unit B, currently a Hair Salon. The property is zoned CB-4 (Central Business) District and the zoning ordinance requires a Conditional Use Permit for new casinos while bars and restaurants are permitted uses. The property is described as Lots 1 and 2, Block 45 of the Columbia Falls Original Townsite located in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

NEW BUSINESS:

Award Bid - Hilltop Sewer Main Replacement & Lift Station #5 Rehabilitation Bid (Phase 1 Wastewater ARPA Projects) - Neumann Construction Co. - \$798,262

City Manager Nicosia said the engineer and staff recommend approval to award the bid to Neumann Construction Co. for \$798,262.

Councilor Hamilton made motion to award the bid to Neumann Construction Co. in the amount of \$798,262., seconded by Councilor Shepard and the motion carried.

Award Contract - Backflow Testing - Western State Fire Protection Co. and authorize City Manager to execute City Manager Nicosia said the City received 2 quotes for backflow testing. Staff recommends approval of Western States Fire Protection Co. at the rate of \$40 per test and \$52 for a retest for each of the three years, 2023, 2024 and 2025. The other quote was for \$137/test.

Councilor Piper motioned to award the Backflow Testing Contract to Western State Fire Protection Co., seconded by Councilor Fisher and the motion carried.

Mayor Barnhart asked if repairs are needed who will complete the work. Nicosia replied Western States will do the repairs at the time of the initial test, if possible, and bill the customer directly.

ORDINANCES / RESOLUTIONS:

Resolution # 1893:

A Resolution of the City Council of Columbia Falls, Montana Abandoning, Discontinuing and Vacating a 10' Portion of 1st Ave. West Roadway Adjacent to Lot 10A and 6A, Block 59, Columbia Falls Second Addition, Columbia Falls, Montana

City Manager Nicosia said the City has not received any public comments before or after the Public Hearing held on this item at the February, 21, 2023 Council Meeting. This request will provide improved public safety along 1st Ave. W in that area.

Councilor Shepard motioned to approve Resolution #1893, seconded by Councilor Hamilton with Council voting as follows. Ayes: Shepard, Fisher, Hamilton, Piper and Barnhart.

Mayor Barnhart asked if the sidewalk will connect to the existing sidewalk on 7th St. W. Nicosia replied no it will not, it will end at 8th St. W.

Resolution # 1894:

A Resolution of the City Council of the City of Columbia Falls, Montana Requesting Distribution of Local Government Road Construction and Maintenance Program and Designating Match Funds and Amending the Appropriate 2023 FY Budgets

City Manager Nicosia said this resolution is requesting a distribution of the City's 2023 FY Special Gas Tax Funds also known as the BARSAA act. This will provide available funding in the amount of \$132,230.91 with the City required match in the amount of \$6,611.55 from the Street Maintenance Fund. Nicosia said Council can look at the priority list along with the Beth and Martha area rebuild and potentially have money left over to put toward another street project.

Councilor Piper motioned to approve Resolution #1894, seconded by Councilor Fisher with Council voting as follows. Ayes: Fisher, Hamilton, Piper, Shepard and Barnhart.

REPORTS / BUSINESS FROM MAYOR & COUNCIL

Councilor Shepard said it is interesting to him that the development across the river has been ongoing since 2004. Shepard said he is concerned with people who are against growth.

Councilor Fisher asked how long the process is to get a new stop sign installed. City Manager Nicosia said City Code allows the City Manager, Police Chief and Public Works Director to review an intersection to determine if a traffic sign is warranted. On city streets we can make a decision quickly said Nicosia.

Mayor Barnhart asked if we can get the old jail registered as a historic structure. City Manager Nicosia said we would have to work with the owner of the property to see if there is interest in working with the National Register of Historical Places. Nicosia noted that the designation as a historic structure does not come with funding.

Mayor Barnhart wanted to remind Public Works Department to turn off the tree lights at RR Street and Nucleus Ave.

Mayor Barnhart read two paragraphs out of the Daily Interlake newspaper opinion page by Keegan Siebenaler, "What should we expect from our elected representatives?" "Their mandate must be to improve the lives of everyone in our community. But we tether our built environment to the tyranny of a self-interested but

unrepresentative minority. We cannot continue to cede the economic vitality of our valley to small groups dedicated to preserving their lifestyles and land values at the expense of the rest of the community. More housing development projects will be proposed. Inevitably, vociferous opposition from the neighbors closest to the development will follow. Placing that hostility in context is crucial. In fact, our ability to see through the outrage of the loud minority is the only way we will chart a more equitable path out of our housing crisis.”

CITY MANAGER REPORT:

Nicosia updated Council on Legislative updates.

On Friday, March 3rd, the City received a letter from Department of Commerce Tourism stating the City now qualifies as a Destination Marketing Management Organization. The City Council must designate a non-profit organization to serve as the designated Convention & Visitor’s Bureau or CVB. The funding comes through the Lodging Facility Use Tax. Nicosia noted that the projected 2024 funds are \$30,780. Nicosia said she will reach out to the President and Director of the Columbia Falls Chamber of Commerce to see if there is interest on their part.

Nicosia would like to schedule a council facility tour and goal setting date sometime in April.

CITY ATTORNEY REPORT

Mayor Barnhart asked City Attorney Breck for input when Council has public comment on land use what does state law say about weight to give to public comment at a planning hearing. City Attorney Breck replied the greatest weight has to be given to a qualified expert testimony. When Council members are listening to public comment it is important in the discussion to address some of the concerns, but you don’t have to make your decision based on those concerns. They are taken into consideration, but it doesn't have to dictate your decision. Mayor Barnhart asked if it has the same weight as a hearing to the Growth Policy. City Attorney Breck the Growth Policy overarching guiding principal, the zoning regulations come from the Growth Policy. It does need to adhere to the zoning and subdivision regulations.

MISCELLANEOUS REPORTS:

Police Chief Peters appreciates the community and school support.

Mayor Barnhart said he would like to hear from the citizens of the City of Columbia Falls for or against the growth of the City. Mayor Barnhart said he looks forward to hearing the comments.

MISCELLANEOUS

Fire Department - February Activity
Correspondence

ADJOURN:

At 7:55 p.m. Councilor Fisher made motion to adjourn, seconded by Hamilton.

Mayor

City Clerk

**AMENDMENT NO. 1 TO TASK ORDER NO. 7
TO STANDARD MASTER AGREEMENT
BETWEEN MORRISON-MAIERLE, INC. AND CLIENT**

Project Number: 0541.027.07
Project Name: MFE and Plan Review

1. Background Information:

- a. Effective date of STANDARD MASTER AGREEMENT BETWEEN MORRISON-MAIERLE, INC. AND CLIENT: August 1, 2018
- b. Effective date of TASK ORDER NO. 7 DATE: March 21, 2022
- b. CLIENT: City of Columbia Falls
- c. CONSULTANT: Morrison-Maierle, Inc.
- d. Project: MFE and Plan Review

2. Amendment to Task Order Information

2.1 CONSULTANT shall perform the following Services under this Amendment to the Task Order:

Continue to perform MFE and Plan Review as outlined in the original Task Order.

2.2 The Budget for the Amendment to the Task Order services shall be:

This amendment adds \$10,000 to the current project cap of \$10,000 resulting in a total Task Order amount of \$20,000.

The method of payment for this task order shall be:

- ☒ Method 1. HOURLY RATE - Hourly rates as specified in the Special Provisions or attachments hereto, plus an amount equal to CONSULTANT's actual reimbursable expenses related to the project times a factor of 1.1. The total compensation for services identified herein is estimated to be \$20,000.
- ☐ Method 2. LUMP SUM - A lump sum fee of \$.
- ☐ Method 3. RETAINER - Deposit with MMI a retainer fee in the amount of Dollars. It is understood that all invoices or charges will be charged against said retainer. If effort consumes the retainer and additional services are required, then the Owner shall replenish the retainer in the agreed upon amount within 5 business days. Failure to replenish retainer will be sufficient cause to immediately stop work and withhold delivery of the work product.

If unforeseen conditions are discovered during the Project, the CLIENT agrees that the desired work may be completed at an additional cost. This cost will be communicated with the CLIENT

at the earliest convenience with details on the additional expense.

Payment is due upon receipt of CONSULTANT's statement(s). CLIENT agrees to pay interest at the maximum legal rate allowed by law for payments not received within 30 days after receipt of the statement. We reserve the right to withhold final documents until payment is made.

☐ Method 4 - SPECIFY -

2.3 The schedule for the Amendment to the Task Order services is as follows:

No change.

2.4 The responsibilities of CLIENT for this Amendment to the Task Order are as follows:

No change.

CLIENT and CONSULTANT hereby agree to modify the above-referenced Agreement as set forth in this Amendment to the Task Order. All provisions of the Agreement not modified by this or previous Task Orders remain in effect.

The effective date of this AMENDMENT is March 20, 2023.

CLIENT:

City of Columbia Falls

Signed: _____

By: Susan M. Nicosia

Title: City Manager

Contact Information and Address for giving notices:

City of Columbia Falls

130 6th Street West

Columbia Falls, MT 59112

Email: nicosias@cityofcolumbiafalls.com

Phone: 406-892-4391

Address for Invoices (if different)

CONSULTANT:

Morrison-Maierle, Inc.

Signed: 

By: Ryan Jones

Title: Vice President

Contact Information and Address for giving notices:

Morrison-Maierle, Inc.

172 Timberwolf Parkway

Kalispell, MT 59901

Email: rjones@m-m.net

Phone: 406-752-2216

		Standard Rate	Overtime Rate
Engineer	Supervising Engineer V	265.00	265.00
	Supervising Engineer IV	259.00	259.00
	Supervising Engineer III	238.00	238.00
	Supervising Engineer II	227.00	227.00
	Supervising Engineer I	216.00	216.00
	Senior Engineer II	200.00	200.00
	Senior Engineer I	183.00	183.00
	Design Engineer II	172.00	172.00
	Design Engineer I	159.00	159.00
	Engineer Intern II	138.00	138.00
	Engineer Intern I	121.00	121.00
Planner	Supervising Senior Planner	218.00	218.00
	Senior Planner	181.00	181.00
	Planner III	147.00	147.00
	Planner II	134.00	134.00
	Planner I	117.00	117.00
Scientist	Supervising Environmental Scientist	227.00	227.00
	Environmental Scientist III	181.00	181.00
	Environmental Scientist II	138.00	138.00
	Environmental Scientist I	117.00	117.00
	Environmental Technician	103.00	103.00
	Supervising Geologist	245.00	245.00
	Senior Geologist	216.00	216.00
	Geologist III	186.00	186.00
	Geologist II	159.00	159.00
	Geologist I	136.00	136.00
Designer and Technician	Senior Communications Designer	221.00	221.00
	Communications Designer	121.00	121.00
	CAD Designer III	151.00	151.00
	CAD Designer II	139.00	139.00
	CAD Designer I	129.00	193.00
	CAD Tech III	126.00	190.00
	CAD Tech II	108.00	162.00
	CAD Tech I	95.00	143.00
	Senior Engineering Technician	178.00	178.00
	Engineering Technician	121.00	121.00
Resident Project Representative	Senior Resident Project Representative	170.00	170.00
	Resident Project Representative III	161.00	161.00
	Resident Project Representative II	143.00	143.00
	Resident Project Representative I	122.00	183.00
Administrative	Administrative Manager	122.00	122.00
	Administrative Coordinator III	113.00	113.00
	Administrative Coordinator II	107.00	160.00
	Administrative Coordinator I	87.00	131.00
	Project Coordinator III	110.00	110.00
	Project Coordinator II	99.00	149.00
	Project Coordinator I	89.00	133.00
	Technical Intern	83.00	125.00
	Senior Communication Specialist	124.00	124.00
	Graphic Designer	103.00	103.00
	Health & Safety Administrator	136.00	136.00
Survey	Senior Survey Manager	219.00	219.00
	Survey Manager	171.00	171.00
	Land Surveyor IV	164.00	164.00
	Land Surveyor III	153.00	153.00
	Land Surveyor II	140.00	140.00
	Land Surveyor I	130.00	130.00
	Remote Sensing Specialist II	145.00	145.00
	Remote Sensing Specialist I	135.00	135.00
	Survey Technician IV	125.00	125.00
	Survey Technician III	111.00	167.00
	Survey Technician II	95.00	143.00
	Survey Technician I	78.00	117.00

Expert Witness

Recommended rate for expert witness services (depositions and/or time in court) is charged at an hourly rate of 150-200% of the standard billing rate.

EQUIPMENT RATES

<u>Company Vehicle: highway miles - Pickups</u>	\$.862/mile
<u>highway miles – Medium SUV</u>	\$.754/mile
<u>highway miles - Small SUV</u>	\$.622/mile
<u>highway miles - Sedan</u>	\$.690/mile
<u>on-site mileage</u>	\$.690/mile plus \$5.00/hour
<u>Private Vehicle</u>	\$.625/mile
<u>ATV</u>	\$50.00/day
<u>UTV</u>	\$100.00/day
<u>Survey-Grade GNSS (1 Receiver)</u>	\$120.00/day
<u>Survey-Grade GNSS (2 Receivers)</u>	\$30.00/hour, \$240.00/day
<u>Resource-Grade (GIS) GNSS Receivers</u>	\$65.00/day
<u>Hovermap LiDAR Scanner</u>	\$50.00/hour, \$400.00/day
<u>Robotic Total Station</u>	\$30.00/hour, \$240.00/day
<u>Total Station</u>	\$80.00/day
<u>Trimble SX10 Scanning Total Station</u>	\$40.00/hour, \$300.00/day
<u>Trimble SX12 Scanning Total Station</u>	\$40.00/hour, \$300.00/day
<u>FARO Focus 3D Laser Scanner</u>	\$50.00/hour, \$400.00/day
<u>Hydrolite – TM Echosounder Kit</u>	\$100.00/day
<u>Raft-Hydro-Bathy Surveys</u>	\$100.00/day
<u>sUAS Survey Drone</u>	\$400.00/day
<u>Nuclear Density Meter</u>	\$10.00/hour, \$35.00/day
<u>Airflow Balancing Hood</u>	\$75.00/day
<u>Core Drill</u>	\$10.00/hole
<u>Digital Level</u>	\$50.00/day
<u>Hammer Drill</u>	\$30.00/day

HYDROLOGICAL EQUIPMENT

<u>Conductivity Meter</u>	\$15.00/day
<u>Disposable Bailers</u>	\$10.00/each
<u>Dissolved Oxygen Meter</u>	\$20.00/day
<u>PH Meter</u>	\$15.00/day
<u>PH/Temp/Conductivity Meter</u>	\$25.00/day
<u>Water Sample Fee</u>	\$10.00/each
<u>In Situ Level Troll 700</u>	\$63.00/day, \$250.00/week
<u>AquaCalc Pro</u>	\$60.00/day, \$120.00/week
<u>Marsh McBirney 2000 Flowmeter</u>	\$60.00/day, \$120.00/week
<u>Global Water FP 111 Flowmeter</u>	\$25.00/day, \$75.00/week
<u>Submersible Pump (Redi Flo 2)</u>	\$155.00/day
<u>Water Level Meter, 300 Ft.</u>	\$25.00/day, \$50.00/week
<u>Water Level Meter, 500 Ft.</u>	\$35.00/day, \$75.00/week
<u>Oil/Water Interface Well Probe</u>	\$40.00/day, \$120.00/week
<u>Hach Flo-Dar (logger & sensor)</u>	\$400.00/week, \$1,000.00/month
<u>Rain Gauge Sensor</u>	\$15.00/week, \$60.00/month

PRINTING EXPENSES

<u>Black & White Copies</u>	\$.10/8.5X11, \$.13/8.5x14, \$.20/11x17
<u>Color Copies</u>	\$.20/8.5X11, \$.20/8.5x14, \$.40/11x17
<u>Binding</u>	\$.25/each
<u>Lamination</u>	\$1.00/each
<u>Oversize Print Black & White</u>	\$5.00/each
<u>Oversize Print Color</u>	\$6.00/each
<u>Print & Basic Mount</u>	\$12.00/each
<u>Print & Machine Mount</u>	\$20.00/each
<u>Print, Machine & Laminate White Board</u>	\$32.00/each

MISCELLANEOUS EXPENSE

<u>Lodging</u>	Current Rates
<u>Meals</u>	\$54.00/day

Materials and other direct costs will be invoiced at current rates plus minimum 10% markup. The following are included as direct costs: approved employee meals, lodging, transportation, premium delivery services (UPS, Federal Express, etc.) testing and survey supplies, premiums for special insurance, performance bonds, and consultants. Cost of professional insurance is included in the hourly rates of personnel.

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARINGS

Item No.5.

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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 Staalnd, City Clerk, 130 6th Street West, Room A, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com. Written comments must include the commenter's physical address. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. As these meetings are held at an alternate location, ZOOM virtual meeting is not available for either meeting.

DATED this 25th day of January, 2023

Susan Nicosia

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

Publish: Daily Interlake Sunday January 30, 2023

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
812 4TH AVE WEST PUD - PLANNED UNIT DEVELOPMENT
CITY OF COLUMBIA FALLS STAFF REPORT # CPUD-23-01
Amendment to PUD 20-04
January 27, 2023**

A report to the Columbia Falls City Council regarding a request for an amendment to the approved Mixed Use Planned Unit Development overlay (CPUD 20-04) on property zoned CB-2.

BACKGROUND INFORMATION

A. PETITIONER/OWNER

RH2 LLC
Attn: Alvin M. Ruis
P.O. Box 2771
Columbia Falls, MT 59912

APPLICANT

Asher Smith
527 Nucleus Ave Unit B
Columbia Falls, MT 59912
(638) 579-4211
asmith@ruisconstruction.com

B. PETITIONER'S TECHNICAL ASSISTANCE

Alexa Dack or Jesse Hafen
Dahlin Group
5865 Owens Drive
Pleasanton, CA 94588
(925) 251-7200
Jesse.hafen@dahlingroup.com

C. LOCATION/DESCRIPTION

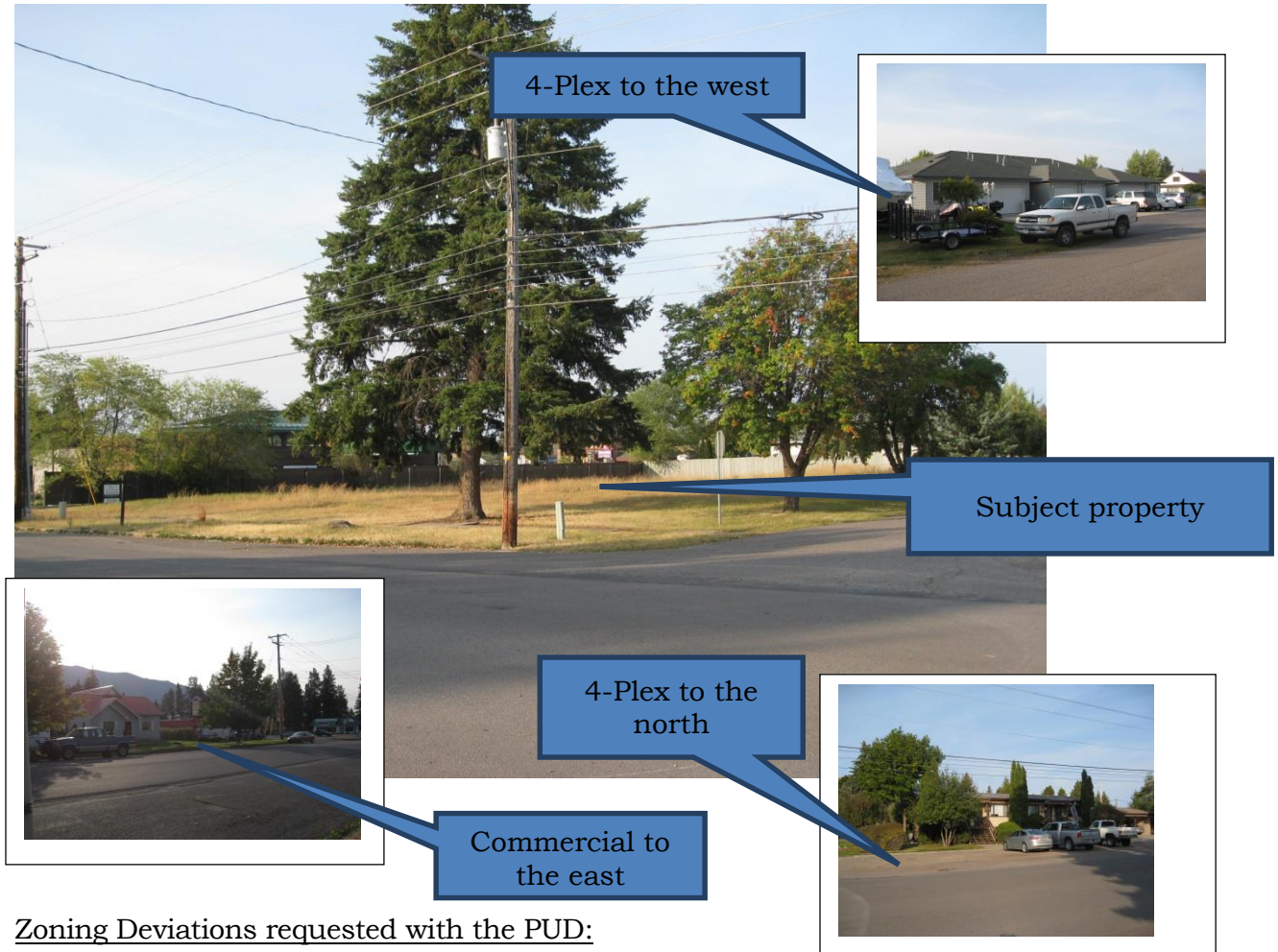
The property is located at 812 4th Avenue West in Columbia Falls and is currently a vacant lot just north of the new Whitefish Credit Union. The site was previously used as an upholstery shop. The property is described as Assessor's Tract 8AA (Parcel B of COS 12484), SW 1/4, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

D. REQUEST

The applicant is requesting an amendment to an approved mixed use PUD. The approved PUD proposed developing nine residential units and three commercial units. The development consisted of two, three story buildings. The eastern building which fronts 4th Ave West will have three commercial/office units on the main floor and three two-story residential units on the second and third floor levels. The western building will have three single-level residential units on the main floor and three two-story residential units on the second and third floor levels. The development proposed 22 off-street parking spaces. A deviation was allowed to allow on-street parking to meet some of the parking requirements

The proposed amendment removed the mixed use element of the project and instead would make all twelve units residential. Rather than stacked residential, one unit on top of the other, the proposed dwellings are more of a townhome design with the three story units being side by side. The project is proposing 24 parking spaces as required by zoning code. There is no deviation to the parking standards.

Note: The PUD standards require that the City Council determine that a parcel has unique character in order to approve a PUD of less than two acres. In the previously approved PUD, the Columbia Falls City Council found that the property met the unique character definition.



Zoning Deviations requested with the PUD:

Parking (no longer applicable with amendment) – The original PUD required 25 off-street parking spaces to comply with the Columbia Falls Zoning Ordinance. The applicant requested and received a deviation for 22 off-street spaces as nine on-street spaces would be provided with the reconstruction of 4th Avenue West.

The applicant is no longer requesting a deviation to the parking standards and will provide two parking spaces per unit in compliance with the Columbia Falls Zoning Regulations.

Residential Use – The underlying CB-2 zoning district is primarily reserved for commercial uses of all types and very limited residential use. The PUD standards of the Columbia Falls Zoning Regulations (18.348.030) in nonresidential zones allow for any

use that can be determined to be complementary and harmonious with the neighborhood development.

In this instance, the commercially zoned property is adjacent to multi-family zoning and use to the north and west. As well as commercial zoning and use to the south and east and residential use to the east. The Growth Policy encourages multi-family use as a buffer between commercial and single family use which is located further to the north of the project.

E. REASON FOR REQUEST

The proposed PUD is in a transition zone. There are multi-family projects north and west of the site along with commercial to the south and east and residential to the east. The proposed amendment to the existing PUD would remove the three commercial units proposed in the original project and replace them with three residential units. The multi-family use is both compatible with the neighboring uses but also easily walkable for future residents.

F. EXISTING LAND USE

Many years ago the property had an upholstery shop that was located in an old house. The shop was removed about 12 or 14 years ago and the property has been vacant ever since.

G. ADJACENT ZONING AND LAND USE:

North	CRA-1 and CR-3	Multi-family residential
South	CB-2	Commercial – Whitefish Credit Union
East	CB-2	Residential, Office, & Restaurant
West	CRA-1	Multi-Family Residential

CITY OF COLUMBIA FALLS STAFF REPORT # CPUD-23-01
Page 4 of 9

Source: Flathead county GIS

H. GROWTH POLICY DESIGNATION

The Growth Policy map shows the property is within the Commercial designation.

I. UTILITIES/SERVICES

The property is located inside the City limits of Columbia Falls.

<u>Water</u>	Columbia Falls Municipal Water
<u>Sewer</u>	Columbia Falls Municipal Sewer
<u>Fire Protection</u>	Columbia Falls City Fire Department
<u>Police Protection/</u>	Columbia Falls City Police
<u>Electricity</u>	Flathead Electric

J. LOT SIZE DETAILS

The subject property is a parcel of Tract land created by COS 12484. The property measures approximately 125' by 192' = 24,000 square feet or 0.55 acres. The CB-2 zoning district does not have a minimum lot size or maximum lot coverage, and typically does not have setback requirements except when abutting residential zoned properties. However since this project abuts residential zone property, the project will comply with setbacks.

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; Chapters 18.348, Planned Unit Development Standards. The following findings are made:

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

The Multi-family residential use and PUD comply with the Columbia Falls Growth Policy.

The Columbia Falls Growth Policy provides the following:

Chapter 2 – Growth Management

- Policy 6 Encourage infill development where full public services are available.
- Policy 10 Design and locate development to protect public health and safety; insure adequate provision of service; fit the character of its surroundings; and encourage the most appropriate use of the land. Community character shall represent the following values identified by the community in the public input process: scenic, small town ambience, outdoor lifestyle, western town, historic/cultural assets, national park gateway, wildlife, walkable community, winter sports.

Chapter 3 Land Use – Residential

- Goal 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.
- Policy 4.b Small high density residential districts are encouraged to be dispersed throughout the urban area. These districts should be located predominately near schools, buffering retail and business areas and adjacent to major streets.
- Policy 4.g High density areas should be fully served by urban infrastructure and service. This includes paved streets, curbs, sidewalks abutting residential lots, boulevards, and public sewer and water.

Chapter 4 Land Use – Commercial

- Policy 1.b. Utilize Planned Unit Developments as a tool to ensure that commercial areas provide appropriate buffers to adjacent residential areas and that all planned uses are compatible.
Central Business District *(This is not in the traditional downtown but it is very close);*
- Policy 2a Work to promote redevelopment, revitalization of commercial buildings in the downtown core.
- Policy 2d Reinforce and take advantage of downtowns strengths, including its higher concentration of people, investment in buildings and infrastructure, intricate mix of land use, historic and architectural character, pedestrian orientation, and visitor attraction.

- Support mixed use projects in this area which blend traditional commercial office and residential housing opportunities.

Chapter 7 Urban Design/Historic and Cultural Facilities

- Policy 3 Continue to encourage the design of new commercial and multi-family developments to incorporate pedestrian access, well designed and landscaped off-street parking, integrated signage and the screening of storage areas and refuse collections areas.

The proposed PUD provides a conceptual architectural package. If the PUD is approved, the applicant will engage an Architect to provide the detailed design and construction package. This architectural design package will be reviewed for compliance with the “Small Building” design standards found in Chapter 18.441 of the Columbia Falls Zoning Ordinance.

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

The parcel is located in the downtown business district near Highway 2, an arterial, and 4th Avenue West, a collector street, providing access to the Columbia Falls Glacier Gateway Elementary School. There are high concentrations of people and traffic and the transportation system is designed to handle the traffic.

Having a residential building within walking distance of grocery, restaurants, office, and service businesses will reduce automobile congestion while potentially increasing the use to downtown and Highway 2 businesses.

Intensive use is anticipated with the CB-2 zoning and the proposed multi-family project should not have a negative impact on neighboring streets.

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

The project was reviewed by the Columbia Falls Fire Chief at site review. Chief Weeks reviewed the project for circulation, access, and hydrants locations. The Chief was satisfied with the basic site plan but will review the final engineering plans for hydrant location. Items such as the required sprinkling and hose connections will be reviewed at the time of building plan review. The property has good access to the City streets. The buildings will meet the City’s maximum height standards.

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

The site is located well outside of any floodplains, wildland urban interface or other hazards. The subject property is zoned CB-2 which anticipates dense development and the project will connect to municipal sewer and water services.

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

The site is zoned CB-2 which is the “General Business District”. This zone has no maximum lot coverage requirements and only requires a setback when abutting a residential zone, meaning the north and west property boundaries in this instance. However as this is a PUD it requires open space and in this transitional area between commercial and residential the applicant is showing 32.8 percent of the lot in landscaped area. The openness of the site plan helps this PUD blend with the neighborhood. Given that the proposed PUD sits on the same block as the Whitefish Credit Union, a Town Pump, a Multi Family 4-plex and some single family residences, the proposed use will provide adequate light and air.

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

The property is zoned CB-2 (General Business) and this zoning designation anticipates intensive commercial uses including: service stations, auto sales, offices, grocery stores, bars and restaurants to name a few. The proposed residential use PUD consisting of twelve residential units will not overcrowd the land.

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

As stated previously the existing zoning anticipates large concentrations of people. The infrastructure is available to address the commercial and residential use.

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

The property is located along two city streets with a significant commercial and multi-family presence. The property is a block away from the Glacier Gateway Elementary School and 4th Ave West is considered a collector street within the City. 4th Avenue West is on the Urban Transportation priority list for a major street rebuild in the City. The reconstruction of the street will include sidewalks from Highway 2 (9th Street) north to Railroad Street. Currently there are no sidewalks on 8th Street West adjacent to the proposed project and the existing sidewalk on 4th Ave. is in poor condition and must be replaced. Staff is recommending a condition to require six foot sidewalks along both street frontages.

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

The proposed PUD does give consideration to the CB-2 zoning as well as the CRA-1 (Residential apartment) zoning that is located just north and west of the subject property. The PUD will transition from the commercial uses along Highway 2 and the multifamily residential to the north.

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

The character of the neighborhood is a mix of commercial uses on the south half of the block and east of 4th Avenue West and multi-family residential located north of 8th Street West and west of the subject property. The proposed PUD is a good solution to the transition between commercial and residential. The proposed PUD does give consideration to the neighborhood.

11. Will the new zoning affect property values?

The property is currently a vacant lot. The new construction will have a positive impact on property values in the neighborhood.

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

The property is zoned CB-2 (General Business). Mixed use is encouraged in the downtown area and although this is not in the historic downtown it is within easy walking distance of Nucleus Avenue. The residential use facilitates walkable communities by providing opportunity for people to walk or bike to work. This specific property is located on a lot that transitions from commercial to high density residential. The proposed development easily blends with the neighboring commercial and residential uses.

The PUD request conforms to the Columbia Falls City Growth Policy and the findings as discussed above. The project will be fully served by Municipal services, City streets, and a soon to be constructed sidewalk network. The requested mixed-use PUD is consistent with the neighboring uses that are both commercial and multi-family residential.

RECOMMENDATION

Staff recommends Columbia Falls City-County Planning Board and Zoning Commission adopt Staff Report #CPUD-23-01 as findings of fact and recommends approval of the PUD to the Columbia Falls City Council subject to the following conditions:

1. The City Council approves a PUD in an area less than two acres.
2. The RH2 LLC PUD will allow the following deviation:
 - a. Strictly Residential Use.
3. The project shall be built in substantial compliance with the PUD Building and Site Plans dated October 18, 2022 prepared by Dahlin Group.
4. The Columbia Falls Fire Chief shall approve the fire hydrant location.
5. 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. 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 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 licensed engineer. The developer's agreement will not be for longer than six months.
6. The applicant shall construct a six foot wide detached sidewalk along the 4th Avenue West and 8th Street West frontages along with curb and gutter.
7. The applicant shall submit an engineered and stamped drainage plan to the Columbia Falls Public Works for review and approval prior to issuance of a building permit. Said plan shall also include snow storage.
8. The developer will produce a sign plan that is compliant with the zoning regulations. Future sign permits will be reviewed subject to City Zoning Regulations.
9. The applicant detailed architectural building plans will be reviewed by the Planning Office for compliance with the "Small Building Standards" prior to obtaining a Building Permit.
10. The applicant will construct a site obscuring fence with gates around the dumpster site. The refuse screening shall be included with the building permit plans.
11. The lighting details will be reviewed at the building permit stage to insure that they comply with the 18-foot height standards and that all lighting has full cut off and/or opaque shields.
12. All conditions of the PUD shall be complied with prior to the issuance of the occupancy permit or otherwise addressed as provided for in this PUD.
13. Safety fencing will be installed during construction.



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

RECEIVED
DEC 27 2022
CITY OF COLUMBIA FALLS

Project Name: 4TH AND 8TH AVE - COLUMBIA FALLS
 Name of Applicant: ASHER SMITH
 Mailing Address: 527 NUCLEUS AVE UNIT B
 City/State/Zip: COLUMBIA FALLS / MONTANA / 59912 Phone: 636.579.4211
 Name and address of owner if different than applicant:
 Name: MICK RUIS
 Mail Address: SAME AS ABOVE
 City/State/Zip: _____ Phone: _____
 Technical Assistance: ALEXA DACK OR JESSE HAFEN - DAHLIN GROUP
 Mail Address: 5865 OWENS DRIVE
 City/State/Zip: PLEASANTON / CA / 94588 Phone: 925.251.7200
 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: 812 4TH AVE WEST; COLUMBIA FALLS, MT 59912
 Total Area of Property: _____
 Legal description including section, township, range: The property is described as Assessor's Tract 8AA (Parcel B of COS 12484), SW 1/4, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.
 The present zoning of the above property is: CPUD / CB-2

Please provide the following information in a narrative format with supporting drawings or other format as needed:

- 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

12.14.2022

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.

October 18, 2022

City of Columbia Falls
Planning and Zoning Department
130 6th St West
Columbia Falls, MT 59912

RE: Modification to CPUD-20-04 at 812 Fourth Avenue West, Columbia Falls

To whom it may concern:

On behalf of Ruis Construction, please find attached an application for the modification of CPUD-20-04 at 812 4th Avenue West, Columbia Falls. The application includes the following:

- 1) PUD Summary
- 2) COS Exhibit
- 3) Surrounding Zoning Exhibit, and
- 4) Plan Set

Please do not hesitate to reach out if there are any questions.

Sincerely,



Alexa Dack , AIA
Senior Associate/Architect

PUD Summary:

1) An overall description of the goal and objective for the development of the project.

The objective of this modification is to provide additional high-quality housing on the compact .55-acre site. As noted in the original PUD, the site is near existing multi-unit residential properties and commercial uses. The proposed PUD modification substitutes the three commercial/office units for three residential units, keeping the same total of twelve units on the site. Additionally, the two buildings, still 3-stories each, have been reoriented to front toward 8th Street West, with a central drive aisle running east to west for service access through the site and access to the units' private garages. The northern building provides five alley loaded townhome units, and the southern building provides seven front loaded townhome units. The overall number of units is consistent with the twelve total units, three commercial/office and nine residential units, in the approved PUD. 24 parking spaces are provided onsite – two more than in the initial PUD; the northern building has two private garage spaces per unit, and the southern building has one private garage space and one exterior space per unit. The street perimeter of the site still allows for the additional spaces adjacent to the proposed buildings. Building heights and setbacks will still comply with the CB-2 zoning district.

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

At this time, the project is not intended to be phased. The construction of both the northern and southern buildings is anticipated to occur simultaneously.

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 modified PUD remains consistent with the maximum height of 45' for the CB-2 zoning designation, with proposed maximum heights at +/-40'. The setbacks remain consistent with the CB-2 zoning designation, with greater than required side and front setbacks provided. The front setback now provides 25' from 4th Avenue West rather than the required 15', the side setback to the north provides 6' and the side setback to the south provides 10' rather than the required 5', and the rear setback provides the required 15'. The current site density is 21.8% with the twelve units as proposed on the .55-acre site. While this density is higher than the original PUD, as three of the units were initially commercial/office use, the modified PUD maintains the same number of units proposed on the site. Additionally, 2 extra parking stalls have been provided onsite as part of the modified PUD, and 17 of the 24 stalls provided are private garage parking. The modified PUD meets the requirement of 2 parking spaces per dwelling unit for multifamily dwellings. Parking is also provided in accordance with the standard 9'x20' vehicle space dimensions except for 2 apron parking spaces that are 19' in length. These 2 spaces have been identified on sheet A3 and equate to 8% of the parking as compact, which is within the 20% range allowed.

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;

The extent of the open space has been illustrated in the plan set on the architectural site plan, sheet A2. The two buildings cover approximately 36% of the site, the remaining 64% is provided as open space. Each residential unit has a covered entry porch for private open space, and the south building has rear patios in addition to the covered entry porches. A portion of the common open space will be dedicated to on-site storm drainage retention, as shown on the civil sheets included. The remainder of the open space, outside of the drive aisle, will be designed as passive green space with landscape selections appropriate to the area. Currently, the landscape representation is schematic in nature. Detailed landscape plans will be submitted at a future date within the PUD lifespan by a qualified landscape architect. Care has been taken to maintain the

existing mature trees along 4th Avenue West and 8th Street West in the proposed modification. Ruis Property Management will be handling all scheduled maintenance and upkeep.

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;

For utility information, please see civil plans provided. An existing sidewalk is provided at the property along 4th Street West. The modified PUD still intends to include the extension of the City sidewalk to the west boundary of the property. The project is within walking and biking distance of both Glacier Gateway Elementary School and Columbia Falls High School. With the extension of the City sidewalk to the West, pedestrian access to the site is available via perimeter sidewalks. The site is just across the street from Pinewood Park, with the City aquatic facility, and is one block away from the track and community facilities at Glacier Gateway to the north.

6) The relationship, beneficial or adverse, of the planned unit development project upon the neighborhood in which it is proposed to be established;

The property is bordered by commercial to the south, residential to the north and west, and both residential and commercial to the east. A fully residential use as proposed for the modified PUD would be a benefit to the neighborhood with more housing available in close proximity to Glacier Gateway Elementary School, Columbia Falls High School, Pinewood Park – which includes the City aquatic facility, and track and community facilities at Glacier Gateway to the north.

7) How the plan provides reasonable consideration to the character of the neighborhood and the peculiar suitability of the property for the proposed use;

As noted in the original PUD, the surrounding residential units include multi-family attached units to the west and north of the site. To the west, exists a four-plex residential building with a 6' fence along much of the east property boundary bordering the site. Two four-plex residential buildings are sited to the north across 8th Street West. Directly to the south is the Whitefish Credit Union business, and it is separated from the site by a 6' high fence. Buildings to the east include Tien's Restaurant, Breck Office Building, and two single-family residences across 4th Avenue West. As the site is predominantly surrounded by residential uses, the PUD modification to provide three residential units in place of the three commercial/office use units is in harmony with the surrounding neighborhood. Additionally, the character of the neighborhood has been taken into consideration for the architectural design in form, massing, color, and materials proposed as part of this PUD modification.

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 land use proposed on the property remains compatible with the surrounding context. It enhances the neighborhood by bringing more housing to a valuable site that is located in close proximity to education, commercial services, and recreational facilities.

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

The modified PUD remains consistent and compatible with the following goals, policies, and objectives of the 2019 Columbia Falls Growth Policy including, but not limited to, the following:

1. *Natural Resources – Policy 2 – Encourage infill, clustering, and other compact development patterns to lessen impacts on sensitive lands (pg.17)*
2. *Natural Resources – Policy 9 – New commercial and industrial development and residential subdivisions should be accessible by paved roadways to protect air quality (pg.18)*
3. *Growth Management – Goal 3 – Orderly growth and efficient use of space consistent with fiscal soundness, environmental conservation, and community vitality. (pg. 21)*
4. *Growth Management – Policy 6 – Encourage infill development where full public services are available by pointing and educating developers to sites within the planning jurisdiction. Use*

- the Planned Unit Development standards for infill projects because these standards provide the flexibility to enhance infill projects. (pg.22)*
5. *Land Use – Residential Housing – Goal 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. (pg.25)*
 6. *Land Use – Residential Housing – Goal 2 – Residential development that does not excessively burden the local government and is adequately served by public facilities and services. (pg.25)*
 7. *Land Use - Residential Housing – Policy 4 – Multi-family Residential:*
 - a. *Multifamily residential areas, as shown on the growth policy map have typical densities of eight to twenty dwellings per gross acre, as may be appropriate to the site.*
 - b. *Small high-density residential districts are encouraged to be dispersed throughout the urban area. These districts should be located predominately near schools, buffering retail and business areas and adjacent to major streets.*
 - c. *Multi-family housing developments should be designed to fit compatible within larger single-family neighborhoods.*
 - d. *Townhouses area encouraged to be a primary housing type in these areas. Additional common housing types include low-rise apartments, duplexes, manufactured home parks, and upper floors of mixed use buildings.*
 - e. *In transitional areas zoned for multi-family residential use but developed primarily as single-family houses, conversion of existing houses to offices is encouraged, in order to maintain investment in the existing building stock and ease the land use transition.*
 - f. *Multi-family residential areas should be within close proximity to small parks or common open spaces. When parks are not immediately available or are under sized, projects should contribute to the development of neighborhood parks and open space.*
 - g. *High density areas should be fully served by urban infrastructure and services. This includes paved streets, curbs, sidewalks abutting all residential lots, boulevards and public sewer and water.*
 - h. *Centralized refuse collection should be screened and protected from wildlife.*
 - i. *As density increases to 4-plex or larger buildings, increased design standards should be required including:*
 - i. *The use of street trees along the R/W and live landscaping around the building and parking lots*
 - ii. *Façade treatment to break up building mass including such techniques as adding entrance porches, bay windows, wall off-sets, balconies, decks, window treatments, etc.*
 - iii. *Pitched roofs and dormer windows to break up long expanses of uninterrupted roof lines. (pg.26-27)*
 8. *Land Use - Residential Housing – Policy 9 – All new residential developments should provide adequate off-street parking. (pg.26)*
 9. *Land Use - Residential Housing – Policy 14 – Residential lighting that is properly shielded and directed to avoid the spread of fugitive light is encouraged both on residential streets and for multi-family and non-residential uses in residential neighborhoods. (pg.27)*
 10. *Land Use - Residential Housing – Policy 16 – Planned Unit Development in:*
 - a. *Utilize in areas where both residential and commercial uses are planned so that the uses are designed in a compatible and harmonious manner.*
 - b. *Utilize for residential and development areas where a variety of lot sizes might result in more innovative design and environmental protection. (pg.27)*

10) Include site plans, drawings and schematics with supporting narratives:

See attached plan set.

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.
A division of land is not required for this proposed PUD modification.

END OF PUD SUMMARY

OWNERS: WILLIAM J. DAVISON, ROBERT CHARLES WALTIRE AND FRANK L. SLEIGHT
PURPOSE: PARCEL A AND B: BOUNDARY LINE ADJUSTMENT
DATE NOVEMBER 28, 1995

LEGAL DESCRIPTION

PARCEL A:

THAT PORTION OF THE SOUTHWEST $\frac{1}{4}$, SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, FLATHEAD COUNTY, MONTANA DESCRIBED AS FOLLOWS:
COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF EIGHTH STREET WITH THE WEST LINE OF FOURTH AVENUE WEST; THENCE ALONG THE SOUTH LINE OF EIGHTH STREET NORTH 89°41'41" WEST 192.91 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING ALONG THE SOUTH LINE NORTH 89°41'41" WEST 117.59 FEET; THENCE SOUTH 125.00 FEET; THENCE SOUTH 89°41'41" EAST 118.02 FEET; THENCE NORTH 0°12'03" WEST 125.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.338 ACRE OF LAND ALL AS SHOWN HEREON.

PARCEL B:

THAT PORTION OF THE SOUTHWEST $\frac{1}{4}$, SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, FLATHEAD COUNTY, MONTANA DESCRIBED AS FOLLOWS:
BEGINNING AT THE INTERSECTION OF THE SOUTH LINE OF EIGHTH STREET WITH THE WEST LINE OF FOURTH AVENUE WEST; THENCE ALONG THE SOUTH LINE OF EIGHTH STREET NORTH 89°41'41" WEST 192.91 FEET; THENCE SOUTH 0°12'03" EAST 125.00 FEET; THENCE . SOUTH 89°41'41" EAST 192.28 FEET TO THE WEST LINE OF FOURTH AVENUE WEST; THENCE ALONG THE WEST LINE NORTH 0°05'119" EAST 125.00 FEET TO THE POINT OF BEGINNING CONTAINING 0.553 ACRE OF LAND ALL AS SHOWN HEREON.

OWNER CERTIFICATION

WE HEREFY CERTIFY THAT THE PURPOSE OF THIS DIVISION OF LAND IS TO RELOCATE
A COMMON BOUNDARY LINE BETWEEN ADJOINING PROPERTIES OUTSIDE A PLATTED SUBDIVI-
SION AND THAT NO ADDITIONAL PARCELS ARE HEREBY CREATED. THEREFORE, THIS
DIVISION OF LAND IS EXEMPT FROM REVIEW AS A SUBDIVISION PURSUANT TO SECTION
76-3-207(1)(A), MCA.

William J. Davison
WILLIAM J. DAVISON

Frank L. Sleight
FRANK L. SLEIGHT

STATE OF MONTANA)
COUNTY OF FLATHEAD) SS.

ON THIS 4th DAY OF December, 1995, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC FOR THE STATE AFORESAID, PERSONALLY APPEARED WILLIAM J. DAVISON, ROBERT CHARLES WALTMIRE, AND ~~FRANK C. GLEICH~~, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR FIRST ABOVE WRITTEN.

WRITTEN: David C. Hoines FBI
 NOTARY PUBLIC FOR THE STATE OF MINNOR
 RESIDING AT KANSAS
 MY COMMISSION EXPIRES 8/22/98

APPROVED: Dec. 6, 1995

CERTIFICATE OF SURVEYOR


 EXAMINING LAND SURVEYOR
 REGISTRATION NO. 5428 S

DAWN MARQUARDT
REGISTRATION NO. 7561

STATE OF MONTANA
COUNTY OF FLATHEAD

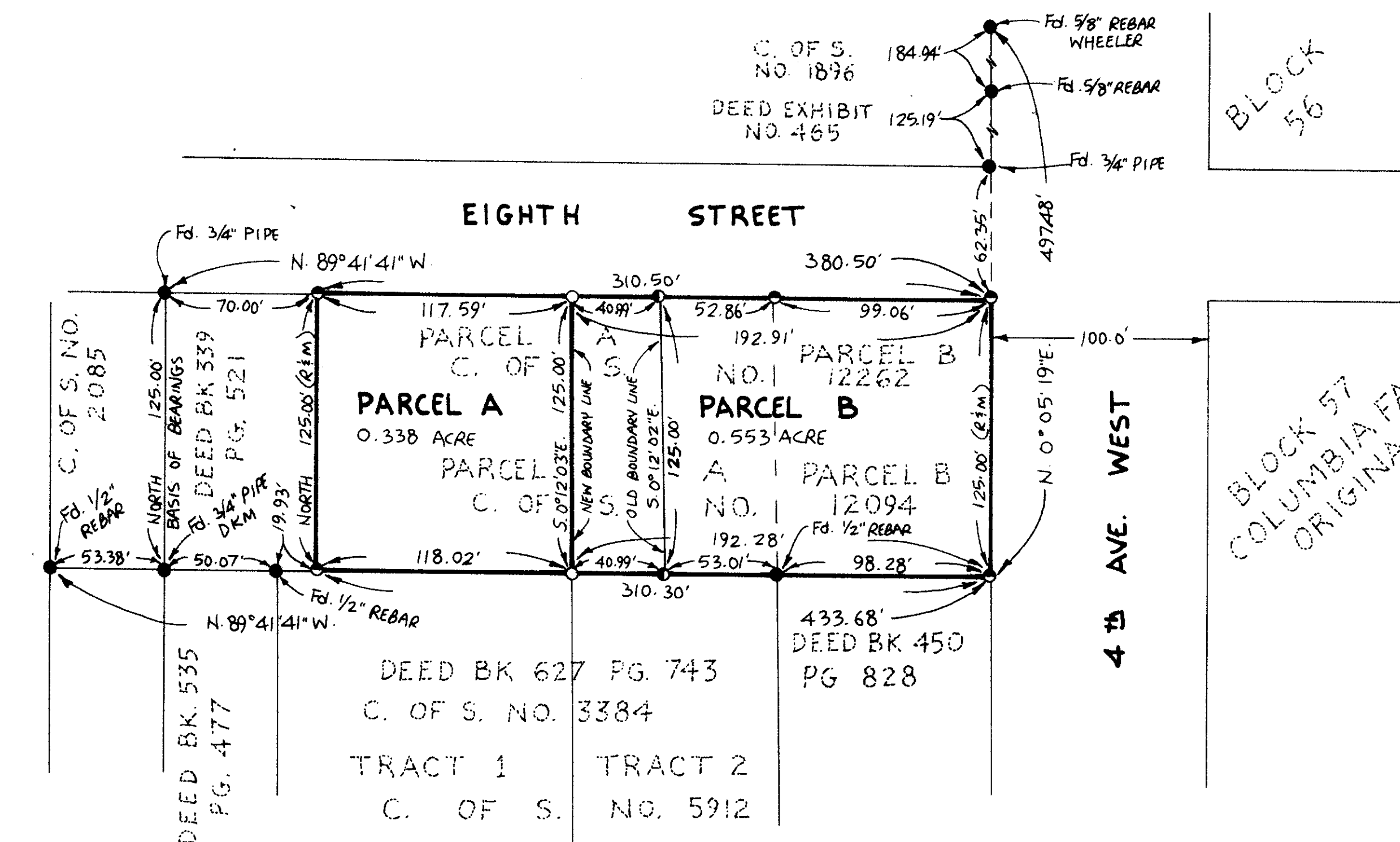
FILED ON THE 15 DAY OF Dec, 1995, A.D., AT 10:40 O'CLOCK A. M.

SWAN N. HARRIS
COUNTY CLERK AND RECORDER

BY Gaulw Robm
DEPUTY

2600

95349 10400



STATE OF Montana)
COUNTY OF FLATHEAD) SS

ON THIS 6th DAY OF December, 19 95, BEFORE ME, THE UNDERSIGNED
A NOTARY PUBLIC FOR THE STATE AFORESAID, PERSONALLY APPEARED FRANK L SLEIGHT,
KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL
THE DAY AND YEAR FIRST ABOVE WRITTEN.

David C. Adams
NOTARY PUBLIC FOR THE STATE OF MONTANA
RESIDING AT KALISPELL
MY COMMISSION EXPIRES 8/23/98

LEGEND

- SET 5/8" x 24" REBAR WITH PLASTIC CAP STAMPED '73285'
- FOUND 5/8" REBAR '73285' PER C. OF S. NO. 12094
- FOUND 5/8" REBAR '73285' PER C. OF S. NO. 12262
- FOUND POINT AS NOTED

SCALE ~ 1" = 50'

Marquardt Surveying, Inc.

285 1st AVE. E.N.
KALISPELL, MONTANA 59901
PHONE (406) 755-6285

CERTIFICATE OF SURVEY No.

12484

12484

DAVISON

MODIFICATION TO CPUD-20-04 AT 812 FOURTH AVENUE WEST:

4TH & 8TH STREET SITE

COLUMBIA FALLS, MONTANA



PROJECT TEAM INFO:

Developer
Ruis Construction
Columbia Falls, MT
59912
Tel: (619) 889-7749
Contact: Hannah Whitney
hhill@ruisconstruction.com

Architect
Dahlin Group
1205 S. Main Street #109
Kali spell, CA 94588
Tel: (925) 251-7200
Contact: Lauri Moffet-Fehlberg
lfehlberg@dahlingroup.com

SHEET INDEX:

- ARCHITECTURAL:**
- A1 TITLE SHEET
 - A2 ILLUSTRATIVE PLAN
 - A3 SITE PLAN
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 - A5 BUILDING ELEVATIONS - BUILDING 1 (5-PLEX)
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 - A11 UNIT PLANS - UNIT A2 - 3BD
 - A12 UNIT PLANS - UNIT A3 - 3BD
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 - A14 UNIT PLANS - UNIT B2 - 2BD
 - A15 UNIT PLANS - UNIT B3 - 2BD

VICINITY MAP: PROJECT LOCATION



NOT TO SCALE

PROJECT DESCRIPTION:

The objective of this modification is to provide additional high-quality housing on the compact .55-acre site. As noted in the original PUD, the site is near existing multi-unit residential properties and commercial uses. The proposed PUD modification substitutes the three commercial/office units for three residential units, keeping the same total of twelve units on the site. Additionally, the two buildings, still 3-stories each, have been reoriented to front toward 8th Street West, with a central drive aisle running east to west for service access through the site and access to the units' private garages. The northern building provides five alley loaded townhome units, and the southern building provides seven front loaded townhome units. The overall number of units is consistent with the twelve total units, three commercial/office and nine residential units, in the approved PUD. 24 parking spaces are provided onsite – two more than in the initial PUD; the northern building has two private garage spaces per unit, and the southern building has one private garage space and one exterior space per unit. The street perimeter of the site still allows for the additional spaces adjacent to the proposed buildings. Building heights and setbacks will still comply with the CB-2 zoning district.

TITLE SHEET



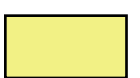
SITE DEVELOPMENT SUMMARY:

SITE: +/- 0.553 ACRES

UNITS: 12 UNITS.
PARKING: 24 SPACES
(17 ENCLOSED SPACES, 7 SPACES ON THE DRIVEWAY)

UNIT MIX:

 **ALLEY LOADED TOWNHOMES:** 5 UNITS

 **FRONT LOADED TOWNHOMES:** 7 UNITS

ILLUSTRATIVE PLAN

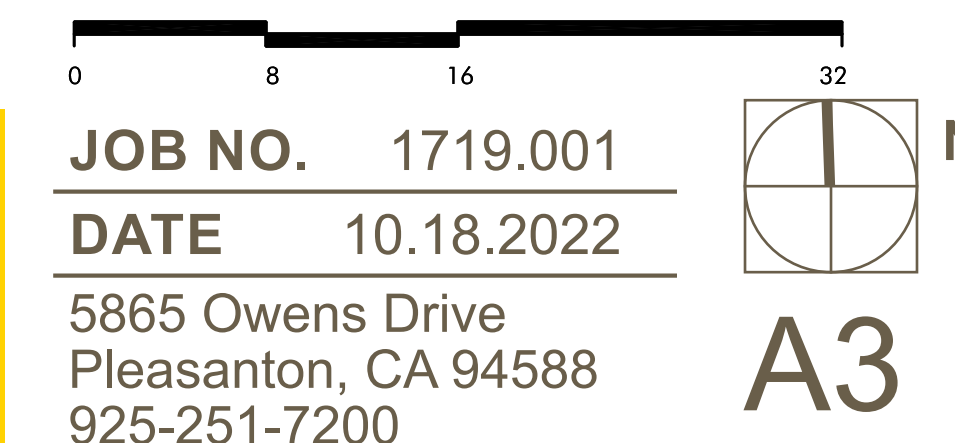
4TH & 8TH STREET SITE | COLUMBIA FALLS, MT
RUIS CONSTRUCTION

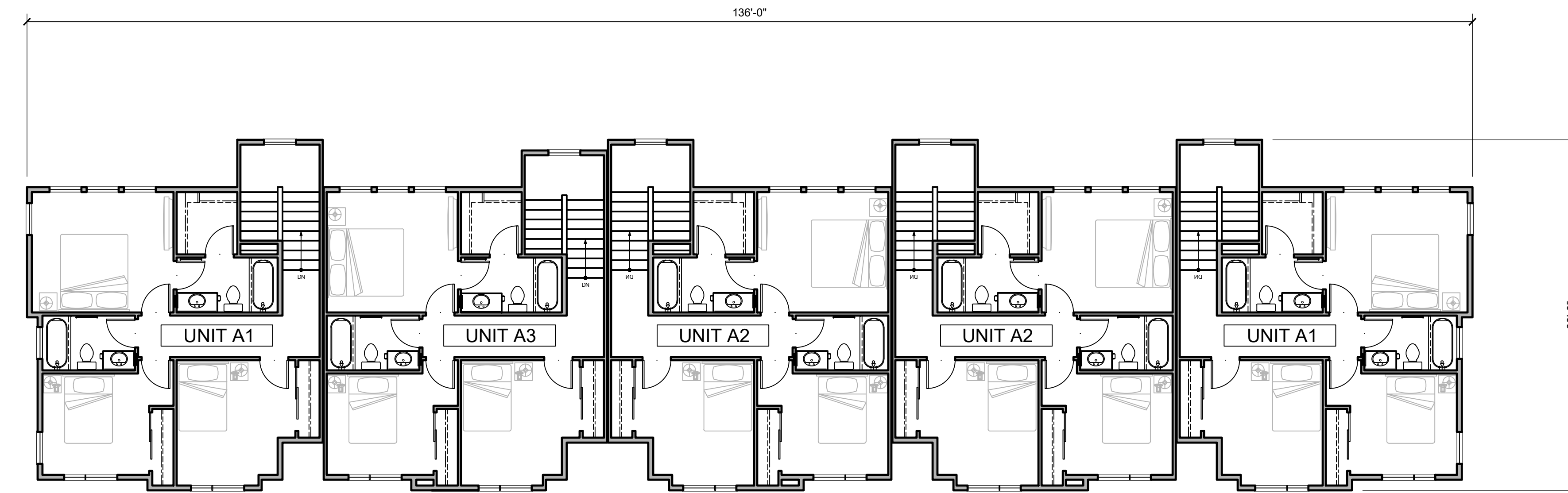


JOB NO. 1719.001
DATE 10.18.2022
5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

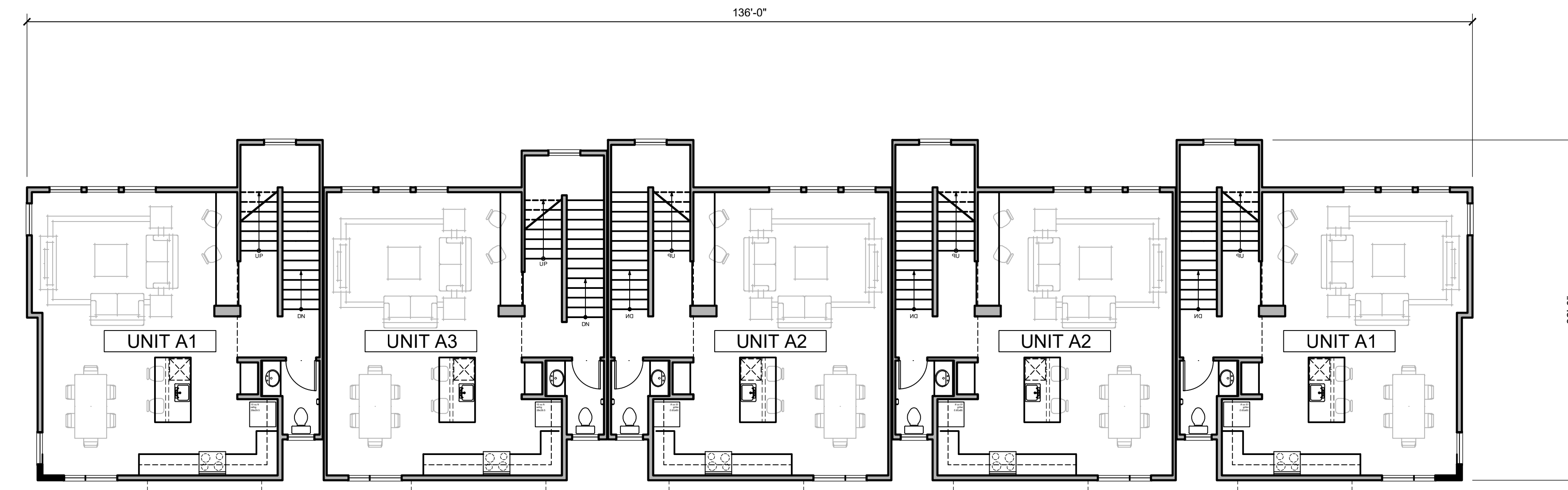


4TH & 8TH STREET SITE | COLUMBIA FALLS, MT

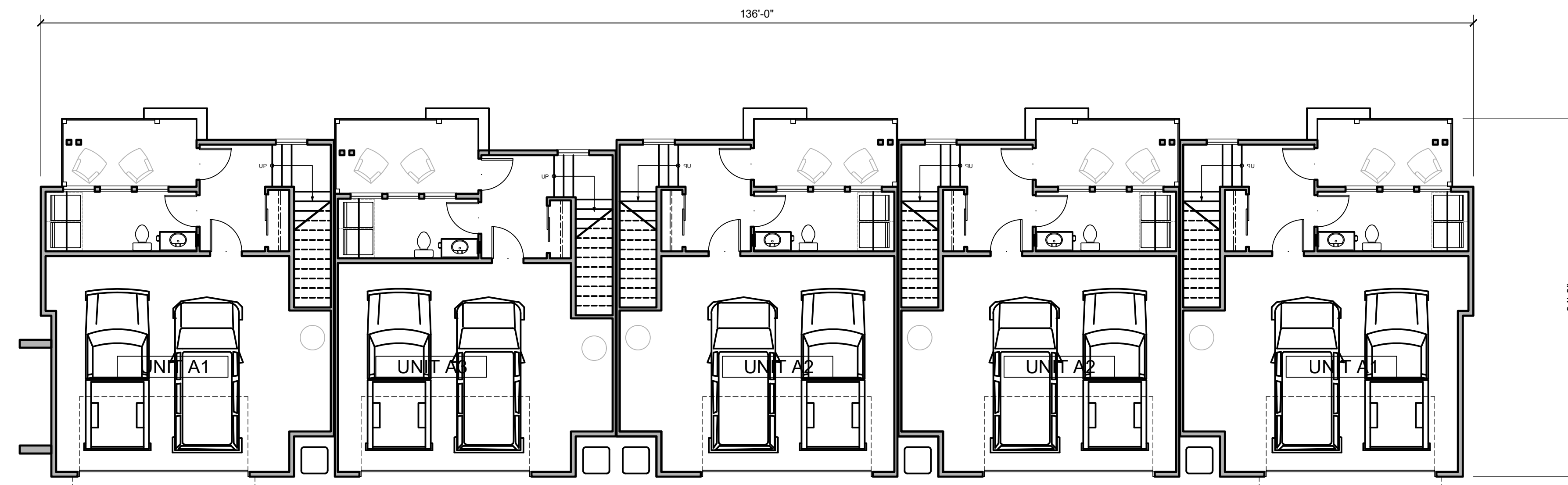




**3 BUILDING 1 (5-PLEX)
THIRD FLOOR PLAN**

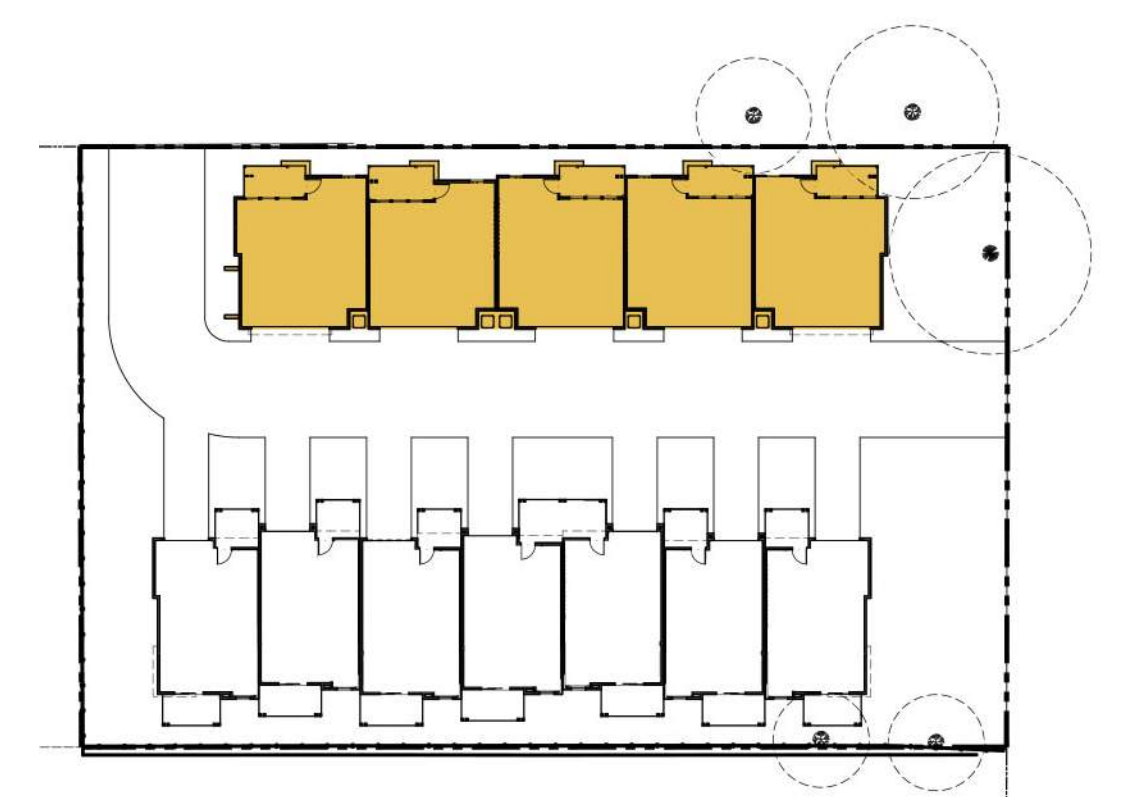


**2 BUILDING 1 (5-PLEX)
SECOND FLOOR PLAN**



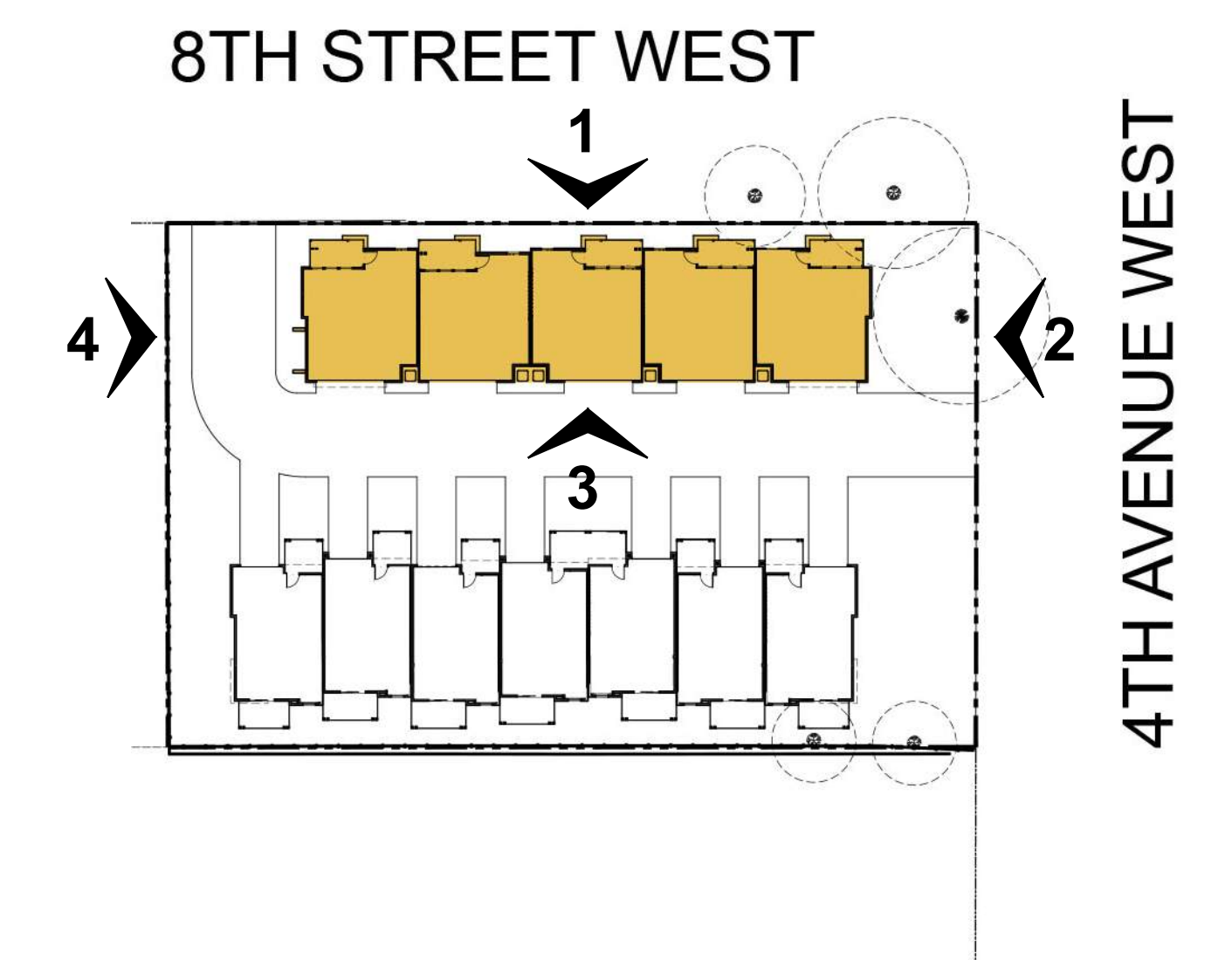
**1 BUILDING 1 (5-PLEX)
GROUND FLOOR PLAN**

8TH STREET WEST



4TH AVENUE WEST

KEYPLAN:



① **BUILDING 1 (5-PLEX)**
NORTH ELEVATION



② **BUILDING 1 (5-PLEX)**
EAST ELEVATION



③ **BUILDING 1 (5-PLEX)**
SOUTH ELEVATION



④ **BUILDING 1 (5-PLEX)**
WEST ELEVATION

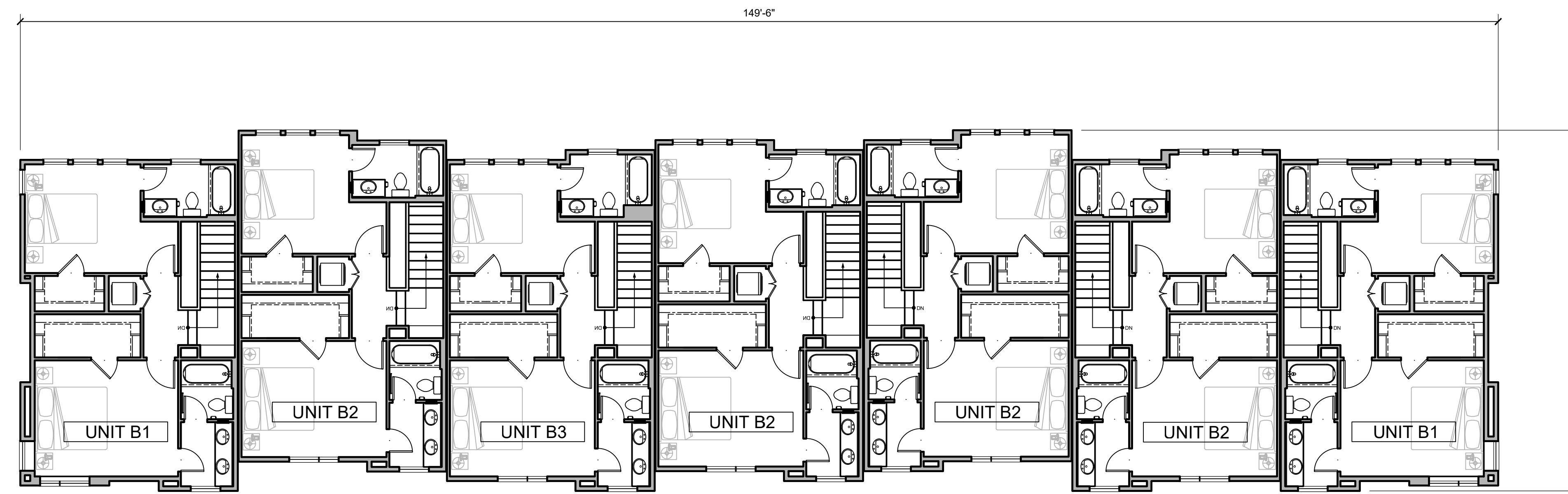
**BUILDING
ELEVATIONS**
BUILDING 1 (5-PLEX)

0 8 16 32

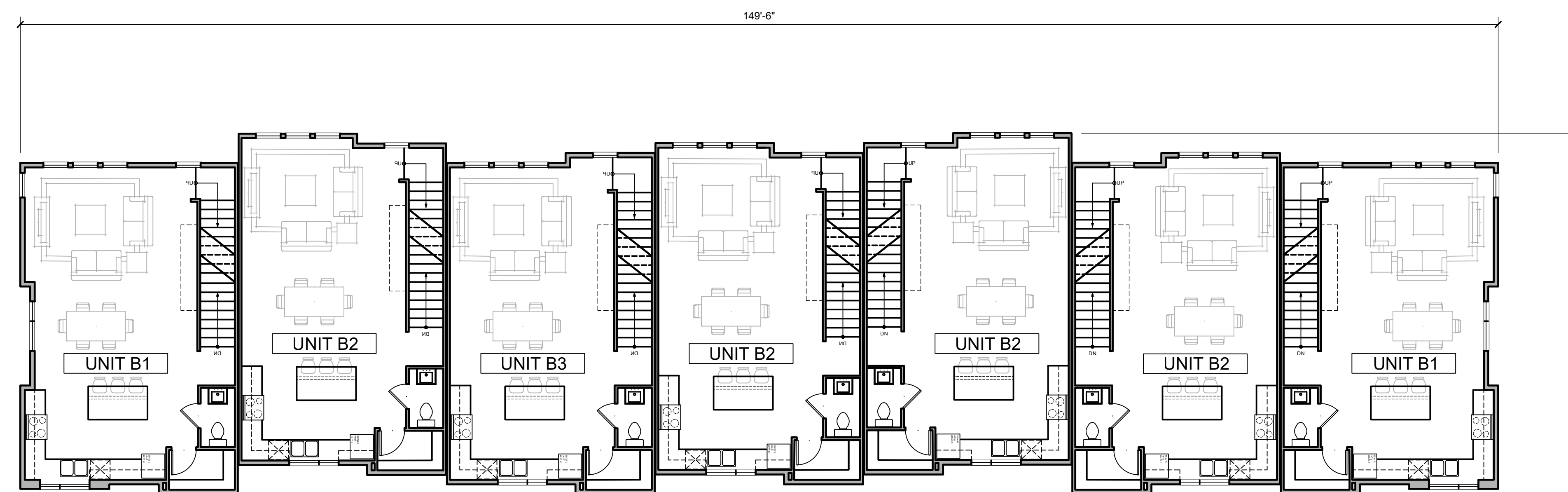
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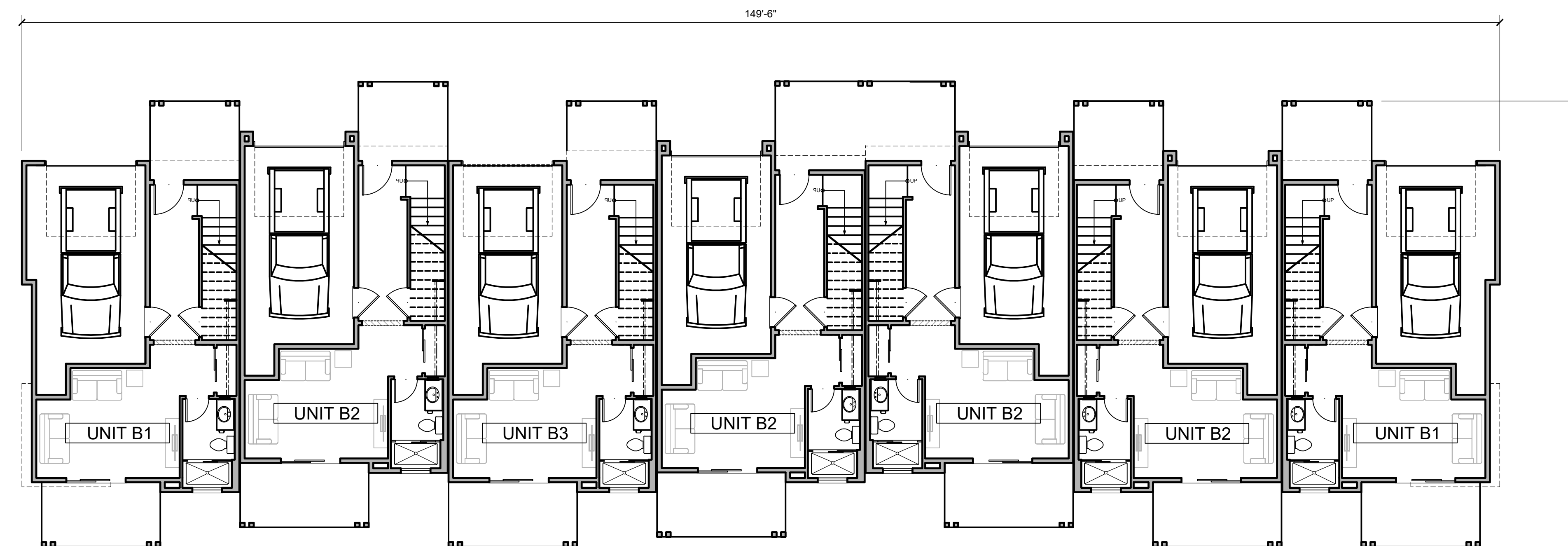
A5



**3 BUILDING 2 (7-PLEX)
THIRD FLOOR PLAN**

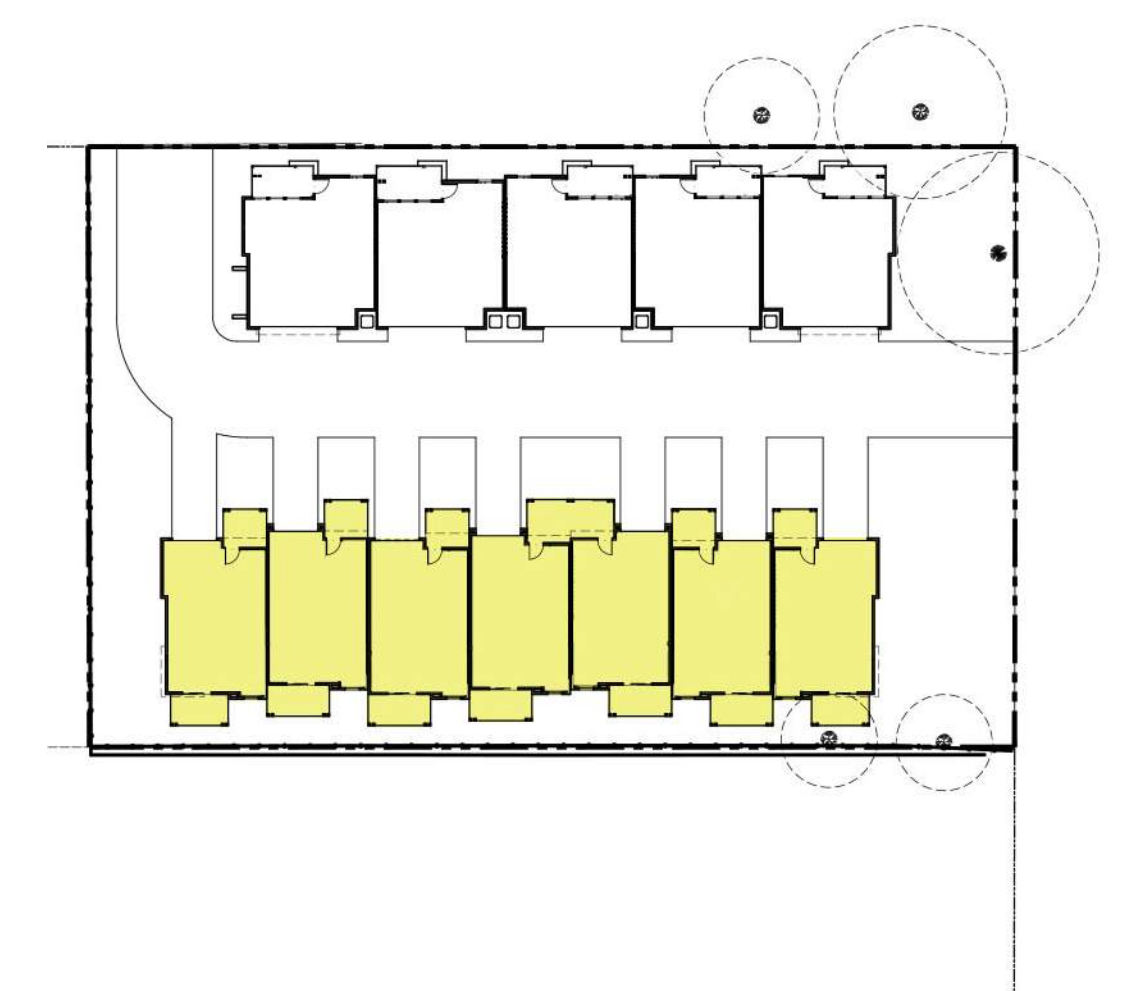


**2 BUILDING 2 (7-PLEX)
SECOND FLOOR PLAN**



**1 BUILDING 2 (7-PLEX)
GROUND FLOOR PLAN**

8TH STREET WEST



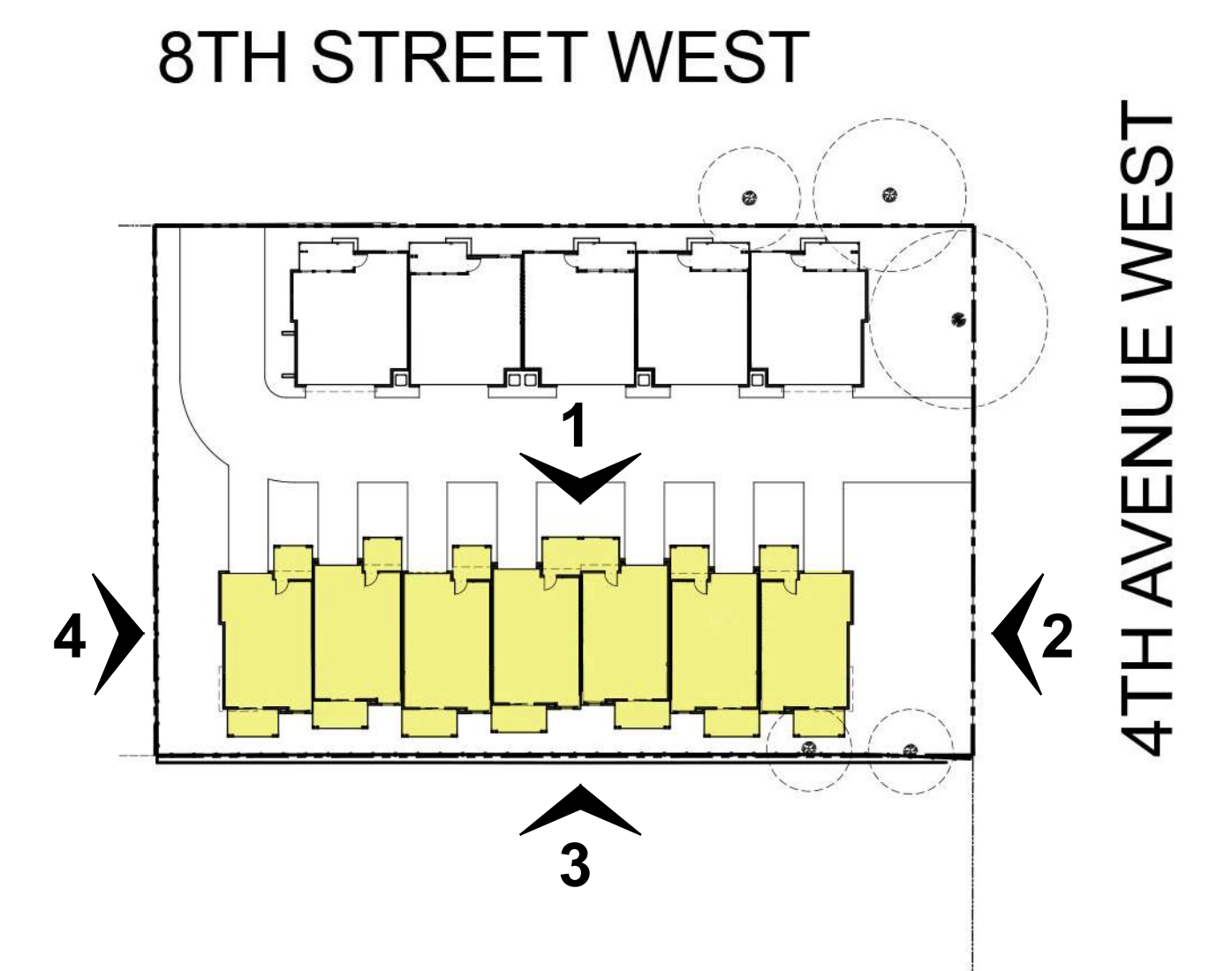
4TH AVENUE WEST

BUILDING PLANS BUILDING 2 (7-PLEX)

4TH & 8TH STREET SITE | COLUMBIA FALLS, MT
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N
A6



1 BUILDING 2 (7-PLEX)
NORTH ELEVATION



2 BUILDING 2 (7-PLEX)
EAST ELEVATION



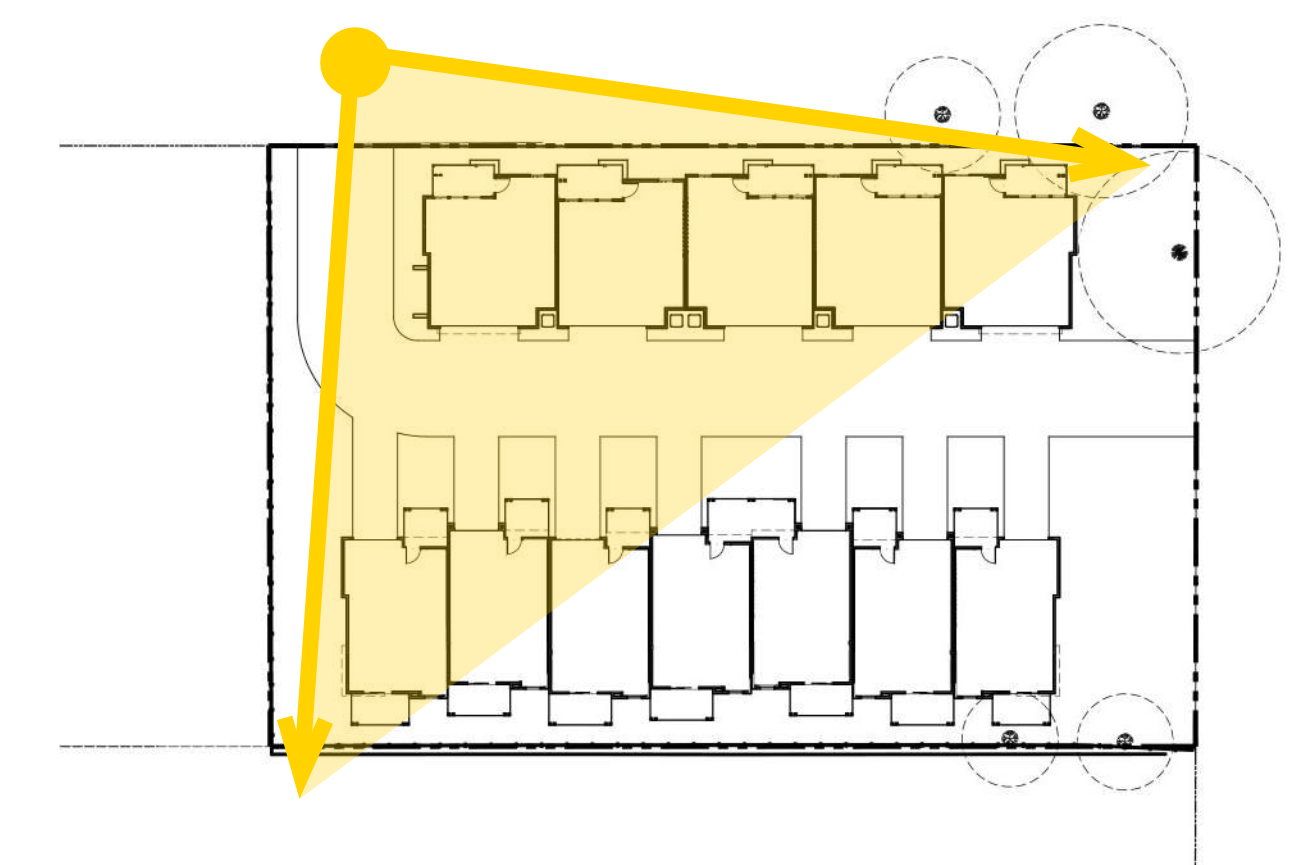
3 BUILDING 2 (7-PLEX)
SOUTH ELEVATION



4 BUILDING 2 (7-PLEX)
WEST ELEVATION

**BUILDING
ELEVATIONS**
BUILDING 2 (7-PLEX)

8TH STREET WEST



4TH AVENUE WEST



**BUILDING
PERSPECTIVE**

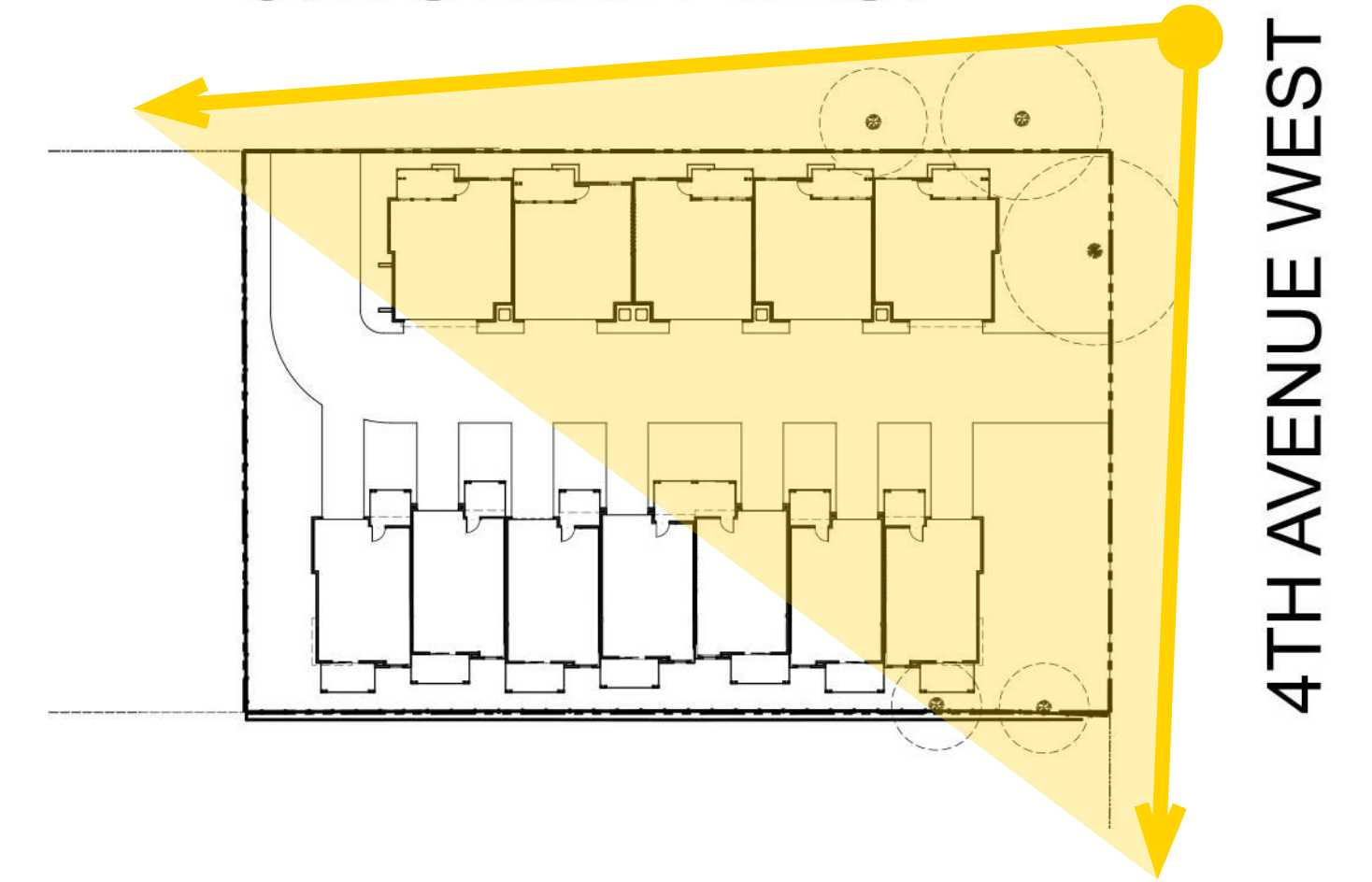
4TH & 8TH STREET SITE | COLUMBIA FALLS, MT
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A8

8TH STREET WEST



4TH AVENUE WEST



**BUILDING
PERSPECTIVE**

4TH & 8TH STREET SITE | COLUMBIA FALLS, MT
RUIS CONSTRUCTION



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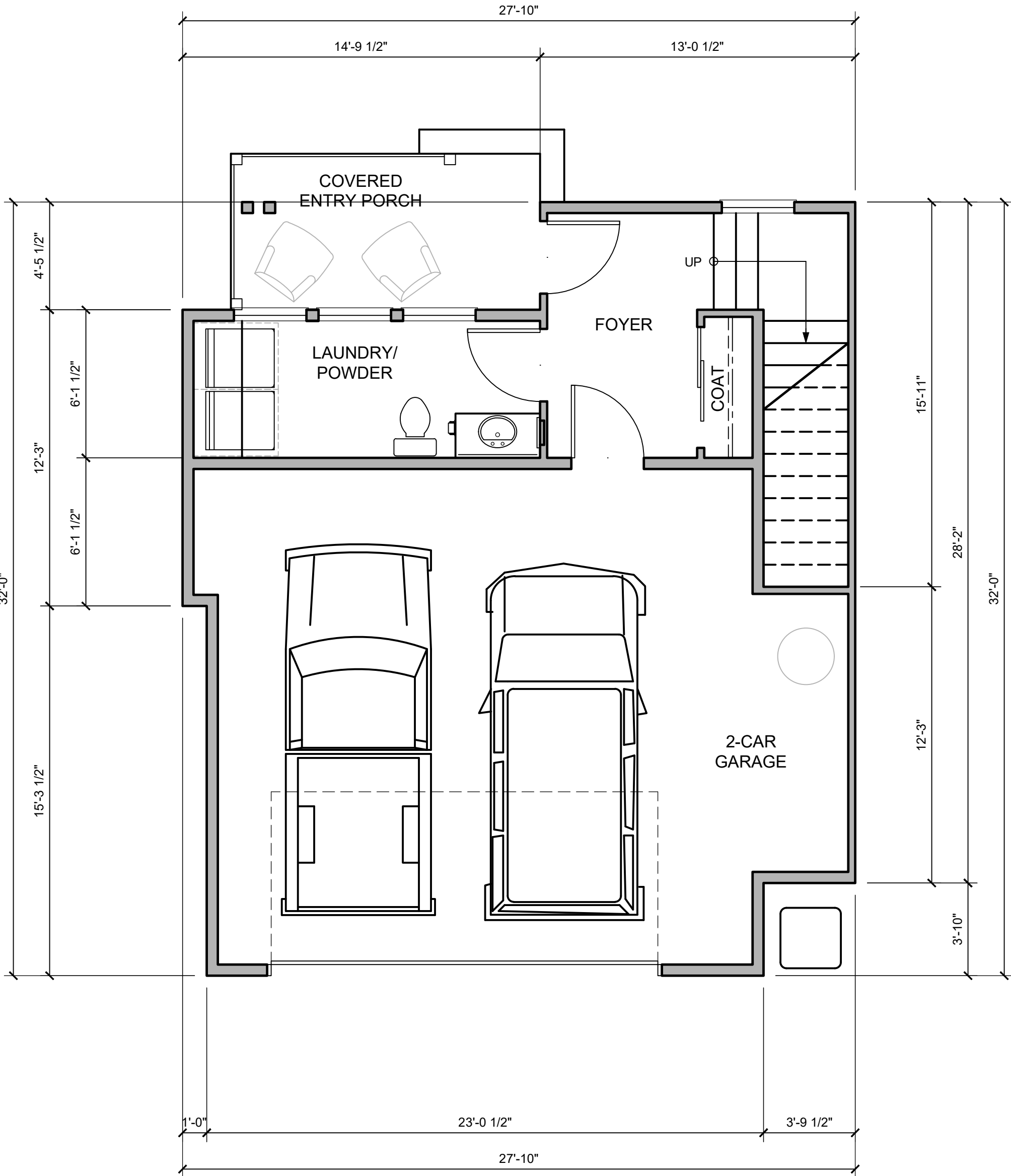
A9

SQUARE FOOTAGE
CALCULATIONS*:

UNIT GROSS SQFT - MEASURED TO THE OUTSIDE
FACE OF PERIMETER STUDS. PORCHES AND PATIOS
EXCLUDED

UNIT NET SQFT - MEASURED TO THE INSIDE FACE
OF STUDS. CHASES EXCLUDED. PORCHES AND
PATIOS EXCLUDED.

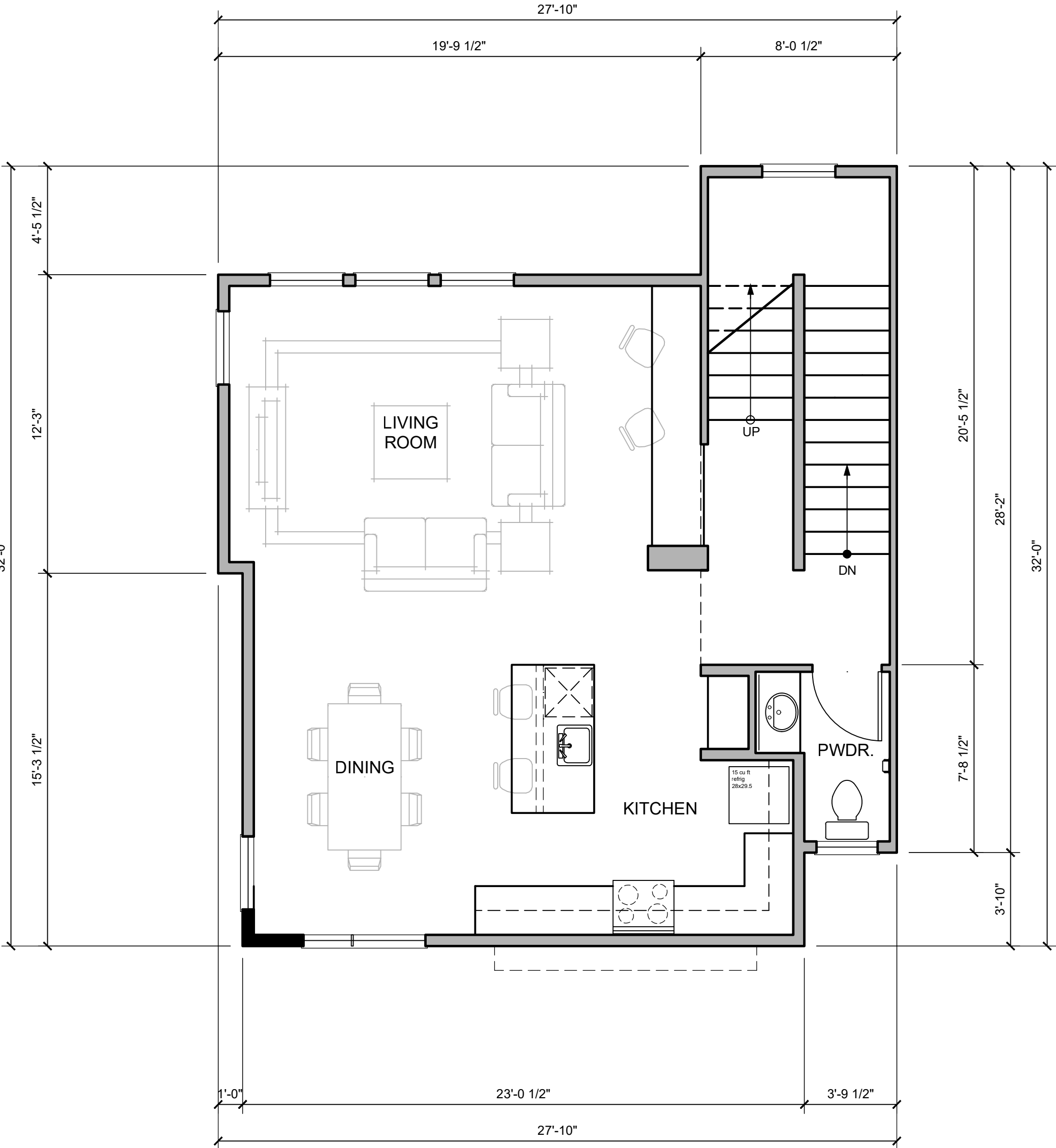
*SQUARE FOOTAGES MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS



UNIT A1 GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

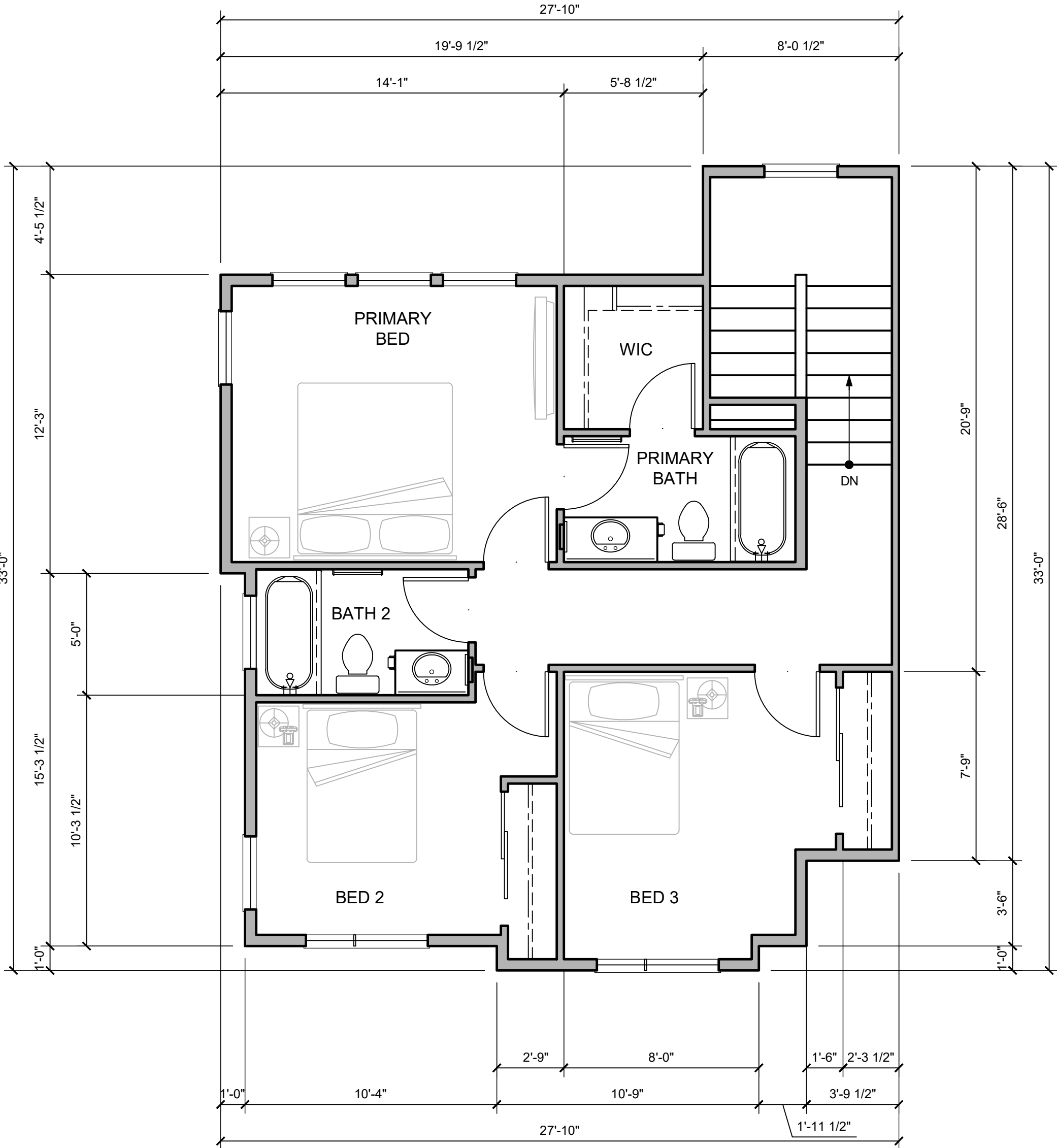
LIVING GROSS SQUARE FOOTAGE: 263 SF
LIVING NET SQUARE FOOTAGE: 228 SF

GARAGE GROSS SQUARE FOOTAGE: 532 SF
GARAGE NET SQUARE FOOTAGE: 504 SF



UNIT A1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 773 SF
NET SQUARE FOOTAGE: 724 SF



UNIT A1 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 683 SF
NET SQUARE FOOTAGE: 637 SF

UNIT PLANS
UNIT A1 - 3BD

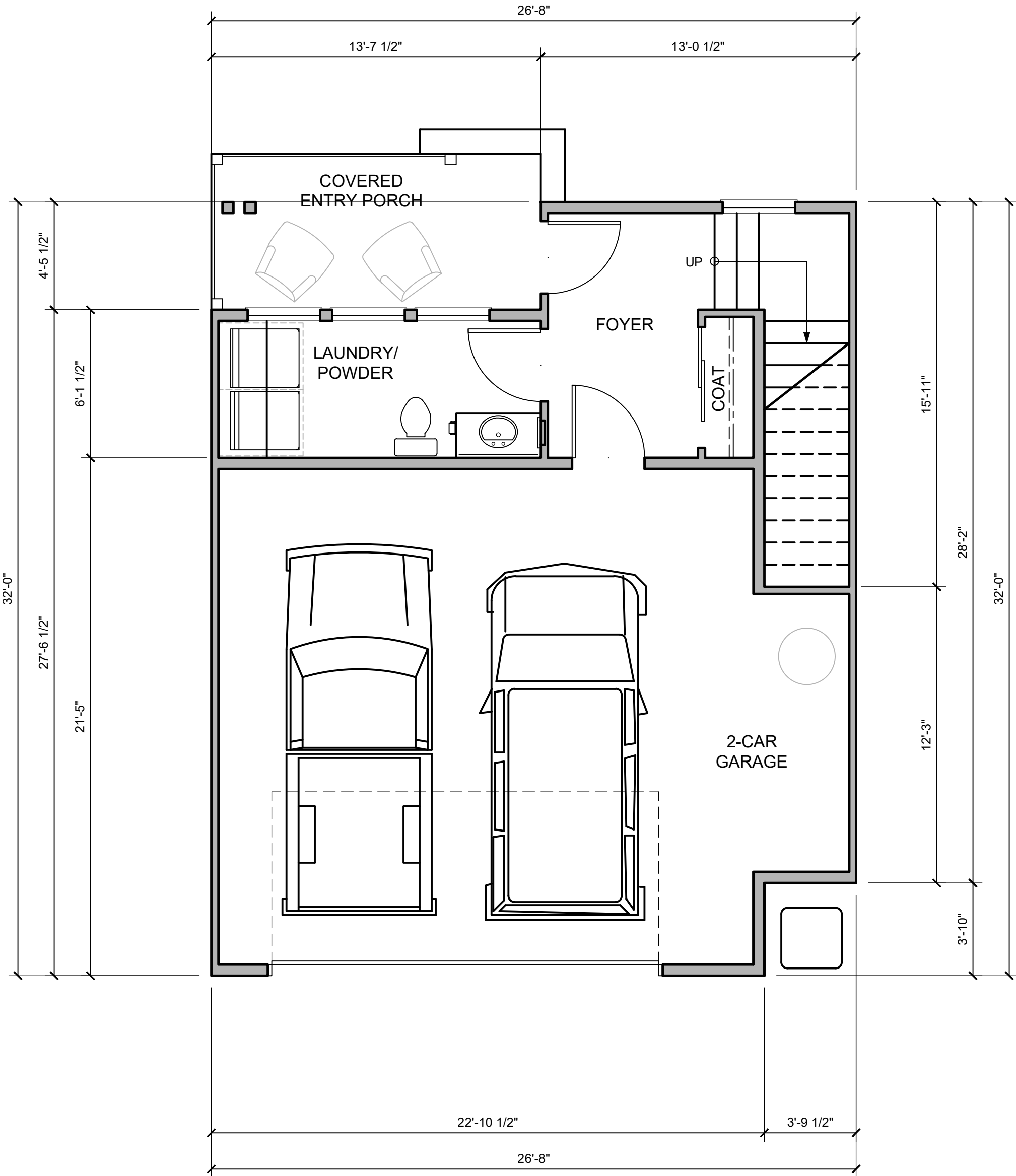


SQUARE FOOTAGE
CALCULATIONS*:

UNIT GROSS SQFT -
MEASURED TO THE OUTSIDE
FACE OF PERIMETER STUDS.
DECKS AND BALCONIES
EXCLUDED.

UNIT NET SQFT - MEASURED
TO THE INSIDE FACE OF STUDS.
CHASES EXCLUDED. DECKS
AND BALCONIES EXCLUDED.

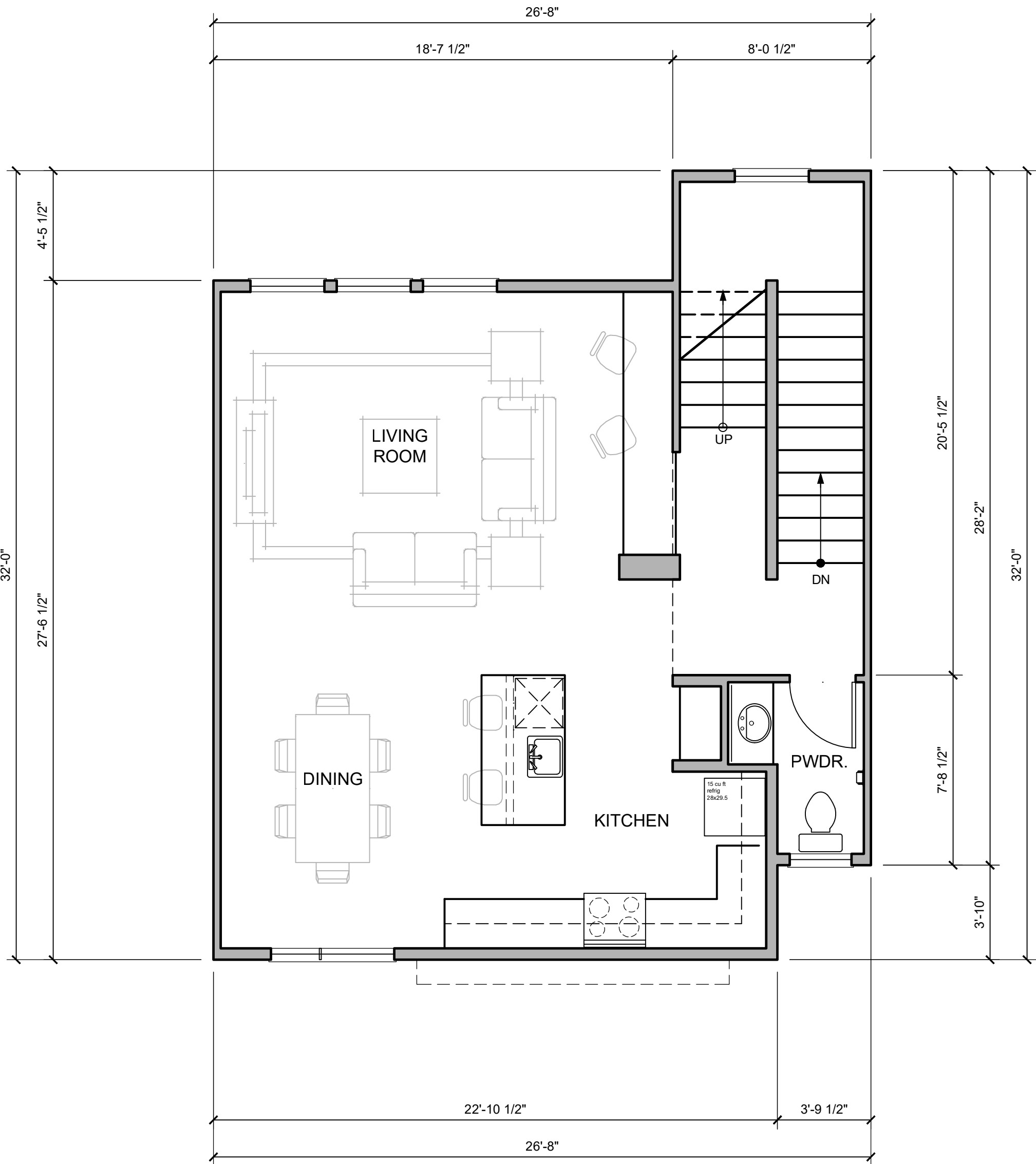
*SQUARE FOOTAGES
MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS



UNIT A2 GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

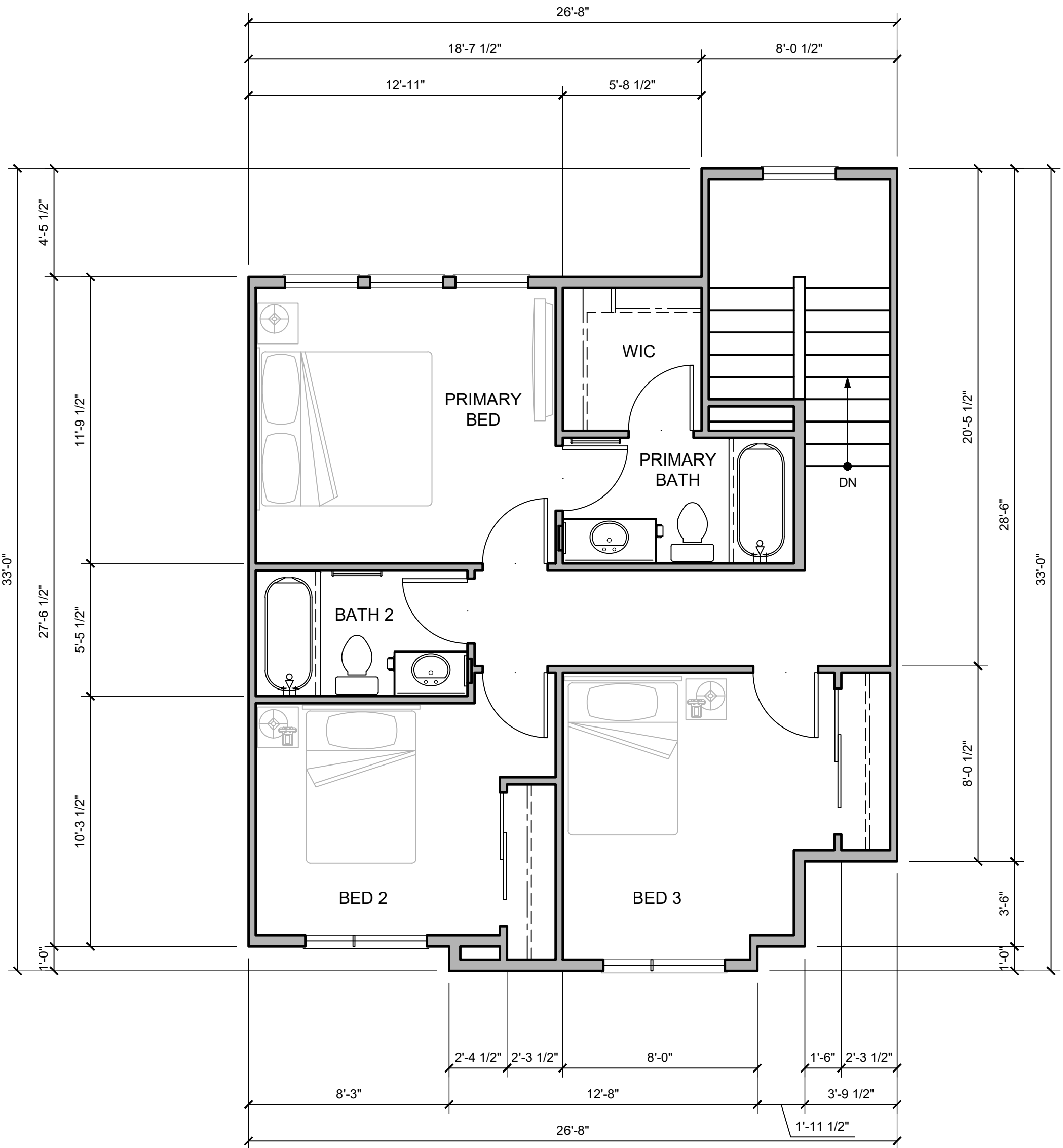
LIVING GROSS SQUARE FOOTAGE: 256 SF
LIVING NET SQUARE FOOTAGE: 222 SF

GARAGE GROSS SQUARE FOOTAGE: 522 SF
GARAGE NET SQUARE FOOTAGE: 499 SF



UNIT A2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 756 SF
NET SQUARE FOOTAGE: 713 SF



UNIT A2 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 666 SF
NET SQUARE FOOTAGE: 626 SF

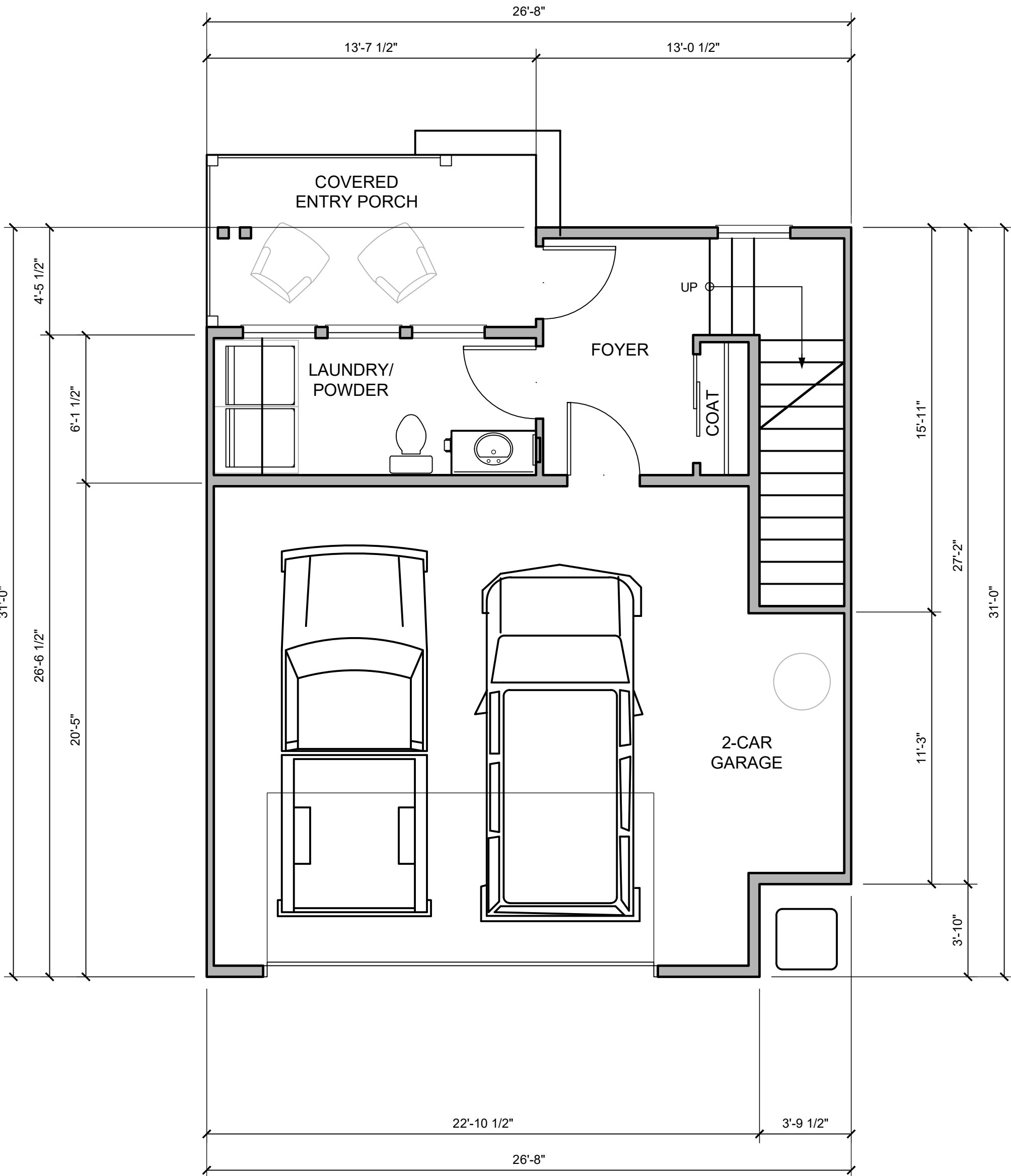
UNIT PLANS
UNIT A2 - 3BD

SQUARE FOOTAGE
CALCULATIONS*:

UNIT GROSS SQFT -
MEASURED TO THE OUTSIDE
FACE OF PERIMETER STUDS.
DECKS AND BALCONIES
EXCLUDED.

UNIT NET SQFT - MEASURED
TO THE INSIDE FACE OF STUDS.
CHASES EXCLUDED. DECKS
AND BALCONIES EXCLUDED.

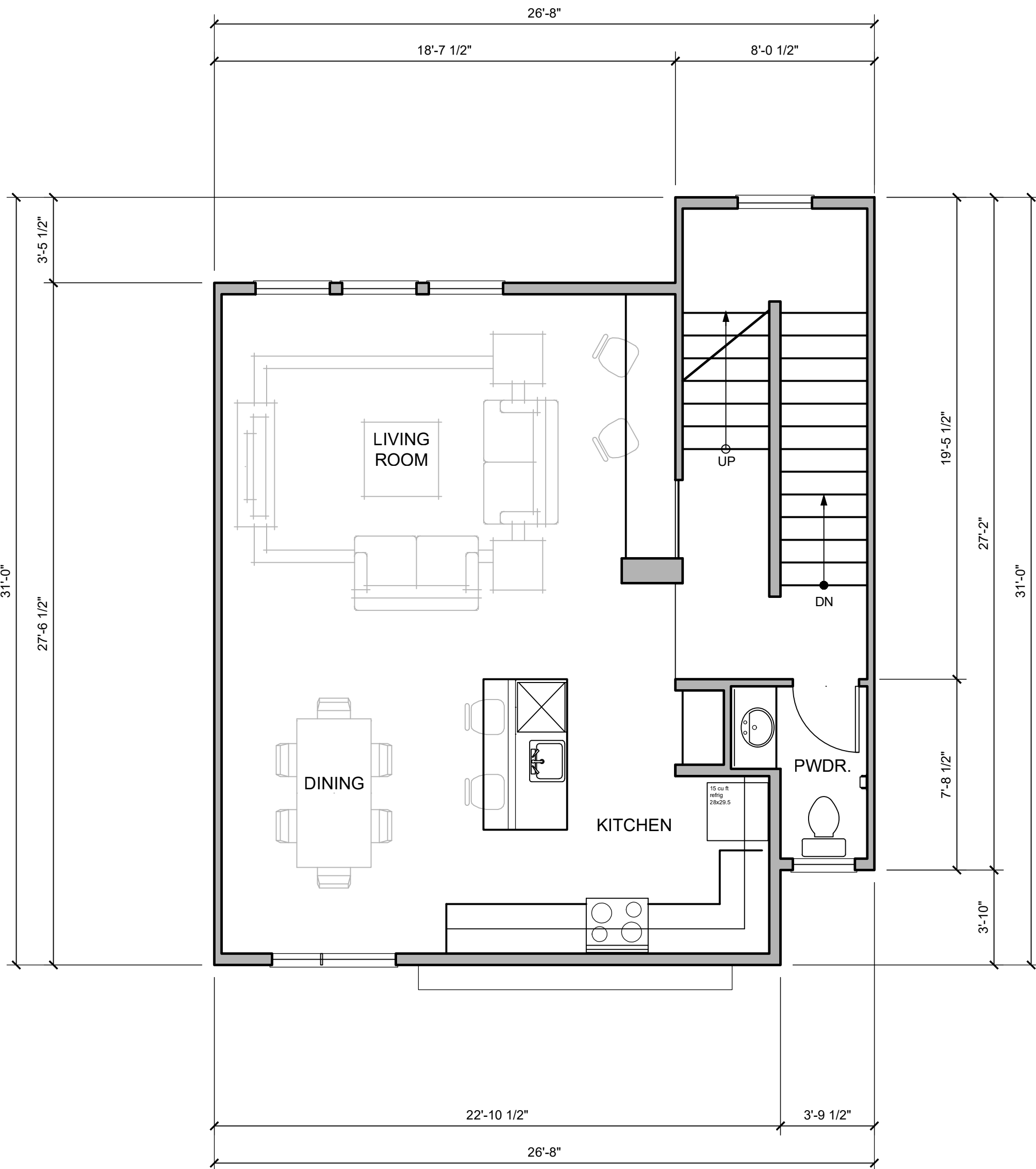
*SQUARE FOOTAGES
MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS



UNIT A3 GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

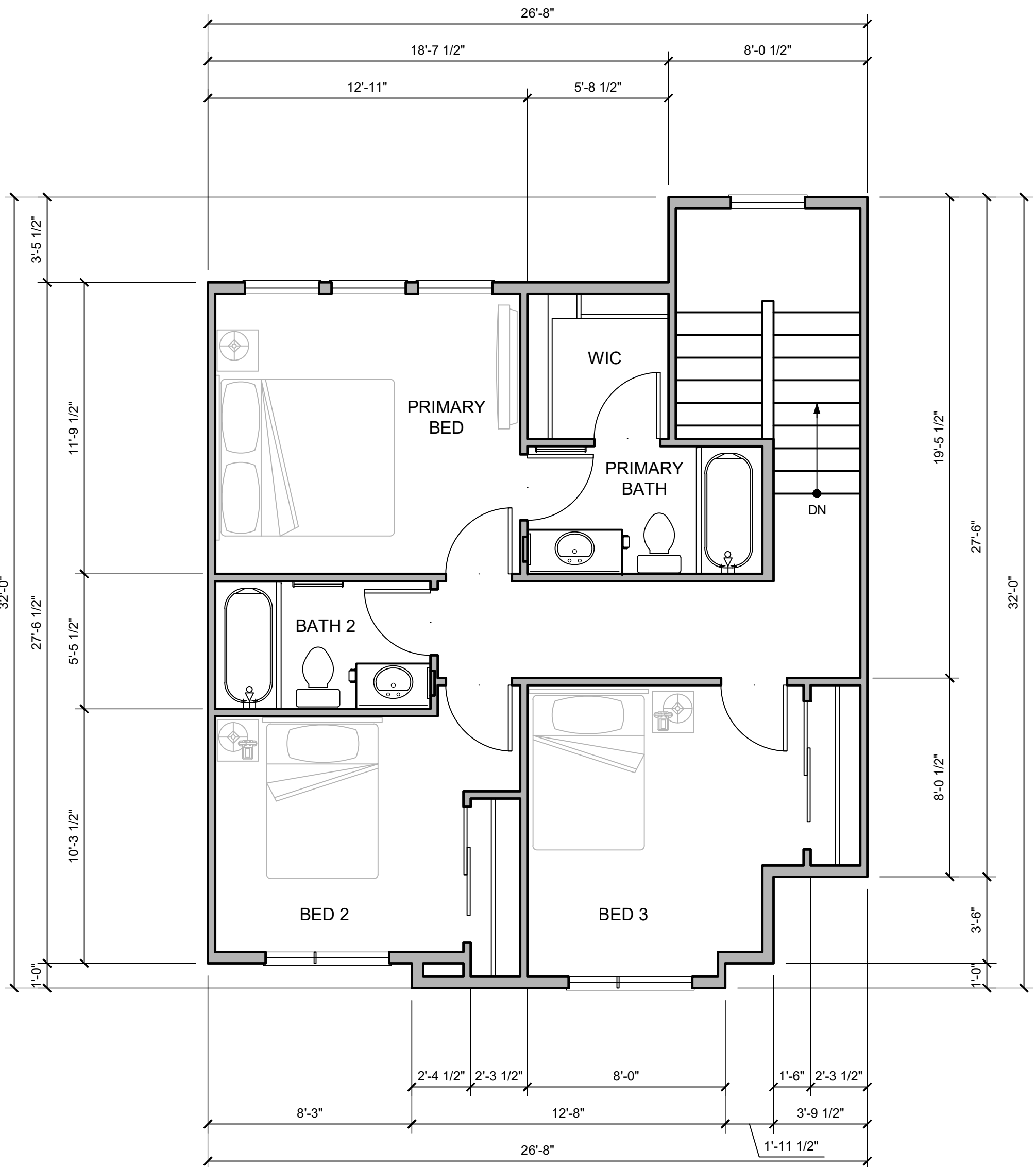
LIVING GROSS SQUARE FOOTAGE: 252 SF
LIVING NET SQUARE FOOTAGE: 218 SF

GARAGE GROSS SQUARE FOOTAGE: 504 SF
GARAGE NET SQUARE FOOTAGE: 481 SF



UNIT A3 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 748 SF
NET SQUARE FOOTAGE: 705 SF



UNIT A3 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 661 SF
NET SQUARE FOOTAGE: 621 SF

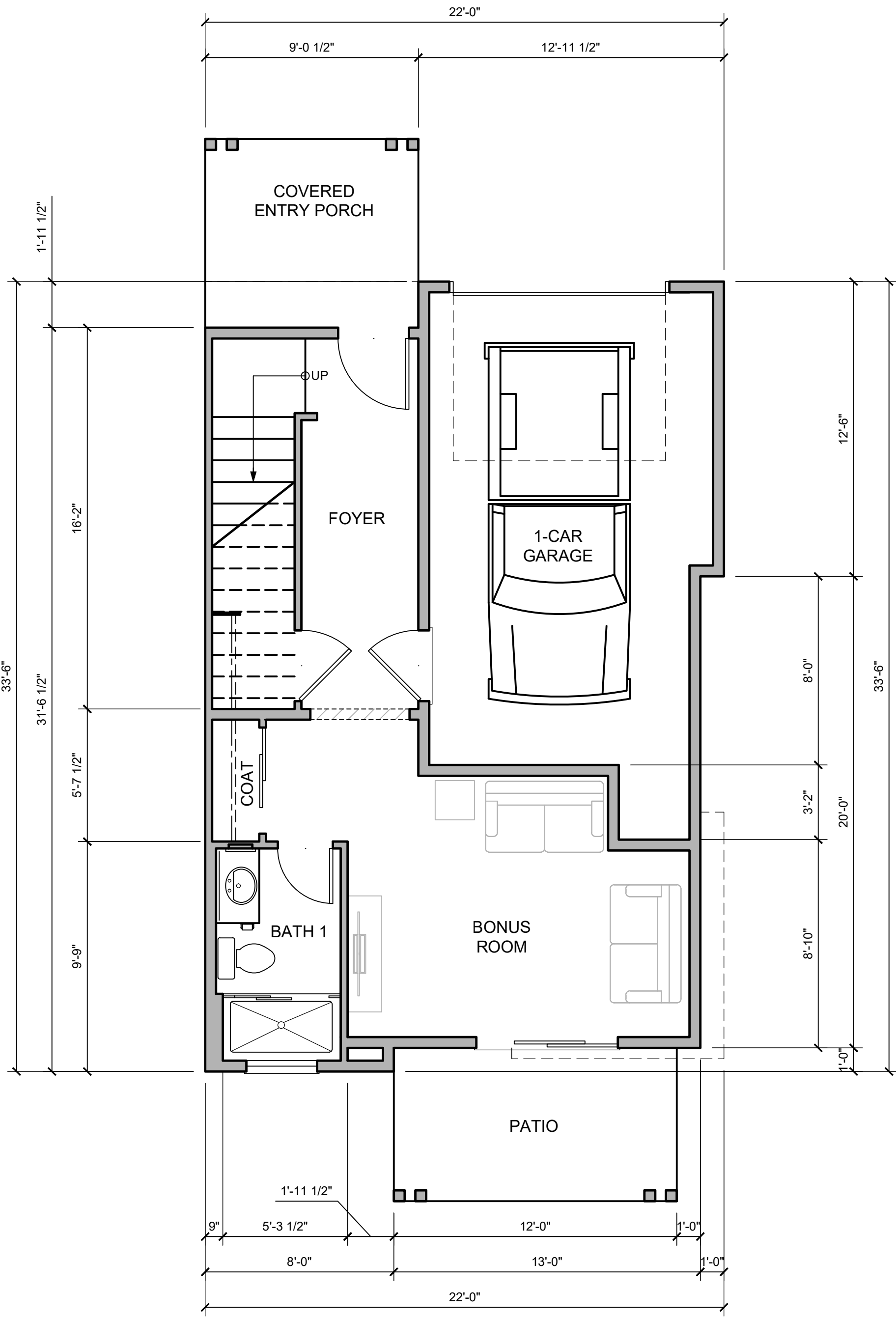
UNIT PLANS
UNIT A3 - 3BD

SQUARE FOOTAGE
CALCULATIONS*:

UNIT GROSS SQFT -
MEASURED TO THE OUTSIDE
FACE OF PERIMETER STUDS.
DECKS AND BALCONIES
EXCLUDED.

UNIT NET SQFT - MEASURED
TO THE INSIDE FACE OF STUDS.
CHASES EXCLUDED. DECKS
AND BALCONIES EXCLUDED.

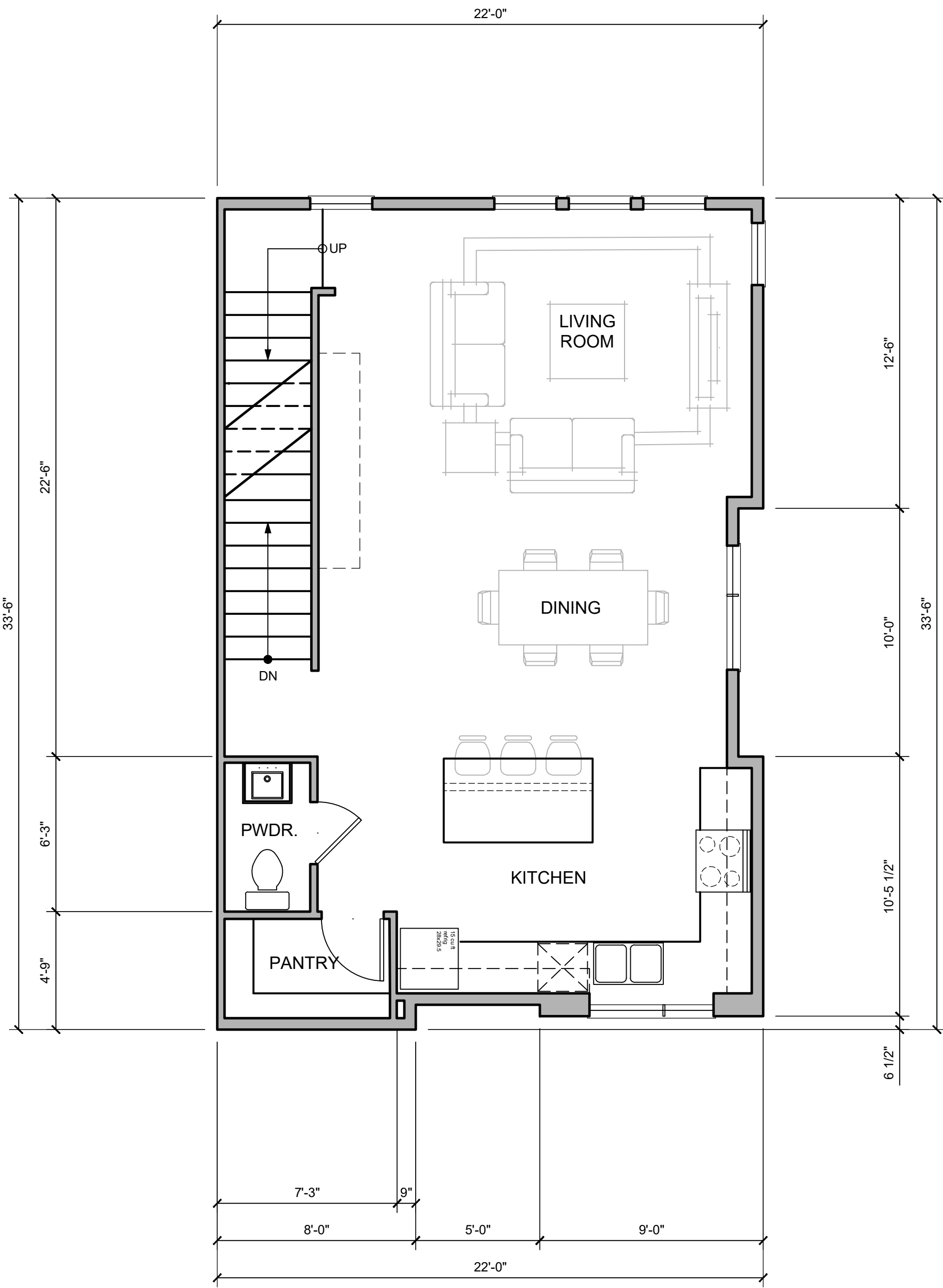
*SQUARE FOOTAGES
MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS



UNIT B1 GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

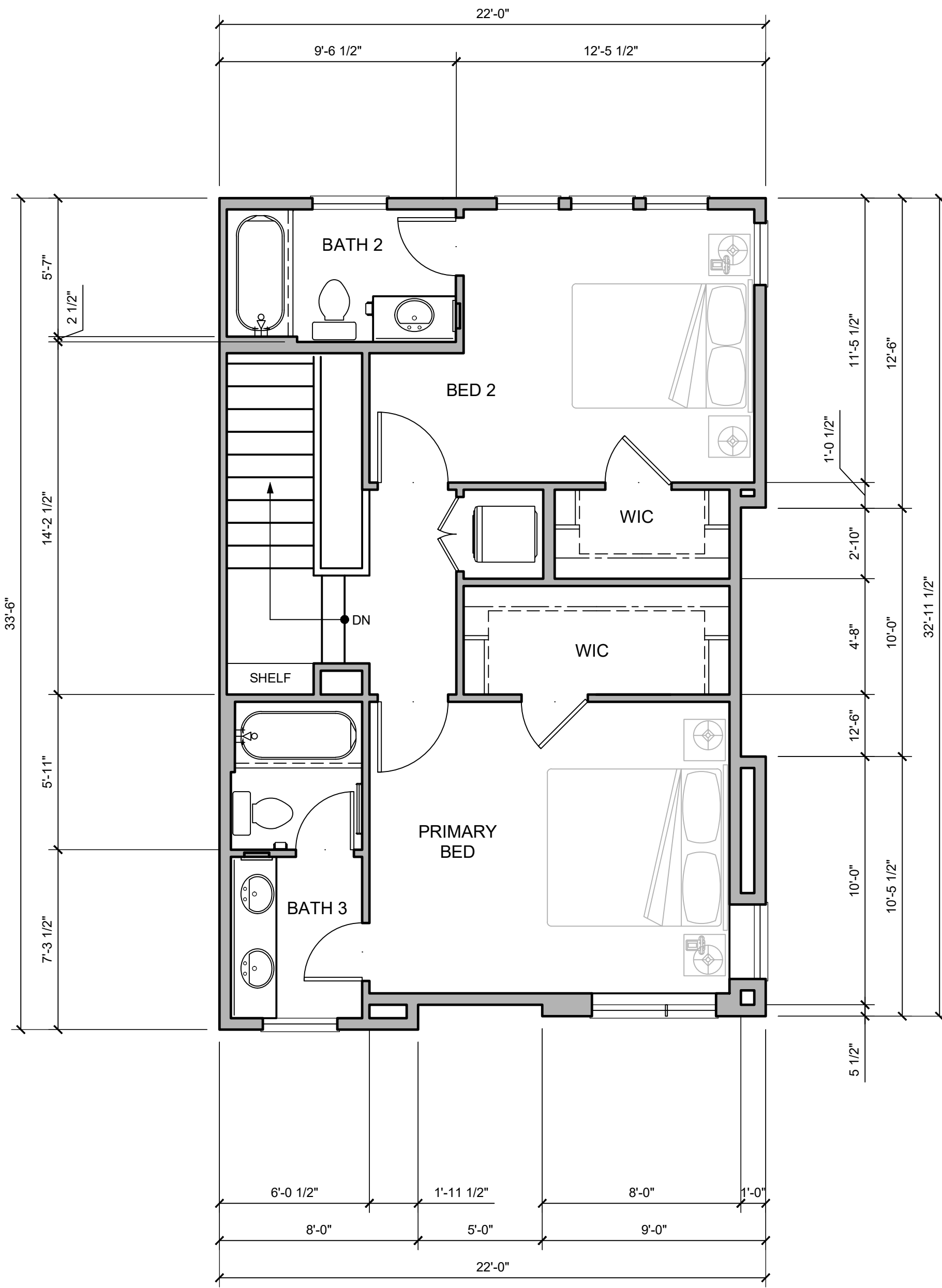
LIVING GROSS SQUARE FOOTAGE: 423 SF
LIVING NET SQUARE FOOTAGE: 379 SF

GARAGE GROSS SQUARE FOOTAGE: 260 SF
GARAGE NET SQUARE FOOTAGE: 242 SF



UNIT B1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 712 SF
NET SQUARE FOOTAGE: 667 SF



UNIT B1 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 626 SF
NET SQUARE FOOTAGE: 577 SF

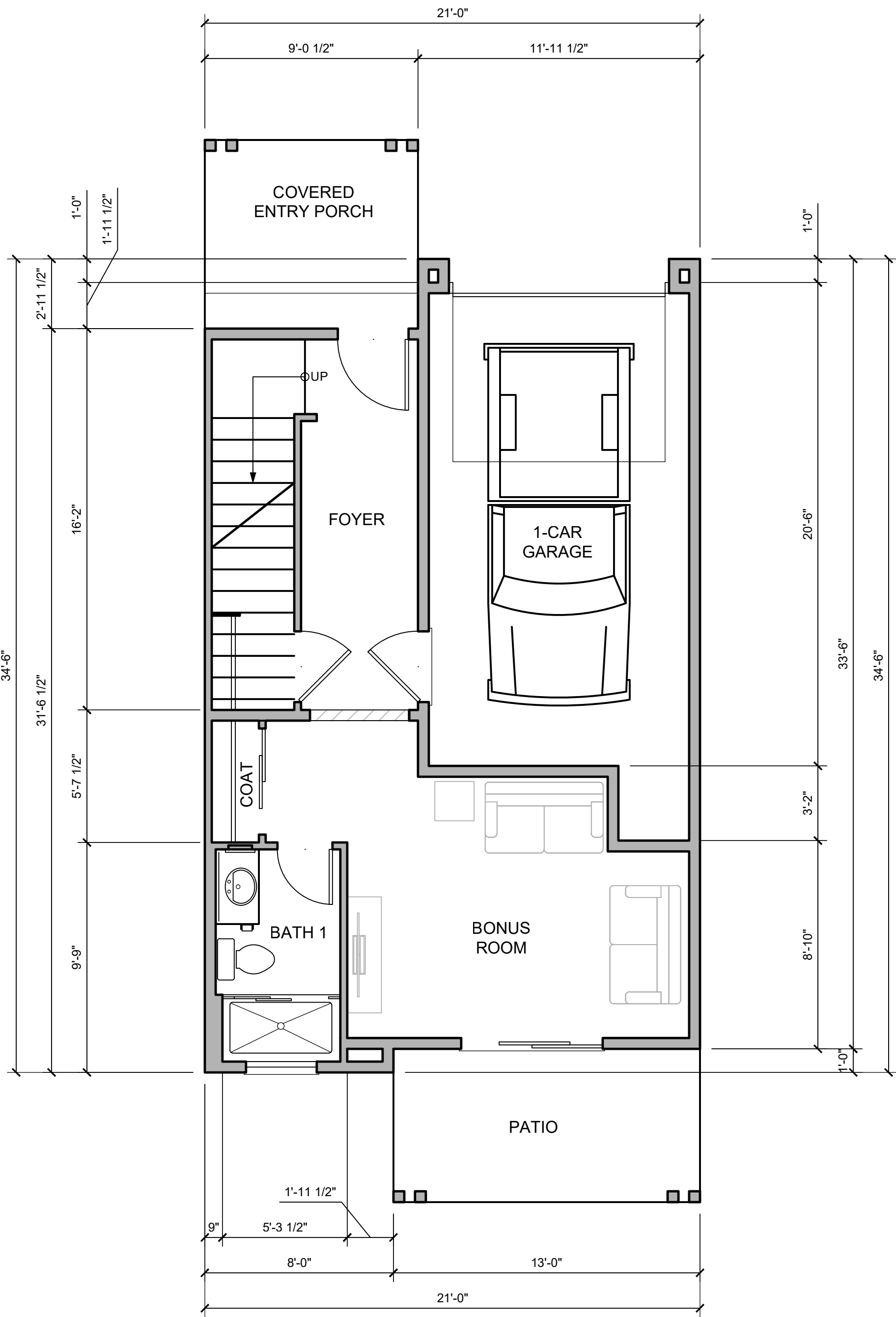
UNIT PLANS
UNIT B1 - 2BD

SQUARE FOOTAGE
CALCULATIONS*:

UNIT GROSS SQFT -
MEASURED TO THE OUTSIDE
FACE OF PERIMETER STUDS.
DECKS AND BALCONIES
EXCLUDED.

UNIT NET SQFT - MEASURED
TO THE INSIDE FACE OF STUDS.
CHASES EXCLUDED. DECKS
AND BALCONIES EXCLUDED.

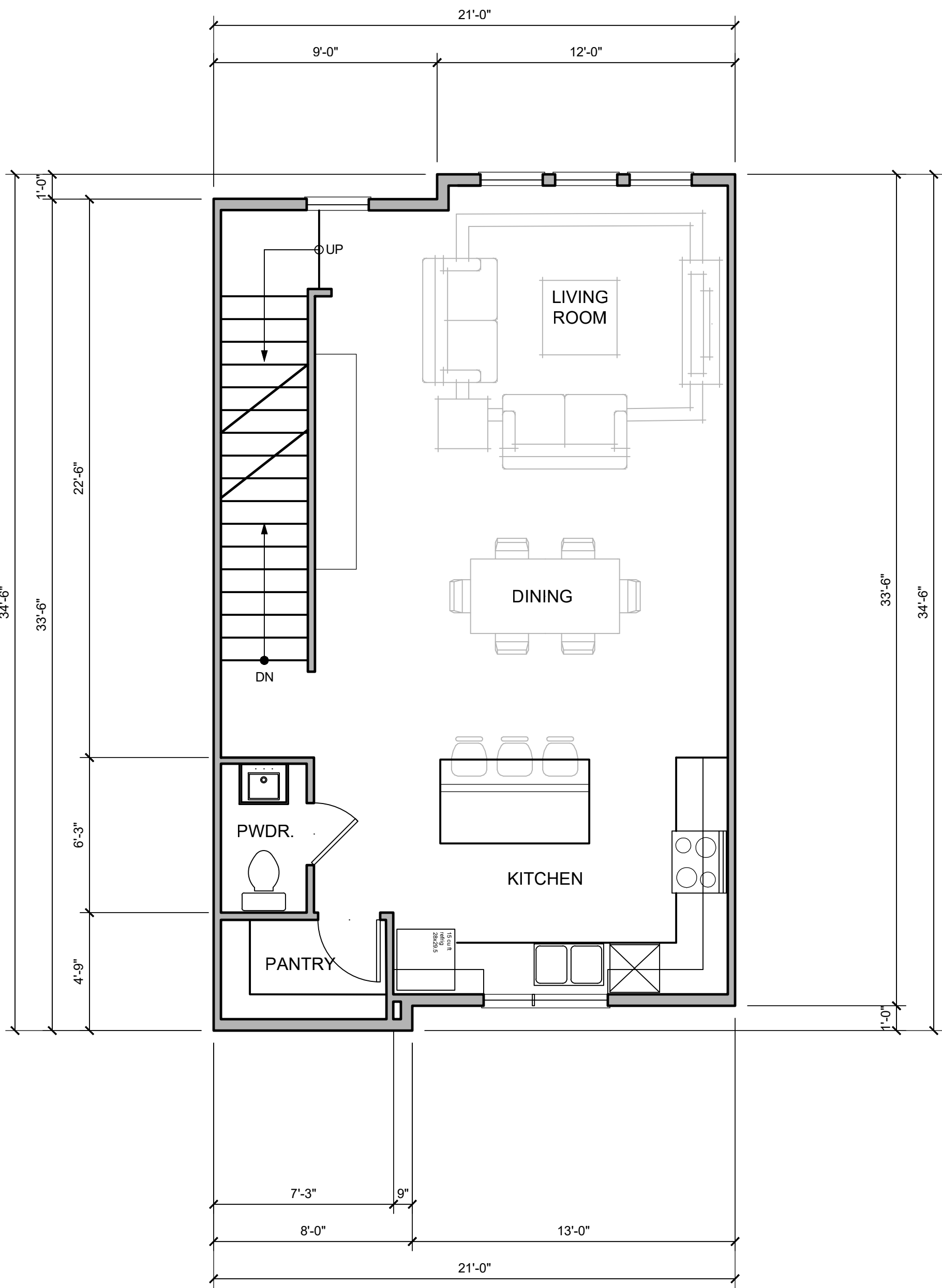
*SQUARE FOOTAGES
MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS



UNIT B2 GROUND FLOOR PLAN
SCALE: 1/4" = 1'-0"

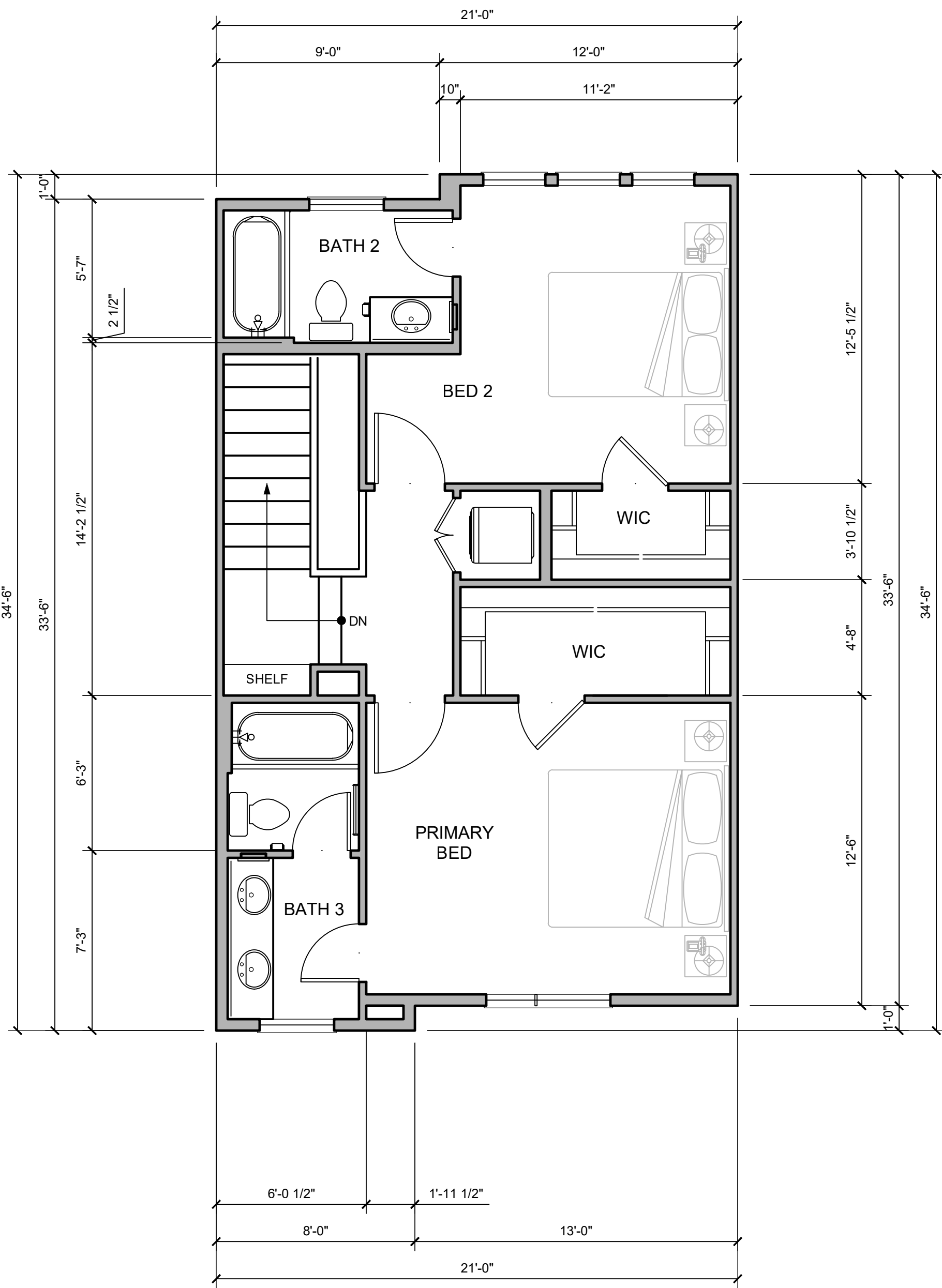
LIVING GROSS SQUARE FOOTAGE: 423 SF
LIVING NET SQUARE FOOTAGE: 379 SF

GARAGE GROSS SQUARE FOOTAGE: 248 SF
GARAGE NET SQUARE FOOTAGE: 231 SF



UNIT B2 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 701 SF
NET SQUARE FOOTAGE: 663 SF

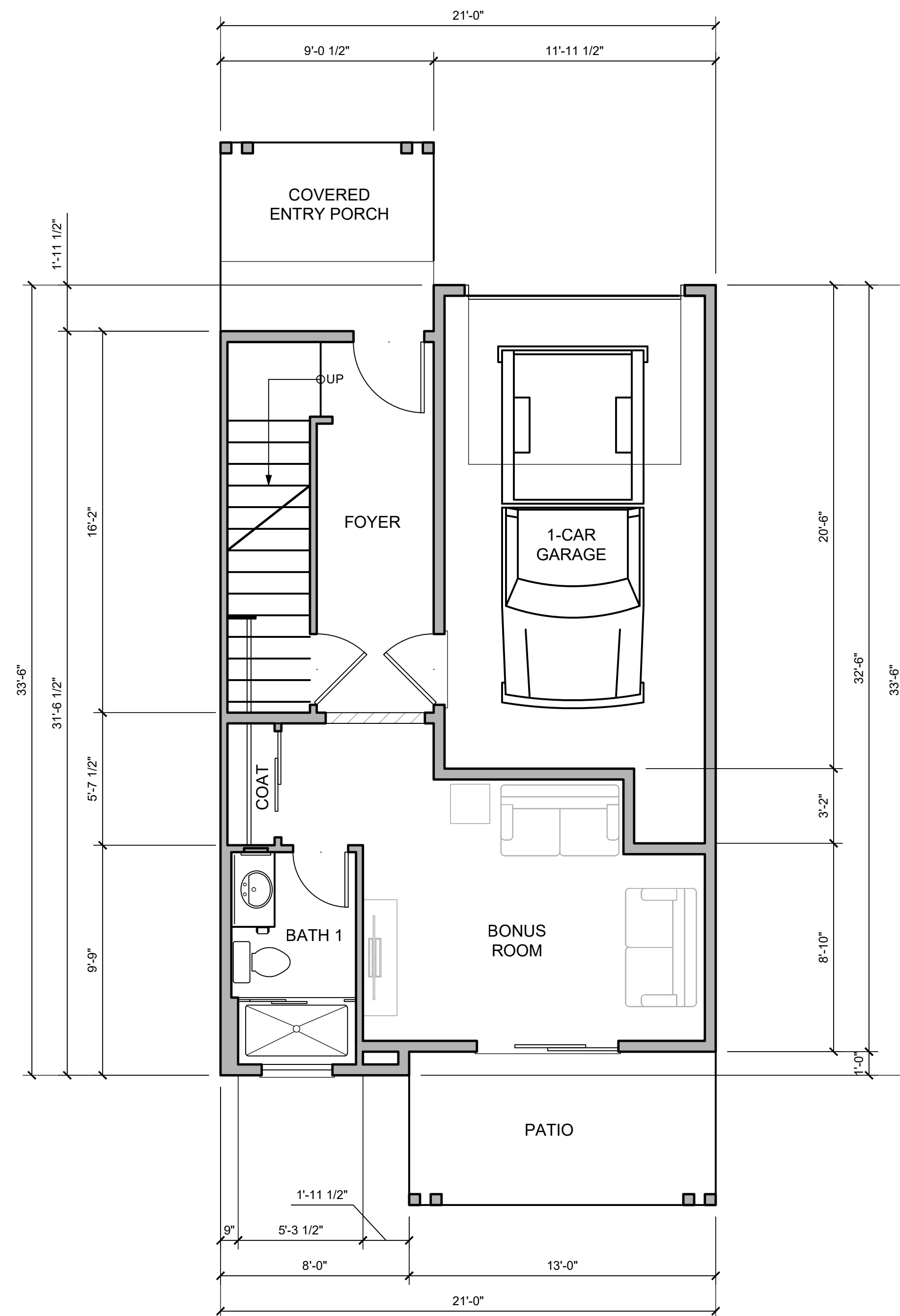


UNIT B2 THIRD FLOOR PLAN
SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 627 SF
NET SQUARE FOOTAGE: 583 SF

UNIT PLANS
UNIT B2 - 2BD

*SQUARE FOOTAGES
MAY VARY SLIGHTLY FOR
CONSTRUCTION DOCUMENTS

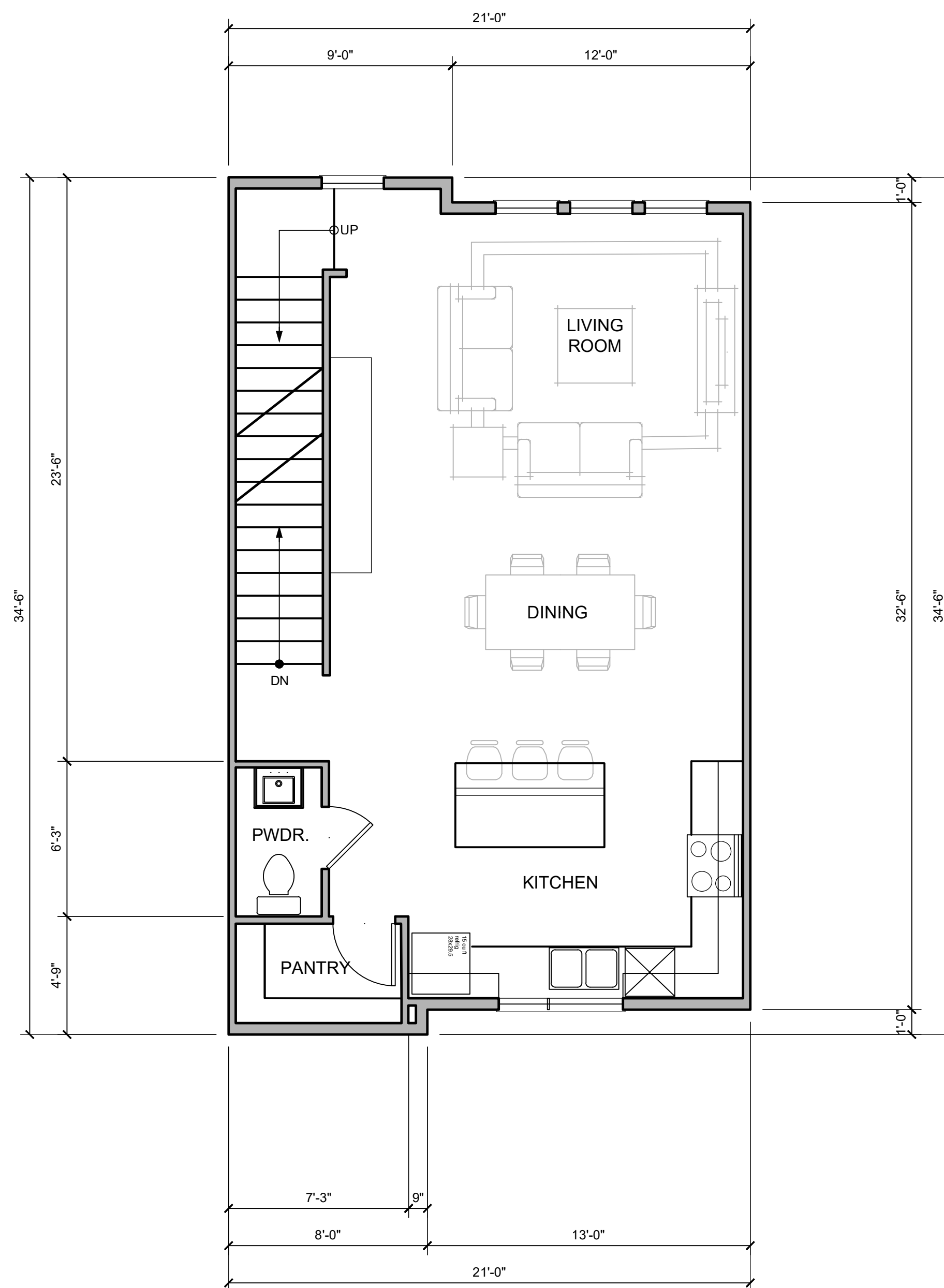


UNIT B3 GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"

LIVING GROSS SQUARE FOOTAGE: 423 SF
LIVING NET SQUARE FOOTAGE: 379 SF

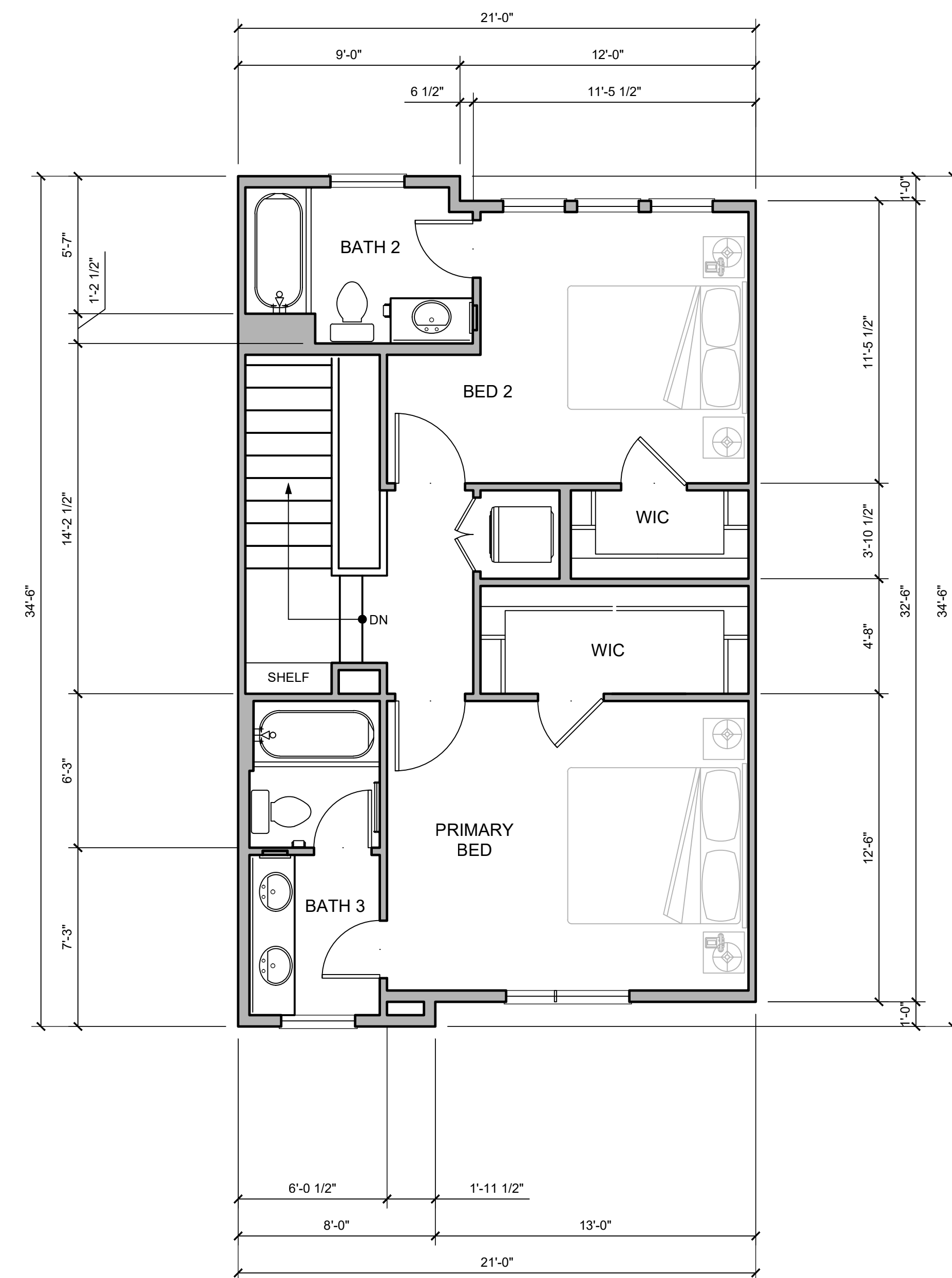
GARAGE GROSS SQUARE FOOTAGE: 248 SF
GARAGE NET SQUARE FOOTAGE: 231 SF



UNIT B3 SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 699 SF
NET SQUARE FOOTAGE: 660 SF



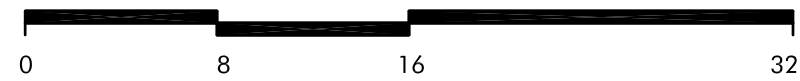
UNIT B3 THIRD FLOOR PLAN

SCALE: 1/4" = 1'-0"

GROSS SQUARE FOOTAGE: 625 SF
NET SQUARE FOOTAGE: 577 SF

UNIT PLANS

UNIT B3 - 2BD

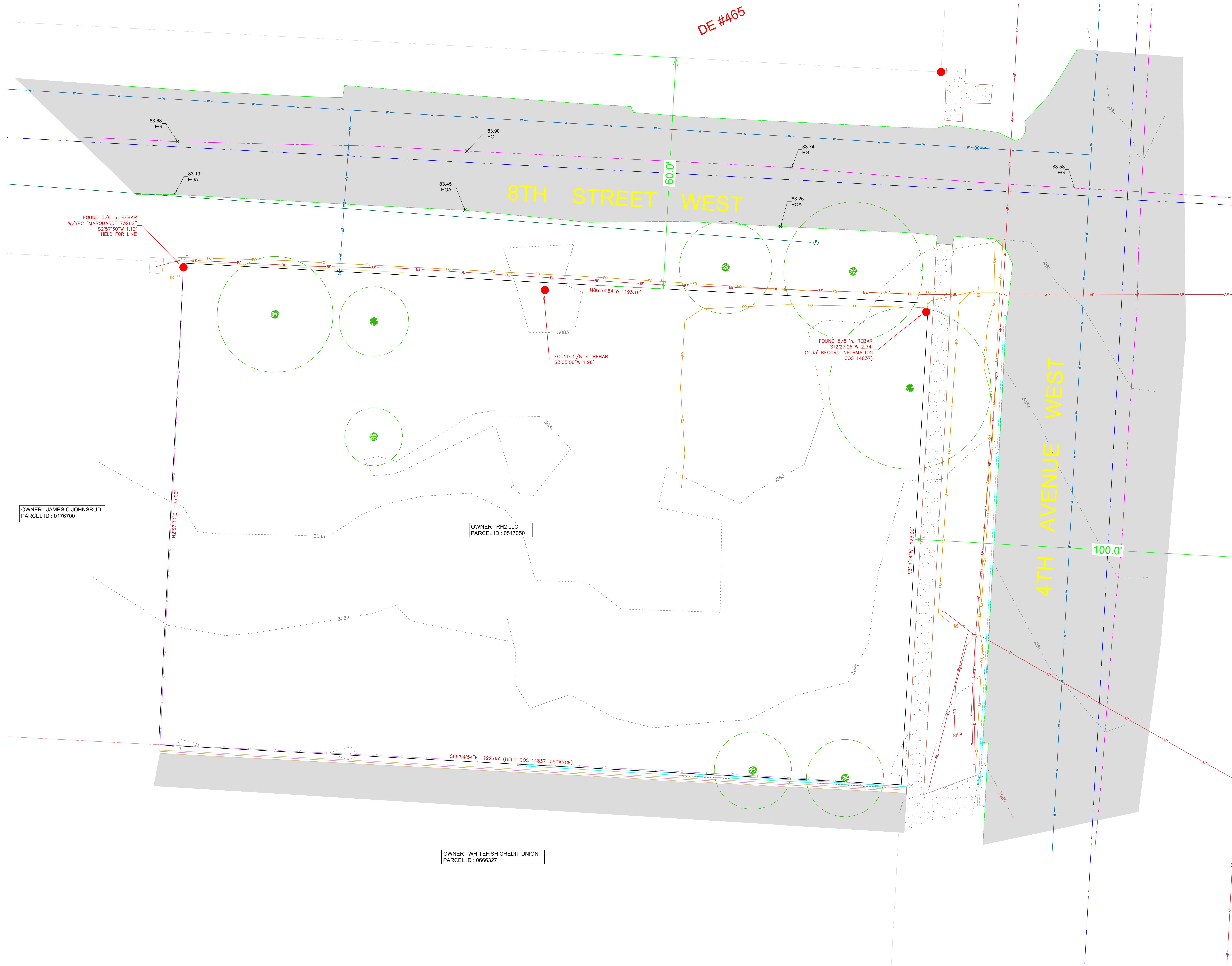


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4TH & 8TH STREET | COLUMBIA FALLS, MT
RUIS CONSTRUCTION



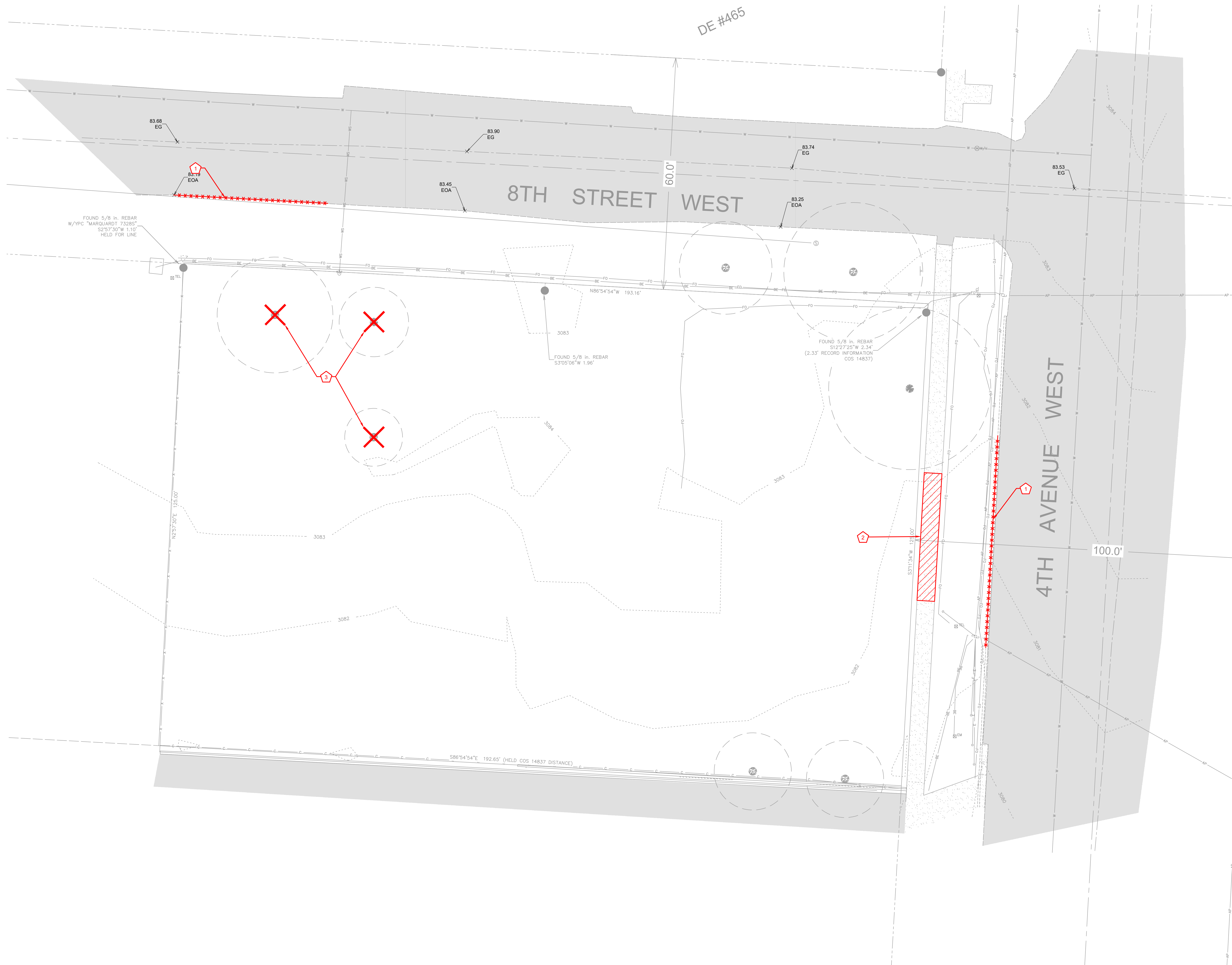
DAHLIN

EXISTING
CONDITIONS
DATE 11.04.2022
JOB NO. 1719.001
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Pleasanton, CA 94588
925-251-7200

0 10
Scale in Feet



C.01



- DEMOLITION NOTES**
- 1 SAWCUT AND REMOVE EXISTING ASPHALT PAVEMENT
 - 2 SAWCUT AND REMOVE EXISTING SIDEWALK
 - 3 REMOVE EXISTING TREE
 - 4 REMOVE EXISTING HYDRANT

4TH & 8TH STREET | COLUMBIA FALLS, MT
RUIS CONSTRUCTION

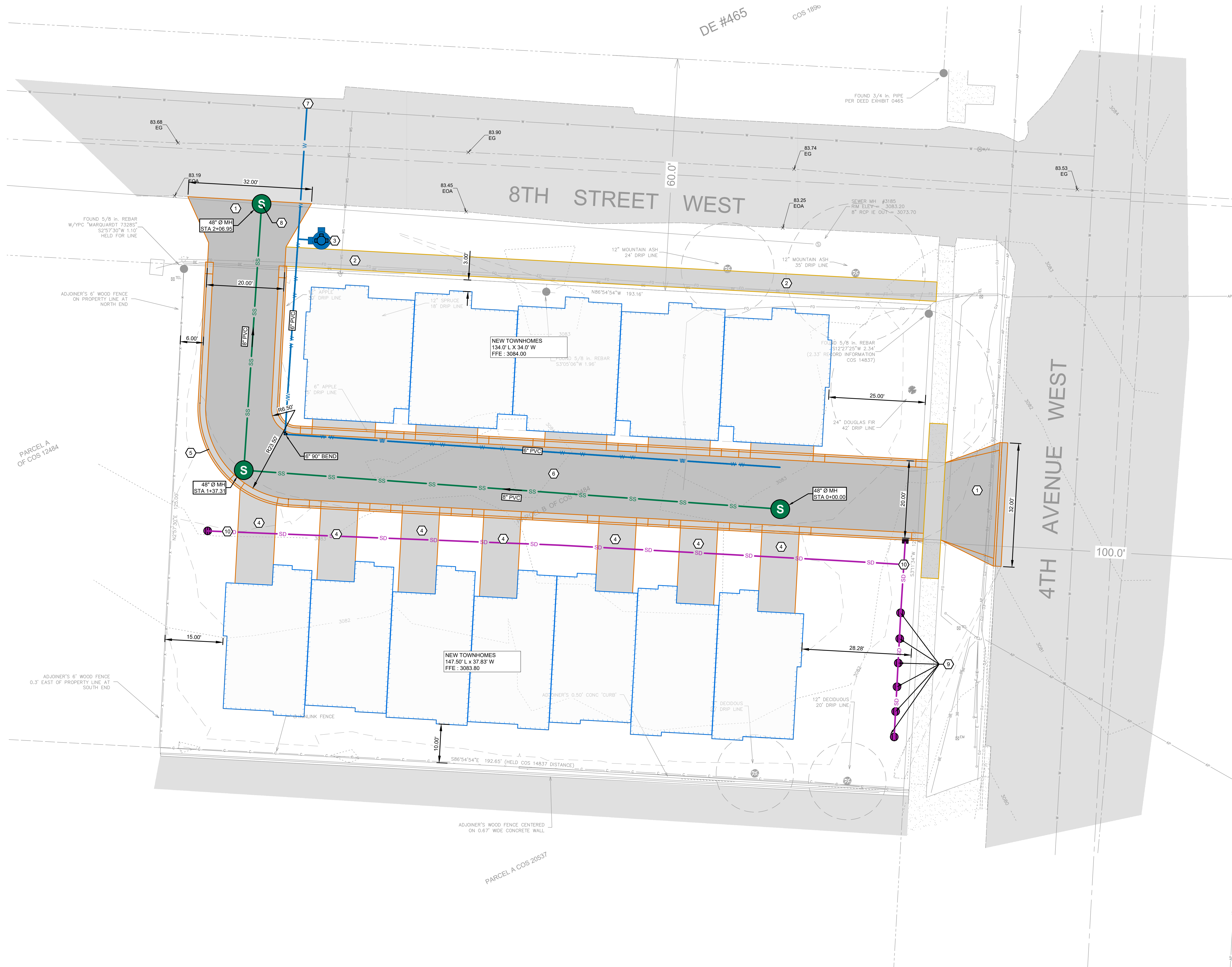


DATE 11.04.2022
JOB NO. 1719.001
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925-251-7200



C.02

REMOVALS PLAN
Scale in Feet
0 10



RUIZ TOWNHOMES		
LEGAL DESCRIPTION	ADDRESS	
S08, T30 N, R20 W, 12484-B, PARCEL N/A, TR 8AA IN SE4SE4SW4	812 4TH AVENUE WEST COLUMBIA FALLS, MT 59912	
PLANNED UNIT DEVELOPMENT - GENERAL BUSINESS		
SITE DATA	PROPOSED SQ.FT.	%
TOTAL LOT AREA	24,082	100.0
EXISTING BUILDING AREA	0.00	0.0
PROPOSED BUILDING AREA - BASE BID	8,912	37.0
OTHER IMPERVIOUS AREA (SIDEWALKS, DRIVES, & PARKING)	6,192	25.7
TOTAL IMPERVIOUS SURFACE AREA	10,746	62.7
TOTAL PERVIOUS AREA	20,652	37.3
MAX. IMPERVIOUS SURFACE AREA ALLOWED	16,857	70
GENERAL NOTES		

GENERAL NOTES

- ALL WORK PERFORMED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE PERFORMED IN ACCORDANCE WITH LATEST EDITION OF THE CITY OF COLUMBIA FALLS STANDARD CONSTRUCTION SPECIFICATIONS.
- ALL SIGNS TO BE APPROVED BY THE COLUMBIA FALLS PLANNING DEPARTMENT (PLANNED UNIT DEVELOPMENT).
- WATER SERVICE TO THE PROPERTY SHALL BE CONSTRUCTED OF COPPER OR PVC PER CITY OF COLUMBIA FALLS STANDARDS. WATER SERVICE TO BE BORED ON CITY PROPERTY.
- SANITARY SEWER SERVICE TO THE PROPERTY SHALL BE CONSTRUCTED OF ASTM D3034 SDR-35 PVC.
- STORM SEWER PIPE MAY BE EITHER HDPE OR RCP. ALL STORM SEWER PIPE WITHIN PUBLIC RIGHT-OF-WAY SHALL BE RCP.
- COORDINATE UTILITY CONNECTIONS AND FINAL LOCATIONS WITH BUILDING CONTRACTOR.
- ADDITIONAL PERIMETER DRAINAGE CANNOT BE DIRECTED TO ADJACENT LOTS.

CONSTRUCTION NOTES

- (1) FLARED DRIVEWAY
- (2) 7" CONCRETE SIDEWALK, 5' WIDE, ISOLATE ALL SIDES WITH 1/2" EXPANSION
- (3) NEW HYDRANT, MUELLER SUPER CENTURION, 5"; 3 WAY
- (4) 7" CONCRETE DRIVEWAY
- (5) ROLL OVER CURB AND GUTTER. SEE DETAILS
- (6) NEW ASPHALT PAVEMENT
- (7) NEW 6" WATER MAIN TIE-IN LOCATION
- (8) NEW 8" SANITARY SEWER TIE-IN LOCATION
- (9) NEW 4' DIAMETER DRY WELL. SEE DETAILS
- (10) NEW 8" RCP OR HDPE STORM SEWER LINE

4TH & 8TH STREET | COLUMBIA FALLS, MT

RUIS CONSTRUCTION

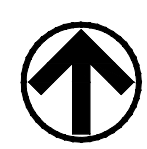


SITE PLAN

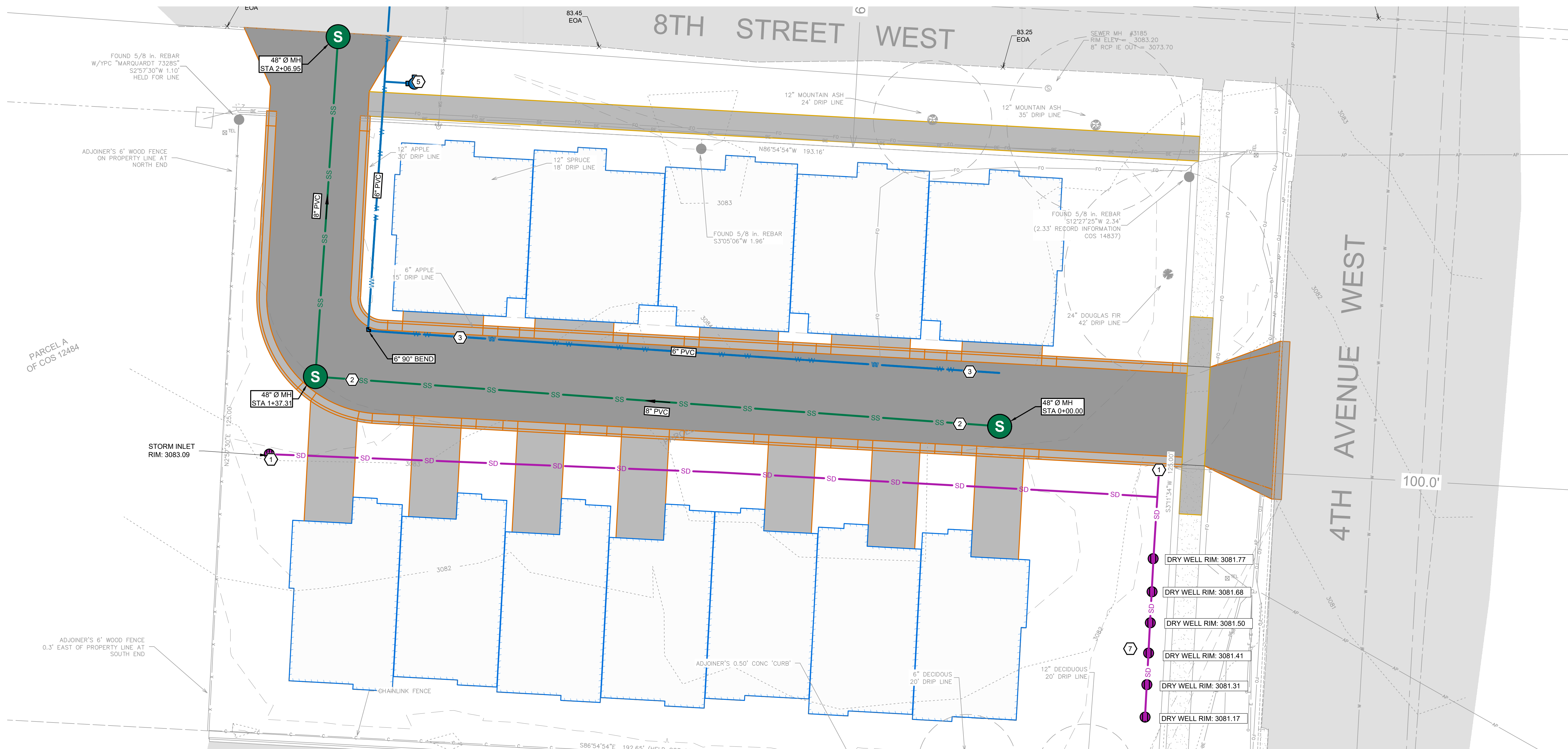
DATE 11.04.2022
JOB NO. 1719.001

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925-251-7200

0 10
Scale in Feet



C.03

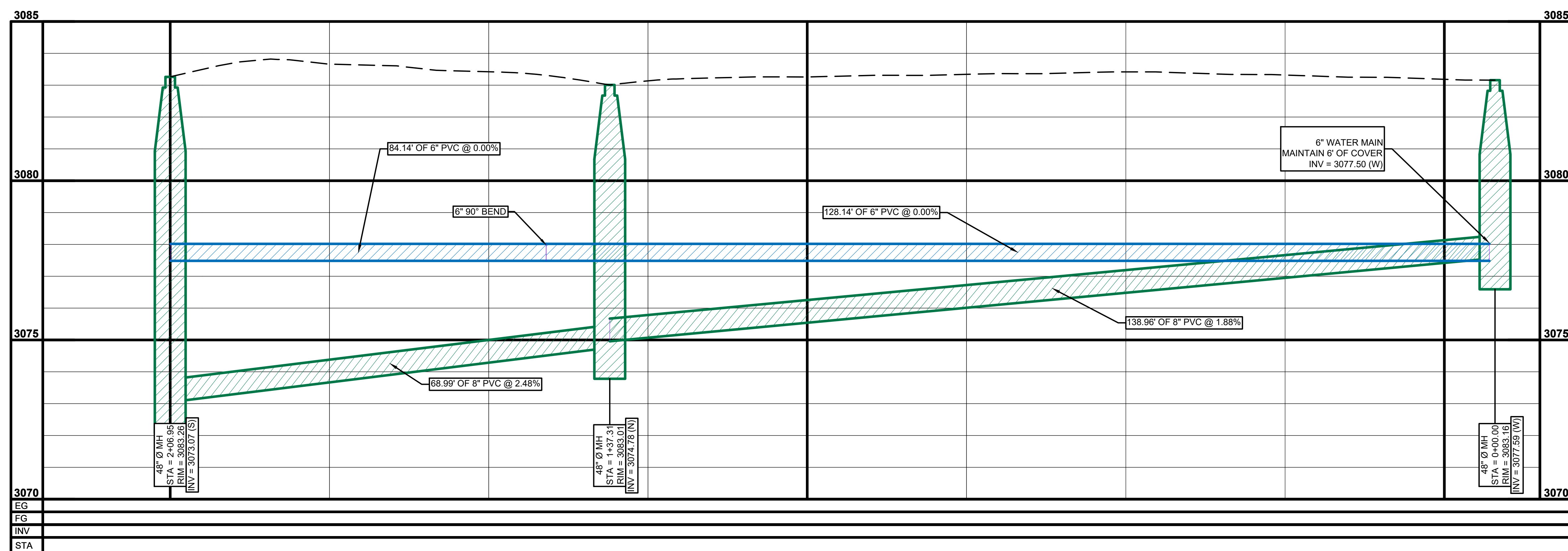


GENERAL NOTES

- ALL WORK PERFORMED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE PERFORMED IN ACCORDANCE WITH LATEST EDITION OF THE CITY OF COLUMBIA FALLS STANDARD CONSTRUCTION SPECIFICATIONS.
- ALL SIGNS TO BE APPROVED BY THE COLUMBIA FALLS PLANNING DEPARTMENT (PLANNED UNIT DEVELOPMENT).
- WATER SERVICE TO THE PROPERTY SHALL BE CONSTRUCTED OF COPPER OR PVC PER CITY OF COLUMBIA FALLS STANDARDS. WATER SERVICE TO BE BORED ON CITY PROPERTY.
- SANITARY SEWER SERVICE TO THE PROPERTY SHALL BE CONSTRUCTED OF ASTM D3034 SDR-35 PVC.
- STORM SEWER PIPE MAY BE EITHER HDPE OR RCP. ALL STORM SEWER PIPE WITHIN PUBLIC RIGHT-OF-WAY SHALL BE RCP.
- COORDINATE UTILITY CONNECTIONS AND FINAL LOCATIONS WITH BUILDING CONTRACTOR.
- ADDITIONAL PERIMETER DRAINAGE CANNOT BE DIRECTED TO ADJACENT LOTS.

CONSTRUCTION NOTES

- GRATE INLET. SEE DETAILS
- CONSTRUCT 4" SEWER LATERAL TO EACH UNIT, MINIMUM 2% SLOPE.
- SERVICE WATER MAIN TO EACH UNIT AS SPECIFIED IN COLUMBIA FALLS PUBLIC WORKS STANDARDS, PAGE 16
- NEW 4" DIAMETER DRY WELL. SEE DETAILS
- NEW HYDRANT. SEE CITY OF COLUMBIA FALLS STANDARDS FOR SPECIFICATIONS
- NEW 8" RCP OR HDPE STORM SEWER
- APPROXIMATELY 5 FEET BETWEEN DRYWELL



4TH & 8TH STREET | COLUMBIA FALLS, MT
RUIS CONSTRUCTION



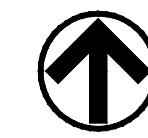
DAHLIN

UTILITY PLAN

DATE 11.04.2022
JOB NO. 1719.001

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

0 10
Scale in Feet



C.04



- GENERAL NOTES**
- ALL WORK PERFORMED WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE PERFORMED IN ACCORDANCE WITH LATEST EDITION OF THE CITY OF COLUMBIA FALLS STANDARD CONSTRUCTION SPECIFICATIONS.
- ALL SPOT ELEVATIONS ARE TO FINISHED GRADE (I.E. TOP OF PAVEMENT, STONE OR TOPSOIL).
- ADDITIONAL PERIMETER DRAINAGE CANNOT BE DIRECTED TO ADJACENT LOTS.

4TH & 8TH STREET | COLUMBIA FALLS, MT
RUIS CONSTRUCTION

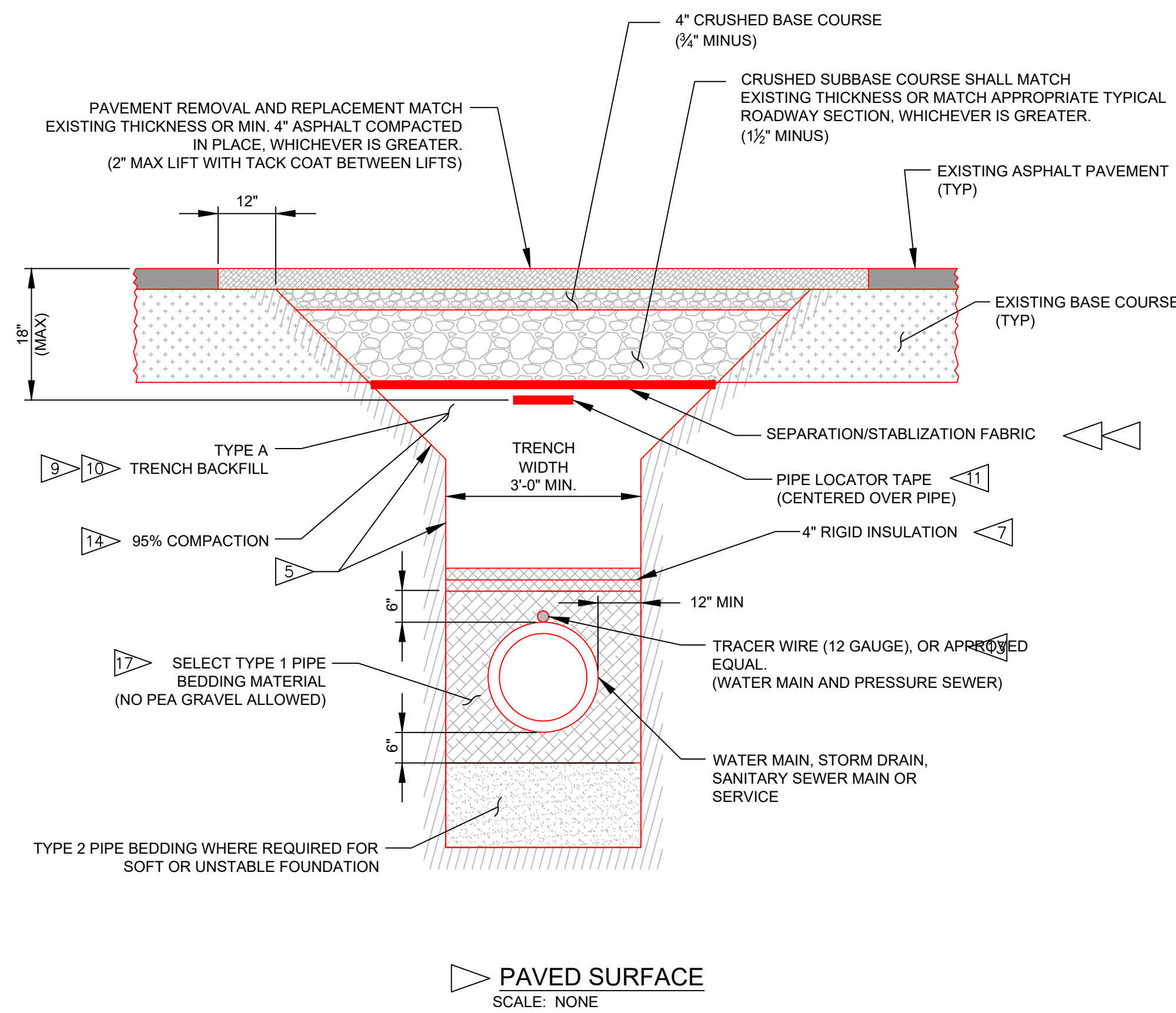
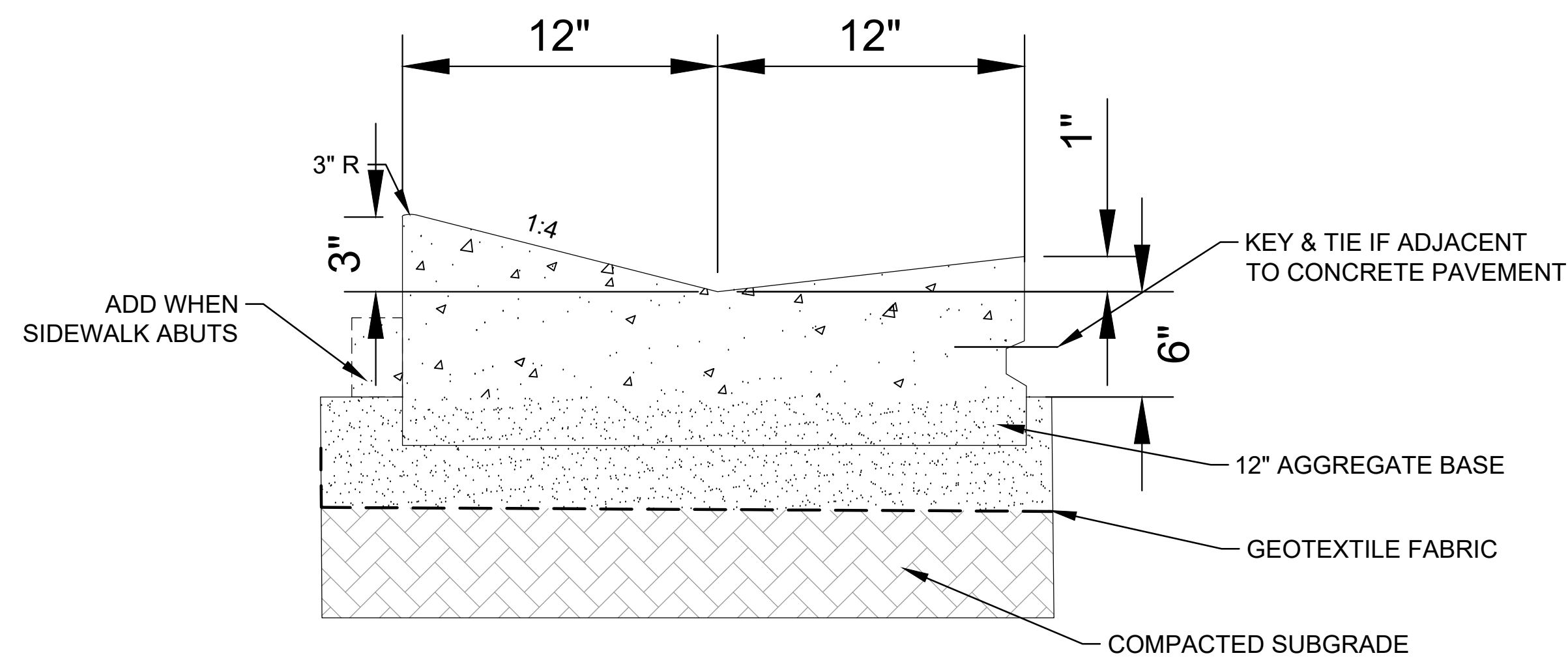


GRADING PLAN

DATE 11.04.2022
JOB NO. 1719.001

5865 Owens Drive
Pleasanton, CA 94588
925-251-7200

C.05



CONSTRUCTION STANDARDS
CITY OF WHITEFISH

PVC TRENCH BEDDING AND BACKFILL
(PAVED SURFACE)

SD-21

CONSTRUCTION NOTES:

- WHERE TRENCH PASSES THROUGH EXISTING PAVEMENT:
THE PAVEMENT SHALL BE CUT ALONG A NEAT VERTICAL LINE A MINIMUM OF 12" FROM THE EDGE OF THE TRENCH OPENING.
- WHERE TRENCH PASSES THROUGH EXISTING PAVEMENT:
SAWCUT THE ASPHALT ALONG A NEAT VERTICAL LINE PER LIMITS SHOWN ON THE PLANS. WHERE SUITABLE TRENCH BACKFILL IS NOT USED, SEPARATION/STABILIZATION FABRIC AASHTO 2008 OR CONTECH C-300 GEOTEXTILE FABRIC, OR APPROVED EQUAL WILL BE USED.
- WHERE TRENCH PASSES THROUGH EXISTING GRAVEL:
THE GRAVEL SHALL BE REMOVED AND REPLACED A MINIMUM OF 12" FROM THE EDGE OF THE TRENCH OPENING.
- WHERE TRENCH PASSES THROUGH EXISTING UNIMPROVED SOIL:
THE TOPSOIL SHALL BE REMOVED AND REPLACED A MINIMUM OF 12" FROM THE EDGE OF THE TRENCH OPENING.
- TRENCH SHALL BE CONSTRUCTED TO OSHA SPECIFICATIONS FOR EXCAVATION. DRAWINGS DO NOT SHOW TRENCH DIMENSIONS OR BACKSLOPES THAT MAY BE REQUIRED. CONTRACTOR REQUIRED TO DETERMINE WHICH OSHA SPECIFICATIONS ARE APPLICABLE. CONTRACTOR SHALL BE RESPONSIBLE FOR TRENCH EXCAVATION AND SAFETY PER OSHA SPECIFICATIONS.
- ALL SPOILS SHALL BE REMOVED AND DISPOSED OF AT AN APPROVED LOCATION.
- INSTALL 4" OF WATER RESISTANT RIGID INSULATION THE FULL WIDTH OF THE TRENCH WHEN BURY TO TOP OF PIPE IS LESS THAN 6'-0" FOR WATER, 4'-0" FOR SEWER. (SHALL BE APPROVED BY CITY ENGINEER)
- ALL ROCKS GREATER THAN 12" IN ANY DIMENSION SHALL BE HAULED OFF SITE AND DISPOSED OF PROPERLY.
- NO ROCKS OR LUMPS LARGER THAN 2" IN ANY DIMENSION SHALL BE ALLOWED WITHIN 6" OF THE PIPE.
- USE SUITABLE NATIVE MATERIAL FOR BACKFILL:
WITH PRIOR APPROVAL OF THE CITY AND THE ENGINEER, ON-SITE EXCAVATED SOIL MAY BE USED TO BACKFILL WATER MAINS, WATER SERVICES, FIRE HYDRANT LEADS, SEWER MAINS AND SEWER SERVICES. BLOCKY OR PLATY CLAY, AND SATURATED OR NEAR SATURATED SOILS, WILL NOT BE PERMITTED FOR USE AS BACKFILL MATERIAL. BACKFILL MATERIAL SHALL BE PLACED IN 12-INCH MAXIMUM LOOSE LIFTS AND SHALL BE COMPACTED TO AT LEAST 95% OF THE MATERIAL'S MAXIMUM DRY DENSITY, AS DETERMINED BY AASHTO T-99 OR ASTM D698. NO ROCKS LARGER THAN 2" IN ANY DIMENSION, WILL BE PERMITTED IN FIRST LIFT OF BACKFILL. THE CONTRACTOR SHALL PROVIDE THE ENGINEER WITH A PROCTOR (MOISTURE-DENSITY RELATIONSHIP) FOR THE BACKFILL MATERIAL.
- USE LABELED AND COLOR-CODED TAPE FOR THE APPROPRIATE UTILITY PIPE.
- SEED, FERTILIZE, AND MULCH ALL DISTURBED AREAS WHICH ARE NOT PAVED, CONCRETED, GRAVELED, OR SODDED PER SPECIFICATIONS.
- FOR WATER MAINS AND PRESSURE SEWERS, TRACER WIRE (12 GAUGE MIN.) OR APPROVED EQUAL, SHALL BE TAPED TO TOP OF ALL PLASTIC PIPE (PVC OR POLYETHYLENE) AND BROUGHT UP IN "SNAKE PIT" BEHIND FIRE HYDRANT AND COILED AT END OF SERVICE.
- COMPACTION REFERS TO PERCENT OF MAXIMUM DENSITY DETERMINED BY A STANDARD PROCTOR, AASHTO T-99 OR AASHTO T-99.
- FINISHED GRADE MUST MATCH THE ORIGINAL EXISTING GRADE WHERE PIPE IS INSTALLED UNLESS OTHERWISE NOTED.
- VERIFY THAT COMPACTION METHODS ARE COMPATIBLE WITH PIPE MANUFACTURER'S RECOMMENDATIONS. ANY DAMAGE TO THE PIPE WILL BE THE CONTRACTOR'S RESPONSIBILITY.
- SELECT TYPE 1 PIPE BEDDING MATERIAL SHALL BE 3/4" MINUS CRUSHED PER MPW 55 SECTION 02235.2.3.A WITH THE FOLLOWING GRADATION:

SIEVE NO.	PERCENT PASSING (BY WEIGHT)
3/4"	100
#4	40-70
#10	25-55
#200	2-10

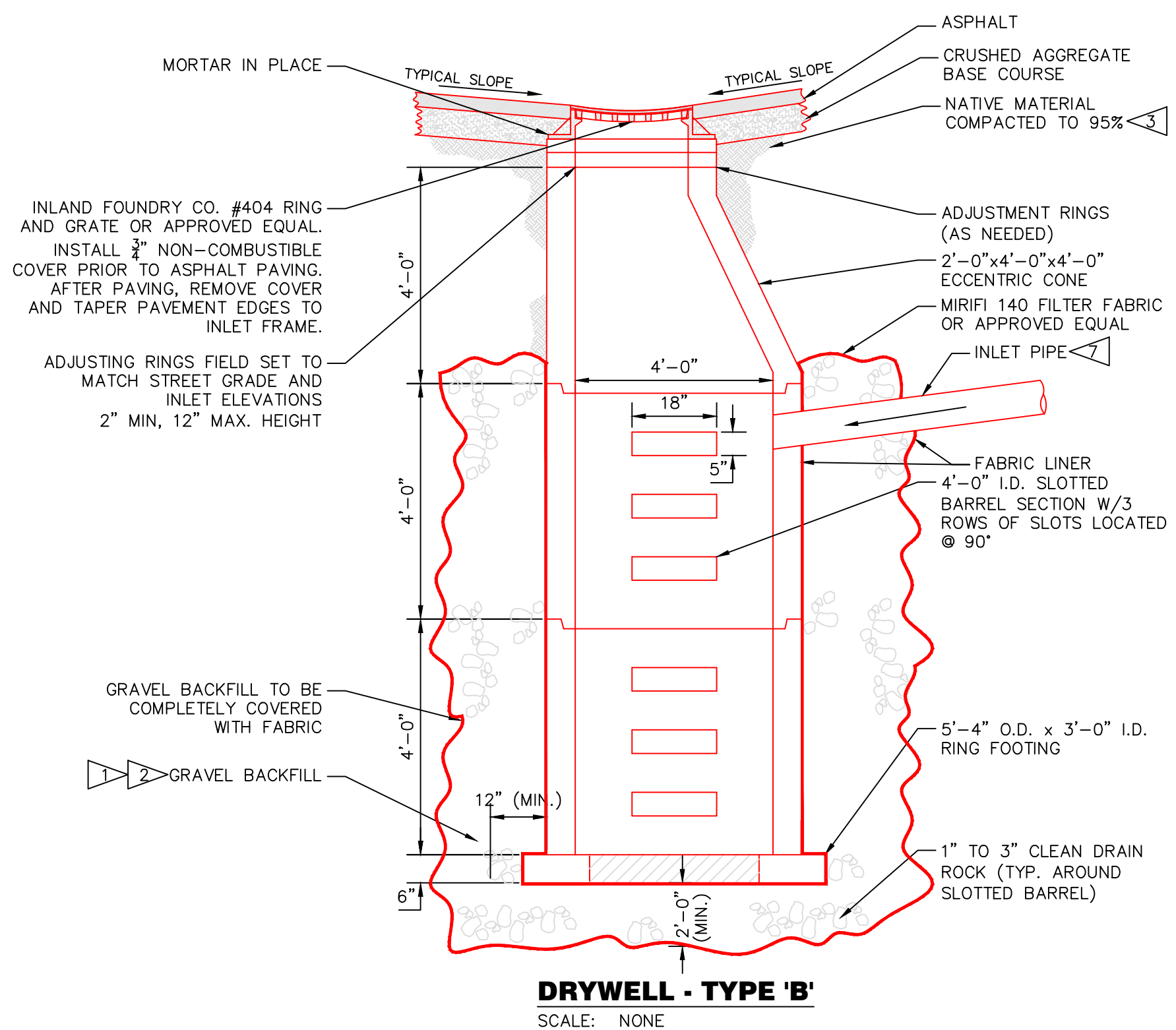
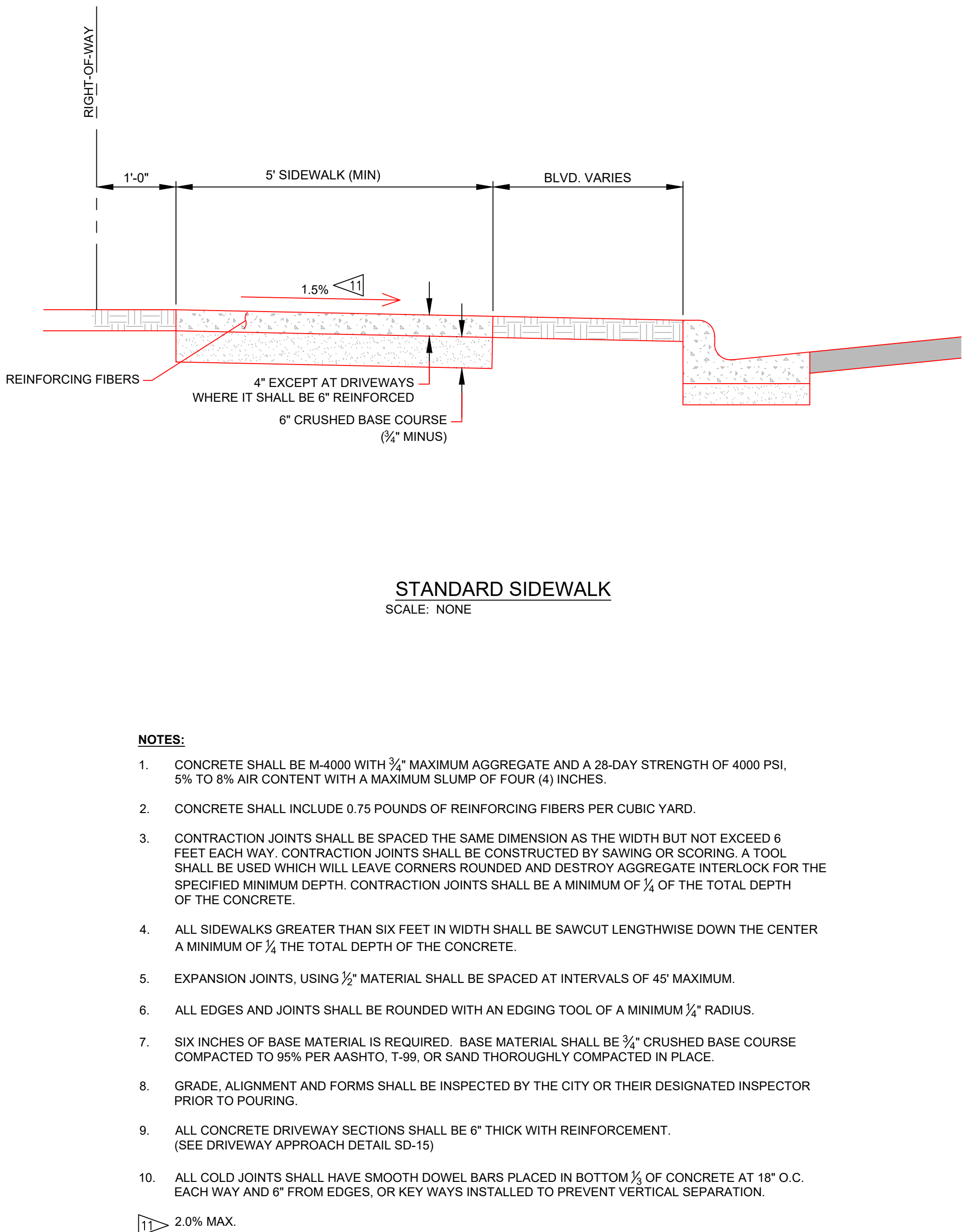
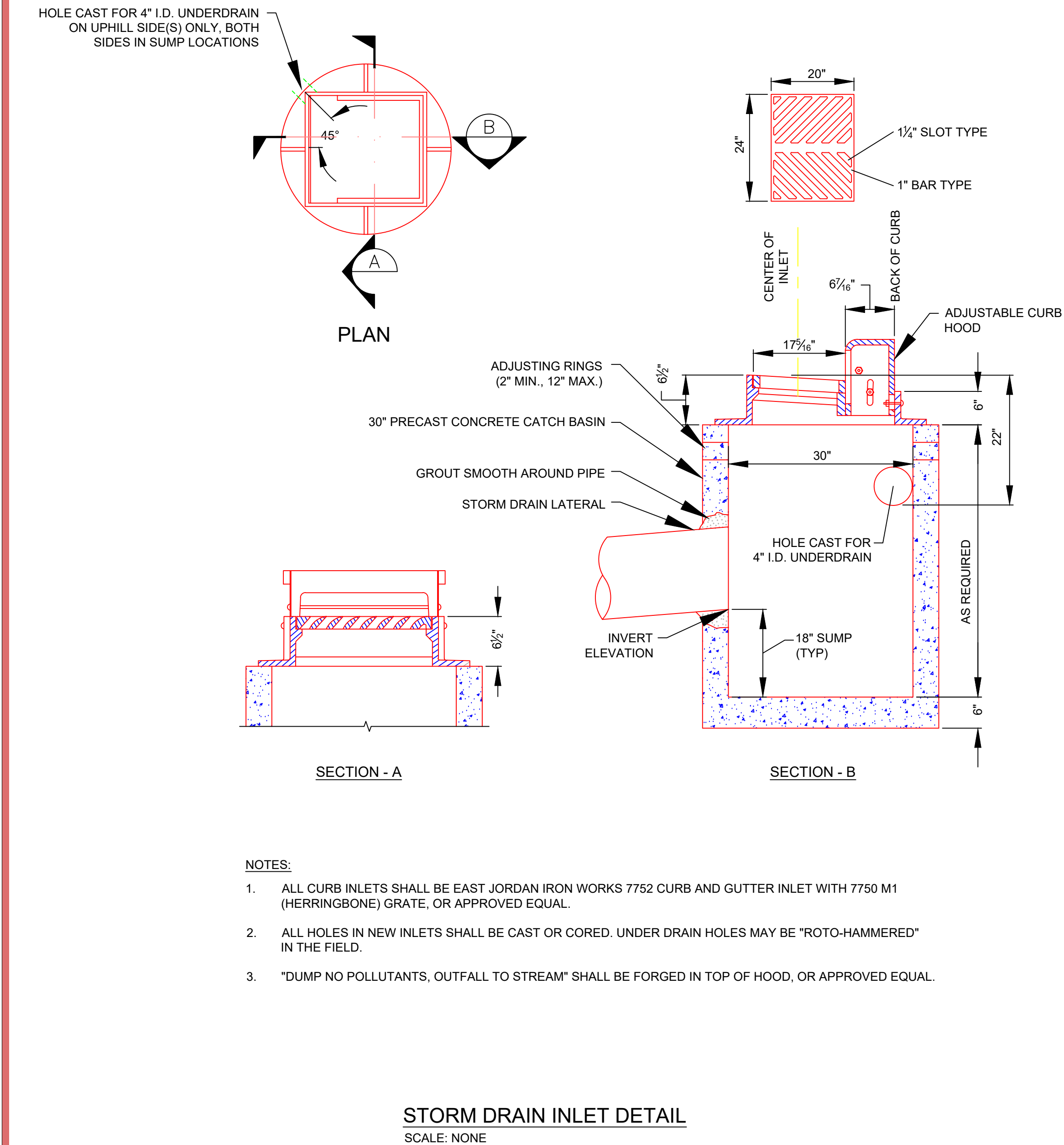
GEOTEXTILE REPLACEMENT:

- THE CONTRACTOR SHALL EXCAVATE TO STREET SUBGRADE AND EXPOSE THE GEOTEXTILE FABRIC WITHOUT DISTURBING IT. THE FABRIC SHALL BE CUT AND ROLLED BACK INTACT. A MINIMUM TWO FEET OF FABRIC SHALL BE EXPOSED ON EITHER SIDE OF THE CUT. THE FABRIC CUTS SHALL BE MADE WITH A SHARP KNIFE OR SCISSORS. RIPPING WITH A BACKHOE OR OTHER MACHINE IS NOT ACCEPTABLE. AFTER PIPE BACKFILL, THE FABRIC SHALL BE PATCHED BY THE FOLLOWING METHOD:
 - CONTRACTOR SHALL INSTALL NEW FABRIC WITH A MINIMUM OVERLAP OF TWO FEET BEYOND ANY CUT MADE TO THE EXISTING FABRIC.
- THE PATCHING OF THE GEOTEXTILE FABRIC MUST BE INSPECTED BY THE CITY OF WHITEFISH PRIOR TO BACKFILLING.

CONSTRUCTION STANDARDS
CITY OF WHITEFISH

PVC TRENCH BEDDING AND BACKFILL NOTES

SD-24



CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEAR-
INGS

The Columbia Falls City-County Planning Board will hold public hearings for the following items at their regular meeting on Tuesday, February 14, 2023 at 6:30 p.m. at the Cafetorium in the Columbia Falls Junior High School, 1805 Talbot Road, Columbia Falls, Montana. The Columbia Falls City Council will hold a subsequent hearing on March 20, 2023 starting at 7:00 p.m. in the same location. Request to amend an approved Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The RH2 LLC is requesting an amendment to a previously approved Planned Unit Development overlay for the property located at 812 4th Ave West which is at the corner of 8th Street West and 4th Ave West. The original PUD allows nine residential units and three commercial spaces in two buildings on the half acre parcel. The amendment would replace the three commercial units with three residential units for a total of twelve residential units. The three story buildings will meet the setback and height

standards of the CB-2 (General Business) zoning district as well as providing 24 off-street parking spaces. The property is described as Assessors' Tract 8AA (Parcel B of COS 12484) in the SW1/4 of Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County. A Zone Change Request from CSAG-5 and CSAG-10 to CR-4 in the Columbia Falls Zoning Jurisdiction.

The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and 500 River Partners LLC are requesting a zone change for property located at 7030 Highway 2 East and 500 River Road in Columbia Falls. The properties are currently zoned CSAG-5 and CSAG-10 (Suburban Agricultural) with a 5 and 10 acre minimum lot size. The proposed zoning is a CR-4 (Urban Residential) zoning. The two properties total approximately 22.5 acres and are located just east of the bridge over the Flathead River. The properties are described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:

The applicants, Twin Peaks Farms, LLC, High Country Land

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. 29173**

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 JANUARY 29, 2023

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.

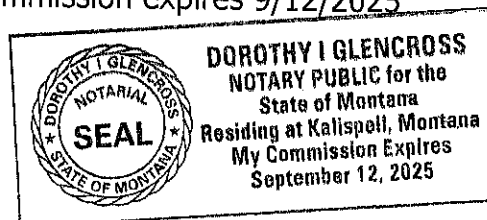
Mary Booth

Subscribed and sworn to
Before me this, January 29, 2023

Dorothy I. Glencross

Dorothy I. Glencross

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



and Cattle (MT) LLC and River Partners LLC are requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the urban scale development is located at 1030 Highway 2 East and 1000 River Road in Columbia Falls and is described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County. The project consists of 180 residential units (99 single family attached units and 81 apartment units).

The gross density of project is 7.9 units per acre. The applicant is proposing 12.21 acres (55%) of the site as park and open space. With the project, the applicants are proposing to extend Columbia Falls Water and Sewer service to the site. Other than the clustering of density and the density bonus provided by the PUD regulations, the applicant is not requesting any deviations. 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. Written comments must include the commenter's physical address. For more information on the proposed Planned Unit Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481. As these meetings are held at an alternate location, ZOOM virtual meeting is not available for either meeting. DATED this 25th day of January, 2023

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

January 29, 2023
MNAXLP

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SEPARATES THE TWO HEARING PACKETS

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
HIGH COUNTRY LAND AND CATTLE (MT) LLC
TWIN PEAKS FARM, LLC**

COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#23-01

(As Amended by Planning Board at the February 14th Planning Board meeting – Amended findings are highlighted in yellow with underlined additions or strikeout deletions)

January 30, 2023

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 and CSAG-5 (Suburban Agricultural) 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, February 14, 2023, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council March 20, 2023 at 7:00P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Owners:

Twin Peak Farm, LLC
197 S. Silverwood Way
Eagle, ID 83616

High Country Land & Cattle (MT) LLC
4531 N. 16th Street #103
Phoenix AZ, 85016

Applicant:

500 River Partners LLC affiliate of Location Ventures
275 Alhambra Circle
Coral Gables, FL 33134

Consultant:

KLJ Engineering Attn: Mark Rohweder
1830 3rd Ave East Suite 303
Kalispell, MT 59901

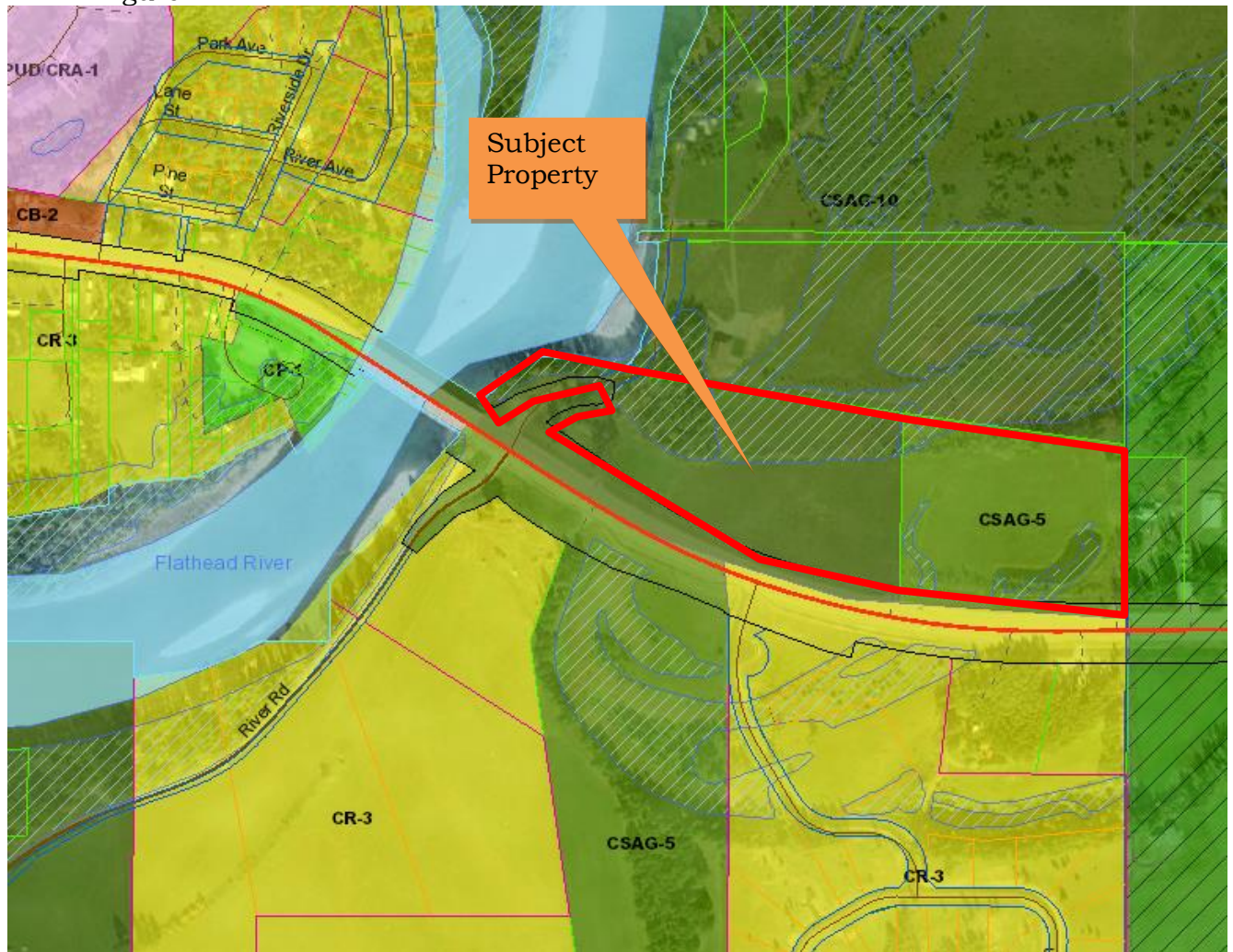
B. LOCATION/DESCRIPTION

The properties are located at 500 River Road and 7030 Highway 2 E. Columbia Falls. The 22.5-acres consists of two properties and are described as Tract 1 of COS 16958 (Assessor's Tract 3F) and 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 and CSAG-5 (Suburban Agricultural) to CR-4 (Urban Residential). See figure 1. The properties are approximately 22.5 acres in size with a house on Tract 3F and Tract 3FB is vacant.

Figure 1



Flathead County GIS

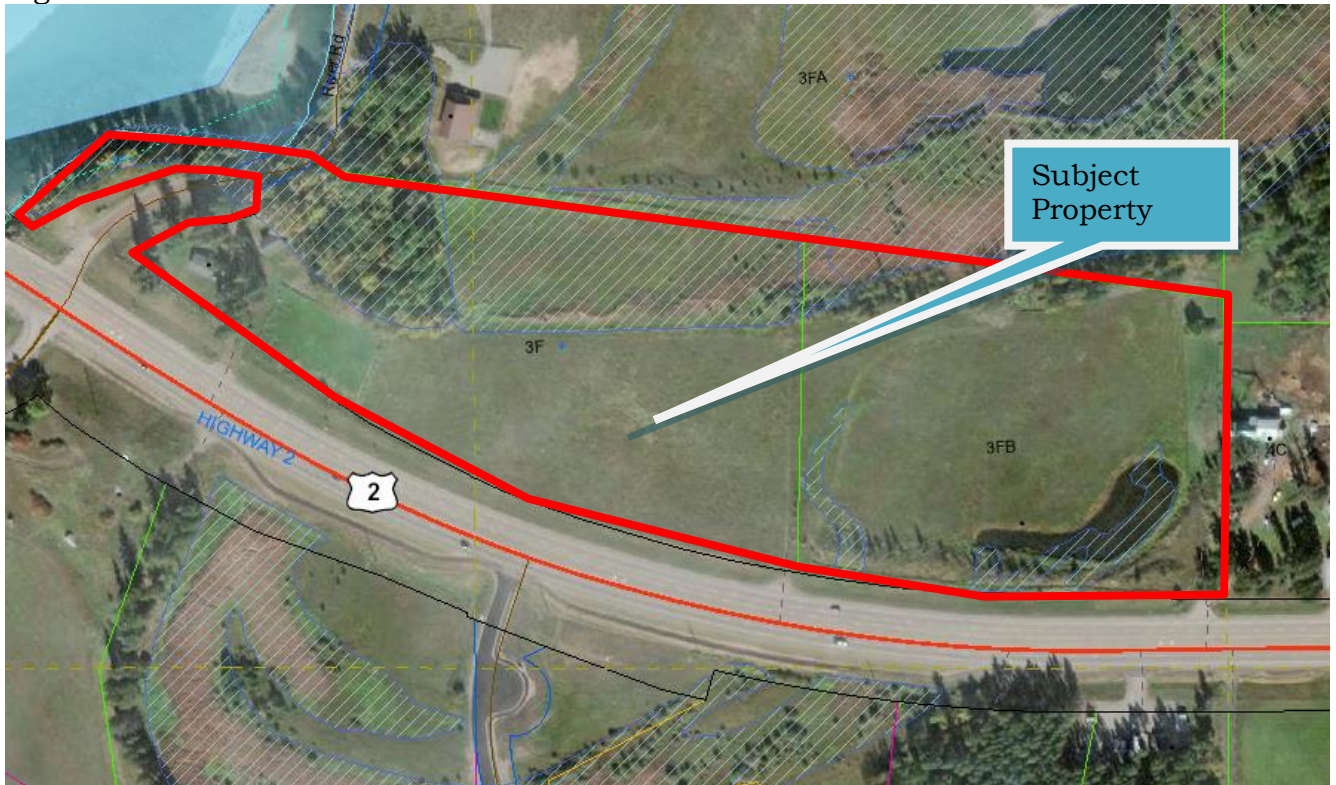
D. REASON FOR REQUEST

The applicants want to develop an urban scale project that meets the Columbia Falls Growth Policy and extend municipal services to the property.

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

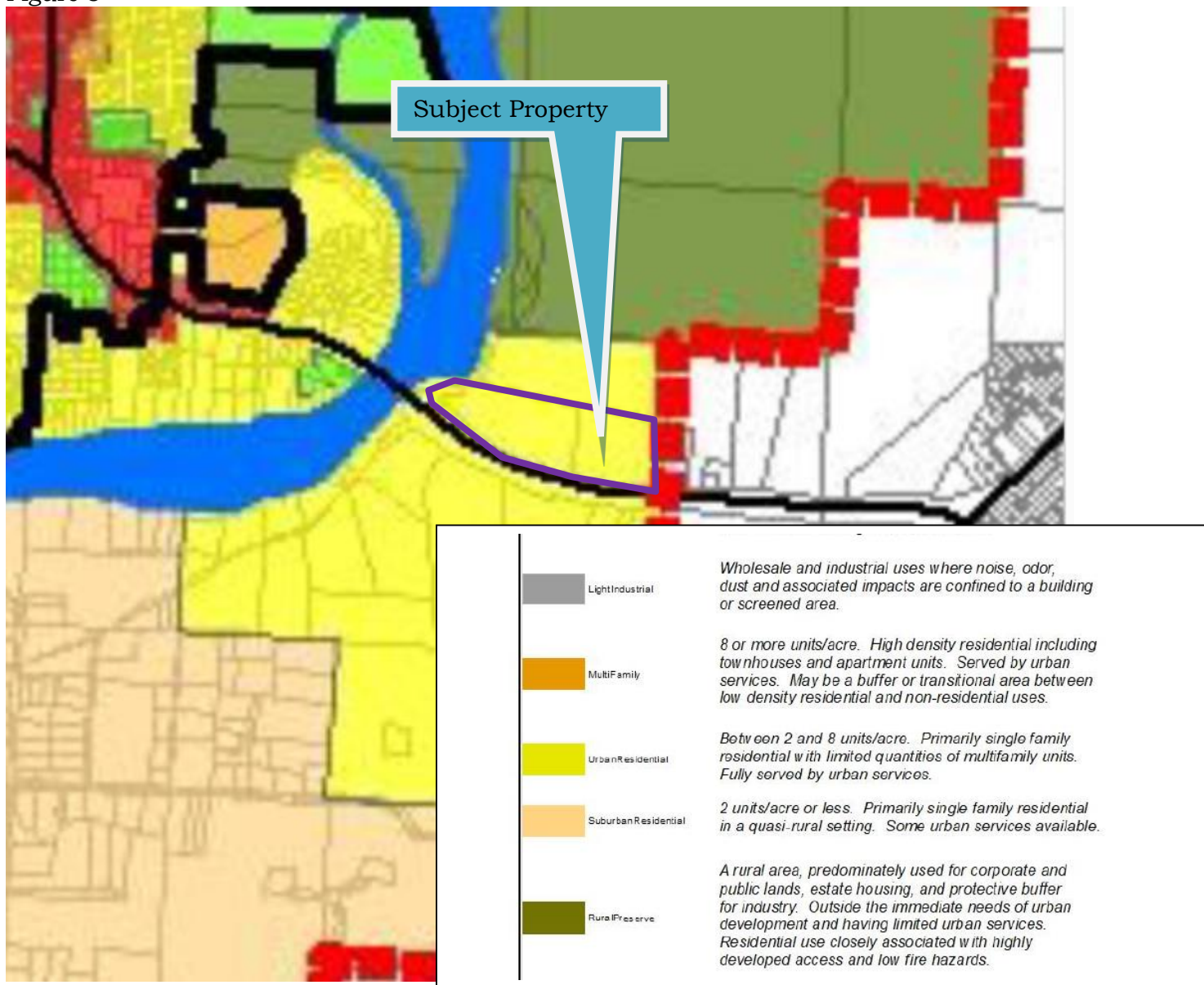
F. ADJACENT ZONING AND LAND USE: (See Figure 1)

Direction from Site	Current Zoning	Current Use
North	CSAG-10	Grazing and open lands
South	CR-3 and CSAG-5	The Benches and proposed River Highlands
West	CSAG-10 and CR-3	Residential Subdivisions
East	SAG-10	Residential and 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

H. 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.

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

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. 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 and 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 be convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.

The project proposes a density of 7.9 dwelling units per acre. The development provided a mix of single family attached and multi-family apartments. (99 single family and 81 apartment units). 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.

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; however the City's long range planning documents have long anticipated urban growth in this area. The applicant proposed to move the River Road approach to the east for better sight distance and work through MDOT's system impacts for any required mitigations. Pedestrian paths will also be installed within the project and connecting to the Highway 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 applicants are proposing public access to the river front area along with public parking within the clubhouse parking lot. In this location of the Flathead River, the floodplain is limited to the immediate river bank.

The Geotechnical Report provided in the application states that static groundwater depth of 2.2 to 2.3. Given the shallow depth of groundwater, Planning Board was concerned that the project could impact neighboring wetlands if the soil was dewatered for construction of infrastructure particularly since the development abuts the wetland area with little or no setback in some areas. The Planning Board determined that the application did not address these concerns adequately and therefore the applicant does not meet this finding.

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

The applicants are proposing to change the zoning from the suburban agricultural designation which has densities of one dwelling to five or ten acres along with on-site water and sewer service to an urban density that allows up to eight dwelling units per acre but requires extension of municipal sewer and water facilities. The conversion of these properties to urban densities has been anticipated by the City since the adoption of the 2005 Growth Policy. It has long been a goal of the City to offer municipal sewer services to residents along the Flathead River as a way to improve water quality.

As the applicant is following the zoning up with a PUD overlay, the densities are increased to 7.9 dwelling per acre in exchange for open space. In this project, the applicants are proposing close to 55% of the property as park and open space.

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 away from wetlands and sensitive areas. Overall, the project is proposing 55% of the 22.5 acres as park and open space.

The applicants are not requesting any deviations to the zoning standards such as height, setback, parking, or lot coverage. The development will provide for 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 documents which is the Columbia Falls Growth Policy, 2019 Edition. The proposed CR-4 zoning is very similar to the CR-3 zoning located south of the Highway and west of the Flathead River (figure 1). Urban development and the associated populations are anticipated in this area.

Montana Fish, Wildlife, and Parks provided a letter stating that a resident elk herd uses this property to access the Bad Rock Canyon WMA to the north and that the proposed development has the potential to block that travel corridor.

The Planning Board has concerns regarding impacts to the identified wetlands by potentially dewatering the site for construction of infrastructure. The Planning Board also agreed with concerns from Fish Wildlife and Parks regarding the movement of wildlife between agricultural lands to the south and the new Bad Rock Canyon Wildlife Management Area. Because of these concerns, the Planning Board has determined that the proposed zone change will overcrowd the land.

7. 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 7.9 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, private streets developed to City standards with curb/gutter, boulevards and sidewalks. Although some distance to commercial services, school bus service is provided to this area.

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 application for a PUD. 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, privately built streets to City standards, park areas, and fire hydrants. The MDOT will review all approaches to the Highway system through their systems impact process in Helena. Part of the MDOT review will be looking at the Traffic Impact Study provided with this application and determining any required mitigations to traffic impacts. Municipal sewer and water and stormwater will be reviewed by the City of Columbia Falls and the MDEQ prior to any construction (See MDOT email of January 20, 2023). The proposed zone change is facilitating the extensions of these services.

At least one Planning Board member thought that the City's infrastructure needs to improve prior to more development.

At present, there are no pedestrian connections from the proposed development property and the pedestrian trail along the south side of Highway 2. As a result residents of the proposed development on eth subject property would have to cross the highway to get to the path or walk the shoulder or the highway to get into town by any means other than vehicle.

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

For at least 18 years, the City has identified this area for urban use and expansion of City services. The proposed CR-4 zoning classification is an urban residential land use designation. 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 sparsely developed and has the occasional hay crop. Much of the surrounding lands are more rural and suburban than urban. However, this property and property south of the Highway are designated in the Growth Policy for Urban residential use. 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 land use is different than the existing suburban agricultural densities and some may think the change may negatively impact property values. However, others may argue the extension of municipal sewer and water to this area would increase property values by adding development potential.

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 suburban zoning designations next to the City preserve larger tracks that can be converted to urban designations in the future.

The subject property is designated in the Columbia Falls Growth Policy as Urban Residential as far back as the 2005 Growth Policy document. The City of Columbia Falls updates its 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 designates a large area east of the Flathead River and along the north and south sides of Highway 2. The Growth Policy prescribes a density of two to eight dwellings per acre for urban residential, the proposed 7.9 dwelling units complies with the policy.

With annexation, the applicants will extend City water to the east side of the Flathead River and install fire hydrants throughout the development. The floodplain along this side of the river is limited to the immediate river bank and will not threaten any structures that would be developed within the project. Annexation will also bring the services of Columbia Falls Fire and Police department to the property.

RECOMMENDATION

Staff finds that the subject sufficiently meets the adopted review criteria to be rezoned from CSAG-10 & CSAG-5 to CR-4. Staff recommends that the Columbia Falls Planning Board adopt staff report CZC-23-01 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.

The Columbia Falls City-County Planning Board at their hearing of February 14, 2023, recommended that the Columbia Falls City Council deny CZC-23-01 based on the amended findings of fact.

**COLUMBIA FALLS AREA ZONING JURISDICTION
7030 HIGHWAY 2 RESIDENCES PLANNED UNIT DEVELOPMENT (PUD)
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT # CPUD-23-02**

**(As Amended by Planning Board at the February 14th Planning Board meeting – Amended findings are highlighted in yellow with underlined additions or strikeout deletions)
February 2, 2023**

A report to the Columbia Falls City-County Planning Board regarding a request for a Planned Unit Development concurrent with a zone change application. The development proposes 180 residential units (99 attached single family units and 81 apartments). A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on February 14, 2023 at 630 PM in the Columbia Falls Junior High Cafetorium and a subsequent public hearing is scheduled for the Columbia Falls City Council for March 20, 2023 at 7:00 PM in the Columbia Falls Junior High Cafetorium.

BACKGROUND INFORMATION

A. PETITIONERS

Owners:

Twin Peak Farm, LLC
197 S. Silverwood Way
Eagle, ID 83616

High Country Land & Cattle (MT) LLC
4531 N. 16th Street #103
Phoenix AZ, 85016

Applicant:

500 River Partners LLC affiliate of Location Ventures
275 Alhambra Circle
Coral Gables, FL 33134

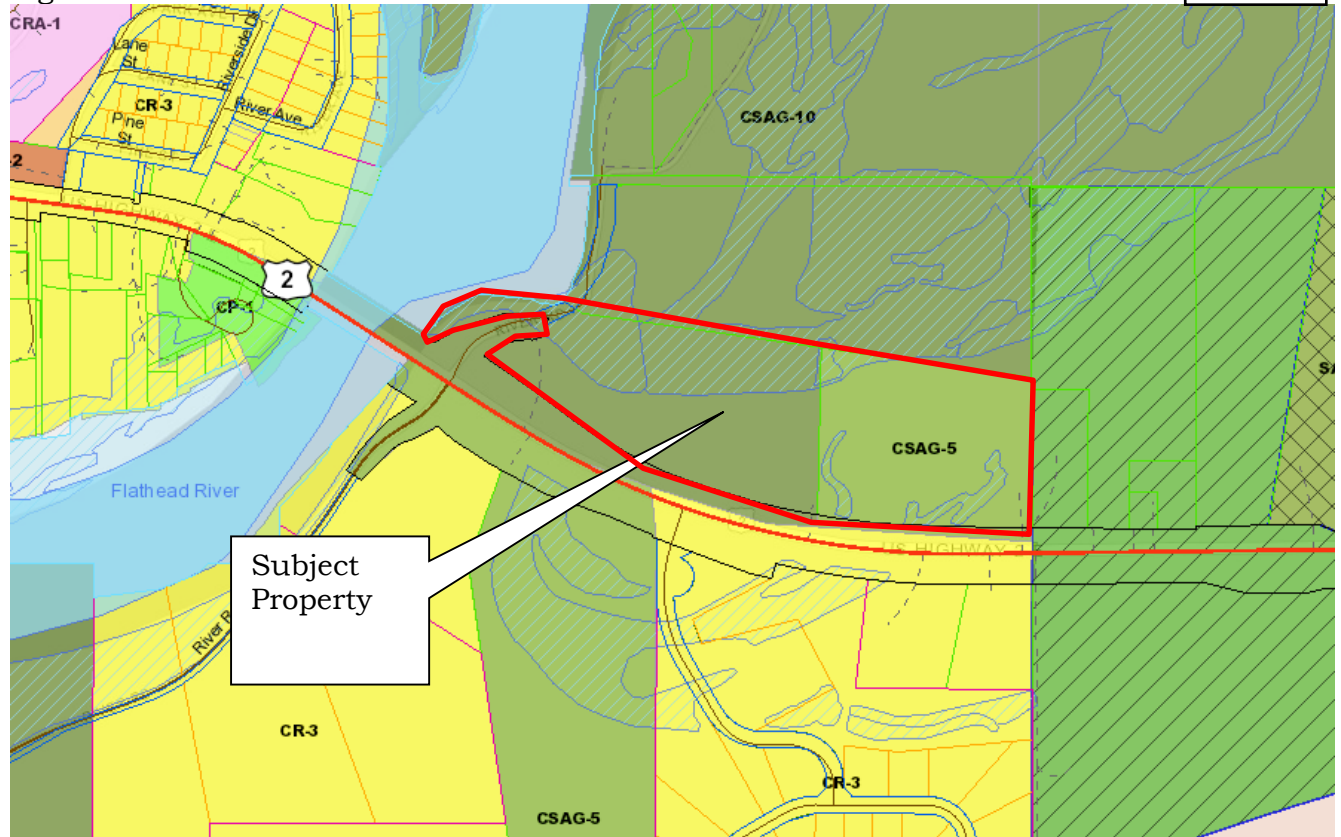
B. PETITIONER'S TECHNICAL ASSISTANCE

KLJ Engineering Attn: Mark Rohweder
1830 3rd Ave East Suite 303
Kalispell, MT 59901

C. LOCATION/DESCRIPTION

The properties are located at 500 River Road and 7030 Highway 2 E. Columbia Falls. The 22.5-acres consists of two properties and are described as Tract 1 of COS 16958(Assessor's Tract 3F and Parcel 1 of COS 16981 (Assessor's Tract 3FB) in Section 16, T30N, R20W, P.M.M., Flathead County.

Figure 1

**D. REQUEST**

The applicant is proposing a residential development on 22.5 acres of land. The request includes a PUD and a zone change application. The Development proposes 180 units on the 22.5 acres for a density fewer than eight units per acre. The unit mix would be 99 attached single family dwellings along with 81 apartments units in two buildings. 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 any required mitigation. Pedestrian paths will be constructed throughout the project but currently there are no pedestrian paths on the north side of the highway. With the PUD, the design creates 55% open space which includes active park areas as well as passive open space.

E. REASON FOR REQUEST

The applicants want to develop and urban scale project that meets the Columbia Falls Growth Policy and extend municipal services to the property.

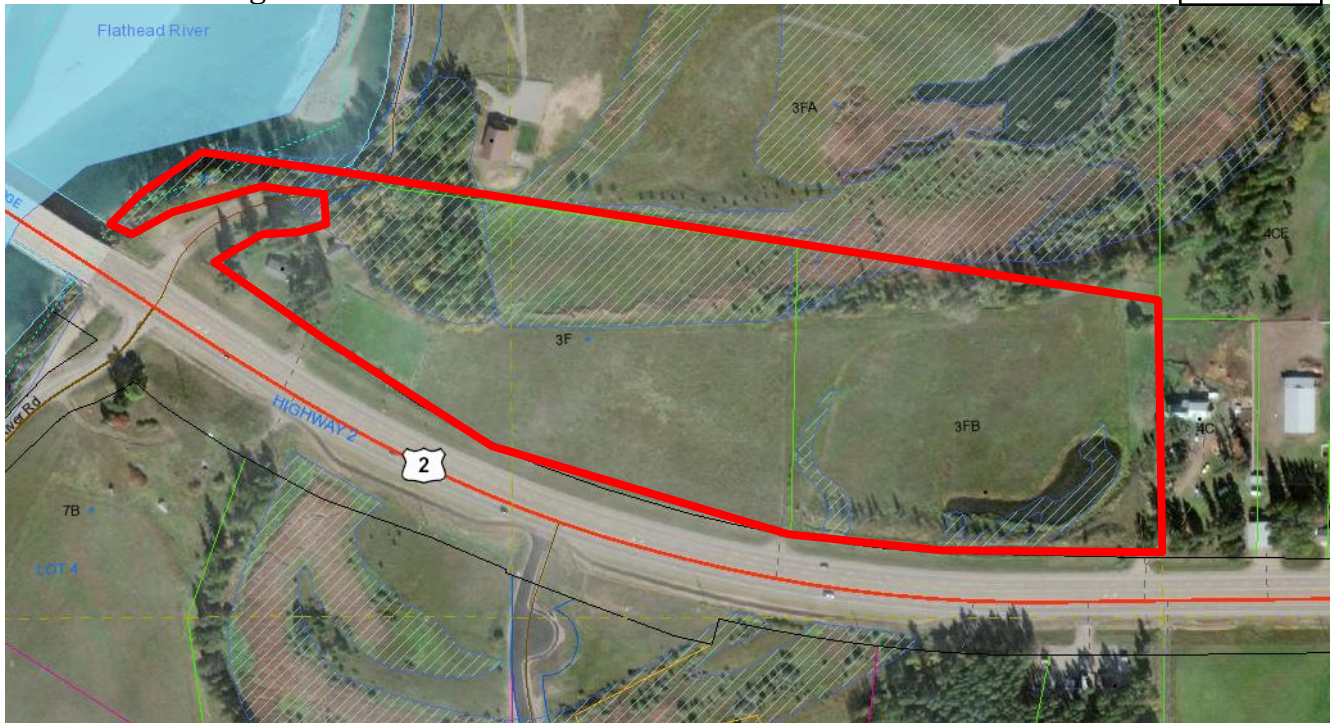
F. EXISTING LAND USE

There is a house and outbuildings on the western tract and the eastern tract is vacant. Over the years the property has been hayed occasionally.

G. ADJACENT ZONING AND LAND USE:

North	Large lot Residential, Agriculture, and the Badrock Canyon Wildlife Management Area
South	Residential (The Benches Subdivision) and Suburban Agricultural Uses
East	Suburban Agricultural/residential use
West	Flathead River and Urban residential uses in single family and multi-family developments

Figure 2

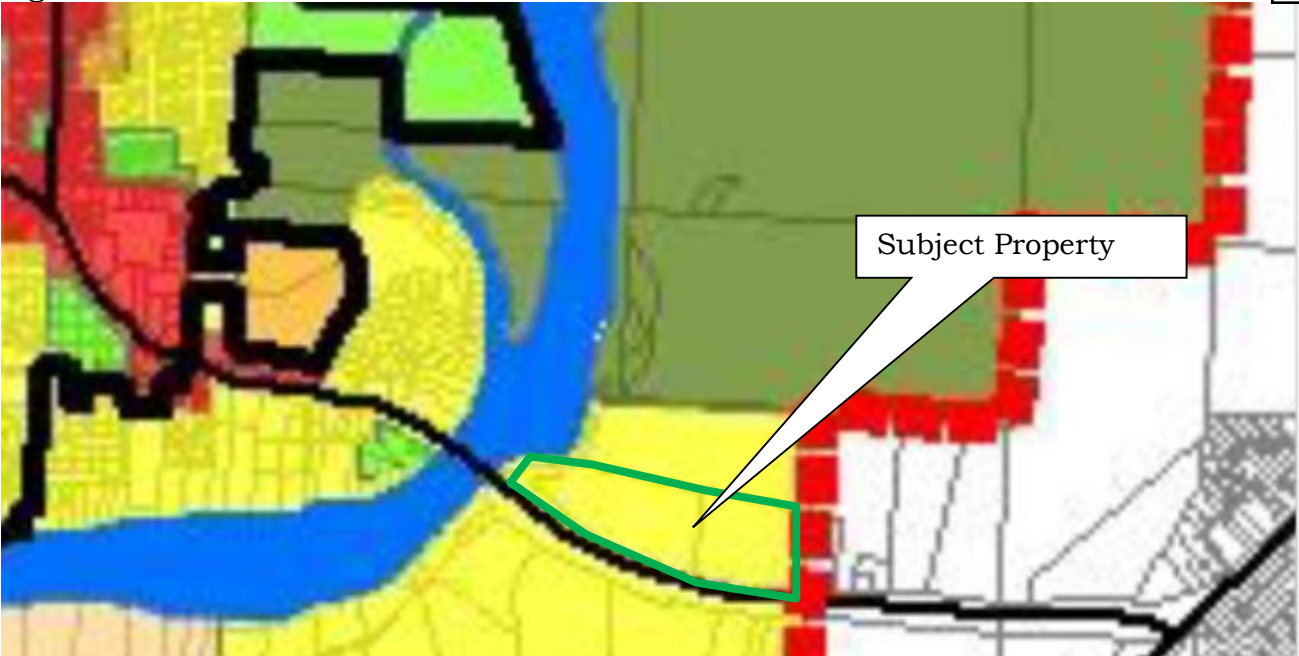


H. GROWTH POLICY DESIGNATION

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 green box indicated the subject property)

	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.

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.

<u>Water:</u>	Columbia Falls Municipal Water
<u>Sewer:</u>	Columbia Falls Municipal Sewer
<u>Fire Protection:</u>	Upon Annexation Columbia Falls Fire Department
<u>Police Protection:</u>	Upon Annexation Columbia Falls Police Department
<u>Street Maintenance:</u>	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. The Columbia Falls Zoning Regulations (18.624.004 Definitions) state that only “large building” in the CB-2 and CB-4 zoning require a Conditional Use Permit to show compliance with Chapter 18.428, Large Building Standards of the Columbia Falls Area Zoning Ordinance. However, to show that the apartment units provide the character elements of the Zoning Standards we are providing that review. 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 larger apartment building designed in an “L” shaped footprints to lessen the mass.
2. Roofs and Parapets:
 - A. The applicant is using gabled roofs with additional gables extending over the deck area. They are also showing shed roofs at the ends of the buildings for the architectural interest appearance. Most of the mechanical will be housed inside the building or at ground level. The buildings will comply with the maximum height limits of the CR-4 zoning regulations.

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 access to the buildings throughout the project. The apartments will be fully sprinkled and the fire department will have access to the roof. The Columbia Falls Fire Department does have a fully equipped ladder truck in its fire house.

- B. There are no parapets.
 - C. N/A No Parapets
 - D. It appears that the apartments have large overhangs
 - E. The roof pitch meets the City's standards
 - F. The roof appears to meet this standard
3. Entrance:
- A. 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.
4. Materials and Color:
- A. The exterior materials will consist of wood, stone and textured composites. (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 earth toned and not bright.
 - E. The applicant is not proposing any concrete block, tilt-up concrete, or smooth faced steel.
5. Landscaping:
- A. The site is 22.5 acres in size. Approximately 54% of the site is to be devoted to park/open space/recreation areas. The applicants are concentrating the apartment units to the center of the property and ringing the development with single family residential units. The project creates large courtyards with pedestrian paths, trees, lawns, natural areas, and landscaped areas. The streets will have tree lined boulevards.
 - B. The applicant proposes 54% of the site as landscape area (native and cultivated) which exceeds the 15% requirement for large building CUP's. The 54% also exceeds the 30% requirement of the PUD standards.
 - C. The site plan incorporates the existing features of the site and preserves most of the vegetation in and along the wetlands and along the River bank. The remainder of the property will be completely revegetated with maintained landscape areas. 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 less than 30 acres provide a 10-foot landscape buffer around the perimeter of the site. The CR-4 zoning has a minimum setback of 20 feet for structures. Based on the site plan, the applicants appear to meet the setback except for the parking lot at the club house. The parking lot will need to be moved north on the site to meet the buffer requirement of ten feet.
 - 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
 - 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. There are no parking isles in excess of thirty spaces.
 - 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) is proposed within the project. There is a round-about at the clubhouse which serves the club house public parking and an easement to the properties north of the proposed development.
 - G. The Columbia Falls zoning regulations require two parking spaces per unit plus one space per 400 square feet at the clubhouse. With 180 units and 7500 square feet of clubhouse the parking requirements is 379 spaces. The applicant is providing 421 parking spaces with surplus "Guest" parking being spread throughout the project. There is also a surplus of six parking spaces in the clubhouse parking lot that will be provided to the public for access to the River.
7. **Snow Storage.**

A snow storage plan will be required for review prior to building permit approval. With 54% 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 lighting 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 two types of road sections: One with sidewalks on one side of the street and one with sidewalks on both sides of the street.

Overall, the project has good pedestrian circulation throughout the project. However, at this point in time there are no walkways or paths on the north side of Highway 2. As a result persons wanting to walk or bike into town will either walk the shoulder of the highway or cross the highway to get to the pedestrian paths on the south side of the highway.

The applicants should work with the MDOT to determine if there is a way to safely implement a crosswalk to the south side of the highway.
10. **Community Space**
 - A. The applicant is providing ample community space in the form of paths, playgrounds, and a club house. The applicants are proposing public access to

the river and are providing six parking spaces for the public with the R Access.

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. The single family homes have garages and can have individual bins for curbside pick-up.
- 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 22.55 acres; thus, it meets the minimum criteria of 2 acres for a PUD.

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

The site contains a total of 22.55 acres. The applicant is requesting 180 units or 7.98 dwelling units 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 12.21 acres of the 22.55 acre site as open space/park area which equals 54.2% of the property.

4. *Off-street parking requirements are two spaces per dwelling unit and one space per 400 square feet for the clubhouse:*

With 180 units and 7500 square feet of clubhouse the parking requirements is 379 spaces. The applicant is providing 421 parking spaces with surplus "Guest" parking being spread throughout the project. The applicant exceeds the minimum parking requirement.

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. Should the PUD be approved, the annexation will follow immediately.

Police: The project is currently within the Flathead County Sheriff Departments service area but with annexation, the property will be in the Columbia Falls Police Departments jurisdiction. Should the PUD and Subdivision be approved the annexation will follow immediately.

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. A conceptual stormwater plan is included with the application. All stormwater management plans are required to be reviewed by the City of Columbia Falls and the Montana Department of Environmental Quality.

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 12.21 acres of the 22.55 acre site as open space/park area which equals 54.2% of the property. Park areas will include public access to the River along with public parking and a bike station. Other park amenities within the project include pavilions, playgrounds, and a dog park for the residents. In addition, there will be a club house with full amenities for the residents of the Development.

The application provides a park space map that identifies areas of native/natural area which consists of the wetland areas and the manmade pond on the southeast side of the project. The applicants are showing maintained park area along the River. Based on comment from Fish Wildlife and Parks along with growth policy statement that look to preserve riparian vegetation, the area along the River should be maintained in more of a native vegetation state with the exception of primitive paths providing access to the River.

Streets: The primary access to the project is to be approached from US Highway 2. The applicant proposes moving River Road approach further east to get better site distance at the intersection with Highway 2. Per comment from the Montana Department of Transportation (MDOT), both approaches will be required to go through the States System Impact Analysis to evaluate the Traffic Impact Study for the project and implement any mitigation needed for safe access to and from the development 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.

All roads within the project will be privately built and maintained. None of the roads will be dedicated to the City. As this project is coming in without subdivision the roads will have associated easement or right-of-way as everything remains under a single ownership. The applicants are proposing road cross section with pavement of 20-feet along with two feet of rollover curb and gutter on each side.

Road cross sections A and B have a detached sidewalk on one side of the street with a four foot boulevard separating the sidewalk from the street. The only difference in cross sections A and B is that A has homes on both sides of the road and B has dwellings on one side.

Road Cross Section C has sidewalks on both sides of the street along with eight foot on-street parking isle. The sidewalk on the side of the street with parking abuts the curb and gutter so no boulevard on that side of the street. As this is not a subdivision and the roads are not ever to be dedicated to the City, they are not required to conform to the City's Subdivision standards. That said they are required to meet the minimum standards required by the Fire Department. The Columbia Falls Fire Chief has reviewed the road cross sections and has stated that they meet the Departments minimum standards.

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

This is not applicable to this project as it is a residential application.

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

The PUD is developing single family attached dwellings and apartment buildings that resemble Mountain Modern architecture using traditional materials such as stone and wood exposed structural elements similar to lodge architecture. The apartments are located to the center of the property with the single family attached dwelling ringing the development. This is the first urban neighborhood developed on the east side of the river so it is different than the traditional dwellings and neighborhoods that existed when this was mostly agricultural uses.

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.

The Growth Policy recommends densities of two to eight dwellings per acre for urban residential property, the proposed 7.98 dwelling units per acre meet the provisions of the Planned Unit Development and the Growth Policy. The Growth Policy goes on to state that urban residential is primarily a single family residential district with "limited quantities of multi-family residential". The proposed project has 99 units of single family residential and 81 multi-family units. On the 22.5 acres of property in the development 7% of the property is devoted to multi-family building and 13% is devoted to single family. The project will be served by a full complement of urban infrastructure including public sewer and water service and private streets developed with sidewalks, curb/gutter, and boulevards.

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

All of the residential dwellings and units are accessed by the internal development roads. None of the units have direct access to the Highway. Based on the Traffic Impact Study (TIS) prepared by the applicants consulting engineer all traffic generated by the project will use Highway 2 for travel.

The TIS (page 5) shows a split with half of the traffic coming and going into Columbia Falls and half the traffic heading east to the Canyon or down Highway 206. The TIS also completed a Level of Service (LOS) analysis of the project looking at "Build" and

“no build” scenarios. There is no drop in Service to the highway system when comparing the “no Build” to the “Build” except at the Westbound approach drops from B to C at the peak PM hour.

The MDOT responded to a request for agency comment stating that this project would be required to go through their Systems Impact Process. The MDOT will review the TIS and determine if additional study is required and they will require whatever mitigations are needed to develop safe access to the project.

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 100-year floodplain is limited to the immediate bank of the river in this location and does not impact any of the development sites.

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

The applicant is required to secure approach permits from the MDOT and go through their Systems Impact Analysis. Through the MDOT review, the applicants will be required to mitigate any impacts identified in their review. Sidewalks and paths are proposed throughout the project however at present there is no pedestrian connection to town on the north side of the Highway. The applicant will extend City sewer and water services to the east side of the Flathead River which will protect groundwater resources and provide fire suppression.

In the agency comment from Fish Wildlife and Parks, they recommend a setback of 300 feet from the Flathead River and 130 feet from wetlands and ponds. The existing River Road and house located on the property are within the recommended buffer and the proposed clubhouse is no closer than the existing road. The pond referenced in the letter is a manmade pond and as neither Columbia Falls nor Flathead County have river or wetland setbacks, the proposed project complies with the City Zoning Regulations. As the Army Corps of Engineers regulates wetlands and permits encroachments, the applicants will need to secure approval from the Corps for the wetland crossing on the north side of the project as well as any other activity deemed applicable by the Corps.

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 22.5-acre property. The applicant is not requesting any deviations to the height or setback requirements. As stated previously in this report the applicants exceed all setback requirements. With approximately 54% 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

- 54% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, dog park, walking paths, and a club house
- The applicants are proposing 180 units on 22.55 acres or fewer than eight units per acre in conformance with the Growth Policy.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood.
- The project has 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 density of fewer than eight dwelling units per acre is within the CR-4 Planned Unit Development density requirements. The project will be fully served by urban infrastructure such as public sewer and water service, private streets developed with curb/gutter, boulevards and sidewalks.

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

- 54% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, dog park, walking paths, and a club house
- The applicants are proposing 180 units on 22.55 acres or fewer than eight units per acre in conformance with the Growth Policy.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood.
- The project has immediate access to high capacity Highway 2.

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 and achieved in the following manner:

- With annexation the property will be in the Columbia Falls Fire and Columbia Falls Police Departments 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.
- The development is in School District #6 and bus service is available.
- There are numerous parks and open spaces in the project. The Park and open space along the river will be open to the public.

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 by allowing clustering of density to create 54% (12.21 acres) of the site as open space. Without the PUD densities the property would most likely be developed in 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 district?

The property is sometimes used for hay production and much of the surrounding lands are more rural and suburban than urban. However, this property was designated in the Growth Policy for Urban Residential uses and properties just south of the Highway have been zoned for urban densities.

Although the neighborhood does not reflect urban use at present it has long been planned for urban expansion of the City of Columbia Falls. This statement is true for any growth of Columbia Falls since the City has little infill opportunity left. The City can grow in three directions: east across the Flathead River; north up the north fork road; or west in the agricultural lands below Hilltop Road. Any one of these directions would convert rural landscapes to urban densities should the City expand.

13.Will the new zoning affect property values?

The proposed land use is different than the existing suburban agricultural densities and some may think the change may negatively impacts property values. However, others may argue the extension of municipal sewer and water to this area would increase property values by adding development potential.

14.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 suburban zoning designations next to the City preserve larger tracks that can be converted to urban designations in the future.

The subject property is designated in the Columbia Falls Growth Policy as Urban Residential as far back as the 2005 Growth Policy document. The City of Columbia Falls updates its 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 OF FINDINGS

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. The Growth Policy prescribes a density of two to eight dwellings per acre for urban residential, the proposed 7.9 dwelling units complies with the policy.

With annexation, the applicants will extend City water to the east side of the Flathead River and install fire hydrants throughout the development. The floodplain along this side of the River is limited to the immediate river bank and will not threaten any structures that would be developed within the project. Annexation will also bring the services of Columbia Falls Fire and Police department to the property.

Although not subject to the Large Building Standards, 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-23-02 as Findings of Fact and recommend approval of the requested PUD overlay zone subject to the following conditions: The Columbia Falls City-County Planning Board at their hearing of February 14, 2023, recommended that the Columbia Falls City Council deny CPUD-23-02 as it does not comply with the underlying CSGA-5 and CSAG-10 zoning as the proposed zone change to CR-4 was recommended for denial.

1. Except as modified by these conditions, the project shall be built in substantial compliance with the Location Ventures/SB Architects/KLJ plans submitted in the application dated January 3, 2023.
2. The project is approved as a single phase meaning all infrastructure (sewer, water, stormwater, roads, and power) shall be installed prior to issuance of building permits
3. Other than clustering and the allowed density bonus, the 7030 Highway 2 Residences PUD is not requesting any deviations to zoning and no deviations are permitted.
4. The applicant has offered in their application that none of the proposed units with the development will be offered for short term rental. This PUD approval will prohibit the use of this development for short term rental.
5. The parking lot for the clubhouse and any roadway on the site plan shall provide a minimum 10-foot landscape buffer between the parking lot/roadway and the property line. Any structure shall meet a minimum 20 foot setback from the exterior property line. The minimum buffer area shall be fully landscaped and include ground cover, shrubs and trees.
6. 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 licensed engineer. The developer's agreement will not be for longer than six months.
7. The riverfront park area, for the most part, shall maintain its native vegetation. Primitive paths are allowed in the park area. Areas that need revegetation shall be done so with native plant species.

8. Refuse enclosures for the apartment buildings shall comply with the Columbia Falls Large Building Standards.
9. The developer shall install five-foot sidewalks with the development as shown in the application.
10. The applicant shall secure approval from the Montana Department of Transportation for the two approaches and relocation of River Road. The applicants shall install any mitigation measures required by the MDOT.
11. The applicant shall provide easement to the northern property owners for access through the development on the reconfigured River Road. The applicant shall provide the City a copy of the recorded easement prior to any construction of the 7030 Highway 2 Residences development.
12. The applicant shall work with the MDOT to determine if there is a safe location to install a pedestrian crosswalk connecting the subject development to the pedestrian path on the south side of the Highway.
13. 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 curbs, gutters, boulevards, and sidewalks.
14. 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.
15. 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 Army Corps of Engineers (ACOE) as to whether or not a permit is needed from their agency. If a Corps permit is required, it shall be secured prior to issuance of a Floodplain Permit.
16. The applicants shall secure applicable permits from the ACOE for any wetland crossing or other activities deemed applicable by the Corps.
17. 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.
18. 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.
19. The River front park will be open to the Public. Six parking spaces within the Club House parking lot shall be designated for public parking.
20. The applicant shall submit a sign permit application to the City for approval and prior to erecting any identification signage
21. All utilities including electrical, telephone and cable shall be placed underground.
22. A mailbox location(s) shall be approved by the local post office and the boxes shall be installed prior to issuance of occupancy permit.

23. All conditions must be complied with prior to the issuance of an occupancy permit for 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.
24. Should the PUD be approved, the annexation will follow immediately.

PROTEST NOTICE FOR ZONING AMENDMENTS

*Twin Peaks Farm, LLC/Location Ventures, Zone Change and PUD Applications
(File Nos. CZC-23-01 and CPUD-23-02 "the Applications")*

WHEREAS, pursuant to Section 76-2-305, MCA, the City of Columbia Falls ("City") must accept written protests from property owners against the proposed zoning Applications described above no later than 10 days after the February 14, 2023 Planning Board hearing; and

WHEREAS, in the case of a written protest signed by the owners of 25% or more of the area of the lots or units within 150 feet from a lot included in a proposed change, the Applications shall not become effective except by the favorable vote of two-thirds of the present and voting members of the Columbia Falls City Council;

NOW, THEREFORE, the following property owners who live within 150 feet from a lot included within the proposed change, hereby protest the Applications, File Nos. CZC 23-01 and CPUD 23-02:

Physical Address: 7150 Hwy 2 East
Columbia Falls, Mt Assr No. 0199800
 Owner Name(s): Kathie R. ARVIDSON
 Signature(s): Kathie R. Arvidson

Physical Address: 7100 US Highway 2 E.
Columbia Falls, MT. Assr No. 0183900
 Owner Name(s): IVAN Jaguette
 Signature(s): Ivan Jaguette

RECEIVED

FEB 24 2023

CITY OF COLUMBIA FALLS

PROTEST NOTICE FOR ZONING AMENDMENTS

*Twin Peaks Farm, LLC/Location Ventures, Zone Change and PUD Applications
(File Nos. CZC-23-01 and CPUD-23-02 "the Applications")*

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NOW, THEREFORE, the following property owners who live within 150 feet from a lot included within the proposed change, hereby protest the Applications, File Nos. CZC 23-01 and CPUD 23-02:

Physical Address: 7085 Hwy 2 E
Columbia Falls, MT Assr No. 0014862

Owner Name(s): SRuthan LLC

Signature(s): *Steven Dougan* *Steven Dougan*
Steven Dougan (Feb 24, 2023 08:23 PST) Steven Dougan (Feb 24, 2023 08:23 PST)

Physical Address: _____
 _____ Assr No. _____

Owner Name(s): _____

Signature(s): _____

Physical Address: 355 Rogers Rd
Columbia Falls, MT 59912 Assr. No. 0002110
 Owner Name(s): Columbia Farms, Inc. Robert T. Clawson, Jr
Ruth R. Clawson
 Signature(s): Robert T. Clawson, Jr Ruth R. Clawson

Physical Address: _____
 _____ Assr. No. _____
 Owner Name(s): _____
 Signature(s): _____

Physical Address: _____
 _____ Assr. No. _____
 Owner Name(s): _____
 Signature(s): _____

I attest that, on February 24, 2023, the written protests above were delivered by ^{hand}~~e-mail~~ to the City of Columbia Falls c/o Susan Nicosia, 130 6th Street West, Columbia Falls, MT 59912; nicosias@cityofcolumbiafalls.com.

Name: Shirley Folkwein
 Signature: Shirley Folkwein

1830 3rd Avenue East Suite 303
Kalispell, MT 59901-5778
406 755 2763
KLJENG.COM

February 28, 2023

Susan Nicosia
City Manager
City of Columbia Falls
130 6th St West
Columbia Falls, MT 59912

Re: Clarification and Appeal to Planning Board Decision to Not Recommend 7030 Hwy 2 Rentals project

Dear Ms. Nicosia & City Council:

On Tuesday, February 14th Mr. Mulcahy presented the staff report on 7030 Hwy 2 Rentals Zone Change and PUD applications to the Planning Board. The staff report determined that the proposed development sufficiently met the adopted review criteria to be rezoned and recommended approval.

After public comment, the Planning Board deliberated and chose not to recommend approval of the application. The concluding reasons given for not recommending the project were: not matching the character of the district, concern with high groundwater, impact to wildlife, density, pedestrian access, deficient Traffic Impact Study, and impact to wetlands. We feel that additional clarification is warranted to demonstrate that the preliminary project design sufficiently addresses the concerns noted by City Staff in their report. The following appeal contains clarification for each concern:

1. Character of the district. MCA 76-2-304 provides criteria and guidance for zoning and land use decision-making in the state of Montana. The criteria is that zoning must be in accordance with the growth policy. The zoning request for Urban Residential density is consistent with the designated Growth Policy density range for the subject parcels. The use proposed is compatible with surrounding uses on US Hwy 2 (a mix of residential housing and commercial to the west and east).

The recently adopted Growth Policy designates these parcels as Urban Residential due to their specific suitability for a particular need. In other words, the lack of developable, available land in other parts of the City and proximity to the city center make these parcels an ideal location for much needed housing. For these reasons, the Growth Policy has long designated these parcels to eventually meet Columbia Falls' growing housing needs. Furthermore, the planner's findings of fact state that the character of this development aligns with the City's long-time intent for these parcels.

2. Groundwater. Developers – housing professionals – typically explore site feasibility extensively before making the investment to go through lengthy entitlement and construction processes. Based on information from engineers, we are confident that we can address site conditions. The cost associated with the mitigation methods do not affect the feasibility of the project. Based on the preliminary geotechnical report, the Geotechnical Engineer concludes:
 - a. Portions of Parcels 3 and 5 contain shallow groundwater which can be developed by removal of soft/wet fine-grained materials above the groundwater level and replacement with structural fill for building and roadway areas.
 - b. Depending on the construction method used for the structures, the areas below foundations may only need to be replaced for crawlspace construction.
 - c. If concrete slabs-on-grade are used, then the entire building footprints should be sub-excavated and replaced with structural fill.

3. Wildlife. The proposed development is on a tract of land designated for urban residential development. The adjacent land is not designated by the Growth Policy for development, neither are large tracts of nearby land owned or managed by the Federal government and remain available for wildlife in perpetuity. Further, wildlife conservation – particularly near growing town centers - requires a multi-stakeholder approach and good faith efforts from all parties involved. Wildlife movement is one of many design criteria incorporated throughout the design process and will be accommodated to the greatest extent possible within the current design, including thoughtful landscape design that is committed to area biodiversity by using native plant species. Where appropriate, we will continue to solicit feedback from local experts to address wildlife concerns.

4. Traffic Impact Study (TIS). Dialogue about the TIS included concerns about traffic safety and final traffic mitigation and design. Location Acquisitions does not make the final decision on traffic improvements on US Hwy 2, but will work with the City of Columbia Falls and MDT to ensure safe and adequate traffic mitigation and design for pedestrian and vehicle safety. We fully support MDT using the highest standards for traffic mitigation and safety in this area.

The TIS methodology and data for the report, submitted to MDT in November of 2022, was completed in accordance with the Montana Department of Transportation guidelines. Other concerns revolved around detailed questions about TIS methodology, addressed below:

- a. Transportation engineers used the most recent traffic counts supplied by MDT for the study - July 2021.
 - b. Per MDT guidelines for TIS, traffic counts are usually seasonally adjusted to a yearly average depending on the collection date. We chose not to seasonally adjust the July traffic counts, meaning we used the highest available traffic counts (36% higher than the seasonally adjusted number) to complete the study.
 - c. Traffic counts were then adjusted by 1.5% each year since data collection (per MDT guidelines) to capture predicted yearly traffic growth.

5. Pedestrian access. Both residents and the public will have access to Flathead River, natural trails, and sidewalks within the development. Coordination with MDT is ongoing regarding external

pedestrian access to the path on the south side of US Hwy 2. Although Location Acquisitions does not have jurisdiction over this decision, we support MDT pursuing the highest standards for pedestrian connectivity and safety and will work with the City of Columbia Falls and MDT to ensure safe and adequate pedestrian and bike facilities are installed.

6. Density. The housing Location Acquisitions hopes to build on this site is what has come to be known as 'Missing Middle' housing. Missing Middle housing is economical, mid-density housing that is an integral piece of any healthy local housing ecosystem. The development is consistent with the Growth Policy Density range, coming in under the maximum 8 dwelling units per gross acre. Following the designation, as stipulated in the Growth Policy, allows developers to build 'Missing Middle' housing that, even at market-rates, is more attainable for everyday community members than detached single-family homes, which are disproportionately favored in land-use policy despite being the most expensive housing type to build and purchase.
7. Wetlands. The site plan goes beyond basic regulatory requirements, respecting all wetlands and perceived wetlands - avoiding disturbance to the maximum extent practicable on those lands, including preserving a man-made pond in the southwest corner of the parcel. Although neither the City nor the County has established setbacks for wetlands, housing and infrastructure are designed and located to minimize impacts to the wetlands. Further, proposed landscaping, vegetation buffers and diversion of stormwater to detention ponds will help maintain land adjacent to wetlands in a way that minimizes impacts.

Thank you for the opportunity to counter misinformation and provide further details to explain why this development is consistent with established regulations and policies. Beyond simply meeting established regulations, the development will benefit the Columbia Falls community by providing much needed 'Missing Middle' housing on a site the City of Columbia Falls has anticipated and intended for development for nearly 20 years, and at a density range that is consistent with the designation within the Growth Policy. All reasons raised for denial are already managed or can be fully mitigated. In sum—this development helps meet the city's need for housing in a favorable location and is designed to meet needs associated with sustainable, economical growth.

Sincerely,

Mark Rohweder
Project Manager

1830 3rd Avenue East Suite 303
Kalispell, MT 59901-5778
406 755 2763
KLJENG.COM

1/3/2023

Susan Nicosia and Eric Mulcahy
City Manager and City Planner
City of Columbia Falls
130 6th St West
Columbia Falls, MT 59912

Re: 7030 Hwy 2 Residences: Annexation, PUD, and Zone Map Amendment Applications

Dear Ms. Nicosia and Mr. Mulcahy:

On behalf of Rishi Kapoor and Location Acquisitions, please find attached the application for the 7030 Hwy 2 Residences. The pre-application meeting occurred on December 27, 2022 with Location Ventures, KLJ Engineering, and City staff.

The two properties (500 River Road, S16, T30 N, R20 W, Tract 3F and 7030 US Hwy 2 E, S16, T30 N, R20 W, Tract 3F) are located east of Columbia Falls, on the east side of the Flathead River, and north side of US Highway 2. The two properties are within the City of Columbia Falls jurisdiction. Together the properties total approximately 22.55 acres and are currently zoned CSAG-10 and CSAG-5, respectively. The proposed project conforms to the goals, policies, and maps of the Columbia Falls Growth Policy.

Included with this electronic submission is a digital file with the applications, supportive narratives, and drawings. Payment will be provided to the City by the Owner in a total amount of \$3,375. A hardcopy of the application will be delivered in person with a thumb drive to the City of Columbia Falls.

We are excited about the benefits that the Columbia Falls Rental Development will bring to Columbia Falls and the community.

Thank you for your gracious assistances to date and please call if you have any questions.

Sincerely,



Mark Rohweder
Project Manager
Enclosure(s): Annexation, PUD, and Zoning Map Amendment applications
Project #: 2106-01243
cc: Location Acquisitions, File

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Planned Unit Development



Planning Department

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

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

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Project Name: 7030 Hwy 2 Residences
Name of Applicant: 500 River Partners LLC affiliate of Location Acquisitions
Mailing Address: 275 Alhambra Circle
City/State/Zip: Coral Gables, FL 33134 Phone: (786) 701-6734

Name and address of owner if different than applicant (**Tract 3F**):
Name: High Country Land & Cattle (MT) LLC
Mail Address: 4531 N 16th St #103
City/State/Zip: Phoenix, AZ 85016 Phone: _____

Name and address of owner if different than applicant (**Tract 3FB**):
Name: Twin Peaks Farms LLC
Mail Address: 2098 W Champagne Ct
City/State/Zip: Eagle, ID 83616 Phone: (208) 890-6669

Technical Assistance: KLJ Engineering
Mail Address: 1830 3rd Ave E, Suite 303
City/State/Zip: Kalispell, MT 59901 Phone: (406) 300-7099

If there are others who should be notified during the review process, please list those.
SB Architects, 2333 Ponce De Leon Boulevard, Suite 1000, Coral Gables, Florida, 33134
Phone: (305) 856-2021

Check One:
☒ Initial PUD Proposal
☐ Amendment to an existing PUD
Property Address: 500 River Road (Tract 3F) and 7030 Highway 2 E (Tract 3FB)
Total Area of Property: 22.5 acres
Legal description including section, township, range: Section 16, T30N, R20W, Tracts 3F and 3FB. See attached COS #16958 for Tract 3F and COS #16981 for Tract 3FB for complete legal descriptions.

The present zoning of the above property is: CSAG-10 and CSAG-5

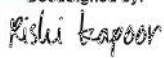
Please provide the following information in a narrative format with supporting drawings or other format as needed:

- 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; 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;
- 5) The relationship, beneficial or adverse, of the planned unit development project upon the neighborhood in which it is proposed to be established;
- 6) How the plan provides reasonable consideration to the character of the neighborhood and the peculiar suitability of the property for the proposed use;
- 7) 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;
- 8) How the development will further the goals, policies and objectives of the Columbia Falls Growth Policy;
- 9) 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.

DocuSigned by:

3968951BE1C8498...
Applicant Signature (500 River Partners LLC)

7/11/2022 | 8:40 AM PDT

Date

DocuSigned by:

E477FB06325B4A0...
Owners Signature (High Country Land & Cattle) (MT) LLC

7/9/2022 | 2:44 PM MST

Date

DocuSigned by:

96B0B307E568440...
Owners Signature (Twin Peaks Farms)

6/30/2022 | 6:51 PM CDT

Date

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.

PLANNED UNIT DEVELOPMENT (PUD) NARRATIVE

Background:

The project consists of two adjacent lots located at 500 River Road, Columbia Falls on the 12+ acres or 546,678 SF and 7030 Hwy 2 E, Columbia Falls, FT on 10+ acres or 435,600 SF collectively 22.55 acres (see **PUD Exhibits, Vicinity Map**), the “Project”. The Property is east of the Flathead County River and within the City’s Future Growth Plan.

The current City zoning for 500 River Road is CSAG-10 and 7030 US 2 E is CSAG-5, and the Growth Policy Use of the combined Property is Urban Residential allowing 2 to 8 units/acre. The county zoning for Tract 3F is SAG-10 and Tract 3FB is SAG-10 and Scenic Corridor (see **PUD Exhibits, Current Zoning Map**).

The Applicant is requesting a mix of 180 dwelling units (7.98 units/acre) consisting of 99 single family attached in 3- and 4- unit buildings, 81 apartment units, a private clubhouse, a public park, green space and sufficient on-street parking.

The City’s sewer and water utilities extension will be placed underground and extended to the most eastern portion of the Project.

The property is adjacent to US 2 East consisting of 5 lanes of traffic (2 lanes eastbound, 2 lanes westbound and a center turn lane); with ingress and egress occurring from 2 access to the Property

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

Location Acquisitions is pleased to present our proposed 180-unit housing development as a high-quality feature at the eastern US 2 gateway to the City of Columbia Falls. Our goal is to provide market priced rental housing units that architecturally complement the surrounding natural environment and mimic the historical development of the City. The site is an ideal location for our proposed housing development because it provides convenient access to residents’ workplaces and needed services.

Our proposed housing development will consist of single-family attached, supplemented by apartment offerings, and a clubhouse along with support facilities as illustrated in **PUD Exhibits, Site Plan. Table 1** below breaks down the number of units for each building by the number of bedrooms provided. The array of options in housing size allows us to meet the market demand for a broad spectrum of households. Unit size and type will range from mid-600 square foot studio models to 2,000+ square foot four-bedroom models.

Table 1. Proposed Housing Units by Building Type					
Building Type	Unit Types	Units/Bldg	# Structures	# DUs	Gross Area (sf)
Single Family Attached (3)	2 bdrm	1	5	15	36,500
	3 bdrm	2			
Single Family Attached (4)	2 bdrm	1	21	84	210,000
	3 bdrm	2			
	4 bdrm	1			
24 Unit Apt	1 bdrm	6	1	24	45,562
	2 bdrm	12			
	3 bdrm	6			
54 Unit Apt	1 bdrm	18	1	57	100,125
	2 bdrm	27			
	3 bdrm	12			
TOTALS			28	180	392,187

The proposed development is designed to fit the site by retaining natural features and wetlands as opposed to clearcutting and starting with a blank slate.

Featured amenities incorporated into the development include a clubhouse, playground, and dog park to serve residents. Natural open areas and a public meandering trail leading from the clubhouse through mature aspen and lodgepole pines to a landing on the Flathead River is contemplated.

As discussed further under Question #4, the proposed development is consistent with the Growth Policy (2019 Edition) and is proposed as a Planned Unit Development to more efficiently meet the intent of the Columbia Falls Zoning Ordinance and Subdivision Regulations while creating a high-quality housing development to help meet the significant demand for housing in Flathead County.

In summary the goals include:

- A majority of single-family attached with apartment units will provide more attainable housing prices vs. detached single family option
- Preserve large green space (nearly 55% of the total development area) and enhance land ecological health by prioritizing native species in landscape design & management
- Collaboration with local stakeholder groups to promote safe wildlife movement
- Provide public amenities including walking trails, river access, parking, and access to the Gateway to Glacier Trail
- Provide recreational areas for residents including playground, dog park, and clubhouse
- Connect to City water and sewer services
- Increase local long-term rental options to promote sustainable economic growth

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

Location Acquisitions intent is to construct this development in a single phase beginning as soon as late 2024 with completion of the entire construction project estimated in 2028. This intention is tempered by the recognition that worker and material shortages may impact the ability to meet this stated schedule. Consequently, we are prepared to phase increments of the total project in accordance with those market realities.

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.

Under Question 1, we are proposing a PUD to more efficiently meet the intent of the City's zoning regulations while making best use of the site. We have worked closely with city officials on development details to ensure this proposal is in the best interests of the City of Columbia Falls and its residents. The following tables and paragraphs illustrate the ways that the proposed development compares with the base zoning district recommended by the City Planner and the CPUD standards.

Table 2. Comparison of Zoning District Requirements and Proposed PUD Equivalents				
	CSAG 5 & 10	CR-4	CPUD	Proposed
Permitted Uses	Agricultural and Horticultural	Single family dwelling	Single family dwelling Two family dwelling Multi-family dwelling Private recreation and service facility	Single family attached (3- and 4- unit buildings), multi-family (two apartment buildings), and private clubhouse
Maximum density	NA	NA	12 DU/acre	7.98 DU/acre
Minimum lot size	5 ac/10 ac	7,200 sq ft	87,120 sq ft	22.55 acres
Minimum lot width	1/3+ avg length/NA	60 ft	NA	NA
Maximum lot coverage	25%/20%	35%	70%	NA
Front yard setback	20 ft/30 ft	20 ft	NA	NA
Side yard setback	20 ft	5 ft	NA	15 ft*
Side corner yard setback	20 ft/30 ft	15 ft	NA	NA
Rear yard setback	20 ft	20 ft	NA	20 ft
Maximum building height	NA	35 ft	NA	35 ft
* Average distance between single-family attached				

Table 3 and PUD Exhibits, Typical Street Sections and Parking Count Exhibit provides a comparison of City standards for roads owned and maintained by the City and proposed road design for the privately owned and maintained roads within the 7030 Hwy 2 Residences PUD.

Table 3. Comparison of Road, Sidewalk, and Parking Requirements and Proposed PUD Equivalents		
	City Standard	Proposed
Minimum ROW – local road	60 ft	NA
Minimum width – local road	24 ft	24 ft
Minimum sidewalk width w/o boulevard	6 ft	5 ft
Minimum sidewalk width w/ boulevard	5 ft	5 ft
Minimum residential off-street parking	2 spaces per living unit	2 spaces per living unit + 36 spillover spaces

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.

The total area of the development is 22.55 acres or approximately 982,278 square feet. As mentioned above, the proposed layout allows nearly 55% green space. The green space will include both natural and maintained park spaces (see **PUD Exhibits, Proposed Park Space**). Great care will be taken to preserve wetland and wooded areas. Additionally, Location Ventures has been in communication with local stakeholders including FWP, Flathead Land Trust, and Gateway 2 Glacier to explore the best ways to incorporate wildlife health and movement into current site designs, including a potential wildlife corridor and ecosystem-oriented landscaping (see **PUD Exhibits, Wildlife Corridor**). Where restoration is appropriate, natural habitat may be augmented with native plant species to improve biodiversity and enhance soil and ecosystem health. Managed landscaping will prioritize native species that complement the surrounding ecosystems.

The community flows through open areas to allow residents to feel the sense of the natural environment while they are outside of their homes. These open spaces also provide views of the surrounding mountains and calming sounds of the Flathead River. A playground, dog park, pavilions for seating throughout the development allow all levels of activities to enjoy the green space. Again, environmentally sensitive areas are avoided and preserved for the enjoyment of the residents and for wildlife use.

Table 4 and Exhibits, Distribution of a Development and Open Space Areas illustrate the location and amount of open space, environmentally protected areas, as well as the development areas.

Table 4. Distribution of a Development and Open Space Areas		
	Square Feet	Percent of Total Area
Total Tract Area	982,278	100%
Building Footprint Area	196,800	20%
Roads, Sidewalks, Driveways Area	253,530	26%
Open Space Area	310,227	32%
Wetlands and Forest Riparian Area	221,721	22%

The open space which abuts the buildings provide access to light, air and views for the residents. In addition, the open space includes a playground and maintained open green space. Green space (pervious ground) composes approximately 54% of the total area.

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.

Details pertaining to service provision are described in the following paragraphs:

Municipal Water Supply. The development will connect to City water service. See **PUD Exhibits, Utility Layout.**

Sanitary Sewage Collection. Wastewater from the development will be conveyed to a proposed lift station directly south across US 2. Wastewater will be treated by the City of Columbia Falls treatment facility which is the optimal method of treatment over alternatives such as individual onsite septic systems. See **PUD Exhibits, Utility Layout.**

Stormwater Management. Stormwater runoff will be managed on-site through detention ponds and diversion into natural drainage areas. See **PUD Exhibits, Utility Layout.**

Roads. Private roads open to the public that meet the City's emergency service access needs are provided throughout the development. Two access points are provided from the development onto US 2. See **PUD Exhibits, Site Plan.**

Pedestrian Access. Sidewalks provide ready access throughout the development and connect from the dwelling units to the clubhouse. Additionally, there will be a linkage from the clubhouse to the Flathead River. There will potentially be a linkage to an existing multi-use trail along US 2. See **PUD Exhibits, Site Plan.**

Traffic Management. A traffic impact study was completed to determine if any improvements are needed, such as turning lanes and acceleration lanes onto US 2. Please see **PUD Exhibits, Traffic Impact Study.**

Telecommunications. The best available telecommunications services will be provided to the development.

Power Supply. Single phase power will be supplied via underground cable throughout the housing development. Power will be supplied by Flathead Electric Cooperative currently located along US 2.

Recreational Facilities. A clubhouse will provide onsite recreational amenities for the residents. Additionally, a playground, a dog park and both managed and natural open areas will provide an array of outdoor recreational opportunities onsite. The preservation of nearly all the existing mature trees and environmentally sensitive areas on site provide opportunities for residents to enjoy the natural environment. The development will also provide public access to the Flathead River and the Gateway to Glacier Trail, including public parking.

Schools. Resident children will attend either Ruder or Glacier Gateway elementary schools, Columbia Falls Junior High School, and the Columbia Falls High School. School district officials have assured Location Acquisitions that there is sufficient capacity within the existing facilities to accommodate the additional students.

Other Public Facilities. Many other public facilities such as the library, community center, city hall, and city parks are only a few minutes away in downtown Columbia Falls.

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

The existing site is located just outside the official boundaries of the City of Columbia Falls, in unincorporated Flathead County but within the City's Future Growth Map. The proposed development is on land currently containing one single family residence and undeveloped natural open space. The surrounding land uses include less than ten rural residences within 1,000 feet, natural environment land owned by Montana Fish and Game, limited agricultural uses, and a mixed residential and commercial development that borders both sides of US 2 approximately ¼ mile east of the proposed development. A small residential subdivision was platted on the south side of US 2 directly across from the proposed development. Landscaping and architectural design are intended to help the proposed development blend into the rural landscape, including integration of native plant species where appropriate.

The proposed development area is part of the City's housing growth strategy but has not seen development to date; being one of the first annexations of a growth area may be perceived adversely as change tends to cause concern for over development. Secondly, some of the land has sensitive areas that cannot be developed. A wetland delineation was performed (see **PUD Exhibits, Aquatic Resource Delineation**) and groundwater depth monitored throughout the site to identify those areas. The proposed development has strategically avoided these sensitive areas to the extent possible to ensure the land is protected.

The overall benefits from the project include:

- a. Connection to City water and sewer services – no individual onsite septic systems.
- b. Density / Open space – building up to provide more open space that will blend with the original heritage of the area. As mentioned approximately 55% of the PUD will be green space which includes the natural elements and active uses for the residents.
- c. Traffic – increased density generally means increased traffic. However, the traffic impact study determined intersection operates with acceptable intersection delay and Level of Service in the No-Build and Build conditions. Furthermore, the projected No-Build and Build volumes do not recommend dedicated turn lanes at the two accesses via US 2.
- d. Long-term rental: options of single-family and apartment units provide attainable long-term housing options relative to detached single-family housing and allow a variety of income levels access to housing. It also gives residents the flexibility to downsize or upsize as their family structure changes without leaving the community. These options will help fulfill the demand for the housing shortage.

With exception to increased traffic generated by the proposed development, the impacts on the surrounding area are beneficial or benign. The proposed development is beneficial because it helps implement the Columbia Falls Growth Policy (2019 Edition). It is consistent with the Growth Policy intent for this land to be developed into urban scale residential use. It is within the Growth Policy's overall density objectives and it brings much needed housing supply to the City of Columbia Falls. See additional detail under Question #9 regarding how the proposed development supports the Growth Policy.

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

The project provides reasonable consideration to the character of the neighborhood, and the property is particularly suitable for this proposed development. This project is designed to provide a mix of residential uses and density based on the intent of the Growth Policy, which designates this location as Urban Residential with up to 8 dwelling units per acre. Please see **PUD Exhibits, Growth Policy Map**. The proposed PUD will follow the intended use by ensuring a density of less than 8 units per acre is maintained. The urban residential designation intent is to provide single family and limited quantity of multi-family units. The Growth Policy designation matches the character of surrounding neighborhoods. In just over half a mile to both the east and west of the site are mid-density urban areas with a mix of multi-family and single-family housing, including Columbia Heights to the West and Columbia Falls city center and Highline Apartments to the east. Beyond housing type, the development also provides nearly 55% open space compared to roughly 20% open space if the site was designed with traditional detached single-family homes. Allowing the construction of mid-density housing leaves more land untouched and provides housing at a lower overall cost by eliminating sprawl.

The architectural design provides reasonable consideration to the character of the surrounding area. The project emphasizes the heritage of the community by choosing a traditional mountain aesthetic with natural materials and a rustic ambiance that is consistent with the City of Columbia Falls architectural design preferences. The plan contains architectural features that create visual interest, incorporate human scale elements, and reduce large building scale by breaking up major facades with offsets, embellishments, and changes in texture and color. The proposed development effectively sites the buildings in a way that minimizes the length of the façade facing US 2. It will screen the project as a whole from US 2 by creating a natural barrier through enhancement of the existing trees and buffers with added elements, such as the introduction of additional native species trees and berms. This will benefit both residents, public visitors, and passers-by alike, audibly and visually. Please refer to **PUD Exhibits, Aerial, Single Family Attached (3- & 4- Units), and Apartment Building** for renderings of the development, buildings, and screening.

Beyond considering the surrounding neighborhoods, the project reasonably responds to and is designed around the character of the existing site itself. The proposed development preserves 100% of the jurisdictional wetlands and 96% of all wetlands, retains the existing pond, conserves the riparian forested area, and provides a high percentage of open space compared to other design possibilities. Additionally, where appropriate, we will augment preserved natural green space with native plant species to blend into the landscape and contribute to area biodiversity and ecosystem health.

Overall, this project will provide a variety of new housing options that fit in adjacent neighborhoods and maintain significant open green space that blends in aesthetically with the surroundings, all while meeting the Growth Policy (2019 Edition) guidance for this 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 Property is near and adjacent to other Suburban Agricultural zoning designations. The Growth Policy Map designates the site Urban Residential to allow more intense use than currently zoned with the intent of providing additional housing. There will be 2 multi-family buildings within reasonable distances

from each other to ensure appropriate free space. These units will be closer to the entrance of the project and the single-family attached will be further away, this limits the vehicular activity around the greater community but still does not provide an incompatible intense use. A Traffic Impact Study was completed that showed the density provided will not significantly impact the surrounding neighborhood along the highway.

Generally, there are no incompatible uses planned within this project. Housing is the intended Growth Policy use of this area. The majority of the proposed development is single family dwellings. There are two multi-family buildings. The proposed design maintains the intended overall density standard by leaving a major part of the site undeveloped. Architectural design is compatible with the historical heritage of the community. This enhances one of three gateways to the City of Columbia Falls, while providing attainable housing.

The only impact of the proposed project which may need mitigation pertains to traffic. A 343-unit housing project is being proposed across US 2 from this project site. Both developers conducted traffic impact studies to evaluate the individual and combined impact to traffic on US 2 and determine what mitigation will be needed to address increased traffic volumes safely and efficiently. Location Acquisitions is coordinating with MDT and the developer on appropriate traffic mitigation options and schedule. Location Acquisitions is in full support of any safety recommendation by MDT on US 2, such as pedestrian/bike crossings and traffic signals.

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

The Columbia Falls Growth Policy has three specific goals that pertain to residential housing:

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.*

The proposed housing development provides market priced rental housing units that are attainable to a broad range of the market demand. The development will commit and initially offer up to 10% of the units, based on demand, to public employees.

2. *Residential development that does not excessively burden the local government and is adequately served by public facilities and services.*

While meeting the Growth Policy's density, the development will have a relative life cycle return on public investment much higher than the Growth Policy's predicted single family with public streets and infrastructure since the streets and infrastructure installed on site will be private but open to the public. Actual city investment in this proposed development is relatively nominal. City officials have confirmed there is capacity to serve the development with city services, which will be further supported by the additional tax dollars realized. The primary services specific to the development will be financed by the developer.

3. *Solid, stable, well-maintained neighborhoods which are safe from the intrusion of incompatible uses.*

The proposed development is a small self-contained residential neighborhood. Due to US 2, the Flathead River, and wetlands acting as barriers to adjacent development, there is very little opportunity for intrusion of incompatible uses.

The Growth Policy Map for Columbia Falls identifies the project site for Urban Residential development. There are six Policies for Urban Residential development. The following paragraphs identify the relevant policies and how this development is consistent with them:

1. *Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided.*
The proposed development will connect to City water and sewer services.
 2. *Typical densities are two to eight dwellings per gross acre.*
Proposed density is 7.98 DU/acre. The Growth Policy Map for Columbia Falls identifies the project site for Urban Residential development. Urban Residential development is characterized by density between 2 and 8 dwelling units per acre that is a mixture of single family residential and multi-family units.
 3. *Single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi-family housing are also anticipated.*
Based on the City Planner's recommendation, the base zoning proposed for this development is CR-4. A PUD provides an opportunity for multi-family housing. A vast majority of the buildings in the development are single-family attached. Each dwelling unit in the single-family attached will have a dedicated outdoor space. The scale of development is largely "missing middle" housing which provides the character of single-family development while increasing the density.
 4. *Urban density residential areas should be fully served by urban infrastructure and municipal services, including paved streets, curbs, sidewalks abutting all residential lots, boulevards and public sewer and water.*
The proposed development supplies all the listed urban density residential components.
 5. *These areas should have convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.*
As noted in the Growth Policy, there is very little available land within the City of Columbia Falls for infill residential development. This proposed development is proposed for annexation and provide contiguous growth of the city. The proposed development is adjacent to US 2 and consequently has as convenient access as can be achieved without being infill development. Internal pedestrian and vehicular circulations are efficient and effectively connects the entire neighborhood.
10. Include site plans, drawings and schematics with supporting narratives where needed that include the following information:
- a. *Total acreage and present zoning classifications.*
22.55 acres, CSAG-10 and CSAG-5
 - b. *Zoning classifications of all adjoining properties.*
 - i. South: CR-3 (non-adjoining separated by US 2), CSAG-5
 - ii. West: CR-3 (opposite side of river-non adjoining)
 - iii. North: CSAG -10

iv. East: SAG-10

c. *Density of dwelling units per gross acre.*

Total site area of 22.55 acres and a total of 180 dwelling units results in a density of 7.98 dwelling units per gross acre.

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

Single family attached are 2-3 story buildings, and the two apartment buildings are three stories. Maximum height of the single-family attached and apartments will not exceed 35 feet. A one-story clubhouse with residential recreational facilities will also be provided. See **PUD Exhibits, Overall Building Heights** for location, size and a complete summary of details. A total of 23 small storage units for resident use are also being planned (see **PUD Exhibits, Site Plan**).

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

Private asphalt local streets with City approved 24-foot widths are provided for vehicular circulation. Asphalt parking is provided for the City required 2 spaced per dwelling unit. Concrete pedestrian walkways are provided throughout the development.

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

Vehicular and pedestrian circulation within the development was noted previously. Internal local street width of 24 feet is adequate for emergency access. The two vehicular access points from the development onto US 2 allow a backup emergency access point if one is blocked due to a vehicle crash or other incident. Traffic control for local streets and access onto US 2 will be designed to meet City standards.

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

Design details for development signage have not been defined yet but will not be constructed until their design has been reviewed and approved by city officials.

h. *Location and height of fencing and screening.*

There is no fencing intended except as needed to screen solid waste receptacles. Landscaping screening details are not yet designed but their design will be reviewed and approved by city officials before installation.

i. *Location and type of landscaping.*

All managed landscaping will prioritize the use of native plants. Where appropriate, we will work with professionals and local conservation groups to restore natural open spaces with native plant species to improve soil and ecosystem health. Landscaping details are not yet designed but their design will be reviewed and approved by city officials before installation. Please refer to **PUD Exhibits, Aerial** for a depiction of the intent for the mature landscaping.

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

Nearly 55% of the site is being left as open space and common areas.

- k. *Proposed schedule of completions and phasing of development, if applicable.*

As noted under Question #2, the intent is to complete development in a single phase but prepared to phase as necessary due to material and workforce availability.

- l. *Covenants, conditions, and restrictions.*

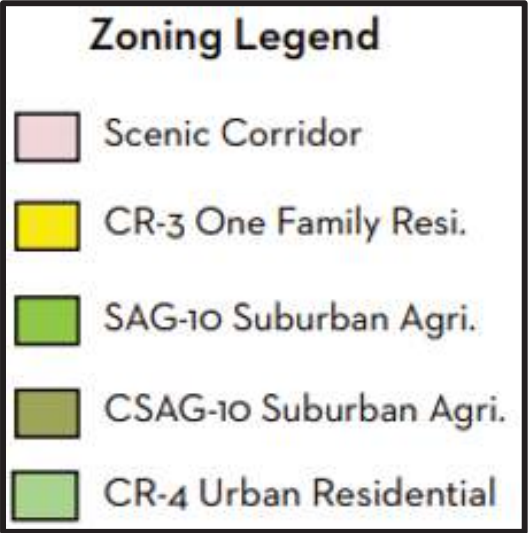
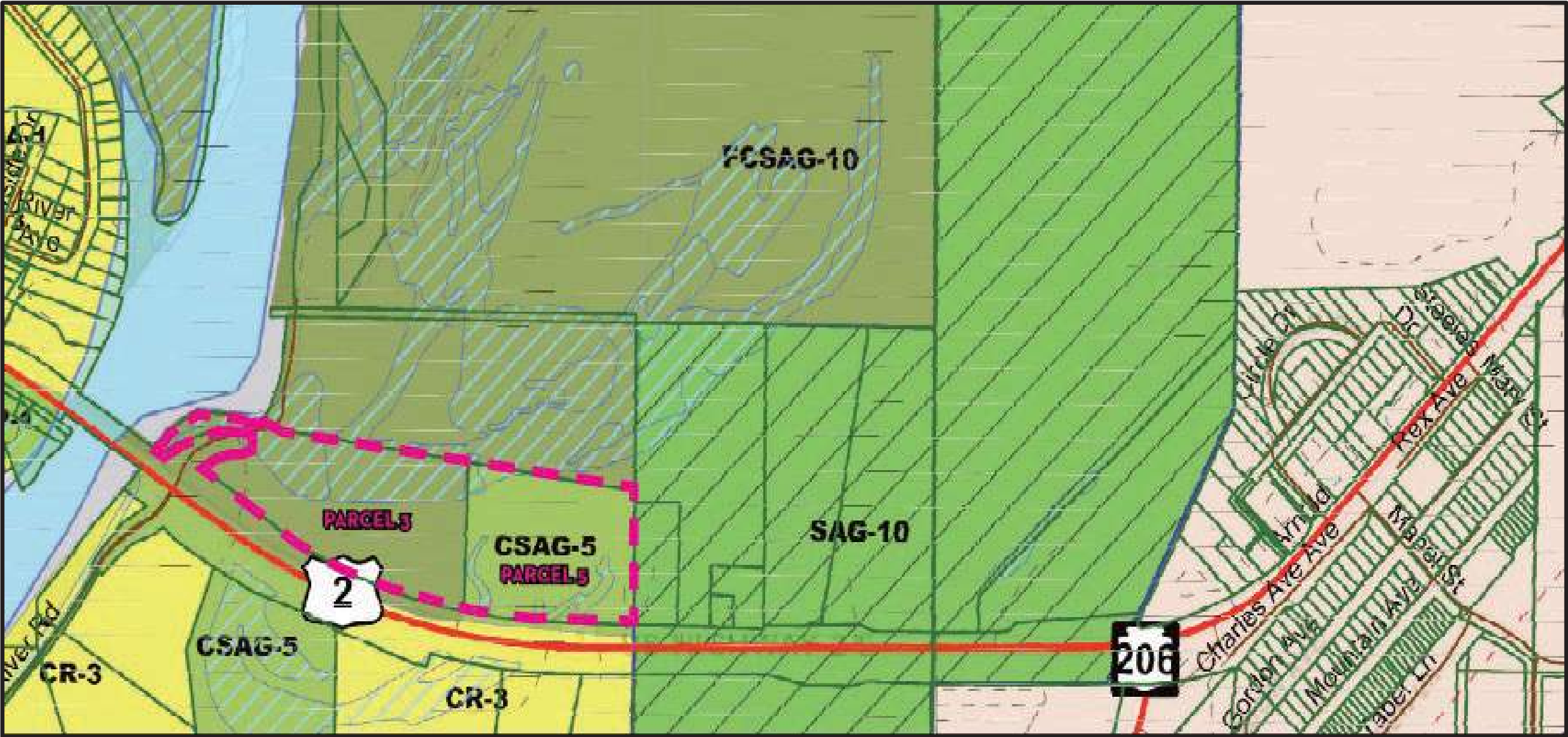
This development contains only rental housing, so no homeowners' association documents or covenants are needed.

- m. *Additional relevant information.*

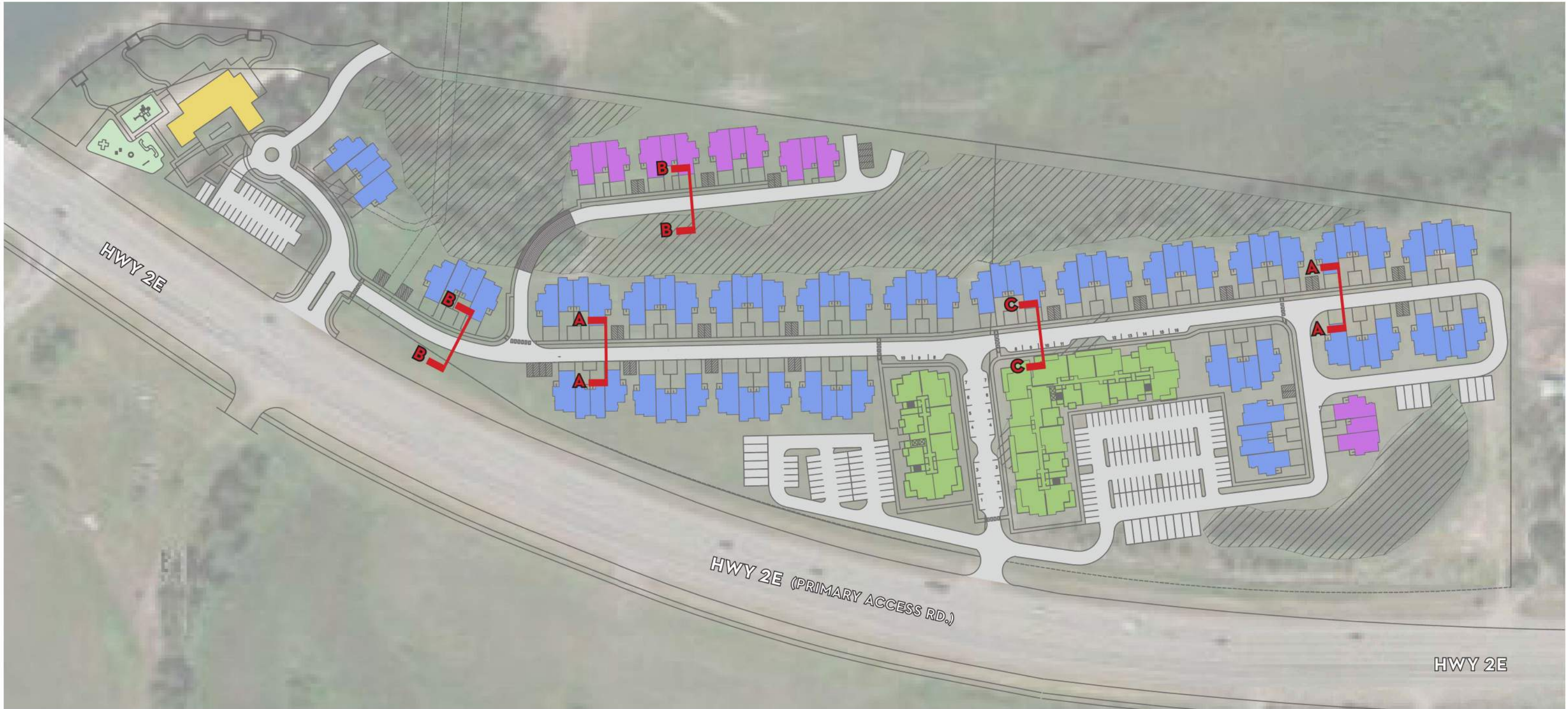
Not Applicable.

PUD Exhibits











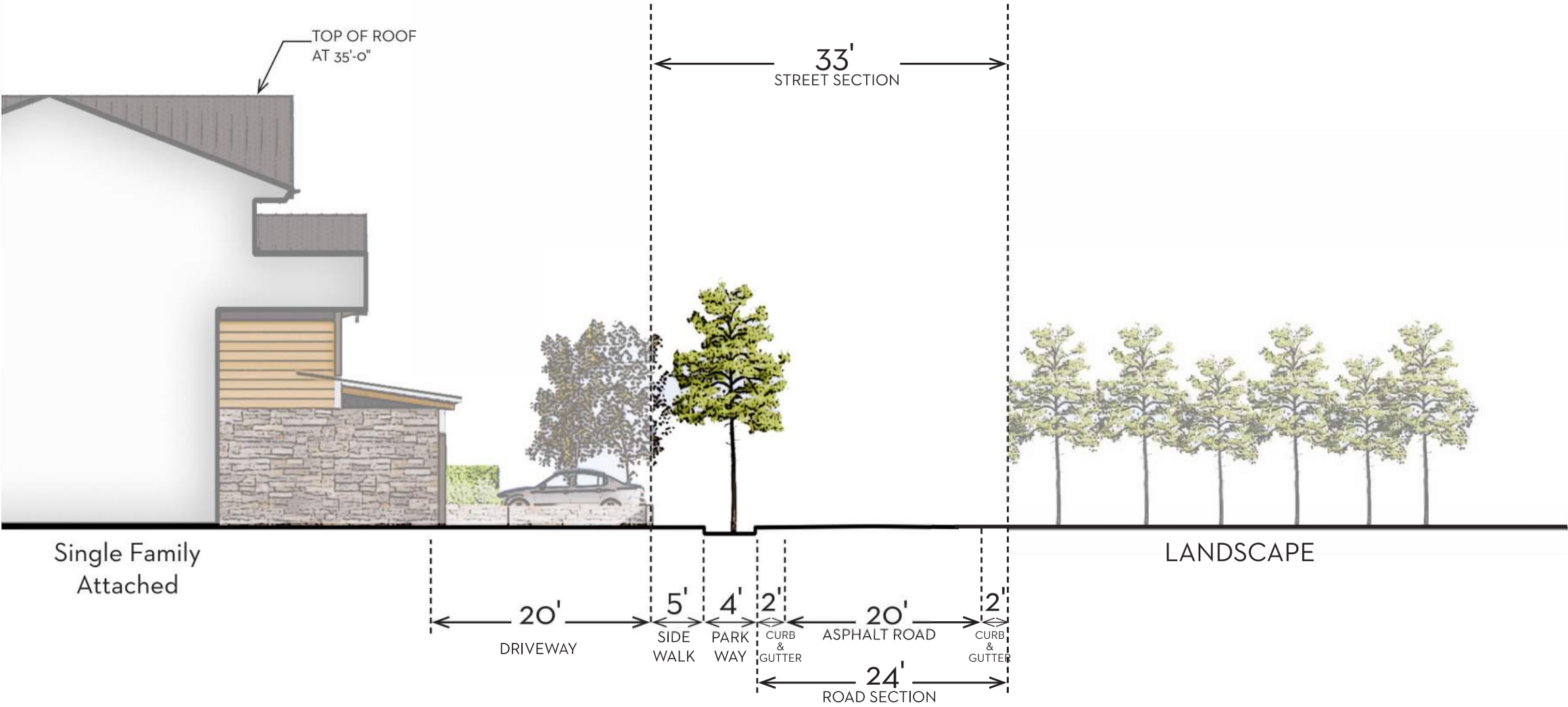
Max. Allowable Building Height 35'-00"

LEVEL 03 20'-00"

LEVEL 02 10'-00"

LEVEL 01 0'-00"

SECTION A



Max. Allowable Building Height 35'-00"

LEVEL 03 20'-00"

LEVEL 02 10'-00"

LEVEL 01 0'-00"

SECTION B



SECTION C



	UNIT TYPE	COUNT / AREA	CODE REQUIREMENT	REQUIRED SPACE COUNT	PROVIDED SPACE COUNT
SINGLE FAMILY ATTACHED					
	3 Units	5 BLDGS.	18.504.020 Two-Family Dwelling - two spaces per dwelling unit	30	
	4 Units	21 BLDGS.	18.504.020 Two-Family Dwelling - two spaces per dwelling unit	168	
			Total	198	198
APARTMENT BUILDINGS					
Apartment Building "A"					
	1-BED	6 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	12	
	2 BED	12 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	24	
	3-BED	6 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	12	
*included in parking count	HANDICAP PARKING REQUIRED (PER TABLE 208.2 OF THE 2010 ADA STANDARDS)			3	
				Total	48
Apartment Building "B"					
	1-BED	18 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	36	
	2 BED	27 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	54	
	3-BED	12 UNITS	18.504.030 Multi-Family Dwelling - two spaces per dwelling unit.	24	
*included in parking count	HANDICAP PARKING REQUIRED (PER TABLE 208.2 OF THE 2010 ADA STANDARDS)			3	
			Total	114	114
CLUBHOUSE					
		7,500 SF	6.06.040 - One space per 400 square feet of gross floor area.	19	
*included in parking count	HANDICAP PARKING REQUIRED (PER TABLE 208.2 OF THE 2010 ADA STANDARDS)			1	
			Total	19	25
ADDITIONAL GUEST PARKING					
		36	These parking spaces supplement those required by code.	0	36
			Total	0	36
GRAND TOTAL				379	421







N
1" = 150'



LEGEND

- PROPOSED FIRE HYDRANT
- PROPOSED SANITARY MANHOLE
- PROPOSED SANITARY LIFT STATION
- ★ PROPOSED STREET LIGHT STANDARD
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER MAIN
- PROPOSED STORM SEWER

UTILITY LAYOUT - PARCELS 3 & 5



PRELIMINARY - NOT FOR CONSTRUCTION



ENGINEERING, REIMAGINED

TRAFFIC IMPACT STUDY

Location Acquisitions – Parcel 3 and 5
Columbia Falls, MT

November 2022



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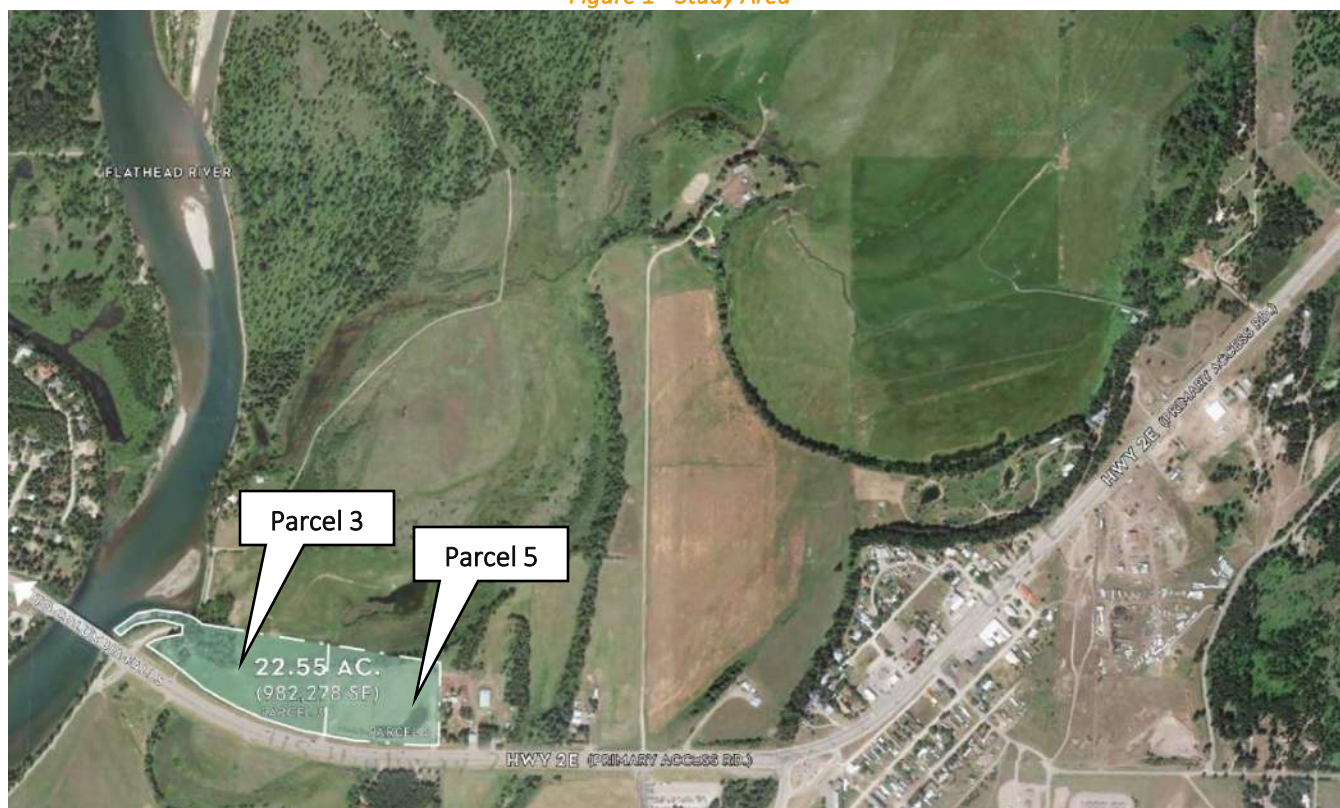
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Introduction

This study has been prepared to evaluate the traffic impacts associated with the proposed development of 22.55-acre residential development near Columbia Falls, MT. The development is located east of Flathead River and north of US 2 (**Figure 1**). The subject property is currently undeveloped. The access to the proposed development will be provided via US 2.

Figure 1 - Study Area



(Source – Montana Master Planning Studies, 2022-0519)

Objective

The objective of this traffic impact study is to identify any unique characteristics of site generated traffic, and to evaluate the overall impacts on the adjacent roadway network. Capacity analysis is presented both with and without the traffic generated by the proposed development to determine what, if any, impact this development will have on traffic operations.

Proposed Development

The proposed development will include two parcels with multifamily housing and a clubhouse. The development will provide a single access to each Parcel 3 and 5. The entrances to the proposed development will be along US 2.

The following proposed development information will be used for this Traffic Impact Study:

- » 4-Plex Multifamily Housing (72 Dwelling Units)
- » 3-Plex Multifamily Housing (33 Dwelling Units)
- » Apartment Building “A” (24 Dwelling Units)
- » Apartment Building “B” (51 Dwelling Units)

- » Clubhouse (7,500 square feet)

The proposed site layout of Parcel 3 and 5 is shown in **Figure 2**.

Figure 2 - Proposed Site Layout (Parcel 3 and 5)



(Source – Montana Master Planning Studies, 2022)

Regional Network

Regional access to the proposed site is provided by US 2 and MT Hwy 206. US 2 is a five-lane roadway with center two-way-left-turn lane (TWLTL) with a posted speed limit of 55-mph. The roadway is classified as a principal arterial. MT Hwy 206 is a two-lane roadway with a posted speed limit of 60-mph. The roadway is classified as a minor arterial.

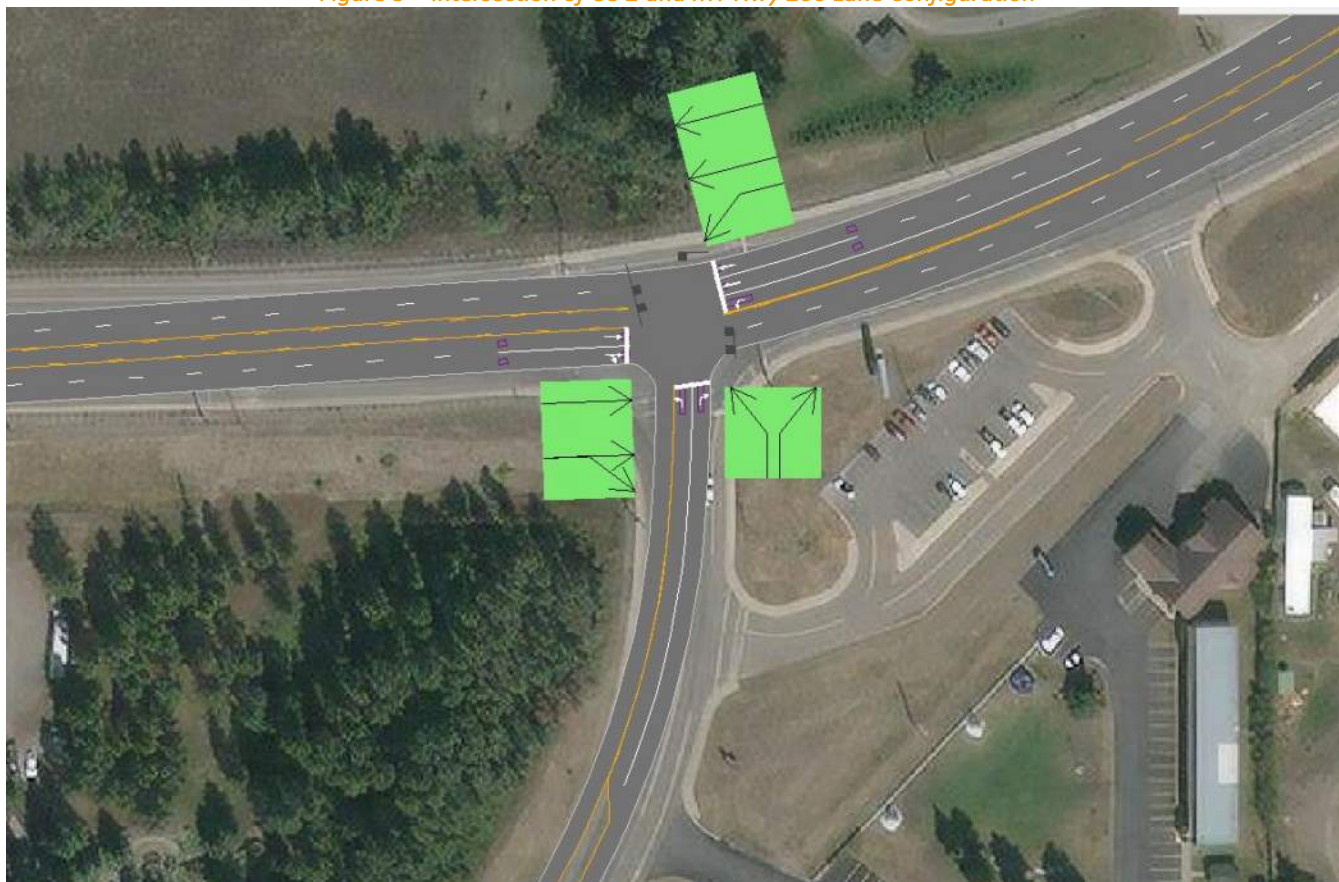
Study Intersection

The intersection of US 2 with MT Hwy 206 is expected to be impacted with the proposed development in the study area. The intersection is a three-approach intersection and currently controlled by a semi-actuated traffic signal. The signal detection is on the minor approach (MT Hwy 206). Non-detected phases are controlled on a pretimed basis. Cycle length is allowed to change by varying the detected phase lengths.

The existing lane configuration of the intersection includes:

- » Eastbound: One dedicated left turn lane with approximately 330-feet of storage lane, and two thru lanes.
- » Westbound: One thru lane, and one shared thru/right-turn lane.
- » Northbound: One left turn, and one dedicated right turn lane with approximately 330-ft of storage lane.
- » Southbound: No Southbound approach

Figure 3 – Intersection of US 2 and MT Hwy 206 Lane Configuration



(Screenshot from Synchro Software)

Existing Conditions

Traffic Volumes

The most recent traffic data was provided by Montana Department of Transportation (MDT) which was collected on Wednesday, July 21, 2021. In accordance with Montana Department of Transportation (MDT) standards, traffic volumes are typically adjusted to average-month-day conditions. The traffic volumes on Wednesdays in July are generally 36-percent higher than average-month-day conditions. No seasonal adjustment factor was used in this study to remain conservative. The daily traffic along US 2 ranges from 14,500 vehicles per day on the west and 9,000 vehicles per day on the east of MT Hwy 206. The daily traffic on MT Hwy 206 is 6,800 vehicles per day. The raw traffic volume profiles of the study intersections are included in **Appendix A**. This study focuses on the AM peak and PM peak hour traffic volumes. The AM peak hour was observed between 7:30 AM and 8:30 AM, and PM peak hour was observed between 4:45 PM and 5:45 PM. The intersection traffic volume for the AM and PM peak hours is shown in **Table 1**. Traffic Volumes are generally greater by 67% in the PM peak compared to AM Peak in the study area.

Table 1 - Existing Traffic Volumes (2022)

Peak	EB Approach (US 2)			WB Approach (US 2)			NB Approach (MT Hwy 206)		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
AM	-	425	141	87	277	-	218	-	146
PM	-	579	285	174	654	-	271	-	200

EB – Eastbound, WB – Westbound, NB – Northbound, SB - Southbound

Future Conditions

Traffic Projections

An annual growth rate of 1.5-percent was used for projecting traffic volumes in the future. The growth rate was sourced from the *Draft Columbia Falls Long Range Transportation Plan* (LRTP) published in November 2021. The proposed development is anticipated to be fully developed by Spring 2027.

The projected background traffic in the study area without the proposed developments are summarized in Table 2.

Table 2 - Projected Background Traffic (Horizon Year - 2027)

Peak	EB Approach (US 2)			WB Approach (US 2)			NB Approach (MT Hwy 206)		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
AM	-	458	152	94	299	-	235	-	158
PM	-	624	308	188	705	-	292	-	216

EB – Eastbound, WB – Westbound, NB – Northbound, SB - Southbound

Trip Generation

To account for the trips generated by the proposed development, *ITE Trip Generation Manual*, 11th Edition was utilized to calculate trips generated based on the land use characteristics that most closely fit the proposed development. ITE Land Use Code 220 – Low-rise Multifamily Housing was used. This land use is applicable for apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have two or three floors (levels). This land use does not include facilities located on a resort-corridor facility such as the “Strip” in Las Vegas, Nevada. For each land use, the number of vehicular trips the development will generate during the following time periods were calculated for weekday AM and PM peak.

The estimated trips generated by the proposed development are summarized in Table 3. The proposed development is expected to generate 1213, 85, and 103 trips in the Daily, AM peak and PM peak respectively.

Table 3 - Projected Trip Generation

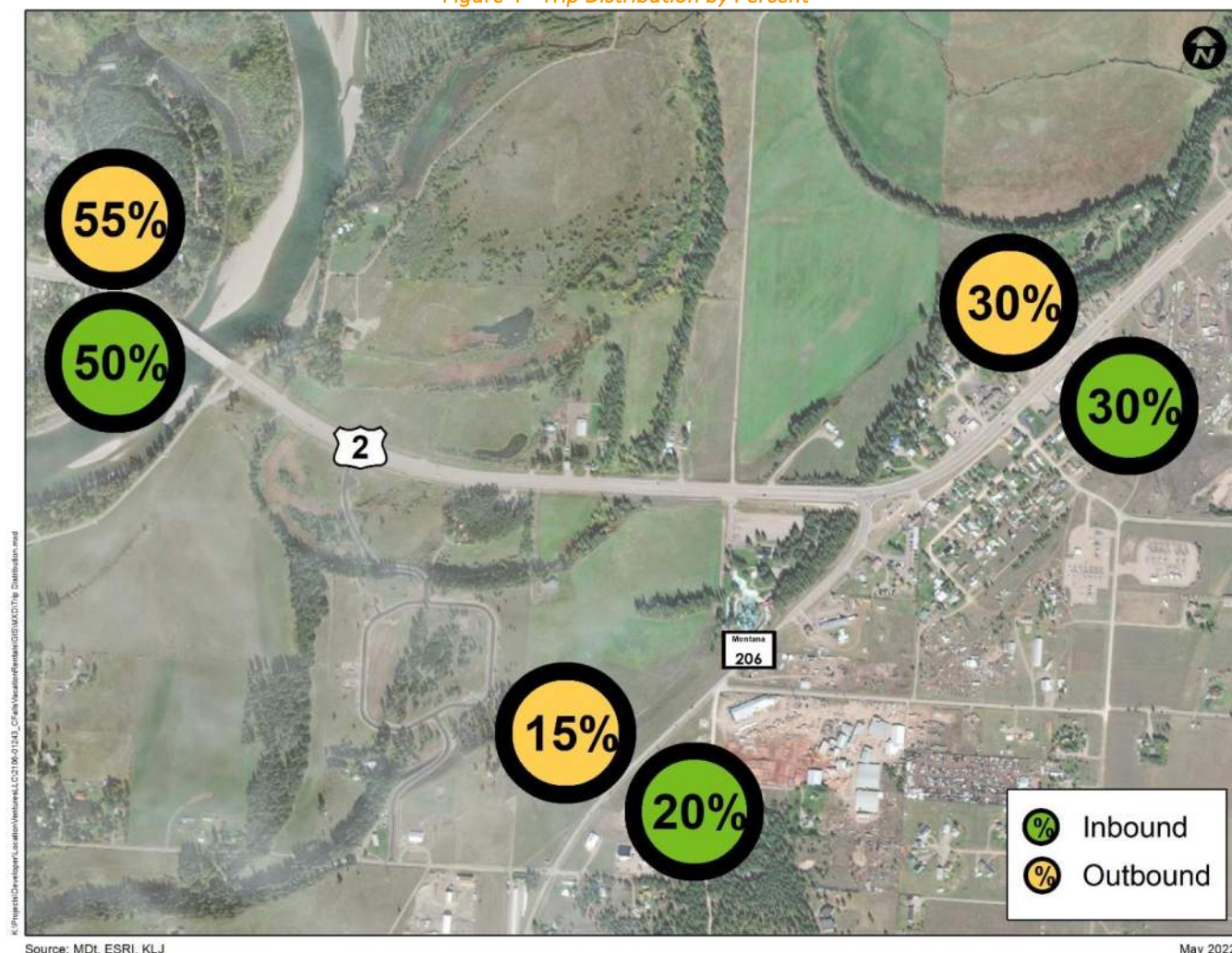
Development Type	Units	#	Daily		AM Peak		PM Peak	
			Entering	Exiting	Entering	Exiting	Entering	Exiting
Type A Building (4-Plex)	DU	72	242	243	8	26	25	16
Type B Building (3-Plex)	DU	33	111	111	4	12	12	7
Apartment A (3-floors)	DU	24	81	81	2	9	8	6
Apartment B (3-floors)	DU	51	172	172	6	18	18	11
Total	DU	180	606	607	20	65	63	40
			1,213		85		103	

It is anticipated that the clubhouse will only be utilized by residents within the proposed development and will not be opened to the public, therefore no additional generated trips for the clubhouse is proposed.

Trip Distribution and Assignment

The origins and destinations of site-generated traffic were estimated based on prevailing travel patterns, and trips being assigned to the roadway network using engineering judgement, estimating the most ideal and reasonable routes between origins and destinations, and illustrated in **Figure 4**.

Figure 4 - Trip Distribution by Percent



The peak hour trips generated by the proposed development are summarized in **Table 4**.

Table 4 - Projected Development Trip Distribution

Peak	EB Approach (US 2)			WB Approach (US 2)			NB Approach (MT Hwy 206)		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
AM	-	20	10	0	6	-	4	-	0
PM	-	12	6	0	19	-	13	-	0

EB – Eastbound, WB – Westbound, NB – Northbound, SB - Southbound

The projected traffic volumes at the study intersection after the completion of proposed development are summarized in **Table 5**.

Table 5 - Projected 2027 Traffic Volume after completion of Proposed Development

Peak	EB Approach (US 2)			WB Approach (US 2)			NB Approach (MT Hwy 206)		
	Left	Thru	Right	Left	Thru	Right	Left	Thru	Right
AM	-	478	162	94	305	-	239	-	158
PM	-	636	314	188	724	-	305	-	216

EB – Eastbound, WB – Westbound, NB – Northbound, SB - Southbound

Traffic Operations Analysis

Traffic Operations Methodology

The traffic conditions in the network will be impacted by the proposed development. Traffic operational analysis results are described as a Level of Service (LOS) ranging from "A to F" with "A" operating with the least delay and "F" indicating a breakdown in operations. LOS is determined based on methodology in the Highway Capacity Manual (HCM), which defines the LOS based on control delay. LOS "E" or worse is considered poor or unacceptable, in accordance with the MDT standards. The LOS and its associated intersection delay for signalized intersections as defined by HCM is shown in **Table 6**.

Table 6 - Intersection Delay and LOS Thresholds

LOS	Control Delay Per Vehicle (sec.)
	Signalized Intersection
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

For signalized intersections, the LOS is based on the average stopped delay per vehicle. The procedures used to evaluate signalized intersections use detailed information on geometry, lane use, signal timing, peak hour volumes, arrival types, and other parameters. This information is then used to calculate delay and determine the capacity of each intersection.

Traffic Models

Traffic operations analysis was completed using Synchro V10 software, which included geometry such as number of lanes, storage lengths, link distances, speed limits, traffic volumes, and existing signal timing plan. The results of the synchro analysis are displayed as measures of effectiveness (MOE). The primary MOEs that are used in the study are delay and level of service (LOS).

The following scenarios were modeled for the AM and PM peak periods:

1. 2027 No-Build – "No-Build" refers to the conditions without the proposed development scenario. This option includes no geometric improvements at the US 2/MT Hwy 206 intersection, and the existing traffic counts projected to the 2027 traffic volumes.
2. 2027 Build – "Build" refers to conditions with the proposed development scenario. This option includes no geometric improvements at the US 2/MT Hwy 206. The trips generated by the proposed development were included in the build scenario traffic volumes.

Traffic Operation Results

The traffic operation results for two scenarios are illustrated in **Table 7**. For detailed synchro results, refer to Appendix B.

Table 7 –Traffic Operation Results (2027)

Scenario	AM Peak				PM Peak			
	EB	WB	NB	Int	EB	WB	NB	Int
No Build	A	A	B	B	B	B	C	B
Build	A	A	B	B	B	C	C	B

EB – Eastbound, WB – Westbound, NB – Northbound, SB - Southbound

The intersection of US 2 and MT Hwy 206 is expected to operate with acceptable delay and LOS in 2027 with the intersection operating no worse than LOS B in the peak hours under No-Build and Build scenarios. The Westbound approach LOS is expected to drop by a letter grade from LOS B under No-Build conditions to LOS C under Build conditions.

Turn Lane Warrants

The MDT has established guidelines for the consideration of turn-lanes at intersections. Turn lane needs at the proposed accesses via US 2 were analyzed according to MDT turn lanes guidance. The projected No-Build and Build volumes do not recommend dedicated turn lanes at the two accesses.

Summary

This study has been prepared to evaluate the traffic impacts associated with the proposed development of 22.55-acre residential development near Columbia Falls, MT. The study investigated the No-Build and Build traffic operations in the transportation network near the proposed development. The following are the key summary of the study:

Trip Generation

The proposed development is projected to generate 1213, 85, and 103 trips in the Daily, AM peak and PM peak respectively.

Traffic Operations

The study intersection operates with acceptable intersection delay and LOS in the No-Build and Build conditions.

Turn Lane Warrants

The projected No-Build and Build volumes do not recommend dedicated turn lanes at the two accesses via US 2.

APPENDIX A – RAW TRAFFIC VOLUMES

Montana Department of Transportation
2701 Prospect

Helena, Montana, United States 59620
406-444-9417 mdttdca@mt.gov

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 1

Turning Movement Data

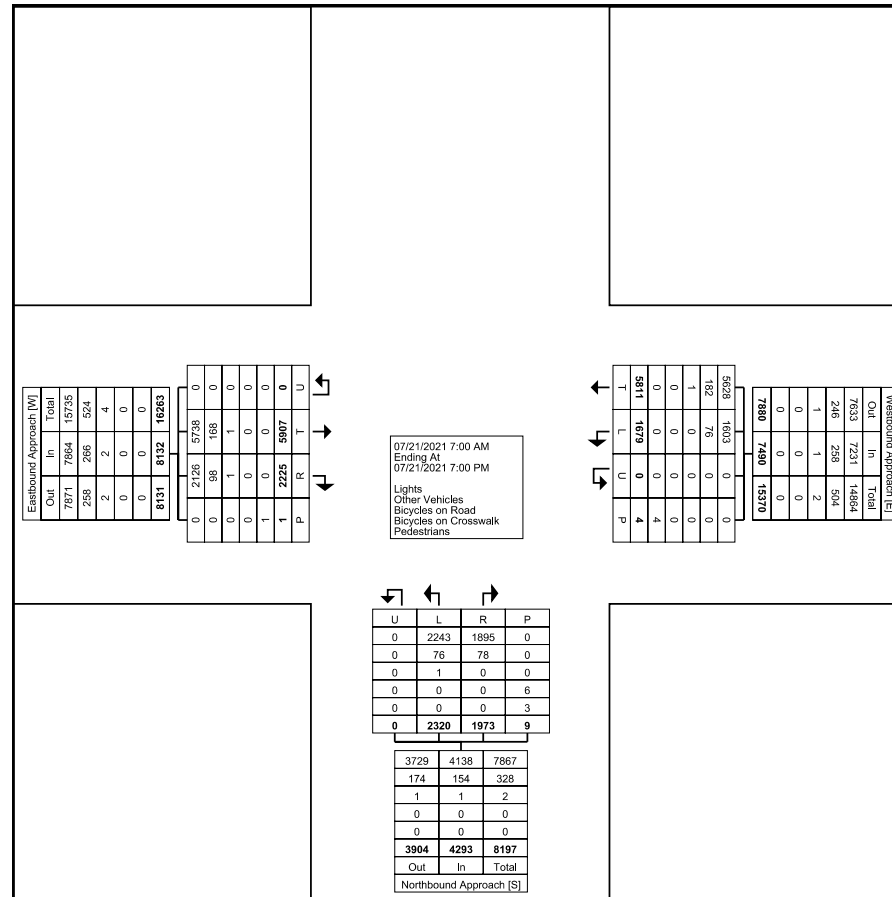
Start Time	Westbound Approach					Northbound Approach					Eastbound Approach					Int. Total
	Westbound					Northbound					Eastbound					
	Thru	Left	U-Turn	Peds	App. Total	Right	Left	U-Turn	Peds	App. Total	Right	Thru	U-Turn	Peds	App. Total	
7:00 AM	54	16	0	0	70	33	38	0	0	71	22	80	0	0	102	243
7:15 AM	63	25	0	0	88	36	38	0	0	74	31	89	0	0	120	282
7:30 AM	86	19	0	0	105	34	60	0	0	94	35	106	0	0	141	340
7:45 AM	62	17	0	0	79	39	63	0	0	102	43	116	0	0	159	340
Hourly Total	265	77	0	0	342	142	199	0	0	341	131	391	0	0	522	1205
8:00 AM	54	19	0	0	73	37	48	0	0	85	30	95	0	0	125	283
8:15 AM	75	32	0	0	107	36	47	0	1	83	33	108	0	0	141	331
8:30 AM	63	29	0	0	92	48	45	0	0	93	27	116	0	0	143	328
8:45 AM	81	22	0	0	103	47	51	0	0	98	32	109	0	0	141	342
Hourly Total	273	102	0	0	375	168	191	0	1	359	122	428	0	0	550	1284
9:00 AM	72	24	0	0	96	37	42	0	0	79	45	118	0	0	163	338
9:15 AM	81	26	0	0	107	36	44	0	1	80	38	131	0	0	169	356
9:30 AM	80	33	0	0	113	48	39	0	0	87	32	119	0	0	151	351
9:45 AM	85	39	0	0	124	45	37	0	1	82	36	136	0	0	172	378
Hourly Total	318	122	0	0	440	166	162	0	2	328	151	504	0	0	655	1423
10:00 AM	116	36	0	0	152	48	41	0	1	89	35	122	0	0	157	398
10:15 AM	93	38	0	0	131	36	50	0	0	86	43	130	0	0	173	390
10:30 AM	95	32	0	0	127	41	48	0	1	89	43	141	0	0	184	400
10:45 AM	117	36	0	1	153	46	51	0	0	97	40	126	0	0	166	416
Hourly Total	421	142	0	1	563	171	190	0	2	361	161	519	0	0	680	1604
11:00 AM	117	28	0	0	145	48	49	0	0	97	47	133	0	0	180	422
11:15 AM	84	25	0	0	109	42	54	0	0	96	47	109	0	0	156	361
11:30 AM	99	26	0	0	125	48	50	0	0	98	39	126	0	0	165	388
11:45 AM	123	30	0	0	153	54	48	0	2	102	49	119	0	0	168	423
Hourly Total	423	109	0	0	532	192	201	0	2	393	182	487	0	0	669	1594
12:00 PM	121	32	0	0	153	38	44	0	0	82	52	118	0	0	170	405
12:15 PM	90	28	0	0	118	42	52	0	0	94	58	128	0	0	186	398
12:30 PM	117	29	0	0	146	40	40	0	0	80	36	118	0	0	154	380
12:45 PM	141	35	0	0	176	33	35	0	0	68	42	139	0	0	181	425
Hourly Total	469	124	0	0	593	153	171	0	0	324	188	503	0	0	691	1608
1:00 PM	149	51	0	2	200	43	42	0	0	85	49	150	0	0	199	484
1:15 PM	137	47	0	0	184	35	51	0	0	86	42	114	0	0	156	426
1:30 PM	111	30	0	0	141	54	39	0	0	93	35	121	0	0	156	390
1:45 PM	148	37	0	0	185	25	40	0	0	65	47	115	0	0	162	412
Hourly Total	545	165	0	2	710	157	172	0	0	329	173	500	0	0	673	1712
2:00 PM	115	33	0	0	148	29	41	0	0	70	53	119	0	0	172	390
2:15 PM	158	45	0	0	203	28	47	0	0	75	47	132	0	0	179	457
2:30 PM	160	32	0	0	192	38	31	0	0	69	55	130	0	0	185	446
2:45 PM	115	30	0	0	145	41	51	0	0	92	42	113	0	0	155	392

Hourly Total	548	140	0	0	688	136	170	0	0	306	197	494	0	0	691	1685
3:00 PM	118	40	0	0	158	49	58	0	0	107	44	141	0	0	185	450
3:15 PM	182	61	0	0	243	34	43	0	0	77	51	122	0	0	173	493
3:30 PM	155	27	0	1	182	29	58	0	1	87	48	130	0	0	178	447
3:45 PM	163	44	0	0	207	49	55	0	0	104	55	141	0	0	196	507
Hourly Total	618	172	0	1	790	161	214	0	1	375	198	534	0	0	732	1897
4:00 PM	137	43	0	0	180	51	62	0	0	113	53	113	0	0	166	459
4:15 PM	170	39	0	0	209	59	51	0	0	110	63	132	0	0	195	514
4:30 PM	151	45	0	0	196	48	63	0	0	111	53	135	0	0	188	495
4:45 PM	187	33	0	0	220	54	62	0	0	116	73	155	0	1	228	564
Hourly Total	645	160	0	0	805	212	238	0	0	450	242	535	0	1	777	2032
5:00 PM	139	46	0	0	185	52	71	0	0	123	83	143	0	0	226	534
5:15 PM	172	50	0	0	222	47	66	0	0	113	66	146	0	0	212	547
5:30 PM	156	45	0	0	201	47	72	0	0	119	63	135	0	0	198	518
5:45 PM	187	49	0	0	236	47	53	0	0	100	60	147	0	0	207	543
Hourly Total	654	190	0	0	844	193	262	0	0	455	272	571	0	0	843	2142
6:00 PM	164	54	0	0	218	31	37	0	0	68	61	100	0	0	161	447
6:15 PM	182	45	0	0	227	38	32	0	1	70	57	130	0	0	187	484
6:30 PM	154	41	0	0	195	35	42	0	0	77	53	106	0	0	159	431
6:45 PM	132	36	0	0	168	18	39	0	0	57	37	105	0	0	142	367
Hourly Total	632	176	0	0	808	122	150	0	1	272	208	441	0	0	649	1729
Grand Total	5811	1679	0	4	7490	1973	2320	0	9	4293	2225	5907	0	1	8132	19915
Approach %	77.6	22.4	0.0	-	-	46.0	54.0	0.0	-	-	27.4	72.6	0.0	-	-	-
Total %	29.2	8.4	0.0	-	37.6	9.9	11.6	0.0	-	21.6	11.2	29.7	0.0	-	40.8	-
Lights	5628	1603	0	-	7231	1895	2243	0	-	4138	2126	5738	0	-	7864	19233
% Lights	96.9	95.5	-	-	96.5	96.0	96.7	-	-	96.4	95.6	97.1	-	-	96.7	96.6
Other Vehicles	182	76	0	-	258	78	76	0	-	154	98	168	0	-	266	678
% Other Vehicles	3.1	4.5	-	-	3.4	4.0	3.3	-	-	3.6	4.4	2.8	-	-	3.3	3.4
Bicycles on Road	1	0	0	-	1	0	1	0	-	1	1	1	0	-	2	4
% Bicycles on Road	0.0	0.0	-	-	0.0	0.0	0.0	-	-	0.0	0.0	0.0	-	-	0.0	0.0
Bicycles on Crosswalk	-	-	-	0	-	-	-	-	6	-	-	-	-	0	-	-
% Bicycles on Crosswalk	-	-	-	0.0	-	-	-	-	66.7	-	-	-	-	0.0	-	-
Pedestrians	-	-	-	4	-	-	-	-	3	-	-	-	-	1	-	-
% Pedestrians	-	-	-	100.0	-	-	-	-	33.3	-	-	-	-	100.0	-	-

Montana Department of Transportation
2701 Prospect

Helena, Montana, United States 59620
406-444-9417 mdttdca@mt.gov

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 3



Turning Movement Data Plot

Montana Department of Transportation
2701 Prospect

Helena, Montana, United States 59620
406-444-9417 mdttdca@mt.gov

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 4

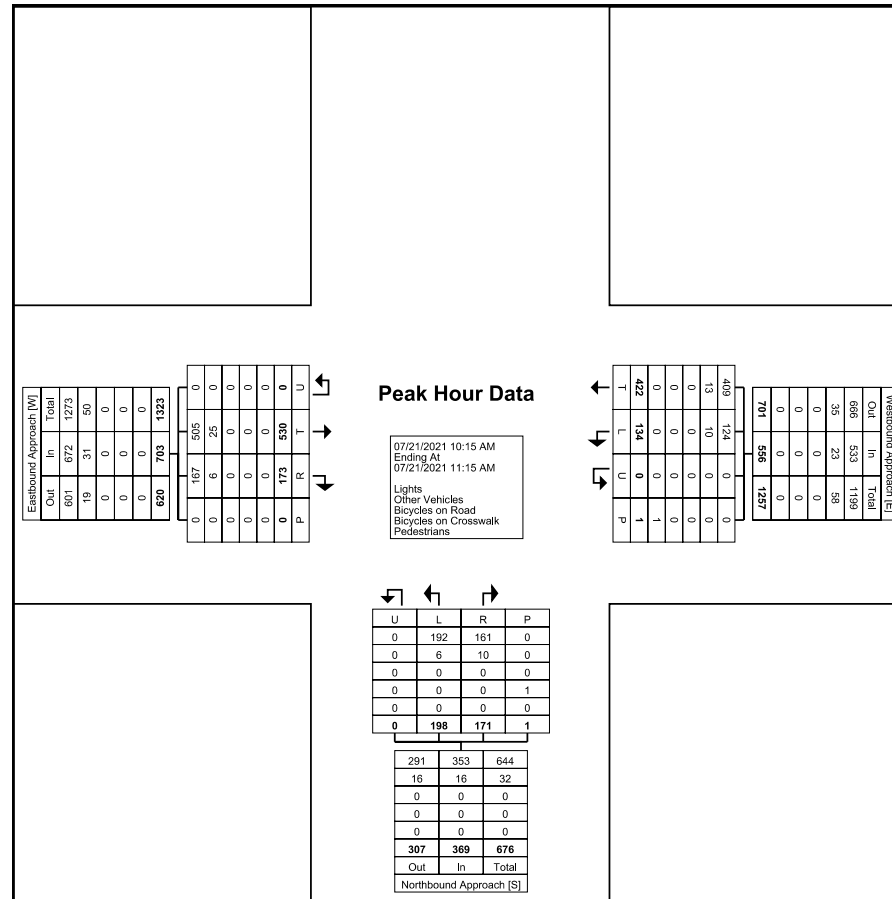
Turning Movement Peak Hour Data (10:15 AM)

Start Time	Westbound Approach					Northbound Approach					Eastbound Approach					Int. Total
	Thru	Left	U-Turn	Peds	App. Total	Right	Left	U-Turn	Peds	App. Total	Right	Thru	U-Turn	Peds	App. Total	
10:15 AM	93	38	0	0	131	36	50	0	0	86	43	130	0	0	173	390
10:30 AM	95	32	0	0	127	41	48	0	1	89	43	141	0	0	184	400
10:45 AM	117	36	0	1	153	46	51	0	0	97	40	126	0	0	166	416
11:00 AM	117	28	0	0	145	48	49	0	0	97	47	133	0	0	180	422
Total	422	134	0	1	556	171	198	0	1	369	173	530	0	0	703	1628
Approach %	75.9	24.1	0.0	-	-	46.3	53.7	0.0	-	-	24.6	75.4	0.0	-	-	-
Total %	25.9	8.2	0.0	-	34.2	10.5	12.2	0.0	-	22.7	10.6	32.6	0.0	-	43.2	-
PHF	0.902	0.882	0.000	-	0.908	0.891	0.971	0.000	-	0.951	0.920	0.940	0.000	-	0.955	0.964
Lights	409	124	0	-	533	161	192	0	-	353	167	505	0	-	672	1558
% Lights	96.9	92.5	-	-	95.9	94.2	97.0	-	-	95.7	96.5	95.3	-	-	95.6	95.7
Other Vehicles	13	10	0	-	23	10	6	0	-	16	6	25	0	-	31	70
% Other Vehicles	3.1	7.5	-	-	4.1	5.8	3.0	-	-	4.3	3.5	4.7	-	-	4.4	4.3
Bicycles on Road	0	0	0	-	0	0	0	0	-	0	0	0	0	-	0	0
% Bicycles on Road	0.0	0.0	-	-	0.0	0.0	0.0	-	-	0.0	0.0	0.0	-	-	0.0	0.0
Bicycles on Crosswalk	-	-	-	0	-	-	-	-	1	-	-	-	-	0	-	-
% Bicycles on Crosswalk	-	-	-	0.0	-	-	-	-	100.0	-	-	-	-	-	-	-
Pedestrians	-	-	-	1	-	-	-	-	0	-	-	-	-	0	-	-
% Pedestrians	-	-	-	100.0	-	-	-	-	0.0	-	-	-	-	-	-	-

Montana Department of Transportation
2701 Prospect

Helena, Montana, United States 59620
406-444-9417 mdttdca@mt.gov

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 5



Turning Movement Peak Hour Data Plot (10:15 AM)

Montana Department of Transportation
2701 Prospect

Helena, Montana, United States 59620
406-444-9417 mdttdca@mt.gov

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 6

Turning Movement Peak Hour Data (4:45 PM)

Start Time	Westbound Approach					Northbound Approach					Eastbound Approach					Int. Total
	Thru	Left	U-Turn	Peds	App. Total	Right	Left	U-Turn	Peds	App. Total	Right	Thru	U-Turn	Peds	App. Total	
4:45 PM	187	33	0	0	220	54	62	0	0	116	73	155	0	1	228	564
5:00 PM	139	46	0	0	185	52	71	0	0	123	83	143	0	0	226	534
5:15 PM	172	50	0	0	222	47	66	0	0	113	66	146	0	0	212	547
5:30 PM	156	45	0	0	201	47	72	0	0	119	63	135	0	0	198	518
Total	654	174	0	0	828	200	271	0	0	471	285	579	0	1	864	2163
Approach %	79.0	21.0	0.0	-	-	42.5	57.5	0.0	-	-	33.0	67.0	0.0	-	-	-
Total %	30.2	8.0	0.0	-	38.3	9.2	12.5	0.0	-	21.8	13.2	26.8	0.0	-	39.9	-
PHF	0.874	0.870	0.000	-	0.932	0.926	0.941	0.000	-	0.957	0.858	0.934	0.000	-	0.947	0.959
Lights	642	169	0	-	811	195	266	0	-	461	276	572	0	-	848	2120
% Lights	98.2	97.1	-	-	97.9	97.5	98.2	-	-	97.9	96.8	98.8	-	-	98.1	98.0
Other Vehicles	11	5	0	-	16	5	5	0	-	10	9	7	0	-	16	42
% Other Vehicles	1.7	2.9	-	-	1.9	2.5	1.8	-	-	2.1	3.2	1.2	-	-	1.9	1.9
Bicycles on Road	1	0	0	-	1	0	0	0	-	0	0	0	0	-	0	1
% Bicycles on Road	0.2	0.0	-	-	0.1	0.0	0.0	-	-	0.0	0.0	0.0	-	-	0.0	0.0
Bicycles on Crosswalk	-	-	-	0	-	-	-	-	0	-	-	-	-	0	-	-
% Bicycles on Crosswalk	-	-	-	-	-	-	-	-	-	-	-	-	-	0.0	-	-
Pedestrians	-	-	-	0	-	-	-	-	0	-	-	-	-	1	-	-
% Pedestrians	-	-	-	-	-	-	-	-	-	-	-	-	-	100.0	-	-

Count Name: US 2 & S206
Site Code:
Start Date: 07/21/2021
Page No: 7



APPENDIX B – NO BUILD TRAFFIC OPERATIONS REPORT (SYNCHRO)

11/16/2022

2027 No Build - AM Peak

1: MT-206 & US-2

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↘	↑↑	↘	↗
Traffic Volume (vph)	458	152	94	299	235	158
Future Volume (vph)	458	152	94	299	235	158
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)		0	270		265	0
Storage Lanes		0	1		1	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt	0.963					0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3079	0	1599	3197	1599	1430
Flt Permitted			0.411		0.950	
Satd. Flow (perm)	3079	0	692	3197	1599	1430
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)	69					165
Link Speed (mph)	55			55	25	
Link Distance (ft)	5222			1115	883	
Travel Time (s)	64.7			13.8	24.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	4%	4%	4%	4%	4%
Adj. Flow (vph)	477	158	98	311	245	165
Shared Lane Traffic (%)						
Lane Group Flow (vph)	635	0	98	311	245	165
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)		9	15		15	9
Number of Detectors	2		1	2	1	1
Detector Template	Thru		Left	Thru	Left	Right
Leading Detector (ft)	100		20	100	20	20
Trailing Detector (ft)	0		0	0	0	0
Detector 1 Position(ft)	0		0	0	0	0
Detector 1 Size(ft)	6		20	6	20	20
Detector 1 Type	Cl+Ex		Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel						
Detector 1 Extend (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0		0.0	0.0	0.0	0.0
Detector 2 Position(ft)	94			94		
Detector 2 Size(ft)	6			6		
Detector 2 Type	Cl+Ex			Cl+Ex		
Detector 2 Channel						
Detector 2 Extend (s)	0.0			0.0		
Turn Type	NA		Perm	NA	Prot	Perm
Protected Phases	2			6	4	

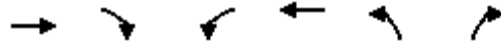
Existing 4:45 pm 07/11/2014 Existing
S. Karjala

Synchro 10 Report
Page 1

11/16/2022

2027 No Build - AM Peak

1: MT-206 & US-2

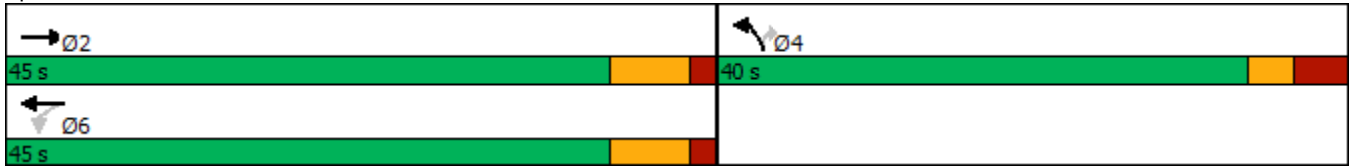


Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Permitted Phases			6			4
Detector Phase	2		6	6	4	4
Switch Phase						
Minimum Initial (s)	30.0		30.0	30.0	6.0	6.0
Minimum Split (s)	36.8		36.8	36.8	33.5	33.5
Total Split (s)	45.0		45.0	45.0	40.0	40.0
Total Split (%)	52.9%		52.9%	52.9%	47.1%	47.1%
Maximum Green (s)	38.2		38.2	38.2	33.5	33.5
Yellow Time (s)	5.0		5.0	5.0	3.0	3.0
All-Red Time (s)	1.8		1.8	1.8	3.5	3.5
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	0.0
Total Lost Time (s)	6.8		6.8	6.8	6.5	6.5
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0		3.0	3.0	3.0	3.0
Recall Mode	Min		Min	Min	None	None
Walk Time (s)	7.0		7.0	7.0	7.0	7.0
Flash Dont Walk (s)	22.0		22.0	22.0	20.0	20.0
Pedestrian Calls (#/hr)	0		0	0	0	0
Act Effct Green (s)	30.1		30.1	30.1	13.8	13.8
Actuated g/C Ratio	0.53		0.53	0.53	0.24	0.24
v/c Ratio	0.38		0.27	0.19	0.64	0.35
Control Delay	8.5		11.3	8.2	27.4	5.7
Queue Delay	0.0		0.0	0.0	0.0	0.0
Total Delay	8.5		11.3	8.2	27.4	5.7
LOS	A		B	A	C	A
Approach Delay	8.5			9.0	18.6	
Approach LOS	A			A	B	
Queue Length 50th (ft)	53		17	26	75	0
Queue Length 95th (ft)	104		52	55	137	36
Internal Link Dist (ft)	5142			1035	803	
Turn Bay Length (ft)			270		265	
Base Capacity (vph)	2084		463	2141	938	907
Starvation Cap Reductn	0		0	0	0	0
Spillback Cap Reductn	0		0	0	0	0
Storage Cap Reductn	0		0	0	0	0
Reduced v/c Ratio	0.30		0.21	0.15	0.26	0.18
Intersection Summary						
Area Type:	Other					
Cycle Length: 85						
Actuated Cycle Length: 57.3						
Natural Cycle: 75						
Control Type: Semi Act-Uncoord						
Maximum v/c Ratio: 0.64						
Intersection Signal Delay: 11.5				Intersection LOS: B		
Intersection Capacity Utilization 80.9%				ICU Level of Service D		
Analysis Period (min) 15						

2027 No Build - AM Peak
 1: MT-206 & US-2

11/16/2022

Splits and Phases: 1: MT-206 & US-2



11/16/2022

2027 No Build -PM Peak

1: MT-206 & US-2

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↘	↑↑	↘	↗
Traffic Volume (vph)	624	308	188	705	292	216
Future Volume (vph)	624	308	188	705	292	216
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)		0	270		265	0
Storage Lanes		0	1		1	1
Taper Length (ft)			50		50	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt	0.950					0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3037	0	1599	3197	1599	1430
Flt Permitted			0.251		0.950	
Satd. Flow (perm)	3037	0	422	3197	1599	1430
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)	130					163
Link Speed (mph)	55			55	25	
Link Distance (ft)	5222			1115	883	
Travel Time (s)	64.7			13.8	24.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	4%	4%	4%	4%	4%
Adj. Flow (vph)	650	321	196	734	304	225
Shared Lane Traffic (%)						
Lane Group Flow (vph)	971	0	196	734	304	225
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)		9	15		15	9
Number of Detectors	2		1	2	1	1
Detector Template	Thru		Left	Thru	Left	Right
Leading Detector (ft)	100		20	100	20	20
Trailing Detector (ft)	0		0	0	0	0
Detector 1 Position(ft)	0		0	0	0	0
Detector 1 Size(ft)	6		20	6	20	20
Detector 1 Type	Cl+Ex		Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel						
Detector 1 Extend (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0		0.0	0.0	0.0	0.0
Detector 2 Position(ft)	94			94		
Detector 2 Size(ft)	6			6		
Detector 2 Type	Cl+Ex			Cl+Ex		
Detector 2 Channel						
Detector 2 Extend (s)	0.0			0.0		
Turn Type	NA		Perm	NA	Prot	Perm
Protected Phases	2			6	4	

Existing 4:45 pm 07/11/2014 Existing
S. Karjala

Synchro 10 Report
Page 1

11/16/2022

2027 No Build -PM Peak
1: MT-206 & US-2

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Permitted Phases			6			4
Detector Phase	2		6	6	4	4
Switch Phase						
Minimum Initial (s)	30.0		30.0	30.0	6.0	6.0
Minimum Split (s)	36.8		36.8	36.8	33.5	33.5
Total Split (s)	45.0		45.0	45.0	40.0	40.0
Total Split (%)	52.9%		52.9%	52.9%	47.1%	47.1%
Maximum Green (s)	38.2		38.2	38.2	33.5	33.5
Yellow Time (s)	5.0		5.0	5.0	3.0	3.0
All-Red Time (s)	1.8		1.8	1.8	3.5	3.5
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	0.0
Total Lost Time (s)	6.8		6.8	6.8	6.5	6.5
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0		3.0	3.0	3.0	3.0
Recall Mode	Min		Min	Min	None	None
Walk Time (s)	7.0		7.0	7.0	7.0	7.0
Flash Dont Walk (s)	22.0		22.0	22.0	20.0	20.0
Pedestrian Calls (#/hr)	0		0	0	0	0
Act Effct Green (s)	38.4		38.4	38.4	18.4	18.4
Actuated g/C Ratio	0.55		0.55	0.55	0.26	0.26
v/c Ratio	0.56		0.85	0.42	0.73	0.45
Control Delay	11.3		51.9	11.2	33.9	9.7
Queue Delay	0.0		0.0	0.0	0.0	0.0
Total Delay	11.3		51.9	11.2	33.9	9.7
LOS	B		D	B	C	A
Approach Delay	11.3			19.8	23.6	
Approach LOS	B			B	C	
Queue Length 50th (ft)	110		65	88	119	21
Queue Length 95th (ft)	215		#223	167	197	71
Internal Link Dist (ft)	5142			1035	803	
Turn Bay Length (ft)			270		265	
Base Capacity (vph)	1720		231	1749	767	771
Starvation Cap Reductn	0		0	0	0	0
Spillback Cap Reductn	0		0	0	0	0
Storage Cap Reductn	0		0	0	0	0
Reduced v/c Ratio	0.56		0.85	0.42	0.40	0.29
Intersection Summary						
Area Type:	Other					
Cycle Length: 85						
Actuated Cycle Length: 70.2						
Natural Cycle: 90						
Control Type: Semi Act-Uncoord						
Maximum v/c Ratio: 0.85						
Intersection Signal Delay: 17.2				Intersection LOS: B		
Intersection Capacity Utilization 88.7%				ICU Level of Service E		
Analysis Period (min) 15						
# 95th percentile volume exceeds capacity, queue may be longer.						

Existing 4:45 pm 07/11/2014 Existing
S. Karjala

Synchro 10 Report
Page 2

Queue shown is maximum after two cycles.

Splits and Phases: 1: MT-206 & US-2



APPENDIX C - BUILD TRAFFIC OPERATIONS REPORT (SYNCHRO)

11/16/2022

2027 Build - AM Peak

1: MT-206 & US-2

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↘	↑↑	↘	↗
Traffic Volume (vph)	478	162	94	305	239	158
Future Volume (vph)	478	162	94	305	239	158
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)		0	270		265	0
Storage Lanes		0	1		1	1
Taper Length (ft)			25		25	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt	0.962					0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3076	0	1599	3197	1599	1430
Flt Permitted			0.398		0.950	
Satd. Flow (perm)	3076	0	670	3197	1599	1430
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)	71					165
Link Speed (mph)	55			55	25	
Link Distance (ft)	5222			1115	883	
Travel Time (s)	64.7			13.8	24.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	4%	4%	4%	4%	4%
Adj. Flow (vph)	498	169	98	318	249	165
Shared Lane Traffic (%)						
Lane Group Flow (vph)	667	0	98	318	249	165
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)		9	15		15	9
Number of Detectors	2		1	2	1	1
Detector Template	Thru		Left	Thru	Left	Right
Leading Detector (ft)	100		20	100	20	20
Trailing Detector (ft)	0		0	0	0	0
Detector 1 Position(ft)	0		0	0	0	0
Detector 1 Size(ft)	6		20	6	20	20
Detector 1 Type	Cl+Ex		Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel						
Detector 1 Extend (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0		0.0	0.0	0.0	0.0
Detector 2 Position(ft)	94			94		
Detector 2 Size(ft)	6			6		
Detector 2 Type	Cl+Ex			Cl+Ex		
Detector 2 Channel						
Detector 2 Extend (s)	0.0			0.0		
Turn Type	NA		Perm	NA	Prot	Perm
Protected Phases	2			6	4	

US 2 & MT 206 4:45 pm 05/06/2022 2026 Build AM Peak
Oz Khan

Synchro 10 Report
Page 1

11/16/2022

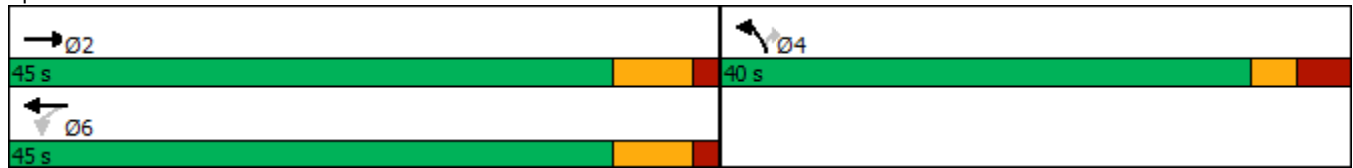
2027 Build - AM Peak

1: MT-206 & US-2

	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Permitted Phases			6			4
Detector Phase	2		6	6	4	4
Switch Phase						
Minimum Initial (s)	30.0		30.0	30.0	6.0	6.0
Minimum Split (s)	36.8		36.8	36.8	33.5	33.5
Total Split (s)	45.0		45.0	45.0	40.0	40.0
Total Split (%)	52.9%		52.9%	52.9%	47.1%	47.1%
Maximum Green (s)	38.2		38.2	38.2	33.5	33.5
Yellow Time (s)	5.0		5.0	5.0	3.0	3.0
All-Red Time (s)	1.8		1.8	1.8	3.5	3.5
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	0.0
Total Lost Time (s)	6.8		6.8	6.8	6.5	6.5
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0		3.0	3.0	3.0	3.0
Recall Mode	Min		Min	Min	None	None
Walk Time (s)	7.0		7.0	7.0	7.0	7.0
Flash Dont Walk (s)	22.0		22.0	22.0	20.0	20.0
Pedestrian Calls (#/hr)	0		0	0	0	0
Act Effct Green (s)	30.1		30.1	30.1	14.0	14.0
Actuated g/C Ratio	0.52		0.52	0.52	0.24	0.24
v/c Ratio	0.41		0.28	0.19	0.64	0.35
Control Delay	8.8		11.7	8.3	27.4	5.6
Queue Delay	0.0		0.0	0.0	0.0	0.0
Total Delay	8.8		11.7	8.3	27.4	5.6
LOS	A		B	A	C	A
Approach Delay	8.8			9.1	18.7	
Approach LOS	A			A	B	
Queue Length 50th (ft)	57		17	27	76	0
Queue Length 95th (ft)	111		53	56	139	36
Internal Link Dist (ft)	5142			1035	803	
Turn Bay Length (ft)			270		265	
Base Capacity (vph)	2076		447	2134	936	905
Starvation Cap Reductn	0		0	0	0	0
Spillback Cap Reductn	0		0	0	0	0
Storage Cap Reductn	0		0	0	0	0
Reduced v/c Ratio	0.32		0.22	0.15	0.27	0.18
Intersection Summary						
Area Type:	Other					
Cycle Length: 85						
Actuated Cycle Length: 57.5						
Natural Cycle: 75						
Control Type: Semi Act-Uncoord						
Maximum v/c Ratio: 0.64						
Intersection Signal Delay: 11.6				Intersection LOS: B		
Intersection Capacity Utilization 81.1%				ICU Level of Service D		
Analysis Period (min) 15						

2027 Build - AM Peak
1: MT-206 & US-2

Splits and Phases: 1: MT-206 & US-2



2027 Build PM Peak

1: MT-206 & US-2

11/16/2022

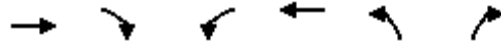
	→	↘	↙	←	↖	↗
Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↑↑		↘	↑↑	↘	↗
Traffic Volume (vph)	628	314	188	724	305	216
Future Volume (vph)	628	314	188	724	305	216
Ideal Flow (vphpl)	1750	1750	1750	1750	1750	1750
Storage Length (ft)		0	270		265	0
Storage Lanes		0	1		1	1
Taper Length (ft)			50		50	
Lane Util. Factor	0.95	0.95	1.00	0.95	1.00	1.00
Frt	0.950					0.850
Flt Protected			0.950		0.950	
Satd. Flow (prot)	3037	0	1599	3197	1599	1430
Flt Permitted			0.245		0.950	
Satd. Flow (perm)	3037	0	412	3197	1599	1430
Right Turn on Red		Yes				Yes
Satd. Flow (RTOR)	133					161
Link Speed (mph)	55			55	25	
Link Distance (ft)	5222			1115	883	
Travel Time (s)	64.7			13.8	24.1	
Peak Hour Factor	0.96	0.96	0.96	0.96	0.96	0.96
Heavy Vehicles (%)	4%	4%	4%	4%	4%	4%
Adj. Flow (vph)	654	327	196	754	318	225
Shared Lane Traffic (%)						
Lane Group Flow (vph)	981	0	196	754	318	225
Enter Blocked Intersection	No	No	No	No	No	No
Lane Alignment	Left	Right	Left	Left	Left	Right
Median Width(ft)	12			12	12	
Link Offset(ft)	0			0	0	
Crosswalk Width(ft)	16			16	16	
Two way Left Turn Lane	Yes			Yes		
Headway Factor	1.11	1.11	1.11	1.11	1.11	1.11
Turning Speed (mph)		9	15		15	9
Number of Detectors	2		1	2	1	1
Detector Template	Thru		Left	Thru	Left	Right
Leading Detector (ft)	100		20	100	20	20
Trailing Detector (ft)	0		0	0	0	0
Detector 1 Position(ft)	0		0	0	0	0
Detector 1 Size(ft)	6		20	6	20	20
Detector 1 Type	Cl+Ex		Cl+Ex	Cl+Ex	Cl+Ex	Cl+Ex
Detector 1 Channel						
Detector 1 Extend (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Queue (s)	0.0		0.0	0.0	0.0	0.0
Detector 1 Delay (s)	0.0		0.0	0.0	0.0	0.0
Detector 2 Position(ft)	94			94		
Detector 2 Size(ft)	6			6		
Detector 2 Type	Cl+Ex			Cl+Ex		
Detector 2 Channel						
Detector 2 Extend (s)	0.0			0.0		
Turn Type	NA		Perm	NA	Prot	Perm
Protected Phases	2			6	4	

US 2 & MT 206 4:45 pm 05/06/2022 2026 Build - PM Peak
Oz Khan

Synchro 10 Report
Page 1

2027 Build PM Peak

1: MT-206 & US-2



Lane Group	EBT	EBR	WBL	WBT	NBL	NBR
Permitted Phases			6			4
Detector Phase	2		6	6	4	4
Switch Phase						
Minimum Initial (s)	30.0		30.0	30.0	6.0	6.0
Minimum Split (s)	36.8		36.8	36.8	33.5	33.5
Total Split (s)	45.0		45.0	45.0	40.0	40.0
Total Split (%)	52.9%		52.9%	52.9%	47.1%	47.1%
Maximum Green (s)	38.2		38.2	38.2	33.5	33.5
Yellow Time (s)	5.0		5.0	5.0	3.0	3.0
All-Red Time (s)	1.8		1.8	1.8	3.5	3.5
Lost Time Adjust (s)	0.0		0.0	0.0	0.0	0.0
Total Lost Time (s)	6.8		6.8	6.8	6.5	6.5
Lead/Lag						
Lead-Lag Optimize?						
Vehicle Extension (s)	3.0		3.0	3.0	3.0	3.0
Recall Mode	Min		Min	Min	None	None
Walk Time (s)	7.0		7.0	7.0	7.0	7.0
Flash Dont Walk (s)	22.0		22.0	22.0	20.0	20.0
Pedestrian Calls (#/hr)	0		0	0	0	0
Act Effect Green (s)	38.5		38.5	38.5	19.2	19.2
Actuated g/C Ratio	0.54		0.54	0.54	0.27	0.27
v/c Ratio	0.58		0.88	0.44	0.74	0.45
Control Delay	11.8		58.2	11.8	34.2	9.7
Queue Delay	0.0		0.0	0.0	0.0	0.0
Total Delay	11.8		58.2	11.8	34.2	9.7
LOS	B		E	B	C	A
Approach Delay	11.8			21.3	24.0	
Approach LOS	B			C	C	
Queue Length 50th (ft)	115		68	94	125	21
Queue Length 95th (ft)	225		#230	177	207	71
Internal Link Dist (ft)	5142			1035	803	
Turn Bay Length (ft)			270		265	
Base Capacity (vph)	1706		223	1731	759	763
Starvation Cap Reductn	0		0	0	0	0
Spillback Cap Reductn	0		0	0	0	0
Storage Cap Reductn	0		0	0	0	0
Reduced v/c Ratio	0.58		0.88	0.44	0.42	0.29

Intersection Summary

Area Type: Other

Cycle Length: 85

Actuated Cycle Length: 71

Natural Cycle: 90

Control Type: Semi Act-Uncoord

Maximum v/c Ratio: 0.88

Intersection Signal Delay: 18.2

Intersection LOS: B

Intersection Capacity Utilization 89.9%

ICU Level of Service E

Analysis Period (min) 15

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Splits and Phases: 1: MT-206 & US-2





DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
MONTANA REGULATORY OFFICE
100 NEILL AVENUE, SUITE 200
HELENA, MONTANA 59601-3329

62
Item No.5.

October 14, 2022

SUBJECT: Approved Jurisdictional Determination – Columbia Falls Rentals – Lots 3 & 5 –
File Number **NWO-2005-90960**

Nicholas Sovner
KLJ Engineering
2969 Airport Road, Suite 1B
Helena, Montana 59601

Dear Mr. Sovner:

We are responding to your request for an approved jurisdictional determination regarding the above-referenced project. The 22-acre project site is located on and near an unnamed tributary to the Flathead River, Latitude 48.36548°, Longitude -114.16379°, within Section 16, Township 32 N, Range 20 W, Columbia Falls, Flathead County, Montana.

Based on available information, an approved jurisdictional determination has been completed for the areas identified in your request. We concur with the estimate of waters of the United States, as depicted on the enclosed map, dated October 5, 2022, titled "Columbia Falls – Location Ventures Lots 3 & 5 Flathead County, MT Aquatic Resource Delineation", prepared by KLJ. Wetland 3 is comprised of approximately 1.85 acres of palustrine emergent wetlands, 0.55 acre of palustrine scrub shrub wetlands, and 1.44 acres of palustrine forested wetlands present within the survey area. These waters are regulated under Section 404 of the Clean Water Act, since they are "wetlands adjacent to a TNW".

Our basis for this determination is the application of the Corps' 1987 Wetland Delineation Manual, the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region and the positive indicators of wetland hydrology, hydric soils, and hydrophytic vegetation. The wetland is a water of the United States and is part of a tributary system to interstate waters (33 CFR 328.3(a)).

The 0.58 acre pond and 0.27 acre wetland fringe identified as "Wetland 2", and 0.12 acre PEM wetland identified as "Wetland 1" on the above drawing are intrastate isolated waters with no apparent interstate or foreign commerce connection. As such, these waters are not currently regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. Other Federal, State, and local laws may apply to your activities.

This letter constitutes an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. A Notification of Appeal Process (NAP) and Request for

Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the Northwestern Division Office, Regulatory Appeals Review Officer, Melinda Larsen at Melinda.M.Larsen@usace.army.mil. For any questions you may contact her at (503) 808-3888.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. part 331.5, and that it has been received by the Division Office within **60 days** of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by December 13, 2022. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

This determination has been conducted to identify the limits of Corps of Engineers' Clean Water Act jurisdiction for the particular sites identified in this request. This determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

This determination is valid for five (5) years from the date of this letter, unless new information warrants revision of the determination before the expiration date.

Please refer to identification number NWO-2005-90960 in any correspondence concerning this project. If you have any questions, please contact Nathan Green by email at nathan.j.green@usace.army.mil, or by telephone at 406-439-7265.

Sincerely,



Sage L. Joyce
Section Chief, Montana Regulatory Program

2 Enclosures:

1. Notification of Administrative Appeal Options and Process Request for Appeal (NAP/RFA)
2. Delineation Map

cc (via email):

Mr. Richard Jutzi, High Country Land & Cattle (richardj@cripc.com)

Mr. Ron Mayhew, Twin Peaks Farms, LLC (ron.mayhew@evergreenintl.com)

AQUATIC RESOURCE DELINEATION

Columbia Falls Rentals Lots 3 & 5
AQUATIC RESOURCE DELINEATION
Flathead County, Montana

Prepared for:
Location Acquisitions LLC

Prepared by:
Ashlee Nilson

Reviewed by:
Nicholas Sovner, CEP

October 2022



ENGINEERING, REIMAGIN

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E.	Discussion and Conclusions	8
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List of Appendices

Appendix A, Aquatic Resource Delineation Maps

Appendix B, On-Site Photographs

Appendix C, Wetlands and Other Waters Datasheets

Appendix D, Plant List

I. Introduction

KLJ was contracted by Location Acquisitions LLC to conduct a field aquatic resource delineation for the proposed Columbia Falls Rentals Lots 3 & 5 Project in Flathead County, Montana. The project study area is located in Section 16, Township 30 North, Range 20 West. Please refer to **Figure 1, Project Location Map** for the study area location. The developer is proposing to construct multiple rental housing units at the study area with internal roads and utilities, including city water and sanitary sewer service. The field wetland and Waters of the US delineation was conducted on June 1st and 2nd, by Mr. Nicholas Sovner of KLJ. The study area consisted of approximately 22.08 acres was surveyed for the presence of aquatic resources.

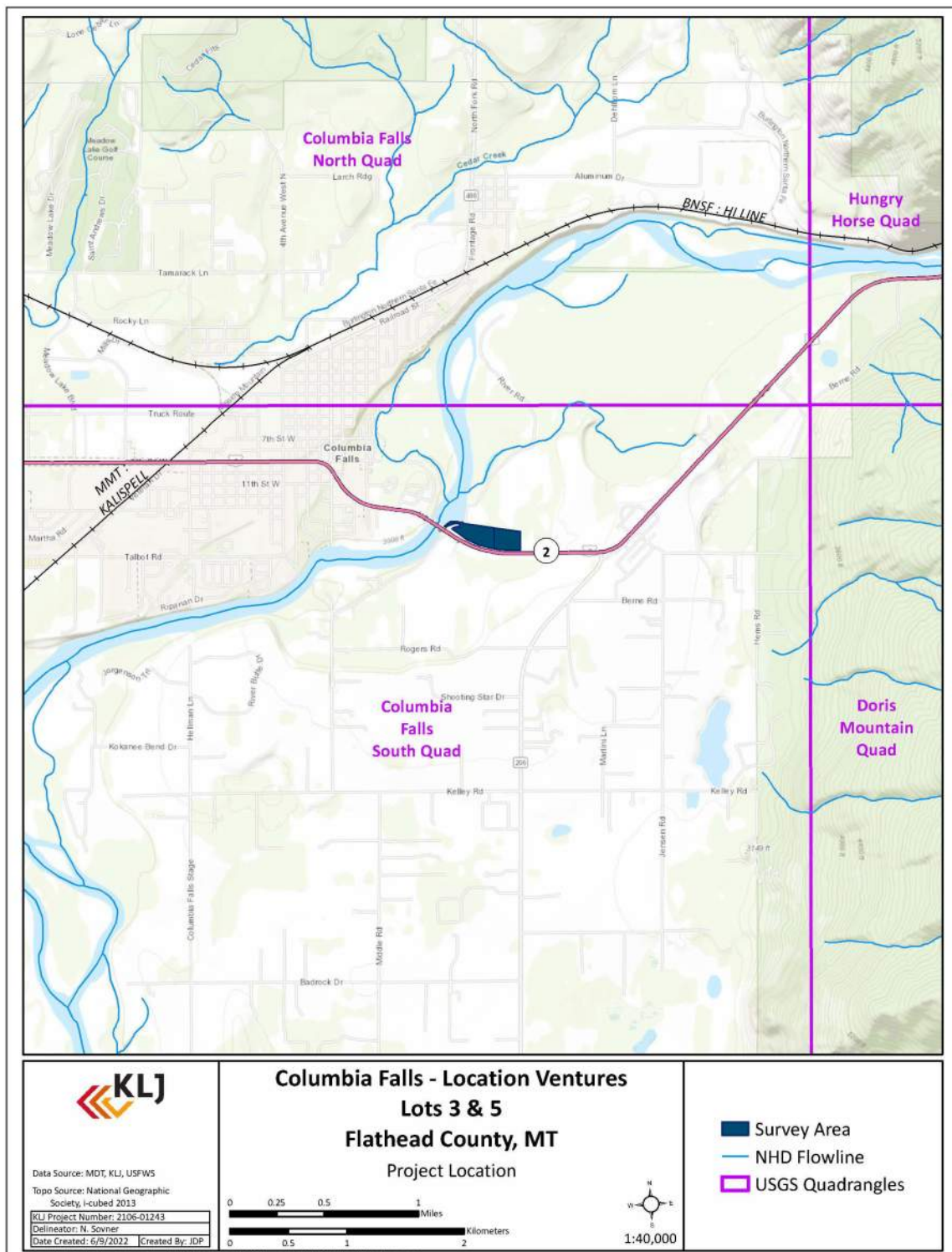


Figure 1, Project Location Map

II. Wetland Delineation

A. Definitions and Methods

The aquatic resource delineation conducted by KLJ was completed in accordance with the 1987 US Army Corps of Engineers (USACE) Wetlands Delineation Manual and the USACE March 2010 Regional Supplement: Western Mountains, Valleys, and Coast Region (Version 2.0). The routine approach with onsite inspection was utilized, including the standard multi-parameter approach (vegetation, hydrology, and soils) for wetland identification. An area is considered to be a wetland if hydrophytic vegetation, wetland hydrology, and hydric soils are all present. Sample locations were determined using US Fish and Wildlife Service (USFWS) National Wetlands Inventory (NWI) maps along with observations of sites that visually supported a hydrophytic plant community, as well as characteristics of wetland hydrology and hydric soils. Definitions and methodologies for determining each of these three parameters are summarized below:

1. *Hydrophytic Vegetation*

Definition: The prevalence (greater than 50 percent) of dominant plant species that are adapted to life in saturated soil conditions.

Method: To determine if vegetation was hydrophytic, the scientific name and indicator status of dominant plant species at each wetland were recorded on USACE datasheets. Dominance refers to the spatial extent of a species that is directly observed in the field. Dominance is calculated by identifying the most abundant species that individually or collectively account for more than 50 percent of the total coverage of vegetation in the stratum as well as any other species that, by itself, accounts for at least 20 percent of the total. Where 50 percent or more of all dominant species were hydrophytic, the hydrophytic vegetation parameter was met. Absolute percent cover¹ of dominant species within each stratum is listed on datasheets.

2. *Wetland Hydrology*

Definition: Fourteen or more consecutive days of flooding, ponding, or water table within 12 inches of the surface during the growing season at a minimum frequency of 5 out of 10 years (50 percent).

Method: Wetland hydrology was determined by observing the presence of primary and/or secondary indicators listed on the USACE datasheet. If one primary indicator or two secondary indicators were present, the wetland hydrology parameter was met.

3. *Hydric Soils*

Definition: Soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper 12 inches.

¹ Absolute percent cover within each stratum is not required to add up to 100 percent on the datasheets.

Method: Soils were colored and characterized using Munsell Soil Color Charts. If one or more of the hydric soil indicators on the USACE datasheet were identified according to the USACE Wetland Delineation Manual and the USACE March 2010 Regional Supplement: Western Mountains, Valleys, and Coast Region (Version 2.0), the soil was considered to be hydric.

Base field maps were developed using National Agriculture Imagery Program (NAIP) aerial photography in combination with information from USFWS NWI maps, Natural Resources Conservation Service (NRCS) soil survey data from Flathead County, and US Geological Survey (USGS) topographic quadrangle maps. The referenced maps can be found in **Appendix A, Aquatic Resource Delineation Maps** and representative site photos can be found in **Appendix B, On-Site Photographs**.

B. Hydrology

The project is located in the Pacific Northwest Region which includes the hydrologic unit code (HUC) – 12, subbasin Gooderich Bayou-Flathead River (170102080203). The nearest traditional navigable waterway (TNW) is the Flathead River which borders the study area to the west.

Antecedent precipitation conditions were evaluated for the study area using the NRCS AgACIS Climatic Data resource (<http://agacis.rcc-acis.org/>). NRCS Climate Analysis for Wetlands Tables (WETS) Tables were utilized to determine the environmental conditions within the study area at the time of the field delineation. NRCS precipitation data from the CRESTON, MT station was utilized in determining antecedent precipitation conditions for the three months prior to the delineation. According to the WETS Climate Tables, during the field delineation the region was experiencing drier than normal precipitation conditions. Please see **Table 1, Antecedent Precipitation** for a review of the data.

Utilizing the CRESTON, MT station normal climate data from 1949 - 2022, average annual total precipitation is 19.25 inches and average annual total snowfall is 50.4 inches for the area. The region received 1.14 inches of precipitation within the 30-day period prior and during the delineation, with 0.28 inch occurring on May 20, and 0.32 inch occurring on May 27, 2022.

Table 1, Antecedent Precipitation

YEAR	MONTH	30% CHANCE PRECIP LESS THAN (INCHES)	30% CHANCE PRECIP MORE THAN (INCHES)	2022 RAINFALL (INCHES)	CONDITION (DRY, WET, NORMAL)	CONDITION VALUE ¹	MONTH WEIGHT VALUE	PRODUCT OF PREVIOUS TWO COLUMNS
2022	March	0.72	1.40	1.55	Wet	3	1	3
2022	April	1.05	1.84	0.81	Dry	1	2	2
2022	May	1.50	2.70	1.14	Dry	1	3	3
							Total	8

Condition Values range from 1 (dry), 2 (normal), and 3 (wet).

Total value ranges are Drier than normal (6-9), Normal (10-14), and Wetter than normal (15-18).

Stream flow data for the Flathead River was evaluated for USGS gaging station 12363000 Flathead River at Columbia Falls MT. Surface water was observed during the delineation of Wetland 3 and the ordinary high water mark (OHWM) was documented on June 2, 2022. Stream flows at this station ranged from 27,200 to 28,400 cubic feet per second (cfs). Mean annual discharge for the period of record (water years 1922 through 2022) on June 1 and June 2 typically range from between 27,700 to 27,900 cfs.

Antecedent precipitation conditions evaluated through the WETS Climate Tables indicate that moisture conditions were drier than normal during the wetland field survey, yet further evaluation of streamflow data indicates that surface water hydrologic conditions were relatively normal for this time of year falling between the mean annual discharge rates for June 1 and June 2. Additionally, groundwater depths from onsite piezometers DH-1 and DH-2 were measured to be 1.8 feet and 1.1 feet below ground surface (bgs), which correlates with recorded water table depths in wetland test plots associated with Wetland 3 and Wetland 1.

C. Ecology and Soils

The study area is located in the Northern Rockies ecoregion as identified by the USGS. Climate and vegetative communities in this region are strongly influenced by the Pacific maritime which causes the area to have greater forest species diversity than other ecoregions in Montana. Rainfall and snow melt are plentiful, with water storage occurring in unconsolidated mountain valley fill, volcanic deposits,

glacial deposits, and permeable sedimentary rocks. However, much of the region is underlain by metamorphic rocks, which lack significant groundwater storage capacity causing high variation in seasonal stream flows. Forest overstories may consist of Douglas fir (*Pseudotsuga menziesii*), subalpine fir (*Abies lasiocarpa*), Engelmann spruce (*Picea engelmannii*), western hemlock (*Tsuga heterophylla*) or grand fir (*Abies grandis*). Because of the relative rapid forest growth, logging and mining activities are common in otherwise natural areas (<https://www.epa.gov/eco-research/level-iii-and-iv-ecoregions-continental-united-states>).

According to the Web Soil Survey of Flathead County (NRCS 2021), the study area included the Chamokane soils, 0 to 3 percent slopes (Ca), Kiwanis-Birch fine sandy loams, 0 to 5 percent slopes (Kzg), Corvallis silty clay loam, 0 to 3 percent slopes (Cd), and water (W) map units. Ca and Cd are classified as predominantly nonhydryc soil and Kzg and W are classified as nonhydryc soil. Please refer to **Table 2, Summary of Soil Types** for soil information.

Table 2, Summary of Soil Type

MAP UNIT	SOIL NAME	HYDRIC RATING	HYDRIC CRITERIA
<i>Ca</i>	<i>Chamokane soils, 0 to 3 percent slopes</i>	<i>Predominantly Non-Hydric</i>	<i>10</i>
<i>Kzg</i>	<i>Kiwanis-Birch fine sandy loams, 0 to 5 percent slopes</i>	<i>Non-Hydric</i>	<i>0</i>
<i>Cd</i>	<i>Corvallis silty clay loam, 0 to 3 percent slopes</i>	<i>Predominantly Non-Hydric</i>	<i>10</i>
<i>W</i>	<i>Water</i>	<i>Non-Hydric</i>	<i>0</i>

D. Results

Three wetlands totaling approximately 4.89 acres were delineated by KLJ within the study area, please see **Table 3, Delineated Wetlands**. Maps of the study area and delineated other water can be found in **Appendix A, Aquatic Resource Delineation Maps**, a visual overview of the other water can be found in **Appendix B, On-Site Photographs**, copies of the field datasheets can be found in **Appendix C, Wetlands and Other Waters Datasheets**, and a list of plants identified in the field can be found in **Appendix D, Plant List**.

Wetland 1 consists of a 0.21-acre depression that contained standing water during the time of the

delineation. Dominant plant species included field meadow foxtail (*Alopecurus pratensis*, FAC) and spreading bentgrass (*Agrostis stolonifera*, FAC). Soils were characterized by Depleted Matrix (F3) and Redox dark Surface (F6) hydric indicators. Hydrology was characterized by Surface Water (A1) and Saturation (A3) indicators, and the water table was present at a depth of 17 inches within test plot TP-1. Piezometer DH-2 is located adjacent to Wetland 1 and groundwater elevation was measured to be 1.1 feet bgs.

Wetland 2 consists of a 0.85-acre excavated pond and fringe wetland. Dominant vegetation also consisted of field meadow foxtail and spreading bentgrass. Soils were characterized by Depleted Below Dark Surface (A11) and Depleted Matrix (F3) hydric indicators. Hydrologic indicators included Surface Water (A1) and Saturation (A3), and the water table was present at a depth of 19 inches in test plot TP-3.

Wetland 3 consists of a 3.84-acre depressional wetland associated with a natural drainage that flows towards the Flathead River with both emergent and scrub-shrub/forested vegetation. Dominant vegetation around the test plots included spreading bentgrass and Drummond's willow (*Salix Drummondiana*, FACW). Soils were characterized by Hydrogen Sulfide (A4) and Depleted Dark Surface (F7) hydric indicators. Piezometer DH-1 is located adjacent to Wetland 3 and groundwater elevation was measured to be 1.8 feet bgs.

Table 3, Delineated Wetlands

WETLAND NUMBER	WETLAND TYPE	LOCATION (PUBLIC LAND SURVEY SYSTEM)	LONG / LAT (DEC. DEG.)	COWARDIN CLASSIFICATION	AREA (ACRES)
1	Depression	Sec. 16, T30N, R20W	-114.162246 W 48.3644937 N	PUSC	0.21
2	Pond	Sec. 16, T30N, R20W	-114.1609556 W 48.3642107 N	PUBFx	0.85
3	Depression	Sec. 16, T30N, R20W	-114.162772 W 48.3651731 N	PEM1A	3.84
TOTAL:					4.89

E. Discussion and Conclusions

On August 30, 2021, the US District Court for the District of Arizona ordered that the *Navigable Waters Protection Rule in the case of Pascua Yaqui Tribe v. U.S. Environmental Protection Agency* be vacated, thus halting post-2015 federal Clean Water Act (CWA) rulemaking, including the *Rapanos* guidance, until further notice (USEPA 2022). Pre-2015 CWA guidance for Waters of the US associated with TNW's, such as the Flathead River, defines adjacent wetlands as "bordering, continuous, or neighboring" and must meet one of the following three criteria: (1) there is an unbroken surface or shallow sub-surface connection to jurisdictional waters, (2) they are physically separated from jurisdictional waters by man-made dikes or barriers, natural river berms, beach dunes, and the like, or (3) their proximity to a jurisdictional water is reasonably close, supporting science based inference that such wetlands have an ecological interconnection with jurisdictional waters (USEPA, 2008).

As these definitions relate to the wetlands identified in the study area, Wetlands 1 and 2 may be categorized as non-Jurisdictional, whereas Wetland 3 would meet the definition of an adjacent wetland to the Flathead River. Based on field observations, Wetlands 1 and 2 do not show a significant ecological interconnection to the Flathead River or its adjacent Wetland 3. Wetlands 1 and 2 are separated from Wetland 3 by a small upland ridge limiting any hydrologic or aquatic life connectivity that would contribute to shared functionality, and Wetland 2 is a manmade wetland as evidenced by adjacent soil stockpiles. This recommendation was previously adopted by the USACE in the Approved Jurisdictional Determination under Corps File No. 2005-9-0960, dated May 30, 2006.

Final determination of jurisdictional wetlands within the study area is ultimately the decision of the USACE. KLI recommends that a new Approved Jurisdictional Determination Request be submitted to the USACE, and that all necessary permits be acquired in the event that any of the delineated wetlands and Other Waters within the study area are determined to be jurisdictional and would be affected by the proposed construction.

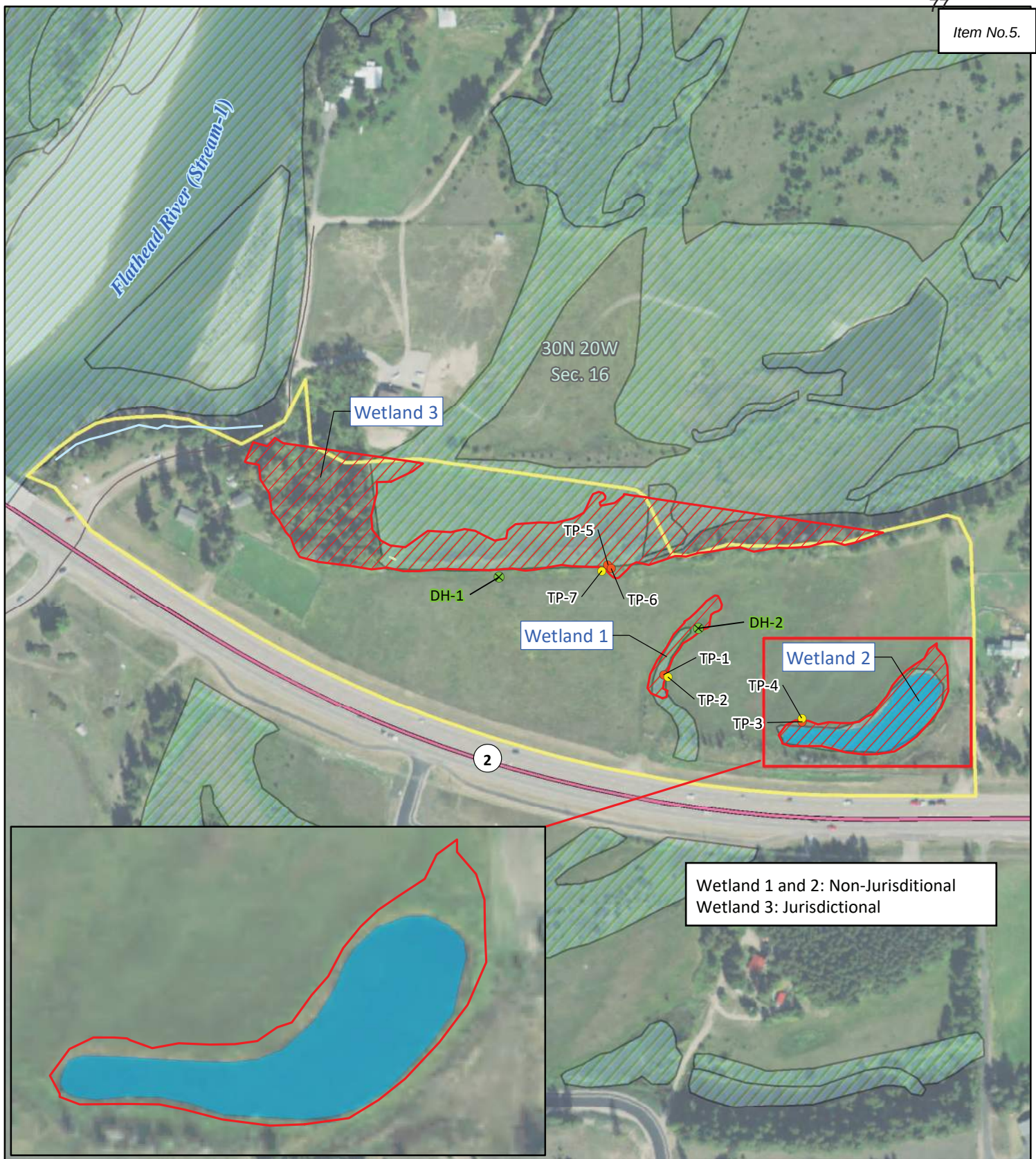
III. References

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- US Geological Survey. 2021. USGS Hydrologic Unit Maps. <https://water.usgs.gov/GIS/huc.html>.

IV. Delineator Credentials

NICHOLAS SOVNER, CEP	
Education:	Humboldt State University BS Rangeland Resource Science and Wildland Soils (2005) Montana State University MS Land Resources and Environmental Science (2019) Carroll College Professional Certificate, Geographic Information Systems (2011)
Certifications:	Academy of Board Certified Environmental Professionals Certified Environmental Professional, No. 32080845 (since 2021)
Professional Affiliations:	National Association of Environmental Professionals (since 2021)

APPENDIX A: Aquatic Resource Delineation Maps



Data Source: MDT, KLJ, USFWS

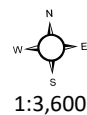
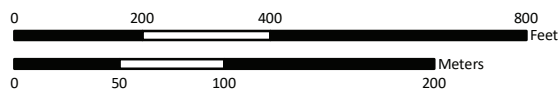
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Photography Field Office, 2021

KLJ Project Number: 2106-01243

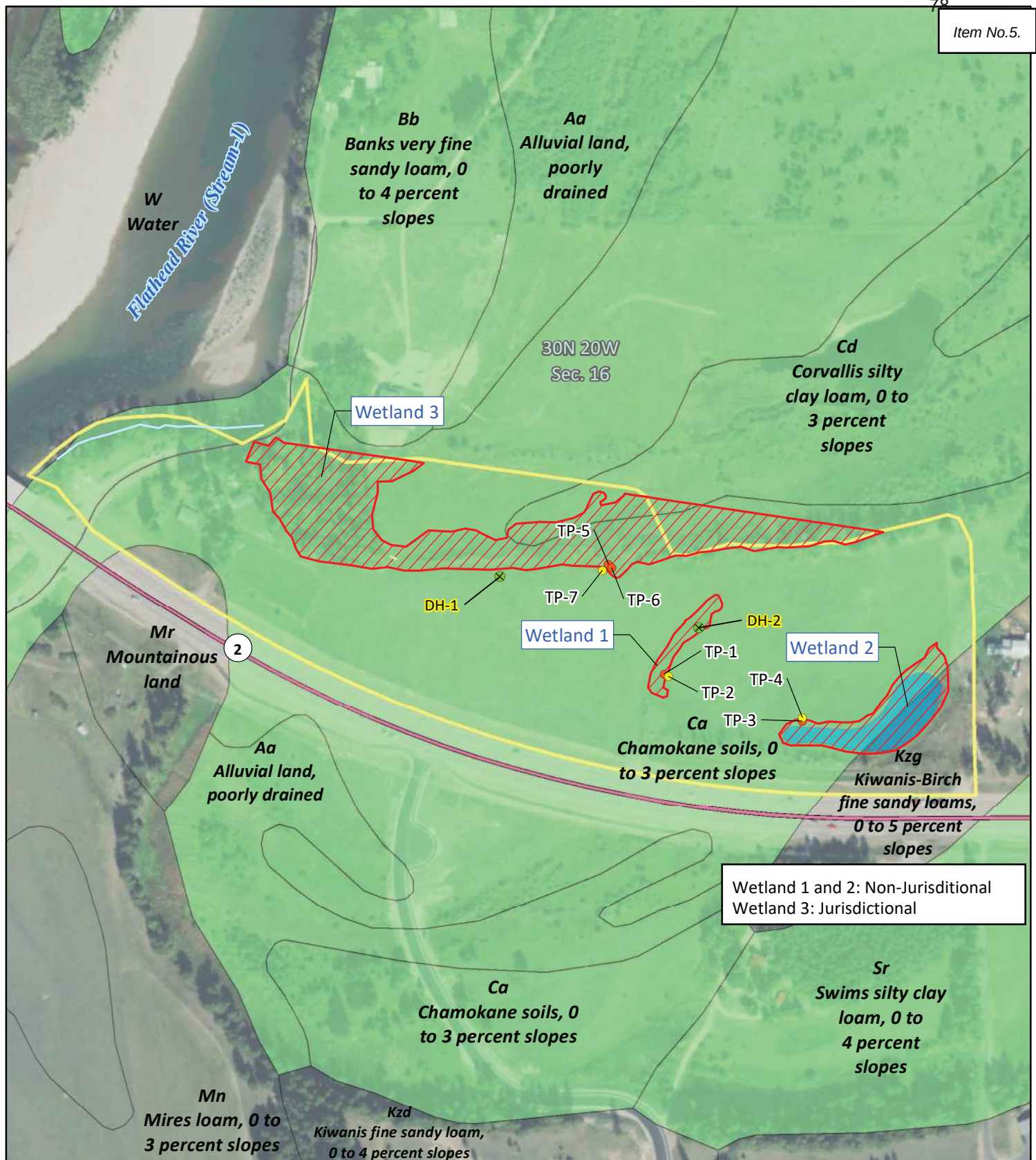
Delineator: N. Sovner

Date Created: 10/5/2022 Created By: JDP

Columbia Falls - Location Ventures Lots 3 & 5 Flathead County, MT Aquatic Resource Delineation



- Survey Area
- ✕ Piezometers
- Upland Test Plot
- Wetland Test Plot
- Ordinary High Water Mark
- Culvert
- ▨ Aquatic Resource
- Open Water
- ▨ USFWS NWI Wetlands
- City/County Road
- State Highway



Data Source: MDT, KLJ, USFWS, USDA-NRCS

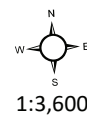
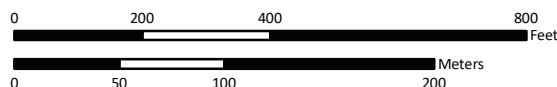
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Photography Field Office, 2021

KLJ Project Number: 2106-01243

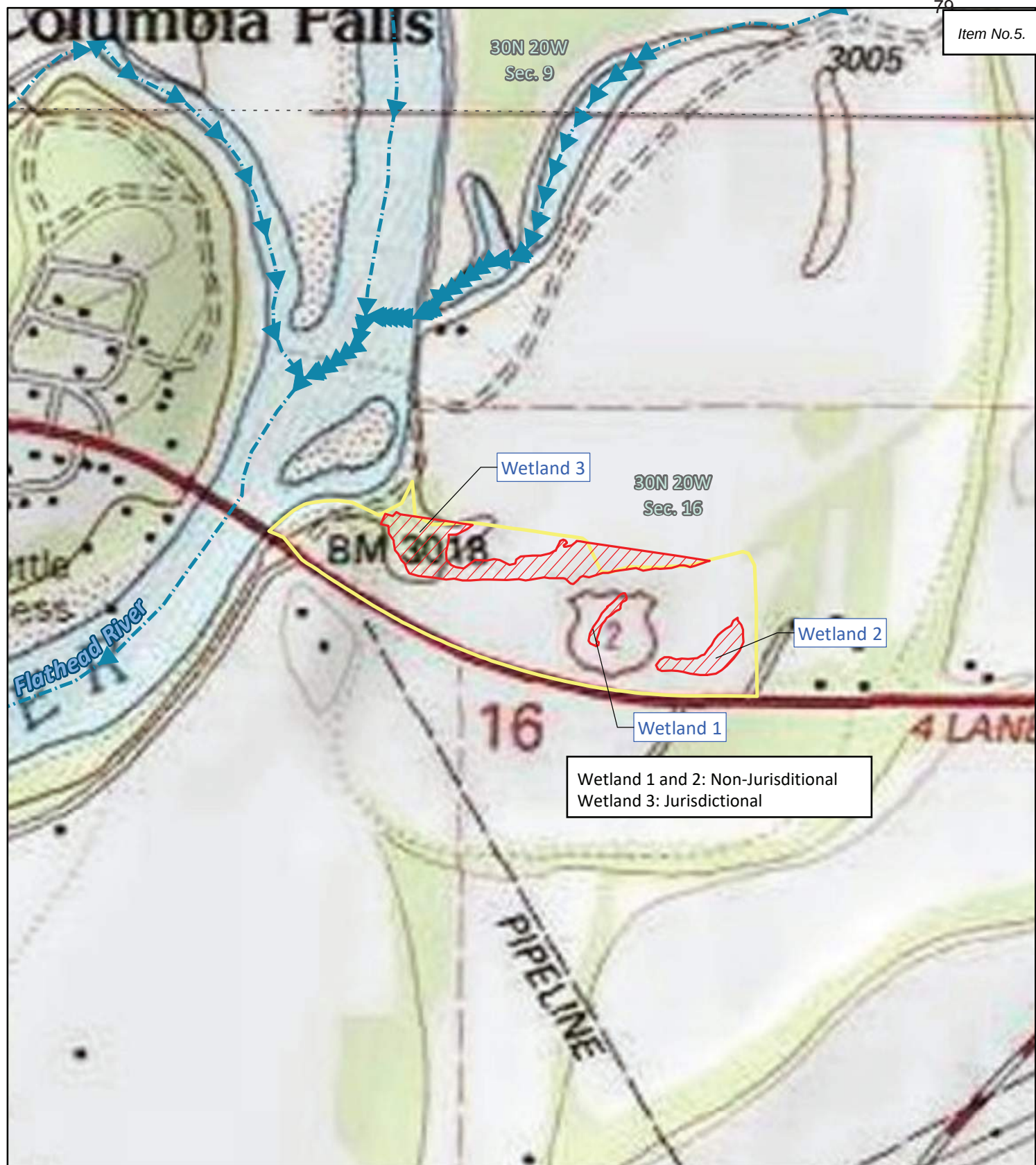
Delineator: N. Sovner

Date Created: 8/11/2022 Created By: JDP

Columbia Falls - Location Ventures Lots 3 & 5 Flathead County, MT Hydric Soils

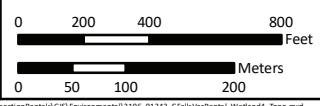


- Survey Area
- ✕ Piezometers
- Upland Test Plot
- Wetland Test Plot
- Ordinary High Water Mark
- Culvert
- ▭ Aquatic Resource
- ▭ Open Water
- City/County Road
- State Highway
- Soil Hydric Rating**
- ▭ Predominantly nonhydric (1 to 3)
- ▭ Nonhydric (0%)



Columbia Falls - Location Ventures
Lots 3 & 5
Flathead County, MT
USGS Topographic Map

Data Source: MDT, KLJ, USFWS, & USGS
Topo Source: ©2013 National Geographic Society, i-cubed
KLJ Project Number: 2106-01243
Delineator: N. Sovner
Date Created: 8/11/2022 | Created By: JDP



- Survey Area
- Aquatic Resource
- NHD Rivers/Streams

APPENDIX B: On-Site Photographs

Site Photos

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Item No.5.

Location Ventures – Rental Lots 3&5

SITE PHOTOS



Adjacent Wetland #: 1

Photo Point: TP-1

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022

Direction: South



Adjacent Wetland #: 1

Photo Point: TP-2

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022



Adjacent Wetland #: 1

Photo Point: Wetland-1

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022

Direction: South

Site Photos

82

Item No.5.

Location Ventures – Rental Lots 3&5



Adjacent Wetland #: 2

Photo Point: TP-3

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022

Direction: West



Adjacent Wetland #: 2

Photo Point: TP-4

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022

Direction: North



Adjacent Wetland #: 2

Photo Point: Wetland-2

Observer: Nick Sovner - KLJ

Date Taken: 6/1/2022

Direction: East

Site Photos

83

Item No.5.

Location Ventures – Rental Lots 3&5

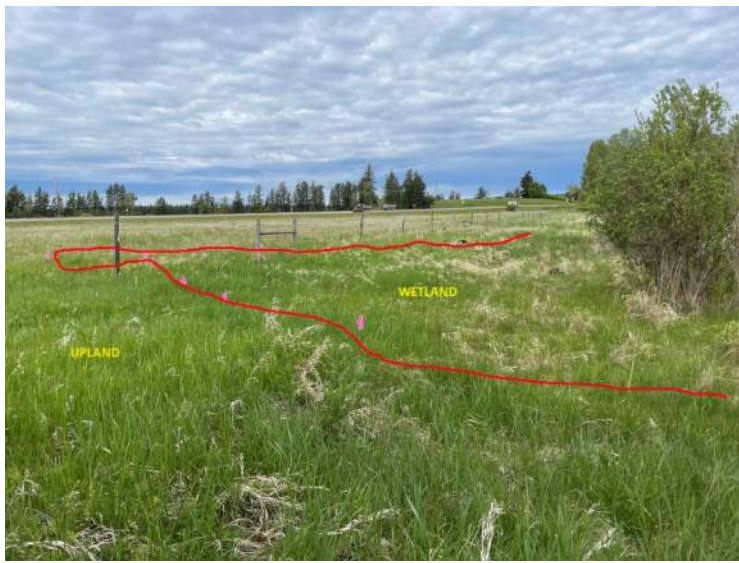
		Adjacent Wetland #: 3 Photo Point: TP-5 Observer: Nick Sovner - KLJ Date Taken: 6/2/2022
		Adjacent Wetland #: 3 Photo Point: TP-6 Observer: Nick Sovner - KLJ Date Taken: 6/2/2022
		Adjacent Wetland #: 3 Photo Point: TP-7 Observer: Nick Sovner - KLJ Date Taken: 6/2/2022

Site Photos

84

Item No.5.

Location Ventures – Rental Lots 3&5



Adjacent Wetland #: 3

Photo Point: Wetland 3

Observer: Nick Sovner - KLJ

Date Taken: 6/2/2022

Direction: West



Adjacent Wetland #: 3

Photo Point: Wetland 3

Observer: Nick Sovner - KLJ

Date Taken: 6/2/2022

Direction: North



Adjacent Wetland #: N/A

Photo Point #: Stream 1

Observer: Nick Sovner - KLJ

Date Taken: 6/2/2022

Direction: North

APPENDIX C: Wetlands and Other Waters Datasheets

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/1/22
 Applicant/Owner: Location Ventures LLC State: MT Sampling Point: TP-1
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3644937 Long: -114.162246 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: PUSC
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes _____ No X
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Remarks: Test plot located in a small depression near the parcel entrance. Site identified as Wetland-1.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status																	
1.																					
2.																					
3.																					
4.																					
					=Total Cover																
Sapling/Shrub Stratum	(Plot size: <u>15'</u>)																				
1.																					
2.																					
3.																					
4.																					
5.																					
					=Total Cover																
Herb Stratum	(Plot size: <u>5'</u>)																				
1.	<u>Alopecurus pratensis</u>	<u>50</u>	<u>Yes</u>	<u>FAC</u>																	
2.	<u>Agrostis stolonifera</u>	<u>40</u>	<u>Yes</u>	<u>FAC</u>																	
3.	<u>Carex utriculata</u>	<u>15</u>	<u>No</u>	<u>OBL</u>																	
4.	<u>Equisetum arvense</u>	<u>3</u>	<u>No</u>	<u>FAC</u>																	
5.	<u>Taraxacum officinale</u>	<u>1</u>	<u>No</u>	<u>FACU</u>																	
6.																					
7.																					
8.																					
9.																					
10.																					
11.																					
					109 =Total Cover																
Woody Vine Stratum	(Plot size: <u>30'</u>)																				
1.																					
2.																					
					=Total Cover																
% Bare Ground in Herb Stratum _____					Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> <tr> <td>OBL species <u>15</u></td> <td>x 1 = <u>15</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>93</u></td> <td>x 3 = <u>279</u></td> </tr> <tr> <td>FACU species <u>1</u></td> <td>x 4 = <u>4</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>109</u> (A)</td> <td><u>298</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>2.73</u></td> </tr> </table>					Total % Cover of:	Multiply by:	OBL species <u>15</u>	x 1 = <u>15</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>93</u>	x 3 = <u>279</u>	FACU species <u>1</u>	x 4 = <u>4</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>109</u> (A)	<u>298</u> (B)	Prevalence Index = B/A = <u>2.73</u>		Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>X</u> <u>2</u> - Dominance Test is >50% <u>X</u> <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u>5</u> - Wetland Non-Vascular Plants ¹ <u>Problematic Hydrophytic Vegetation¹ (Explain)</u> ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Total % Cover of:	Multiply by:																				
OBL species <u>15</u>	x 1 = <u>15</u>																				
FACW species <u>0</u>	x 2 = <u>0</u>																				
FAC species <u>93</u>	x 3 = <u>279</u>																				
FACU species <u>1</u>	x 4 = <u>4</u>																				
UPL species <u>0</u>	x 5 = <u>0</u>																				
Column Totals: <u>109</u> (A)	<u>298</u> (B)																				
Prevalence Index = B/A = <u>2.73</u>																					
Hydrophytic Vegetation Present? Yes <u>X</u> No _____																					

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5.5	10YR 2/2	100					Loamy/Clayey	Moist, high OM, many fine roots
5.5-20	10YR 3/2	95	7.5YR 5/6	5	C	PL	Loamy/Clayey	Very moist, some fine roots

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☐ Depleted Below Dark Surface (A11)	☒ Depleted Matrix (F3)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
☐ Thick Dark Surface (A12)	☒ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
Remarks: _____	

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☒ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☒ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☒ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations: Surface Water Present? Yes ☒ No ☐ Depth (inches): <u>5</u> Water Table Present? Yes ☒ No ☐ Depth (inches): <u>17</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>7</u> (includes capillary fringe)				Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Piezometer DH-2 measured depth to water at 1.1 feet below ground surface.				
Remarks: Standing water present in depression area.				

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/1/22
 Applicant/Owner: Location Ventures LLC State: MT Sampling Point: TP-2
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Meadow Local relief (concave, convex, none): Convex Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3644817 Long: -114.1622079 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Remarks: Test plot located slightly higher than TP-1 on the shoulder of the depression feature.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1.					
2.					
3.					
4.					
					=Total Cover
<u>Sapling/Shrub Stratum</u>	(Plot size: <u>15'</u>)				
1.					
2.					
3.					
4.					
5.					
					=Total Cover
<u>Herb Stratum</u>	(Plot size: <u>5'</u>)				
1.	<u>Bromus inermis</u>	<u>70</u>	<u>Yes</u>	<u>UPL</u>	
2.	<u>Dactylis glomerata</u>	<u>30</u>	<u>Yes</u>	<u>FACU</u>	
3.	<u>Alopecurus pratensis</u>	<u>5</u>	<u>No</u>	<u>FAC</u>	
4.	<u>Taraxacum officinale</u>	<u>3</u>	<u>No</u>	<u>FACU</u>	
5.					
6.					
7.					
8.					
9.					
10.					
11.					
					108 =Total Cover
<u>Woody Vine Stratum</u>	(Plot size: <u>30'</u>)				
1.					
2.					
					=Total Cover
% Bare Ground in Herb Stratum _____					

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>5</u>	x 3 = <u>15</u>
FACU species <u>33</u>	x 4 = <u>132</u>
UPL species <u>70</u>	x 5 = <u>350</u>
Column Totals: <u>108</u> (A)	<u>497</u> (B)
Prevalence Index = B/A = <u>4.60</u>	

Hydrophytic Vegetation Indicators:

___ 1 - Rapid Test for Hydrophytic Vegetation

___ 2 - Dominance Test is >50%

___ 3 - Prevalence Index is ≤3.0¹

___ 4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

___ 5 - Wetland Non-Vascular Plants¹

___ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-11	10YR 4/3	100					Loamy/Clayey	
11-20	7.5YR 5/2	65	7.5YR 5/4	30	C	M	Loamy/Clayey	Distinct redox concentrations
			10YR 4/1	5	RM	M		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☐ Depleted Below Dark Surface (A11)	☐ Depleted Matrix (F3)	
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes _____ No <u>X</u>
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Remarks: _____

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes <u>X</u> No _____ Depth (inches): 19 (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
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Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: _____

Remarks: _____

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT : (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/1/22
 Applicant/Owner: Location Ventures LLC State: MT Sampling Point: TP-3
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Slope/Terrace Local relief (concave, convex, none): Concave Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3642107 Long: -114.1609556 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: PUBFx

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Remarks: Crescent pond fringe adjacent to the road, man-made, spoil piles form a berm on east side along property line. Test plot associated with Wetland-2.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
1. _____																					
2. _____																					
3. _____																					
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=Total Cover					Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> <tr> <td>OBL species <u>13</u></td> <td>x 1 = <u>13</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>100</u></td> <td>x 3 = <u>300</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>0</u></td> <td>x 5 = <u>0</u></td> </tr> <tr> <td>Column Totals: <u>113</u> (A)</td> <td><u>313</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>2.77</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>13</u>	x 1 = <u>13</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>100</u>	x 3 = <u>300</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>0</u>	x 5 = <u>0</u>	Column Totals: <u>113</u> (A)	<u>313</u> (B)	Prevalence Index = B/A = <u>2.77</u>	
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=Total Cover																					
=Total Cover																					
=Total Cover																					
=Total Cover					Hydrophytic Vegetation Present? Yes <u>X</u> No _____																
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=Total Cover																					
=Total Cover																					
=Total Cover					Hydrophytic Vegetation Present? Yes <u>X</u> No _____																
=Total Cover																					
=Total Cover																					
=Total Cover																					
=Total Cover																					
=Total Cover					Hydrophytic Vegetation Present? Yes <u>X</u> No _____																

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-4.5	7.5YR 3/2	97	7.5YR 3/3	3	C	PL	Loamy/Clayey	Faint redox concentrations
4.5-8	10YR 4/1	60	2.5Y 5/3	25	D	M	Loamy/Clayey	Rounded gravel, moist
			7.5YR 4/4	15	C	M		Prominent redox concentrations
8-20	7.5YR 5/1	75	7.5YR 4/4	25	C	M	Loamy/Clayey	Distinct redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☒ Depleted Below Dark Surface (A11)	☒ Depleted Matrix (F3)	
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
Remarks: _____	

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☒ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☒ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations: Surface Water Present? Yes ☒ No ☐ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): 19 Saturation Present? Yes ☒ No ☐ Depth (inches): 12 (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:	
Remarks: _____	

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/1/22
 Applicant/Owner: Location Ventures State: MT Sampling Point: TP-4
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): None Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3642333 Long: -114.1609587 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes _____ No <u>X</u> Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Remarks: Slope break above Wetland-2.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
		=Total Cover		
Sapling/Shrub Stratum	(Plot size: <u>15'</u>)			
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
		=Total Cover		
Herb Stratum	(Plot size: <u>5'</u>)			
1.	<u>Leucanthemum vulgare</u>	65	Yes	FACU
2.	<u>Cerastium beerianum</u>	15	No	FACU
3.	<u>Trifolium pratense</u>	15	No	FACU
4.	<u>Agrostis stolonifera</u>	6	No	FAC
5.	<u>Alopecurus pratensis</u>	6	No	FAC
6.	<u>Plantago</u>	5	No	FACU
7.	<u>Camassia quamash</u>	3	No	FACW
8.	_____	_____	_____	_____
9.	_____	_____	_____	_____
10.	_____	_____	_____	_____
11.	_____	_____	_____	_____
		115	=Total Cover	
Woody Vine Stratum	(Plot size: <u>30'</u>)			
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
		=Total Cover		
% Bare Ground in Herb Stratum _____				

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>3</u>	x 2 = <u>6</u>
FAC species <u>12</u>	x 3 = <u>36</u>
FACU species <u>100</u>	x 4 = <u>400</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>115</u> (A)	<u>442</u> (B)
Prevalence Index = B/A = <u>3.84</u>	

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation _____

2 - Dominance Test is >50% _____

3 - Prevalence Index is ≤3.0¹ _____

4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet) _____

5 - Wetland Non-Vascular Plants¹ _____

Problematic Hydrophytic Vegetation¹ (Explain) _____

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes _____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-10	10YR 4/2	100					Sandy	
10-20	10YR 5/2	80	7.5YR 4/4	20	C	M	Loamy/Clayey	Distinct redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☐ Depleted Below Dark Surface (A11)	☐ Depleted Matrix (F3)	
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):	Hydric Soil Present?	Yes	No	X
Type: _____ Depth (inches): _____				

Remarks:
Gravel and cobble present at the horizon boundary.

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations:				Wetland Hydrology Present?	Yes	No	X
Surface Water Present?	Yes _____	No ☒ X	Depth (inches): _____				
Water Table Present?	Yes _____	No ☒ X	Depth (inches): _____				
Saturation Present?	Yes _____	No ☒ X	Depth (inches): _____				
(includes capillary fringe)							

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT : (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/2/22
 Applicant/Owner: Location Ventures State: MT Sampling Point: TP-5
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Depression Local relief (concave, convex, none): Concave Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3651731 Long: -114.162772 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: PEM1A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Remarks: Test plot associated with Wetland-3.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>2</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100.0%</u> (A/B)																
1. _____																					
2. _____																					
3. _____																					
4. _____																					
=Total Cover																					
Sapling/Shrub Stratum	(Plot size: <u>15'</u>)				Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>15</u></td> <td>x 2 = <u>30</u></td> </tr> <tr> <td>FAC species <u>81</u></td> <td>x 3 = <u>243</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>20</u></td> <td>x 5 = <u>100</u></td> </tr> <tr> <td>Column Totals: <u>116</u> (A)</td> <td><u>373</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>3.22</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>15</u>	x 2 = <u>30</u>	FAC species <u>81</u>	x 3 = <u>243</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>20</u>	x 5 = <u>100</u>	Column Totals: <u>116</u> (A)	<u>373</u> (B)	Prevalence Index = B/A = <u>3.22</u>	
Total % Cover of:	Multiply by:																				
OBL species <u>0</u>	x 1 = <u>0</u>																				
FACW species <u>15</u>	x 2 = <u>30</u>																				
FAC species <u>81</u>	x 3 = <u>243</u>																				
FACU species <u>0</u>	x 4 = <u>0</u>																				
UPL species <u>20</u>	x 5 = <u>100</u>																				
Column Totals: <u>116</u> (A)	<u>373</u> (B)																				
Prevalence Index = B/A = <u>3.22</u>																					
1. <u>Salix drummondiana</u>		<u>15</u>	Yes	FACW																	
2. _____																					
3. _____																					
4. _____																					
5. _____																					
=Total Cover																					
Herb Stratum	(Plot size: <u>5'</u>)				Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>X</u> <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u>5</u> - Wetland Non-Vascular Plants ¹ <u>Problematic Hydrophytic Vegetation¹ (Explain)</u> ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <u>Agrostis stolonifera</u>		<u>80</u>	Yes	FAC																	
2. <u>Bromus inermis</u>		<u>20</u>	No	UPL																	
3. <u>Equisetum arvense</u>		<u>1</u>	No	FAC																	
4. _____																					
5. _____																					
6. _____																					
7. _____																					
8. _____																					
9. _____																					
10. _____																					
11. _____																					
=Total Cover																					
Woody Vine Stratum	(Plot size: <u>30'</u>)				Hydrophytic Vegetation Present? Yes <u>X</u> No _____																
1. _____																					
2. _____																					
=Total Cover																					
% Bare Ground in Herb Stratum _____																					

Remarks:

Sampling Point: 113

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)
☒ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
☐ High Water Table (A2)		
☒ Saturation (A3)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)
☐ Water Marks (B1)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)
☐ Sediment Deposits (B2)	☒ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Drift Deposits (B3)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)
☐ Algal Mat or Crust (B4)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)
☐ Iron Deposits (B5)	☐ Recent Iron Reduction in Tilled Soils (C6)	☒ FAC-Neutral Test (D5)
☐ Surface Soil Cracks (B6)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)
☐ Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present?	Yes <u>X</u>	No <u> </u>	Depth (inches): <u>1</u>	Wetland Hydrology Present? Yes <u>X</u> No <u> </u>
Water Table Present?	Yes <u>X</u>	No <u> </u>	Depth (inches): <u>15</u>	
Saturation Present?	Yes <u>X</u>	No <u> </u>	Depth (inches): <u>0</u>	
(includes capillary fringe)				

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Piezometer DH-1 depth to water measured at 1.8 feet below ground surface

Remarks:

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
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Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/2/22
 Applicant/Owner: Location Ventures State: MT Sampling Point: TP-6
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Hillslope Local relief (concave, convex, none): Convex Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.365151 Long: -114.1627401 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: PEMA

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <u>X</u> No _____ Hydric Soil Present? Yes <u>X</u> No _____ Wetland Hydrology Present? Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Remarks: Test plot located slightly above TP-5. Second wetland test plot for Wetland-3 based on all three criteria.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1.					
2.					
3.					
4.					
					=Total Cover
<u>Sapling/Shrub Stratum</u>	(Plot size: <u>15'</u>)				
1.					
2.					
3.					
4.					
5.					
					=Total Cover
<u>Herb Stratum</u>	(Plot size: <u>5'</u>)				
1.	<u>Alopecurus pratensis</u>	<u>100</u>	<u>Yes</u>	<u>FAC</u>	
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
					100 =Total Cover
<u>Woody Vine Stratum</u>	(Plot size: <u>30'</u>)				
1.					
2.					
					=Total Cover
% Bare Ground in Herb Stratum _____					

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species <u>0</u>	x 1 = <u>0</u>
FACW species <u>0</u>	x 2 = <u>0</u>
FAC species <u>100</u>	x 3 = <u>300</u>
FACU species <u>0</u>	x 4 = <u>0</u>
UPL species <u>0</u>	x 5 = <u>0</u>
Column Totals: <u>100</u> (A)	<u>300</u> (B)
Prevalence Index = B/A = <u>3.00</u>	

Hydrophytic Vegetation Indicators:

1 - Rapid Test for Hydrophytic Vegetation

X 2 - Dominance Test is >50%

X 3 - Prevalence Index is ≤3.0¹

4 - Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

5 - Wetland Non-Vascular Plants¹

Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes X No _____

Remarks:
Early season plant ID

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 2/2	100					Loamy/Clayey	Moist
5-8	10YR 3/2	100					Loamy/Clayey	Wet
8-20	10YR 4/2	95	7.5YR 4/4	5	C	M	Loamy/Clayey	Distinct redox concentrations

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☒ Depleted Below Dark Surface (A11)	☒ Depleted Matrix (F3)	
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes ☒ No ☐
Remarks: _____	

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☒ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): 15 Saturation Present? Yes ☒ No ☐ Depth (inches): 8 (includes capillary fringe)	Wetland Hydrology Present? Yes ☒ No ☐
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: Piezometer DH-1 depth to water measured at 1.8 feet below ground surface	
Remarks: _____	

U.S. Army Corps of Engineers WETLAND DETERMINATION DATA SHEET – Western Mountains, Valleys, and Coast Region See ERDC/EL TR-07-24; the proponent agency is CECW-CO-R	OMB Control #: 0710-xxxx, Exp: _____ Requirement Control Symbol EXEMPT: (Authority: AR 335-15, paragraph 5-2a)
--	--

Project/Site: Rental Properties Lots 3 & 5 City/County: Columbia Falls/Flathead Sampling Date: 6/2/22
 Applicant/Owner: Location Ventures State: MT Sampling Point: TP-7
 Investigator(s): N. Sovner Section, Township, Range: S16, T30N, R20W
 Landform (hillside, terrace, etc.): Terrance Local relief (concave, convex, none): Convex Slope (%): 1
 Subregion (LRR): LRR E, MLRA 43A Lat: 48.3651353 Long: -114.1628271 Datum: NAD83
 Soil Map Unit Name: Chamokane soils, 0 to 3 percent slopes NWI classification: N/A

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____

Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u> Hydric Soil Present? Yes _____ No <u>X</u> Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Remarks: Test plot located in the meadow above Wetland-3.	

VEGETATION – Use scientific names of plants.

Tree Stratum	(Plot size: <u>30'</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>0</u> (A) Total Number of Dominant Species Across All Strata: <u>1</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>0.0%</u> (A/B)																
1.																					
2.																					
3.																					
4.																					
		=Total Cover			Prevalence Index worksheet: <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Total % Cover of:</th> <th style="text-align: left;">Multiply by:</th> </tr> <tr> <td>OBL species <u>0</u></td> <td>x 1 = <u>0</u></td> </tr> <tr> <td>FACW species <u>0</u></td> <td>x 2 = <u>0</u></td> </tr> <tr> <td>FAC species <u>0</u></td> <td>x 3 = <u>0</u></td> </tr> <tr> <td>FACU species <u>0</u></td> <td>x 4 = <u>0</u></td> </tr> <tr> <td>UPL species <u>100</u></td> <td>x 5 = <u>500</u></td> </tr> <tr> <td>Column Totals: <u>100</u> (A)</td> <td><u>500</u> (B)</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = <u>5.00</u></td> </tr> </table>	Total % Cover of:	Multiply by:	OBL species <u>0</u>	x 1 = <u>0</u>	FACW species <u>0</u>	x 2 = <u>0</u>	FAC species <u>0</u>	x 3 = <u>0</u>	FACU species <u>0</u>	x 4 = <u>0</u>	UPL species <u>100</u>	x 5 = <u>500</u>	Column Totals: <u>100</u> (A)	<u>500</u> (B)	Prevalence Index = B/A = <u>5.00</u>	
Total % Cover of:	Multiply by:																				
OBL species <u>0</u>	x 1 = <u>0</u>																				
FACW species <u>0</u>	x 2 = <u>0</u>																				
FAC species <u>0</u>	x 3 = <u>0</u>																				
FACU species <u>0</u>	x 4 = <u>0</u>																				
UPL species <u>100</u>	x 5 = <u>500</u>																				
Column Totals: <u>100</u> (A)	<u>500</u> (B)																				
Prevalence Index = B/A = <u>5.00</u>																					
		=Total Cover																			
Sapling/Shrub Stratum	(Plot size: <u>15'</u>)																				
1.																					
2.																					
3.																					
4.																					
5.																					
		=Total Cover																			
Herb Stratum	(Plot size: <u>5'</u>)				Hydrophytic Vegetation Indicators: <u>1</u> - Rapid Test for Hydrophytic Vegetation <u>2</u> - Dominance Test is >50% <u>3</u> - Prevalence Index is ≤3.0 ¹ <u>4</u> - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <u>5</u> - Wetland Non-Vascular Plants ¹ <u>Problematic Hydrophytic Vegetation¹ (Explain)</u> ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.																
1. <i>Bromus inermis</i>		100	Yes	UPL																	
2.																					
3.																					
4.																					
5.																					
6.																					
7.																					
8.																					
9.																					
10.																					
11.																					
		100 =Total Cover																			
Woody Vine Stratum	(Plot size: <u>30'</u>)																				
1.																					
2.																					
		=Total Cover																			
% Bare Ground in Herb Stratum _____																					

Hydrophytic Vegetation Present? Yes _____ No X

Remarks:

SOIL

Sampling Point: _____

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)								
Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2	10YR 3/1	100					Loamy/Clayey	Dry, high OM
2-7	10YR 4/3	100					Loamy/Clayey	Slightly moist
7-20	10YR 4/2	100					Loamy/Clayey	Slightly moist

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils ³ :
☐ Histosol (A1)	☐ Sandy Redox (S5)	☐ 2 cm Muck (A10)
☐ Histic Epipedon (A2)	☐ Stripped Matrix (S6)	☐ Red Parent Material (F21)
☐ Black Histic (A3)	☐ Loamy Mucky Mineral (F1) (except MLRA 1)	☐ Very Shallow Dark Surface (F22)
☐ Hydrogen Sulfide (A4)	☐ Loamy Gleyed Matrix (F2)	☐ Other (Explain in Remarks)
☐ Depleted Below Dark Surface (A11)	☐ Depleted Matrix (F3)	
☐ Thick Dark Surface (A12)	☐ Redox Dark Surface (F6)	
☐ Sandy Mucky Mineral (S1)	☐ Depleted Dark Surface (F7)	
☐ 2.5 cm Mucky Peat or Peat (S2) (LRR G)	☐ Redox Depressions (F8)	
☐ Sandy Gleyed Matrix (S4)		

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed): Type: _____ Depth (inches): _____	Hydric Soil Present? Yes _____ No <u>X</u>
---	---

Remarks: _____

HYDROLOGY

Wetland Hydrology Indicators:			
Primary Indicators (minimum of one is required; check all that apply)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1)	☐ Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	☐ Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)	
☐ High Water Table (A2)	☐ Salt Crust (B11)	☐ Drainage Patterns (B10)	
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Dry-Season Water Table (C2)	
☐ Water Marks (B1)	☐ Hydrogen Sulfide Odor (C1)	☐ Saturation Visible on Aerial Imagery (C9)	
☐ Sediment Deposits (B2)	☐ Oxidized Rhizospheres on Living Roots (C3)	☐ Geomorphic Position (D2)	
☐ Drift Deposits (B3)	☐ Presence of Reduced Iron (C4)	☐ Shallow Aquitard (D3)	
☐ Algal Mat or Crust (B4)	☐ Recent Iron Reduction in Tilled Soils (C6)	☐ FAC-Neutral Test (D5)	
☐ Iron Deposits (B5)	☐ Stunted or Stressed Plants (D1) (LRR A)	☐ Raised Ant Mounds (D6) (LRR A)	
☐ Surface Soil Cracks (B6)	☐ Other (Explain in Remarks)	☐ Frost-Heave Hummocks (D7)	
☐ Inundation Visible on Aerial Imagery (B7)			
☐ Sparsely Vegetated Concave Surface (B8)			

Field Observations: Surface Water Present? Yes _____ No <u>X</u> Depth (inches): _____ Water Table Present? Yes _____ No <u>X</u> Depth (inches): _____ Saturation Present? Yes <u>X</u> No _____ Depth (inches): 19 (includes capillary fringe)	Wetland Hydrology Present? Yes _____ No <u>X</u>
---	---

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available: _____

Remarks: _____

STREAM ID STREAM-1	STREAM NAME Flathead River
LAT 48.366179 LONG -114.166655	DATE 06/02/2022
PROJEC Location Ventures LLC	CLIENT C Falls Rentals Lots 3&5
INVESTIGATORS N Sovner	
FLOW REGIME Perennial ☒ Intermittent ☐ Ephemeral ☐	WATER TYPE TNW ☒ RPW ☐ NRPW ☐

CHANNEL FEATURES	Estimate Measurements Top of Bank Width: <u>765.0</u> ft Top of Bank Height: LB <u>20.0</u> ft RB <u>20.0</u> ft Water Depth: <u>20.00</u> ft Water Width: <u>765.0</u> ft High Water Mark: <u>0.0</u> ft Flow Direction: <u>Southwest</u>		Stream Erosion ☐ None ☒ Moderate ☐ Heavy Artificial, Modified or Channelized ☐ Yes ☒ No Dam Present ☐ Yes ☒ No Sinuosity ☐ Low ☒ Medium ☐ High Gradient ☐ Flat (0.5/100 ft) ☒ Moderate (2 ft/100 ft) ☐ Severe (10 ft/100 ft)		
	Water Present ☐ No water, stream bed dry ☐ Stream bed moist ☐ Standing water ☒ Flowing water Velocity ☒ Fast ☐ Moderate ☐ Slow		Proportion of Reach Represented by Stream Morphology Types Riffle % Run 100 % Pool % Turbidity ☐ Clear ☐ Slightly turbid ☒ Turbid ☐ Opaque ☐ Stained ☐ Other _____		
INORGANIC SUBSTRATE COMPONENTS (should add up to 100%)			ORGANIC SUBSTRATE COMPONENTS (does not necessarily add up to 100%)		
Substrate Type	Diameter	% Composition in Sampling Reach	Substrate Type	Characteristic	% Composition in Sampling Area
Bedrock			Detritus	sticks, wood, coarse plant materials (CPOM)	
Boulder	> 256 mm (10")				
Cobble	64-256 mm (2.5"-10")	40	Muck-Mud	black, very fine organic (FPOM)	
Gravel	2-64 mm (0.1"-2.5")	30			
Sand	0.06-2mm (gritty)	10	Marl	grey, shell fragments	
Silt	0.004-0.06 mm	10			
Clay	< 0.004 mm (slick)	10			
WATERSHED FEATURES	Predominant Surrounding Landuse ☐ Forest ☐ Commercial ☐ Field/Pasture ☐ Industrial ☐ Agricultural ☒ Residential ☐ Other: _____ Canopy Cover ☐ Partly open ☒ Partly shaded ☐ Shaded ☐ Open		Indicate the dominant type (Check one) ☐ Trees ☐ Shrubs ☒ Grasses ☐ Herbaceous Floodplain Width ☒ Wide > 30ft ☐ Moderate 15-30ft ☐ Narrow <16ft Wetland Present ☒ Yes ☐ No Wetland ID Wetland-3		
	AQUATIC VEGETATION Indicate the dominant type and record the dominant species present ☐ Rooted emergent ☒ Rooted submergent ☐ Rooted floating ☐ Free floating ☐ Floating algae ☐ Attached algae				

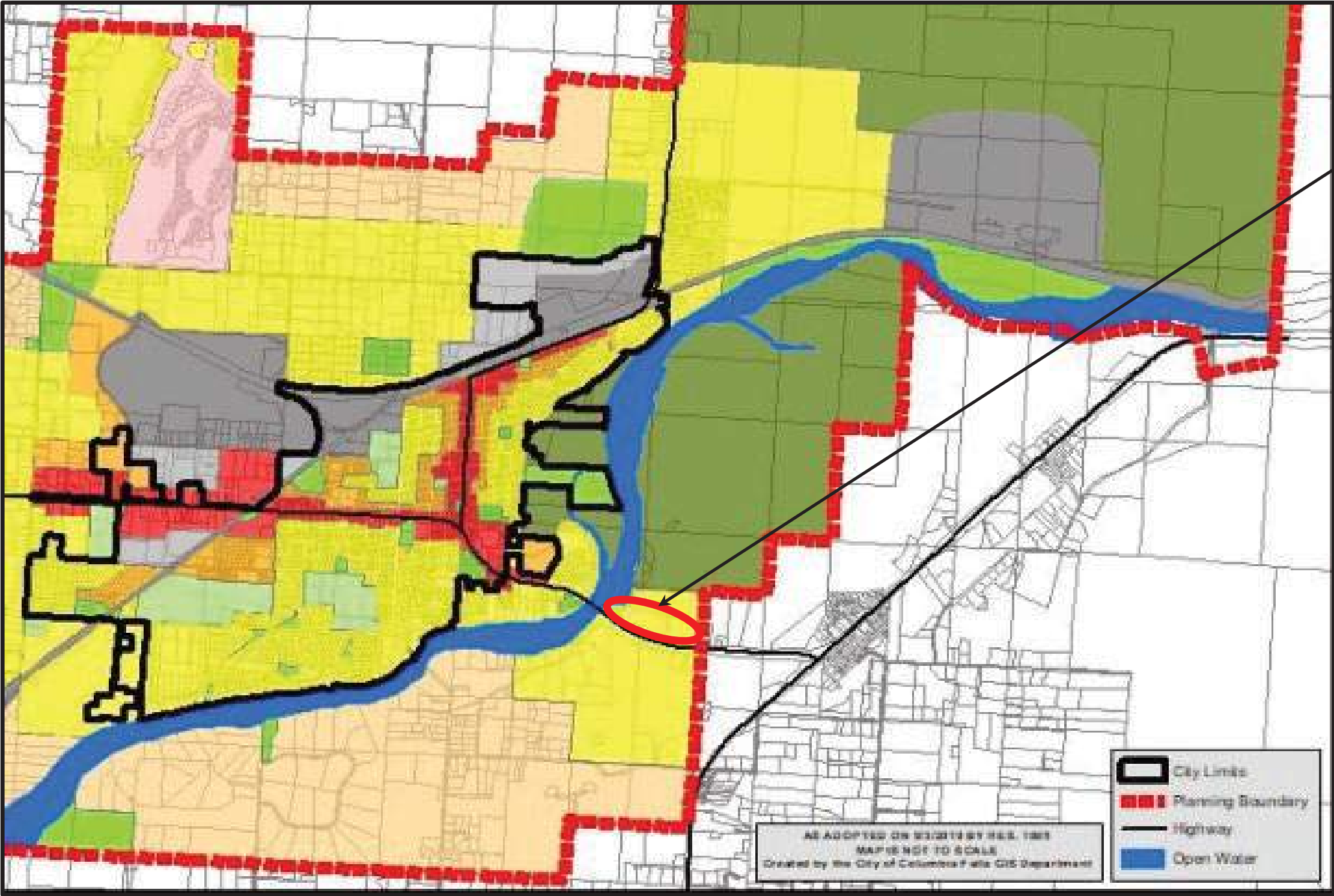
MACROINVERTEBRATES OR OTHER WILDLIFE OBSERVED/OTHER OBSERVATIONS AND NOTES	During field work the river was flowing at annual flood stage, no fringe wetland was present however Wetland-3 drains into the Flathead River via groundwater discharge beneath the roadway. Vegetation along the riparian zone consists of cottonwood, lodgepole pine, willow (various), snowberry, currant, and saskatoon.
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APPENDIX D: Plant List

PLANT LIST
COLUMBIA FALLS VACATION RENTALS LOTS 3&5

Latin Name	Common Name	Wetland Indicator
<i>Agrostis stolonifera</i>	Spreading Bentgrass	FAC
<i>Alopecurus pratensis</i>	Field Meadow Foxtail	FAC
<i>Bromus inermis</i>	Smooth brome	UPL
<i>Camassia quamash</i>	Small Camas	FACW
<i>Carex utriculata</i>	Northwest Territory Sedge	OBL
<i>Cerastium beeringianum</i>	Bearing Sea ear-mouse chickweed	FACU
<i>Dactylis glomerata</i>	Orchardgrass	FACU
<i>Eleocharis quinqueflora</i>	Few-flower spike rush	OBL
<i>Equisetum Arvense</i>	Field Horsetail	FAC
<i>Leucanthemum vulgare</i>	Oxeye daisy	FACU
<i>Plantago spp</i>	Plaintain	FACU
<i>Salix drummondiana</i>	Drummonds willow	FAW
<i>Schoenoplectus acutus</i>	Hardstem club rush	OBL
<i>Taraxicum officinale</i>	Common dandelion	FACU
<i>Trifolium pratense</i>	Red clover	FACU
<i>Typha latifolia</i>	Broadleaf cattail	OBL

GROWTH POLICY MAP



Land Use Map Legend	
	Commercial General, highway and neighborhood retail sales, services or mixed office use.
	Resort/Residential/Commercial 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.
	Heavy Industrial Manufacturing, processing, storage and assembly of goods, where noise, odor, dust and associated impacts extend beyond the confines of a building or screened area.
	Light Industrial Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.
	Multi-Family 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 Preserve 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.
	Public/Semi-Public Schools, government offices or facilities, and cemeteries.
	Park/Open Space City and County parks, homeowner parks and green space areas, recreation access points.



AERIAL





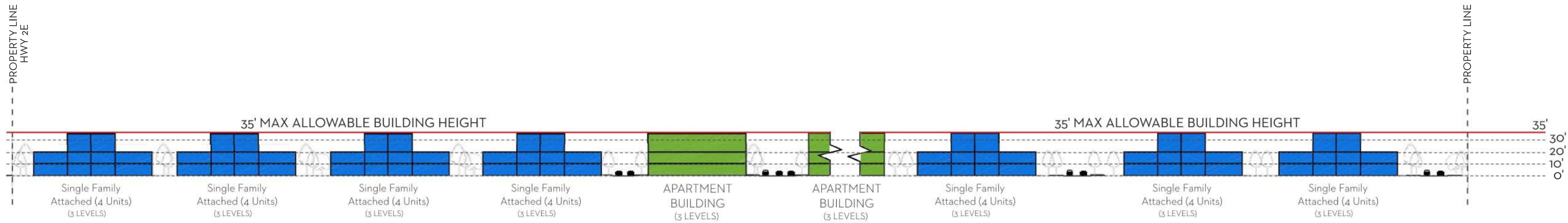




APARTMENT BUILDING



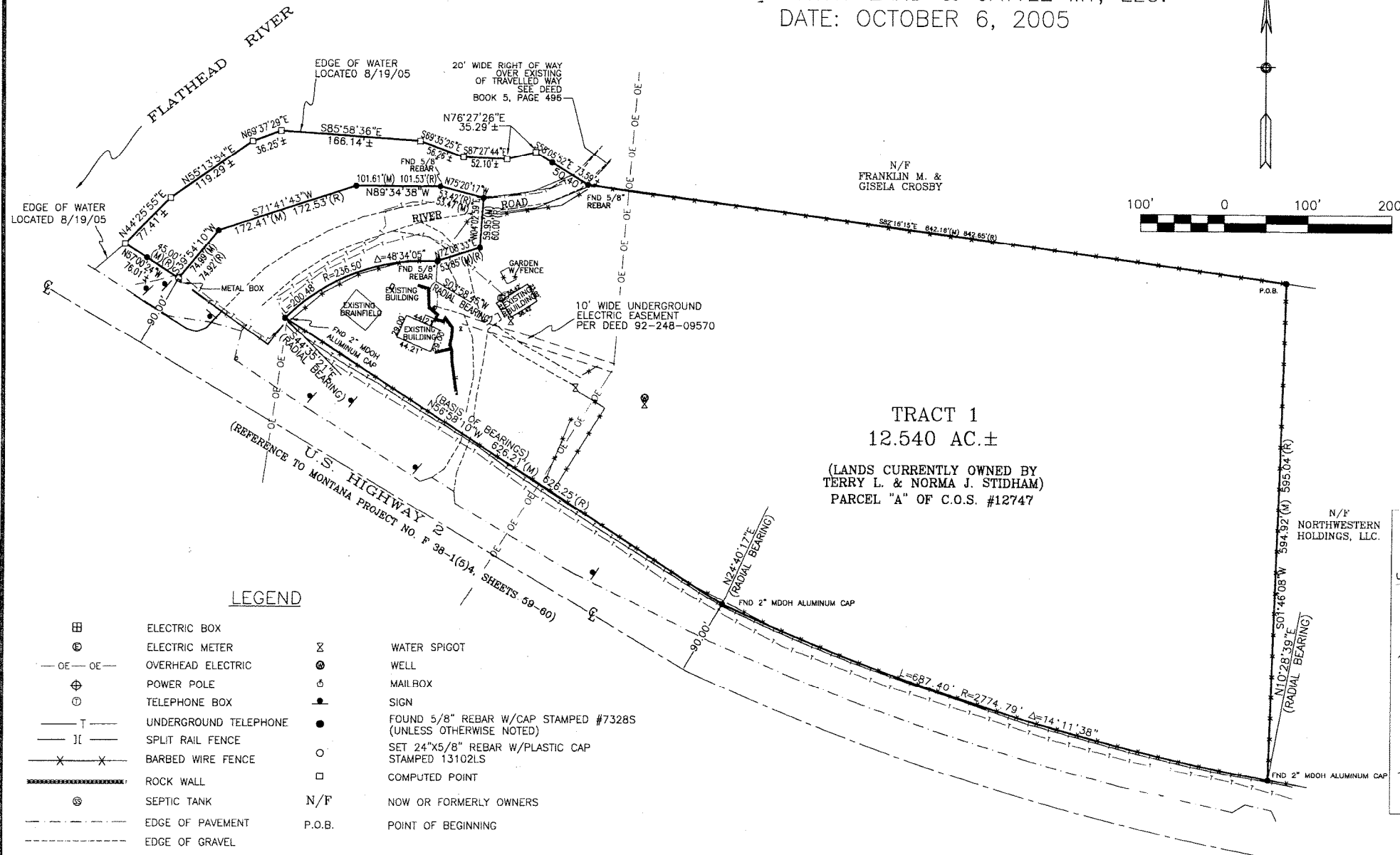
Key Plan



CROSS SECTION OF SITE

A.L.T.A. SURVEY

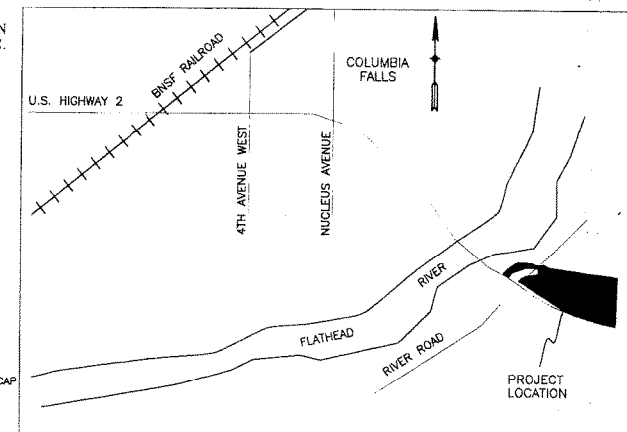
SE1/4NW1/4 & SW1/4NE1/4 SEC. 16, T30N, R20W, P.M.,M.
FLATHEAD COUNTY, MONTANA
FOR
HIGH COUNTRY LAND & CATTLE MT, LLC.
DATE: OCTOBER 6, 2005

**DESCRIPTION****TRACT 1**

That portion of the Southeast one-quarter of the Northwest one-quarter (SE1/4NW1/4) and the Southwest one-quarter of the Northeast one-quarter (SW1/4NE1/4) of Section Sixteen (16), Township Thirty North (T30N), Range Twenty West (R20W), Principal Meridian, Montana, Flathead County, Montana, more particularly described as follows:

Beginning at the northeast corner of Parcel "A" of Certificate of Survey #12747, according to the map or plat thereof on file at the Office of the Clerk and Recorder of Flathead County, Montana; thence South01°46'08"West 594.92 feet to the northerly right of way of U.S. Highway 2, said point also being the beginning of a non-tangent curve concave to the northeast having a radius of 2774.79 feet; thence the following ten (10) courses and distances along said northerly right of way: northwesterly 687.40 feet along said curve through a central angle of 14°11'38", North58°58'10"West 626.21 feet to the beginning of a non-tangent curve having a radius of 236.50 feet concave to the southeast, northeasterly 200.48 feet along said curve through a central angle of 48°34'05", North2°08'33"East 53.85 feet, North04°02'59"East 59.95 feet; North75°20'17"West 53.47 feet, North89°34'38"West 101.61 feet, South71°43'11"West 172.53 feet, South39°48'23"West 74.92 feet, North57°00'24"West 76.01 feet, more or less, to the low water mark of Flathead River; thence the following seven (7) courses and distances, more or less, along said low water mark: North44°25'55"East 77.41 feet, North55°13'54"East 119.29 feet, North69°37'29"East 36.25 feet, South85°58'36"East 166.14, South69°35'25"East 56.26 feet, South87°27'44"East 52.10 feet, North76°27'26"East 35.29 feet; thence South58°05'52"East 73.59 feet, more or less; thence South82°16'15"East 842.16 feet to the point of beginning and containing 12.540 acres of land, gross measure, more or less. All as shown hereon.

Subject to and together with all appurtenant easements of record.

**PURPOSE**

THIS SURVEY WAS PERFORMED TO VERIFY THE FOLLOWING ITEMS FOR TITLE INSURANCE PURPOSES ONLY, AS LISTED IN TABLE A - SURVEY SPECIFICATIONS:

- MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY AN EXISTING MONUMENT OR WITNESS TO THE CORNER (SHOWN HEREON)
- FLOOD ZONE DESIGNATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT, BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY). (FLOOD ZONES A4 & C ON COMMUNITY PANEL #300023 1435 C SEPTEMBER 5, 1984)
- IDENTIFY AND SHOW IF POSSIBLE, SETBACK, AND FLOOR SPACE AREA RESTRICTIONS OF RECORD OR DISCLOSED BY APPLICABLE ZONING OR BUILDING CODES (IN ADDITION TO THOSE RECORDED IN SUBDIVISION MAPS). IF NONE, SO STATE. (CITY OF COLUMBIA FALLS ZONING: CSAG-10, SETBACKS: FRONT 30', SIDES 20', SIDE CORNER 30', REAR 20', HEIGHT: N/A, PERMITTED LOT COVERAGE: 20% MAXIMUM)
- EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL. (SHOWN HEREON)
- SUBSTANTIAL, VISIBLE IMPROVEMENTS (IN ADDITION TO BUILDINGS) SUCH AS SIGNS, PARKING AREAS OR STRUCTURES, SWIMMING POOLS, ETC. (SHOWN HEREON)
- PARKING AREAS AND, IF STRIPED, THE STRIPING AND THE TYPE (E.G. HANDICAPPED, MOTORCYCLE, REGULAR, ETC.) AND NUMBER OF PARKING SPACES. (NOT APPLICABLE)
- INDICATION OF ACCESS TO A PUBLIC WAY SUCH AS CURB CUTS AND DRIVEWAYS. (SHOWN HEREON)

- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE.

—RAILROAD TRACKS AND SIDINGS; (NOT APPLICABLE)
—MANHOLES, CATCH BASINS, VALVE VAULTS OR OTHER SURFACE INDICATIONS OF SUBTERRANEAN USES; (NOT APPLICABLE)
—WIRES AND CABLES (INCLUDING THEIR FUNCTION) CROSSING THE SURVEYED PREMISES, ALL POLES ON OR WITHIN TEN FEET OF THE SURVEYED PREMISES, AND THE DIMENSIONS OF ALL CROSSTIES OR OVERHANGS AFFECTING THE SURVEYED PREMISES; AND (SHOWN HEREON)
—UTILITY COMPANY INSTALLATIONS ON THE SURVEYED PREMISES. (SHOWN HEREON)

- NAMES OF ADJOINING OWNERS OF PLATTED LANDS. (SHOWN HEREON)

- SIGNIFICANT OBSERVATIONS NOT OTHERWISE DISCLOSED. (NONE)

- TRACT 1 IS SUBJECT TO AND TOGETHER WITH ANY EASEMENT OF RECORD NOT SHOWN HEREON.

- EASEMENT FOR A GAS PIPE LINE AND MAINTENANCE THEREOF GRANTED TO THE MONTANA POWER COMPANY BY LULU E. ROGERS RECORDED FEBRUARY 2, 1966 IN BOOK 477, PAGE 434, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #4 FROM COVERAGE CANNOT BE LOCATED ON THE GROUND BY THE MONTANA POWER COMPANY AND IS NOT PLOTABLE BY THIS FIRM.

- EASEMENT FOR AN UNDERGROUND ELECTRIC DISTRIBUTION LINE AND MAINTENANCE THEREOF CRANTED TO PACIFICORP BY TERRY L. AND NORMA J. STIDHAM RECORDED SEPTEMBER 4, 1992 IN DOC. #92-248-09470, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #5 FROM COVERAGE. (SHOWN HEREON)

SAM CORDI
REGISTERED LAND SURVEYOR
974 COLORADO AVE.
P.O. BOX 323
WHITEFISH, MT 59937
PHONE: (406)-862-9977

CERTIFICATE OF SURVEYOR

Samuel Cordi 10/14/05
SAMUEL CORDI, REGISTRATION NO. 13102LS

APPROVED: *Paula Robins* 10/14/2005

EXAMINING LAND SURVEYOR REG. NO. 54285

STATE OF MONTANA SS #5.9

County of Flathead

Filed on the 17 day of Oct.

A.D. 2005 at 1:31 o'clock P.M.

Paula Robins

CLERK AND RECORDER

BY: *Theresa*

DEPUTY

INSTRUMENT REC. NO. 201529013310

CERTIFICATE OF SURVEY NO. 16958

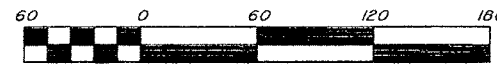
By: MONTANA MAPPING ASSOCIATES, Inc.
Surveying, Mapping & Geodetic Consulting
1405 Hwy 2 West
Kalispell, Mont. 59901
Phone: (406) 752-3539

Darren R. Breckenridge, P.L.S.

Note:
Surveyor has made no investigative or independent
search for easements of record encumbrances,
restrictive covenants, ownership title evidence,
or any other facts that an accurate and current
title search may disclose.

CERTIFICATE OF SURVEY

SW 1/4 NE 1/4, SECTION 16, T. 30 N., R. 20 W.
PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA



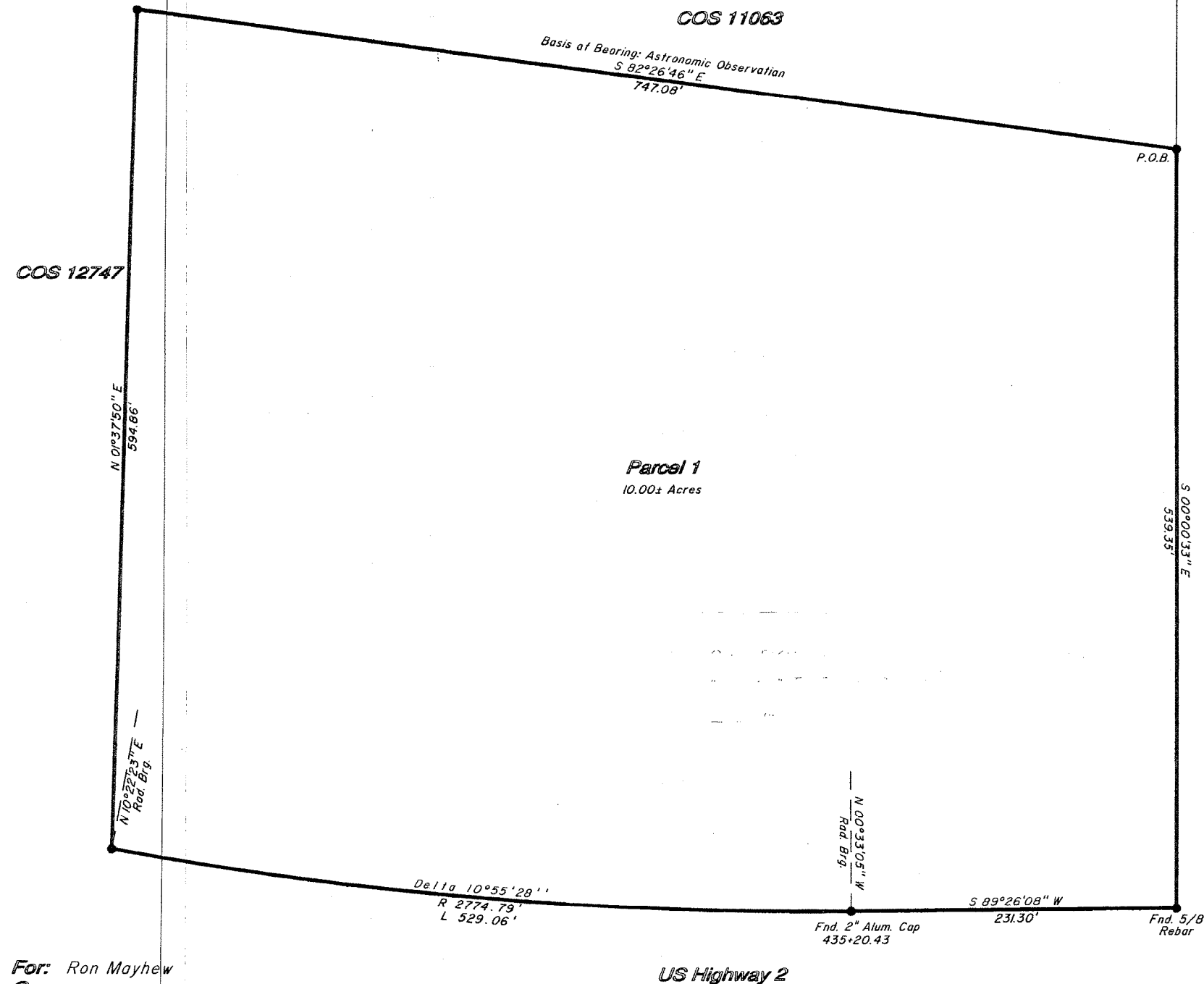
Scale 1" = 60'

PURPOSE: Retracement

LEGAL DESCRIPTION

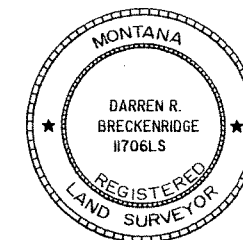
Parcel 1
A tract of land, situated, lying, and being in the Southwest 1/4
of the Northeast 1/4 of Section 16, Township 30 North, Range
20 West, Principal Meridian, Flathead County, Montana, and
more particularly described as follows:

Commencing at the NE 1/16 corner of Section 16; thence
S 00°00'33" E a distance of 668.18' to the TRUE POINT
OF BEGINNING of the tract of land being described; thence
continuing S 00°00'33" E a distance of 539.35' to a 5/8"
rebar; thence S 89°26'08" W a distance of 231.30' to a 2"
aluminum cap; thence along a 2774.79' radius nontangent
curve to the right whose radius bears N 00°33'05" W
through a central angle of 10°55'28" an arc distance of
529.06' to a 5/8" rebar; thence N 01°37'50" E a distance
of 594.86' to a 5/8" rebar; thence S 82°26'46" E a
distance of 747.08' to the Point of Beginning, Containing
10.00 acres more or less. Together with and subject to
all easements as shown and of record.



LEGEND

- SECTION CORNER (AS NOTED)
- 1/4 SECTION CORNER (AS NOTED)
- CENTER SECTION CORNER (AS NOTED)
- 1/16 SECTION CORNER 5/8" REBAR BY 732B-S
- FOUND 5/8" REBAR BY 732B-S (EXCEPT AS NOTED)
- SET 5/8" X 24" REBAR WITH CAP STAMPED BRECKENRIDGE 11706LS



CERTIFICATE OF SURVEYOR

Darren R. Breckenridge 10/21/05
REGISTRATION NUMBER 11706LS

APPROVED 10/19/2005
a H Deb

EXAMINING LAND SURVEYOR REG. NO. 54286

STATE OF MONTANA

COUNTY OF Flathead PS \$5.50

FILED THIS 21 DAY OF OCT 2005 A.D.
AT 2:20 O'CLOCK P.M.

CLERK AND RECORDER
Paula Robinson

BY: J. Munson

INSTRUMENT RECORD NUMBER 200529714320

For: Ron Mayhew
Owner: Twin Peak Farms LLC
Date: September, 2005
File name: H:\SURVEYS\MAYHEW\IOAC\RETRACE.dwg

US Highway 2

CERTIFICATE OF SURVEY NO. 11981

Property Owners within 150 feet of Subject Property

Crosby III Revoc Trust

Franklin M & Gisela G

Us Bank As Agent

PO Box 64142

Saint Paul, MN 55164

Kathie R Arvidson

PO Box 161

Columbia Falls, MT 59912

Ivan Jaquette

7100 US Highway 2 E.

Columbia Falls, MT 59912

Zoning Map Amendment



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ _____

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: 500 River Partners LLC affiliate of Location Acquisitions

MAIL ADDRESS: 275 Alhambra Circle

CITY/STATE/ZIP: Coral Gables, FL 33134 PHONE: (786) 701-6724

INTEREST IN PROPERTY: Residential Development

Name and address of owner if different than applicant (**Tract 3F**):

Name: High Country Land & Cattle (MT) LLC

Mail Address: 4531 N 16th St #103

City/State/Zip: Phoenix, AZ 85016 Phone: _____

Name and address of owner if different than applicant (**Tract 3FB**):

Name: Twin Peaks Farms LLC

Mail Address: 2098 W Champagne Ct

City/State/Zip: Eagle, ID 83616 Phone: (208) 890-6669

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 500 River Road (**Tract 3F**) and 7030 Highway 2 E (**Tract 3FB**)
- B. Legal Description: (Subdivision Name, Lot & Block and/or Tract Number (Section, Township, Range)
Section 16, T30N, R20W, Tracts 3F and 3FB
(Attach COS #16985 and #16981)
- C. Land in zone change (ac)
10.00 and 12.55
- D. The present zoning of the above property is: CSAG-10 and CSAG-5
- E. The proposed zoning of the above property is: CR-4
- F. State the changed or changing conditions that make the proposed amendment necessary:
Proposed housing development.

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

A. Promoting the Growth Policy

B. Lessening congestion in the streets and providing safe access

C. Promoting safety from fire, panic and other dangers

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

E. Preventing the overcrowding of land

F. Avoiding undue concentration of population

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

H. Giving reasonable consideration to the character of the district

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

J. Protecting and conserving the value of buildings

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

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.

DocuSigned by:

Rishi Kapoor

3968951BE1CB498...

(Applicant Signature, 500 River Partners LLC)

7/11/2022 | 8:40 AM PDT

(Date)

DocuSigned by:

RICHARD GULGI

E477FB06325B4A0...

(Owner's Signature, High Country Land & Cattle (MT) LLC)

7/9/2022 | 2:44 PM MST

(Date)

DocuSigned by:

Ron Mathew

96B0B307E5B8440...

(Owners Signature, Twin Peaks Farms LLC)

6/30/2022 | 6:51 PM CDT

(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.

ZONING MAP AMENDMENT NARRATIVE

A. Promoting Growth Policy

The proposed Columbia Falls Rental Development promotes the 2019 Columbia Falls Growth Policy in multiple ways:

- It is consistent with the three residential housing goals of the Growth Policy.
- It is consistent with the Growth Policy Map's guidance for development of this site for urban residential use.
- It helps Columbia Falls address a number of issues identified in the Growth Policy and implements multiple policies of the Growth Policy.

The Growth Policy has three specific goals that pertain to residential housing:

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.*

The proposed housing development provides market priced rental housing units that are attainable to a broad range of the market demand. The development proposes a mix of 180 dwelling units (7.98 dwelling units/acre) consisting of 99 single family attached in 3- and 4- unit buildings, 81 apartment units, a private clubhouse, a public park, green space and sufficient on-street parking. The location of this development is as close to the City as possible and will be annexed into the City.

2. *Residential development that does not excessively burden the local government and is adequately served by public facilities and services.*

While meeting the Growth Policy's density, the development will have a relative life cycle return on public investment much higher than the Growth Policy's predicted single family with public streets and infrastructure since the streets and infrastructure installed on site will be private but open to the public. Actual city investment in this proposed development is relatively nominal. City officials have confirmed there is capacity to serve the development with city services, which will be further supported by the additional tax dollars realized. The primary services specific to the development will be financed by the developer.

3. *Solid, stable, well-maintained neighborhoods which are safe from the intrusion of incompatible uses.*

The proposed development is a small self-contained residential neighborhood. Due to US 2, the Flathead River, and wetlands acting as barriers to adjacent development, there is very little opportunity for intrusion of incompatible uses or further expansion of compatible uses.

The Growth Policy Map for Columbia Falls identifies the project site for Urban Residential (CR-4) development. Urban Residential development is characterized by density between 2 and 8 dwelling units per acre that is primarily single family residential with limited quantities of multi-family units. The development is to be supported with full urban services. There are six Policies for Urban Residential development. The following paragraphs identify the relevant policies and how this development is consistent with them:

1. *Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided.*

The proposed development is immediately across Flathead River from existing urban sewer and water. Sewer and water will be extended in order to serve the area. As summarized in Section E adequate services and facilities are available for the proposed development.

2. *Typical densities are two to eight dwellings per gross acre.*

The proposed density is 7.98 DU/acre which meets the Growth Policy target. However, the proposed density is less than the maximum allowable for a CPUD over a CR-4 zoning (see **Table 1** and **Zoning Exhibits, Amended Zoning Map**).

Table 1. Comparison of Zoning District Requirements and Proposed PUD Equivalents				
	CSAG 5 & 10	CR-4	CPUD	Proposed
Permitted Uses	Agricultural and Horticultural	Single family dwelling	Single family dwelling Two family dwelling Multi-family dwelling Private recreation and service facility	Single family attached (3- and 4- unit buildings), multi-family (two apartment buildings), and private clubhouse
Maximum density	NA	NA	12 DU/acre	7.98 DU/acre
Minimum lot size	5 ac/10 ac	7,200 sq ft	87,120 sq ft	22.55 acres
Minimum lot width	1/3+ avg length/NA	60 ft	NA	NA
Maximum lot coverage	25%/20%	35%	70%	NA
Front yard setback	20 ft/30 ft	20 ft	NA	NA
Side yard setback	20 ft	5 ft	NA	15 ft*
Side corner yard setback	20 ft/30 ft	15 ft	NA	NA
Rear yard setback	20 ft	20 ft	NA	20 ft
Maximum building height	NA	35 ft	NA	35 ft
* Average distance between single-family attached				

3. *Single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi-family housing are also anticipated.*

Based on the City Planner's recommendation, the base zoning proposed for this development is CR-4. A PUD provides an opportunity for multi-family housing. A vast majority of the buildings in the development are single-family attached (13% of the building footprint to 7% for multi-family). Each dwelling unit in the single-family attached will have a dedicated outdoor space. The scale of development is largely "missing middle" housing which provides the character of single-family development while increasing the density.

4. *Urban density residential areas should be fully served by urban infrastructure and municipal services, including paved streets, curbs, sidewalks abutting all residential lots, boulevards and public sewer and water.*

The proposed development supplies all the listed urban density residential components.

5. *These areas should have convenient pedestrian and vehicle access to neighborhood business districts, parks, and elementary schools.*

As noted in the Growth Policy, there is very little available land within the City of Columbia Falls for infill residential development. This proposed development is proposed for annexation and provides for contiguous growth of the city. The proposed development is adjacent to US 2 and consequently has as convenient access as can be achieved without being infill development. Internal pedestrian and vehicular circulations are efficient and effectively connects the entire neighborhood.

The Growth Policy outlined the following issues that are intended to be addressed by implementing its policies:

1. The lack of developable residential land within the city hampers its ability to meet housing demand (pg 7). Therefore, future growth will [need] to occur through annexation and development of vacant lands on the perimeter of the City (pg 19). Issue #13 on page 25 of the Growth Policy reaches the same conclusion.
2. Significant rural residential growth inhibits orderly expansion of city services and facilities in order to accommodate growth (pg 7). Issue #8 on page 20 further explains that “low density development in outlying areas has been the predominant local growth pattern of recent decades creating inefficiencies in providing services.” Policy #7 on page 27 “Encourage[s] the development of urban residential neighborhoods as the primary residential land-use pattern in the growth policy area.” And on page 28, Policy #15 states “Designate new areas for urban scale residential expansion adjacent to city limits that can be served by municipal services to accommodate anticipated future residential growth.”

Annexation and rezoning of the subject property will allow Columbia Falls to address these issues by allowing urban scale residential development adjacent to the City. The proposed development also responds to and is consistent with the following guidance from the Growth Policy:

- “Design and locate development to protect public health and safety; ensure adequate provision of services; fit the character of its surroundings; and encourage the most appropriate use of land. Community character shall represent the following values identified by the community in the public input process: scenic, small town ambience, outdoor lifestyle, western town, historic/cultural assets, national park gateway, wildlife, walkable community, winter sports.” (pg 22 Policy #9)
- Typical densities are two to eight dwellings per gross acre. (pg 26 Policy #3 b.)
- Single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi-family housing are also anticipated. (pg 26 Policy #3 c.)

- “Encourage clustering of density where environmentally sensitive areas are present and beneficial open space or park area can be achieved.” (pg 28 Policy #12)
- “Where density and location dictate, all subdivisions within one mile of the City of Columbia Falls (residential, and, if applicable, commercial) should require that streets are built to an urban standard. This includes paved streets, curb and gutter, sidewalks on both sides, a landscape boulevard and street lighting.” (pg 41 Policy #5)
- “All multi-family developments (apartment, condominium or townhouse) having twelve or more dwellings for permanent non-elderly residents should incorporate privately owned and maintained playgrounds or tot lots if the development is not readily served by a neighborhood park.” (pg 44 Policy #15)
- “Loop roads are encouraged over cul-de-sacs in order to provide secondary access, particularly in areas at high risk from wildfire.” (pg 48 Policy #4)

As discussed further in Section K, the proposed development is consistent with the 2019 Growth Policy and is proposed as a Planned Unit Development in order to more efficiently meet the intent of the Columbia Falls Zoning Ordinance and Subdivision Regulations while creating a high-quality housing development to help meet the significant demand for housing in Flathead County.

B. Lessening Congestion and Providing Safe Access

A traffic impact study has been completed to determine the nature and extent the proposed development will impact overall traffic patterns in this location. Based on the findings of the traffic impact study appropriate facilities will be designed and constructed to provide safe access from the two access points onto US 2, and to appropriately manage traffic flows in the area. The internal street system of the development has been designed to meet anticipated local circulation needs. Because there will be limited connection to adjacent property, there is no significant concern about increased future levels of traffic within the development. Connection and access to River Road to the north of the development will be maintained. Sidewalks within the site are designed to provide safe internal pedestrian circulation. Crosswalks are designated to support safe interfaces between vehicular and pedestrian movement.

C. Promoting Safety from Fire, Panic, and Other Dangers

Municipal water supply will be extended to the development with volume and pressure adequate to fight fires. Fire hydrants will be located in accordance with city standards throughout the development. Sprinkler systems will be provided in accordance with applicable fire codes. Streets are designed with sufficient width to serve emergency vehicle access. Buildings are located appropriately to provide defensible space from wildland fires. The development site does not have steep slopes that could result in concerns about landslides. The development is not located in the 100-year floodplain (see **Zoning Exhibits, Flood Plain Map**). All buildings will be constructed according to Columbia Falls codes which are designed to address other natural hazards such as snow loads, wind speeds, and earthquakes.

D. Promoting the Public Interest, Health, Comfort, Convenience, Safety, and General Welfare

Zoning and subdivision regulations are designed to ensure the public health, safety, and welfare. Zoning and subdivision regulations are intended to implement community growth policies. As noted in, Section A, the subject development will implement the Columbia Falls Growth Policy in multiple ways. Chief among them are providing much needed additional housing for the community and supporting the need

to expand urban residential development into the designated growth areas immediately adjacent to the City.

A Planned Unit Development is proposed in order to more efficiently meet the intent of the City's zoning and subdivision regulations while making best use of the site. The development team has worked closely with city officials on development details to ensure this proposal will be in the best interests of the City of Columbia Falls. This is further documented in the PUD application being submitted at the same time as this application.

E. Preventing Overcrowding of Land

Overcrowding of land is an issue that typically pertains more to high density development such as tenements and high-rise office buildings in major cities that lack open space or adequate access to light and high-quality air. Columbia Falls generally does not suffer from these issues, and its Growth Policy and land use regulations help to keep it so. Columbia Falls encourages interspersing smaller areas of higher density residential development into the overall urban fabric. The proposed development is consistent with the land use plan and density requirements of Columbia Falls. Due to wetlands located on the site, a PUD is used to cluster development on the site to allow the wetlands to function as beneficial open space. (See pg 28 Policy #12 of the Growth Policy.) Single-family attached are the dominant building type on the site in order to help maintain a pattern of human-scale development. This is consistent with Policy #3 (c) on page 26 of the Growth Policy.

The total area of the development is 22.55 acres or approximately 982,278 square feet. As noted above, there are sensitive environmental areas within the site that will be mostly avoided and preserved for wildlife habitat and the enjoyment of residents. **Table 2 and Zoning Exhibits, Distribution of a Development and Open Space Areas** illustrate the location and amount of open space, environmentally protected areas, as well as the development areas.

Table 2. Distribution of a Development and Open Space Areas		
	Square Feet	Percent of Total Area
Total Tract Area	982,278	100%
Building Footprint Area	196,800	20%
Roads, Sidewalks, Driveways Area	253,530	26%
Open Space Area	310,227	32%
Wetlands and Forest Riparian Area	221,721	22%

Twenty-two percent (22%) of the tract will be undeveloped and left in its natural state. The remaining open space which abuts the buildings will provides access to light, air and views for the residents. In addition, the open space includes a playground, dog park, and maintained park space. Green space (pervious ground) composes approximately 54% of the total area. Managed landscaping on site will prioritize native plant species and, where appropriate, Location Acquisitions will work with professionals to restore or augment natural green space with additional native plant species to enhance biodiversity and area ecosystem health. Please refer to **PUD Exhibits, Aerial** for a depiction of the intent for the mature landscaping.

F. Avoiding Undue Concentration of Population

As noted previously in Section E, this proposed development is consistent with the Columbia Falls policies and zoning requirements pertaining to population concentration and density. In fact, the density of the proposed development allows the city to achieve some of its key objectives for residential development and designated growth areas. The Growth Policy Map for Columbia Falls identifies the project site for Urban Residential development. Urban Residential development is characterized by density between 2 and 8 dwelling units per acre that is a mix of single family residential and multi-family units. The gross density for the proposed development is 7.98 units per acre. Due to wetlands located on the site, a PUD is used to cluster development on the site to allow the wetlands to function as beneficial open space. (See pg 28 Policy #12 of the Growth Policy.) Single-family attached are the dominant building type on the site in order to help maintain human-scale development pattern. This is consistent with Policy #3 (c) on page 26 of the Growth Policy. This development will be served by city public sewer and water services, and include paved streets, curbs, sidewalks, and boulevards. This is consistent with Policy #3 (d) on page 26 of the Growth Policy.

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

The proposed development will be fully served by urban services. This is consistent with the Growth Policy's intent and with the CR-4 zoning requirements. Details pertaining to service provision are described in the following paragraphs:

Municipal Water Supply. The development will connect to City water service.

Sanitary Sewage Collection. Wastewater from the development will be conveyed to a proposed lift station directly south across US 2. Wastewater will be treated by the City of Columbia Falls treatment facility which is the optimal method of treatment over alternatives such as individual onsite septic systems.

Stormwater Management. Stormwater runoff will be managed on-site through detention ponds and diversion into natural drainage areas.

Roads. Private drives open to the public that meet the City's emergency service access needs are provided throughout the development. Two access points are provided from the development onto US 2.

Pedestrian Access. Sidewalks provide ready access throughout the development and connect from the dwelling units to the clubhouse. Additionally, there will be a linkage from the clubhouse down to the Flathead River. A possible future signaled intersection located at the west entrance would allow access to a multi-use trail along the south side of US 2.

Traffic Management. A traffic impact study was completed to determine if any improvements such as turning lanes and acceleration lanes onto US 2. Please see the attached traffic impact study.

Telecommunications. The best available telecommunications services will be provided to the development.

Power Supply. Single phase power will be supplied via underground cable throughout the housing development. Power will be supplied by Flathead Electric Cooperative currently located along US 2.

Recreational Facilities. A clubhouse will provide onsite recreational amenities for the residents. Additionally, a playground, a dog park and both managed and natural open areas will provide an array of outdoor recreational opportunities onsite as well. The preservation of nearly all the existing mature trees and environmentally sensitive areas on site provide opportunities for residents to enjoy the natural environment. The development will also provide public access to the Flathead River and the Gateway to Glacier Trail.

Schools. Resident children will attend Ruder or Glacier Gateway elementary schools, Columbia Falls Junior High School, and the Columbia Falls High School. School district officials have assured Location Acquisitions that there is sufficient capacity within existing facilities to accommodate the additional students.

Other Public Facilities. Many other public facilities such as the library, community center, city hall, and city parks are only a few minutes away in downtown Columbia Falls.

H. Giving Reasonable Consideration to the Character of the District

This site is adjacent to the Flathead River and nearly adjacent to large areas of public land under the administration of Montana Fish and Wildlife. The scenic beauty of the environment and the identified wetlands on site were key factors in the development design being proposed for the site. The proposed development blends into the existing character of the site by preserving 100% of the jurisdictional wetlands and 96% of all wetlands, retaining the existing pond, conserving the riparian forested area, and maintaining open space. Managed landscaping will prioritize native plant species, and, where appropriate, Location Acquisitions will work with professionals to restore or augment natural open space to increase biodiversity and improve ecosystem health. The intended architectural design is a traditional Mountain aesthetic with natural materials and a rustic ambiance that is consistent with the City of Columbia Falls architectural design preferences. The design provides architectural features that create visual interest, incorporate human scale elements, and reduce large building scale by breaking up major facades with offsets, embellishments, and changes in texture and color. Site design nestles several single-family attached into the landscape, and screens two multi-family buildings from view by leaving the mature trees adjacent to US 2 and supplementing the existing screening with additional buffer landscaping along the existing berm.

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

As noted previously in Section A, the Columbia Falls Growth Policy designates this site for urban residential development. Due to the presence of wetlands and the immediate adjacency to US 2, this site is especially suited for the proposed PUD with human-scaled development. The layout of single family and multi-family units is done in a way that maintains the intended overall density standard by leaving a major part of the site undeveloped. Architectural design is compatible with the historical heritage of the community. This enhances one of three gateways to the City of Columbia Falls, while providing housing that is more attainable than an equivalent amount of detached single-family housing.

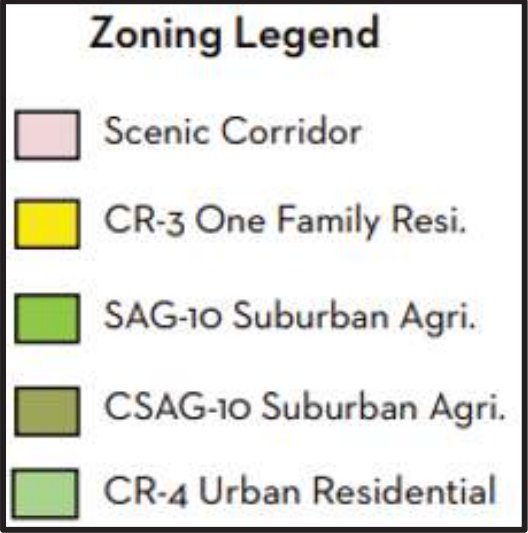
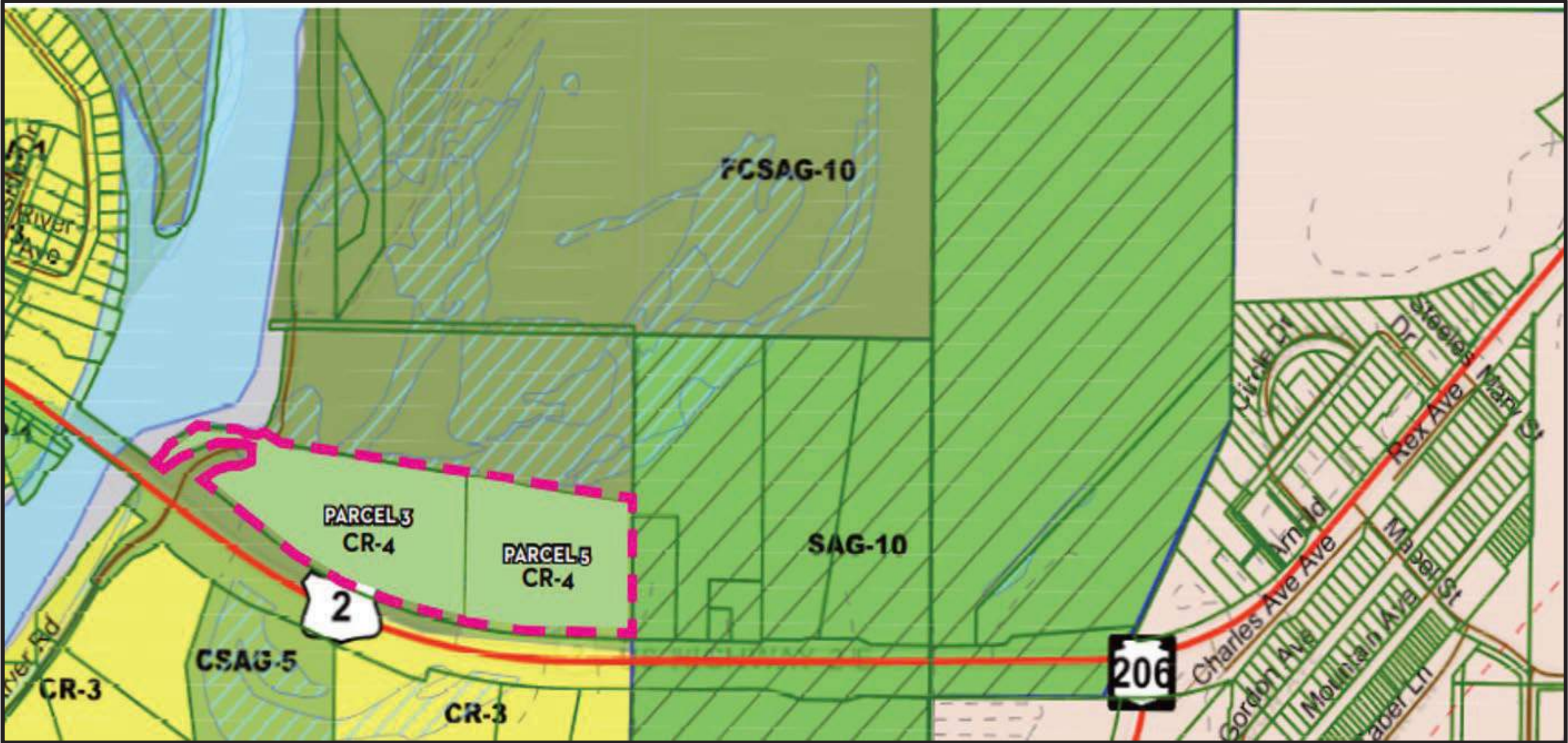
J. Protecting and Conserving the Value of Buildings

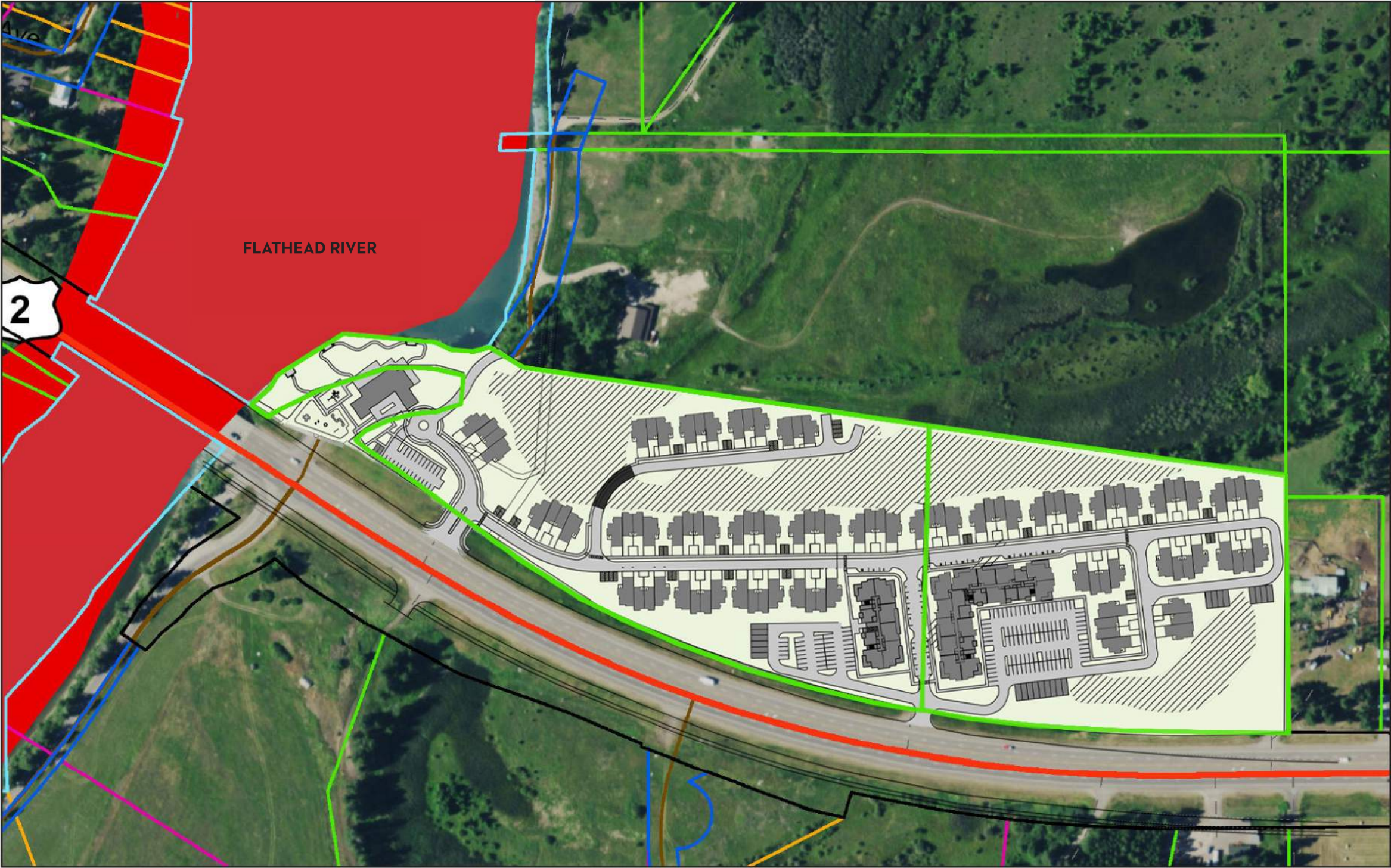
There is one single family residence located on the site, while the remainder is natural open space. The existing residence will be removed from the site, but the overall value of the site will be greatly increased with the development of 180 dwelling units.

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

The proposed development is located adjacent to the current city limits. The annexation, extension of municipal services, and development for urban residential use are all recommended by the Growth Policy and will result in efficient orderly expansion of the City of Columbia Falls. Please reference Section A, G and I for details about the consistency with current city plans, policies, and standards.

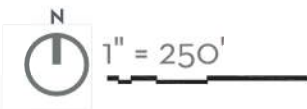
Zoning Exhibits

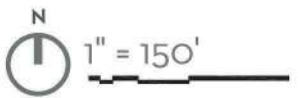




Hydrology

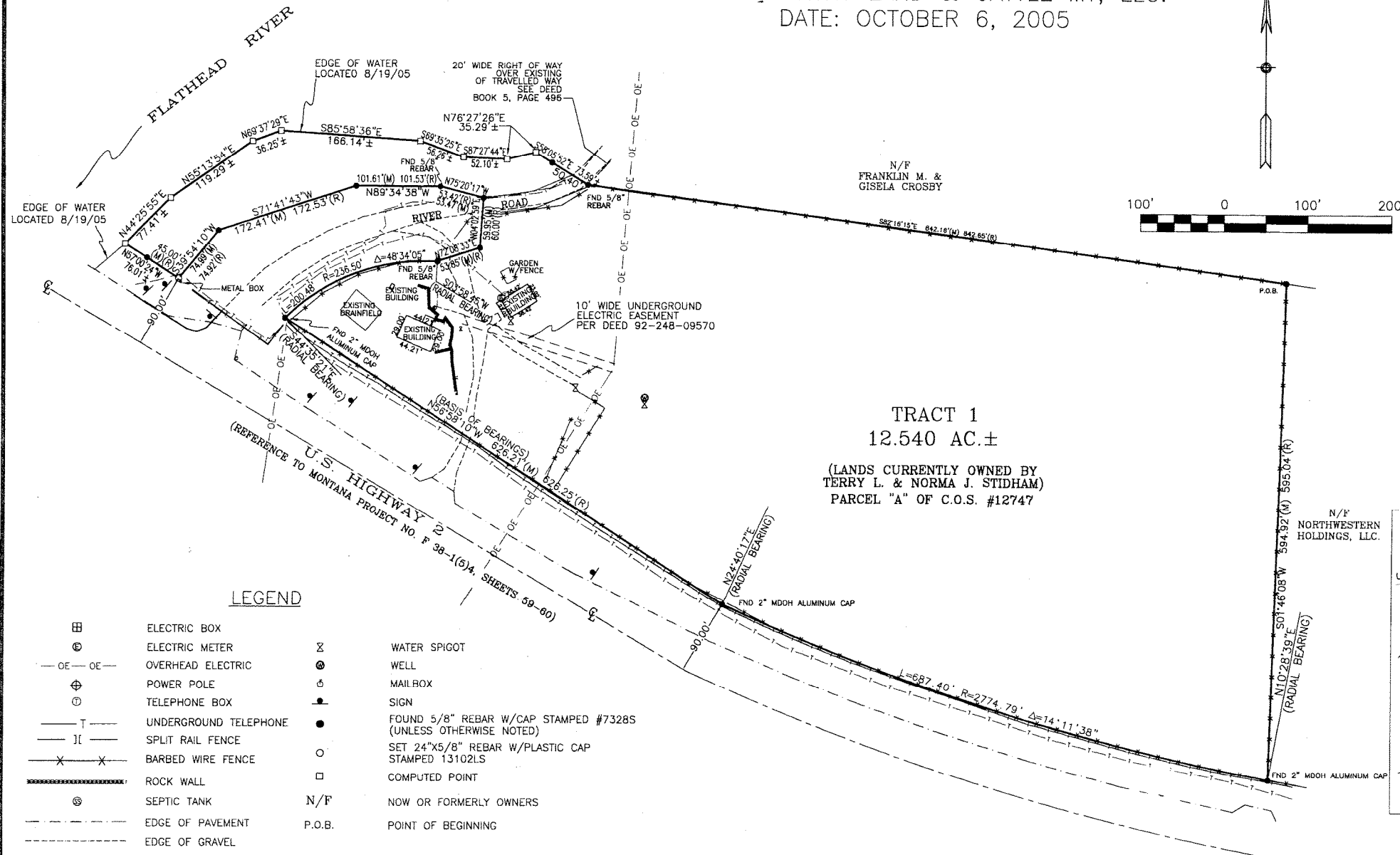
100 Year Floor Plain





A.L.T.A. SURVEY

SE1/4NW1/4 & SW1/4NE1/4 SEC. 16, T30N, R20W, P.M.,M.
FLATHEAD COUNTY, MONTANA
FOR
HIGH COUNTRY LAND & CATTLE MT, LLC.
DATE: OCTOBER 6, 2005

**PURPOSE**

THIS SURVEY WAS PERFORMED TO VERIFY THE FOLLOWING ITEMS FOR TITLE INSURANCE PURPOSES ONLY, AS LISTED IN TABLE A - SURVEY SPECIFICATIONS:

- MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY AN EXISTING MONUMENT OR WITNESS TO THE CORNER (SHOWN HEREON)
- FLOOD ZONE DESIGNATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT, BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY). (FLOOD ZONES A4 & C ON COMMUNITY PANEL #300023 1435 C SEPTEMBER 5, 1984)
- IDENTIFY AND SHOW IF POSSIBLE, SETBACK, AND FLOOR SPACE AREA RESTRICTIONS OF RECORD OR DISCLOSED BY APPLICABLE ZONING OR BUILDING CODES (IN ADDITION TO THOSE RECORDED IN SUBDIVISION MAPS). IF NONE, SO STATE. (CITY OF COLUMBIA FALLS ZONING: CSAG-10, SETBACKS: FRONT 30', SIDES 20', SIDE CORNER 30', REAR 20', HEIGHT: N/A, PERMITTED LOT COVERAGE: 20% MAXIMUM)
- EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL. (SHOWN HEREON)
- SUBSTANTIAL, VISIBLE IMPROVEMENTS (IN ADDITION TO BUILDINGS) SUCH AS SIGNS, PARKING AREAS OR STRUCTURES, SWIMMING POOLS, ETC. (SHOWN HEREON)
- PARKING AREAS AND, IF STRIPED, THE STRIPING AND THE TYPE (E.G. HANDICAPPED, MOTORCYCLE, REGULAR, ETC.) AND NUMBER OF PARKING SPACES. (NOT APPLICABLE)
- INDICATION OF ACCESS TO A PUBLIC WAY SUCH AS CURB CUTS AND DRIVEWAYS. (SHOWN HEREON)

- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE.

—RAILROAD TRACKS AND SIDINGS; (NOT APPLICABLE)
—MANHOLES, CATCH BASINS, VALVE VAULTS OR OTHER SURFACE INDICATIONS OF SUBTERRANEAN USES; (NOT APPLICABLE)
—WIRES AND CABLES (INCLUDING THEIR FUNCTION) CROSSING THE SURVEYED PREMISES, ALL POLES ON OR WITHIN TEN FEET OF THE SURVEYED PREMISES, AND THE DIMENSIONS OF ALL CROSSTIES OR OVERHANGS AFFECTING THE SURVEYED PREMISES; AND (SHOWN HEREON)
—UTILITY COMPANY INSTALLATIONS ON THE SURVEYED PREMISES. (SHOWN HEREON)

- NAMES OF ADJOINING OWNERS OF PLATTED LANDS. (SHOWN HEREON)

- SIGNIFICANT OBSERVATIONS NOT OTHERWISE DISCLOSED. (NONE)

- TRACT 1 IS SUBJECT TO AND TOGETHER WITH ANY EASEMENT OF RECORD NOT SHOWN HEREON.

- EASEMENT FOR A GAS PIPE LINE AND MAINTENANCE THEREOF GRANTED TO THE MONTANA POWER COMPANY BY LULU E. ROGERS RECORDED FEBRUARY 2, 1966 IN BOOK 477, PAGE 434, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #4 FROM COVERAGE CANNOT BE LOCATED ON THE GROUND BY THE MONTANA POWER COMPANY AND IS NOT PLOTTABLE BY THIS FIRM.

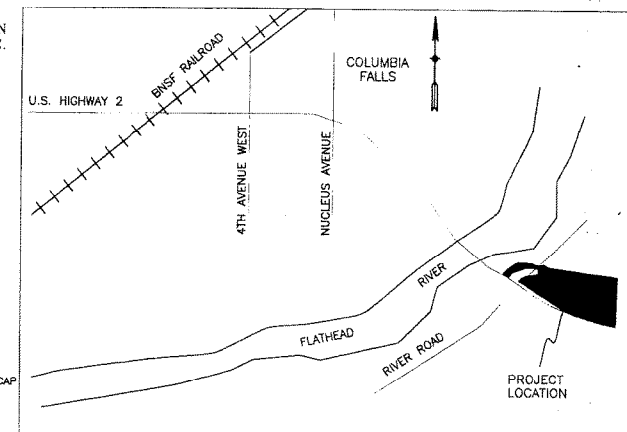
- EASEMENT FOR AN UNDERGROUND ELECTRIC DISTRIBUTION LINE AND MAINTENANCE THEREOF GRANTED TO PACIFICORP BY TERRY L. AND NORMA J. STIDHAM RECORDED SEPTEMBER 4, 1992 IN DOC. #92-248-09470, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #5 FROM COVERAGE. (SHOWN HEREON)

DESCRIPTION**TRACT 1**

That portion of the Southeast one-quarter of the Northwest one-quarter (SE1/4NW1/4) and the Southwest one-quarter of the Northeast one-quarter (SW1/4NE1/4) of Section Sixteen (16), Township Thirty North (T30N), Range Twenty West (R20W), Principal Meridian, Montana, Flathead County, Montana, more particularly described as follows:

Beginning at the northeast corner of Parcel "A" of Certificate of Survey #12747, according to the map or plat thereof on file at the Office of the Clerk and Recorder of Flathead County, Montana; thence South01°46'08"West 594.92 feet to the northerly right of way of U.S. Highway 2, said point also being the beginning of a non-tangent curve concave to the northeast having a radius of 2774.79 feet; thence the following ten (10) courses and distances along said northerly right of way: northwesterly 687.40 feet along said curve through a central angle of 14°11'38", North58°58'10"West 626.21 feet to the beginning of a non-tangent curve having a radius of 236.50 feet concave to the southeast, northeasterly 200.48 feet along said curve through a central angle of 48°34'05", North2°08'33"East 53.85 feet, North04°02'59"East 59.95 feet; North75°20'17"West 53.47 feet, North89°34'38"West 101.61 feet, South71°43'11"West 172.53 feet, South39°48'23"West 74.92 feet, North57°00'24"West 76.01 feet, more or less, to the low water mark of Flathead River; thence the following seven (7) courses and distances, more or less, along said low water mark: North44°25'55"East 77.41 feet, North55°13'54"East 119.29 feet, North69°37'29"East 36.25 feet, South85°58'36"East 166.14, South69°35'25"East 56.26 feet, South87°27'44"East 52.10 feet, North76°27'26"East 35.29 feet; thence South58°05'52"East 73.59 feet, more or less; thence South82°16'15"East 842.16 feet to the point of beginning and containing 12.540 acres of land, gross measure, more or less. All as shown hereon.

Subject to and together with all appurtenant easements of record.

**VICINITY MAP**

NOT TO SCALE

CERTIFICATE OF SURVEYOR

Samuel Cordi 10/14/05
SAMUEL CORDI, REGISTRATION NO. 13102LS

APPROVED *10/14/2005*

EXAMINING LAND SURVEYOR REG. NO. 54285

STATE OF MONTANA SS #5.9

County of Flathead

Filed on the *17* day of *Oct.*

A.D. *2005* at *1:31* o'clock *P.*M.

Paula Robins
CLERK AND RECORDER

BY: *Theresa*
DEPUTY

INSTRUMENT REC. NO. *201529013310*

CERTIFICATE OF SURVEY NO. *16958*

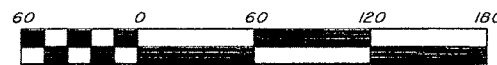
SAM CORDI
REGISTERED LAND SURVEYOR
974 COLORADO AVE.
P.O. BOX 323
WHITEFISH, MT 59937
PHONE: (406)-862-9977

By: **MONTANA MAPPING ASSOCIATES, Inc.**
 Surveying, Mapping & Geodetic Consulting
 1405 Hwy 2 West
 Kalispell, Mont. 59901
 Phone: (406) 752-3539

Darren R. Breckenridge, P.L.S.

CERTIFICATE OF SURVEY

SW 1/4 NE 1/4, SECTION 16, T. 30 N., R. 20 W.
 PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA



Scale 1" = 60'

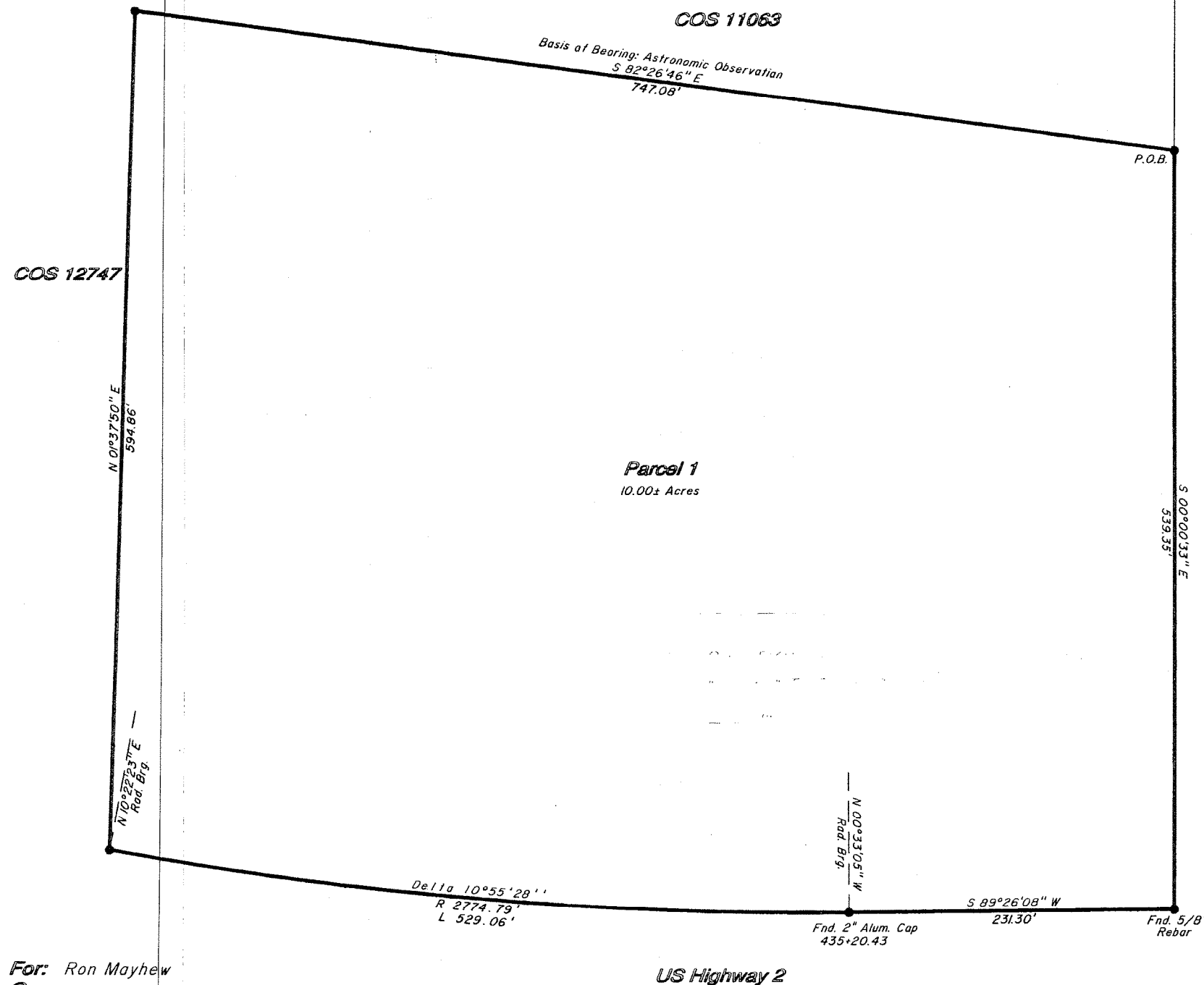
Note:
 Surveyor has made no investigative or independent search for easements of record encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

PURPOSE: Retracement

LEGAL DESCRIPTION

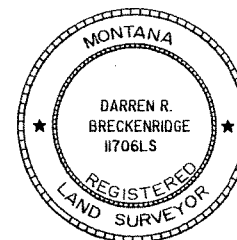
Parcel 1
 A tract of land, situated, lying, and being in the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 30 North, Range 20 West, Principal Meridian, Flathead County, Montana, and more particularly described as follows:

Commencing at the NE 1/16 corner of Section 16; thence S 00°00'33" E a distance of 668.18' to the TRUE POINT OF BEGINNING of the tract of land being described; thence continuing S 00°00'33" E a distance of 539.35' to a 5/8" rebar; thence S 89°26'08" W a distance of 231.30' to a 2" aluminum cap; thence along a 2774.79' radius nontangent curve to the right whose radius bears N 00°33'05" W through a central angle of 10°55'28" an arc distance of 529.06' to a 5/8" rebar; thence N 01°37'50" E a distance of 594.86' to a 5/8" rebar; thence S 82°26'46" E a distance of 747.08' to the Point of Beginning. Containing 10.00 acres more or less. Together with and subject to all easements as shown and of record.



LEGEND

- ✚ SECTION CORNER (AS NOTED)
- ✚ 1/4 SECTION CORNER (AS NOTED)
- ⊙ CENTER SECTION CORNER (AS NOTED)
- ⊙ 1/16 SECTION CORNER 5/8" REBAR BY 732B-S
- FOUND 5/8" REBAR BY 732B-S (EXCEPT AS NOTED)
- SET 5/8" X 24" REBAR WITH CAP STAMPED BRECKENRIDGE 11706LS



CERTIFICATE OF SURVEYOR

Darren R. Breckenridge 10/21/05
 REGISTRATION NUMBER 11706LS

APPROVED 10/19/2005

EXAMINING LAND SURVEYOR REG. NO. 54286

STATE OF MONTANA

COUNTY OF Flathead

FILED THIS 21 DAY OF OCT 2005 A.D.
 AT 2:20 O'CLOCK P.M.

CLERK AND RECORDER
Karla Robinson

BY: *D. Breckenridge*

INSTRUMENT RECORD NUMBER 200529714320

For: Ron Mayhew
 Owner: Twin Peak Farms LLC
 Date: September, 2005
 File name: H:\SURVEYS\MAYHEW\IOAC\RETRACE.dwg

US Highway 2

CERTIFICATE OF SURVEY NO. 11981



ORT Form 4690 6/06 Rev. 8-1-16

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Item No.5.



ALTA 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 six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

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

Issued through the office of:
Insured Titles
44 4th Street West/P.O. Box 188
Kalispell, MT 59901
(406)755-5028

By  President
Attest  Secretary



Authorized Signature

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA © Commitment for Title Insurance issued by Old Republic 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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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.

This page is only a part of a 2016 ALTA ® Commitment for Title Insurance issued by Old Republic 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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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.

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ALTA Commitment for Title Insurance

Issued By

Old Republic National Title Insurance Company**Transaction Identification Data for reference only:**

Issuing Agent and Office: Insured Titles, 44 4th Street West/P.O. Box 188, Kalispell, MT 59901 (406)755-5028

Issuing Office's ALTA ® Registry ID: 1027943

Loan ID No.:

Issuing Office Commitment/File No.: 989704-WHI

Property Address: 500 River Rd., Columbia Falls, MT 59912

Revision No.:

SCHEDULE A

1. Commitment Date: **July 12, 2021 at 7:30 A.M.**
2. Policy (or Policies) to be issued: Premium Amount reflects applicable rate
 - (a) ☒ 2006 ALTA ® Standard Owner's Policy
 Proposed Insured: **Location Ventures Acquisitions, LLC**
 Proposed Policy Amount: **\$1,390,000.00** Premium Amount \$ **3102.00**
 Endorsements: \$
 - (b) ☐ 2006 ALTA ® Loan Policy
 Proposed Insured:
 Proposed Policy Amount: **\$0.00** Premium Amount \$
 Endorsements: \$
 - (c) ☐ ALTA ® Policy
 Proposed Insured:
 Proposed Policy Amount: \$ Premium Amount \$
 Endorsements: \$
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:
High Country Land & Cattle (MT), L.L.C., A Montana Limited Liability Company

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5. The Land is described as follows:

The land referred to herein is described in the Legal Description attached hereto as Exhibit A.

By:

Authorized Countersignature

(This Schedule A valid only when Schedule B is attached.)

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File No. 989704-WHI	Page 5 of 10	ALTA Commitment for Title Insurance (8-1-16)
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Exhibit "A"

Real property in the County of Flathead, State of Montana, described as follows:

That portion of the North ½, Section 16, Township 30 North, Range 20 West, Flathead County, Montana, as follows:

Shown as Parcel A on Certificate of Survey No. 12747.

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File No. 989704-WHI	Page 6 of 10	ALTA Commitment for Title Insurance (8-1-16)
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ALTA Commitment for Title Insurance

Issued By

Old Republic National Title Insurance Company**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 any document in the completion of this transaction is to be executed by an attorney-in-fact, the Power of Attorney must be submitted for review prior to closing.
6. We require the attached Seller/Borrower Affidavit be completed prior to recording.

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ALTA Commitment for Title Insurance

Issued By

Old Republic National Title Insurance Company**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. Taxes or 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.
2. Any facts, rights, interests, or claims which are not shown by the Public Records but which could be ascertained by an inspection of said Land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title including discrepancies, conflicts in boundary lines, shortage in area, or any other facts that would be disclosed by an accurate and complete land survey of the Land, and that are not shown in the Public Records.
5. (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 excepted under (a), (b), or (c) are shown by the Public Records.
6. Any liens, or rights to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the Public Records.
7. Any right, title or interest in any minerals, mineral rights or related matters, including but not limited to oil, gas, coal and other hydrocarbons, sand, gravel or other common variety materials, whether or not shown by the Public Records.

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8. 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, M.C.A., 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 of Flathead County.
9. 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.
10. 2021 taxes and special assessments are a lien; amounts not yet determined or payable. The first one-half becomes delinquent after November 30th of the current year, the second one-half becomes delinquent after May 31st of the following year.

General taxes as set forth below. Any amounts not paid when due will accrue penalties and interest in addition to the amount stated herein:

Year	1st Half	2nd Half	Parcel Number
2020	\$1,532.12 PAID	\$1,532.08 PAID	0506800

11. Any claim arising from the difference in the mean low water line of the Flathead River and the meander line as shown by the Original Government Survey.
12. Any action based on the claim that any part of the insured premises is within or under navigable water.
13. Easement granted to Montana Power Company, recorded December 14, 1962 in Book 452 at Page 133 as Instrument No. 9573.
14. Easement granted to Pacific Power and Light Company, recorded January 31, 1963 in Book 452 at Page 324 as Instrument No. 728.
15. Easement granted to The Montana Power Company, recorded February 2, 1966 in Book 477 at Page 434 as Instrument No 800.
16. Right-of-Way granted to Montana Power Company, recorded March 15, 1962 in Book 443 at Page 822 as Instrument No. 2056.
17. Right of Way Easement granted to Pacificorp, a corporation d/b/a Pacific Power and Light Company, recorded July 17, 1992 as Instrument No. 92-248-09570
18. Easement Agreement upon the terms, conditions and provisions contained therein:
Parties: High Country Land & Cattle (MT), L.L.C., and City of Columbia Falls
Recorded: July 22, 2010, as Instrument No. 2010-000-16654, and being re-recorded on July 28, 2010, as Instrument No. 2010-000-17108

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Flathead Premier Title Company, LLC
53 4th Avenue East North
Kalispell, MT 59901
Phone: **406-752-7000**
Fax: **406-545-5532**

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Item No.5.

Transmittal Information

Date: 07/13/2021
File No: 3390FPT
Property Address: 
Buyer\Borrower: Location Ventures Acquisitions, LLC
Seller: Twin Peaks Farms, LLC

For changes and updates please contact your Escrow or Title officer(s):

Escrow Officer:

Jill Kuntz

Flathead Premier Title Company, LLC

53 4th Avenue East North

Kalispell, MT 59901

Phone: **406-752-7000**

Fax: **406-545-5532**

E-Mail: **Jill@flatheadpremiertitle.com**

Processor: **Samantha Vondrich**

E-Mail: **Samantha@flatheadpremiertitle.com**

Title Officer:

Tracy Martin

Flathead Premier Title Company, LLC

205 June's Way, Suite 3

Whitefish, MT 59937

Phone: **406-862-7000**

Fax: **406-545-5532**

Email: **Tracy@flatheadpremiertitle.com**



There are requirements appearing in Schedule B-Section 1 which require special attention
Item numbers needing attention: 9 AND 10

Thank you for using Flathead Premier Title Company, LLC



ALTA Commitment For Title Insurance

(Adopted 06-17-06) (Revised 08-01-2016)

(WITH MONTANA MODIFICATIONS)

COMMITMENT FOR TITLE INSURANCE

ISSUED BY

WESTCOR LAND 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, WESTCOR LAND TITLE INSURANCE COMPANY, a South Carolina 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 six (6) months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

IN WITNESS WHEREOF, **WESTCOR LAND TITLE INSURANCE COMPANY** has caused its corporate name and seal to be hereunto affixed and by these presents to be signed in facsimile under authority of its by-laws, effective as of the date of Commitment shown in Schedule A.

Issued By:

WESTCOR LAND TITLE INSURANCE COMPANY

Flathead Premier Title - Kalispell Branch

By:

53 4th Avenue East North
Kalispell, MT 59901
Phone: 406-752-7000



By:

Mary O'Donnell

President

Attest:

[Signature]

Secretary

CM-21

MT ALTA 08-01-16Commitment w-MT Mod (WLTIC Edition 02/02/18)



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; and
- (f) Schedule B, Part II—Exceptions; and
- (g) signed 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.

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; and signed by the Company or its issuing agent that may be in electronic form.

CM-21

MT ALTA 08-01-16Commitment w-MT Mod (WLTIC Edition 02/02/18)



- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the 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.
- (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. INTENTIONALLY OMITTED

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CM-21

MT ALTA 08-01-16Commitment w-MT Mod (WLTIC Edition 02/02/18)



COMMITMENT FOR TITLE INSURANCE

Issued by

Westcor Land Title Insurance Company

SCHEDULE A

1. Commitment Date: **June 23, 2021, AT 07:30 am**

2. Policy to be issued:

(a) 2006 ALTA® Standard Coverage Policy

Proposed Insured: **Location Ventures Acquisitions, LLC**

Proposed Policy Amount: **\$380,000.00**

Premium: **\$1,183.00**

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:
Twin Peaks Farms LLC

5. The land referred to in this Commitment is described as follows:
SEE ATTACHED EXHIBIT "A"

For Informational Purposes Only:

7030 Hwy 2 E, Columbia Falls, MT 59912

Countersigned

Flathead Premier Title Company, LLC

By:



Tracy Martin

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EXHIBIT "A"

Parcel 1 of Retracement Certificate of Survey No. 16981, located and being in the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

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COMMITMENT FOR TITLE INSURANCE

Issued by

Westcor Land Title Insurance Company

SCHEDULE B, PART I Requirements

The following are the requirements to be complied with prior to the issuance of said policy or policies. Any other instrument recorded subsequent to the effective date hereof may appear as an exception under Schedule B of the policy to be issued. Unless otherwise noted, all documents must be recorded in the office of the clerk and recorded of the county in which said property is located.

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. **When the proposed insured seeks ALTA extended coverage, we will require borrowers and/or sellers to execute an Indemnity and Affidavit as to debts, liens, and possession.**
6. **Satisfaction or release filed of record to release all Judgments, Liens, Mortgages, and Trust Indentures, if any, unless the proposed insured desires to assume or subordinate to said obligations.**
7. **If ALTA extended coverage is requested and/or if Westcor Land Title Insurance Company at its discretion feels a physical inspection of the property is necessary then an inspection will be performed. Any matters found by our inspection requiring disclosure to the parties involved in this transaction, will be shown in a supplemental report. Westcor Land Title Insurance Company has the right to add to the supplemental report additional exceptions to coverage, as it deems necessary.**
8. **Company requires Seller and Buyer to fully comply with the provisions of the Realty Transfer Act (M.C.A. 15-7-301 et. at.), which includes the requirement that Seller and Buyer fully complete a Realty Transfer Certificate which will be presented at closing. If either party fails to fully comply with the Realty Transfer Act, Company will add the following exception in the final title policy: Any state or county, taxing, assessing, or recording authority's failure to acknowledge the transfer to the Insured of the land described in Schedule A, pursuant to the Realty Transfer Act, as set forth in M.C.A. 15-7-301 et. at.**

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9. **The Company requires for its review satisfactory copy of the "Articles of Organization," the Operating Agreement and the regulations of Twin Peaks Farms LLC, a Montana limited liability company, any amendment thereof, a certificate of good standing, and satisfactory evidence of authority of the officers, managers, or members to execute the documents.**
10. **The Company requires for its review satisfactory copy of the "Articles of Organization," the Operating Agreement and the regulations of Location Ventures Acquisitions, LLC, limited liability company, any amendment thereof, a certificate of good standing, and satisfactory evidence of authority of the officers, managers, or members to execute the documents.**

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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 or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the Effective Date but prior to the date the proposed Insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
2. Taxes or 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 Public Record. No liability is assumed for errors, omissions or changes of assessed valuations or amount of taxes assessed by any state, county, city or federal taxing or assessing authority.
3. Any facts, rights, interest or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof
4. Easements, liens or encumbrances, or claims thereof, which are not shown by the Public Records
5. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land 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, claims or title to water; ditch rights; (d) minerals of whatsoever kind, subsurface and surface substances, including but not limited to coal, lignite, oil, gas, uranium, clay, rock, sand and gravel and other hydrocarbons in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities related thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed
7. 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.
8. Any service, installation or connection charge for any and all utilities, including, but not limited to sewer, gas, water or electricity.

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9. 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, M.C.A., including, but not limited to any right of the Public and the County of Flathead to use and occupy those certain roads and trails.

10. Real estate taxes or special assessments for the year(s) 2021, that are not yet due or payable.

11. For informational purposes only, do not rely upon for a tax payment. Flathead County records indicate the taxes for the year 2020 are:
 FIRST HALF: \$669.07 PAID
 SECOND HALF: \$669.05 PAID
 TOTAL: \$1,338.12
 Assessor No.: 06-0000424
 Tax Roll No.: 09471

12. Easement fro a pipe line for transmission of gas granted to The Montana Power Company, recorded March 15, 1962, in [Book 443, Page 883](#) as Document No. 2056, records of Flathead County, Montana.

13. Easement for a pipe line for transmission of gas granted to The Montana Power Company, recorded December 14, 1962, in [Book 452, Page 133](#), as Document No. 9573, records of Flathead County, Montana.

14. Easement for electric transmission and distribution line granted to Pacific Power & Light Company, recorded January 31, 1963 in [Book 452, Page 326](#), as Document No. 728, records of Flathead County, Montana.

15. Easement for a gas pipe line granted to the Montana Power Company, recorded February 2, 1966 in [Book 477, Page 434](#), as Document No. 800, records of Flathead County, Montana.

16. Easement for underground electric distribution line granted to Pacificorp, dba Pacific Power & Light Company, recorded September 4, 1992 as [Document No. 9224809570](#), records of Flathead County, Montana.

17. All matters, covenants, conditions, restrictions, easements and any rights, interest or claims which may exist by reason thereof, disclosed by [Certificate of Survey No. 11063](#), [Certificate of Survey No. 12747](#) and Retracement [Certificate of Survey No. 16981](#), but deleting any covenant, conditions or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604{c}.

18. Provisions and conditions contained in Certificate of Approval by the State of Montana Department of Health and Environmental Sciences as attached to [Certificate of Survey No. 12747](#), recorded August 22, 1996 as [Document No. 9623509090](#), records of Flathead County, Montana.

19. Ordinance No. 806 by the City of Columbia Falls, Montana, amended the Columbia Falls Zoning Map, recorded July 1, 2021 as [Document No. 202100022419](#), records of Flathead County, Montana.

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Notice of Privacy Policy **of**

Westcor Land Title Insurance Company

Westcor Land Title Insurance Company ("WLTIC") values its customers and is committed to protecting the privacy of personal information. In keeping with that philosophy, we have developed a Privacy Policy, set out below, that will ensure the continued protection of your nonpublic personal information and inform you about the measures WLTIC takes to safeguard that information.

Who is Covered

We provide our Privacy Policy to each customer when they purchase an WLTIC title insurance policy. Generally, this means that the Privacy Policy is provided to the customer at the closing of the real estate transaction.

Information Collected

In the normal course of business and to provide the necessary services to our customers, we may obtain nonpublic personal information directly from the customer, from customer-related transactions, or from third parties such as our title insurance agents, lenders, appraisers, surveyors or other similar entities.

Access to Information

Access to all nonpublic personal information is limited to those employees who have a need to know in order to perform their jobs. These employees include, but are not limited to, those in departments such as legal, underwriting, claims administration and accounting.

Information Sharing

Generally, WLTIC does not share nonpublic personal information that it collects with anyone other than its policy issuing agents as needed to complete the real estate settlement services and issue its title insurance policy as requested by the consumer. WLTIC may share nonpublic personal information as permitted by law with entities with whom WLTIC has a joint marketing agreement. Entities with whom WLTIC has a joint marketing agreement have agreed to protect the privacy of our customer's nonpublic personal information by utilizing similar precautions and security measures as WLTIC uses to protect this information and to use the information for lawful purposes. WLTIC, however, may share information as required by law in response to a subpoena, to a government regulatory agency or to prevent fraud.

Information Security

WLTIC, at all times, strives to maintain the confidentiality and integrity of the personal information in its possession and has instituted measures to guard against its unauthorized access. We maintain physical, electronic and procedural safeguards in compliance with federal standards to protect that information.

The WLTIC Privacy Policy can also be found on WLTIC's website at www.wltic.com.

Annexation

CITY OF COLUMBIA FALLS, MONTANA PETITION TO ANNEX

As the owner of the property(ies) listed below, being a portion of the property to be annexed, herein described, I hereby petition the City Council of the City of Columbia Falls to annex the property to the City of Columbia Falls.

Property owned by the Petitioner:

Assessor Number: 0506800

Legal Description: S16, T30 N, R20 W, 12747-A, PARCEL N/A, TR 3F IN SW4NE4 & SE4NW4

Tract 3F Lot NA Block NA Subdivision NA

Section-Township-Range: S16, T30 N, R20 W

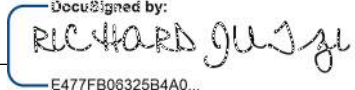
Proposed land use: Residential Housing

Current zoning: CSAG-10

Owner's Legal Name as recorded on deed: High Country Land & Cattle (MT) LLC

Mailing Address: 4531 N 16th St. Suite 103, Phoenix, AZ 85016-5344

Phone Number: _____

Owner's signature:  Date 7/9/2022 | 2:44 PM MST

Owner's signature: _____ Date _____

Owner's signature: _____ Date _____

Attach:

- 1.) Deed
- 2.) Map
- 3.) Completed Waiver of Protest to Creation of Special Improvement District

2005242/11430

Return to and taxes:
High Country Land & Cattle (MT), LLC
4531 N. 16th Street #103
Phoenix, AZ 85016-5344

RECORDED BY ATEC
DATE 8-30-05 TIME 11:43
\$ 14 PAGES 2 BY MY
SAULA ROBINSON FLATHEAD COUNTY MONTANA

Alliance Title
Order No.:206052913

WARRANTY DEED

FOR VALUE RECEIVED

Terry L. Stidham and Norma J. Stidham, as Joint Tenants

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

**High Country Land & Cattle (MT), L.L.C., A Montana
Limited Liability Company**

whose current address is

4531 N. 16th Street #103 Phoenix, AZ 85016-5344

the grantee(s), the following described premises, in Flathead County, MT, TO WIT:

That portion of the North ½, Section 16, Township 30 North, Range 20 West, Flathead County, Montana, described as follows:

Commencing at the Northeast corner of the Southwest ¼ of the Northeast ¼; thence
along the East line of the Southwest ¼ of the Northeast ¼
South 0°07'40" West 668.18 feet; thence
North 82°18'09" West 1589.66 feet to the Point of Beginning; thence retracing
South 82°18'09" East 842.65 feet; thence
South 1°46'43" West 595.04 feet to a point on the Northerly line of U.S. Highway No. 2,
which point is on a 2774.79 foot radius curve concave Northeasterly, having a radial
bearing of
North 10°29'17" East; thence along the Northerly line of the Highway the following
courses:
Northwesterly along the curve thru a central angle of 14°11'36" 687.38 feet; thence
North 56°58'10"
West 626.25 feet to a point on a 236.50 foot radius curve concave Southeasterly having a
radial bearing of
South 44°35'24" East; thence
Northeasterly along the curve thru a central angle of 48°34'12" 200.48 feet; thence
North 72°10'40" East 53.85 feet; thence
North 3°56'48" East 60.00 feet; thence
North 75°21'53" West 53.42 feet; thence
North 89°34'30" West 101.53 feet; thence
South 71°43'19" West 172.53 feet; thence
South 39°42'53" West 74.91 feet; thence
North 57°06'17" West 78 feet more or less to the Low Water Mark of Flathead River;
thence leaving the Northerly line of the Highway,
Northeasterly along the Low Water Mark 547 feet more or less to a point which bears
North 57°26'48" West from the Point of Beginning; thence
South 57°26'48" East 74. Feet more or less to the Point of Beginning.

Shown as Parcel A on Certificate of Survey No. 12747.

APPROVED 8/30/05 0506800

2005242/1430

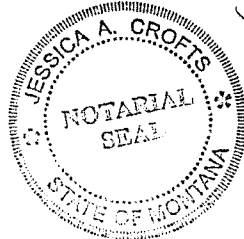
TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-30-05
Terry L. Stidham Norma J. Stidham
 Terry L. Stidham Norma J. Stidham

State of Montana }
 County of Flathead }

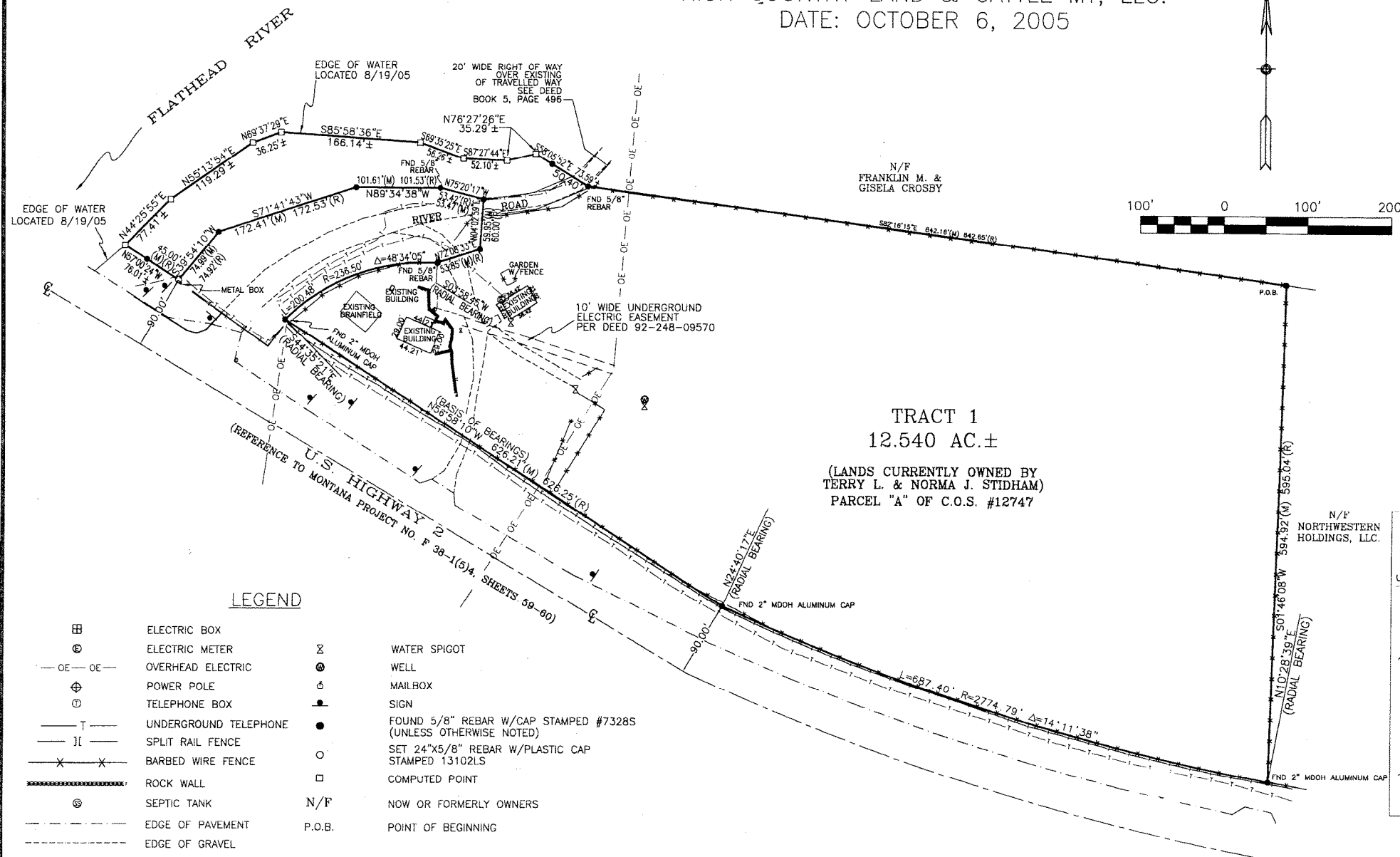
On August 23, 2005, before me, a Notary Public in and for said state, personally appeared Terry L. Stidham and Norma J. Stidham known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument and acknowledged to me that he/she/they executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Jessica A. Crofts
 Notary Public for the State of Montana
 Printed Name: Jessica A. Crofts
 Residing at: Kalispell
 Commission Expires: 9/26/05

A.L.T.A. SURVEY

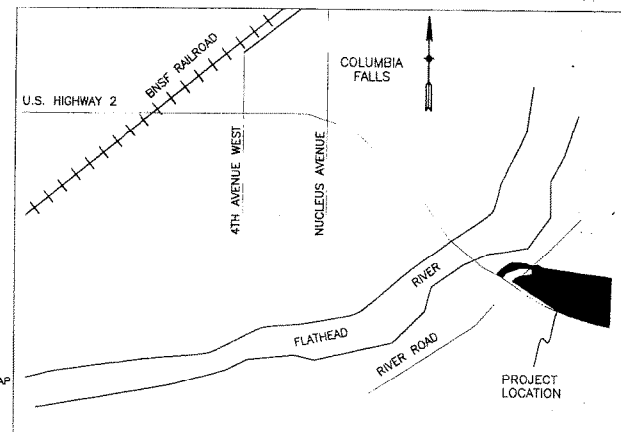
SE1/4NW1/4 & SW1/4NE1/4 SEC. 16, T30N, R20W, P.M.,M.
FLATHEAD COUNTY, MONTANA
FOR
HIGH COUNTRY LAND & CATTLE MT, LLC.
DATE: OCTOBER 6, 2005

**DESCRIPTION****TRACT 1**

That portion of the Southeast one-quarter of the Northwest one-quarter (SE1/4NW1/4) and the Southwest one-quarter of the Northeast one-quarter (SW1/4NE1/4) of Section Sixteen (16), Township Thirty North (T30N), Range Twenty West (R20W), Principal Meridian, Montana, Flathead County, Montana, more particularly described as follows:

Beginning at the northeast corner of Parcel "A" of Certificate of Survey #12747, according to the map or plat thereof on file at the Office of the Clerk and Recorder of Flathead County, Montana; thence South01°46'08"West 594.92 feet to the northerly right of way of U.S. Highway 2, said point also being the beginning of a non-tangent curve concave to the northeast having a radius of 2774.79 feet; thence the following ten (10) courses and distances along said northerly right of way: northwesterly 687.40 feet along said curve through a central angle of 14°11'38", North58°58'10"West 626.21 feet to the beginning of a non-tangent curve having a radius of 236.50 feet concave to the southeast, northeasterly 200.48 feet along said curve through a central angle of 48°34'05", North2°08'33"East 53.85 feet, North04°02'59"East 59.95 feet; North75°20'17"West 53.47 feet, North89°34'38"West 101.61 feet, South71°43'11"West 172.53 feet, South39°48'23"West 74.92 feet, North57°00'24"West 76.01 feet, more or less, to the low water mark of Flathead River; thence the following seven (7) courses and distances, more or less, along said low water mark: North44°25'55"East 77.41 feet, North55°13'54"East 119.29 feet, North69°37'29"East 36.25 feet, South85°58'36"East 166.14, South69°35'25"East 56.26 feet, South87°27'44"East 52.10 feet, North76°27'26"East 35.29 feet; thence South58°05'52"East 73.59 feet, more or less; thence South82°16'15"East 842.16 feet to the point of beginning and containing 12.540 acres of land, gross measure, more or less. All as shown hereon.

Subject to and together with all appurtenant easements of record.

**PURPOSE**

THIS SURVEY WAS PERFORMED TO VERIFY THE FOLLOWING ITEMS FOR TITLE INSURANCE PURPOSES ONLY, AS LISTED IN TABLE A - SURVEY SPECIFICATIONS:

- MONUMENTS PLACED (OR A REFERENCE MONUMENT OR WITNESS TO THE CORNER) AT ALL MAJOR CORNERS OF THE BOUNDARY OF THE PROPERTY, UNLESS ALREADY MARKED OR REFERENCED BY AN EXISTING MONUMENT OR WITNESS TO THE CORNER (SHOWN HEREON)
- FLOOD ZONE DESIGNATION (WITH PROPER ANNOTATION BASED ON FEDERAL FLOOD INSURANCE RATE MAPS OR THE STATE OR LOCAL EQUIVALENT, BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY). (FLOOD ZONES A4 & C ON COMMUNITY PANEL #300023 1435 C SEPTEMBER 5, 1984)
- IDENTIFY AND SHOW IF POSSIBLE, SETBACK, AND FLOOR SPACE AREA RESTRICTIONS OF RECORD OR DISCLOSED BY APPLICABLE ZONING OR BUILDING CODES (IN ADDITION TO THOSE RECORDED IN SUBDIVISION MAPS). IF NONE, SO STATE. (CITY OF COLUMBIA FALLS ZONING: CSAG-10, SETBACKS: FRONT 30', SIDES 20', SIDE CORNER 30', REAR 20', HEIGHT: N/A, PERMITTED LOT COVERAGE: 20% MAXIMUM)
- EXTERIOR DIMENSIONS OF ALL BUILDINGS AT GROUND LEVEL. (SHOWN HEREON)
- SUBSTANTIAL, VISIBLE IMPROVEMENTS (IN ADDITION TO BUILDINGS) SUCH AS SIGNS, PARKING AREAS OR STRUCTURES, SWIMMING POOLS, ETC. (SHOWN HEREON)
- PARKING AREAS AND, IF STRIPED, THE STRIPING AND THE TYPE (E.G. HANDICAPPED, MOTORCYCLE, REGULAR, ETC.) AND NUMBER OF PARKING SPACES. (NOT APPLICABLE)
- INDICATION OF ACCESS TO A PUBLIC WAY SUCH AS CURB CUTS AND DRIVEWAYS. (SHOWN HEREON)

- LOCATION OF UTILITIES EXISTING ON OR SERVING THE SURVEYED PROPERTY AS DETERMINED BY OBSERVED EVIDENCE.

—RAILROAD TRACKS AND SIDINGS; (NOT APPLICABLE)
—MANHOLES, CATCH BASINS, VALVE VAULTS OR OTHER SURFACE INDICATIONS OF SUBTERRANEAN USES; (NOT APPLICABLE)
—WIRES AND CABLES (INCLUDING THEIR FUNCTION) CROSSING THE SURVEYED PREMISES, ALL POLES ON OR WITHIN TEN FEET OF THE SURVEYED PREMISES, AND THE DIMENSIONS OF ALL CROSSWIRES OR OVERHANGS AFFECTING THE SURVEYED PREMISES; AND (SHOWN HEREON)
—UTILITY COMPANY INSTALLATIONS ON THE SURVEYED PREMISES. (SHOWN HEREON)

- NAMES OF ADJOINING OWNERS OF PLATTED LANDS. (SHOWN HEREON)

- SIGNIFICANT OBSERVATIONS NOT OTHERWISE DISCLOSED. (NONE)

- TRACT 1 IS SUBJECT TO AND TOGETHER WITH ANY EASEMENT OF RECORD NOT SHOWN HEREON.

- EASEMENT FOR A GAS PIPE LINE AND MAINTENANCE THEREOF GRANTED TO THE MONTANA POWER COMPANY BY LULU E. ROGERS RECORDED FEBRUARY 2, 1966 IN BOOK 477, PAGE 434, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #4 FROM COVERAGE CANNOT BE LOCATED ON THE GROUND BY THE MONTANA POWER COMPANY AND IS NOT PLOTTABLE BY THIS FIRM.

- EASEMENT FOR AN UNDERGROUND ELECTRIC DISTRIBUTION LINE AND MAINTENANCE THEREOF GRANTED TO PACIFICORP BY TERRY L. AND NORMA J. STIDHAM RECORDED SEPTEMBER 4, 1992 IN DOC. #92-248-09470, RECORDS OF FLATHEAD COUNTY, MONTANA, AS SHOWN ON THE COMMITMENT FOR TITLE INSURANCE, SCHEDULE B - SECTION 2, SPECIAL EXCEPTIONS ITEM #5 FROM COVERAGE. (SHOWN HEREON)

SAM CORDI
REGISTERED LAND SURVEYOR
974 COLORADO AVE.
P.O. BOX 323
WHITEFISH, MT 59937
PHONE: (406)-862-9977

CERTIFICATE OF SURVEYOR

Samuel Cordi 10/14/05
SAMUEL CORDI, REGISTRATION NO. 13102LS

APPROVED *10/14/2005*

Paula Robins
EXAMINING LAND SURVEYOR REG. NO. 54285

STATE OF MONTANA SS #5.9

County of Flathead

Filed on the *17* day of *Oct.*

A.D. *2005* at *1:31* o'clock *P.*M.

Paula Robins
CLERK AND RECORDER

BY: *Theresa*
DEPUTY

INSTRUMENT REC. NO. *201529013310*

CERTIFICATE OF SURVEY NO. *16958*

WAIVER OF PROTEST TO ANNEXATION AND WAIVER OF PROTEST TO CREATION
OF SPECIAL IMPROVEMENT DISTRICTS

We, the undersigned, MANAGER OF HIGH COUNTRY LAND & CATTLE (MT) LLC, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby waive any and all rights which we may have to protest, disapprove or object to any annexation proceedings initiated by, for or on behalf of the CITY OF COLUMBIA FALLS, Flathead County, Montana, to incorporate within its boundaries the following described real property, owned by us and situated in Flathead County, Montana, to-wit:

S16, T30 N, R20 W, 12747-A, PARCEL N/A, TR 3F IN SW4NE4 & SE4NW4

We do further waive any and all rights which we may have, by law or otherwise, including under the provisions of Title 7, Chapter 12, M.C.A., to protest, disapprove or object to the extent or creation of any special improvement district (SID), for construction, reconstruction or improvements of public infrastructure, or any work proposed to be performed within any such SID. Owner signing below is not required to construct any special improvement district improvements.

We do further agree that this Waiver shall be a covenant to run with, to and be binding upon the title of the real property and shall be binding upon ourselves, our heirs, assigns, or successors in interest, and to any and all subsequent purchasers, holders or owners of the above described real property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day

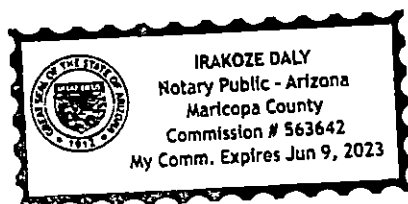
Owner(s) signature Richard J. Outzi Dated 2/11/22
Manager, High Country Land & Cattle (MT), LLC

Owner(s) signature _____ Dated _____

ARIZONA
STATE OF MONTANA)
County of Flathead)
Maricopa)

This instrument was acknowledged before me on July 11th, 22 by Richard J. Outzi
(Name of Owners) Outzi

Notary Public for the State of Arizona
Residing at 961 E Doris St Avondale AZ 85323
My Commission Expires July 09, 2023



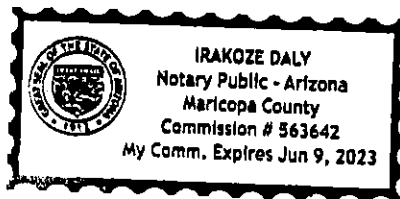
ARIZONA NOTARY ACKNOWLEDGEMENT

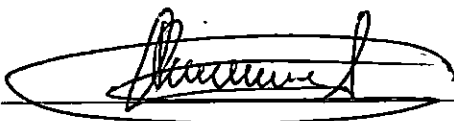
State of Arizona)

County of Maricopa)

On this 11th day of July, 2022 before me personally appeared
Richard S. Butzi (name of signer), whose identity was proved to me on
the basis of satisfactory evidence to be the person whose name is subscribed to this document,
and who acknowledged that he/she signed the above/attached document

(Seal)



 Notary Public

My Commission Expires: June 09, 2023

CITY OF COLUMBIA FALLS, MONTANA PETITION TO ANNEX

As the owner of the property(ies) listed below, being a portion of the property to be annexed, herein described, I hereby petition the City Council of the City of Columbia Falls to annex the property to the City of Columbia Falls.

Property owned by the Petitioner:

Assessor Number: 0000424

Legal Description: S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4 (attach legal description if metes and bounds)

Tract 3FB Lot NA Block NA Subdivision NA

Section-Township-Range: S16, T30 N, R20 W

Proposed land use: Residential Housing

Current zoning: CSAG-5

Owner's Legal Name as recorded on deed: Twin Peaks Farms LLC

Mailing Address: 2098 W Champagne Ct, Eagle, ID 83616

Phone Number: (208) 890-6669

Owner's signature:  Date 6/30/2022 | 1:37 PM CDT

Owner's signature: _____ Date _____

Owner's signature: _____ Date _____

Attach:

- 1.) Deed
- 2.) Map
- 3.) Completed Waiver of Protest to Creation of Special Improvement District

12
2

2005320 12040

RECORDED BY ATEC
DATE 11-16-05 TIME 10:04
\$ 14 PAGES 2 BY mg

161
Item No.5.

Return to and taxes:
Twin Peak Farms LLC
3294 S Eagle Rd
Eagle, ID 83616

2005245 11550

RECORDED BY ATEC
DATE 9-2-05 TIME 11:59
\$ 14 PAGES 2 BY ge
PAULA ROBINSON FLATHEAD COUNTY MONTANA

Alliance Title
Order No.: 206053378
5

**** Re-recording to fix Grantees Name ****
WARRANTY DEED

FOR VALUE RECEIVED

Northwestern Holdings, LLC

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

~~Twin Peak Farms, LLC~~ **Twin Peaks Farms LLC**

whose current address is

3294 S Eagle Rd Eagle, ID 83616

the grantee(s), the following described premises, in Flathead County, MT, TO WIT:

That portion of the Southwest ¼ Northeast ¼, Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana, described as follows:

Commencing at the Northeast corner of the Southwest ¼ Northeast ¼; thence along the East line of the Southwest ¼ Northeast ¼
South 0°07'40" West a distance of 668.18 feet to the Point of Beginning; thence continuing along the East line
South 0°07'40" West a distance of 539.34 feet to the Northerly line of U.S. Highway No. 2; thence along the Northerly line of the Highway
South 89°35'11" West a distance of 231.22 feet to a point on a 2774.79 foot radius curve concave Northeasterly having a radial bearing of
North 0°26'08" West and Westerly along the curve thru a central angle of 10°55'35" a distance of 529.16 feet; thence
North 1°46'43" East a distance of 595.04 feet; thence
South 82°18'09" East a distance of 747.01 feet to the Point of Beginning.

Shown as Parcel B of Certificate of Survey No. 12747.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that he/she/they is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 9.2.05

Northwestern Holdings, LLC

By: Deborah R. Willis, Managing Member

By: Delia Young, Managing Member

APPROVED
10/5/05
9/2/05
000474

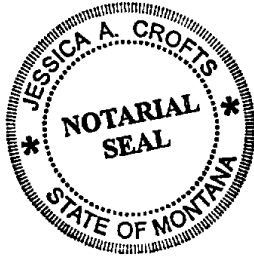
2005320 12040

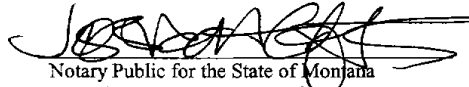
2005245 11590

State of Montana County of Flathead }

On this 2nd day of September, in the year 2005 before me, a Notary Public in and for said state, personally appeared Deborah R. Willis and Delia Young known or identified to me to be the Managing Members in the Limited Liability Company known as Northwestern Holdings, LLC who executed the foregoing instrument, and acknowledged to me that she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



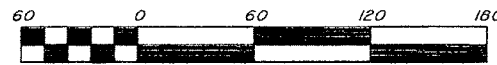

Notary Public for the State of Montana
Printed Name: Jessica A. Crofts
Residing at: Kalispell
Commission Expires: 9/26/05

By: **MONTANA MAPPING ASSOCIATES, Inc.**
 Surveying, Mapping & Geodetic Consulting
 1405 Hwy 2 West
 Kalispell, Mont. 59901
 Phone: (406) 752-3539

Darren R. Breckenridge, P.L.S.

CERTIFICATE OF SURVEY

SW 1/4 NE 1/4, SECTION 16, T. 30 N., R. 20 W.
 PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA



Scale 1" = 60'

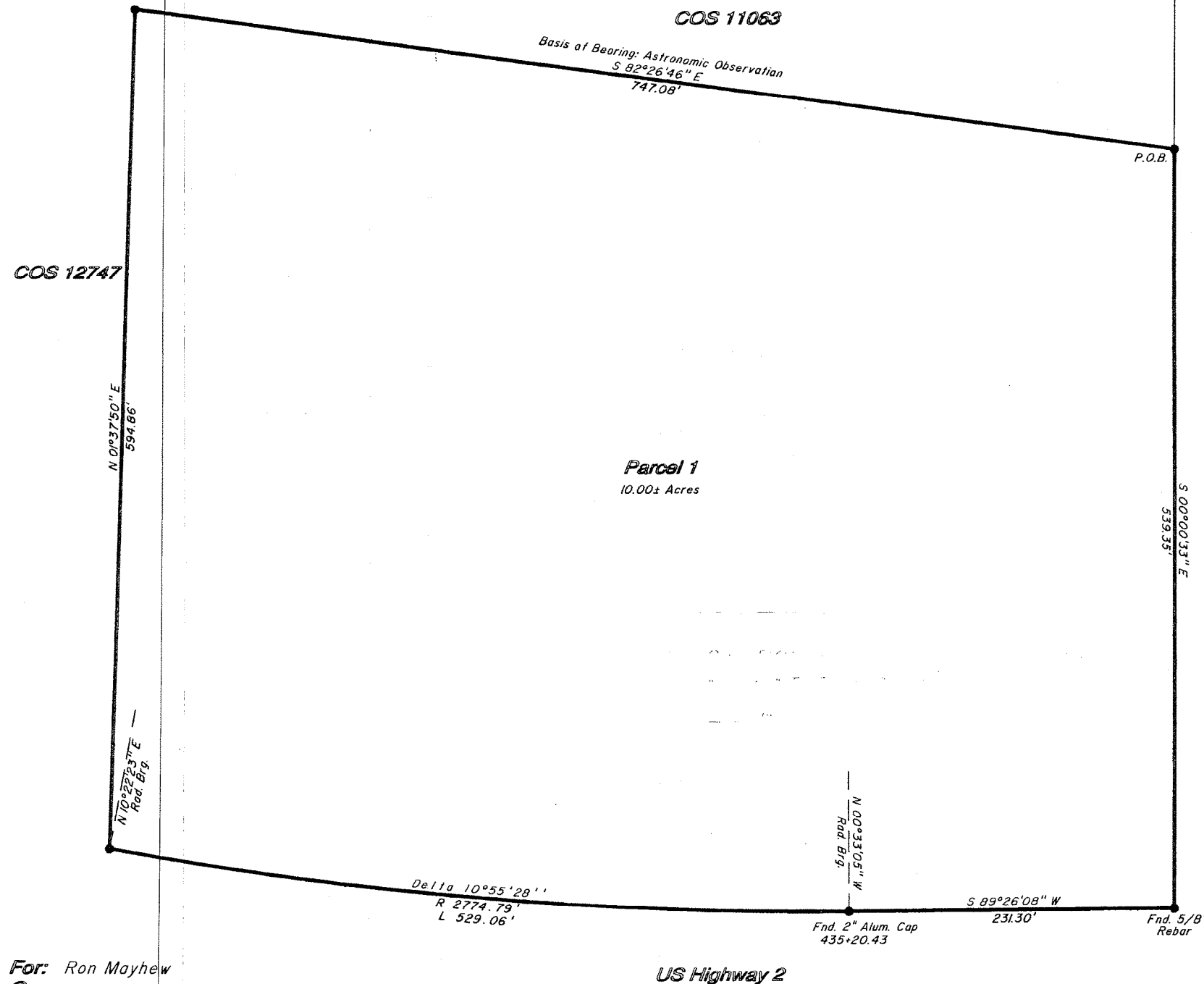
Note:
 Surveyor has made no investigative or independent search for easements of record encumbrances, restrictive covenants, ownership title evidence, or any other facts that an accurate and current title search may disclose.

PURPOSE: Retracement

LEGAL DESCRIPTION

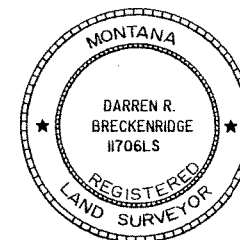
Parcel 1
 A tract of land, situated, lying, and being in the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 30 North, Range 20 West, Principal Meridian, Flathead County, Montana, and more particularly described as follows:

Commencing at the NE 1/16 corner of Section 16; thence S 00°00'33" E a distance of 668.18' to the TRUE POINT OF BEGINNING of the tract of land being described; thence continuing S 00°00'33" E a distance of 539.35' to a 5/8" rebar; thence S 89°26'08" W a distance of 231.30' to a 2" aluminum cap; thence along a 2774.79' radius nontangent curve to the right whose radius bears N 00°33'05" W through a central angle of 10°55'28" an arc distance of 529.06' to a 5/8" rebar; thence N 01°37'50" E a distance of 594.86' to a 5/8" rebar; thence S 82°26'46" E a distance of 747.08' to the Point of Beginning. Containing 10.00 acres more or less. Together with and subject to all easements as shown and of record.



LEGEND

- ✚ SECTION CORNER (AS NOTED)
- ✚ 1/4 SECTION CORNER (AS NOTED)
- ⊙ CENTER SECTION CORNER (AS NOTED)
- ⊙ 1/16 SECTION CORNER 5/8" REBAR BY 732B-S
- FOUND 5/8" REBAR BY 732B-S (EXCEPT AS NOTED)
- SET 5/8" X 24" REBAR WITH CAP STAMPED BRECKENRIDGE 11706LS



CERTIFICATE OF SURVEYOR

Darren R. Breckenridge 10/19/05
 REGISTRATION NUMBER 11706LS

APPROVED 10/19/2005

EXAMINING LAND SURVEYOR REG. NO. 54286

STATE OF MONTANA

COUNTY OF Flathead

FILED THIS 21 DAY OF OCT 2005 A.D.
 AT 2:20 O'CLOCK P.M.

CLERK AND RECORDER
Karla Robinson

BY: *D. Breckenridge*

INSTRUMENT RECORD NUMBER 200529714320

For: Ron Mayhew
 Owner: Twin Peak Farms LLC
 Date: September, 2005
 File name: H:\SURVEYS\MAYHEW\IOAC\RETRACE.dwg

CERTIFICATE OF SURVEY NO. 11981

WAIVER OF PROTEST TO ANNEXATION AND WAIVER OF PROTEST TO CREATION
OF SPECIAL IMPROVEMENT DISTRICTS

We, the undersigned, Ronald E. Mayhew, Member & Manager
Twin Peaks Farms, LLC, for good and
valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby waive
any and all rights which we may have to protest, disapprove or object to any annexation
proceedings initiated by, for or on behalf of the CITY OF COLUMBIA FALLS, Flathead County,
Montana, to incorporate within its boundaries the following described real property, owned by us
and situated in Flathead County, Montana, to-wit:

S16, T30 N, R20 W, 12747-A, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

We do further waive any and all rights which we may have, by law or otherwise, including
under the provisions of Title 7, Chapter 12, M.C.A., to protest, disapprove or object to the extent
or creation of any special improvement district (SID) for construction, reconstruction or
improvements of public infrastructure, or any work proposed to be performed within any such
SID.

We do further agree that: this Waiver shall be a covenant to run with, to and be binding
upon the title of the real property and shall be binding upon ourselves, our heirs, assigns, or
successors in interest, and to any and all subsequent purchasers, holders or owners of the above
described real property.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this day

Ronald E. Mayhew Dated 6-30-2022
Owner(s) signature Member Twin Peaks Farms, LLC

Owner(s) signature _____ Dated _____

STATE OF MONTANA)
:ss
County of Flathead)

This instrument was acknowledged before me on JUNE 30th, 2022 by
RONALD MAYHEW
(Name of Owners)



Notary Public for the State of IDAHO
Residing at FAIRF RD 92016, KEVIRAK
My Commission Expires 06/21/27

Supporting Documents



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

Custom Soil Resource Report for Upper Flathead Valley Area, Montana

166

Item No.5.



June 6

- 273 -

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.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

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Kzd—Kiwanis fine sandy loam, 0 to 4 percent slopes.....	19
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Mg—Mires gravelly loam, 0 to 3 percent slopes.....	22
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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.

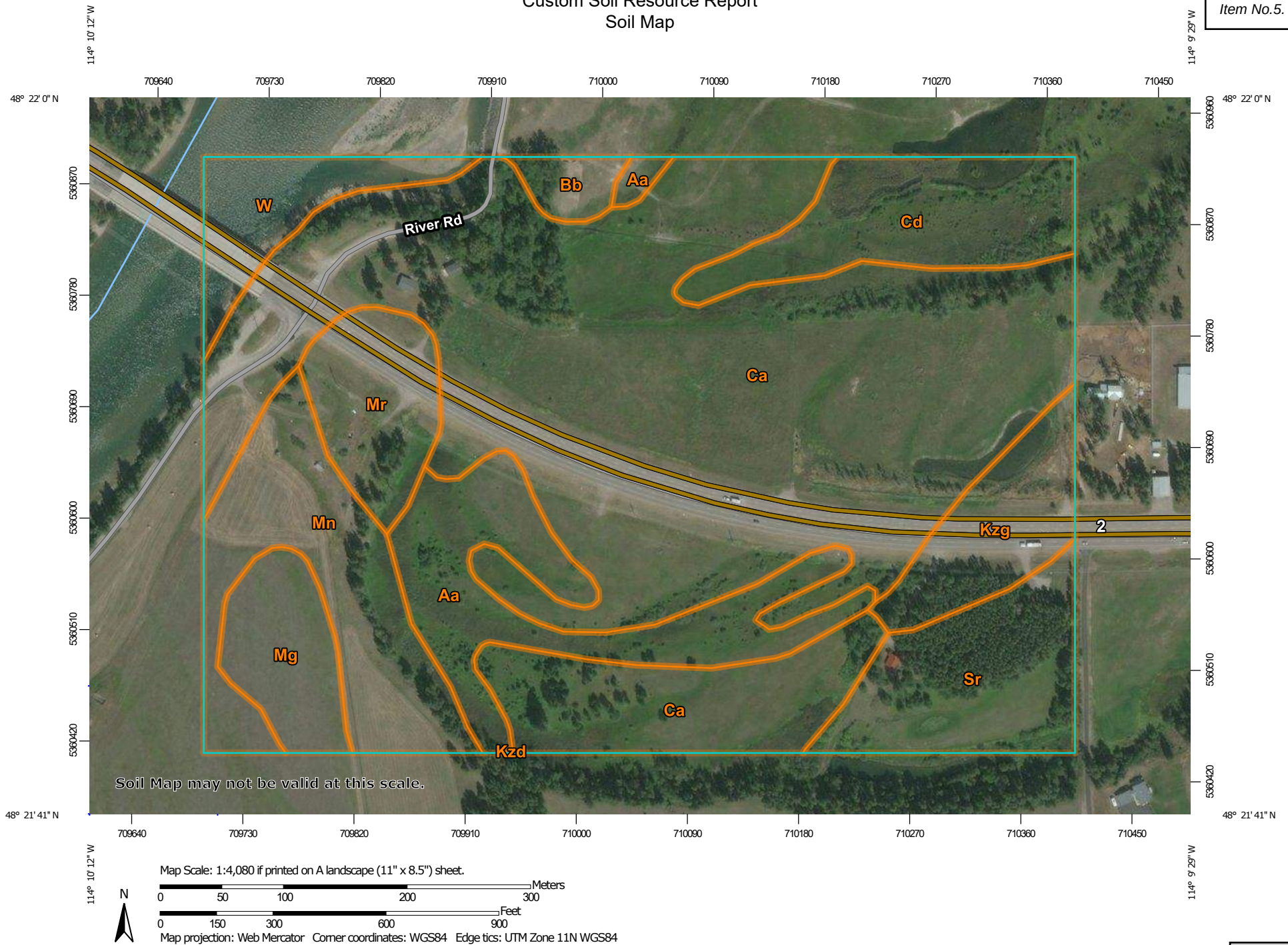
Soil Map

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

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Item No.5.



Custom Soil Resource Report

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

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Aa	Alluvial land, poorly drained	7.4	8.8%
Bb	Banks very fine sandy loam, 0 to 4 percent slopes	0.9	1.1%
Ca	Chamokane soils, 0 to 3 percent slopes	44.5	52.8%
Cd	Corvallis silty clay loam, 0 to 3 percent slopes	5.5	6.5%
Kzd	Kiwanis fine sandy loam, 0 to 4 percent slopes	0.0	0.0%
Kzg	Kiwanis-Birch fine sandy loams, 0 to 5 percent slopes	3.6	4.3%
Mg	Mires gravelly loam, 0 to 3 percent slopes	3.0	3.6%
Mn	Mires loam, 0 to 3 percent slopes	7.4	8.8%
Mr	Mountainous land	3.5	4.2%
Sr	Swims silty clay loam, 0 to 4 percent slopes	5.5	6.5%
W	Water	2.9	3.5%
Totals for Area of Interest		84.3	100.0%

Map Unit Descriptions

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

Cd—Corvallis silty clay loam, 0 to 3 percent slopes**Map Unit Setting**

National map unit symbol: 4vpb
Elevation: 1,900 to 6,000 feet
Mean annual precipitation: 10 to 14 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 90 to 135 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

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

Description of Corvallis**Setting**

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

Typical profile

A - 0 to 8 inches: silty clay loam
AC - 8 to 11 inches: silty clay loam
C - 11 to 60 inches: stratified loam to clay loam

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: About 36 to 60 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Calcium carbonate, maximum content: 5 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 3.5 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.1 inches)

Interpretive groups

Land capability classification (irrigated): 3w
Land capability classification (nonirrigated): 3w
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**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***Kzg—Kiwanis-Birch fine sandy loams, 0 to 5 percent slopes****Map Unit Setting***National map unit symbol: 4vr6**Elevation: 2,400 to 5,000 feet**Mean annual precipitation: 12 to 25 inches**Mean annual air temperature: 39 to 45 degrees F**Frost-free period: 90 to 130 days**Farmland classification: Not prime farmland***Map Unit Composition***Kiwanis and similar soils: 45 percent**Birch and similar soils: 40 percent**Minor components: 15 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 5 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: None*

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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: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Description of Birch**Setting**

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy and gravelly alluvium

Typical profile

Oi - 0 to 2 inches: slightly decomposed plant material
E - 2 to 8 inches: fine sandy loam
Bw - 8 to 16 inches: fine sandy loam
2C1 - 16 to 24 inches: very gravelly loamy sand
2C2 - 24 to 60 inches: extremely gravelly loamy sand

Properties and qualities

Slope: 0 to 5 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively 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: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 3.6 inches)

Interpretive groups

Land capability classification (irrigated): 4s
Land capability classification (nonirrigated): 6s
Hydrologic Soil Group: A
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

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**Nonhydryc***Percent of map unit: 15 percent**Hydryc 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

Nonhydric

Percent of map unit: 15 percent
 Hydric 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

Hydric 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

Sr—Swims silty clay loam, 0 to 4 percent slopes

Map Unit Setting

National map unit symbol: 4vsr

Elevation: 2,600 to 3,400 feet

Mean annual precipitation: 15 to 18 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 100 to 120 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

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

Description of Swims

Setting

Landform: Terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Alluvium

Typical profile

Oi - 0 to 1 inches: slightly decomposed plant material
E - 1 to 5 inches: silty clay loam
Bw - 5 to 12 inches: silty clay loam
Bk - 12 to 26 inches: silt loam
C1 - 26 to 55 inches: stratified very fine sandy loam to silty clay loam
2C2 - 55 to 60 inches: loamy fine 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): Moderately high to high
 (0.20 to 5.95 in/hr)
Depth to water table: About 48 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 3.0 mmhos/cm)
Available water supply, 0 to 60 inches: High (about 10.1 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: A
Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 8 percent
Hydric soil rating: No

Poorly drained soils

Percent of map unit: 2 percent
Landform: Channels
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



55 West Valley Drive
Kalispell, MT 59901

June 17, 2022

Hayden Addams
KLJ Engineering
hayden.addams@gljeng.com

RE: Will Serve for Wells Glacier

Dear Hayden:

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, Wells Glacier, Columbia Falls, Montana.

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 "Scott Shreves".

Scott Shreves, Montana District Manager
(406) 249-9371

{00099898.DOCX.}

**ZONE CHANGE REQUEST
COLUMBIA FALLS AREA ZONING JURISDICTION
TWIN PEAKS FARMS, LLC
COLUMBIA FALLS PLANNING OFFICE STAFF REPORT CZC#21-02
FEBRUARY 26, 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, March 9, 2021, at 6:30 P.M. A subsequent hearing will be held by the Columbia Falls City Council April 5, 2021 at 7:00 P.M.

BACKGROUND INFORMATION

A. PETITIONERS

Owner:

Twin Peaks Farms, LLC
197 S. Silverwood Way
Eagle, ID 83616

Applicant:

Wayne Hull
12384 Herbaugh Rd.
Bentonville AR 72712

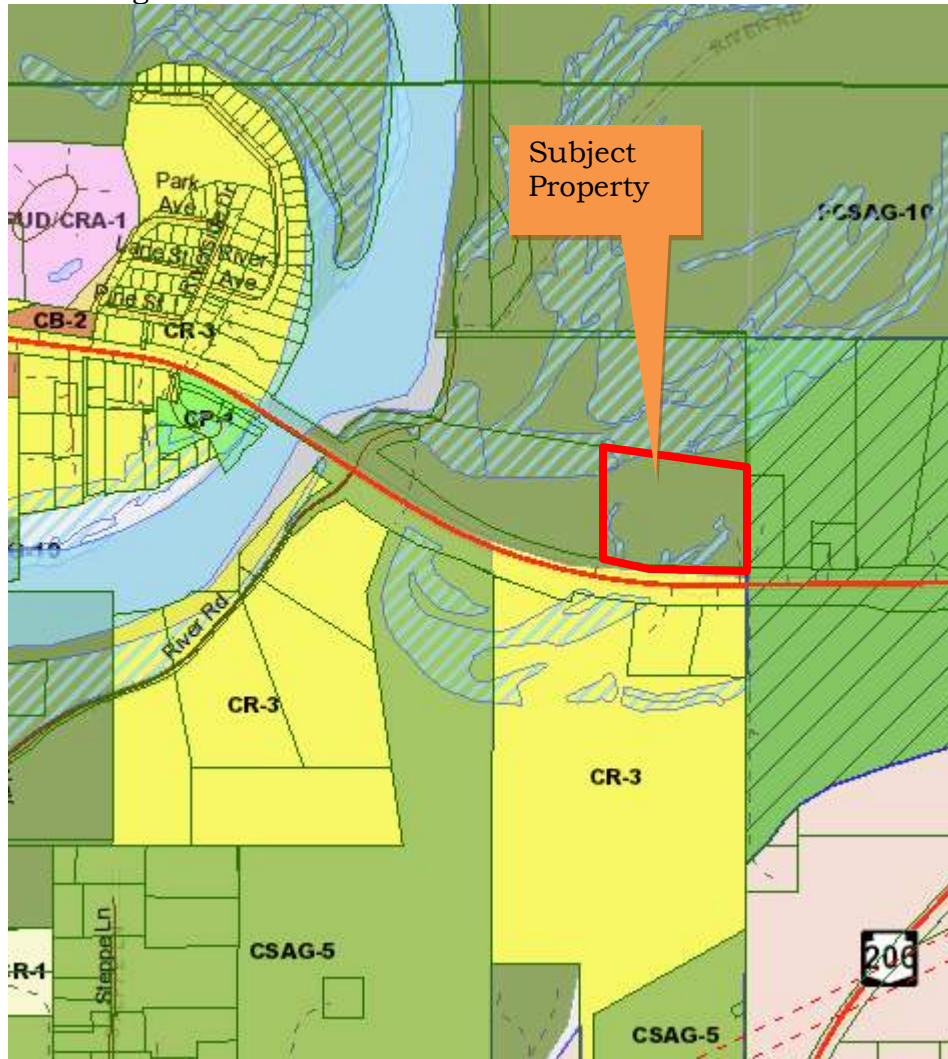
B. LOCATION/DESCRIPTION

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 is requesting the zone change as he would like to split the property so that he can build a house for himself and his son can build a house and live next door.

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

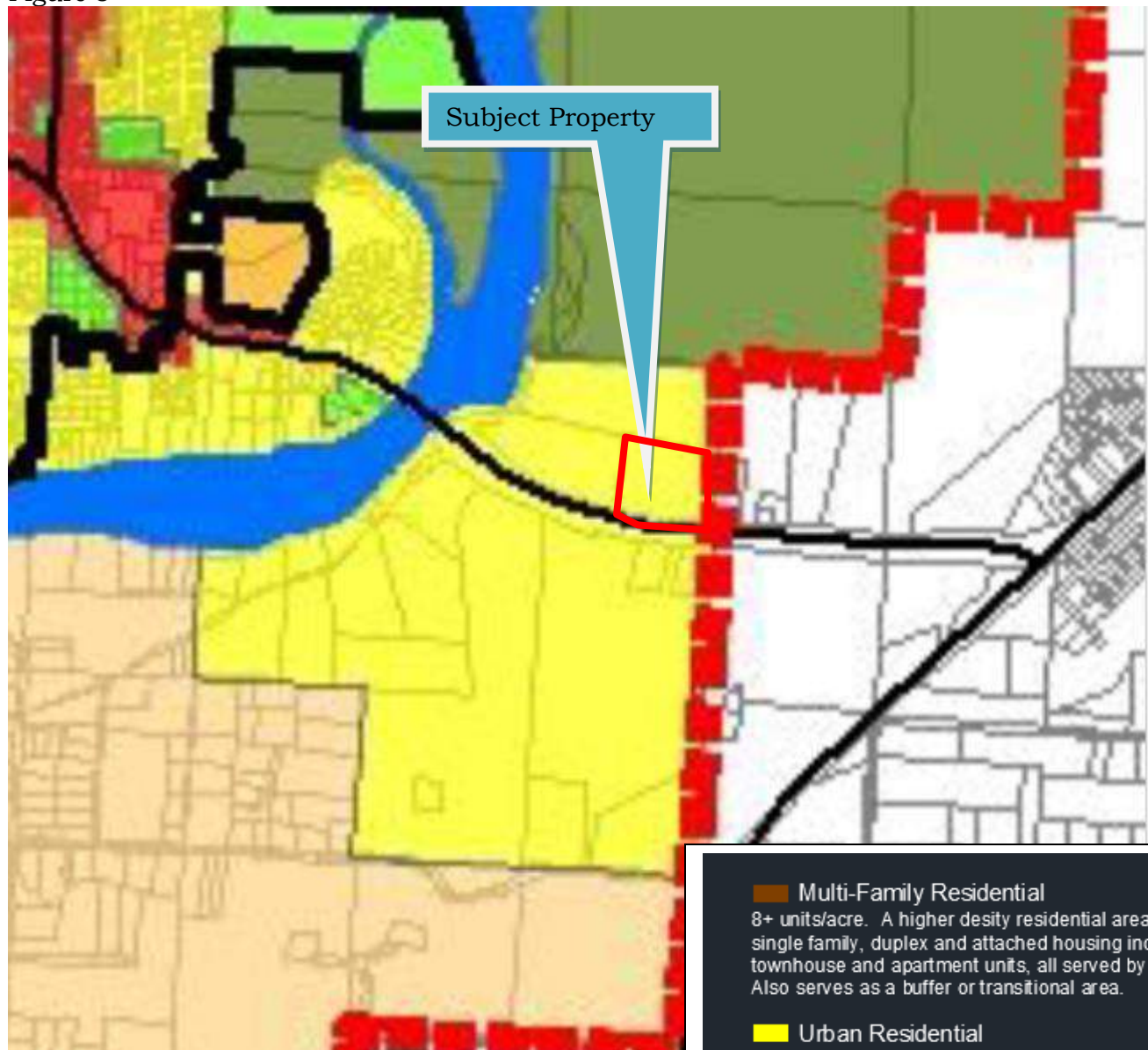
F. ADJACENT ZONING AND LAND USE:

Direction from Site	Current Zoning	Current Use
North	CSAG-10 and FCSAG-10	Grazing and open lands
South	CR-3 (The Benches Preliminary Plat) and CSAG-5	Residential and Kennels
West	CSAG-10	Residential and agricultural uses
East	SAG-10, unzoned, FC Scenic Corridor	Residential and agricultural uses, commercial

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 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 for the CSAG-5 zone are 20-feet on all sides while the CSAG-10 has 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 the applicant builds on the property, 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 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-21-02 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.



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

203

Item No.5.

PETITION FOR ZONING MAP AMENDMENT

FILING FEE ATTACHED \$ 1500.00

Zone Change Base Fee SEE FEE SHEET

NAME OF APPLICANT: Wayne Hull

MAIL ADDRESS: 12384 Herbaugh Rd

CITY/STATE/ZIP: Bentonville, AR 72712 PHONE: 479.586.0174

INTEREST IN PROPERTY: Offer in to purchase pursuant to zoning change to SAG 5

PLEASE COMPLETE THE FOLLOWING:

- A. Address of the property: 7030 Hwy 2 E, 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
- 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:

We are wanting to purchase the property and then split it into 2, 5 acre
Parcels. One parcel for our son, Trevor, and the other parcel for ourselves.

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

- A. Promoting the Growth Policy

There is very little difference between SAG 10 and SAG 5 as far as use goes.

B. Lessening congestion in the streets and providing safe access

Property as it exists, already has two entrances. Two residential homes would add almost no additional traffic.

C. Promoting safety from fire, panic and other dangers

Rezoning would allow for more "eyeballs" to report and contend with potential fires, panic, flooding, or unforeseen dangers to the community.

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

Rezoning to SAG 5 would allow for more adults to assist in the general safety of the community.

E. Preventing the overcrowding of land

There is very little difference between SAG 10 and SAG 5 as far as use goes.

F. Avoiding undue concentration of population

Two, five acre properties would not be considered high, or even medium, density housing.

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

The rezoning would not provide any additional burden to the existing public water or sewer system. (A well and septic would be used). Taxes would be provided for schools and parks. without adding any more children to the system.

H. Giving reasonable consideration to the character of the district

The rezoning would not change the character of the district.

- I. Giving consideration to the peculiar suitability of the property for particular uses
The property is naturally suited to two homesites. It currently has two gates for separate entrances. There is a natural swell in the land that would be the dividing line.
- J. Protecting and conserving the value of buildings
No existing buildings are on the existing property.
- K. Encouraging the most appropriate use of land by assuring orderly growth
Property lies between existing built out areas along the highway and would not disturb the character as such.
character as such.

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)

Wayne Hull

1/25/21

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.

BUY-SELL AGREEMENT (Land) (Including Earnest Money Receipt)

207
Item No.5.
REALTOR® EQUAL HOUSING OPPORTUNITY

This Agreement stipulates the terms of sale of this property. Read carefully before signing. This is a legally binding contract. If not understood, seek competent advice.

1 Date: 01/20/2021
2 Iron Gate Montana, LLC
3 as ☐ joint tenants with rights of survivorship, ☐ tenants in common, ☐ single in his/her own right, ☒ other
4 Limited Liability Co (hereafter the "Buyer") agrees to purchase, and the Seller agrees to sell the
5 following described real property (hereafter the "Property") commonly known as
6 7030 Hwy 2 East 59912
7 in the City of Columbia Falls, County of Flathead, Montana, legally described
8 as:
9 S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

10
11 TOGETHER with all interest of Seller in vacated streets and alleys adjacent thereto, all easements and other
12 appurtenances thereto, uncut timber and non-harvested crops and all improvements thereon except: _____
13 _____
14 _____

15 **PERSONAL PROPERTY:** The following items of personal property, free of liens and without warranty of condition,
16 are included and shall be transferred by the bill of sale: _____
17 _____
18 _____

PURCHASE PRICE AND TERMS:

19
20 \$ 350,000.00 Purchase Price: Three Hundred Fifty Thousand (U.S. Dollars)
21 \$ 3,500.00 Earnest Money (credited to Buyer at closing)
22 \$ 346,500.00 Balance Due (not including closing costs, prepaids and prorations) payable as follows
23 (check one):
24 ☒ All cash at closing (no financing contingency); **OR**
25 ☐ Additional cash down payment at closing in the minimum amount of:
26 ☐ \$ _____ **OR** ☐ _____ % of the Purchase Price.
27 Balance to be financed as indicated below:
28 ☐ Conventional ☐ Other Financing ☐ Seller Financing ☐ Assumption ☐ Home Equity
29 ☐ Other _____
30

31 **Buyer reserves the right to finance the purchase.**

32
33
34
35
36
37 **CLOSING DATE:** The date of closing shall be (date) 04/09/2021 (the "Closing Date"). The parties may, by
38 mutual agreement, close the transaction anticipated by this Agreement at any time prior to the date specified. The
39 Buyer and Seller will deposit with the closing agent all instruments and funds necessary to complete the purchase in
40 accordance with this Agreement. If third-party financing is required by the terms of this Agreement (including
41 assumptions, contracts for deed, and lender financing), the Closing Date may be extended without amendment by not
42 more than a/a days to accommodate delays attributable solely to such third-party financing.
43

44 **POSSESSION:** Seller shall deliver to Buyer possession of the Property and allow occupancy:

45 ☐ when the closing agent is in receipt of all required, signed documents and all funds necessary for the purchase; **OR**
46 ☒ upon recording of the deed or notice of purchaser's interest, **OR**
47 ☐ _____

48 Seller shall provide keys and/or means to operate locks, mailboxes, security systems, alarms, garage door opener(s),
49 and Homeowner's Association facilities, if applicable.

[Signature]
Buyer's Initials

[Signature]
Seller's Initials

EARNEST MONEY: (check one)

☐ Broker/Salesperson acknowledges actual receipt of earnest money in the amount as set forth herein as evidenced by:

☐ Cash or ☐ Check.

Broker/Salesperson: Austin Elm

(name printed)

(signature acknowledging receipt of earnest money)

☒ Buyer agrees to provide earnest money in the amount as set forth herein within 5 days of the date all parties have signed this Agreement. Earnest money may be made by check, cash or wire transfer and shall be held in trust by Alliance Title and Escrow Corp.. If Buyer fails to provide earnest money as set forth herein, buyer will be in default and Seller may declare this Agreement terminated and any earnest money already paid forfeited.

FINANCING CONDITIONS AND OBLIGATIONS:

BUYER'S REPRESENTATION OF FUNDS: Buyer represents that they have sufficient funds for the down payment and closing costs to close this sale in accordance with this Agreement and are not relying upon any contingent source of such funds unless otherwise expressly set forth herein.

LOAN APPLICATION: If Buyer fails to make written application for financing and pay to the lender any required fees, apply for assumption of an existing loan or contract, or initiate any action required for completion of a contract for deed by 5:00 pm (Mountain Time) (date) n/a. Buyer will be in breach of this Agreement and Seller can exercise Seller's remedies under this Agreement.

CONTINGENCIES: The contingencies set forth in this Agreement or on attached addenda shall be deemed to have been released, waived, or satisfied, and the transaction shall continue to closing, unless by 5:00 pm (Mountain Time) on the date specified for each contingency, the party requesting that contingency has notified the other party or the other party's Broker/Salesperson in writing that the contingency is not released, waived, or satisfied. If a party has notified the other party on or before the release date that a contingency is not released, waived or satisfied, this transaction is terminated, and the earnest money will be returned to the Buyer, unless the parties negotiate other terms or provisions.

FINANCING CONTINGENCY:

☐ This Agreement is contingent upon Buyer obtaining the financing specified in the section of this Agreement entitled "PURCHASE PRICE AND TERMS". If financing cannot be obtained by the Closing Date this Agreement is terminated and the earnest money will be refunded to the Buyer.

APPRAISAL CONTINGENCY:

☐ Property must appraise for at least ☐ the Purchase Price **OR** at least ☐ \$ _____. If the Property does not appraise for at least the specified amount, this Agreement is terminated and earnest money refunded to the Buyer unless the Buyer elects to proceed with closing this Agreement without regard to appraised value. Written notice of Buyer's election to proceed shall be given to Seller or Seller's Broker/Salesperson within _____ days of Buyer or Buyer's Broker/Salesperson receiving notice of appraised value; **OR**

☐ This Agreement is contingent upon the Property appraising for at least ☐ the Purchase Price **OR** at least ☐ \$ _____. Release Date: _____.

[WF]

REM 1111

TITLE CONTINGENCY: This Agreement is contingent upon Buyer's receipt and approval (to satisfaction) of the preliminary title commitment (the "Commitment") issued for the Property. Release Date: 5 days from Buyer's or Buyer Broker's/Salesperson's receipt of the Commitment.

Buyer may approve the Commitment subject to the removal of specified exceptions. However, Buyer may not object to the standard pre-printed exceptions (general exceptions not unique to the Property). If Buyer provides Seller written objections to the Commitment prior to the release date above, Seller shall have ten (10) days from receipt of those objections to satisfy said objections or propose to Buyer a plan by which the objections would be satisfied within a time frame satisfactory to Buyer. If within said ten (10) day period Seller has not either satisfied Buyer's objection to the Commitment or proposed to Buyer a plan by which the objections would be satisfied, Buyer shall have three (3) days after expiration of said ten (10) day period to notify Seller whether Buyer desires to (i) terminate this Agreement in which case the earnest money shall be returned to the Buyer or (ii) waive said objections in which case this Agreement shall remain in full force and effect. The two remedies stated above shall be Buyer's sole remedies if Seller and Buyer are unable to resolve Buyer's objections to the Commitment.

PROPERTY INVESTIGATION: This offer is contingent upon Buyer's independent investigation of the following conditions relating to the Property, including but not limited to; covenants, zoning, access, easements, well depths, septic and sanitation restrictions, surveys or other means of establishing the corners and boundaries, special improvement districts, restrictions affecting use, special building requirements, future assessments, utility hook up and installation costs, environmental hazards, airport affected area, road maintenance obligations or anything else Buyer deems appropriate. Buyer agrees that any investigations or inspections undertaken by Buyer or on his/her behalf shall not damage or destroy the Property, without the prior written consent of Seller. Further, Buyer agrees to return the Property to its original condition and to indemnify Seller from any damage or destruction to the Property caused by the Buyer's investigations or inspections, if Buyer does not purchase the Property. Release Date: 04/07/2021.

This offer is contingent upon The City of Columbia Falls approving zoning change to SAG-5. Buyer to pay all fees associated with the zoning change, seller to cooperate.

Release Date: 04/07/2021

This offer is contingent upon _____

 Release Date: _____

ADDITIONAL PROVISIONS:

Seller to allow buyer to perform percolation test at the expense of the buyer.

[Signature]

[Signature] RGM

150 **CONVEYANCE:** The Seller shall convey the real property by Warranty
 151 deed, free of all liens and encumbrances except those described in the title insurance commitment, as approved by
 152 Buyer. The Seller shall convey the personal property by Bill of Sale.

153
 154 **WATER:** All water, including surface water or ground water, any legal entitlement to water, including statements of
 155 claim, certificates of water rights, permits to appropriate water, exempt existing rights, decreed basins or any ditches,
 156 ditch rights, or ditch easements appurtenant to and/or used in connection with the Property are included with the
 157 Property, except: _____

158
 159 Filing or transfer fees will be paid by ☐ Seller, ☐ Buyer, **OR** ☐ split equally between Buyer and Seller.
 160 Documents for transfer will be prepared by _____

161
 162 **WATER RIGHT OWNERSHIP UPDATE DISCLOSURE:** By Montana law, failure of the parties at closing or transfer
 163 of real property to pay the required fee to the Montana Department of Natural Resources and Conservation for
 164 updating water right ownership may result in the transferee of the property being subject to a penalty. Additionally, in
 165 the case of water rights being exempted, severed, or divided, the failure of the parties to comply with section
 166 85-2-424, MCA, could result in a penalty against the transferee and rejection of the deed for recording.

167
 168 **NATURAL WATER BODIES AND LAND PRESERVATION DISCLOSURE:** Buyers of property in the State of
 169 Montana should be aware that some properties contain or are adjacent to streams, rivers, wetlands, floodplains and
 170 other water bodies. It is the general policy of the State of Montana that natural water bodies and the lands
 171 immediately adjacent to them are to be protected and preserved to be available in their natural or existing state, and
 172 to prohibit unauthorized projects related thereto. Property owners should consult their local soil conservation board, a
 173 land use professional, or other qualified advisor, regarding any applicable local, state or federal regulations, including
 174 permitting or other approvals, before working in or around any streams, rivers, wetlands, floodplains or other water
 175 bodies, including vegetation removal.

176
 177 **MINERAL RIGHTS:** "Mineral rights" as defined in this Agreement (which may be different than the definition under
 178 Montana law) is a term used to describe the rights the owner of those rights has to use, mine, and/or produce any or
 179 all of the minerals and hydrocarbons including oil, gas, coal, sand, gravel, etc. lying below the surface of property.
 180 These mineral rights may be separate from the rights a property owner has for the surface of a property. In some
 181 cases, these mineral rights have been transferred to a party other than the property owner and as a result the
 182 subsurface mineral rights have been severed from the property owner's surface rights. If the mineral rights have been
 183 severed from the surface rights, the owner of the mineral rights has the right to enter the land and occupy it in order to
 184 mine the minerals even though they don't own the property. The undersigned Buyer acknowledges and agrees that
 185 neither the Seller nor the brokerage firms, brokers and salespersons involved in the transaction anticipated by this
 186 Agreement warrant or make any representations concerning the mineral rights, if any, for this Property and that
 187 neither the Seller nor the brokerage firms, brokers and salespersons involved in the Buyer's purchase of the Property
 188 have conducted an inspection or analysis of the mineral rights to and for the Property.

189
 190 **CLOSING FEE:** The fee charged by the individual or company closing the transaction will be paid by ☐ Seller
 191 ☐ Buyer ☒ Equally Shared.

192
 193 **TITLE INSURANCE:** Seller, at Seller's expense and from a title insurance company chosen by Seller, shall furnish
 194 Buyer with an ALTA Standard Coverage Owners Title Insurance Policy (as evidenced by a standard form American
 195 Land Title Association title insurance commitment) in an amount equal to the purchase price. Buyer may purchase
 196 additional owner's title insurance coverage in the form of "Extended Coverage" or "Enhanced Coverage" for an
 197 additional cost to the Buyer. It is recommended that Buyer obtain details from a title company.

198
 199 **CONDITION OF TITLE:** All mortgages, judgements and liens shall be paid or satisfied by the Seller at or prior to
 200 closing unless otherwise provided herein. Seller agrees that no additional encumbrances, restrictions, easements or
 201 other adverse title conditions will be placed against the title to the Property subsequent to the effective date of the
 202 preliminary title commitment approved by the Buyer.

[W]

DEPOSIT OF FUNDS BY BROKER/SALESPERSON: All parties agree, unless otherwise expressly stated, that the earnest money and any other real estate funds in Broker's/Salesperson's possession shall be delivered within 5 days of receipt, or the date all parties have signed this Agreement, whichever occurs later. The parties agree that accrued interest, if any, shall be payable to the holder of the funds and that sums so paid are consideration for services rendered.

SECTION 1031 LIKE-KIND EXCHANGE: If either Buyer or Seller intends for this transaction to be part of a Section 1031 like-kind exchange, then the other party shall cooperate in the completion of the like-kind exchange provided the cooperating party does not incur any additional liability or cost in doing so. Any party who intends for this transaction to be part of a Section 1031 like-kind exchange may assign their rights under this Agreement to a qualified intermediary or any entity expressly created for the purposes of completing a Section 1031 like-kind exchange, notwithstanding the prohibition against the Buyer's assignment of this Agreement set forth in the "Binding Effect and Non-Assignability" section below.

SPECIAL IMPROVEMENT DISTRICTS AND ASSOCIATION SPECIAL ASSESSMENTS: All Special Improvement Districts (including rural SIDs), and all special or non-recurring assessments of any non-governmental association, including those that have been noticed to Seller by City/County but not yet spread or currently assessed or that have been approved but not yet billed or assessed, will be assumed by Buyer at closing unless otherwise agreed.

PRORATION OF TAXES AND ASSESSMENTS: Seller and Buyer agree to prorate taxes, Special Improvement District and association special assessments for the current tax year, as well as prepaid rents, water and sewer system charges, heating fuel and tank rental, irrigation assessments, Homeowner's Association dues and/or common maintenance fees, as of the date of closing unless otherwise agreed.

CONDITION OF PROPERTY: Seller agrees that the Property shall be in the same condition, normal wear and tear excepted, from the date of the execution of this Agreement up to the time Buyer takes possession of the Property. Seller will remove all personal property not included in this sale prior to closing.

NOXIOUS WEEDS DISCLOSURE: Buyers of property in the state of Montana should be aware that some properties contain noxious weeds. The laws of the State of Montana require owners of property within this state to control, and to the extent possible, eradicate noxious weeds. For information concerning noxious weeds and your obligations as an owner of property, contact either your local County extension agent or Weed Control Board.

MEGAN'S LAW DISCLOSURE: Pursuant to the provisions of Title 46, Chapter 23, Part 5 of the Montana Code Annotated, certain individuals are required to register their address with the local law enforcement agencies as part of Montana's Sexual and Violent Offender Registration Act. In some communities, law enforcement offices will make the information concerning registered offenders available to the public. If you desire further information please contact the local County Sheriff's office, the Montana Department of Justice, in Helena, Montana, and the probation officers assigned to the area.

BUYER'S REMEDIES: (A) If a Seller fails to accept the offer contained in this Agreement within the time period provided in the BUYER'S COMMITMENT section, all earnest money shall be returned to the Buyer.

(B) If the Seller accepts the offer contained in this Agreement, but refuses or neglects to consummate the transaction anticipated by this Agreement within the time period provided in this Agreement, the Buyer may:

- (1) Demand immediate repayment of any earnest money paid by the Buyer, and upon the return of such money, the rights and duties of Buyer and Seller under this Agreement shall be terminated; **OR**
- (2) Demand that Seller specifically perform Seller's obligation under this Agreement; **OR**
- (3) Demand monetary damages from Seller for Seller's failure to perform the terms of this Agreement.

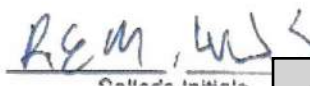
SELLER'S REMEDIES:

If the Seller accepts the offer contained in this Agreement and Buyer refuses or neglects to consummate the transaction within the time period provided in this Agreement, the Seller may:

- (1) Declare the earnest money paid by Buyer be forfeited whereupon the rights and duties of the Buyer and Seller under this Agreement shall be terminated; **OR**
- (2) Demand that Buyer specifically perform Buyer's duties and obligations under this Agreement; **OR**
- (3) Demand that Buyer pay monetary damages for Buyer's failure to perform the terms of this Agreement.



Buyer's Initials


Sellers Initials

BUYER'S AND SELLER'S CERTIFICATION: By entering into this Agreement, each person or persons executing this Agreement, as Buyer or Seller, represents that he/she is eighteen (18) years of age or older, of sound mind, and legally competent to own or transfer real property in the State of Montana; and, if acting on behalf of a corporation, partnership, or other non-human entity, that he/she is duly authorized to enter into this Agreement on behalf of such entity.

FOREIGN PERSON OR ENTITY: Section 1445 of the Internal Revenue Code provides for the withholding of tax upon the sale of U.S. real property owned by a foreign entity or foreign person unless the amount realized (usually the sales price) does not exceed \$300,000 and the Buyer intends to use the property as a residence. If the Seller is a foreign entity or foreign person, Seller acknowledges and agrees that the Buyer or closing agent is required to deduct and withhold the applicable tax from the proceeds of sale at closing and submit the tax to the Internal Revenue Service unless the transfer of the property satisfies an exception provided for in Section 1445 of the Internal Revenue Code.

AGRICULTURAL FOREIGN INVESTMENT DISCLOSURE ACT: The Agricultural Foreign Investment Disclosure Act of 1978 (AFIDA) requires any foreign person who acquires or transfers any interest, other than a security interest, in agricultural land to submit a report to the Secretary of Agriculture not later than 90 days after the date of the acquisition or transfer. If Buyer or Seller is or may be considered a foreign person under the AFIDA they are advised to consult with an appropriate professional concerning any reporting that may be required by the AFIDA.

CONSENT TO DISCLOSE INFORMATION: Buyer and Seller hereby consent to the procurement and disclosure by Buyer, Seller, and Brokers/Salespersons and their attorneys, agent, and other parties having interests essential to this Agreement, of any and all information reasonably necessary to consummate the transaction described in this Agreement, specifically including access to escrows for review of contracts, deeds, trust indentures, or similar documents concerning this Property or underlying obligations pertaining thereto.

WIRE FRAUD ALERT: Criminals are hacking email accounts of title companies, real estate agents, settlement attorneys and others, resulting in fraudulent wire instructions being used to divert funds to the account of the criminal. The emails may look legitimate but they are not. Buyer and Seller are advised **NOT** to wire any funds without personally speaking with the intended recipient of the wire to confirm the routing number and the account number. Buyer and Seller should **NOT** send personal information such as social security numbers, bank account numbers and credit card numbers through email.

RISK OF LOSS: All loss or damage to any of the above-described real property or personal property to any cause is assumed by Seller through the time of closing unless otherwise specified.

TIME IS OF THE ESSENCE: Time is of the essence as to the terms and provisions of this Agreement.

BINDING EFFECT AND NON-ASSIGNABILITY: This Agreement is binding upon the heirs, successors and assigns of each of the parties hereto; however, Buyer's rights under this Agreement are not assignable without the Seller's express written consent.

ATTORNEY FEES: In any action brought by the Buyer or the Seller to enforce any of the terms of this Agreement, the prevailing party in such action shall be entitled to such reasonable attorney fees as the court or arbitrator shall determine just.

COMMISSION: The Seller's and/or Buyer's commitment to pay a commission in connection with this transaction is an integral part of this Agreement.

FAX/COUNTERPARTS/ELECTRONIC SIGNATURES: This Agreement may be executed in counterparts and, when all counterpart documents are executed, the counterparts shall constitute a single binding instrument. Moreover, a signature transmitted by fax or other electronic means will be enforceable against any party who executes the Agreement and transmits the signature by fax or other electronic means. The parties hereto, all agree that the transaction contemplated by this document may be conducted by electronic means in accordance with the Montana Uniform Electronic Transaction Act.

[Signature]

Rgm, 1/1/20

ENTIRE AGREEMENT: This Agreement, together with any attached exhibits and any addenda or amendments signed by the parties, shall constitute the entire agreement between Seller and Buyer, and supersedes all written or oral agreements between Seller and Buyer. This Agreement can be modified only in writing, signed by the Seller and Buyer.

EARNEST MONEY DISPUTES: Buyer and Seller agree that, in the event of any controversy regarding the earnest money and things of value held by the Broker, closing agent, or any person or entity holding such money or property, unless mutual written instructions are received by the holder of the earnest money and things of value, Broker or closing agent shall not be required to take any action, but may await any proceedings, or, at Broker's or closing agent's option and sole discretion, may interplead all parties and deposit any monies or things of value in a Court of competent jurisdiction and may utilize as much of the earnest money deposit as may be necessary to advance the cost and fees required for filing such action.

ADDENDA AND/OR DISCLOSURES ATTACHED: (check all that apply):

- ☐ Contingency for Sale of Buyer's Property ☐ Back-up Offer
☐ Addendum for Additional Provisions
☐ Water Rights Acknowledgement
☐ _____
☐ _____

RELATIONSHIP CONFIRMATION: The parties to this Agreement confirm that the real estate licensees identified hereafter have been involved in the capacities indicated below and the parties have previously received the required statutory disclosures setting forth the licensees' duties and the limits of their obligations to each party:

Elizabeth James of Keller Williams Realty Northwest Montana
 (name of licensee) (name of brokerage company)

RBS 71557 1830 3rd Ave East, Suite 102 Kalispell MT 59901
 (licensee's Montana license number) (brokerage company address)

ejames1978@kw.com (406) 752-4700
 (licensee email address) (brokerage company phone number)

(406) 752-4700 (406) 270-1592
 (licensee phone number)

is acting as ☒ Seller's Agent ☐ Dual Agent ☐ Statutory Broker

Austin Elm of PureWest Real Estate (2920) -
 (name of licensee) (name of brokerage company)

RBS 71916 492 E 2nd St Whitefish MT 59937
 (licensee's Montana license number) (brokerage company address)

austin@purewestmt.com 406-862-4900
 (licensee email address) (brokerage company phone number)

406-200-8498
 (licensee phone number)

is acting as ☒ Buyer's Agent ☐ Dual Agent ☐ Statutory Broker

☐ Seller's Agent (includes Seller's Sub-Agent)

[Signature]

Buyer's Initials

[Signature]
 Seller's Initials

BUYER'S ACKNOWLEDGMENT: Buyer acknowledges that prior verbal representations by the Seller's representatives do not modify or affect this Agreement. Buyer acknowledges that by signing this Agreement he/she has examined the subject real and personal property and represents that Buyer ☐ has OR ☐ has not physically visited the Property in person prior to the execution of this Agreement; has entered into this Agreement in full reliance upon his/her independent investigation and judgments and has read and understood this entire Agreement.

BUYER'S COMMITMENT: I/We agree to purchase the above-described Property on the terms and conditions set forth in the above offer and grant to said Broker/Salesperson until (date) 01/24/2021, at 6:00 ☐ am ☒ pm (Mountain Time) to secure Seller's written acceptance, whether or not that deadline falls on a Saturday, Sunday or holiday. Buyer may withdraw this offer at any time prior to Buyer being notified of Seller's written acceptance. If Seller has not accepted by the time specified, this offer is automatically withdrawn. I/We hereby acknowledge receipt of a copy of this Agreement bearing my/our signature(s).

[Signature] Date: 01/20/2021, at ☐ am ☐ pm (Mountain Time)
Buyer's Signature

Name Printed: Wayne Hull, Manager, Iron Gate Montana, LLC

Address: 12384 Herbaugh Road Bentonville State: AR Zip: 72712

 Date: , at ☐ am ☐ pm (Mountain Time)
Buyer's Signature

Name Printed:

Address (if different): State: Zip:

SELLER'S COMMITMENT:

I/We agree to sell to Buyer the above-described Property on the terms and conditions herein above stated. I/We hereby acknowledge receipt of a copy of this Agreement bearing my/our signature(s) and that of the Buyer(s) named above.

[Signature] Date: 1-21-2021 at 1 ☐ am ☒ pm (Mountain Time)
Seller's Signature

Name Printed: Ron Mayhew, Twin Peaks Farm, LLC, My.

Address: 2088 W. Champagne Ct., Eagle State: ID Zip: 83616

[Signature] Date: 1-21-2021 at 1 ☐ am ☒ pm (Mountain Time)
Seller's Signature

Name Printed: William Jeff Smith, Twin Peaks Farms LLC, My.

Address (if different): 4000 Eagle Rd, Eagle State: ID Zip: 83616

☐ Modified per the attached Counter Offer:

 / /
Seller's Initials Date Seller's Initials Date

☐ Rejection of this offer by Seller (no counter offer is being made):

 / /
Seller's Initials Date Seller's Initials Date

NOTE: Unless otherwise expressly stated the term "Days" means calendar days and not business days. Business days are defined as all days except Sundays and holidays. Any performance which is required to be completed on a Saturday, Sunday or holiday can be performed on the next business day.

Property Record Card

Summary

Primary Information

Property Category: RP **Subcategory:** Residential Property
Geocode: 07-4186-16-1-01-67-0000 **Assessment Code:** 0000000424
Primary Owner: **PropertyAddress:** 7030 US HIGHWAY 2 E
 TWIN PEAK FARMS LLC COLUMBIA FALLS, MT 59912
 197 S SILVERWOOD WAY **COS Parcel:** N/A
 EAGLE, ID 83616-6165

NOTE: See the Owner tab for all owner information

Certificate of Survey: 16981

Subdivision:

Legal Description:

S16, T30 N, R20 W, 16981, PARCEL N/A, TR 3FB IN SW4NE4 & SE4NW4

Last Modified: 5/8/2019 6:20:55 PM

General Property Information

Neighborhood: 207.360.0 **Property Type:** VAC_R - Vacant Land - Rural
Living Units: 0 **Levy District:** 07-131202-06 - F
Zoning: **Ownership %:** 100
Linked Property:

No linked properties exist for this property

Exemptions:

No exemptions exist for this property

Condo Ownership:

General: 0 **Limited:** 0

Property Factors

Topography: 1 **Fronting:** 1 - Major Strip or Central Business District
Utilities: 0 **Parking Type:**
Access: 1 **Parking Quantity:**
Location: 0 - Rural Land **Parking Proximity:**

Land Summary

Land Type	Acres	Value
Grazing	0.000	00.00
Fallow	0.000	00.00
Irrigated	0.000	00.00
Continuous Crop	0.000	00.00
Wild Hay	0.000	00.00
Farmsite	0.000	00.00
ROW	0.000	00.00
NonQual Land	0.000	00.00
Total Ag Land	0.000	00.00
Total Forest Land	0.000	00.00
Total Market Land	10.000	00.00

Deed Information:

Deed Date	Book	Page	Recorded Date	Document Number	Document Type
-----------	------	------	---------------	-----------------	---------------

Owners

Party #1

Default Information: TWIN PEAK FARMS LLC
197 S SILVERWOOD WAY

Ownership %: 100

Primary Owner: "Yes"

Interest Type: Conversion

Last Modified: 5/6/2019 7:22:07 AM

Other Names

Other Addresses

Name

Type

Appraisals

Appraisal History

Tax Year	Land Value	Building Value	Total Value	Method
2018	153400	0	153400	COST
2017	153400	0	153400	COST

Market Land

Market Land Item #1

Method: Acre

Type: Primary Site

Width:

Depth:

Square Feet: 00

Acres: 10

Valuation

Class Code: 2101

Value:

Dwellings

Existing Dwellings

No dwellings exist for this parcel

Other Buildings/Improvements

Outbuilding/Yard Improvements

No other buildings or yard improvements exist for this parcel

Commercial

Existing Commercial Buildings

No commercial buildings exist for this parcel

Ag/Forest Land

Ag/Forest Land

No ag/forest land exists for this parcel

3FB 0000424

By: MONTANA MAPPING ASSOCIATES, Inc.
Surveying, Mapping & Geodetic Consulting
1405 Hwy 2 West
Kalispell, Mont. 59901
Phone: (406) 752-3839

Darren R. Breckenridge, P.L.S.

CERTIFICATE OF SURVEY

SW 1/4 NE 1/4, SECTION 16, T. 30 N., R. 20 W.
PRINCIPAL MERIDIAN, FLATHEAD COUNTY, MONTANA

PURPOSE: Relocement

LEGAL DESCRIPTION

NOTE: Surveyor has made no investigative or independent search for easements or record encumbrances, or any other facts that may accurately and current title search may disclose.

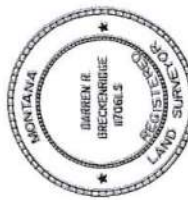
Parcel 1
A tract of land, situated, lying, and being in the Southwest 1/4 of the Northeast 1/4 of Section 16, Township 30 North, Range 20 West, Principal Meridian, Flathead County, Montana, and more particularly described as follows:

Commencing at the NE 1/4 corner of Section 16; thence S 00°00'33" E a distance of 668.18' to the TRUE POINT OF BEGINNING of the tract of land being described; thence continuing S 00°00'33" E a distance of 539.35' to a 5/8" rebar; thence S 89°26'08" W a distance of 231.30' to a 2" aluminum cap; thence along a 2774.79' radius non-tangent curve to the right, whose radius bears N 00°33'05" W a distance of 1000.1' to the 5/8" rebar; thence N 00°33'05" W a distance of 594.86' to a 5/8" rebar; thence S 82°26'46" E a distance of 747.08' to the Point of Beginning containing 10.00 acres more or less. Together with and subject to all easements as shown and of record.

This map is provided solely for the purpose of assisting in locating the Land, and the Company assumes no liability for variations, if any, with actual survey.

LEGEND

- SECTION CORNER (AS NOTED)
- 1/4 SECTION CORNER (AS NOTED)
- CENTER SECTION CORNER (AS NOTED)
- 1/8 SECTION CORNER 5/8" REBAR BY 7320-S
- FOUND 5/8" REBAR BY 7320-S (EXCEPT AS NOTED)
- SET 5/8" X 24" REBAR WITH CAP
- STAMPED BRECKENRIDGE 1706LS



CERTIFICATE OF SURVEYOR

Darren R. Breckenridge 10/21/05
REGISTRATION NUMBER 1706LS

APPROVED 10/19/05
BY: [Signature]

EXAMINING LAND SURVEYOR REG. NO. 5008

STATE OF MONTANA

COUNTY OF Flathead

FILED IN BOOK 24 DAY 01 OCT 2005 A.D.

AT 2:02 PM

CLERK AND RECORDER

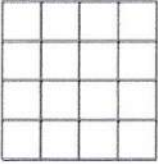
BY: [Signature]

INSTRUMENT RECORD NUMBER 200527148

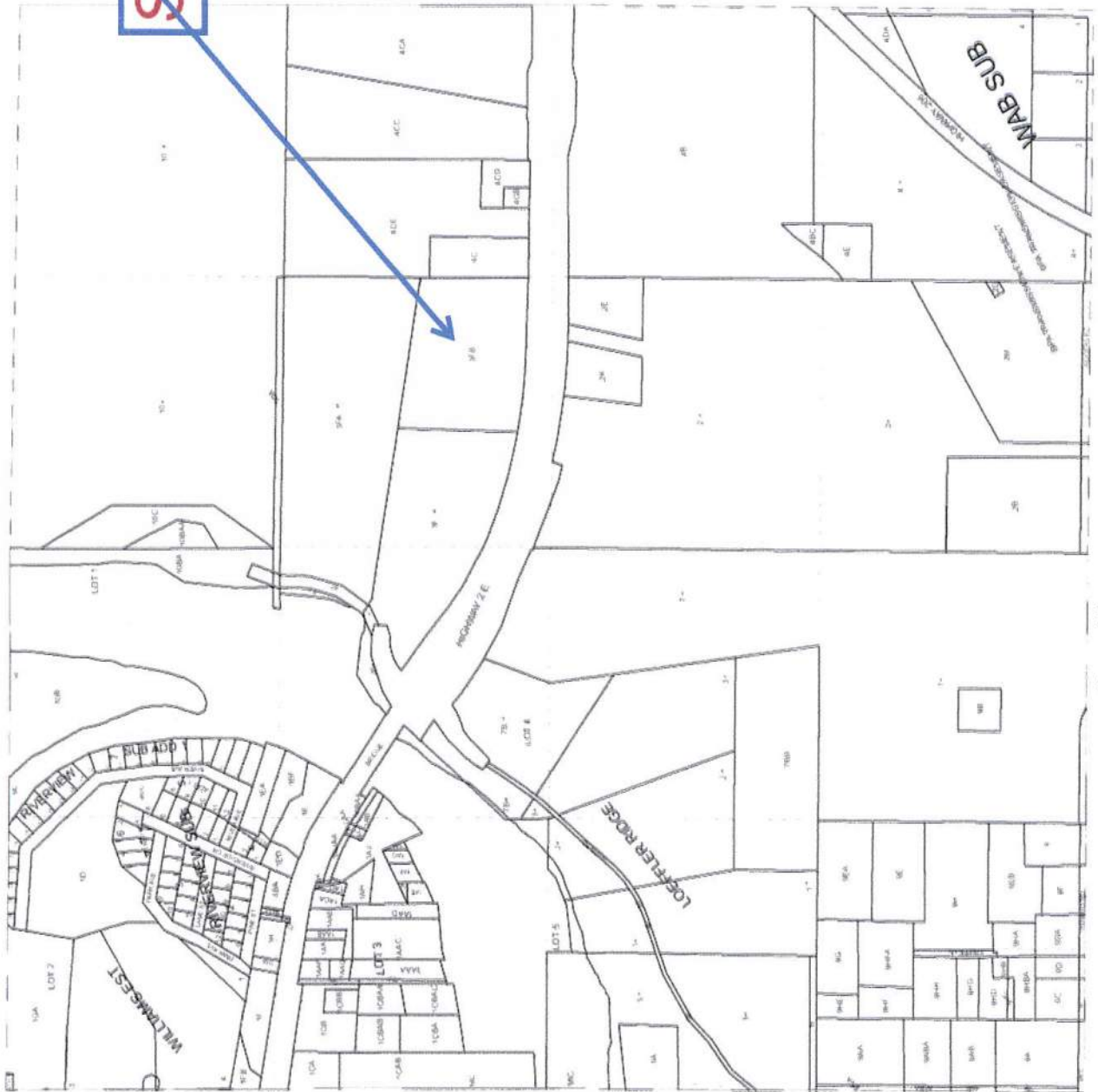
FILED IN MAYHEW TWIN PEAK FARMS LLC
SEPTEMBER, 2005
FILED SURVEYS WITH THE FLATHEAD COUNTY CLERK

CERTIFICATE OF SURVEY NO. 1081

SCALE 1" = 400'

[illegible]

SUBJE





FLATHEAD COUNTY 2018 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 788-8880
http://flathead.mt.gov/property_tax



219
Item No.5.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06
GEO CODE: 07418616101670000

Parties with ownership interest as of January 1, 2018
Owner of Record.....TWIN PEAKS FARMS LLC

Type of Property	Market Value	Taxable Value
Real Estate	153,400	2,071.00
No Buildings Assessed	0	0
Totals	153,400	2,071.00

Property Location:
7030 HIGHWAY 2 E
COLUMBIA FALLS MT 59912
Property Description:
16 30 20 TR 3FB IN SW4NE4 & SE4NW4

Description	Percentage	Amount
County Functions	26.64%	344.85
Education	70.17%	908.08
Other	3.17%	41.13

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.067880	140.57	COUNTY LIBRARY	.006810	14.10
SHERIFF	.042600	88.22	CO PERM MED LEVY	.012530	25.95
NOXIOUS WEEDS	.002130	4.41	COUNTYWIDE MOSQUITO	.000950	1.97
911 GENER OBLIG BOND	.001880	3.89	PERM SRS LEVY	.000700	1.45
ROAD	.024480	50.70	COUNTY PLANNING	.001660	3.44
BOARD OF HEALTH	.004900	10.15			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...				.166520	344.85
STATE - UNIVERSITY	.006000	12.43	GENERAL SCHOOLS	.106400	220.35
STATE - SCHOOL AID	.040000	82.84	FLAT VAL COM COLLEGE	.016170	33.49
COLUMBIA FALLS H.S.	.068390	141.64	CF RURAL ELEM 06	.197350	408.71
FVCC PERMIS MED LEVY	.004160	8.62			
SUBTOTAL - TAXES FOR EDUCATION.....				.438470	908.08
SOIL & WATER CONSERV	.001690	3.50	BADROCK FIRE	.018170	37.63
SUBTOTAL - OTHER TAXES AND FEES.....				.019860	41.13
Total Mills Levied	0.624850				
Total Taxes and Fees . . . 1294.06					

47779 1st Installment due 11/30/2018 = 647.04
2nd Installment due 05/31/2019 = 647.02

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:
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

MAY 31, 2019

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 647.02



2ND 2018 REAL ESTATE

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:
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

NOVEMBER 30, 2018

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

TWIN PEAKS FARMS LLC
6732 N MISTY LOVE AVE
BOISE ID 83714

Tax Amount Due: 647.04

ASSESSOR NUMBER: 0000424
TAX BILL NUMBER: 201809175
SCHOOL DISTRICT: 06

1294.06





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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

February 16, 2021

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

Dear Adjacent Property Owner:

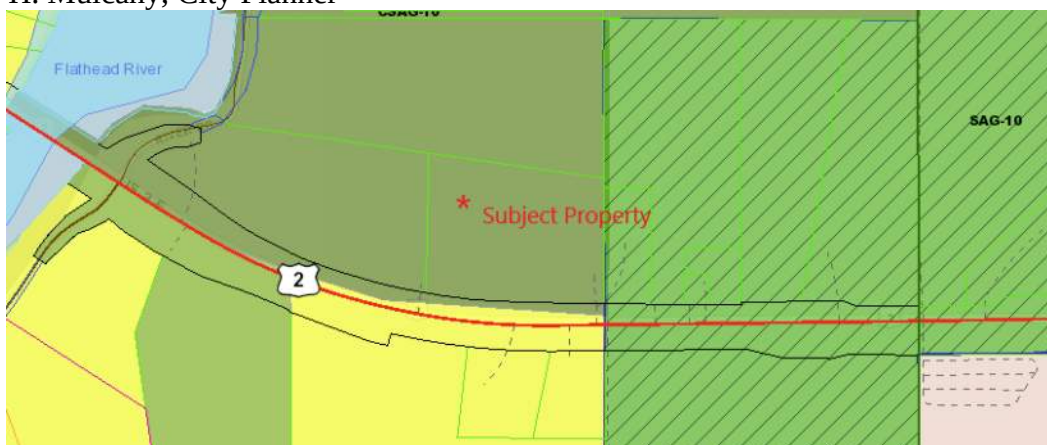
Our records indicate that you are the owner of property within 150-feet of the proposed project.

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-5 (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 question 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 March 4, 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, March 9, 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 April 5, 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, 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.

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 Zone Change, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 16th day of February, 2021

March 2, 2021

To: City of Columbia Falls Planning Department

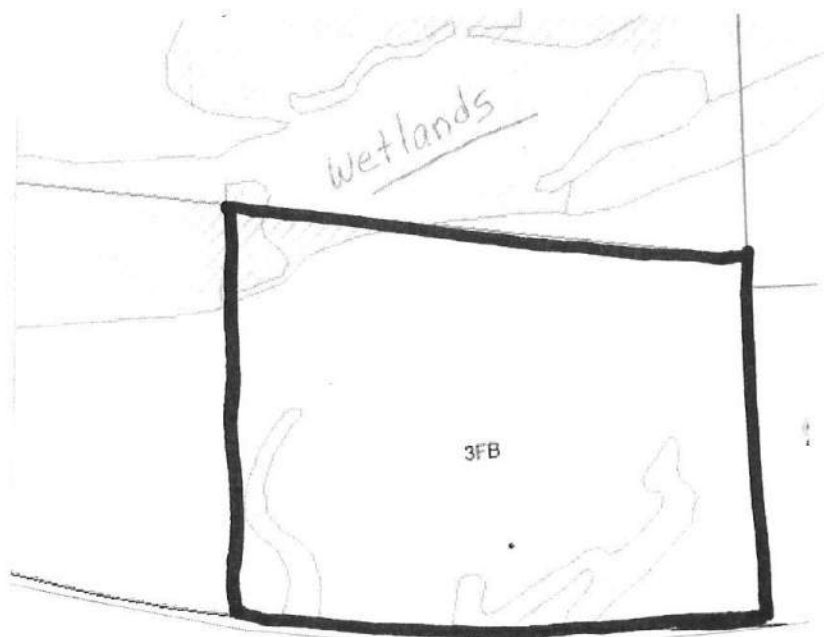
Re: Public Hearing for a Zone Change at 7030 Hwy 2 East, Columbia Falls

1. Please consider this parcel when split – where will the wetlands be located?
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.
3. Also 2 SepticSystems in the spring could be a large problem as this property is very wet. 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.

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 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





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
HELENA REGULATORY OFFICE
10 WEST 15TH STREET, SUITE 2200
HELENA MT 59626

May 30, 2006

Helena Regulatory Office
Phone (406) 441-1375
Fax (406) 441-1380

RE: Jurisdictional Determination – Mayhew 10 acre parcel, Corps File No. 2005-9-0960

Mr. Ron Mayhew
3294 Eagle Road
Eagle, Idaho 83616

Dear Mr. Mayhew:

Reference is made to your request for a jurisdictional determination of wetlands identified on a 10 acre parcel adjacent to Highway 2 in Columbia Falls. The property is located in the SW1/4, NE1/4 of Section 16, Township 30 North, Range 20 West, Flathead County, Montana.

Under the authority of Section 404 of the Clean Water Act, Department of the Army permits are required for the discharge of fill material into waters of the United States. Waters of the United States include the area below the ordinary high water mark of stream channels and lakes or ponds connected to the tributary system, and wetlands adjacent to these waters.

Based on the information you initially provided, and a subsequent field visit conducted by Jean Ramer on May 4, 2006, the pond on the northwest corner of the property is considered a jurisdictional water of the U. S. under the authority of Section 404 of the Clean Water Act. Also, based on the site visit and topographic information provided by Montana Mapping Associates, Inc., the wetland swales on the southern portion of the property do not have a hydrologic surface connection to the Flathead River or any other waters of the US, and are therefore not subject to Corps permitting authorities.

This is an Approved Jurisdictional Determination, and it is valid for a period of 5 years from the date of this letter unless new information warrants revision of the determination before the expiration date. If you disagree with this jurisdictional determination, you have the right to appeal the decision. If you would like more information on the jurisdictional appeal process, contact this office.

If you have any questions, please contact Jean Ramer of my staff at (406) 441-1378, and reference Corps File No. 2005-9-0960.

Sincerely,

Allan Steinle
Montana Program Manager

Enclosure:
Site Map

Resolution #1807 - Exhibit A

Planning & Zoning Fees

7030 Hwy 2 Residences

Rates Effective 1/1/2020

Subtotal**PRELIMINARY PLAT REVIEW**

Major Subdivision (6 or more lots)	
Base Fee	\$1,250
First 20 lots	\$80/lot
Each lot over 20	\$40/lot
Minor Subdivision (5 or fewer lots)	\$790 + \$80/lot
Mobile Home Parks & Campgrounds (land is not subdivided)	
(6 or more spaces)	\$1,250 + \$80/space
(5 or fewer spaces)	\$850 + \$80/space
Subdivision Variance	\$450/variance

REVISED PRELIMINARY PLAT

Amended Preliminary Plat	1/2 Fees from above
Amendment to Conditions Only	1/2 Fees from above
Mobile Home Parks, Campgrounds, and (minor subdivision)	\$650 + \$30/unit
Mobile Home Parks, Campgrounds, and (major subdivision)	\$750 + \$30/unit

FINAL PLAT REVIEW

For minor subdivisions with approved preliminary plat	\$750 + \$80/lot
For major subdivisions with approved preliminary plat	\$900 + \$80/lot
For subdivisions with waiver of preliminary plat	\$750 + \$80/lot
Subdivision Improvements Agreement	\$150

GROWTH POLICY

Amendments to Map and Text	\$1,750 + \$100/acre
Neighborhood Plan	\$1,750 + \$100/acre

Examination of exemption from Subdivision regulation

\$50

Annexation

Petition to Annex	Residential (1 ac or less) no fee		
	Over 1 ac. - \$100 + \$10/ac	22.5 acres	\$ 325.00

FLOODPLAIN

Floodplain Development Permit	\$600
"After-the-Fact" Permit	\$950
Letter of Map Amendment	\$100
Letter of Map Revision	\$100
Floodplain Appeals and Variances	\$750
Floodplain Determinations (Written)	\$85/hour

ZONING

Zone Change:			
Base Fee	\$1,250	1	\$ 1,250.00
For first 80 acres	\$25/acre first 80	22.5 acres	\$ 562.50
For each additional acre over 80	\$10/acre 81+		

Amendment to Zoning Text	\$750
--------------------------	-------

PUD Zoning Review:			
Residential	\$1,000 + 25/acre	22.5 acres	\$ 1,562.50
Commercial	\$1,250 + \$25/acre		

Resolution #1807 - Exhibit A
Planning & Zoning Fees

7030 Hwy 2 Residences
Rates Effective 1/1/2020

		Subtotal
Mixed Use	\$1,250 + \$25/acre	
	Deduct \$250 if prelim plat app sub concurrently	
Variance:		
Residential (Single Family / Duplex)	\$550	
Multi-Family / Commercial / Industrial / Sign Variance	\$850	
Conditional Use Permit:		
Single-family (10 or fewer trips/day)	\$550	
Minor Residential (2-4 units or 11-49 trips day)	\$600	
Major residential (5 or more units or 50+ trips/day)	\$600 + \$50/unit or every 10 trips	
Churches, schools, public and quasi-public uses	\$700	
Commercial, industrial, medical, golf courses, etc.	\$650 + \$50/acre or unit or \$.05/sq ft of leased space over 5,000 sq ft, whichever is greatest	
Renewal of CUP exp last 24 mos	\$100	
Administrative Conditional Use Permit:		
Residential	\$325	
Commercial/Industrial	\$375	
After the Fact Permit	\$500	
Zoning Appeals	\$550	
	Total	\$ 3,375.00

Eric Mulcahy

From: Mark Rohweder <Mark.Rohweder@kljeng.com>
Sent: Friday, January 20, 2023 10:27 AM
To: Eric Mulcahy; jbaniak@location.ventures
Cc: 'Frank Astor'; 'Marissa Getts'
Subject: RE: Geotech Investigation: 7030 Hwy 2 Residence submittal

Eric,

Sorry for the delay in responding. Yes, based on the initial geotechnical investigation findings and my experience we can build the infrastructure proposed.

Thank you,

Mark Rohweder, PE, PMP



651-726-5040 **Direct**
 406-890-1193 **Cell**
 370 Wabasha St. N. Ste 300
 St. Paul, MN 55102-1329
kljeng.com

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Thursday, January 19, 2023 11:03 AM
To: Mark Rohweder <Mark.Rohweder@kljeng.com>; jbaniak@location.ventures
Cc: 'Frank Astor' <fastor@location.ventures>; 'Marissa Getts' <mgetts@location.ventures>
Subject: RE: Geotech Investigation: 7030 Hwy 2 Residence submittal

Thanks Mark,

In your expert opinion as a Civil Engineer, do you think that buildings, roads, and infrastructure can be supported by these soils. For example how do these soils compare to a typical downtown Whitefish soil that is known for expansive clay and high water content.

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

2 Village Loop
 Kalispell, MT 59901

From: Mark Rohweder <Mark.Rohweder@kljeng.com>
Sent: Thursday, January 19, 2023 9:39 AM
To: Eric Mulcahy <eric@sandssurveying.com>; jbaniak@location.ventures
Cc: 'Frank Astor' <fastor@location.ventures>; 'Marissa Getts' <mgetts@location.ventures>
Subject: Geotech Investigation: 7030 Hwy 2 Residence submittal



1830 3rd Avenue East Suite 303
Kalispell, MT 59901-5778
406 755 2763
KLJENG.COM

January 19, 2023

Eric Mulcahy
Planner
City of Columbia Falls
130 6th St W A
Columbia Falls, MT 59912

Re: Preliminary Geotechnical Investigation

Dear Mr. Mulcahy:

Enclosed are the findings from the preliminary geotechnical investigation including the boring logs for Parcels 3 and 5. The preliminary geotechnical investigation was conducted on December 21, 2021. An Aquatic Resources Delineation was conducted in the summer of 2022 to confirm and define the water resources on site. Results of the delineation were included in the application.

Please contact me at (406) 300-7099 or mark.rohweder@kljeng.com with any questions regarding the preliminary geotechnical investigation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Rohweder', is written over a light blue horizontal line.

Mark Rohweder
Project Manager
Enclosure(s): Preliminary Geotechnical Investigation and Boring Logs
Project #: 2106-01243
cc: File and Location Acquisitions

PRELIMINARY GEOTECHNICAL INVESTIGATION**Portions of the Report relevant to 7030 Hwy 2 Residences****SOIL CONDITIONS**

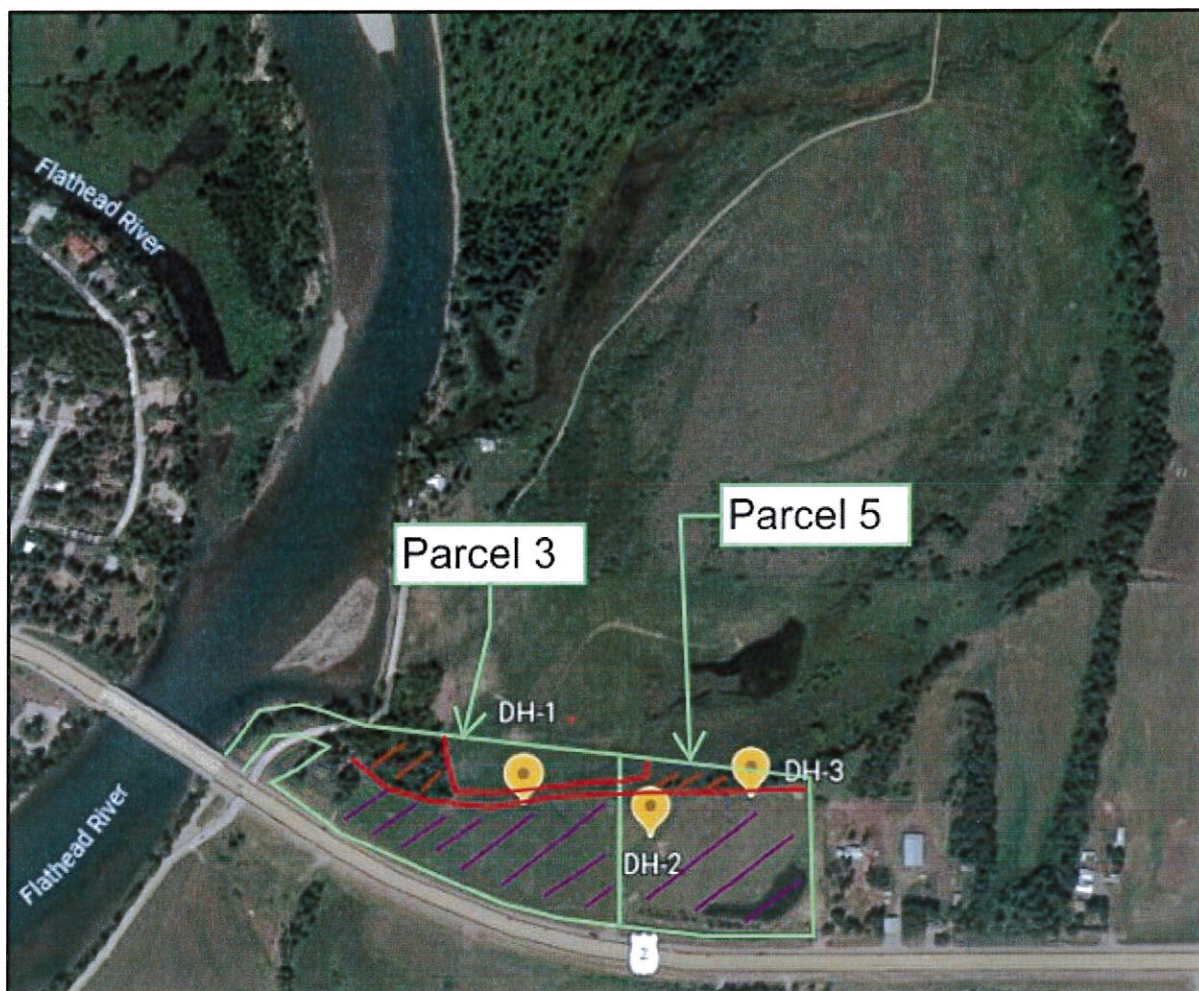
Based on the results of the borings, subsurface conditions across Parcels 3 and 5 can be generalized as organic silt topsoil materials ranging in thickness from 2.0 to 2.5 feet thick atop native soils. Native inorganic soils are lean clay to about 4-6 feet atop sand and gravel extending to the total depth explored. Borings DH-1 and DH-3 further north show poorly grade sand with silt to depths of 9 to 11 feet, followed by poorly graded gravel with sand; Boring DH-2 further south transitions directly from lean clay to gravel at about 5.5 feet. Static groundwater was encountered at depths of 2.2 to 2.3 feet below the existing surface grade at the time of the exploration.

Groundwater monitoring wells were installed at Boring DH-1 and DH-2 locations. The native lean clay encountered has very soft to soft consistency based on Standard Penetration Test (SPT) N-values of 0-2 blows per foot. The natural moisture content of the native clay ranges from 27-40 percent, under saturated conditions below the groundwater level. The underlying poorly graded sand with silt (where encountered) has very loose relative density, based upon SPT N-values that range from 2 to 3 blows per foot. Natural moisture contents in this stratum ranged from 16 to 31 percent, under saturated conditions below the groundwater elevation. Deeper in the subsurface profile below a depth of 6 to 11 feet, the predominately coarse-grained poorly graded gravel with sand soils is medium dense to dense based on SPT N-values ranging from 17 to 30 blows per foot. Natural moisture contents in the saturated gravel and sand range from 7 to 16 percent.

CLOSURE/LIMITATIONS

The preliminary findings presented in this report are based upon the data obtained from the limited borings/test pits performed at the indicated locations and from other information discussed in this report. This report does not reflect variations that may occur between exploration locations, across the site, or due to the modifying effects of weather. The nature and extent of such variations may not become evident until, during or after construction. If variations appear, Alpine should be immediately notified so that further evaluation can be provided. Alpine Geotechnical should be retained to provide final geotechnical investigation and consulting services once the design is further developed in order to provide specific recommendations for foundations and groundwater based on site layout and foundation loading.

Log of Borings attached for DH-1, DH-2, and DH-3.



LOG OF BORING

NO.: DH-1

Item No.5.

Project: Columbia Falls Master Plan

Client: KLJ

Location: See exploration location map: 48.365112, -114.163784

Driller: Alpine Geotechnical

Drill Rig: CME 45B

Depth to Water> Initial ∇ : 2.2'

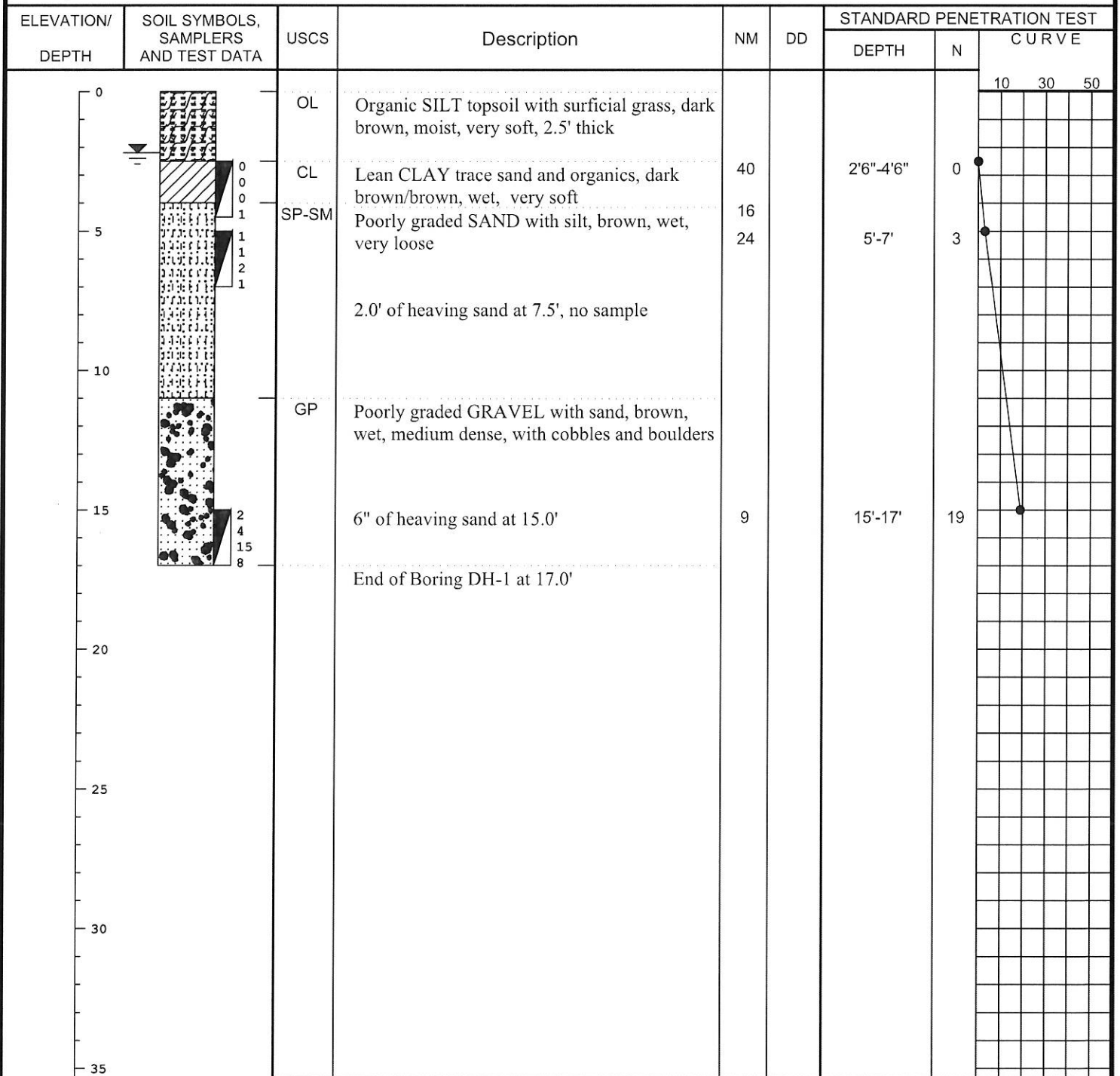
At Completion ∇ : 2.2'

Project No.: 21-966

Date: 12-21-21

Elevation: Existing

Logged By: Teal Gayner



LOG OF BORING

NO.: DH-2

Item No.5.

Project: Columbia Falls Master Plan

Client: KLJ

Location: See exploration location map: 48.364804, -114.161942

Driller: Alpine Geotechnical

Drill Rig: CME 45B

Depth to Water> Initial ∇ : 2.2'

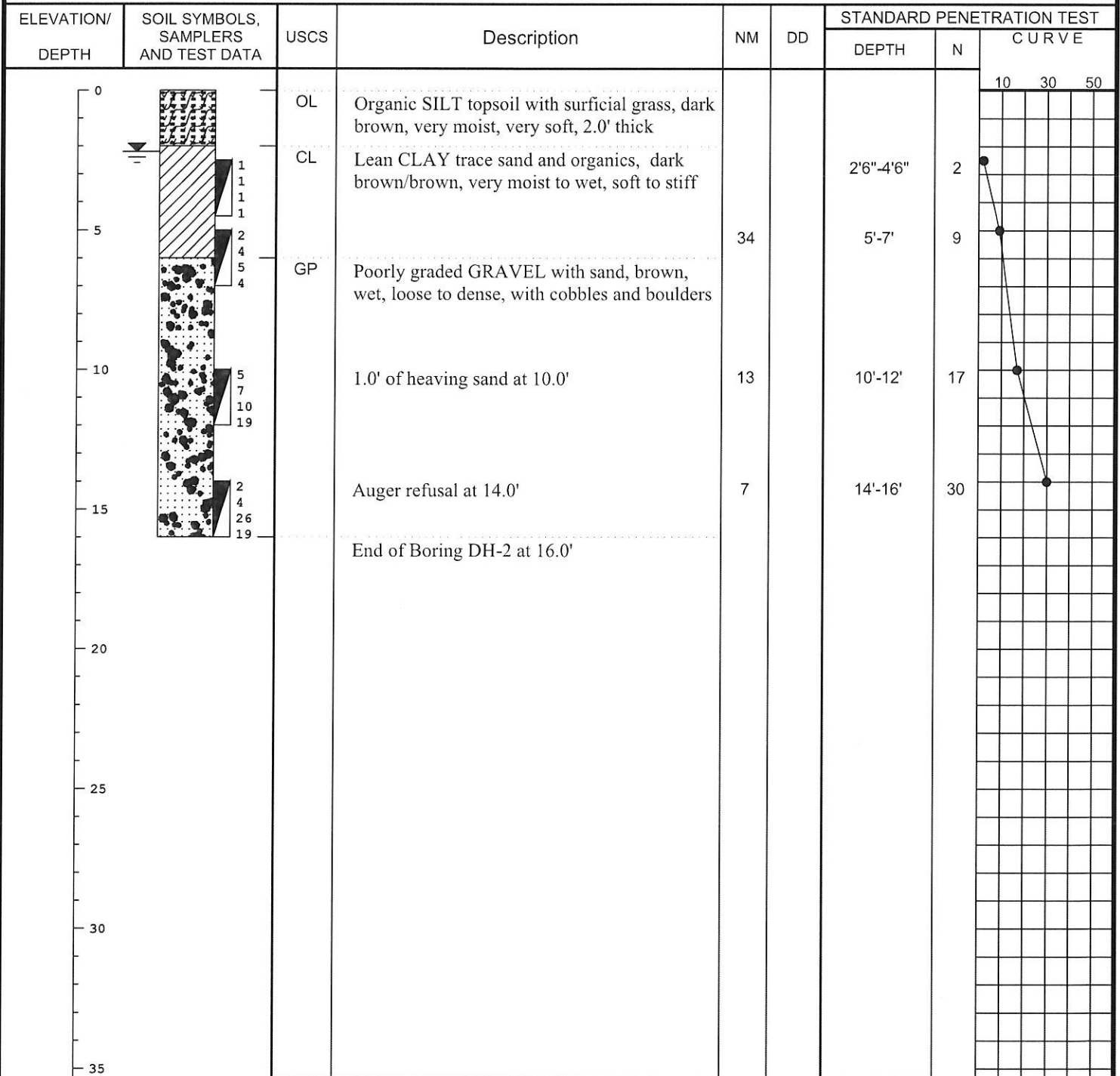
At Completion ∇ : 2.2'

Project No.: 21-966

Date: 12-21-21

Elevation: Existing

Logged By: Teal Gayner



LOG OF BORING

NO.: DH-3

Item No.5.

Project: Columbia Falls Master Plan

Client: KLJ

Location: See exploration location map: 48.365177, -114.160487

Driller: Alpine Geotechnical

Drill Rig: CME 45B

Depth to Water> Initial ∇ : 2.3'

At Completion ∇ : 2.3'

Project No.: 21-966

Date: 12-21-21

Elevation: Existing

Logged By: Teal Gayner

ELEVATION/ DEPTH	SOIL SYMBOLS, SAMPLERS AND TEST DATA	USCS	Description	NM	DD	STANDARD PENETRATION TEST		
						DEPTH	N	CURVE
0		OL	Organic SILT topsoil with surficial grass, dark brown, very moist, very soft, 2.5' thick					10 30 50
		CL	Lean CLAY trace sand and organics, dark brown/brown, very moist to wet, very soft to soft	32		2'6"-4'6"	0	
5				27		5'-7'	2	
		SP-SM	Poorly graded SAND with silt, brown, wet, very loose	25				
			6" of heaving sand at 7.5'	31		7'6"-9'6"	2	
10		GP	Poorly graded GRAVEL with sand, brown, wet, loose to dense, with cobbles and boulders	16				
			2.0' of heaving sand at 10.0', no sample					
15			Auger refusal at 14.0'					
			2.0' of heaving sand at 14.0', no sample					
			End of Boring DH-3 at 14.0'					
20								
25								
30								
35								



FWP.MT.GOVTHE **OUTSIDE** IS IN US ALL.

Region One
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501
REF# 08-01-30
January 30, 2023

Columbia Falls City Hall
Attn: Eric Mulcahy, City Planner
130 6th Street West
Room A
Columbia Falls, MT 59912

RE: Zone Change and Planned Unit Development, Location Ventures

Dear Mr. Mulcahy,

Thank you for the opportunity to comment on the proposed Zone Change and Planned Unit Development submitted by Locations Ventures for a 22.5-acre parcel off River Road, Columbia Falls, MT. This proposed subdivision would create 180 residential units inclusive of 99 single family attached units and 81 apartment units. The parcel is a mix of hay field, emergent wetland, and riparian woodland, includes a small pond, and abuts the Flathead River and the Bad Rock Canyon Wildlife Management Area. The area is used frequently by wildlife and provides habitat for numerous wildlife species including white tailed-deer, elk, black bears, grizzly bears, small mammals, amphibians, and migratory birds. Development of a high-density subdivision on this property will have significant negative impacts to wildlife on this parcel and in the surrounding area. Continued high density development throughout this area will have cumulative impacts to the wildlife species that currently make the Flathead Valley unique. Of particular concern is maintenance and the potential loss of a north-south wildlife movement corridor stretching from the Flathead River east to Highway 206. This winter, elk have been seen regularly crossing Highway 2 at this location.

Deer and Elk Habitat

This area provides a movement corridor for wildlife, including deer and elk that winter to the north in the Bad Rock Canyon WMA. Numerous studies indicate that development in areas like this fragment habitat and associated human and domestic pet activity further impacts the surrounding area.

The proposed project area is also heavily used by a resident elk herd. This parcel is part of a continuous movement corridor for elk, which cross Highway 2 at this location to access larger tracts of available habitat. This lot is a critical connection for elk moving north-south along the river corridor and through the remaining bands of open space and forest. The loss of this habitat may significantly alter movement patterns. Cumulatively, higher density development on this parcel and surrounding parcels will displace elk and eventually block this wildlife movement corridor.

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. Last summer FWP responded to a grizzly bear on a vehicle-killed deer, just north of the subject parcel. Development of this area would limit the ability of bears to access surrounding areas, displace some bears, 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, and other food sources, such as fruit bearing trees. FWP is called to address the bear issue arising from these attractants, often resulting in lethal removal of the bear. The NCDE grizzly bear population remains on the federal Threatened and Endangered Species list.

Riparian Corridor and Wetlands

The project area includes several wetlands – a small pond in the southeast corner, emergent wetlands within the northern third of the parcel, a small spring creek along the northwest corner, and the Flathead River along the western flank. These wetlands provide habitat for numerous species including migratory birds, raptors and amphibians. They also provide important vegetative cover for wildlife and protect water quality within the Flathead River. Proposed high density development in the adjacent uplands, absent appropriate building setbacks and vegetated buffers, will reduce the area's functionality and water quality.

Per the Subdivision Recommendations (<https://fwp.mt.gov/conservation/living-with-wildlife/subdivision-recommendations>), FWP recommends a minimum of 250 feet of vegetated buffer plus 50 additional feet of building setback from the ordinary high-water mark from rivers, and a minimum of 100 feet of vegetated buffer plus 30 additional feet of building set back from all wetlands, ponds, and intermittent streams. Total building setback at least 300 feet from rivers and 130 feet from wetlands and intermittent streams

Vegetated buffer should exclude all development, including buildings, roads, and trails. Within the building setback, lawns can be planted, and native vegetation can be removed or otherwise disturbed.

Wildlife Attractants/Wildlife Conflicts/Living with Wildlife

Attractants associated with developments often bring wildlife (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 is an attractant that may bring bears into contact with people, can result in property damage and often leads to the death of the bear. We recommend that bear resistant garbage containers be used, and 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. 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. 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:

- 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. Covenants should limit the types of plants to nonpalatable vegetation or require homeowners to 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 accustom wild animals to humans, which can be dangerous for both. It is against state law (**MCA 87-6-217**) 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 might 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 hooved game animals (**MCA87-6-404**). Keeping pets confined also helps protect them from predatory wildlife.
- g) Pet food must 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 must 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 will be erected that are no higher than 40" at the top rail/wire and no lower than 18" at the bottom rail/wire in order to facilitate wildlife movement and help avoid animals becoming ensnared and killed by the fence or 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 must be fenced with electric fencing to prevent access to them or not allowed in the subdivision.

Recreation

The proposed development has the potential to impact pre-existing public recreation and access properties managed by FWP and the Gateway to Glacier trail organization. FWP owns and manages the Teakettle Fishing Access Site (FAS) located immediately west of the proposed development. This site is a public access point to the Flathead River and sees heavy visitation during the peak season of June through September. Teakettle FAS provides 40 parking spaces and is frequently full to capacity. In 2022 37,825 vehicle trips were counted in the site, 26,353 of which occurred during the peak season. It is assumed that large scale residential developments immediately adjacent to this site will increase demand on this access point.

This project is located along the proposed Columbia Falls to Hungry Horse segment of the Gateway to Glacier bicycle/pedestrian trail corridor connecting Columbia Falls to West Glacier. This segment of US Highway 2 has poor bicycle/pedestrian access and ideally increased residential development along this segment would be accompanied by improved bicycle pedestrian amenities. 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 address issues related to trail use and connectivity to FWP sites, City Parks, and other trail systems.

The planned unit development is located approximately 525' south of the Bad Rock Canyon WMA. Potential impacts to the WMA include:

- Heavy utilization of the WMA by residents for recreational activities.
- Pioneering of trails from the development onto the WMA.
- Disturbance to wildlife as a result of pets.

The developer should work with FWP to maintain our WMA access along River Road, a county-right-of way that leads into the Bad Rock Canyon WMA.

Thank you for the opportunity to provide comment. 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,

Lee Anderson

Lee Anderson
Region 1 Supervisor

Eric Mulcahy

From: Tierney, Michael <mtierney@mt.gov>
Sent: Tuesday, January 17, 2023 1:44 PM
To: 'Oz Khan'
Cc: nicosias@cityofcolumbiafalls.com; sobczakc@cityofcolumbiafalls.com; Eric Mulcahy
Subject: RE: TIS Submission - Location Acquisitions US 2-MP 137.45

Oz – Thank you for submitting materials for the Location Acquisition approach proposal along US 2 near mile post 137.45 to the Montana Department of Transportation (MDT). The development has been nominated for review in MDT's Systems Impact Actions Process (SIAP).

A guide to the process can be found at the following link:

https://www.mdt.mt.gov/other/webdata/external/planning/SIAP-DEVELOPERS-GUIDE/siap_guide.pdf

The Montana Department of Transportation (MDT) has reviewed the TIS and other materials submitted for review. MDT provides these comments with the understanding that the development is subject to the local land-use authority's process for development. MDT has no authority regarding land-use decisions. MDT's comments refer to our permit process and safe operation of State Highway facilities. A copy of these comments will be sent to the local government. We will also plan to respond to the City's recent solicitation for comments regarding the subdivision. Please note the following:

1. The TIS stated that turn lanes are not required. MDT requires a turn lane work sheet to be submitted in order to verify the findings (both right and left).
2. The turning moving diagrams did not show what the distribution of traffic will be at each approach for each peak hour. Please revise to show the traffic distribution at all proposed approaches. Please also provide LOS calculations at these approaches.
3. Please provide a discussion on the design and control vehicle within the TIS. MDT recommends a WB-50 as a design vehicle and a WB-67 for a control vehicle.
4. The WB-50 would simulate a Sysco truck or other support/delivery type vehicles for the clubhouse and multi-plex/apartments. The WB-50 should also accommodate the fire truck if Kalispell/Columbia Falls has a larger ladder style truck.
5. MDT will request geometric plans and construction details as needed once the TIS review has been completed.
6. Please submit and approach application in the MDT Maintenance Permit System located at <https://app.mdt.mt.gov/mntencr/>.
7. MDT requires a hydraulics report for the development at full build-out. Specific MDT requirements are detailed in the Developer's Guide to the Systems Impact Process.
https://www.mdt.mt.gov/other/webdata/external/planning/SIAP-DEVELOPERS-GUIDE/siap_guide.pdf
8. MDT requires copies of all other state or federal agency permits or authorizations required for this development as determined by the developer.

We look forward to seeing your responses required to complete our review. Per our process, I am the sole point of contact at MDT for review of materials associated with MDT applications for this subdivision. Please call me if you have any questions regarding the MDT process or need to discuss technical issues. Thanks,

Mike
Mike Tierney



Planner - Policy, Program, and Performance Bureau
Rail, Transit, & Planning Division
2701 Prospect Ave
PO BOX 201001
Helena, MT 59601-2001
email: mtierney@mt.gov ; ph: 406-444-9416

From: Tierney, Michael
Sent: Tuesday, January 17, 2023 1:00 PM
To: Oz Khan <oz.khan@kljeng.com>
Cc: Wosoba, LeRoy <lwosoba@mt.gov>
Subject: RE: TIS Submission - Location Acquisitions in Columbia Falls MT

Hi Oz – We are looking over the final draft comments. We should be able to respond in the next few days. Thanks,

Mike
Mike Tierney



Planner - Policy, Program, and Performance Bureau
Rail, Transit, & Planning Division
2701 Prospect Ave
PO BOX 201001
Helena, MT 59601-2001
email: mtierney@mt.gov ; ph: 406-444-9416

From: Oz Khan <oz.khan@kljeng.com>
Sent: Monday, January 16, 2023 9:02 AM
To: Tierney, Michael <mtierney@mt.gov>
Cc: Wosoba, LeRoy <lwosoba@mt.gov>
Subject: [EXTERNAL] RE: TIS Submission - Location Acquisitions in Columbia Falls MT

Hi Mike,
Just wanted to check-in with you to see if there is any update on when we can expect to get your feedback/approval.
Thanks,

Oz Khan, PE
 Traffic Engineer/Transportation Planner
 KLJ - St Paul
 651-726-5036 (Direct)
 370 Wabasha Street North, Suite 300
 St Paul, MN 55102



From: Wosoba, LeRoy <lwosoba@mt.gov>
Sent: Monday, November 28, 2022 2:39 PM
To: Oz Khan <oz.khan@kljeng.com>
Cc: Tierney, Michael <mtierney@mt.gov>
Subject: RE: TIS Submission - Location Acquisitions in Columbia Falls MT

CAUTION: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This has been assigned to Mike Tierney to coordinate the review. He'll be your point of contact through the review of this development and will be in contact with you shortly to let you know what to expect for a timeline as well if additional information is needed.

Thanks,
 LeRoy

From: Oz Khan <oz.khan@kljeng.com>
Sent: Wednesday, November 23, 2022 8:07 AM
To: Wosoba, LeRoy <lwosoba@mt.gov>
Cc: Mark Rohweder <Mark.Rohweder@kljeng.com>
Subject: [EXTERNAL] TIS Submission - Location Acquisitions in Columbia Falls MT

Good day Leroy,
 KLJ would like to submit the attached Traffic Impact Study report for the proposed residential development in Columbia Falls, MT on behalf of Location Acquisitions. Could you give us an estimate of when we could expect to receive your feedback/approval. Please let us know if you have any questions.
 Thanks,

Oz Khan, PE
 Traffic Engineer/Transportation Planner
 KLJ - St Paul
 651-726-5036 (Direct)
 370 Wabasha Street North, Suite 300
 St Paul, MN 55102



Eric Mulcahy

From: Kristian Jackola <k_jackola@cfmtschoools.net>
Sent: Monday, January 16, 2023 5:57 PM
To: Eric Mulcahy
Subject: Agency Referral notice for the Location Ventures Zone Change PUD and Subdivision for located at 264, 316, 378, 494 River Road in Columbia Falls.

Eric,

I have reviewed the proposed subdivision and have no objections as we currently have bus service to that area.

Thank You,
Kristian Jackola
Director of Transportation and Facilities

Eric Mulcahy

From: Franke, Rebecca <rfranke@mt.gov>
Sent: Friday, January 20, 2023 3:58 PM
To: Eric Mulcahy
Cc: Tierney, Michael
Subject: RE: [EXTERNAL] Agency Comment for Proposed 180 Unit Development in Columbia Falls

Eric,

Thank you for contacting the Montana Department of Transportation (MDT) regarding the Location Ventures Zone Change PUD and Subdivision, east of Columbia Falls. The proposal refers to a 180 unit residential development with access via River Road and a proposed approach on the north side of US Highway 2. Please see our following comments:

- Any new access or change in use of an existing access will require an approach permit to be approved by MDT. Each approach will require a permit.
- A draft Traffic Impact Study (TIS) has been submitted to MDT and is under review. The final study should show the traffic distribution and impacts this development will place on state and local roads. The TIS must also identify and propose any mitigation necessary to maintain levels of service and safety.
- The developer must submit a hydraulics report for the development at full build-out.
- The developer will be required to design, construct, and fund all mitigations. MDT will also need to review and approve any plans designed for the construction of the approach(es).

In conclusion, this development is currently being reviewed by MDT's System Impact Action Process (SIAP). This process will facilitate the review and approval of any required permits and mitigation required by the development. MDT has no further comments at this time.

Feel free to contact us if you have any questions.



Rebecca Franke, PE
District Traffic Engineer | Kalispell
 85 5th Ave E N
 P.O. Box 7308
 Kalispell, MT 59904-0308
 406-751-2066 | rfranke@mt.gov
 Follow Us: [mdt.mt.gov](https://www.mdt.mt.gov)



From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Monday, January 16, 2023 10:51 AM
To: Maykuth, Lynsay <LMaykuth@mt.gov>; Burton, Stevie <Stevie.Burton@mt.gov>; Franke, Rebecca <rfranke@mt.gov>; k_jackola@cfmthschools.net; nathan.J.green@usace.army.mil; DNRC Flathead CD <gingerker@flatheadcd.org>
Cc: sobczakc@cityofcolumbiafalls.com; Susan Nicosia <nicosias@cityofcolumbiafalls.com>; eric@sandssurveying.com
Subject: [EXTERNAL] Agency Comment for Proposed 180 Unit Development in Columbia Falls

Good morning,

I'm the Contract City Planning for the City of Columbia Falls. Attached is a brief write-up and some maps of a pr Item No.5.
development proposed in Columbia Falls. Please respond with any comment you would like included in the review and
recommendation to the Planning Board and City Council. Thank you for your time.

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

2 Village Loop
Kalispell, MT 59901



PUBLIC WORKS DEPARTMENT

Item No.5.

130 6TH STREET WEST
COLUMBIA FALLS MT. 59912

PHONE: (406) 892-4430
FAX: (406) 892-4413

2/7/2023

RE: Pros/Cons – Directional Drilling vs. Hanging utilities off Bridge

Directional Drilling – Pros

- A more permanent installation
- Less exposure to the elements means adding 50 to 75 percent more years to the lifespan of the pipe and burying utility lines can increase their durability.
- No chance of pipe freezing/breaking in cold weather conditions
- No exposure to the public for potential tampering/destruction of pipeline(s)
- No need for heat source and backup power supply in winter conditions
- Less exposure to ecosystem in the event of failed pipeline

Directional Drilling – Cons

- Cost
- Redundancy in case of plugged/broken line (Could run 2 lines for emergency bypass)
- Constructability concerns with HDD through cobble

Bridge Installation - Pros

- More economical
- Possibly a faster installation (Unknown)
- Easier access for future maintenance or upsizing
- Can inspect for leaks visually

Bridge Installation – Cons

- Would require some sort of maintenance sooner than HDD
- Chance of pipe(s) freezing during cold weather months
- Chance of potential tampering/destruction from public
- Weathering of pipe due to elements
- May need relocated when bridge work is required for maintenance or new build

- Costs associated with backup power supply
- Would directly impact ecosystem in the event of failed pipeline

B Staaland

RECEIVED
JAN 31 2023
CITY OF COLUMBIA FALLS

From: Cindy Houk <amontanagl@gmail.com>
Sent: Monday, January 30, 2023 8:47 PM
To: B Staaland
Subject: Zone change for 7030 Hwy 2 E and 500 River Road

I am writing in against the requested zone change from CSAG-5 and CSAG-10 to the requested CR-4 zoning for the property located at 7030 Hwy 2 E and 500 River Road in Columbia Falls Mt.

We fought to have the River Highlands subdivision rejected because of the high density and the problems that come with it and now we have another developer that wants to develop a smaller area with the same high density of 7.9 units per area just across the hwy. There really is no difference in the issues that this development will cause compared to the River Highlands....other than it's across the street!

The issues we all discussed on the River Highlands development with city services, EMS, Fire and schools that this type of high density and all the people it brings with it ...are the main issues with this development as well. The city's infrastructure is just not capable of handling this and all the future developments that will come soon after.

The reasons we all fought against the River Highlands development are the exact same reasons to deny this one as well.

The density is just too high for this area, the congestion of traffic that this type of development will cause will be a disaster in the making at regular times but just imagine the issues, congestion and accidents that will happen come tourist season.

Please understand the floodgates you will be opening if you allow this type of development to proceed. The Hwy 2 scenic corridor will forever be damaged. Do you really want to see this area destroyed with high density housing/apartment complexes? Do you really believe these units will be affordable for the local Montanian...I do not. Will you be able to stop the vacation/short term rentals and force the developer to keep the purchase price of the homes and the rent of the apartments to the local median that the workforce in Columbia Falls can afford? I don't think you can.

The beauty of the scenic corridor is breathtaking Do you really want to destroy that with high density apartments, hotels and such? Because once you approve one of these high density subdivisions that will bring water and sewer across the bridge.....there will be no stopping the high density developments all the way to the House of Mystery. Is that really what you want for our city, I pray not.

Cindy Houk
 154 Steppe Lane
 Columbia Falls MT 59912
 406-314-8759

B Staaland

From: Zac <zfunkproductions@gmail.com>
Sent: Monday, January 30, 2023 9:03 PM
To: B Staaland
Subject: Land zoning change

RECEIVED
 JAN 31 2023
 CITY OF COLUMBIA FALLS

Dear Eric Mulcahy and Cfalls City Council Members,

There has never been a more dire need to enact a moratorium on all major housing/business developments in Columbia Falls, Kalispell, Whitefish and the entire greater Flathead Valley, than right now. I was born and raised in Kalispell, and have watched helplessly as my childhood haunts have been systematically taken away by developers looking to make a buck. I grew up in a neighborhood that was at the time, the most northern hood in town.... a VERY blue collar neighborhood that overlooks what is now Hutton Ranch Plaza. Our modest home offered million dollar views to the NE, through the notch of Badrock Canyon where Gunsight Mtn and Mt. Edwards greeted us everyday. To the north, Big Mountain beckoned, the West, the Salish Range and endless fields of farmland and scrubland that delivered hallmark Montana sunsets. In the flats below the small hill that our neighborhood sat upon were thousands of acres of grasslands that would wave like slow motion ocean waves when the breeze blew. At night, the darkness of our Montana skies would light up with Aurora Borealis on rare occasions. Out in the field, a single many-centuries-old ponderosa pine stood tall and steadfast, and became the daily perch for our local great horned owl, red tailed hawks, and eagles. My Dad bought me a spotting scope for xmas when I was five, so I could gaze in wonder at the natural world that I was fortunate enough to experience. In these fields below my childhood home, deer, elk, and the occasional bear would make appearances and pass through. To the east, the Stillwater river meandered through a small floodplain where countless sloughs and stands of old growth pine firs and cottonwoods became what every kid in the neighborhood for many generations referred to as the "100 acre wood," now called Buffalo Head Ponds. This was our classroom, our home away from home, our entertainment, our entire universe and where I found myself, learned to use my hands to build tree-forts, where I learned about the interconnectivity between all living things, and where I found "God."

In 1988, my siblings and I rode our bikes down to play in the field below only to be greeted by heavy machinery, topsoil skimmers, and excavators. For the next year, FVCC was built right in the middle of our oasis. Not long after, came Home Depot, Lowe's, Borders, Target, Signature Theaters, Cabela's, Chick-filla, Mod, REI, Hobby Lobby, Michaels, Pier One, PetCo, At&T, Crapplebees, Famous Dave's, Buffalo Wild Wings, Chipotle, and Walmart. Overnight, the Aurora Borealis was no longer visible, nor where the stars.

Hutton Ranch Plaza destroyed my first "home."

My parents decided to leave. We moved a few miles away into the Northridge development where our home sat at the edge of a dead end street where we were again greeted by unobstructed pastoral views to the west. Wheat fields and West Valley became our second home and the open fields flanking our house became my new playground, and a safe haven for all of the kids living on the West side of the HWY. I trained my sled dogs out there as a young man, graduated high school, and upon returning from my first year at college, arrived to 1000 homes being crammed into these fields and the US93 bypass, which was flanked by 20ft cement walls with tacky linear mountain shapes stamped into them, which became our new "mountain" views.

Not long after, my mom got cancer, my dad died of a heart attack, and I moved to Whitefish to live with my disabled widowed aunt to help take care of her and her 20 acre estate on Voerman Road across from the historic Voerman Ranch. Five years ago, Bill and Marsha Voerman decided they'd had enough of the reckless, aimless,

predatory development and droves of outta-state folks moving in from all sides and they sold their six-generation-held family homestead to the son of Canada's second wealthiest private land owner, by acreage, Jonny Shockey. Jonny then decided what the Flathead Valley needed was a Coachella-sized music festival, UTBSF. Despite unanimous local opposition to his proposal, he was given a green light to hold what has become arguably, the busiest local event in the Flathead Valley, due to the pressure of traffic bottlenecks and 30,000 extra concert goers that mostly travel from out of state. Whitefish and the entirety of the North Valley has become completely overrun during that mid weekend in July, and the traffic along Dillon and Voerman Roads is so jammed up, that none of us living adjacent to this "venue" can neither come nor go as "Los Angeles traffic" chokes these narrow rural roads for 4-5 hours just to get groceries.

With UTBSF, Covid-refugees adding 60,000+ "residents" to this valley, and now the TV series "Yellowstone" which was directly responsible for influencing 2.1 MILLION people to come here to play cowboy dress-up (flathead Beacon, 1/26/23), plus the 3.5 million extra tourists that Glacier National Park brings here during summertime; **WE CANNOT CONTINUE TO GREENLIGHT MORE PERMANENT DEVELOPMENTS of any nature UNTIL FLATHEAD COUNTY COMMISSIONERS, and all the INDIVIDUAL CITY JURISDICTIONS CAN COME TOGETHER to implement a thorough impact review and a 30-year GROWTH PLAN.** Not having a growth plan has done more harm to this place in the last three years than this valley has experienced in a century and a half.

This developer, who won't stop trying to weasel his way into a quick cash-grab to force an ill-suited ill-designed River Highlands development, and who is now trying to get you guys to change the zoning along the west side of the River Highlands, **needs to be kicked to the curb.** We've already denied him TWICE, and a change in location doesn't really mean much when considering we're already losing OUR HOME faster than we can fathom. If we're to save ourselves from ourselves and keep Montana, MONTANA; then I urge you to deny this development, and all further developments of this scope until Flathead County, the City of Columbia Falls, City of Whitefish, Kalispell, Evergreen, Somers, and Bigfork, can all unite and create a **COMPREHENSIVE GROWTH PLAN** that can address the ravenous extermination of our farmlands, grasslands, woodlots, vistas, and way of life.

I realize growth is inevitable (especially if nothing is done to address it), but it doesn't have to metastasize like cancer onto the rural character of our lands. Any and all future development should be crammed into places that've already been lost or surrounded by development (ie), the open fields south of Weyerhaeuser behind Backslope and the ACE or areas akin, where entire city blocks lie feral with Knapweed. We need to focus our population growth with **DENSITY** as our guiding principle if we're to maintain any of our Valley's character and splendor over the next decade, let alone three. If we don't, I guarantee this place will become the disgusting, sprawling smog-choked cesspool of Salt Lake City, overnight.

While some of you may not have had the sustained misfortune of being chronically displaced by literally every home you've ever occupied/loved being systematically destroyed by capitalism for a select few to profit; may you muster some sympathy and awareness of just how toxic all of this development is to those of us who were born here.

Please deny this zoning change and send this developer packing.

Sincerely,
Zac Fawcett
1800 Voerman Rd
Whitefish, MT

B Staaland

From: Whitney Kross <whitney.kross@gmail.com>
Sent: Tuesday, January 31, 2023 8:31 PM
To: B Staaland
Subject: Re: 7030 HWY 2 E and 500 River Road

RECEIVED
 FEB 01 2023
 CITY OF COLUMBIA FALLS

I realized I did not provide my address with my original email so I wanted to follow up in case required.

Whitney Kross
 1104 Rapids Ave
 Columbia Falls, MT

Thank you,

Whitney K.

On Jan 30, 2023, at 2:56 PM, Whitney Kross <whitney.kross@gmail.com> wrote:

To City of Columbia Fall Planning Department,

I am saddened that yet again, less than one month since my last, I am writing to you to oppose yet another out of state developer wishing to forever change the face of the community we all love. Saddened or not, I will continue to make my voice heard until we have developers come forward with sustainable growth and proposals that match and enhance the community we live in.

Below is a summary of my concerns regarding this proposal:

1. **Location and vicinity to the River.** Though the developer would like to state there are no issues with extending pipelines across the river, all you have to do is a quick google search to see that there are indeed many breaks that have occurred. The EPA estimates that there are 23,000 to 75,000 sewage overflows per year in the US alone. The American Society of Civil Engineers estimates that there are 240,000 water and sewer main breaks per year in the US. The Flathead River is a key component to why this Valley was settled. This development will have a direct impact on the River during construction and for its lifetime after with the risk of breaks. As a Professional Engineer in this state, I can tell you that many communities are moving away from these crossings. The City of Missoula, for example, is actively pursuing alternatives to abandon existing water main crossings on the Clark Fork River due to leaking and impacts to the river. They are doing this for a water main crossing, we are not even talking about the sewer.
2. **Stormwater Runoff.** This site is located directly next to a river that brings 1,000 of people for recreational purposes as well as wildlife. I have grown up in this Valley and was lucky enough to experience our crystal clear water. After graduating with a degree in Civil Engineering I moved to Billings for my first job. I was shocked when I discovered that not all water is clear. In fact a majority of rivers in this country are full

of sediments caused by runoff and dumping of surrounding developments. Where will the generated stormwater which will contain fertilizers, oils, nitrates and phosphorus, and a list of other contaminants be stored? Has the City considered the level of treatment that will be required for each stormwater feature? And once in a detention/retention pond, will the developer be held to an inspection schedule to ensure treatment is indeed adequate as all that water will eventually be absorbed or discharged directly into the adjacent Flathead River.

3. **Density.** Columbia Falls consists of lots that are on average larger than our surrounding communities. If you are to look at the average lot size for properties surrounding this proposal, that average is even larger. The City has historically grown with this in mind. People who choose to live here or relocate here are doing so because of this. If these individuals wanted to live in high density developments they would choose to live in Kalispell or other locations within this Valley where high density development is the norm. No one who has moved to or lives in Columbia Falls does so because they want to be surrounded by high density development.
4. **Sustainable Growth.** All of our public services (the post office and postal workers, emergency care, schools, medical facilities, grocery stores, parking, etc.) can barely handle the growth we have seen in the last decade let alone a development like this is proposing. I attended Columbia Falls High School 15 years ago, there were no extra lockers at that time and the hallways were wall to wall people during breaks when I graduated with a class of 202 people, where do you propose the increase in children that will come as a part of this development go? Have you gone to either of our grocery stores lately? There is no longer such a thing as parking close to the door or wandering the aisles with no one else. They are full at almost all times even when I try to go on what I would think would be a random or off time. Our fire and police will see an increase in demand, are they also not already over stretched as is? In the three years since I moved back to my home to be closer to family, I have seen my taxes increase by over \$1,000 per year. I think it is safe to assume this development will see that increase again to cover the massive additional costs that will be burdened to the City as part of this development because the City is not imposing any sort of requirements on the developer to upgrade necessary services. Eye exam or teeth cleaning, hope you have three months before you need it. Taking your pet to the vet? Better hope it is not an emergency because you are two to three weeks out.
5. **Wildlife.** This is a known wildlife corridor. I have personally seen many deer and even foxes in this area. Have you floated the river in the summer? You are guaranteed to see at least one eagle along this stretch. I have also seen pheasants pop out from the field and cross in front of you, grouse, hawks, a black bear, and even a bear hit by a car (which in my life I have not see but I think it is a safe assumption that our growth has something to do with it). I am sure I am missing many others.
6. **Traffic.** Ten years ago I never sat through more than a single light in Columbia Falls. Now, I am in a line of traffic through every single light and have had to sit trying to make a left onto nucleus off of HWY 2 for multiple lights. This will get worse.
7. **Face of Columbia Falls.** There has been a significant amount of development in our community, and I am not against it when done right (i.e., density matching the community). In fact, I went to school and have made a career out of helping development across communities. That being said, the development should reflect the community and be located such that it will not change the face of the City. When you round that corner coming out of Columbia Falls you hit the bridge and immediately look to your left at the mountains of Glacier peaking between Columbia and Teakettle. I could not even fathom that view being changed from the previous development proposal across the road from this site, but this location is even more devastating.

There will be no looking left at the expanse of river and fields heading towards the mountain. It will now consists of apartments directly in front of that. If you have recently, I implore you to make that drive and look towards Glacier. Do you want this to disappear and be replaced with what this development proposes? The exact thing that people visiting and those who live here love will be gone if this is approved.

8. **Years of Impact.** Yet again we are talking about a development that is so large and high in density it will be built in phases. What is the guarantee the developer will ride out the economy when it takes out downturn? This development will not be constructed with restorative action completed in a season or two. This development will take multiple years, and for that entire time there will be constant disturbance to the environment through stormwater runoff, construction pollution, noise, the threat of spills, impact to wildlife and traffic, etc.

To summarize, I want our community to grow and develop. I voted in favor of the school bond, I voted to implement the resort tax. I did all these things in good faith that this would help the community because I love this City and it is the place I want to raise my children. I know how special this town is and can be, but allowing this zone change and eventual density goes against every reason I chose to live here and not relocate to Kalispell or Whitefish. If this development is allowed, the face of this community will change forever with no going back. The floodgates will open and the community we all love will be no more. At some point, the voices of the community need to be heard and money motivated decisions need to be put aside.

Thank you,

Whitney K.

B Staaland

From: Samantha Towery <samanthatowery80@gmail.com>
Sent: Tuesday, January 31, 2023 3:23 PM
To: B Staaland
Subject: Comments on Proposed Development at 7030 Hwy 2 East and 500 River Road

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
 FEB 01 2023
 CITY OF COLUMBIA FALLS

Good morning,

To Columbia Falls Planning and Zoning Board:

This letter is in response to the development proposed by Twin Peaks Farms, LLC, High Country Land and Mattle (MT), LLC, and 500 River Partners, LLC located at 7030 Highway 2 East and 500 River Road in Columbia Falls, MT. This letter should be included in the Planning Board Packet for the February 14, 2023, Columbia Falls Planning and Zoning Board meeting.

As current residents of Columbia Falls, MT, residing at 711 3rd Ave East, and long-time residents of Flathead Valley, we are deeply concerned about the proposed development plan and zoning change request submitted by these applicants. Our concerns include, but are not limited to, the following:

1. The proposal includes a zoning change request from CSAG-5 and CSAG-10 (suburban agricultural) to CR-4 (urban residential). Zoning change requests 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. The proposed 180 residential units (99 single family attached units and 81 apartment units) would not only be an eyesore and detract from the expanse views of Columbia Mountain and towards Bad Rock Canyon but would be a burden on current Columbia Falls residents and potentially an environmental hazard. Why would the Columbia Falls Planning and Zoning Board even consider changing zoning when the benefits to the community are questionable, and the change is 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.
2. The size and scale of the proposed development is not in character with the neighborhood. This is currently agricultural land adjacent to the Bad Rock Canyon Wildlife Management Area. We are unable to locate online the current average units per acre in the proposed development area and expect that information will not be available until the staff report is published online. However, we can safely assume the average size of tracts in the neighborhood are equal to or less than those in the neighborhood directly across Highway 2. That neighborhood averages 0.125 units per acre. The proposed development density is 7.9 units per acre which greatly exceeds the current neighborhood character density. We assume this development would become one of the highest, if not the highest, density development within Columbia Falls.
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 for that matter, to expand city utility services to the east side of Flathead River will open the way for more large-scale development in that area. As a community, we have experienced a barrage

of development requests and those will only grow in number if city services are expanded the east side of the river. What does City staff envision? Another Silver Brook stretching from the river to the Heights? Will the City be able to deny subsequent requests from other developers once utility services are extended? Where does it end?

4. Annexation will increase the Columbia Falls population from approximately 5,300 (in 2020) to over 5,800; an almost 10% increase from a single development. Combined with the very large development recently approved near Meadow Lake, this is completely unsustainable growth. Increased population means more demand on all city services including water, sewer, public safety, road maintenance, etc., as well as on area grocery stores. 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. We also feel that development proposals should include neighborhood markets to provide residents with an option that doesn't further burden residents outside of the development and would allow those residents to easily walk to a location to buy groceries and other merchandise, rather than adding more cars to our already crowded streets. This and other recent proposals are essentially small cities with no services provided and that is poor foresight.
5. The proposal would likely 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 350 vehicles per day to already congested roads will result in more congestion and more near-fatal and fatal accidents. We are unable to determine if the developer would be required to install a stop light on Highway 2 but feel that would be necessary considering the volume of traffic in that area specifically in the summer months. We also are unable to determine if a traffic study has been conducted but it certainly must be before the Board considers recommending this proposal for approval. Any completed traffic study should occur in the busy summer months, not in January like the traffic study conducted by the developer that proposed the River Highlands project. The traffic study should include 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 using it to avoid Nucleus Avenue to access Smith's, the Post Office, etc. Those residing in the proposed development, if 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 development also appears to be in or directly adjacent to a flood plain. Has the developer included mitigations in the proposal or are they solely concerned with the monetary gain they stand to make in marketing and selling river-front property?
7. The Bad Rock Canyon Wildlife Management Area (Area) is an asset to Valley residents and vital to wildlife living in and traveling through that protected Area. The Area is adjacent to the proposed development. 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 800+ residents). The impact associated with an additional 500+ 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 banned in the development.
8. Any new development in Columbia Falls needs to provide housing that is affordable to CURRENT residents, not potential residents. Because the developer narrative request and

staff report will likely not be publicly available until after public comments are due on February 7, 2023, we must assume this proposal contains no offer of affordable housing or grant to the City to provide the same.

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, take into account the Growth Policy that directly conflicts with this proposal on many fronts, 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 limited information provided.

We are totally opposed to the proposed development!

Sincerely,

Samantha Towery and Matthew Kennedy

711 3rd Avenue East

Columbia Falls, MT



ReplyForward

CF Planning Board

Item No.5.

Wednesday, February 1, 2023 10:47 AM

To: Columbia Falls City Planning Board
Columbia Falls, MT 59912

From: Larry and Dawn Fisher
112 Allen Drive
Columbia Falls, MT 59912

RECEIVED

FEB 03 2023

CITY OF COLUMBIA FALLS

Staff members of the CF Planning Board,

We are opposed to the proposed zone change and planned development located at 7030 Highway 2 East and 500 River Road, Columbia Falls, Montana. Our concerns are extensive including but not limited to environmental, traffic, wildlife conservation, and Natural aesthetic value.

The 180 unit subdivision is not reasonable for the east side of the Flathead River due to sewage disposal and seasonal runoff. Although the developers claim to install safe lines, we are not prepared as seniors on fixed income, for an increase of taxes which will inevitably occur. Who will incur the cost of maintenance? Who will be responsible should seasonal flooding takes place and creating unexpected problems? We feel the proposed infrastructure upgrades will not adequately handle full occupancy of a high density development, but only be constructed to serve the ever fattening bank accounts of developers. Also, extensive development of the 22.5 acres next to the river will contribute permanent pollution from the many new residence vehicles.

THIS IS NOT THE APPROPRIATE ACREAGE FOR HIGH DENSITY DEVELOPMENT.

Traffic will become another problem for those traveling this area during peak commuting hours, especially during the tourist season. We have not experienced waiting more than a couple of minutes at the River Road intersection. No more than 4 vehicles have backed up leaving River Road even during previously stated times. Thankfully the Montana DOT planned ahead constructing 4 lanes and a wide center turn lane.

The proposed site is a commonly used corridor for local deer, elk, bear and avian populations. The out-of-state developers cannot possibly know how frequently the wildlife use this area. Do they really care? Are they prepared to build a "wildlife bridge"?

Additionally, the NATURAL scenic beauty of Badrock Canyon as we cross the bridge going east will be discounted. Visitors coming into this country want to see just that, not developments from which many have left behind during their vacation time. What better way than to welcome tourist with a clear view of the gateway to Glacier National Park. It is NOT worth the monetary gain of Columbia Falls administrators and residence to desecrate this land.

THIS IS NOT THE APPROPRIATE ACREAGE FOR HIGH DENSITY DEVELOPMENT.

Be brave. Support the opinions of the local residents. Keep the proposed urban development in the current City Limits. There are plenty of other large acre parcels to put high density housing rather than on our suburban agricultural Gateway land. We assume that the investors from Florida don't understand the importance of sustaining the character of small towns for future generations. We oppose this proposed development.

If this proposal passes, we suggest at the very least that residence should be single level, homes/duplexes with country style designs, similar to the Cedar Creek Lodge and Conference Center, not industrial looking apartments.

Sincerely,



B Staaland

RECEIVED
FEB 03 2023
CITY OF COLUMBIA FALLS

From: Kristen Sims Barbaree <krismedic162@gmail.com>
Sent: Friday, February 3, 2023 8:13 AM
To: B Staaland
Subject: Oppose Twin Peaks/High Country Cattle River Rd Development

Columbia Falls City Planning Board,

I am writing to you to oppose the proposed 180 unit development located East of the Flathead River and North of Hwy 2. The proposed zoning change from suburban agricultural to urban residential should not be approved as zoning is in place for a reason. Zoning protects agricultural lands, of which Flathead County is rapidly losing. The subject property is a vital corridor for wildlife, and connects to the Badrock Wildlife Management Area recently acquired by Montana Fish Wildlife and Parks. This property has wetlands, riparian areas, and is directly connected to the Flathead River. Annexing the proposed property to the city would require water and sewer services to be extended across the Flathead River, which I strongly oppose.

I encourage the planning board to consider the lack of infrastructure in this area, which is already struggling to support our growing population. As a nurse working at our local hospital, I see daily the struggles that the increasing population is having on our taxed healthcare system. One could argue that more housing is the answer, however, I know that affordable housing is the answer. Due to current home prices, vital community members such as nurses, teachers, childcare workers are unable to purchase a home in our area. Adding affordable housing to the city should be of priority to the planning board. Utilizing property that harbors a wetland ecosystem with agriculture zoning is not the answer to affordable housing. Please deny this rezoning request and proposed development.

Thank you for your consideration in this matter.

Kristen Barbaree
Columbia Falls, MT

RECEIVED

Item No.5.

B Staaland

FEB 03 2023

CITY OF COLUMBIA FALLS

From: Ryan Lakey <rlakey81@outlook.com>
Sent: Thursday, February 2, 2023 7:10 PM
To: B Staaland
Subject: Planning board and city council comments on proposed zone change and PUD for 2/14

To the planning board and city council,

I didn't see a proposed name for this subdivision, but these comments are in reference to the proposal going before the board on February 14th.

Since this is essentially identical to the proposed River Highlands proposal, if not worse, I'm sure you are going to receive many of the same comments and opposition. Nothing has changed and the same concerns exist as have been voiced by the community at the last two big meetings for the River Highlands. I strongly oppose this type of development east of the river.

To cut to the chase it seems reasonable that the city updates its growth policy since either it is being misrepresented by these proposals and is not clear or is out of alignment with the community's wishes for the future of the city. The urban residential designation on areas east of the river should be updated to match the surrounding areas of suburban residential. To keep it the same will just keep wasting everyone's time and money.

It's our job to be stewards of what makes this place special so let's not screw it up for the sake of growth in all the wrong places.

Ryan Lakey
110 River Estates Dr.
Columbia Falls

B Staaland

From: Marsha Palmer <marshapalmer570@yahoo.com>
Sent: Thursday, February 2, 2023 6:23 PM
To: B Staaland
Subject: Proposed development

RECEIVED

FEB 03 2023

CITY OF COLUMBIA FALLS

This so-called improvement to our town has been voted down by the county and city three times so far and yet the developer believes all he needs do is request a zoning change. Does he live nearby, or even in this state? This will not represent progress, it will only emphasize the greed that is driving it. Why are Columbia Falls residents not able to vote on its approval or, hopefully, its rejection? We live out here and DO NOT want the headaches, destruction of wildlife habitat, traffic, crime that will come with it AT ALL! Please do not approve this catastrophe! You sit on the council at the pleasure of the voters, you can easily be voted out, please remind yourselves who you work for

Sent from my iPhone

B Staaland

From: Gary Hall <reachgaryhall@gmail.com>
Sent: Saturday, February 4, 2023 7:10 PM
To: B Staaland
Subject: newsletter with wrong dates 2/20 (city changed to 2/21)
Attachments: Newsletter.Special Edition.More Development_2_4_23.pdf

RECEIVED
FEB 06 2023
CITY OF COLUMBIA FALLS



MORE DEVELOPMENT

Current Connections

February 2023

180 Units Planned North of Highway 2, East of River

A development plan for 22.5 acres on the north side of Highway 2, just east of the Flathead River has been submitted to the City of Columbia Falls. The plan includes a zone change from CSAG-10 and CSAG-5 to CR-4, and a Planned Unit Development. The applicants are 500 River Partners LLC (an affiliate of Location Acquisitions), Twin Peaks Farms LLC and High Country Land and Cattle LLC. They are planning a mix of 180 dwelling units (7.98 units/acre) consisting of 99 attached single family units in 3 and 4 unit buildings, 81 apartment units, a private clubhouse, a public park, green space and on street parking.

The request for a zone change and Planned Unit Development will be presented at a public hearing before the CF City-County Planning Board at Columbia Falls Junior High School, 1805 Talbot Road, on Tuesday, February 14, 2023 at 6:30 p.m. A subsequent hearing is planned before the CF City Council on March 20, 2023, 7:00 p.m. at the same location.

If you have questions about the proposed development, contact CF Contract Planner Eric Mulcahy, 406-755-6481. The full proposal is available at www.cityofcolumbiafalls.org. Click on the agenda/minutes tab and then the agenda packet for the Planning Board meeting 2/14/2023. This proposal begins on page 46 of the packet. You may also contact one of the Upper Flathead Neighborhood Association (UFNA) board members. UFNA once again encourages you to make your voice heard at the public hearings and write a letter.

Write a letter to the CF City County Planning Board. Submit letters to **Columbia Falls City Hall, Attention: Barb Staalnd, City Clerk, 130 6th Street West Room A, Columbia Falls, MT 59912, or by email: staalandb@cityofcolumbiafalls.com**. To be included in the Board packet, written or emailed comments must be provided by Tuesday, February 7. After that time they will be emailed/passed out to the Planning Board at the hearing. If you do not submit your letter in time for the February 14 hearing, be sure to submit before the March 20 City Council meeting. Letters must include your physical address.



UFNA 2023 Board of Directors
Shirley Folkwein, President 406-892-9593
shirfolk48@gmail.com
Luci Yeats, Vice President 406-892-4527
yrland@centurytel.net
Cam Johnson, Secretary 406-890-8664
cam.j.johnson@gmail.com
Susan Wheeler 406-461-5526
nyackflats@gmail.com
Anne Scott-Markle, Treas. 406-250-1293
anneinmt@gmail.com

WHAT ARE THE ISSUES?

Does the development fit the character of the neighborhood? The developer is requesting a density of 7.98 units per acre and then uses only the Hwy 2 corridor as the “surrounding neighborhood” with “mid-density urban areas with a mix of multi-family and single-family housing” as the example. Take a look at the topographical photo on page 66 of the proposal and you see nothing but open fields to the north and south stretching north to the Bad Rock Canyon Wildlife Management Area and to the south for over a mile with just a few scattered rural homes. The proposal states “less than ten rural residences within 1,000 feet,” which is accurate. That is the character of the neighborhood, not high density with 99 single family attached row houses and 2 large apartment buildings.

Impacts to City residents: Consider that numerous subdivisions have been approved by the City of CF in the last three years. This proposal will further stretch city services (water, sewer, police and fire protection, street maintenance). Will the taxes on the development pay for needed upgrades or will City residents’ taxes increase? 450 (180 units x 2.5 people/unit) additional residents will also further impact the already stressed professional services as well as restaurants, etc. in Columbia Falls.

Water and sewer lines crossing the Flathead River: The proposal states that the development will be serviced by City services but no mention of how they will get across the River. Will they be drilled under the River? Will they be hung from the bridge? If the developer is not proposing to pay for the extension of services to the development, who will pay? City tax payers? Any stream bank or stream bed disturbance is serious business because it impacts the quality of our pristine western Montana streams, river and lakes, and the fisheries including the endangered bulltrout. 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 pollute the River downstream. There are numerous examples of underwater septic pipes breaking in Montana streams as well as nationwide. The Flathead River is unlike other rivers that have been drilled under. How would the underwater pipes be monitored for leaks? Who would monitor them? How safe are the pipes hung from the bridge? Can we depend on the agencies that issue permits allowing drilling to study the issue, make onsite visits and make informed decisions?

Traffic congestion: This development will add a minimum of 360 vehicles (180 units x 2 parking spaces) entering and leaving Hwy 2. Consider each unit will make more than one trip per day. There are no plans in this proposal for a traffic light on Hwy 2. Already persons attempting to access the highway from River Road, and all along the highway have considerable wait times, especially in the summer months when thousands of cars are heading for Glacier National Park. With the speed limit at 55 mph, major accidents are bound to happen. This is a safety issue.

Impacts on the wetlands and water table: This proposal claims to respect the natural environment by leaving the wetlands on the northwest corner of the property intact, and including other practices such as landscaping with native plants. It is not possible to introduce 450 people immediately adjacent to wetlands, riparian areas, and the River and not have significant impact, in this case, on a wetland pond that flows directly into the Flathead River. Rivers, streams, and wetlands make up less than 5% of Montana’s landscape, yet contain 75% of the state’s plant and animal diversity. Additionally, storm water will drain from hard surfaces--roofs, patios, driveways. The proposal calls for storm water to drain into on-site detention ponds and divert into natural drainage areas. That would be the wetlands and River which will be polluted by chemicals, road salt, oils, animal waste, garbage, and other pollutants. The majority of the 22.5 acres is a fragile ecosystem. The depth to the water table varies from 5 feet to 20 feet and this shallow underground aquifer is connected to the River. The east end of the property has significant seasonal surface water every spring. Before the highway was built in 1936 the surface and ground water in this entire lowland area was connected. There is still drainage from the wetlands on the south side of the highway to the north side. While this property is not in the designated flood plain, the River doesn’t know that. A river’s job is to flood to maintain the surrounding ecosystem and this area was under at least 8 feet of water in 1964.

Impacts on wildlife and the Bad Rock Canyon WMA: The 22.5 acres designated for this development is a notable open space which is used by wildlife, including deer and elk. It provides habitat for birds and smaller mammals. The developer tentatively plans for a “wildlife corridor” along the River. This entire field is the wildlife corridor as observed this winter with the large herd of elk that moved north into this field. You don’t “make” a corridor for wild animals! This is the last remaining wildlife corridor between the open fields to the south and the Bad Rock Canyon WMA.



Elk along Highway 2 on December 16, 2022 on land proposed for development.
Photo by Franz Ingelfinger

B Staaland

From: Gary Hall <reachgaryhall@gmail.com>
Sent: Monday, February 6, 2023 1:10 PM
To: B Staaland
Subject: Portion of Growth Policy to be considered

RECEIVED
 FEB 06 2023
 CITY OF COLUMBIA FALLS

Greetings Columbia Falls City Staff, Planners and Council. Reading through the Growth policy I came across this part on Page 56 of the Growth Policy. I was encouraged to read it, of course as you know I (we) are confronted with development on the east side of the river that we feel is too much for our community as we have known it. Its an uphill battle for community residents but a battle we are fully engaged in. Its no surprise that developers would want to take advantage of the direction provided but the simple fact that only 12% said to build east of the river while the majority said growth should go west is a factor that motivates community involvement and input. I just want to bring this to your attention with the hopes that you will seriously consider this second sentence part “ the thinking of the community” and take a pause to have another conversation with your community of how we can together guide growth that won’t adversely affect our future as the Gateway to Glacier and protect our infrastructure. We don’t have to build an attached city for out of staters and as you know it will not be affordable to our workers, it simple is an opportunity for out of area people moving in from big cities across America, why would we give opportunity for non locals to bring their lifestyles to our community and put such a huge burden on our infrastructure. Anyway, thanks for reading this and for your considerations. The community has been awoken to the proposed changes being put forth and now is a good time to have the conversation as this part of the Growth Policy has suggested. Respectfully, Gary Hall

12. GROWTH POLICY IMPLEMENTATION A. UPDATING AND AMENDING THE GROWTH POLICY The development of a Growth Policy is an ongoing process. Periodic review and revision is necessary to keep abreast of changes in circumstances and the thinking of the community, which are continuously buffeted by economic cycles, major capital investments, innovation, institutional and regulatory changes, and residential turnover. Review and revision of the Growth Policy is also needed to add special direction and detail as specific needs arise, such as preparation of a capital improvements plan. Effectiveness of the Growth Policy requires a balance between periodic revisions to keep current with changing conditions and avoiding continuous revision that would erode the long-term vision of the Growth Policy. Preparation of the Growth Policy or a significant update involves both a comprehensive view of the jurisdiction and a lengthy process of information gathering, public participation, and policy analysis, which is not feasibly repeated on a short-term basis. In turn, the 2020 Growth Policy is the basis of many long-term decisions regarding capital investments, zoning, and protection of the quality of life in the area. Growth Policy amendments in a political context affecting a specific location in isolation are vulnerable to being inconsistent with the overall Growth Policy, not encouraging the most appropriate use of land throughout the jurisdiction, or benefiting one or a few property owners at the expense of others.

RECOMMENDATIONS 1. The City needs to establish an ongoing program of review and analysis of the Growth Policy at least on a five-year basis and revising the policy if necessary. 2. As needed, the City should prepare special elements to the Growth Policy to address specific needs of the Planning Jurisdiction where more direct or special guidance is needed or to further refine and develop existing goals and policies. Examples include Neighborhood Plans, a Downtown Redevelopment Plan, a Community Drainage Plan, etc. 3. To amend the Growth Policy Map outside the five-year update process, the following criteria should be met: a. Extraordinary change in circumstances or errors in preparation of the Growth Policy warrant the map amendment; b. The map amendment would substantially conform with the Growth Policy overall; c. The map amendment would encourage the most appropriate use of land throughout the Planning Jurisdiction;

B Staaland

From: Scott Yeats <wthunter2@hotmail.com>
Sent: Monday, February 6, 2023 9:33 AM
To: B Staaland
Subject: 7030 Hwy 2 Residences Rezone/Development Comments

RECEIVED

FEB 06 2023

CITY OF COLUMBIA FALLS

Dear CF Planning Board

I am writing about the Twin Peak (7030 Hwy 2 Residences) development and rezone proposal along the Flathead River and Highway 2. This proposed development seems to have many of the same drawbacks as the River Highlands proposal. These proposals are in direct contrast to the nature of the upper Flathead and are a disappointment 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.

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 need for sewer lines under the river, and a complete change to the character of the area with exceedingly high-density housing. The density of this proposal meets or exceeds any of the housing densities within the city limits of Columbia Falls. In addition, there are numerous wetlands in the proposed development area with all the wetlands draining directly into the Flathead River. The center of the proposed development is also a documented wildlife crossing area as elk and other animals move north and south across Highway 2. Development in this location will displace those animals and potentially cause future conflicts as they seek other movement paths. These are just a few of the impacts this development will have.

I strongly encourage the Planning Board to reject this proposed zoning change and development. The conditions that exist in this location show the wisdom in the original zoning as that is the highest density of housing the area can reasonably and responsibly support. Further, the Development Plan needs to be amended to remove this parcel, and any other areas east of the river from high density development. There are already plenty of proposed areas west of town that are more suitable for this type of 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

B Staaland

From: Karen South <ksouthy1956@gmail.com>
Sent: Saturday, February 4, 2023 1:47 PM
To: B Staaland
Subject: New subdivision proposal

RECEIVED

FEB 06 2023

CITY OF COLUMBIA FALLS

Good day,

I am writing once again in opposition to building subdivision in this area whether on east or west side of Highway 2. The New development CR-4 Zone does not fit with the zones in the area or the character of the land. This land borders the Bad Rock Canyon Conservation Project. This area is valued by Wildlife Management for its importance of sustaining this vital habitat for bull trout, grizzly bears and winter range for elk and moose. This area is critical for sustaining our excellent water quality, abundant fish, and wildlife, recreational opportunities and quality of life we enjoy. It is sorrowful again to see out of state developers see our open space and want to destroy it for their own profit. I moved here from Colorado and if we continue to build outward it as so many developers were allowed to in Colorado, we will create the sprawl that destroyed so many areas in Colorado. Please consider stopping this building of high density over-priced housing in our wonderful community. We all know change is inevitable but not like this.

Thanks

Karen Florey
1520 North Fork Rd
Columbia Falls, MT 59912

B Staalnd

From: Denise Davies <deetledavies@yahoo.com>
Sent: Sunday, February 5, 2023 11:36 AM
To: B Staalnd
Subject: yet another subdivision east of the river

RECEIVED
FEB 06 2023
CITY OF COLUMBIA FALLS

I have written several times before expressing my objection to the River Highlands subdivision, and this project, just east of the river, is no different! The issues are the same! I am opposed to a zone change and to the density, character and location of this subdivision proposal as well. The utilities, traffic and impact on wildlife are no different from the negative destructive issues that were staunchly opposed by the community who expressed their concerns regarding the River Highlands development.

Sincerely,
Denise Davies

B Staaland

From: JAMES JESELUN <JANDKJ@msn.com>
Sent: Monday, February 6, 2023 4:03 PM
To: B Staaland
Subject: Change of zoning request

RECEIVED
 FEB 07 2023
 CITY OF COLUMBIA FALLS

In regard to the zoning request from Twin Peaks Farms LLC, High Country Land and Cattle LLC and 500 River Partners LLC.

My wife and I are not in favor of changing the zoning for the above-mentioned entities. We have concerns as listed below.

1. The Columbia Falls Growth plan was done and published in 2019. In the four years since it was published, we have gone through a pandemic. We are experiencing high inflation and could possibly go into a recession. We are living in troubled times not knowing what is going to happen next with the world. The growth plan did not account for what has happened since 2019. Economics have changed and people opinions have changed in where they want to live and how they live. A new growth plan should be done to reflect these changes before we start rezoning and approving projects based on an old plan.
2. In the plan it asked the respondents where the City should focus on development. 42% said the city should concentrate on infill and 25% on development to the west and south. Graph #7.
3. In graph # 4 it shows that the 45% of the respondents said growth should be to the South and West. Only 18% favored to the East. Why are we trying to push for development to the East when only 18% favor it.
4. The proposed rezoning area has a considerable amount of wetlands. Due to the location of the wetlands the development will have to concentrated along the highway. The amount of road noise will be a considerable deterrent to the quality of the development.
5. It is my understanding that there is a pipe from the property to the Flathead river to allow for drainage as to keep the area dry. If so a development will have greater impact on the natural flow of surface water.
6. Due to the limited information on this development, we cannot fully understand the scope of work needed to accomplish this development. This would include highway access, traffic lights, sewer, water etc. How can the board rezone the property without more information. Once they get it rezoned, they can submit other plans changing the scope of the development.
7. The River Highlands development which the developer has withdrawn his application brings up more issues then just a single development. How would the two developments access the road. Who puts in sewer and water? Would those services be required prior to any building?
8. I am sure the River Highlands will resubmit a new plan. Between the two development they would be adding almost 500 units. Columbia Falls will have growth, but how fast do we want it. And why do we want this much development to the gateway of Glacier.
9. Development needs to be to the South and West. This location gives workers easy access to roads leading to Kalispell and Whitefish. This development would increase the traffic through town which will have a detrimental factor on the small town feel that respondents asked for in the plan.
10. I am sure the developer states that it will be providing affordable housing. The River Highland developer could not give their projections on the sale price of the units or the rental price. Will this developer say they will be providing affordable housing. With the cost of building affordable cannot be done without cutting corners or forcing families into very small quarters. One manufacturer in the southern part of the state is doing modular homes to cut costs, but still they are not cheap.

The board needs to look at the current situation of the economy, the lasting effects of the pandemic and a possible recession before they move to allow greater density on these parcels. The board needs to address the current mood of the public as for development in this area. Just because a plan was created 4 years ago may not reflect the will of

the public. The City of Columbia Falls needs to have their planning staff work with developers to find suitable locations that would infill the city where high density housing is ideal as outlined in the plan.

Again, my wife and I do not favor the change in zoning.

Regards,

James Jeselun
292 Bench Run
Columbia Falls, MT 59912
480-250-7907

B Staaland

From: Kim Wiatrak (US) <kim.wiatrak@pwc.com>
Sent: Tuesday, February 7, 2023 10:42 AM
To: B Staaland
Subject: Rezone and PUD development on North River Road

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

Dear City of Columbia Falls City Planners,

I am writing on behalf of myself and my family to strongly oppose the rezone and PUD development proposed for North River Road. My parents have resided at 580 River Road for 51 years. We have seen how the increased population in the Valley has taken a toll on the wildlife - pushing the bear, elk and moose out. The current infrastructure does not support this proposal nor any proposal near the Flathead River. The proposed development is at odds with keeping the Flathead River as a designated "wild and scenic" river. The proposed development would be encroaching on land that was purchased by the State specifically to serve as a wildlife management area ("WMA"). Do the right thing here for the locals of Columbia Falls and wildlife to preserve what makes Montana truly the last best place. "NO" on rezone and PUD development North River Road.

Kim Taylor Wiatrak
kim.wiatrak@pwc.com
(415) 465-0090

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B Staaland

From: jenny steenberg <blynjennylynne@gmail.com>
Sent: Tuesday, February 7, 2023 9:53 AM
To: B Staaland
Subject: Rezone and PUD development on North River Road

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

Two irreplaceable treasures we have in the Flathead Valley are the beautiful pristine Flathead River and our abundance of natural wildlife. This proposed urban housing development threatens them both. This area provides wetlands and drainage creeks into the River that should remain natural to maintain delicate ecosystems. The development will place high density population less than a quarter mile from the Wildlife Management Area on North River Road. The WMA is home to Grizzlies, Black Bear, Cougar, Bobcat, Lynx, Red Fox, Coyote, Wolf, Moose, Elk, Deer, Blue Heron, Swan, Canadian Geese, numerous Duck varieties, Eagle, Hawk, Otter, muskrats and Beaver.

It was stated that municipal utilities will be extended to the development. How is this to be achieved? Are they hoping to go beneath the River as the other proposed developments did? The threat this poses to the River and strain it will impose on city residents deems this a ludicrous quick fix.

As rezoning and development carefully and thoughtfully is implemented in the valley great care should be taken to preserve those natural wonders that would otherwise be threatened or destroyed. Say NO to urban development near the Flathead River and WMA.

Thank you,
Jennifer Taylor
580 River Road
Columbia Falls Mt.

B Staaland

From: Wendy <mwlauman@montanasky.us>
Sent: Monday, February 6, 2023 11:02 PM
To: B Staaland
Subject: development proposal North of Columbia Falls hwy

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

Dear City Clerk

The proposed development north of the highway in Columbia Falls that again will drill under the pristine Flathead River for sewer and water is a terrible proposal. The high density of living spaces is also unacceptable and will destroy the environment and habitat for wildlife.

We are not in favor of this development or any development that drills under the Flathead River. We lived in Columbia Falls from 2004 until 2019 and still shop there, visit relatives, our doctor is in Columbia Falls. Please do not destroy the beautiful open spaces and rivers.

Mike & Wendy Lauman
210 McWeneger Drive
Kalispell
MT 59901

406 471 7139

B Staaland

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

From: Doug Supplee <doug@fccphx.com>
Sent: Tuesday, February 7, 2023 8:17 AM
To: B Staaland
Subject: Zone Change / PUD 7030 HWY 2 East and 500 River Road - Comment

Hello – My comments and initial objection center in two primary areas: affordable housing and traffic control.

Affordable Housing – The natural inclination for folks is to dislike or resist change. The level of density proposed for this project is of concern and is an obvious change from the suburban agricultural designation it has held. However, if this development results in more affordable housing becoming available for the local workforce than it would be a worthwhile trade off. There needs to be additional information made available by the developers in this regard so more informed input can be received by the city.

Traffic Control – Because River Road lies immediately to the east of the Flathead bridge this project will negatively impact regular patterns of traffic (increased congestion) and could potentially cause a rise in vehicular accidents due to the transition of highway speeds to lower city speed limits at precisely the location of this proposed development. What plans are in place to mitigate this potential? The addition of a turn lane? Traffic Control Light? Again, more information is needed to allow for any greater informed response to this proposal.

Pending additional information becoming available to the general public, I would object to the proposed zoning change. Thank you.

Douglas Supplee
Supplee Family Trust
308 Bench Run
Columbia Falls, MT 59912

FEB 07 2023

CITY OF COLUMBIA FALLS

To: Columbia Falls Planning Board

Re: 7030 Hwy 2 East Zone Change & PUD

From: Kathie Arvidson
7123 Hwy 2 East
Columbia Falls, MT

To Whom It May Concern:

I am TOTALLY OPPOSED to this Zone Change and PUD. This is NOT the right area to build this kind of project due to the character of the land. When you look at the Zoning Map – this should NOT be Zoned CR-4. (*The closest area zoned CR-4 is Mosquito Flats*). **This is like dropping a cluster in the middle of open land.**

CR-4 ZONING (R-4)

*(Related numbers come from the
Zoning Regulations.)*

Described as: TWO FAMILY RESIDENTIAL.

1. One principle use. (Page 27 #3)
2. A district to provide lot areas for urban residential development. Development within the district will require all public utilities and all community facilities. A duplex is allowed in the district. (Page 54 Definition)

3. CLUSTER HOUSING DEVELOPMENT IN RESIDENTIAL DISTRICTS

– Section 4.05 (4.05.010) (Page 176)

2 B. Within R-4 residential districts, detached, semi-detached and attached dwellings shall be permitted.

7 C. All open space shall be made up of land that is suitable for general recreational and agricultural purposes. Suitable land shall not include land that is regularly inundated, land that exceeds a 25% slope, land that is shaped to preclude normal recreational activities, or land that is otherwise unusable.

Zoning Regulations: (Chapter III Establishment & Definition of Districts)

Section 3.01 Use Districts (Page 25)

6. Preventing the overcrowding of land.
7. Avoiding undue concentration of population
9. Giving reasonable consideration to the character of the district
12. Encouraging the most appropriate use of land; and,
13. Protecting the aesthetic resources of the County.

TRAFFIC: This is definitely a huge concern. After learning of the “F” rating of the River Road intersection, I believe this project would add a huge amount of traffic on an already maxed out intersection. I think the Developer has not done enough homework on his Traffic study and addressed solutions as this is a dangerous stretch of highway with summer being extreme. We would have a rating of F-.

CITY INFRASTRUCTURE: I believe our City Infrastructure is pretty maxed out and to add this area to it's load would not be beneficial at this time. After attending the City Council meeting of February 6, I think the Water and Sewer departments can handle the added load. Police report at that meeting said they were way understaffed at this time – so would they be able to take care of this area? City plowing this year has been inadequate – do we need more area to handle? I think it roots back to hiring of employees – all departments seem to be stretched thin with workers – but we need to keep our City in a more concentrated area, not strung out all over.

WETLANDS: The Wetlands were divided into 3 parts. Wetland 1 & 2 are not regulated by the Army Corp of Engineers and Wetland 3 letter states “This letter constitutes an approved jurisdictional determination for your subject site.”

BUT as stated in the Growth Policy: Page 16 - #6 – Water quality continues to be an important issue to the community and ways to avoid nutrient loading and other forms of water contamination to the Flathead River Basin become critical. Page 16 - #7-- Water quality has the potential to be degraded by development due to erosion, storm water discharge and on-site sewage treatment systems (NA).

WILDLIFE: Goals in the Growth Policy – Page 17 #4 – Development should be compatible with important wildlife habitat and travel corridors. *Page 76 of the PUD shows a map of the Potential Wildlife Corridor – A small strip of land to the west of the project along the river. I doubt the wildlife can cross the highway at the Bridge and use this corridor to get to the FWP protected land to the north.*

In Summary, I hope common sense will prevail and the Planning Board will vote NO to this Zoning & PUD. We definitely need cluster development to help bring down housing costs for our working class BUT this is NOT the right fit.

Thank you for your time.



Kathie Arvidson

**TWIN PEAKS FARMS LLC
7030 HWY 2 EAST
COLUMBIA FALLS, MT**

PHOTO OF 10 ACRES IN THIS ZONE CHANGE & PUD



← Jaguette

Early Columbia Falls History

Apr 11, 2021 • 🌐

June 19, 1964, Mel Ruder photo,... See more

B Staaland

From: Brian Fitzpatrick <able20027@aol.com>
Sent: Tuesday, February 7, 2023 1:12 PM
To: B Staaland
Subject: 7030 HWY 2 Residences -Columbia Falls-Letter

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

Att: City of Columbia Falls,

We are writing to express our concern regarding the proposed development "7030 Hwy 2 Residences" Our property is right across the street and just like the other development River Highlands 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 and possible theft.

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 this area is very busy and at times gets very congested (especially in the summer due to vacationers). We feel this new development will compound this problem. How will "7030 Hwy 2 residences" 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 / C: 714-231-2845/ PH: 928-680-6676
Email: able20027@aol.com

February 7, 2023

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

To: Columbia Falls City-County Planning Board

Subject: (1) Zone Change Request from CSAG-5 and CSAG-10 to CR-4 and (2) Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction by applicants Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and 500 River Partners LLC (collectively, Twin Peaks)

Dear Board Members:

First, I would like to thank you for the challenging work that you take on. Having to make recommendations to the city council after reviewing development proposals that affect developers and neighborhoods, I'm sure is not an easy task. Add on the challenge of planning proposals that affect neighborhoods in the "donut" where residents do not get to vote for city council members, but are directly affected by their decisions, and you have a situation for animosity of non-city residents toward the "city". Even though it took monumental efforts by concerned citizens in voicing their opposition to the twice-proposed River Highlands PUD, I commend you all for not recommending it as a suitable development for its location. It demonstrated that you listened to us, the non-city residents, more than others including the city's own planning staff.

Please consider my comments in the context of a 29-year resident of the "donut" and as a retired wildlife biologist from the Flahead National Forest.

As you probably know, Location Acquisitions, LLC (LA) is the 2 1/2 year old company based in Florida that is spear-heading these proposals. The investors are the applicants, collectively Twin Peaks (see above). Right at the start we should all understand that LA has no real knowledge of the area nor its ecology; this is just another development project to the company. I would like to address each request separately. For convenience, I will refer to the proposal as Twin Peaks PUD (TPPUD).

Zone Change Request

A change from CSAG-5 and CSAG-10 to CR-4 would be significant on this 22.55 acre parcel (12 & 10.55 ac, collectively). As you know, CR-4 has

typical densities of 2-8 dwellings per gross acre. Currently there is only one residential home occupying the site for a density of 0.04 dwellings per acre. Considering not only the existing zoning situation, and the adjacent parcels, to allow this zone change would be grossly ignoring the rural character of the area. The negative impacts on the local ecology would be substantial.

According to the Planning Packet (pages 245-251), of the two parcels being proposed for a zone change, the 10 acre piece (east parcel of the TPPUD) was, only a couple of years ago (Feb 2021), designated as SAG-10. It was petitioned for SAG-5 for the reason of the applicant (pg. 245 of Planning Packet) wanting his son to be able to build a dwelling on one of the two 5-acre parcels. Well, apparently things change; this very same parcel, after successfully petitioning for SAG-5 (from SAG 10) designation, is now being petitioned for CR-4 zoning. CR-4 is not a good fit for the area.

Another change that has occurred in the area was the purchase and designation of the Bad Rock Canyon Wildlife Management Area (BRCWMA; December 21, 2021) by Montana Fish, Wildlife and Parks. The southern boundary of this important wildlife area is less than 200 yards from the northern boundary of the TPPUD (see attachment). Consider the following:

“The City of Columbia Falls is thrilled to have the Bad Rock Canyon Wildlife Management Area purchase finalized. This area greatly enhances and gives the citizens of Columbia Falls and the surrounding area a wonderful opportunity to recreate and enjoy the pristine nature of this land and access to the beautiful Flathead River, right next door to our community,” said Don Barnhart, Mayor of Columbia Falls and members of the Columbia Falls City Council. “The City of Columbia Falls would like to give a hearty thanks to all who made this project possible.” (Flathead Land Trust Newsletter, Published on December 28, 2021).

Given the above, it would be rather inconsistent for the city of Columbia Falls to, on the one hand, praise the creation/conservation of this area for wildlife and the public, and then approve a zone change that would

negatively affect its long term functioning for wildlife. Not only does the BRCWMA function as winter range for ungulates, but it is also a wildlife corridor (see attachment) that facilitates movement throughout the north end of the Flathead Valley. There are few places left where wildlife can freely move throughout the area. Suburban agricultural areas are crucial to retaining wildlife corridors in a developing Flathead Valley.

The potential wildlife corridor depicted on page 76 of the planning packet is, at best, laughable. This offering of a wildlife corridor pays lip service to the whole concept of how wildlife move in and through a landscape.

Wildlife do not restrict themselves to a narrow strip that leads to a highway bridge. The more likely corridors are depicted in the attachment, i.e. open spaces with vegetation available as cover. As can be seen in the attachment, the TPPUD will create a blockage of wildlife movement with its east-west infrastructure footprint. If this development gets approval and materializes as is, it will significantly affect the functioning of the BRCWMA. Clustering of dwellings toward the west end of the property would be better for wildlife. Keeping the zoning as is would be best for wildlife.

Planned Unit Development Request

The existing setting where the TPPUD is being proposed is obviously rural as indicated by the current zoning (also see attachment for a visual). I believe that the Columbia Falls Growth Plan is in need of a correction relative to the designation (Urban Residential) it has given to land within the "donut", east of the Flathead River. Considering the newly designated BRCWMA merely 200 yards to the north of the proposed TPPUD, it is time to realize that the county zoning designations for Tract 3F (SAG-10) and Tract 3FB (SAG-5 and Scenic Corridor) are correct for the area and should remain that way.

Issues and concerns I have for the proposed TPPUD include:

1. On page 57 of the Planning Packet: "Location Ventures is currently working with local partners, including FWP, Flathead Land Trust, and Gateway 2 Glacier to explore the best ways to incorporate wildlife health and movement into current site designs, including a potential wildlife corridor and ecosystem-oriented landscaping (see PUD Exhibits, Wildlife Corridor)" It would be great to see documentation of this "working with

local partners" that Location Ventures is claiming it is doing because I doubt anybody that knows the area in question, would agree that a "corridor", as depicted in the PUD Exhibit (pg 76), is viable. The more realistic/likely corridors are depicted in the attachment to this letter. In addition, I'd be surprised if FWP didn't mention the need to provide bear-proof garbage containers as part of the PUD. This would be a tangible mitigation action that relates to wildlife health.

According to the Growth Policy, on page 18, "wildlife travel corridors should be conserved and maintained...". How will the proposed TPPUD do this when the footprint of the development would form a blockage to north-south wildlife movements in the corridor? (again, see attachment).

2. The Extension of Services Plan (pg 4) identifies the Flathead River, as well as other environmentally sensitive areas, as an **impediment to growth**. For good reason, the extension of sewer and water under/across the Flathead River should be considered a long term risk for water quality. We do not have a track record for this type of extension of services and we should remain cautious and protective of the Flathead River.

3. The Flathead River will be impacted significantly by this proposed development and that's just the way it is. More people means more impacts on everything, especially the river. In the bigger picture and longer term, the developer is doing more harm than good for the river. That's the bottom line.

4. Urban density under the Growth Policy (pg 26) states that: "single-family houses are the primary housing type. Duplexes, guest houses, accessory apartments, and small dispersed areas of multi family housing are also anticipated." For the TPPUD proposal, almost half (45%) of it is comprised of apartments; the remainder would be 3 and 4 plexes. How does this comply with "single-family houses are the primary housing type" stated in the Growth Policy?

5. By my count, the proposed TPPUD, would install 29 new street lights. How does this comply with page 18 (Continue to limit and mitigate impacts related to outdoor lighting and noise) of the Growth Policy? This seems excessive in the context of the surrounding agricultural landscape.

6. On page 172 of the Planning Packet: "The proposed... development blends into the existing character of the site by preserving...96% of all

wetlands..." It appears that wetland 1 (pg 126 of the Planning Packet) would not be preserved by the TPPUD. How does this comply with the Growth Policy (pg 18): Filling of wetlands and the 100-year floodplain should be avoided.

7. Infrastructure and services: What about the schools? More students means a need for more teachers, or more crowded classrooms. Another urban hub for Columbia Falls means more area for law enforcement and firefighters to cover. More city infrastructure such as water and sewer lines to maintain. And how do you maintain/monitor sewer/water lines if they are under the Flathead River?

There will also be added stresses to the library, post office, parks, swimming pool, and other publicly frequented places as Columbia Falls gets significantly more crowded. More siren noise from police, fire trucks and ambulances. Is this the vision that Columbia Falls has for itself? Another crowded, noisy city.

In conclusion, I recommend you deny the zoning change request as well as the PUD that would consist of all rental units.

Please remember, the growth plan is not regulatory; it is a guide. It is not a perfect document. Most of the time, it seems, zoning changes are granted to applicants. In this case, as well as with the River Highlands proposal, the Growth Policy should consider a change in designation from urban density back to what it is/was: rural (Sag 5 & 10). The people living in the donut, east of the Flathead River, do not want all that comes with a large PUD (i.e traffic, noise, light pollution, crime, etc.). Listen to our words, since we can't vote.

Overall

Columbia Falls is becoming a thriving community and has many great assets such as Rivers Edge Park, Marantette 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 TPPUD 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 TPPUD, as currently proposed and consider amending the Growth Policy by changing urban density back to CSAG, east of the Flathead River. Thank you for hearing me out.

Sincerely,

Henry Rivera

79 Anglers Way, Columbia Falls

Mailing Address:

PO Box 1883

Whitefish, MT 59937

TPPUD Attachment

Likely Wildlife Corridors

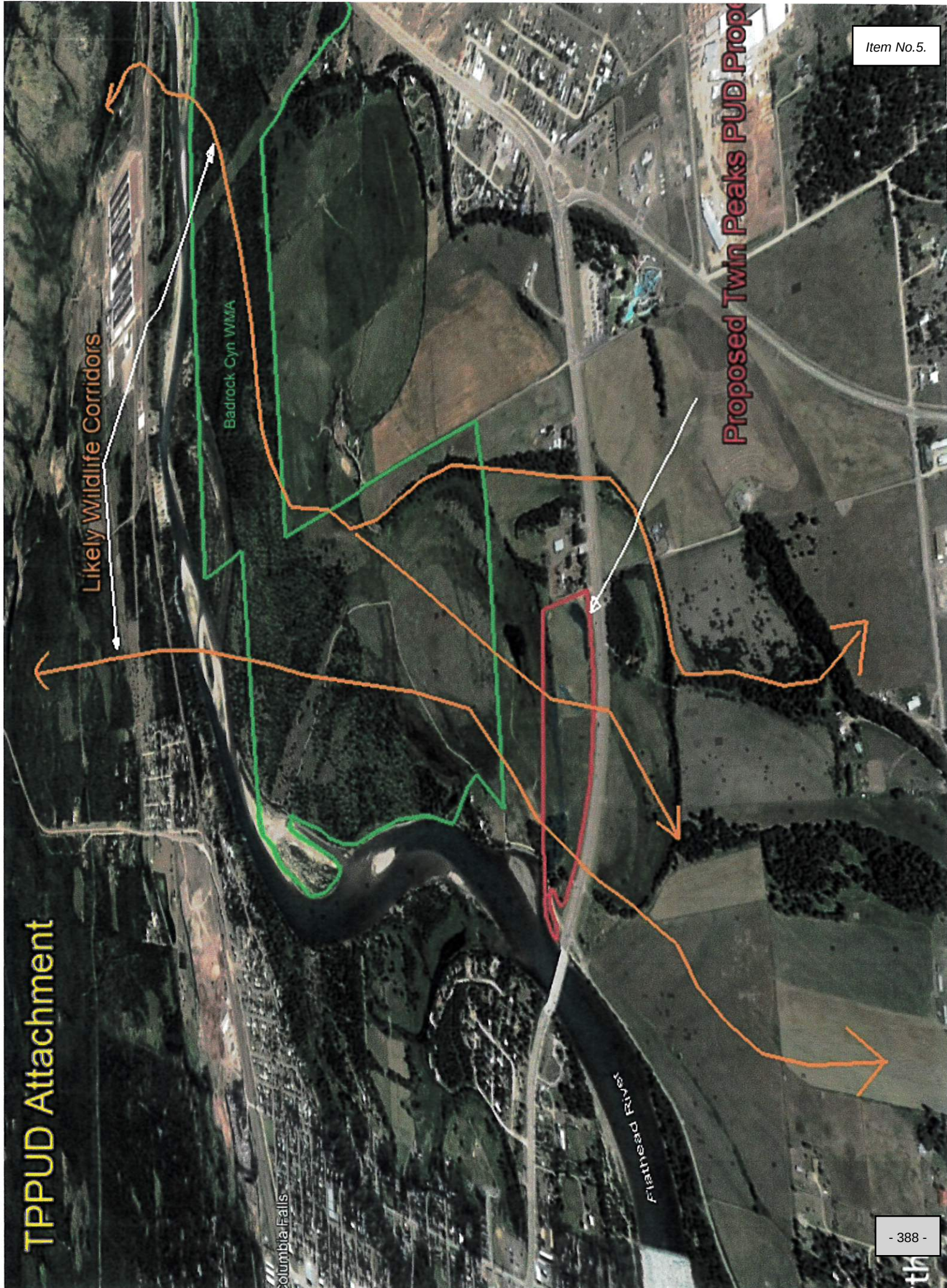
Badrock Cyn WWA

Columbia Falls

Flathead River

Proposed Twin Peaks PUD Project

Item No.5.



B Staaland

From: Steve Dougan <stevedougan@gmail.com>
Sent: Tuesday, February 7, 2023 4:45 PM
To: B Staaland
Subject: Re: Zone Change for 7030 Hwy 2 East

Hello -

I understand the city will grow, but there's a right and wrong way for it to happen. The proposal for 7030 Hwy 2 East is the wrong way. The proposed density is too high and will impact too many aspects of the community - wildlife, views, city characteristics, schools, traffic, etc.

Cities should go through natural stages of development so they can evolve/adapt progressively. An Urban project like this doesn't make sense.

Thank you,

Steve Dougan
(Owner of 7085 Hwy 2 East Columbia Falls)

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

February 6, 2023

Columbia Falls City-County Planning Board
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
FEB 07 2023
CITY OF COLUMBIA FALLS

Dear Planning Board,

I would like to express my disapproval of the proposed development plan known as 7030 Hwy 2 Residences, on 22.55 acres north of Highway 2 and east of the Flathead River.

Here are the issues as I see them:

- Details or lack thereof in application
- Development does not fit the character of the neighborhood
- Rentals: Short term?
- Water and sewer lines crossing the Flathead River
- Traffic congestion
- Impacts on wetlands
- Impacts on wildlife and the Bad Rock Canyon WMA
- Lack of integrity and sense of community
- Looking back to a 2006 zone change request

Details or lack thereof in application

I feel this is a poorly conceived application, lacking in detail, containing empty rhetoric and incorrect statements. I see many concepts of the design and location of buildings, but I see nothing as far as setback distances from the wetland areas. I see mention of City water and sewer but no details on how that will happen.

Empty rhetoric includes this statement: "Our goal is to provide market priced rental housing units that architecturally complement the surrounding natural environment and mimic the historical development of the City." I do not believe these 3 story units can possibly complement the natural environment. What is the "historical development of the City"?

Also: "The architectural design provides reasonable consideration to the character of the surrounding area. The project emphasizes the heritage of the community by choosing a traditional mountain aesthetic with natural materials and a rustic ambience that is consistent with the City of Columbia Falls architectural design preferences. The plan contains architectural features that create visual interest, incorporate human scale elements, and reduce large building scale by breaking up major facades with offsets, embellishments, and changes in texture and color." What is a traditional mountain aesthetic? What is the rustic ambience? What is a human scale element? And this is admitting there will be visual impact because they are proposing ways to breaking up "major facades."

Incorrect statements include: "Natural open areas and a public meandering trail leading from the clubhouse through mature aspen and lodgepole pines to a landing on the Flathead River is contemplated." I believe there are absolutely no lodgepole pine or aspen on this property. This is an example of the lack of attention and knowledge of the property and its values.

Either KLJ or the developer has misled our community when the application states: "Great care will be taken to preserve wetland and wooded areas. Additionally, Location Ventures is currently working with local partners, including FWP, Flathead Land Trust, and Gateway 2 Glacier to explore the best ways to incorporate wildlife health and movement into current site designs, including a potential wildlife corridor and ecosystem-oriented landscaping (see PUD Exhibits, Wildlife Corridor)." FWP, Flathead Land Trust and Gateway 2 Glacier have all denied they are partners in this project. This is a perceived attempt to make the Planning Board, City Council and community to believe these entities are "all in" with this project. Not true.

Since this was pointed out to Location Ventures they have apparently taken steps to correct the misconception of partnerships, but the damage was already done.

This development does not fit the character of the neighborhood

A density of 7.98 units per acre is not found anywhere in the neighborhood east of the river. The photo on page 66 of the proposal and the artist's rendition/photoshopped picture on page 152 give a good feel of the "neighborhood" and the surrounding area. The proposal states that there are less than ten rural residences within 1,000 feet. If this is true, so how can it fit the character of the neighborhood?

Rentals: Short term?

The cover letter from KLJ engineering states, "We are excited about the benefits that the **Columbia Falls Rental Development** will bring to Columbia Falls and the community." (Bold is mine) Apparently this development will be all rentals, since there is no preliminary plat application to subdivide the property into saleable parcels. Will these rentals be long term or short term? On page 150 in the Planning Board packet, in the Wetland Delineation Report, Plant List, please find "Columbia Falls **Vacation** (Bold is mine) Rentals, Lots 3 and 5" as a heading. Is this an indication of what we are dealing with? Is it a mistake by KLJ engineering? A mistake because they will not be vacation rentals, or a mistake because they were not supposed to indicate that?

Either way, this property does not lend itself to a high-density development of rentals. This does not fit the character of the neighborhood, and it adds greatly to the negative impacts on the wetlands and wildlife. There will be no pride of ownership, and no care for the natural areas because the residents will only be renters.

Water and sewer lines crossing the Flathead River

Strangely, this proposal indicates the development would be served by City water and sewer but does not indicate how that will happen. Drilling under the river raises many questions in my mind. Consider the breaks in pipes during the Yellowstone area flood in the spring of 2022. Will the drilling be done deep enough so that scouring of the riverbed during high water does not impact the line? How will the line be monitored for leaks?

The river is a big part of our economy, upper reaches are designated as wild and scenic, and two of the three forks are not dammed. The Flathead is not the same as other rivers that have been drilled under. Can we depend on the agencies that would issue permits to drill to make a site visit and make an informed decision?

Traffic congestion

180 units times 2 would put a minimum of 360 more vehicles a day entering and leaving Highway 2. There does not appear to be any mention of a traffic light in the proposal. The traffic impact study is 30 pages long and it is all about the intersection of Highways 2 and 206. I see nothing about the impact of traffic entering and leaving Highway 2. How can this be ignored?

Impacts on wetlands

It is well documented that wetlands have the highest species diversity of all ecosystems. The wetland which is indicated as Wetland #3 on the maps is a jurisdictional wetland. It is connected to the Flathead River, a Traditional Navigable Waterway (TNW). This simply means the developer would need a permit from the Army Corps of Engineers in order to destroy the wetland. Because the City of Columbia Falls has no rules regarding wetlands or setback distances these wetlands are in danger of being destroyed. MT Fish, Wildlife and Parks recommends a 130-foot building setback from wetlands. I see nothing in the plan that would indicate the width of setbacks.

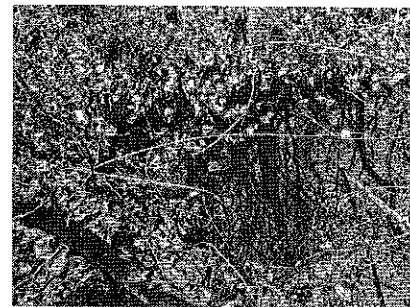
Historically my family farmed this property proposed for development. I routinely helped my father clear a pipe that went under the 2-lane highway at that time (prior to 1975). It drained the wetland area on the south side of the highway into what is now being called Wetland #3. The pipe went across the open field near the west end of the property. When the highway was widened to 5 lanes, a new culvert was placed under the highway and connects to the old pipe in the barrow pit on the north side of the highway. (See pictures below, taken in 2020 and 2021. Videos also available)



Closeup of inflow of culvert
on south side of Highway 2.



North side of culvert which
passes under Hwy 2



North end of pipe into Wetland #3

If this development is built, the old pipe will be discovered during the construction process. It will be destroyed and the significant amount of water flowing out of the culvert year around will most likely flood the barrow pit and pool around the buildings. Or if the pipe is destroyed and the culvert plugged, the water level will most likely rise in the wetlands on the south side of the highway. Based on conversations with Location Ventures, they knew nothing about the pipe and culvert.

Impacts on wildlife and the Bad Rock Canyon WMA

In December of 2022 a large herd of over 100 elk passed through properties to the south, across Highway 2, onto this property in question and on north. They obviously traveled back and forth. Franz Ingelfinger of MT FWP stopped to take a picture of some of the elk in the field. I took pictures of the tracks on each

side of the highway where they crossed. They cross right in the middle of this proposed development, not just this once, but have been doing it for years.

On page 28 of the PUD application there is a "Wildlife Corridor Exhibit". The developer is proposing a wildlife corridor on the west end of the development right along the river. How would one develop a wildlife corridor along the river with the bridge, guard rails, roads and a steep riverbank? This is not where animals cross the highway. One can't "make" a wildlife corridor. The current corridor is an important connection to the Bad Rock Canyon Wildlife Management Area, which is in close proximity to this development.

The small animals and birds that use the field and the wetlands will be displaced despite the developers statements that the wetlands will be preserved. One can not place over 360 people in a small area without an impact on the natural environment. People and their noise, their litter, their pets and their pets' waste will have a significant impact on the wetlands.

Lack of integrity and sense of community

Three members of our Upper Flathead Neighborhood Association, including myself, met with representatives of Location Ventures/Acquisitions on December 16, 2022. I got the impression from that meeting they were still in the process of finalizing their development plans. They also met with other members of our community, and MT FWP, Flathead Land Trust, Gateway 2 Glacier Trails, and possibly others. The people, supposedly representing Location Ventures, we met with seemed genuinely interested in our input, our ideas and our criticism of their plan.

Imagine my surprise when I saw digital signatures on the Zone Change and PUD Application from June and July. Imagine my surprise when I saw that the pre-application meeting occurred on December 27, 2022 and the cover letter for the application is dated January 3, 2023.

They may have been listening to us, but they surely did not take anything we talked about into consideration, because the turnaround was too fast. I feel deceived and I feel our community is being deceived. We do not even know the entity that would like to change the face of Columbia Falls. "They" are pretending to care about our community and our values, but I question their intent.

Looking back to a 2006 zone change request

Twin Peaks asked for a rezone of their property in 2006, from CSAG-10 to CR-4. I have printed 17 pages of City Council minutes from June 5 and June 19, 2006, obviously too much to include here, but I would like to! Bottom line: City Council turned down the zone change.

Issues brought out included the high water table, the wildlife corridor, this being a form of strip development, does not fit the character of the neighborhood, too much density, and there should be a transition from city to rural.

Dave Renfrow, a Planning Board member at the time, was quoted in the Daily Interlake on May 12, 2006, in an article written by Nancy Kimball:

...Board member Dave Renfrow followed with a broader concern covering the area to the south and east of the river. "I think our plan is flawed," Renfrow said, referring to the Growth Policy. Specifically, he said, "I don't like the platitudes about a wildlife corridor," something which needs a

clear-cut definition of that particular area..."I think we seriously need to revisit our plan in that area. I want the public to have some passion in a civil way about that area."...

I feel very sorry our community did not participate more fully in the Growth Policy process. Hindsight is 50/50. But I do not think it is too late. Our community is turning out to these public hearings, and I believe we are ready to be involved for the long term. We are showing some passion.

The new video on the City website talks about the "small city next to the big, beautiful Flathead River." We are "proud of our local woods and open spaces." We are a "tight knit community." You can "step out on your back porch and still look up at the stars." "We love our open spaces."

Please take these comments to heart and find a way to change the Findings of Fact to reflect your rejection of this 7030 Hwy 2 Residences proposal.

Thank you for your time and your service to our community.

Luci Yeats
315 Shooting Star Drive
Columbia Falls

February 6, 2023

Columbia Falls City-County Planning Board
130 6th Street West
Columbia Falls, MT 59912

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180 units times 2 would put a minimum of 360 more vehicles a day entering and leaving Highway 2. There does not appear to be any mention of a traffic light in the proposal. The traffic impact study is 30 pages long and it is all about the intersection of Highways 2 and 206. I see nothing about the impact of traffic entering and leaving Highway 2. How can this be ignored?

Impacts on wetlands

It is well documented that wetlands have the highest species diversity of all ecosystems. The wetland which is indicated as Wetland #3 on the maps is a jurisdictional wetland. It is connected to the Flathead River, a Traditional Navigable Waterway (TNW). This simply means the developer would need a permit from the Army Corps of Engineers in order to destroy the wetland. Because the City of Columbia Falls has no rules regarding wetlands or setback distances these wetlands are in danger of being destroyed. MT Fish, Wildlife and Parks recommends a 130-foot building setback from wetlands. I see nothing in the plan that would indicate the width of setbacks.

Historically my family farmed this property proposed for development. I routinely helped my father clear a pipe that went under the 2-lane highway at that time (prior to 1975). It drained the wetland area on the south side of the highway into what is now being called Wetland #3. The pipe went across the open field near the west end of the property. When the highway was widened to 5 lanes, a new culvert was placed under the highway and connects to the old pipe in the barrow pit on the north side of the highway. (See pictures below, taken in 2020 and 2021. Videos also available)



Closeup of inflow of culvert on south side of Highway 2.



North side of culvert which passes under Hwy 2



North end of pipe into Wetland #3

If this development is built, the old pipe will be discovered during the construction process. It will be destroyed and the significant amount of water flowing out of the culvert year around will most likely flood the barrow pit and pool around the buildings. Or if the pipe is destroyed and the culvert plugged, the water level will most likely rise in the wetlands on the south side of the highway. Based on conversations with Location Ventures, they knew nothing about the pipe and culvert.

Impacts on wildlife and the Bad Rock Canyon WMA

In December of 2022 a large herd of over 100 elk passed through properties to the south, across Highway 2, onto this property in question and on north. They obviously traveled back and forth. Franz Ingelfinger of MT FWP stopped to take a picture of some of the elk in the field. I took pictures of the tracks on each

side of the highway where they crossed. They cross right in the middle of this proposed development, not just this once, but have been doing it for years.

On page 28 of the PUD application there is a "Wildlife Corridor Exhibit". The developer is proposing a wildlife corridor on the west end of the development right along the river. How would one develop a wildlife corridor along the river with the bridge, guard rails, roads and a steep riverbank? This is not where animals cross the highway. One can't "make" a wildlife corridor. The current corridor is an important connection to the Bad Rock Canyon Wildlife Management Area, which is in close proximity to this development.

The small animals and birds that use the field and the wetlands will be displaced despite the developers statements that the wetlands will be preserved. One can not place over 360 people in a small area without an impact on the natural environment. People and their noise, their litter, their pets and their pets' waste will have a significant impact on the wetlands.

Lack of integrity and sense of community

Three members of our Upper Flathead Neighborhood Association, including myself, met with representatives of Location Ventures/Acquisitions on December 16, 2022. I got the impression from that meeting they were still in the process of finalizing their development plans. They also met with other members of our community, and MT FWP, Flathead Land Trust, Gateway 2 Glacier Trails, and possibly others. The people, supposedly representing Location Ventures, we met with seemed genuinely interested in our input, our ideas and our criticism of their plan.

Imagine my surprise when I saw digital signatures on the Zone Change and PUD Application from June and July. Imagine my surprise when I saw that the pre-application meeting occurred on December 27, 2022 and the cover letter for the application is dated January 3, 2023.

They may have been listening to us, but they surely did not take anything we talked about into consideration, because the turnaround was too fast. I feel deceived and I feel our community is being deceived. We do not even know the entity that would like to change the face of Columbia Falls. "They" are pretending to care about our community and our values, but I question their intent.

Looking back to a 2006 zone change request

Twin Peaks asked for a rezone of their property in 2006, from CSAG-10 to CR-4. I have printed 17 pages of City Council minutes from June 5 and June 19, 2006, obviously too much to include here, but I would like to! Bottom line: City Council turned down the zone change.

Issues brought out included the high water table, the wildlife corridor, this being a form of strip development, does not fit the character of the neighborhood, too much density, and there should be a transition from city to rural.

Dave Renfrow, a Planning Board member at the time, was quoted in the Daily Interlake on May 12, 2006, in an article written by Nancy Kimball:

...Board member Dave Renfrow followed with a broader concern covering the area to the south and east of the river. "I think our plan is flawed," Renfrow said, referring to the Growth Policy. Specifically, he said, "I don't like the platitudes about a wildlife corridor," something which needs a

clear-cut definition of that particular area..."I think we seriously need to revisit our plan in that area. I want the public to have some passion in a civil way about that area."...

I feel very sorry our community did not participate more fully in the Growth Policy process. Hindsight is 50/50. But I do not think it is too late. Our community is turning out to these public hearings, and I believe we are ready to be involved for the long term. We are showing some passion.

The new video on the City website talks about the "small city next to the big, beautiful Flathead River." We are "proud of our local woods and open spaces." We are a "tight knit community." You can "step out on your back porch and still look up at the stars." "We love our open spaces."

Please take these comments to heart and find a way to change the Findings of Fact to reflect your rejection of this 7030 Hwy 2 Residences proposal.

Thank you for your time and your service to our community.

Luci Yeats
315 Shooting Star Drive
Columbia Falls

B Staaland

From: Cathy Weeks <c.g.weeks@bresnan.net>
Sent: Wednesday, February 8, 2023 12:15 PM
To: B Staaland
Subject: FW: Subdivision

RECEIVED
FEB 08 2023
CITY OF COLUMBIA FALLS

Here we go again with a different developer but basically the same plan. The main difference is that this one is on the opposite side of the highway. It has the same high rise apartment buildings and density. This type of development doesn't belong in our little community. We don't have the resources to sustain it. Our roads, schools, grocery stores and doctor's offices simply can't handle the added population. There is a lot of vacant land west of town or in the Kalispell area that wouldn't impact the Flathead River by putting sewer lines under this beautiful waterway. All it would take is one accident and the pristine quality of the river would be destroyed.

Please consider our way of life here and our community when voting. We don't need or want something like this in Columbia Falls.

Thank you,

Cathryn Weeks
1280 4th Ave. West N
Columbia Falls, MT 59912

Sent from Mail for Windows

February 7, 2023

RECEIVED
FEB 08 2023
CITY OF COLUMBIA FALLS

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 Regarding 7030 Hwy 2 Residences Zoning and PUD Application dated January 3, 2023

The Upper Flathead Neighborhood Association is opposed to the 730 Hwy 2 Residences Zoning and PUD applications, as proposed, for a number of reasons.

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 nor "afraid of change." 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. We also "promote the protection of natural resources, water quality, bird and wildlife habitat and rural landscapes," which is a significant aspect of this 500 River Partners LLC affiliate of Location Acquisitions proposal.

The following comments apply to both the Zone Change request and the PUD request.

Does This Development Fit the Character of the District/Neighborhood?

Density

The developer is requesting a density of 7.98 units per acre which does not fit the character of the neighborhood. The smallest acreage in this neighborhood is .4 acres—approximately one house per half acre. In 22.5 acres that would be 45 units, not 180. The proposal states, "less than ten rural residences within 1,000 feet," even that is a stretch. The proposal describes the area as "mid-density urban areas with a mix of multi-family and single-family housing," but uses only the Hwy 2 corridor to base that on. The topographical photo on page 66 of the proposal shows only open fields to the north and south for over a mile in each direction, with just a few scattered rural homes. This is the character of the neighborhood, not high density with 99 single family attached row houses and 2 large apartment buildings – 450 people on 22.5 acres.

Impacts on the Wetlands and Water Table

Rivers, streams, and wetlands makeup less than 5% of Montana's landscape, yet contain 75% of the state's plant and animal diversity. (See attached brochure: *Montana's rivers and streams need Room to Roam.*) State regulations require setbacks of 100 feet. To better protect rivers, streams, and wetlands the 2006 Governor's Task Force for Riparian Protection recommends building back from streams and wetlands; never dig, cut native vegetation, or build within 300 feet of streamside or wetland areas (emphasis mine). This proposal provides no indication of any setbacks from the wetlands or the River. The brochure continues, "keep storm water away from riparian and wetland areas." Storm water will drain from hard surfaces--roofs, patios, and driveways. The proposal calls for storm water to drain into on-site detention ponds and divert into natural drainage areas. Could that be the wetlands, which will then be polluted by chemicals, road salt, oils and other pollutants?

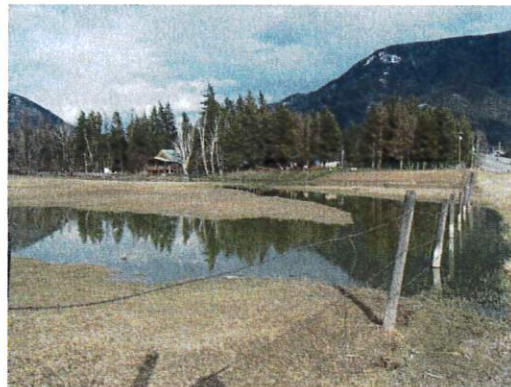
The proposal mentions the #3 wetlands (designated by Army Corps of Engineers) on the “northwest corner” of the property. In fact, #3 wetlands flow across the entire 22.5 acres from east to west. ACE states “these waters are regulated under Section 44 of the Clean Water Act, since they are wetlands adjacent to a TNW.” These wetlands flow into the River and will most likely be disturbed by residents playing in and around the pond, animal waste getting into the water, as well as pollutants mentioned above.

The permitting process by the Army Corps of Engineers and Flathead Conservation District does not prohibit the disturbance or destruction of wetlands, it merely provides that when permitting is required, as it will be for #3 wetlands, the developer pays fee in lieu which means the developer pays a fee to disturb the wetlands. Montana does not have laws to protect wetlands. It is up to the property owner to understand the importance of the wetlands and make ethically appropriate decisions, or municipalities to deny development in such areas.

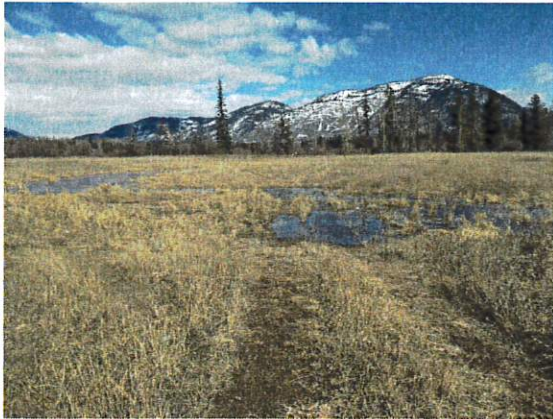
The depth to the water table in this 22.5 acres varies from 5 feet to 20 feet. (See attached documents.) Previous studies of the water table revealed an underground aquifer connected to the River www.flatheadlakers.org
The Flathead Lakers flyer lists ways to prevent pollution of the aquifer:

- Build in upland areas where groundwater is not so shallow and limit the density of any development including paved areas, over the aquifer
- Protect wetlands and riparian habitat
- Apply fertilizers and pesticides sparingly

The east end of this property has significant seasonal surface water every spring. Everyone who drives Hwy 2 knows that.



(Four photos above) Surface water, March 2006, east end of 22.5 acres proposed for development, Twin Peaks Farms property.



March 6, 2022 photos reveal considerable surface water in a number of low areas, including one perk test pipe in standing water, Twin Peaks Farms property (above photo).

The wetlands on the south side of the Hwy drain throughout the year through a culvert under the Hwy, into a pipe buried across the west field of the proposed development, flowing into the pond on the northwest corner of the property which flows through a culvert under north River Road and directly into the River, again, throughout the year. Development on the west end of this 22.5 acres will disturb this drainage system, destroying the pipe buried in the field. Before the first highway cut through this area in 1936 this entire lowland area of wetlands, south and north of the current highway, was connected. While this property is not in the designated flood plain, the River doesn't know that. A river's job is to flood to maintain the surrounding ecosystem and this area was under at least 8 feet of water in 1964.

Impacts on Wildlife

The 22.5 acres designated for this development is a notable open space which is used by wildlife, including deer, elk, bear—black and Grizzly. It includes habitat for birds and smaller mammals. The developer tentatively plans for a "wildlife corridor" along the River. This entire field is the wildlife corridor, noted by travelers by Hwy 2 this winter as well as neighbors when a large herd of elk migrated back and forth through this area. The new Bad Rock Canyon Wildlife Management Area is 100 yards away from this property. You don't "make" a corridor for wild animals! The open space is either there for their habitat or they disappear. Again, wetlands contain 75% of

the state's plant and animal diversity. The elk are just the large animals we can see. This is the last remaining wildlife corridor between the open fields to the south and the Bad Rock Canyon WMA.

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. This proposal does not reflect the character of the neighborhood or the values of most residents in the Columbia Falls area.

Historic Nature of the Flathead River Corridor

Columbia Falls' residents have reached out to the Confederated Salish & Kootenai Tribes to determine their cultural and historical connection to these lands bordering the Flathead River. Information has been shared in previous public hearings about Native American artifacts found in the field along River Road. Likely Native Americans traveled this river corridor between Bad Rock Canyon and Flathead Lake for millennia.

Safety Issue - Traffic Congestion

This development will add a minimum of 360 vehicles (180 units x 2 parking spaces) entering and leaving Hwy 2 (720 trips/day). Consider each unit will make more than one trip per day. There are no plans in this proposal for a traffic light on Hwy 2. The Traffic Study focuses on the Hwy 2 and Hwy 206 intersection half a mile away, with seemingly no study of the immediate area of the development. Already persons attempting to access Hwy 2 from River Road, and residences along the Highway have considerable wait times, especially in the summer months when thousands of vehicles are heading to Glacier National Park. The speed limit is currently 55 mph, with most vehicles exceeding that. This is a safety issue.

Water and Sewer Lines Crossing the Flathead River

The proposal states that the development will be serviced by City services but no mention of how they will get across the River. Will they be drilled under the River? Will they be hung from the bridge? If the developer is not proposing to pay for the extension of services to the development, who will pay? City tax payers? Any stream bank or stream bed disturbance is serious business because it impacts the quality of our pristine western Montana streams, river and lakes, and the fisheries including the endangered bulltrout. 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 pollute the River downstream. There are numerous examples of underwater septic pipes breaking in Montana streams (Yellowstone River-Gardenar/Mammoth-2022, Clark Fork-St. Regis-2019), as well as nationwide. The Flathead River is unlike other rivers that have been drilled under. How would the underwater pipes be monitored for leaks? Who would monitor them? How safe are the pipes hung from the bridge? Can we depend on the agencies that issue permits allowing drilling to study the issue, make onsite visits and make informed decisions?

Housing/Affordable Housing/Long Term Rentals

When developers indicate they are providing much needed housing for our town we must think this through. In Columbia Falls we are told we need affordable housing/workforce housing, which is true. That's housing for service providers – restaurant workers, grocery store clerks, auto mechanics, and newly employed school teachers, dental technicians. There is no way of knowing the monthly rental fee. Will they really be within the price range required in our "working class" community? 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," 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. New rentals in the area are charging 1,000-\$2,000 or more

rent/unit. Rent increases are not uncommon. This would not be affordable housing/workforce housing for the community of Columbia Falls which is what is urgently needed.

The proposal does not specify they will only be long-term rentals. Will they become short-term rentals, conveniently located on the road to Glacier National Park?

This developer need not think his is the only proposal for housing in Columbia Falls and would, therefore, need to meet all of the housing needs (636) projected in the Growth Policy through 2030. A quick survey of recent Council approvals includes Garnier Heights (102), Gilchrist (36), Hilltop Homes (6), Benches (49), Hilltop Homes (12), Tamarack Meadows (103), Highline Apartments (300), Ruis (78++) for a total of 686. In addition, Half Moon Meadows is a fairly new development, Cedar Pointe, Mr. Ruis' hotel along Hwy 2 which could include long-term rentals and the former junior high school converted into senior housing.

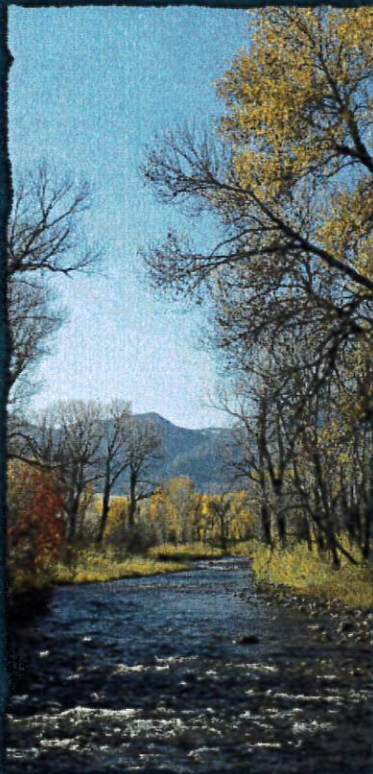
Among those, Highline Apartments are most likely the only ones considered to be "affordable" housing. We are not opposed to affordable apartments, we are opposed to 3-story high density housing along the Flathead River corridor. An aerial map of the Flathead River from Bad Rock Canyon to Flathead Lake reveals no high density housing this close to the River.

In Conclusion

The Upper Flathead Neighborhood Association welcomes the City Council's proposal to hold a "workshop" on Monday evening, February 27, 2023 to begin a conversation about the River Road area and explore ideas to meet housing needs while maintaining this vital corridor and low land area belonging to the Flathead River.

Thank you for your care in discerning these serious issues and making hard decisions regarding the future of Columbia Falls.

Sincerely,
Shirley Folkwein, Board President
Upper Flathead Neighborhood Association
285 Shooting Star Drive

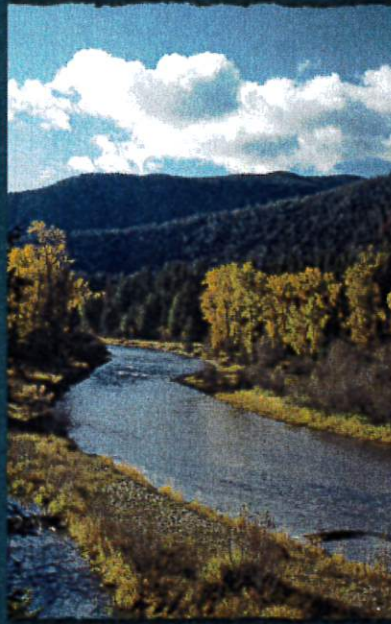


Visit
<http://water.montana.edu/setback>
to discover how stream setbacks
can improve your quality of life.

Produced by the Governor's Task Force
for Riparian Protection

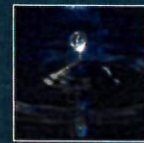
Information on the cost of this publication can be obtained by writing to the Montana Department of Administration. Copyright ©2006 by the State of Montana. All rights reserved. Designed and produced by the Governor's Task Force for Riparian Protection. Luke Dotari, art director.
Cover photo by Chuck and Gale Robbins.

Montana's rivers and streams need **ROOM TO ROAM**



Protecting Your Natural Environment

**A New Home Builder's Guide
to Responsible Development
Near Rivers, Streams, and Wetlands**



Your future depends on clean water.

Enjoyment of your new Montana home depends on the future health of Montana's fish, wildlife, and natural areas.

Montana's fastest growth is in rural places near rivers, lakes, and forests.

Today, people like you want to live near water, and areas nearest to Montana's rivers, streams, and lakes are among the most popular rural development sites in Montana.

Rivers, streams, and wetlands makeup less than five percent of Montana's landscape, yet contain 75 percent of the state's plant and animal diversity.

Most agree that's worth protecting

It makes sense to protect the natural values that you want to enjoy as you consider your new home site.

Stream setbacks offer you an intelligent solution that protects your water, your privacy, your budget, and the natural landscapes that harbor the fish and wildlife everyone enjoys.

Long-time Montanans and newcomers alike are attracted to the state's unspoiled outdoor recreation opportunities.



Bank erosion, flooding, introduction of pollutants, and loss of critical habitat are all effects caused by building too closely to water's edge.



Constructing your home with a stream setback helps maintain a natural setting, and provides room for fish, wildlife, and vegetation to thrive.



Your natural neighbors depend on a buffer between your home and the water.



Stream setbacks bring Montana's future into focus. When you build your new home, remember:

- your comfort and well-being depends on clean water.
- your enjoyment depends on maintaining a natural environment.
- your outdoor lifestyle depends on access to wild fish populations, abundant wildlife, and the recreational activities that define the Montana experience.

A well-designed stream setback:

- provides a natural area between the stream and your home and buildings.
- reduces the risk of losing your investment to flooding and erosion.
- increases your property value.
- filters pollutants that can harm fish, wildlife and water quality.

Setbacks reduce flooding

Stream setbacks reduce property damage and downstream flooding because streams overflow onto their natural floodplains.

Setbacks reduce pollution

Vegetation within stream setbacks filters and traps pollutants, and helps to maintain Montana's water quality.

Setbacks reduce stream bank erosion

Vegetated stream setbacks protect against erosion by slowing runoff and stabilizing stream banks.

Setbacks protect fish and wildlife habitats

Stream setbacks provide habitats for Montana's fish and wildlife. Setbacks protect fish and wildlife cover and provide shade that cools the water.

Setbacks provide economic benefits

Stream setbacks increase property values and provide economic benefits by reducing the need to combat flooding, repair eroding stream banks, and replace damaged property.

Setbacks provide recreation benefits and privacy

Montana's stream access law offers everyone the ability to enjoy Montana's waterways. Stream setbacks provide homeowners privacy from anglers and floaters while protecting our traditional relationship with Montana's natural resources that makes Montana such an attractive place to live, work, visit, and play.

What can you do?

Remember, stream setbacks provide you with personal assets that are economical, efficient, and sustainable.

- Build on higher ground, outside of the floodplain, and back from streams and wetlands.
- Leave streamside and wetland areas intact.
- Never dig, cut native vegetation, or build within 300 feet of streamside or wetland areas.
- Storm water rapidly runs off hard surfaces, so keep things like driveways, concrete patios, and rooftops to a minimum and direct runoff away from riparian and wetland areas.
- Install septic systems outside riparian areas and the flood plain.
- Join your local watershed group or contact Montana's Watershed Coordination Council.
- Don't apply fertilizers, pesticides, or herbicides near a stream, lake, or wetland.
- Ask your county commissioners to adopt rules and regulations that preserve, protect, and restore streamside areas.
- Provide stream setback education and outreach programs and materials to your neighbors, your builder, your real estate agent, and others.
- If you already live near a stream or river, consider improving your property with native landscaping to provide a buffer between your home and the stream.

Montana watershed groups
Montana Watershed Coordination Council
<http://water.montana.edu/watersheds>

Watershed protection and restoration
Center for Watershed Protection
<http://www.cwp.org>

State laws, rules, and regulations
Montana Department of Environmental Quality
<http://www.deq.state.mt.us/wqinfo>

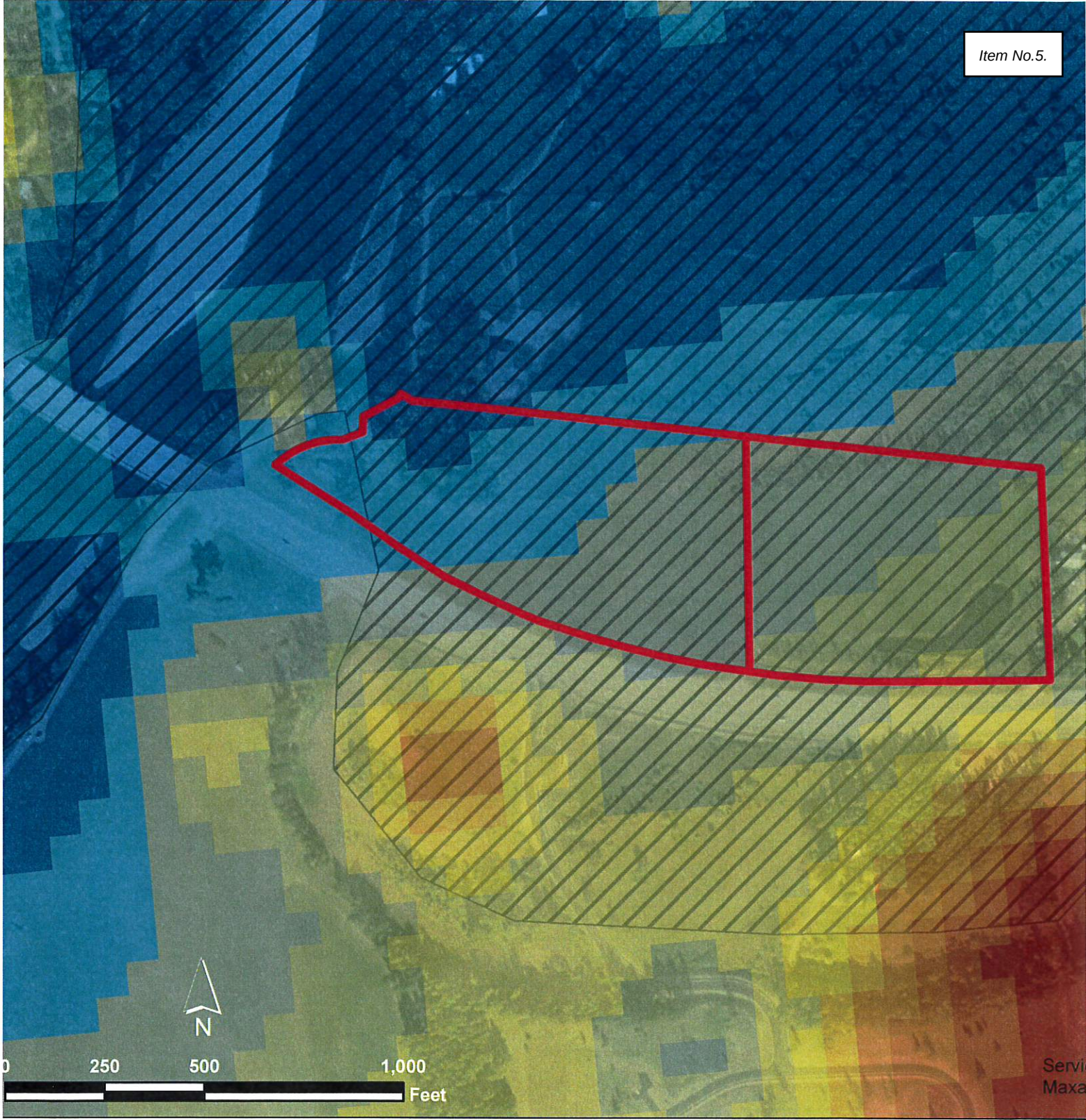
Streamside and wetland information
U.S. Environmental Protection Agency
<http://www.epa.gov/owow/nps>

Information, resources, and education
Montana Water
<http://water.montana.edu>

Technical and financial assistance
Natural Resource and Conservation Service
<http://www.mt.nrcs.usda.gov>

Riparian and wetland management
Montana Conservation Districts
<http://www.macdnet.org>





FEB 08 2023

CITY OF COLUMBIA FALLS

TO WHOM IT MAY CONCERN:

My husband and I are landowners across the highway to the south of the proposed PUD. We have several concerns as to the impact it will have on our neighborhood and community.

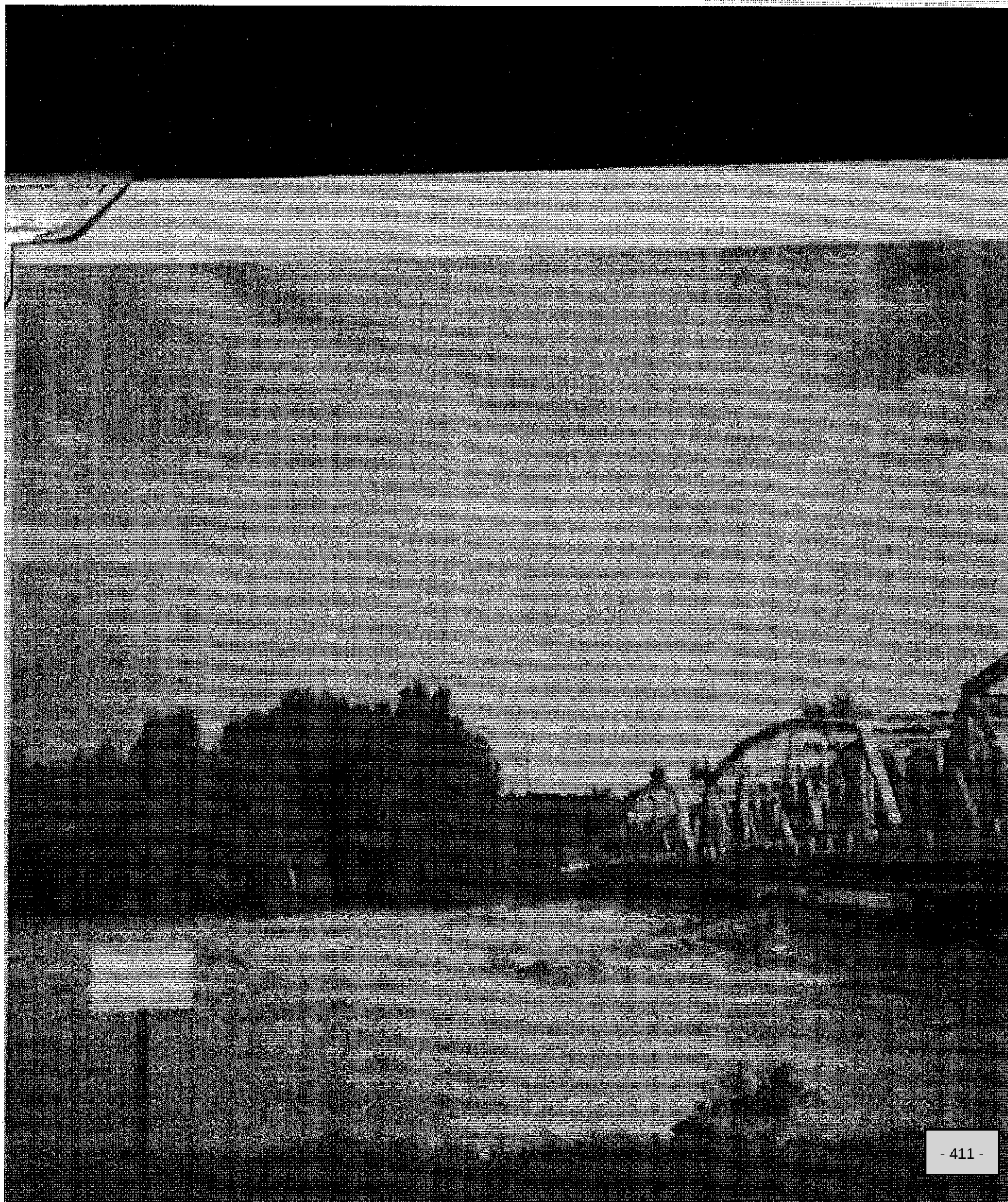
When we envision 99 single family units in 3 and 4 unit buildings, 81 apartment units, a private clubhouse, a public park, green space and on street parking-- somehow this proposal doesn't "fit the character of the openness in our current neighborhood". At the risk of sounding (exclusionary), please help us understand why we would want the entrance to Columbia Falls and Glacier National Park to mirror the "big city scene". It is concerning to us that people come to this area seeing dollar signs by filling up the openness with more 3 story buildings, pavement, etc. instead of allowing there to be space to breathe and enjoy the beauty.

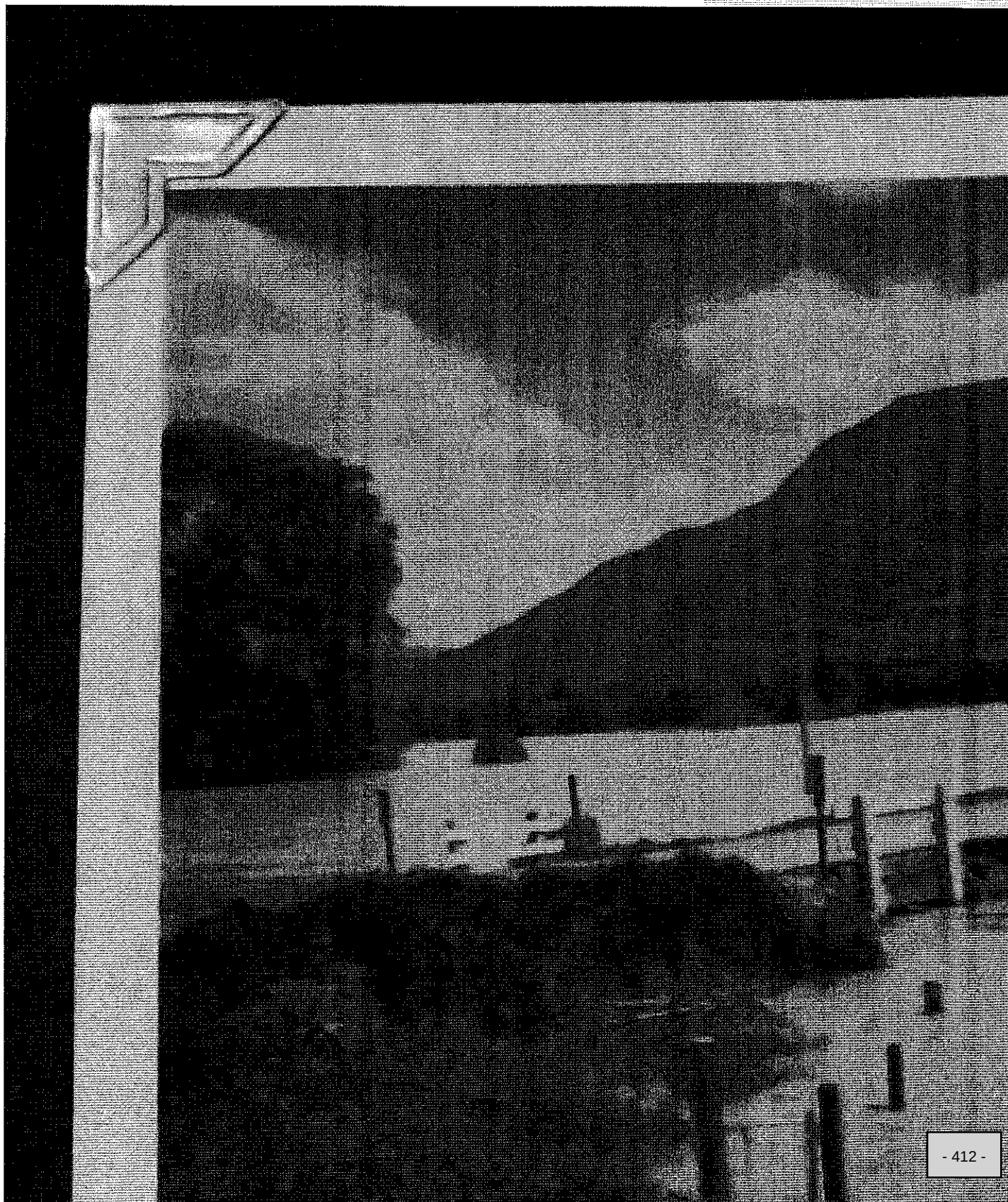
Given the weather conditions, even with Hungry Horse Dam in place, there is always the possibility of another weather event that is totally out of the control of everybody in spite of people telling us we "need to get control of the climate". Here are my pictures from 60 years ago of this same area due to heavy snowpack in the mountains and a (lengthy stretch of rain).

Comment [RC1]:



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Again we have a major concern regarding the possibility of bringing services under the river. I spoke with a fishing guide who is on the river daily and is opposed to bringing services under the river for the following reasons. The Flathead River is considered a Freestone River which is one that is subject to wildly fluctuating seasonal flows and is far more unpredictable than a river that is dam controlled. Hungry Horse Dam does control river flow but the North Fork and Middle Fork are free flowing. The flood of '64 is a good "reasonable" example of what a free flowing (or free stone) river is capable of...even with Hungry Horse Dam in place. With wildly fluctuating flow between spring and fall there is an increased probability of bed load transport which means that the cobbles and boulders that make up the river bed can mobilize causing large quantities of the river bed to erode and re-deposit along with a higher probability of bank erosion. In other words a sewer or water line buried in the stream bed could fail.

For example, in the aftermath of the devastating June 2022 Yellowstone floods, a sewer pipe was compromised and a water main broke putting the town of Gardiner under a "do not consume order" for a period of time.

I found an interesting article on the National Park Service website entitled "When the River Breaks". A group did a study on the historical river flows of the Yellowstone wondering if their insights could help predict future events.

Here are three general quotes from their study.

"We rely on the historical behavior of rivers in ways we scarcely acknowledge. Floods, like wrecking balls, break these preconceived notions and raise questions about where we place infrastructure."

"Because the baseline conditions are shifting, the past is no longer a good indicator of the future."

"We need to design our infrastructure with these events in mind, knowing that they are going to start happening with greater frequency, greater intensity, and with a greater impact."

<https://www.nps.gov/articles/000/when-the-river-breaks.htm>

Speaking as one who observed the havoc the '64 flood played on the Flathead Valley, my takeaway from this article is that it is extremely unwise to even think about bringing services under our pristine Flathead River.

In closing, we appreciate all the time and attention you as the Planning Board give to these matters. We pray that you will make wise decisions concerning the future of Columbia Falls.

Thank you.

Sincerely,

Bob and Ruth Clawson, 355 Rogers Rd, Columbia Falls, MT

RE: 180 Units Planned North of Highway 2, East of Flathead River

A development plan for 22.5 acres on the north side of Highway 2, just east of the Flathead River has been submitted to the City of Columbia Falls. The plan includes a zone change from CSAG-10 and CSAG-5 to CR-4, and a Planned Unit Development. The applicants are 500 River Partners LLC (an affiliate of Location Acquisitions), Twin Peaks Farms LLC and High Country Land and Cattle LLC. They are planning a mix of 180 dwelling units (7.98 units/acre) consisting of 99 attached single family units in 3 and 4 unit buildings, 81 apartment units, a private clubhouse, a public park, green space and on street parking.

THE ISSUES:

Does the development fit the character of the neighborhood? The developer is requesting a density of 7.98 units per acre and then uses only the Hwy 2 corridor as the “surrounding neighborhood” with “mid-density urban areas with a mix of multi-family and single- family housing” as the example. Take a look at the topographical photo on page 66 of the proposal and **you see nothing but open fields to the north and south stretching north to the Bad Rock Canyon Wildlife Management Area and to the south for over a mile with just a few scattered rural homes. The proposal states “less than ten rural residences within 1,000 feet,” which is accurate. That is the character of the neighborhood, not high density with 99 single family attached row houses and 2 large apartment buildings.**

Impacts to City residents: Consider that numerous subdivisions have been approved by the City of CF in the last three years. This proposal will further stretch city services (water, sewer, police and fire protection, street maintenance). **Will the taxes on the development pay for needed upgrades or will City residents' taxes increase? 450 (180 units x 2.5 people/unit) additional residents will also further impact the already stressed professional services** as well as restaurants, etc. in Columbia Falls.

Water and sewer lines crossing the Flathead River: The proposal states that the development will be serviced by City services but no mention of how they will get across the River. Will they be drilled under the River? Will they be hung from the bridge? If the developer is not proposing to pay for the extension of services to the development, who will pay? City tax payers? Any stream bank or stream bed disturbance is serious business because it impacts the quality of our pristine western Montana streams, river and lakes, and the fisheries including the endangered bull trout. 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 pollute the River downstream. There are numerous examples of underwater septic pipes breaking in Montana streams as well as nationwide. The Flathead River is unlike other rivers that have been drilled under. How would the underwater pipes be monitored for leaks? Who would monitor them? How safe are the pipes hung from the bridge? Can we depend on the agencies that issue permits allowing drilling to study the issue, make onsite visits and make informed decisions?

Traffic congestion: This development will add a minimum of 360 vehicles (180 units x 2 parking spaces) entering and leaving Hwy 2.

Consider each unit will make more than one trip per day. There are no plans in this proposal for a traffic light on Hwy 2. Already persons attempting to access the highway from River Road, and all along the highway have considerable wait times, especially in the summer months when thousands of cars are heading for Glacier National Park. With the speed limit at 55 mph, major accidents are bound to happen. This is a safety issue.

Impacts on the wetlands and water table: This proposal claims to respect the natural environment by leaving the wetlands on the

northwest corner of the property intact, and including other practices such as landscaping with native plants.

It is not possible to introduce 450 people immediately adjacent to wetlands, riparian areas, and the River and not have significant impact, in this case, on a wet- land pond that flows directly into the Flathead River.

Rivers, streams, and wetlands make up less than 5% of Montana's landscape, yet contain 75% of the state's plant and animal diversity. Additionally, storm water will drain from hard surfaces--roofs, patios, driveways.

The proposal calls for storm water to drain into on-site detention ponds and divert into natural drainage areas. That would be the wet-lands and River which will be polluted by chemicals, road salt, oils, animal

waste, garbage, and other pollutants. The majority of the 22.5 acres is a fragile ecosystem. The depth to the water table varies from 5 feet to 20 feet and this shallow underground aquifer is connected to the River. The east end of the property has significant seasonal surface water every spring. Before the highway was built in 1936 the surface and ground water in this entire lowland area was connected. There is still drainage from the wetlands on the south side of the highway to the north side. While this property is not in the designated flood plain, the River doesn't know that. A river's job is to flood to maintain the surrounding ecosystem and this area was under at least 8 feet of water in 1964

Impacts on wildlife and the Bad Rock Canyon WMA: The 22.5 acres designated for this development is a notable open space which is used by wildlife, including deer and elk. It provides habitat for birds and smaller mammals. The developer tentatively plans for a "wildlife corridor" along the River. This entire field is the wildlife corridor as observed this winter with the large herd of elk that moved north into this field. You don't "make" a corridor for wild animals! This is the last remaining wildlife corridor between the open fields to the south and the Bad Rock Canyon WMA.

Until and unless all these issues are resolved, we urge the rejection of this proposal in its entirety. It would be an architectural and environmental blight on the beautiful natural landscape of Columbia Falls, Montana.

Respectfully;

Lowell and Sally Bookman, *owners*
55 Angler's Way
Columbia Falls, MT



RECEIVED

FEB 10 2023

CITY OF COLUMBIA FALLS

Item No.5.

5 February 2023

RE: Locations Acquisitions' Proposed Subdivision

I object to the Locations Acquisitions' proposed subdivision east of the Flathead River for the following reasons:

1. All Apartments. This is a mix of 3 plex units, 4 plex units, a 24-unit building and a 57-unit building. There are no single-family homes, it's all apartments in 28 different buildings. If it looks like a duck, walks like a duck and sounds like a duck, it's a duck.
2. Non-Compliance with Zoning and Growth Policy. The requested zoning requires "predominantly single-family residences." The 2019 Growth Policy map also designates the subject area as "primary use is single-family residential with limited duplex and multi-family anticipated." In contrast, this proposal is zero single-family residential and 100 percent multi-family residential. Even if you adopt the developer's generous definition of single-family residential, it is still only 55 percent single-family residential. Barely a majority is NOT "predominant" or "primary."
3. TIS Deficient. The TIS only studied the impact on Highway 2 and 206. There was absolutely no study on the impact of in-bound or out-bound traffic on River Road, nor the impact of increased traffic on River Road. At a minimum, a traffic signal should be installed on Highway 2 prior to the commencement of construction.
4. Under The Bridge. To minimize the potential adverse impacts of sewer in the Flathead River, the City should require that City water and sewer cross the river under the bridge, not under the river.
5. "One Phase" Misleading. The developer states that the entire project is "one phase," yet also states it will take up to 4 years to fully develop, and even that may be extended as they are "prepared to phase increments of the total project in accordance with ... market realities." In other words, they will build the two large apartment buildings first and the rest will be delayed for years, if not permanently.
6. VRBO. There is no restriction on short term rentals, which needs to be required if there is going to be any benefit to the local housing market.
7. Insufficient Planning. The developer is requesting annexation into the City. The City's Extended Services Plan (required by the State to analyze a City's capacity to extend Fire and Police protection, water, sewer, schools, roads, etc.) is dated 2001. All of the data in the City's annexation plan is thus outdated and useless. Prior to considering any annexation, and especially a high-density annexation, the City must update, and the City Council must adopt, a useful and relevant Extended Services Plan.
8. Lack of Transparency. It is clear from this developer's application that they have been working with the City and the River Road developer for several months. Yet, when the City Planning Staff recommended approval of the 343 units on River Road, the Public was not made aware of this 180 unit development that would follow within weeks, and which is located directly across the highway. The City should have advised the Public

that it was actually going to request approval of 523 units, an approximate 30 percent increase in the City's population within a few years. This is both disappointing and disturbing. How many more high density projects does the City have in the hopper? And you want to add 30 percent growth based on a Plan to evaluate the City's ability to handle that growth that's 22 years old? The citizens of Columbia Falls deserve and demand better.

Scot Schermerhorn

1042 Waters Edge Way, Columbia Falls, MT

*from the desk of Ron Mayhew***RECEIVED****FEB 10 2023****CITY OF COLUMBIA FALLS**

Barb Staaland, City Clerk
City of Columbia Falls via email
130 6th Street West
Columbia Falls, MT 59912

Re: Development East of 500 River Rd
January 30, 2023

Dear P & Z and City Council Members:

We are excited to see the vacant land on Hwy 2 by the Flathead River getting a quality development. In reading from the developers website, they build quality homes and eco-friendly housing. This one will attract the kind of people we'd like in Columbia Falls.

In particular, we like that:

- someone has finally figured out how to get water & sewer on the East side of the Flathead
- the project has a balance between homes and much needed apartments/condos
- they have plenty of green space
- it has a nice appearance (better than the best of Kalispell and Whitefish)
- includes River Rd. improvements
- it provides additional sources of taxes allowing Columbia Falls to modernize

This development should help put Columbia Falls on the scenic view route for travelers and residents. We urge you to vote in favor of the development and offer to help the developers bring their project to fruition.

Sincerely,



Ron & Miriam Mayhew

Feb. 9, 2023

George & Katherine Baughman
269 Rogers Rd.
Columbia Falls, MT 59912

RECEIVED
FEB 10 2023
CITY OF COLUMBIA FALLS

Columbia Falls City-County Planning Board
130 6th St. West Room A
Columbia Falls, MT 59912

Re: Feb. 14, 2023 public hearing for proposed 7030 Hwy 2 Development Zone Change and PUD.

This proposal is yet another example of inappropriate high-density development in an rural area. In addition, this is a very poor location for a development of this type. According to the preliminary geotechnical investigation, static groundwater is 2.2 to 2.3 feet below grade. Surface soils are organic silt described as "very moist, very soft" down to 2.5 feet below grade with clay soils below that. Good luck building multi story housing units on those parcels for a reasonable cost!

The subject property is in a known flood plain. It appears that the official flood plain mapping goes no further north than Highway 2. A very good picture of the 1964 flood appeared in the Hungry Horse News last summer under the title of "A Look Back at the Flood of '64....." The subject property is at the left in the photo where you see Highway 2 disappearing under water. <https://hungryhorsenews.com/news/2022/jun/22/look-back-flood-64-water-just-rose-and-rose/>.

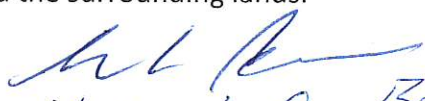
It is one thing for a land owner to build a house within a known flood plain and take on the risk as an individual, but to encourage others to live in a flood plain by building multifamily housing and putting them at future risk is a questionable practice.

This dense development will block the historical elk corridor between the Bad Rock Canyon Wildlife Management Area and traditional use areas to the south. Pushing a narrow wildlife corridor to the steep banks of the river and up against the bridge abutment is ludicrous.

It seems that all the development proposals that come before the planning board including this latest one use the same justification of "providing needed housing". What are the figures for how many housing units already approved or under construction in the Flathead Valley are slated to be completed in the next few years? What are the projected needs by type of unit? Do we have a housing shortage in this valley, or just a misalignment of type of use (i.e., short term rentals) and affordability? This proposal states that rental units will be priced at market rates. Market rates in this valley are not affordable housing rates. It is high time that the various planning boards in the valley do a comprehensive analysis of where we are in the housing situation.

How does this proposal add to the "Gateway to Glacier" corridor experience? What an eye sore this development would be as visitors approached the Flathead River! The Flathead River is a natural and obvious city/urban boundary. Leave high density urban development within existing city limits, such as the RH2 proposed development also before the Board on February 14.

The proposed zone change and PUD is a huge variance, and a very poor site for development because of the poor soils, high water table and flooding risk and should be denied as nonconforming to the character of the subject land and the surrounding lands.


Katherine A. Baughman

B Staaland

From: nate wyatt <nathanwyatt7777@hotmail.com>
Sent: Tuesday, January 31, 2023 5:00 PM
To: B Staaland
Subject: 7030 HWY 2 East - Outreach
Attachments: do not disturb.pdf

RECEIVED
FEB 10 2023
CITY OF COLUMBIA FALLS

Dear Council,

I am adamantly opposed to this PUD application as it is an exercise in very poor development. The density, the approach, and the location are all out of character for this town and location. This town and the people we voted to council pride themselves with the natural resources and open spaces. Unfortunately, this is once again a greedy out of state developer looking to manipulate the council and maximize the developmental opportunity by balancing the PUD plan with community acceptance. We can not allow large developments like this to take advantage of our riverside riparian corridors to be simply used as a selling point while increasing the effects to our ecosystem. A majority of this parcel contains jurisdictional wetlands as you can see in my attachment. With rapid climate change and the long list of impacts that have man has pushed upon Flathead River corridor we cannot just mitigate the filling of wetlands to allow a development like this to be installed. This practice needs to be eliminated and the clean water act needs to be held up.

The Flathead River is a nation treasure that millions of people a year get to visit and enjoy. This PUD will no doubt contribute to its demise. The poor site plans that developers put forth attempt to address "runoff" to a certain degree but can never completely address the groundwater contamination that is ever present. Our last hope is to protect these ever so important waterways and wetlands to allow the native species that everyone moves here for to be sustained. The line needs to be clear and conveyed to any developer that this large-scale development is unacceptable for this location and environment. Please do not approve this PUD based on the simple fact that the city cannot afford a lawsuit. There are many real-life applicable reasons as to why this can not be approved. At the minimum an impartial and thorough environmental assessment will state the proposed negligence.

I speak on behalf of all conscious and reasonable citizens of Columbia Falls when I demand that this be application be denied and that the aforementioned reasons be documented for future PUDs in our city limits.

Thank You,

Nathan Wyatt, PE



U.S. Fish and Wildlife Service
National Wetlands Inventory

Do not Disturb



U.S. Fish and Wildlife Service, National Standards and Support Team, @fws.gov

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

January 31, 2023

Wetlands

- | | | | |
|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Lake |
|  | Estuarine and Marine Wetland |  | Other |
|  | Freshwater Emergent Wetland |  | Riverine |
|  | Freshwater Forested/Shrub Wetland | | |
|  | Freshwater Pond | | |

Item No.5.

February 5, 2023

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FEB 10 2023

Item No.5.

To: CF City County Planning Board
Columbia Falls City Council

CITY OF COLUMBIA FALLS

It is necessary that I express my opposition to the development plan for 22.5 acres on the north side of Highway 2. The 180 units planned East of the Flathead River bear similar concerns for the recently reviewed and denied River Highland development.

In this most recent plan, "7030 Hwy 2 Residences", the developers claim compatibility with the Columbia Falls 2019 growth policy. Yet, the county board who formed the growth policy likely did not consider the density of such a proposal in the one-mile jurisdiction northeast of the river with its fragile ecosystem as was noted for the last large-scale development southeast of the river which was subsequently denied and withdrawn.

As you are aware this 22-acre parcel also includes wetlands and vital wildlife habitat. Preservation is of a high value for this tract and the reason our community celebrates the adjacent 650-acre Bad Rock Canyon WMA. An influx of 350 people overlayed on this adjacent 22 acres will have a devastating impact on both water and wildlife. It is ridiculous and impractical to claim that elk, bear, and other wildlife will use a designated corridor the developers design for them. It will be just as impossible to expect that the 350 residents of this development will not disturb the wildlife in their day-to-day activities. Nor will the planned vegetation and asphalt covering protect water quality. Pavement and yard maintenance produce chemically tainted runoff. As a community we can and must do better to preserve critical habitat and water quality. Please consider a moratorium on development east of Flathead River in these sensitive wildlife and wetland areas.

A second critical concern is the need for public water and sewer to accommodate the increase of building in our community. The need for additional public water and sewer capacity will have a large and long-term impact on the citizens of Columbia Falls. These impacts must be made transparent. Communities can experience full capacity. An example is Manhattan, Montana. They currently do not approve building permits that add a water and sewer hookup within the city. They are at max capacity for hook ups even as they work on solutions. When will Columbia Falls experience full capacity with the already approved developments? What is the growth plan for social services and who will pay for these basic amenities? These concerns are not sufficiently outlined in the '7030 Hwy 2 Residences' proposal.

The developer's solution of water and sewer services drilled under the river poses significant risks to the water quality of the Flathead River. Even if it *possible* from an engineering standpoint, is it a wise plan? Who will pay for construction and continually monitor the water and sewer under the river? What happens if there is a failure in the system?

Developers cross legal 'ts' and dot each 'i' in their proposals but lack real human consideration for changes and impacts for local neighborhoods. Is this because developers tend to reside outside the area making it easier to exploit the local landscape and its citizens? We need practical solutions for the housing needs in our community not an overbuilt proposal on a fragile landscape.

Sincerely,

Nancy and Fred Flint
125 Lewis Ln
Columbia Falls, MT 59912

RECEIVED

FEB 10 2023

CITY OF COLUMBIA FALLS

Item No.5.

To the Columbia Falls City and County Planning Board

I am writing this letter to state my opinion of the subdivisions requested east of town. I stand with the majority of the Columbia Falls community, that if these subdivisions are approved it will be the end of our wonderful town as we know it!! It would be devastating to our town!!

As we ALL know there is a multitude of reasons why this is absolutely NOT a good idea! The impact of an extra 1,000 or so people (probably a very low calculation at best), the impact of traffic which will affect not only the highway but Columbia Falls Stage, Middle Road, River Road. The school system, the river!!! Oh, what could go wrong piping the sewage under our river. "Oh, it's fine - they never break/leak..." And then there's the wildlife. The herd of elk bedding down will be no more. The impact of this would affect every aspect of our community. Yes, I know you've heard this time and time again....

The sheer ugliness of driving into our community seeing the cluster of cheap "affordable housing." Just check out the apartments going up by Sliver Brook, cheap, ugly, looks like Russia. The developers are here to make a TON of money at our expense! They line their pockets with gold... they could give two-shits what it looks like or how the community feels about it. They are "Not one of us" nor do I care if they're "really nice."

I BEG YOU TO HIT PAUSE!!!!!! AND YOU HAVE THE POWER TO DO SO!!!!!! Our growth policy needs to be revisited and revised to fit the needs of the community and OUR TOWN! Yes, I am aware this revision was done before, or maybe during the crash of our economy in '07 '08. Little did we know that Montana would have such a hit after the pandemic. Montana has been blindsided for sure. I am also aware of the push Gianforte is putting on Montana communities....but HE does not live here, we do. It was suggested to go back to the drawing board and revisit the growth plan, but was shutdown because of the time commitment and cost.... REALLY?!?!?!? Everything stated on page 56 growth policy for Zone change would not allow these subdivisions to go forward!!

So, let's please PAUSE, REGROUP, and revise the growth policy that would apply to the situation the community is in now.

Thanks for your time,

Holly Ford
495 Trap Road
Columbia Falls, Mt.

hollyannsnyder@hotmail.com

To Whom it May Concern,

I am writing this letter in support of the proposed development on Hwy 2 East, which would be located at what is now 500 River Road and 7030 Hwy 2 E. While I am not a resident of Columbia Falls, I would like to be. My husband grew up in Columbia Falls; my daughter attends Ruder Elementary and is looking forward to going to CFJH next year. We do our grocery shopping in Columbia Falls; we patronize several other businesses in Columbia Falls; we attend many events throughout the year in Columbia Falls. We are currently renting a couple of rooms from a friend because of the lack of housing, rental, or otherwise in Columbia Falls. We would love to see this development approved as it would increase the likelihood that we could make our dream of living in Columbia Falls a reality.

While I understand many of the current residents' desire to keep Columbia Falls the way it is, that is not an option as people are going to continue to move here. We moved away from Columbia Falls in 2008, partly due to the lack of housing. We came back in 2017 with the hope that we would be able to purchase a home in Columbia Falls and have discovered we cannot even find a place to rent. I ask you to support common sense, reasonable housing projects that would help address the current housing shortage.

Acceptable projects should be thoughtful in their design and density, fit the character of the community, provide a mix of housing types, and provide benefits to the broader public, such as access to open space. I ask that you consider the benefits that well-crafted proposals would bring to Columbia Falls.

I ask you to ensure that, in the coming decades, we remain a welcoming community that embraces measured growth by ensuring our people have places to live. We can accomplish this by addressing the central housing challenge identified in the 2019 Growth Policy and approving thoughtfully designed projects for all.

Sincerely,

Elizabeth T. James
176 Pioneer Rd
Kalispell, MT 59901

RECEIVED
FEB 13 2023
CITY OF COLUMBIA FALLS

February 10, 2023

City Clerk, Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
FEB 13 2023
CITY OF COLUMBIA FALLS

Re: Comments Regarding 7030 Hwy 2 Residences Zoning and PUD Application dated January 3, 2023

Greetings Columbia Falls Planning Board:

Thank you for your volunteer service on this Board. Numerous large developments have been proposed in the last few months and you have diligently sorted through the proposals to reach decisions both for and against various projects.

We are Columbia Falls residents and are opposing this proposed development. The project is on fewer acres than the River Highlands PUD and could be even more dense as it covers 22 acres not 49.

The Flathead Valley has experienced extreme growth and development over the last several years. Home and rent prices have increased to a point that local wages do not allow many working families to live. Land cost, building costs and developer profits simply prohibit housing and rents that fit many local working wages. Rising interest rates are causing additional stress on affordability. Two people making \$20 per hour each will earn about 83,000 annually. This income allows, at most a 215,000 mortgage, using a 32% monthly housing expense including taxes and insurance on a home. Assuming the working couple have saved 30,000 for a down payment the home they want to buy could not exceed \$245,000. Nothing in this development indicate the new homes will sell in this price range.

Traffic concerns have not been adequately addressed for the entrance to Hwy 2 and increased traffic heading south on River Road to Columbia Falls Stage could create unsafe travel given the road size. Placing water and sewer lines under the Flathead River or attached to the Hwy 2 bridge will create a long-term liability for the City of Columbia Falls, that residents should not have to deal with in event of failure. We are not convinced it is time to take these city utilities east of the Flathead River. Current sewer and water capacity has not been clearly explained so citizens can understand if we now have the capacity or if we need to expand our capacity to handle this and other developments that could follow this project east of the river.

The size of the project does not fit the character of the neighborhood. There is evidence of surface water during high water and high rain events on this property. The high density proposed at this location is within 100 yards of the Badrock Canyon Wildlife Management area and should be of great concern given the wildlife traveling in that corridor. The Developer has misrepresented that the Flathead Land Trust, Glacier to Gateway Trails and Montana FWP has been working with the development. This has been denied by each organization. What else in their proposal is blatantly misrepresented?

Additional development is going to occur in the Flathead Valley, but it is up to local Planning Boards and City Councils to make sure proposed developments are well planned, fit the local neighborhood and are long range focused for all the impacts that will occur. Our community would be the first in the valley to undertake utility expansion under the Flathead River.

Please deny the developer's request on the valid concerns offered in this letter and by many other local residents. Thank you.

Michael and Cindy Burr
560 Talbot Road
Columbia Falls, MT 59912



LINDSEY W. HROMADKA
Licensed in MT and AK

MICHELLE T. WEINBERG
Licensed in MT

ALICE V. JONES
Licensed in MT and WA

February 13, 2022
Sent via E-Mail

RECEIVED
FEB 13 2023
CITY OF COLUMBIA FALLS

Columbia Falls City Hall
Attn: Barb Staaland, City Clerk
130 6th Street West, Room A
Columbia Falls, MT 59912
E-Mail: staalandb@cityofcolumbiafalls.com

Re: *Twin Peaks Farm, LLC Zone Change and PUD Request:*
CZC-23-01 and CPUD-23-02

Dear Planning Board and Council,

This firm represents Upper Flathead Neighborhood Association, Inc. We urge the Planning Board to recommend denial and the Columbia Falls City Council to deny CZC-23-01 and CPUD-23-02 (the "Applications").

Upper Flathead is a group of residents of the Upper Flathead Valley (as the name suggests) near or in Columbia Falls who are concerned about the extremely dense proposals of late for this area and on River Road specifically. As this letter will set forth, among their concerns are significant changes to the character of the area; impacts to the environment, especially to wetlands, groundwater, and wildlife; traffic; compliance with the growth policy and the negative impact such growth has on this still rural area.

Our comments are based on the Applications submitted by the applicant, the Zone Change Staff Report dated Jan. 30, 2023, the PUD Staff Report dated Feb. 2, 2023, the agency comment and related maps and documents submitted by the applicant. We also reviewed the Traffic Impact Study, which frankly, raises more questions than it answers, and in of itself provides grounds to deny the applications.

We urge you to deny the Applications for the reasons set forth below. Under Mont. Code Ann. § 76-2-304, approval of the Applications would be unlawful because:

Notably, directly to the north of this “urban residential” designation, is a vast expanse of Rural/Preserve. The Rural/Preserve area is “a rural area, predominantly 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.” This Rural/Preserve area directly north, including the Bad Rock Canyon Wildlife Management Area, connects to an even greater Rural/Preserve area. Clearly, this rural/preserve area will end with the development of the subject property. This development will fragment the wildlife corridor. It begs the question if Columbia Falls should really grow in this direction, fragmenting the existing wildlife corridor and risking substantial harm to the waters of the Flathead River through the extension of services.

Additionally, not only does the proposed zoning designation of CR-4 appear contradictory to the immense Rural/Preserve area directly north of it, CR-4 is clearly the densest zoning of *all of the surrounding properties* as shown on Page 3 of the Staff Report:

Direction from Site	Current Zoning	Current Use
North	CSAG-10	Grazing and open lands
South	CR-3 and CSAG-5	The Benches and proposed River Highlands
West	CSAG-10 and CR-3	Residential Subdivisions
East	SAG-10	Residential and agricultural uses

Most of the surrounding properties are agricultural or CR-3, One Family Residential. Rather than fit with the surrounding zoning, the Applications are proposing more density. This is a problem considering the unique aspects of this property, namely – the wetlands, the wildlife corridor (as mentioned) and the adjacent Flathead River. The City’s Growth Policy is clear that environmentally sensitive areas should be left in an “undisturbed” state. Growth Policy, 17. The Applications do not appear to have, and the Staff Report does not recommend, a setback from the Flathead River and from the wetlands on the property, despite Fish, Wildlife and Parks *reasonable* recommendation to implement a 300-foot setback from the River and 150-foot setback from all wetlands. While my client urges you to deny the Applications, if approval is forthcoming, it is incumbent upon you as stewards of our community to implement the suggested 300-foot setback from the Flathead River and 150-foot setback from the wetlands. While the developer’s PUD application claims, “great care will be taken to preserve wetland and woodland areas” - there is no binding commitment to actually preserve the wetlands and woodland areas. Developer’s PUD Narrative, 96. In fact, one look at the Site Plan (p. 107) shows the units and roads practically on top of the wetlands, with no setbacks whatsoever. This must be addressed by the Planning Board and City Council.²

Second, these Applications pose a real question as to whether the zone change and PUD will promote the public health and welfare, and facilitate the adequate transportation of

parks and elementary schools;” Policy 10, “All residential areas should be served by sidewalks or bike paths,”

² You have the authority to impose a condition of approval requiring a 150-ft setback from *all* the wetlands. The developer admits he will disturb up to 4% of the wetlands. This should not be allowed. Wetlands are fragile and fleeting; they are vital to our ecosystem and it would be a great disservice – and contrary to the Growth Policy – to allow them to be disturbed.

transportation as required under Mont. Code Ann. § 76-2-203. The Montana Department of Transportation (MDT) has not concluded its analysis as to whether the development will significantly and permanently impact the state's transportation system as reviewed by MDT's System Impact Action Process. However, it notes preliminary several major flaws with the TIS and therefore the conclusions thereof, including a lack of turning moving diagrams to show what the distribution of traffic will be at each approach for each peak hour, and a lack of discussion on the design and control vehicles used in the TIS.

Further, the Applications do not appear to promote the public health, public safety and general welfare. There are no bike paths or adequate pedestrian infrastructure contemplated or proposed as thoughtfully set forth in the Growth Policy. *See* Growth Policy, 27. To develop a project of this magnitude, the developer should be required to contribute to the desperately needed pedestrian path along the bridge, especially considering the inhabitants of this development will utilize it.

Moreover, extending services under the Flathead River (assuming that is the plan; it is unclear in the application materials) is a threat to public health. Although it may be generally regarded as safe, there is an inevitable risk of leakage. This is well-documented. While the City compares this to every other town or area in the Flathead Valley, this is *the Flathead River* – not a stream in Whitefish. Consequences of a break from a sewage pipe would be devastating. The City should obtain independent engineering opinions from professionals that can *in no way* benefit from a development east of the River to objectively assess the safety and efficacy of extending services under the Flathead River prior to any approval.

Lastly, the developers must create their own stormwater runoff area as that is not available for connection. The PUD Application states, "stormwater runoff will be managed on-site through detention ponds and diversion into natural drainage areas." 97. The storm water runoff areas, as depicted in their Utility Layout (117) appear to be discrete areas; however, the plan itself raises some critical questions. The storm sewers are directly above the jurisdictional wetlands on the east side of the property and the Flathead River on the west side of the property. This raises serious concerns that during the spring or a wet year, runoff will land in our pristine Flathead River and into wetlands vital to bird and wildlife species.

In conclusion, due to the density outside the character of the area, the unique and special characteristics of this property, and the threat the Applications pose to the public health and welfare, the Upper Flathead Neighborhood Association urges the City to deny the Applications.

Thank you for your time and consideration.

Sincerely,

WEINBERG & HROMADKA, PLLC



Lindsey W. Hromadka

Attorney for Upper Flathead Neighborhood Association, Inc.

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CITY OF COLUMBIA FALLS

Item No.5.

Dwellings without Basements

Dwellings are single-family houses of three stories or less. For dwellings without basements, the foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper.

The ratings for dwellings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility. Compressibility is inferred from the Unified classification of the soil. The properties that affect the ease and amount of excavation include depth to a water table, ponding, flooding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).

Small Commercial Buildings

Small commercial buildings are structures that are less than three stories high and do not have basements. The foundation is assumed to consist of spread footings of reinforced concrete built on undisturbed soil at a depth of 2 feet or at the depth of maximum frost penetration, whichever is deeper. The ratings are based on the soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs. The properties that affect the load-supporting capacity include depth to a water table, ponding, flooding, subsidence, linear extensibility (shrink-swell potential), and compressibility (which is inferred from the Unified classification of the soil). The properties that affect the ease and amount of excavation include flooding, depth to a water table, ponding, slope, depth to bedrock or a cemented pan, hardness of bedrock or a cemented pan, and the amount and size of rock fragments.

The ratings are both verbal and numerical. Rating class terms indicate the extent to which the soils are limited by all of the soil features that affect the specified use. "Not limited" indicates that the soil has features that are very favorable for the specified use. Good performance and very low maintenance can

be expected. "Somewhat limited" indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design, or installation. Fair performance and moderate maintenance can be expected. "Very limited" indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures. Poor performance and high maintenance can be expected.

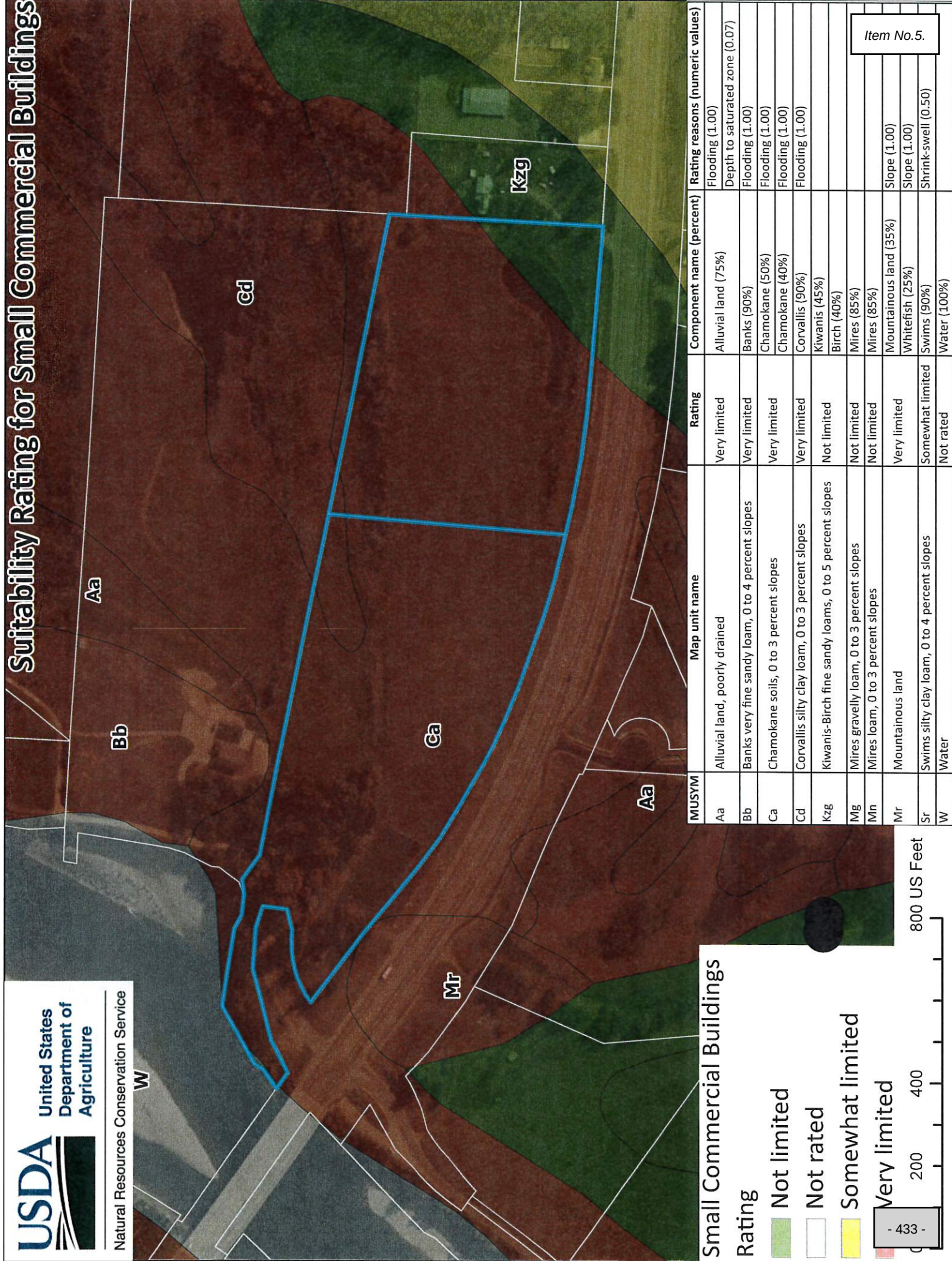
Numerical ratings indicate the severity of individual limitations. The ratings are shown as decimal fractions ranging from 0.01 to 1.00. They indicate gradations between the point at which a soil feature has the greatest negative impact on the use (1.00) and the point at which the soil feature is not a limitation (0.00).



United States
Department of
Agriculture

Natural Resources Conservation Service

Suitability Rating for Small Commercial Buildings

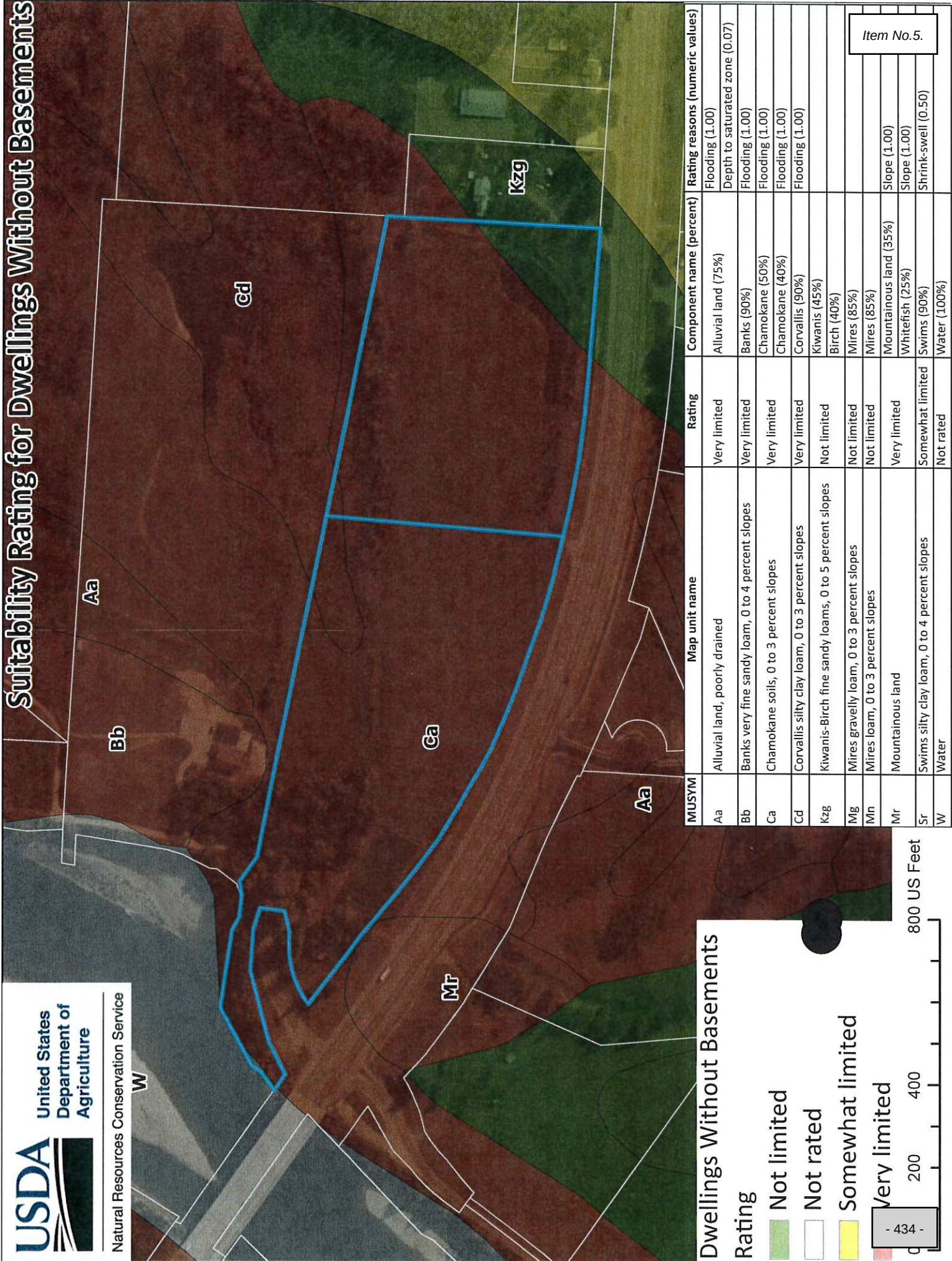




United States
Department of
Agriculture

Natural Resources Conservation Service

Suitability Rating for Dwellings Without Basements



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FEB 14 2023

CITY OF COLUMBIA FALLS

Columbia Falls City Hall
Attention: Barb Staaland, City Clerk
130 6th St. West, Room A
Columbia Falls, MT

01-08-2023

RE: Twin Peaks Farms LLC, High Country and Cattle (MT) LLC and River Partners
LLC. 7030 Highway 2 East and 500 River Road.

Opposed: To the Zone change and PUD.

This development is high density and does not fit the character of the neighborhood. It is the same as the Southside developers. They also have not been truthful on their application, A lot of unanswered questions and concerns.

Arthur and Vickie Ott
1685 Monte Vista Drive
Columbia Falls, MT 59912
(406)-261-2016
(406)-270-4166

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FEB 14

Item No.5.

CITY OF COLUMBIA FALLS

To the Columbia Falls City and County Planning Board

I am writing this letter to state my opinion of the subdivisions requested east of town. I stand with the majority of the Columbia Falls community, that if these subdivisions are approved it will be the end of our wonderful town as we know it!! It would be devastating to our town!!

As we ALL know there is a multitude of reasons why this is absolutely NOT a good idea! The impact of an extra 1,000 or so people (probably a very low calculation at best), the impact of traffic which will affect not only the highway but Columbia Falls Stage, Middle Road, River Road. The school system, the river!!! Oh, what could go wrong piping the sewage under our river. "Oh, it's fine - they never break/leak..." And then there's the wildlife. The herd of elk bedding down will be no more. The impact of this would affect every aspect of our community. Yes, I know you've heard this time and time again....

The sheer ugliness of driving into our community seeing the cluster of cheap "affordable housing." Just check out the apartments going up by Sliver Brook, cheap, ugly, looks like Russia. The developers are here to make a TON of money at our expense! They line their pockets with gold... they could give two-shits what it looks like or how the community feels about it. They are "Not one of us" nor do I care if they're "really nice."

I BEG YOU TO HIT PAUSE!!!! AND YOU HAVE THE POWER TO DO SO!!!! Our growth policy needs to be revisited and revised to fit the needs of the community and OUR TOWN! Yes, I am aware this revision was done before, or maybe during the crash of our economy in '07 '08. Little did we know that Montana would have such hit after the pandemic. Montana has been blindsided for sure. I am also aware of the push Gianforte is putting on Montana communities....but HE does not live here, we do. It was suggested to go back to the drawing board and revisit the growth plan, but was shutdown because of the time commitment and cost.... REALLY?!?!?!?

Everything stated on page 56 growth policy for Zone change would not allow these subdivisions to go forward!!

So, let's please PAUSE, REGROUP, and revise the growth policy that would apply to the situation the community is in now.

Thanks for your time,

Holly Ford
495 Trap Road
Columbia Falls, Mt.

hollyannsnyder@hotmail.com

B Staaland

From: Matson, Phil <phil.matson@flbs.umd.edu>
Sent: Tuesday, February 14, 2023 1:31 PM
To: B Staaland
Subject: Zone Change Request and Planned Unit Development in the Columbia Falls Zoning Jurisdiction

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 FEB 14 2023
 CITY OF COLUMBIA FALLS

February 14, 2023

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

Dear Columbia Falls City Planning Board,

I am writing in opposition to the requested zone change for Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) from CSAG-5 and CSAG-10 (suburban agricultural) to CR-4 (Urban residential), and to the associated Planned Unit Development within Columbia Falls the requested zone change would enable.

Recently in 2021, Parcel 1 of COS 16981 (Assessor's Tract 3FB) was re-zoned from CSAG-10 to CSAG-5 under the guise that it would remain a single-family dwelling (see Feb 14, 20232 REGULAR PLANNING BOARD AND ZONING COMMISSION meeting packet, page 244). To quote the 2021 request application, "**The applicant is requesting the zone change as he would like to split the property so that he can build a house for himself and his son can build a house and live next door.**"

The above stated reason was acceptable despite septic and wetland concerns from an adjacent property owner (see Feb 14, 20232 REGULAR PLANNING BOARD AND ZONING COMMISSION meeting packet, page 277) as the Columbia Falls Zoning Regulations define the CSAG-5 designation as a transitional zoning classification that provides a buffer or transitional zone between more intensive agricultural uses and urban uses. The 2021 re-zone seemingly fit the character of Columbia Falls, and in fact the request added no density, traffic, or wildlife concerns – instead it alleviated them as the CF Planning Board and community trusted the applicant's peaceful reason to re-zone and felt this was a reasonably safe move.

However, it seems we have been duped and the Gateway to Glacier has become a Gateway to Greed.

Instead of *a house for himself and for his son next door* the new re-zoning is requested in order to build **180 residential units with a gross density of 7.9 units per acre!** This about-face transaction is disgusting and should not be tolerated. How many times will our community have to say no to this type of wanton development?

The City's growth policy did not envision a project of this density.

This development will not serve as a buffer or transitional zone between more intensive uses but will instead become one.

This development will only add more stress to our already weakened and overloaded infrastructure, and exasperate traffic safety and congestion concerns.

This development will significantly add stormwater pollution directly to our groundwater, wetlands, and river.

Sensitive wetlands will become compacted during the construction and cutoff by the development, severely despoiling the ecosystem services they provide to our iconic wildlife.

Our wildlife will lose sensitive habitat and migration corridors, forcing apex predators into our residential areas – threatening our children and elderly.

This development is clearly not in the best interest to our residents.

Simply put, this development does not fit our character and we do not want it.

We all understand the need for more housing, but I implore you to wisely consider the future of Columbia Falls and to conserve our natural beauty and its functionality. I respectfully urge you to reject the rezoning request and maintain our way of life. Our legacy is in your hands.

Sincerely,

Phillip L. Matson
1125 Raven Lane
Columbia Falls, MT. 59912

To:

Barbara Cole <becole54@icloud.com>
Tuesday, February 14, 2023 12:31 PM
Susan Nicosia
Development on North River Rd again this is not conducive to the area housing. The traffic entering Highway 2 can not be supported safely. No traffic light will help the huge amount of traffic if it would ever be en be installed. That land has very ...

Sent from my iPhone

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FEB 13 2023
CITY OF COLUMBIA FALLS

B Staaland

From: Gary Hall <reachgaryhall@gmail.com>
Sent: Tuesday, February 14, 2023 11:35 AM
To: B Staaland
Subject: February 14th Public Hearing
Attachments: Comments to City County Planning Board.docx

Barb, Hoping you can forward this to the board, I know its late but we've had a death in the family and it has been crazy. Thanks for all you do, Gary

Staff Report Questions – Evaluation Based on Statutory Criteria

Zone Change

1. Does the requested zone comply with the Growth Policy?
2. Is the requested zone designed to lessen congestion in the streets?
3. Will the requested zone secure safety from fire, panic, and other dangers?
4. Will the requested change promote the health and general welfare?
5. Will the requested zone provide for adequate light and air?
6. Will the requested zone prevent the overcrowding of land?
7. Will the requested zone avoid undue concentration of people?
8. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
9. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?
10. Does the requested zone give reasonable consideration to the character of the district?
11. Will the new zoning affect property values?
12. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

Planned Unit Development (PUD)

1. Conformity to the Large Building Criteria as required in Columbia Falls Zoning Code Section 18.428.
2. Conformity to the PUD criteria as required in Columbia Falls Zoning Ordinance Section 18.338.040
3. Does the requested zone comply with the Growth Policy?
4. Is the requested zone designed to lessen congestion in the streets?
5. Will the requested zone secure safety from fire, panic, and other dangers?
6. Will the requested change promote the health and general welfare?
7. Will the requested zone provide for adequate light and air?
8. Will the requested zone prevent the overcrowding of land?
9. Will the requested zone avoid undue concentration of people?
10. Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?
11. Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?
12. Does the requested zone give reasonable consideration to the character of the district?
13. Will the new zoning affect property values?
14. Will the requested zone encourage the most appropriate use of the land throughout the municipality?

Preliminary Plat Request

- A. Impacts on Public Health
- B. Impacts on Wildlife and Wildlife Habitat
- C. Impacts on the Natural Environment
- D. Impacts on Local Services
- E. Impacts on Agriculture
- F. Impacts on Agricultural Water
- G. Compliance with Subdivision Design Standards
- H. Compliance with the Montana Subdivision and Platting Act
- I. Compliance with Subdivision Regulations

Comments to City County Planning Board February 14th 2023

My name is Gary Hall, 140 Steppe Lane, Cfalls

Thank you so much for your willingness to listen to your community members, concerned with this current subdivision proposal. We have discovered that many community members simply don't have access to the details and the hundreds of pages related to this project to read or understand, which is no ones fault but extremely grateful to know that each of you **do**, and have proven your willingness to not only listen but study and understand the details of this project and take careful consideration of all in that's in the documentation, **thank you again.**

Tonight, I would like to briefly point out that under Evaluations based on statuary criteria, under zone changes, 7 of the 11 blatantly do not conform. I don't have time to read them all but they are 2,4,6,7,9,10 and 11. Number 6 is "Will the requested zone change prevent the over crowding of land?" We know the answer to that. Under PUD numbers 3,4,6,8,9,10,11 and 12 do not conform. Number 12 "Does the requested zone change give

reasonable consideration to the character of the district". Answer "NO". Then under preliminary Plat request B,C,D, and G. Again, non compliant and number B. states "Does it have Impacts on Wildlife and Wildlife habitat" **YES**

I am a huge supporter of "SENSIBLE" Growth, even 2 units per acre but seriously, 450 people on 20 acres. Its up to us **and you** to try and protect our Gateway to Glacier, if we don't **pause** and consider our future we will lose it forever. The Cities 2001 Extension of Services Plan, Page 10 and 11 states: "Adding pump stations to the system correspondently adds expense and maintenance needs and is generally discouraged".

Reminder that only 18% of people surveyed during Growth Policy update supported east of the bridge. Maybe you have seen the Mel Ruder picture of the 64 flood, this area was under 8 feet of water. I know how hard it is to get public input when updating the growth policy but I also believe you or the city had no idea this massive of proposal for development would come before you. I have not enjoyed this fight, it has caused division in the community I love but it's a fight worth having

Lastly I sent you Page 56 of Growth Policy. It clearly states:

And I quote: Development of a Growth Policy is an ongoing process, Periodic review and revision is necessary to keep abreast of changes in circumstances and **the thinking of the community.**

No way you could have predicted half the country wants to move here. Why wouldn't people flock here where "**heaven touches earth**". Google says "*Cfalls has been ranked one of the best and safest places to live.*" The community has awoken to the need to revise the Growth Policy. Please consider directing the city to take a pause and lets look at the new facts.

Lets do a **pause** and a **revised growth policy.**
Thank you...

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FEB 13 2023

CITY OF COLUMBIA FALLS

To whom it may concern;

As you are aware, the Flathead Valley - like much of our state - is facing a housing shortage. Columbia Falls is increasingly feeling this crunch. Columbia Falls can maintain its small town, community-centric feel while still accounting for the anticipated growth in population by accommodating the construction of new housing for its current residents and those seeking to call our city home. This is not an either-or proposition. There is a process in place for the city to consider new housing development projects, discuss their merits, and either approve or deny them. The growth plan includes a series of policies and goals for developers to follow to meet the objectives of the city when it comes to residential housing.

Therefore, as a citizen of Columbia Falls who is concerned about the city's future, I ask you to support commonsense, reasonable housing projects that help reduce the gap between our population and our available housing stock. It stands to reason that, as you build more housing and make more units available, you can alleviate the housing shortage and help lower the price of buying a home. Similarly, this will help bring down the cost for renters, as outsiders who have no connection to Columbia Falls will be less inclined to snatch up homes that enter the market at inflated prices and turn them into Airbnb's, VRBOs, or other short-term rentals.

This is not a call to green-light any and every development project. Acceptable projects should be thoughtful in their design and density, fit the character of the community, provide a mix of housing types, and provide benefits to the broader public, such as access to open space. In recent months, we have witnessed an outpouring of objections to any development proposal, unwilling to seek common ground for the greater good. As you move forward, I urge you to temper the voices of the naysayers with the benefits such well-crafted proposals would bring to Columbia Falls.

While some families in the community have lived here for generations, many others are more recent transplants, drawn by the allure of this beautiful town we call home. Let's make sure that, in the coming decades, we remain a welcoming community that embraces measured growth by ensuring our people have places to live. Let's accomplish this by addressing the central housing challenge identified in the 2019 Growth Policy head on.

Thank you for your consideration.

Jeannie DeCarlo

dotloop verified
02/06/23 6:19 PM MST
SETR-LHSN-CZKL-HCDK

9 Cedar Pointe Loop,
Columbia Falls, MT 59912

Cell:
406.471.8546

B Staaland

From: City of Columbia Falls Montana <columbiafalls-mt@municodeweb.com>
Sent: Sunday, February 12, 2023 1:56 PM
To: B Staaland
Subject: Form submission from: Contact Us

Submitted on Sunday, February 12, 2023 - 1:56pm

Submitted by anonymous user: 66.135.70.160

Submitted values are:

First Name Wendy & Mike

Last Name Lauman

Email mwlauman@montanasky.us

Question/Comment

Dear City Council and Planning Board : Another large development 7030 Hwy 2 Residences requiring a zone change and accessing city water and sewer under the Flathead River is not acceptable. To quote the Beacon article of February 8, 2023 concerning River Highlands "members of the planning board described concerns with the projects density, it's burden on city utilities, it's incompatibility with the communities character, and concerns about traffic congestion and traffic safety. This new project has the same concerns. 180 units broken down into 99 attached units and 81 apartment units includes all those concerns as well as environmental and wild life issues. We lived in Columbia Falls for 19 years and continue to go to Columbia Falls for shopping, doctor visits, and to visit family. Please do not endanger the pristine Flathead River, destroy the character of Columbia Falls, and endanger wildlife areas. Thank you.

The results of this submission may be viewed at:

<https://www.cityofcolumbiafalls.org/node/7/submission/1807>

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FEB 13 2023
CITY OF COLUMBIA FALLS

B Staaland

From: Melody Ward <melodyward90@gmail.com>
Sent: Monday, February 13, 2023 8:32 PM
To: B Staaland
Subject: Opposed to Twin Peaks Farms et al Zoning & Subdivision

RECEIVED
FEB 14 2023
CITY OF COLUMBIA FALLS

Attn: Planning Board Meeting

We are writing in opposition to the zoning change and subdivision proposed by Twin Peaks Farms and associates.

We would like to see the zone change held off until there is a better understanding of the type of subdivision they are proposing. The information in the agenda packet is limited as to their plans. The density is better than that of the River Highlands project, however, there is mention of 1/2 of the units being apartments and all the single family units being attached. Fewer apartments and more single family units would be better.

Another concern would be the additional traffic that would be entering Highway 2. Are they planning to use River Road or add another entrance to the highway. Either way adding additional traffic in that general area is going to further impact the ability of people to get onto the Highway. At an estimate of 1.5 cars per unit, that would be 270 additional cars entering and exiting the Highway at or near River Road.

We would also like to raise concerns as to the city's ability to handle more infrastructure. It seems they can barely manage what they are already responsible for.

Any growth of the city on the east side of the river, should be done with extreme care. If not handled properly, we fear that there will be multi-story apartment complexes all the way to the Heights and possible beyond. Certainly not a beautiful mountain view of the mountains and the park.

Gerald and Melody Ward
121 Hellman Lane
Columbia Falls, MT

B Staaland

From: Betty Kroger <bltkroger@gmail.com>
Sent: Monday, February 13, 2023 11:01 PM
To: B Staaland
Subject: Subdivision

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FEB 14 2023
CITY OF COLUMBIA FALLS

My husband and I agree this developer has not represented himself in a truthful fashion. To have apartments does not seem practical in correcting the housing shortage. The survey of income doesn't seem realistic. The developer bought this land zoned agricultural and now makes a request to annex into the city only to realize a large profit at the expense of the current tax payers. Do we really want to turn our city into what Kalispell, Whitefish and Bigfork have done. The city currently has two subdivisions that are not completed. We can only hope you will be good stewards for the town of Columbia Falls. We say NO.

Sid and Nancy Lemke
668 12th Ave WN
Columbia Falls

Sent from my iPad

RECEIVED
MAR 16 2023
CITY OF COLUMBIA FALLS

Item No.5.

208 Red Barn Road
Columbia Falls, MT 59912
March 15, 2023

City Council
130 6th Street West
Columbia Falls, MT 59912

Re: Oppose Development Plan for 22.5 acres on North side of Hwy 2, East of Flathead River

As a native to Columbia Falls, I am FOR affordable housing but I oppose this development.

Rishi Kapoor's development is not for the teacher, nurse, police officer, or fire fighter to live. It is not a solution for housing in the Flathead Valley. In Rishi's other developments his single family homes/Condo Boutiques as he calls them, are catered to those who want to work in beautiful places for extended stays between 30 days to 3-4 months at a time. This is doable because it's considered a long-term rental. It works for his other developments so why would he change it in Montana? He explains all of this and more on a Podcast with Peter Zalewski of Condo Vultures with Rishi Kapoor. Rishi goes into full detail of his plans on his developments, his dream of becoming a National Developer in premium locations like areas near Glacier. He talks about unethical ways of increasing price on renters. \$2/foot is just a starting point. It will quickly increase. I suggest you listen to the podcast.

The density is too high in an all too fragile ecosystem. This parcel is a mix of hay field, wetlands and riparian woodlands, and it abuts the Flathead River and the Bad Rock Canyon Wildlife Management Area. This area is used frequently by wildlife and provides habitat for numerous species including elk, black bears, grizzly bears, small mammals, amphibians, and migratory birds. Development of a high-density subdivision on this property will have significant negative impacts to wildlife. This area is part of a continuous movement corridor for elk and bear, which cross Highway 2 at this location to access larger tracks of available habitat.

This project area includes several wetlands and the Flathead River. Proposed high density development, absent appropriate building setbacks and vegetated buffers, will reduce the area's functionality and water quality. Total building setback needs to be at the expert recommended setback of least 300 feet from rivers and 130 feet from wetlands and intermittent streams.

This is a wildlife corridor. Once this corridor is gone you can't make a new one. Rishi wants to put a very dense project in an intact natural ecosystem with wetlands where threatened and endangered species pass through. Are you willing to let a high rolling developer come into our mountain town and put his stamp on Montana, a place we call home?

Please keep this in mind as you make your important decision.

Sincerely,
Justin Halverson
Justin Halverson

B Staaland

From: Chelsea Hagen <grizgirl87@gmail.com>
Sent: Thursday, March 16, 2023 9:48 AM
To: B Staaland
Subject: Proposed River Subdivision

RECEIVED

MAR 16 2023

CITY OF COLUMBIA FALLS

To whom it concerns,

As a Columbia Falls native who has lived here all my life I have great concern for the proposed subdivision next to the river. I oppose this for the following reasons:

Traffic - this is already a concern without the subdivision, and even if a traffic light is put in (which wasn't even in the plan) it will not solve the issue of major congestion, especially during busy times of day, and in the summer when tourists visit

Schools- Our schools are already full, even the newly finished Glacier Gateway Elementary is full, and our students and locals who have grown up here are suffering because of it

Water - If this is annexed into the city who pays for all the new wells that have to be dug to accommodate these new residents? How do we even know there is enough water? Will other locals suffer because of this?

Wildlife- this specific proposed area is important to keep for our local wildlife to move freely. If a big subdivision is put there, it could be detrimental to our local wildlife including deer, elk, and wetland wildlife who move through that corridor

Affordability- the proposed plan stated that apartment rent could be \$2400/month- that to me is insane, and I don't even pay that much to own my own house! We don't have the jobs or pay here locally to support those rates which means those houses will sit and wait for other out-of-staters to occupy them since they are the ones who would be able to afford them. This is NOT what Columbia Falls needs or wants

The zone changes proposed are not a representation of what Columbia Falls, and the surrounding neighborhoods are - we have already undergone so much change with developers downtown, and along the highway, but turning beautiful open land into apartment complexes is not what we locals stand for or want. We don't want to be Whitefish or Kalispell hence why we didn't choose to live there in the first place.

Thank you for your consideration in this matter.

Sincerely,

Chelsea Hagen
Eric Hagen
565 Berne Rd
Columbia Falls, MT 59912

RECEIVED
MAR 16 2023
3/15/2023
CITY OF COLUMBIA FALLS

TO: City Counsel of Columbia Falls Montana

FROM: Matthew Padgett, Community Member, Columbia Falls Montana

SUBJECT: Recusal of Darin Fisher, City Council member from the "Second Public Hearing" "City Council Regular Meeting" on Monday, March 20, 2023

Mayor Barnhart and City Council Members,

I write this letter to you as a formal identification for the needed recusal of Darin Fisher, City Council member from the "Second Public Hearing" in the "City Council Regular Meeting" on Monday, March 20, 2023, due to conflict of interest. "SECOND HEARING: A Zone Change Request from CSAG-5 and CSAG-10 to CR-4 in the Columbia Falls Zoning Jurisdiction, Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction."

Recently, the community members of Columbia Falls (not the members of the greater Flathead Valley) were targeted with a mailer from an unknown organization calling itself the "Flathead for Sensible Growth." This mailer directs the reader to a website www.flatheadforsensiblegrowth.com. Upon investigation of this website, there is no legitimate contact information, or owner of this webpage. However, what this webpage does have is a video that is exclusively of Columbia Falls. This video specifically and solely targets the Columbia Falls community in visual and verbal methods.

Upon review of this video, I and many other community members find it "PROFESSIONALLY UNACCEPTABLE" that a member of the city council, not only provided their business to be the front of this "propaganda video," but supported his spouse and business partner to actively participate as a "speaker of the community" in this propaganda video.

This video is well within the definitions of propaganda, as it is said to represent the "views of the community," yet, only presented .1% of the community population. Of which, one member being the spouse and business partner of Darin Fisher, a member of the City Council.

Furthermore, this brings legitimate question to the conduct and representation of the members of the Columbia Falls City Counsel in the matter of "Out of State Developers" and their desire to utilize the Columbia Falls City Counsel for their own financial gain.

Based on this information, as verified and supported by the recent article in the Hungry Horse News, I formally, and in legal bounds, identify the requirement for the recusal of Darin Fisher from not only voting, but providing comment on the subject public hearing.

Now, and in the future, I sincerely hope that you uphold the "PROFESSIONAL STANDARDS" that your "Elected Office" require.



Matthew Padgett

RECEIVED
MAR 16 2023
COLUMBIA FALLS

March 14th

Dear Mayor and Council,

It has been very difficult for me as your previous Mayor to know the city staff Planners, Attorney and City Manager, Mayor and majority of the council are downright angry with me (us) for taking an opposing position in this matter. It has been very disappointing the way the city representatives have treated those in the community that have opposed this subdivision.

One of the most glaring aspects of this proposal is that the community at large is not in favor of this type of project for our community. It has been pointed out numerous ways why it doesn't fit by your city county planning board. (Thanks to Darrin Fisher and Kelly Hamilton for attending the long Planning Board meetings to get all the information presented) They gave concrete reasons for their denial that I would think you have to address and rectify before approval. Drilling under the river, while the developer has convinced some its ok and happens all the time, my research has proven otherwise. The professional they had speak to the Planning board could not even give a concrete answer to what kind of materials would be used for the piping, did not know how you could detect a leak, his presentation was un-professional, especially since it is one of the main reasons of (our) concern. My main concern is for the city as they take on the sewer

infrastructure at build out, you just spent 780,000 to upgrade a pump (lift) station in the city, you have several stations, how can the city afford to maintain this expensive sewer system in the future. Please don't burden future city Managers and Councils with the expense and possible failure of a complicated system. I ask you to consider the unsafe ability of children and adults that want to walk to town have to cross the busy Highway 2 to access the protected walkway on south side of bridge. Developer suggested a lighted crosswalk, State Highway department will not approve a crosswalk across 5 lanes of highway. The TIS was faulty not even mentioning traffic from subdivision to Hwy 2 but listing only intersection at 206. The planning board made it clear it was inadequate. Another reason to deny... The proposed wildlife corridor is not possible. This development literally closes off the natural corridor. They will build out to the east up to the neighbors home and out buildings. They said the narrow part of the subdivision where 6 parking spots are and lighted street lights next to the river will be the new corridor. That will NOT work, it literally closes off the wildlife corridor which should be unacceptable to **all**. Building on top of wet lands should not be considered at all. Putting concrete slab on grade is dangerous. If you sit at the intersection of the Benches subdivision and Hwy 2 you can see this proposal sits in low land, the topography actually looks like the project sits in a low swamp.

Montana Code Annotated 2021

TITLE 7. LOCAL GOVERNMENT

CHAPTER 2. CREATION, ALTERATION, AND ABANDONMENT OF LOCAL GOVERNMENTS

Part 47. Annexation With the Provision of Services

Standards To Be Met Before Annexation Can Occur

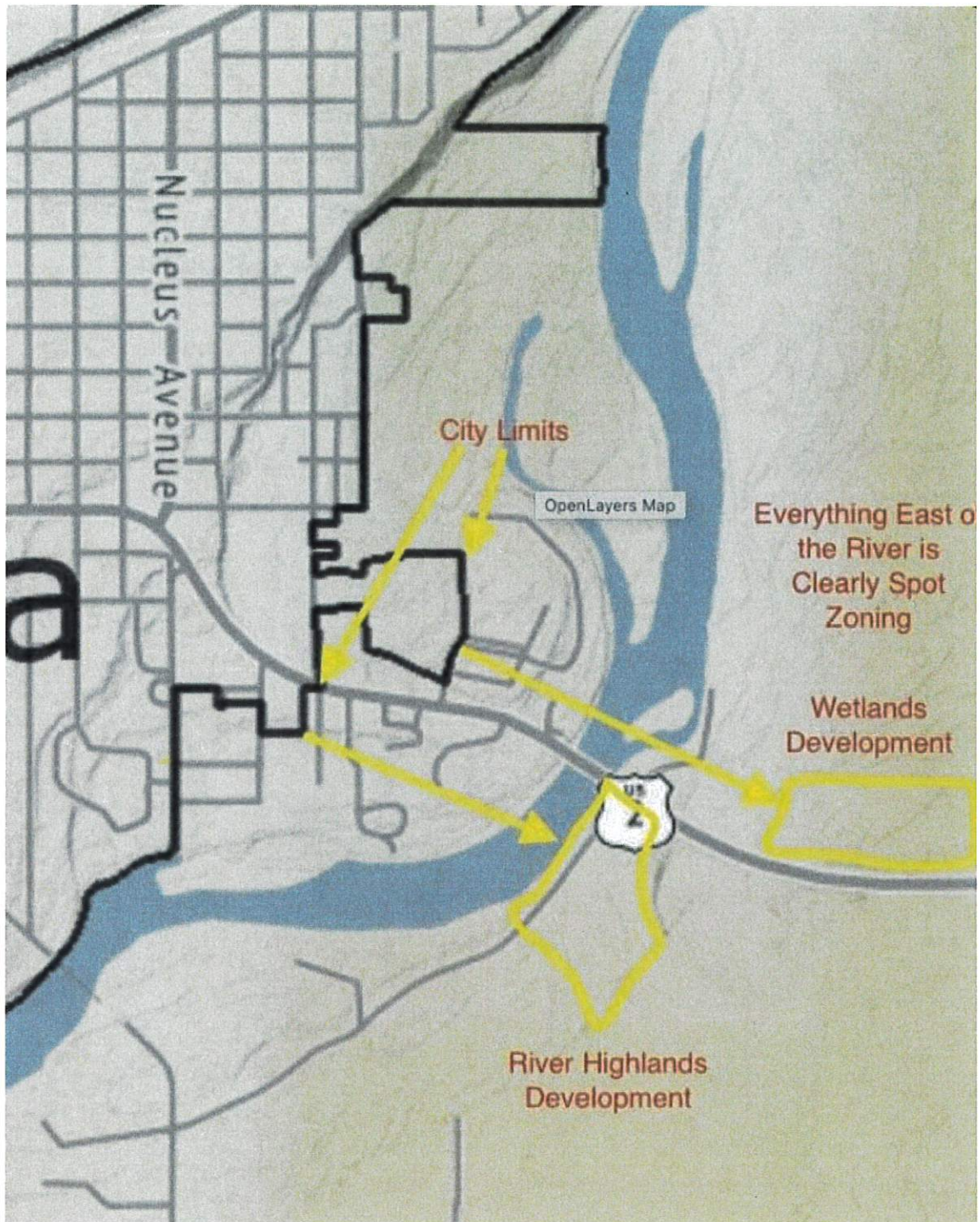
7-2-4734. Standards to be met before annexation can occur. A municipal governing body may extend the municipal corporate limits to include any area that meets the following standards:

(1) The area must be contiguous to the municipality's boundaries at the time the annexation proceeding is begun.

(2) No part of the area may be included within the boundary of another incorporated municipality.

(3) The area must be included within and the proposed annexation must conform to a growth policy adopted pursuant to Title 76, chapter 1.

(4) (a) If fire protection services in the area to be annexed have been provided by a fire district organized under Title 7, chapter 33, part 21, the plan must:



This issue is something that you will have to ask questions about of your staff. Spot zoning is illegal and open to litigation. I was surprised to discover this. There are many more concerns but simply stated, we

have room in the city limits for apartments and housing, I would ask that you, as soon as possible, direct your staff to do the study you all decided not to do as far as assessing available properties with in the city limits for added housing and the **need** for housing. At the last Public Hearing (Realtor) Patty Singer noted that she had two condo's she could not find renters for and that there were apartments empty at the Highline apartments. They did raise their rents. That is still less than this proposal at \$2.00 per square foot. Your staff has presented that there is a need for housing because local employees have no place to rent. May I please point out that we have no new industry, very few new jobs and nothing planned for the future, this project is to add 450 people (not counting the new subdivision being proposed further east across from the water slide). How can our infra-structure handle these many people, I have not heard anything from your staff about that, your manager states the sewer plant can handle it but nothing ever said about schools etc. **Kalispell will have an over abundance of units available soon with Mr. Barnetts 400 unit, 65 foot tall apt. complex which is in final plat along with another 100 unit complex in final plat.** From 2018-2022 Kalispell built **905** single family units, **658** town houses, **3200** multi family apartments, there is plenty of housing in Kalispell, we don't need mega complexes in our bedroom community of Cfalls, PLEASE...

Thank you for taking the time to read my comments,
Respectfully yours, Gary Hall 140 Steppe Lane Cfalls

B Staaland

From: Brian Fitzpatrick <able20027@aol.com>
Sent: Wednesday, March 15, 2023 4:36 PM
To: B Staaland
Subject: 7030 HWY 2 and 500 2 East River Road Letter

Att: City of Columbia Falls,

We are writing to express our concern regarding the proposed PUD at 7030 Hwy 2 and 500 2 East River Road by Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and River Partners LLC.

Our property is right across the highway and just like the other development River Highlands 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 and possible theft.

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 this area is very busy and at times gets very congested (especially in the summer due to vacationers). We feel this new development will compound this problem. How will "7030 Hwy 2 residences and 500 East River Road" 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 / C: 714-231-2845/ PH: 928-680-6676
Email: able20027@aol.com

To: Columbia Falls City Council

Re: 7030 Hwy 2 East Zone Change & PUD

From: Kathie Arvidson
7123 Hwy 2 East
Columbia Falls, MT

RECEIVED
MAR 16 2023
CITY OF COLUMBIA FALLS

To Whom It May Concern:

I am **TOTALLY OPPOSED** to this Zone Change and PUD. This is **NOT** the right area to build this kind of project due to the character of the land. When you look at the Zoning Map – this should **NOT** be Zoned CR-4. *(The closest area zoned CR-4 is Mosquito Flats).* **This is like dropping a cluster in the middle of open land.**

CR-4 ZONING (R-4)

Described as: TWO FAMILY RESIDENTIAL.

2. A district to provide lot areas for urban residential development. Development within the district will require all public utilities and all community facilities. A duplex is allowed in the district. (Page 54 Definition)

Intent of Zoning Regulations: (Chapter III Establishment & Definition of Districts)

Section 3.01 Use Districts (Page 25)

- 6. Preventing the overcrowding of land.
- 7. Avoiding undue concentration of population
- 9. Giving reasonable consideration to the character of the district
- 12. Encouraging the most appropriate use of land; and,
- 13. Protecting the aesthetic resources of the County.

TRAFFIC: This is definitely a huge concern. After learning of the “F” rating of the River Road intersection, I believe this project would add a huge amount of traffic on an already maxed out intersection. I think the Developer has not done enough homework on his Traffic study and addressed solutions as this is a dangerous stretch of highway with summer being extreme. We would have a rating of **F-**.

The Developer is proposing a CROSSWALK on Highway 2. I think that would be very unrealistic considering the amount of FAST-MOVING traffic.

CITY INFRASTRUCTURE: I believe our City Infrastructure is pretty maxed out and to add this area to it's load would not be beneficial at this time. After attending the City Council meeting of February 6, I think the Water and Sewer departments are addressing the added load. I do

believe the Sewer line under the River is of great concern for the City Budget should it fail in future years.

Police report at that meeting said they were very understaffed at this time – so would they be able to take care of this area? City plowing this year has been inadequate – do we need more area to handle? I think it roots back to hiring of employees – all departments seem to be stretched thin with workers – but we need to keep our City in a more concentrated area, not strung out all over.

WETLANDS: The Wetlands were divided into 3 parts. Wetland 1 & 2 are not regulated by the Army Corp of Engineers and Wetland 3 letter states "This letter constitutes an approved jurisdictional determination for your subject site."

Also not taken into consideration is a pipe that runs under Highway 2 and across the western side of this property to Wetlands #3 which eventually dumps into the River. The Developer did not address how this movement of water would be facilitated. What happens if these Wetlands are filled in or changed??

ALSO as stated in the Growth Policy: Page 16 - #6 – Water quality continues to be an important issue to the community and ways to avoid nutrient loading and other forms of water contamination to the Flathead River Basin become critical. Page 16 - #7-- Water quality has the potential to be degraded by development due to erosion, storm water discharge and on-site sewage treatment systems (NA).

WILDLIFE: Goals in the Growth Policy – Page 17 #4 – Development should be compatible with important wildlife habitat and travel corridors. *Page 76 of the PUD shows a map of the Potential Wildlife Corridor – A small strip of land to the west of the project along the river. I doubt the wildlife can cross the highway at the Bridge and use this corridor to get to the FWP protected land to the north.*

A huge consideration should be the Bad Rock Canyon Wildlife Management Area which borders this property to the North. Does a large, dense development belong next door to a Wildlife Refuge??

In Summary, I hope common sense will prevail and the Planning Board's recommendation of NO to this Zoning & PUD will be followed. We definitely need cluster development to help bring down housing costs for our working class BUT this is NOT the right fit.

Thank you for your time.

Kathie Arvidson
Kathie Arvidson

B Staaland

From: Courtney Cartmell <courtneycartmell@gmail.com>
Sent: Wednesday, March 15, 2023 2:29 PM
To: B Staaland
Subject: Columbia Falls Mayor and City Council

Justin/Courtney Cartmell
134 9th Street E.
Columbia Falls, MT 59912

RECEIVED
MAR 16 2023
CITY OF COLUMBIA FALLS

Hello,

We hope you are going to deny the zone change request. Not only will it destroy our beautiful Wildlife corridor, put risk to the river, but it will also destroy the character of Columbia Falls.

We appreciate your time!

Kindly,
Justin and Courtney Cartmell

B Staaland

From: Andrew Briefer <abriefer@comcast.net>
Sent: Wednesday, March 15, 2023 1:52 PM
To: B Staaland
Subject: Proposed Zone Change and Development East of Flathead River

RECEIVED
MAR 16 2023
CITY OF COLUMBIA FALLS

I am a homeowner in Bad Rock Canyon area. I am writing to express my opposition to the proposed zone change to allow large residential development proposed for the property North of Highway 2 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. It threatens the newly established wildlife management area that the community worked so hard to protect. 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 and wildlife areas 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

March 15, 2023

City Clerk, Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
MAR 16 2023
CITY OF COLUMBIA FALLS

Re: Comments Regarding 7030 Hwy 2 Residences Zoning and PUD Application

Greetings Columbia Falls City Council Members:

Thank you for your service as elected Council members. Numerous small and large developments have been proposed in the last few months and the volunteer Planning Board has diligently sorted through the proposals to reach decisions both for and against various projects before passing them on to Council.

We are Columbia Falls residents and are opposing this proposed development. Please follow the negative recommendation of the Planning Board. Numerous and valid concerns led them to this recommendation. We are not convinced it is time to take city utilities east of the Flathead River. Please deny the developer's request based on the valid concerns offered by many others.

Additional development is going to occur in the Flathead Valley and Columbia Falls, but it is up to local Planning Boards and City Councils to make sure proposed developments are well planned, fit the local neighborhood and are long range focused for all the impacts that will occur.

Affordability, attainability, and density are often used by developers to promote their projects. We think the time is ripe to commission an accurate accounting of land and lots, however zoned and that have not been developed in Columbia Falls. Developers and builders could then look at this inventory of properties and design projects that would be closer to city services. Owners of these properties may then see the right time and opportunity to sell. Development further away from the city is more costly and promotes sprawl away from the community, its businesses, and schools.

The public meeting on developments in Columbia Falls held February 27 was a good step towards more public involvement in finding answers. This sort of communication should be continued on a quarterly basis as we search for what and where to develop.

Thank you.

Michael and Cindy Burr
560 Talbot Road
Columbia Falls, MT 59912

B Staaland

From: Scotty Demongin <scottydemongin@gmail.com>
Sent: Wednesday, March 15, 2023 12:49 PM
To: B Staaland
Subject: Attn Mayor and council

RECEIVED
MAR 15 2023
CITY OF COLUMBIA FALLS

Hello Mayor and City Council,

I would like to say that I am for responsible growth. However, I'm not in favor of any development by the river.

Somehow somewhere the council lost the trust of the people. I'm sure with all the tyranny going on in our country today it makes things worse.

If you want support for growth, you'll need the trust of the people. Let the people be involved. Let their voice matter.

Sincerely,
Scotty Demongin

B Staaland

From: Henry Rivera <hrivera@centurytel.net>
Sent: Wednesday, March 15, 2023 11:21 AM
To: B Staaland
Subject: Comments for Proposed Twin Peaks Development

RECEIVED
MAR 15 2023
CITY OF COLUMBIA FALLS

Columbia Falls City Council

Dear Council Members: First, I would like to thank you for the work you do. Second, please consider my comments as an addendum to a letter I wrote to the Planning Board regarding the Twin Peaks PUD proposal.

Consider the following adverse effects that this proposal will have on: 1) wildlife/wildlife movements, 2) the functioning of the Bad Rock Wildlife Management Area, 3) the Flathead River and its existing water quality, 4) the existing wetlands, and 5) the rural character east of the Flathead River. In addition, the risk of failure of the proposal to extend septic pipes over/under the Flathead River should not be underestimated.

The approval and/or disapproval of the Twin Peaks PUD proposal will be a long-lasting legacy of this cadre of City Council members. It will be up to you to have enough conviction about what the "right" thing to do for maintaining the quality of the existing landscape east of the Flathead River. Also, the residents that live there, including me, will be significantly affected if this project is approved. If this project is approved, we can never go back; if disapproved, an alternative development proposal that blends better with the area can always be considered. It will not be the end of the world to say no to this particular proposal. Please don't let a Florida developer think that the Columbia Falls City Council is not sophisticated and can easily be duped into thinking that this proposal is in our interests. This is not Florida! We know why developers do what they do: make money.

I encourage you to deny this proposal and wait for a more reasonable proposal that accommodates and respects the natural resources we all love and rely on for our welfare. This is Montana; please do what you can to conserve our 'last best place'. Thank you.

Henry Rivera
79 Anglers Way
Columbia Falls

B Staaland

From: hacheeconstruction@gmail.com
Sent: Tuesday, March 14, 2023 6:16 PM
To: B Staaland
Subject: Mayor and City Council of Columbia Falls

RECEIVED

MAR 14 2023

CITY OF COLUMBIA FALLS

My name is Mark Hachee
I live at 403 4th Avenue E, in Columbia Falls.

My wife and I moved here 2 years ago because we wanted to live in a small town. I am very concerned with this zone change request. In my day-to-day life I have learned that our town can barely keep up with the current service needs of its citizens. I do understand there is a need for housing. I do think we can conquer the issue by building smaller units throughout town. It would be a slow growth giving services and infrastructure a chance to grow with it. Changing the current zoning would ruin the character of our town. It will also destroy our beautiful Wildlife corridor, put risk to our river which will ultimately also destroy the character of Columbia Falls. The planning board has shut down the zone change request, please do the same!

Best regards,
Mark Hachee

B Staalnd

From: Bonnie Macioroski <bmacioroski@aol.com>
Sent: Sunday, March 12, 2023 6:01 PM
To: B Staalnd
Subject: Stop the subdivision

RECEIVED
MAR 13 2023
CITY OF COLUMBIA FALLS

We don't need or want that subdivision out here on river road or across the highway! It's already congested enough. It's not even in the city limits an we don't want it to be! Stay away from that liar!
Bonnie Macioroski

Sent from my iPhone BonnieMac

RECEIVED
MAR 13 2023
CITY OF COLUMBIA FALLS

Wendy [?]❤️☐🏃♀️☐👾👾🌊🐓🐓☀️🌸

B Staaland

From: Matt Vittal <mattvittal@gmail.com>
Sent: Sunday, March 12, 2023 7:36 PM
To: B Staaland
Subject: River Road subdivision

RECEIVED
MAR 13 2023
CITY OF COLUMBIA FALLS

I'm writing in opposition to the 450 unit development east of the River, north of River road. This type of development is not right for our town. It would increase the towns population too fast straining infrastructure, increasing traffic, overcrowding our schools, risk polluting ground water and the Flathead River, and disturb critical wildlife habitat. There is still land between Columbia Falls more populated areas and the river. Developing land east of the river is unnecessary and irresponsible. The residents of Columbia Falls do not want this type of development. We live here for a reason and it isn't for giant multi family residences permanently changing the character of our town. Please vote to reject this development.

Sincerely,
Matt Vittal
Concerned Columbia Falls Resident

B Staaland

From: Gary Hall <reachgaryhall@gmail.com>
Sent: Saturday, March 11, 2023 11:15 AM
To: B Staaland
Subject: [Times-Citizen Communications] You Asked, We Answer: Iowa Falls' under-river sewer pipe project

http://www.timescitizen.com/kifg/you-asked-we-answer-iowa-falls-under-river-sewer-pipe-project/article_0bcca980-44a2-11e8-8ea3-170986140314.html?utm_medium=social&utm_source=email&utm_campaign=user-share

Barb, Please forward this to the Mayor and Council, thank you. Gary

You Asked, We Answer: Iowa Falls' under-river sewer pipe project

By Sara Konrad Baranowski

Apr 19, 2018



City employees got inventive in their quest to get a better look at a broken sewer pipe under the Iowa River near the River Street Bridge in Iowa Falls last week. City employees brought an underwater fishing camera and a GoPro camera, borrowed the Iowa Falls Fire Department's boat and bought rope. They used axes and ice picks to break up the ice and get the cameras under the water.

Photo Courtesy City of Iowa Falls

The Iowa Falls City Council gave its permission Monday night for the city to move forward on replacement of two 9-year-old sewer pipes that lie under the Iowa River, one of which was found broken in December.

The project, which will cost the city about \$440,000, is complicated. Each time we've posted it on Times Citizen social media accounts, there have been questions from the public. In response, we asked readers to submit their questions to us, and we set out to answer them. Below are answers to those questions.

For more information about the project, read up on the history of it in stories linked on the left.

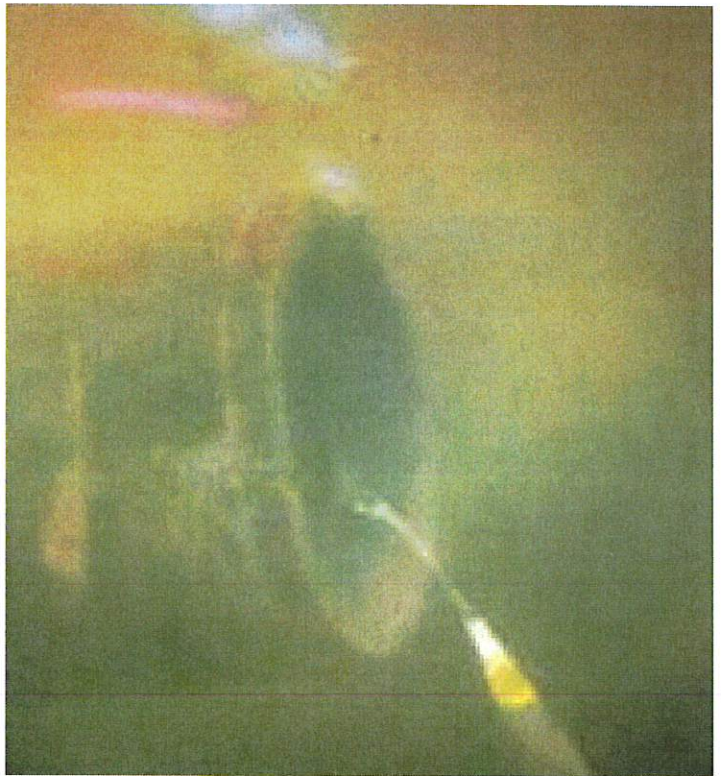
Q: How does a project like this cost so much?

A: While this project seems simple, it's actually very difficult. The project will connect a sewer line at Dougan's Landing with a sewer line near the intersection of River Street and Foster Boulevard. According to project engineer Mitch Holtz of Fox Engineering, the contractor will drill down from one side of the river, through the bedrock under the river, and back up to the place where the pipes must connect. After the hole is drilled, two pipes – one six inches in diameter, the other 12 inches – will be installed in the hole and connected at either end. The old pipes that were installed under the silt in 2009 will be removed by city crews.

Q: What was the cause of the break?

A: Mitch Holtz, of Fox Engineering, has told the City he doesn't know what caused the break - even after speaking with contractor and pipe manufacturers about it. The most likely scenario is that river flows changed in such a way that caused a scour hole to form in the silt around the pipes, exposing them, and a tree trunk floating down the river caught on the pipe and broke it.

Q: How was it determined who would pay for this project? Why is it Iowa Falls, not the contractor or the engineering firm from the original project?



City employees used underwater cameras to get a closer look at the break in a six-inch sewer line that lies under the Iowa River beneath the River Street Bridge in Iowa Falls. Mitch

A: Typically, with a major project, there is a bond written into the contract. If, during that bond period, the work were to fail due to issues with the workmanship, the contractor

Holtz, of Fox Engineering, said it's difficult to know what caused the pipe to become exposed and to break.

Photo Courtesy City of Iowa Falls

may be held liable for that failure and its repair or replacement. This project's bond has expired. The original work was done according to engineering plans. The break in the pipe wasn't caused by poor engineering or workmanship – it became exposed by a scour hole in the silt, and something likely struck and broke the pipe.

Q: Does the installation contractor offer any type of warranty to their work or to the material being used?

A: The contractor will have a four-year bond on the work being done this spring. If, within four years after the project is complete, there is a workmanship-related problem, the city could seek to have that issue fixed by the original contractor.

Q: The engineer's original cost prediction was \$75-300,000. Why the variance? And why was he so off compared to the bids from contractors?

A: Engineer Mitch Holtz provided a preliminary estimate in the early stages of planning. Holtz said projects like this one "don't happen every day" and there wasn't a lot of historical information to draw from. He spoke with a contractor who offered a rough estimate of the cost to drill, but that contractor hadn't looked at the project closely enough to see the challenges associated with it. The company that won the contract – Summers' Enterprises Inc. – has a contract to do the work for \$444,251.60. The biggest differences between Holtz's estimate and Summers' bid were the costs to drill under the river and connect the sewer lines. Holtz said contractors told him the project is not easy and carries risk, hence the higher bids.

Q: Are they replacing the whole pipe or just fixing the broken part?

A: The six-inch pipe that was broken, and a 12-inch pipe that lies directly above it and was installed at the same time (and is not broken) will be completely replaced.

Q: Why did the Council consider waiting until fall – wouldn't supplies be more expensive as well as labor costs?

A: On April 11, the Council members voted to wait until fall to rebid the project. They hoped rebidding the project would result in lower bids. Part of the reason bids this spring are so high is contractors have not been able to start work yet because of the continued snow and cold temperatures. However, the Council reversed its decision on Monday because there's no guarantee bids this fall would be any less expensive. In fact, they could have cost more.

Q: Why do we have to bore under the river instead of running the pipes under the River Street Bridge?

A: Installing new pipes under the River Street Bridge (above the water) poses two problems. One, the city would have to install a lift station with a pump to get the wastewater from the road, up under the bridge and across the river. The current system uses gravity to move wastewater through the pipes. The second problem would be winter temperatures. Wastewater flowing through exposed pipes in the winter – when flows are lower – could freeze. A new lift station and insulating a sewer pipe to prevent freezing would add annual expense for the city.

Q: Is it true that the broken sewer pipe could cause the backup of water into basements on the west side of town? Would the city reimburse residents for cleanup costs?

A: Until new pipes have been installed and connected, there's a risk that backups could occur. If there is a major rain storm, the one working pipe could become overwhelmed. The city still has a pump station at the corner of River Street and Foster Boulevard, and it could be put to use again. However, there is a possibility that the pump station could malfunction. In that case, the wastewater flow could overwhelm the system and either overflow into the river, back up into basements, or both. City Manager Jody Anderson said if backups happen, claims for the damage could be filed with the city's insurance provider, but it would be up to the provider to decide whether to reimburse residents.

Q: Will the project be finished before July 4th?

A: The contractor, Summers' Enterprises Inc., of Masonville, Iowa, must be done with work by July 6. However, the City has offered incentives if the work is done before that date. If the contractor finished the job by June 22, the city will pay an additional \$10,000. If the work is done by June 15, the contractor will be paid an additional \$15,000. Engineer Mitch Holtz reported Monday that the contractor intends to try to meet one of those early deadlines.

Q: How long will it take for the river to fill for boat use?

Item No.5.

A: When the river is being lowered, it can only be brought down one foot per day until it's been lowered a total of 12 feet. However, after the project is complete, there aren't any rules about how quickly or slowly the water level can be brought back up.

Q: Could lowering the river result in a fish kill?

A: Iowa DNR Fisheries Chief Joe Larscheid said this time of year – when the water is cold – is a much better time to lower the river than in the late summer, when there's less oxygen in the water and dropping the river level could kill fish. Also, lowering the river one foot per day (as is being done) gives fish and mollusk time to move into the channel and avoid getting stuck in pools that may form as the water level drops.



Council changes course (again); sewer project back on for this spring



Council rejects sewer repair bids, delaying 'emergency' project

B Staaland

From: Susan Nicosia
Sent: Wednesday, March 8, 2023 10:29 AM
To: B Staaland
Subject: FW: developing the eastside of the river

RECEIVED
MAR 08 2023
CITY OF COLUMBIA FALLS

From: Charles Renfro [<mailto:crenfro169@gmail.com>]
Sent: Wednesday, March 08, 2023 9:42 AM
To: Susan Nicosia
Subject: developing the eastside of the river

Good Morning Susan,

My name is Charles Renfro. I am 53 years old and have lived in the valley all my life. My wife and I built a home and have lived just southeast of Columbia Falls for the last twenty years. Her name is Hope and she manages the Super 1 foods in Columbia Falls.

The last few years this valley has seen alot of big changes. Big out of state developers cashing in on low land prices building subdivisions everywhere! Everyone that I talk to, all of my friends and family, people that have been working hard to make a living in this valley, most have grown up here, are all wanting the development to slow down!! We have to think very hard about what we are doing to this valley! Just because we can does not mean we should! Most of the development that we are seeing is from out of state developers that are advertising their Montana developments out of state. They are the ones that are bringing in the the new population to buy their homes. Alot of the people that actually live here already and are trying to make a living cannot afford these homes. We do need affordable housing in this valley, but it actually needs to be affordable to the workeforce in this valley and make sense where it is built!

We cannot let a developer from Florida come in and build a large housing development in a well known wildlife corridor in wetlands with extremely shallow ground water next to our pristine Flathead river. We should not run city sewer under or above our pristine Flathead river, that just doesn't make any sense. It is just asking for trouble! Plus, we all know that these homes and apartments will not be affordable to the people in this valley who are working hard to continue to live here and make a living. I read an article where the Florida developer said the apartments would be affordable at \$2400 a month! Thats crazy! I dont know anyone that is trying to make an honest living in the valley that would call that affordable.

Susan, I ask you, we ask you, and the councilmen to please reject the proposed development on the eastside of the river.

Thank you for your time,
Charles and Hope Renfro

B Staaland

From: Matt Hall <reachmatthall@gmail.com>
Sent: Monday, March 6, 2023 7:22 PM
To: B Staaland
Subject: Letter to the City Council Regarding Septic Lines Under the River
Attachments: An Appeal to Not Approve Septic Drilling Under the Flathead River.docx; An Appeal to Not Approve Septic Drilling Under the Flathead River.pdf



Hi Barb,

Please see my attached letter for the City Council regarding the growth policy and running septic lines under the Flathead River. This letter addresses real life risks and aftermath that have been reported by communities that have allowed drilling under the river. I am a local Columbia Falls native and 4th generation Montanan. I am also a local business owner who lives and works in Columbia Falls, MT.

Thank you for your time and your service to this great community.

Cheers,

Matt Hall
406.250.9286 | mobile
reachmatthall@gmail.com

An Appeal to Not Approve Septic Drilling Under the Flathead River.

This is an expose surrounding the risks related to running sewer lines under rivers.

By Matt Hall
March 6th, 2023

In recent years, many municipalities throughout the United States have made the choice to take the plunge and run utility lines under local bodies of water that fall within or just outside the city limits. While their desire to make room for new development and provide housing for their local citizens might appear to be derived from an honorable position, the lack of foresight and hindsight that is applied to these types of decisions is often regrettable by both local politicians and local citizens not long after the initial decision was made. This letter takes a look at real communities that have faced real hardship and consequences as a direct result of drilling utilities under their river.

In 2018, Sara Konrad Baranowski reported in an article titled You Asked, We Answer: Iowa Falls' Under-River Sewer Pipe Project that the Iowa Falls City Council approved the replacement of two 9-year-old sewer pipes that lie under the Iowa River, one of which was discovered to be broken in December of 2017 which was also reported by Sara Konrad Baranowski on December 7th, 2017 in an article titled Under-river sewer line breaks in Iowa Falls.

At first glance this might appear to be a story about a heroic city council that was coming to the rescue, however, the issue is much deeper in the unfortunate fact that the community even found themselves in this situation only 9 years after the sewer line was constructed.

How much did the repairs cost? According to the article, the repairs were going to cost the city about \$440,000. The city crews had to add two brand-new pipes as well as remove the old pipes.

What was the cause of the break? According to the article, engineers linked the break to river flow changes that caused a scour hole to form in the silt around the pipes, therefore, exposing them. Once exposed, a tree trunk floating down the river caught the pipe and broke it.

Why was the city responsible for funding the repairs? All contractors write a bond into the contract that holds the contractor reliable for repairs only if there are workmanship failures within a specific timeframe. This time frame is usually short which means that the burden falls on the city for both natural and poor workmanship failures. Unfortunately, many city officials do not take this into consideration until it is too late.

What was the aftermath of the broken pipes? There were risks of sewage backups for citizens west of the river. There was the potential for overflow from pump stations into the river at which point contamination would occur. The city had to lower the river levels to make the repairs which impacted the use of boats and or other forms of recreation and tourism. Lowering the river levels also had the potential of killing fish.

Although this is just one example of the real consequences of allowing a developer or contractor to drill septic lines under a river, we can safely assume that there are multiple instances just like this not including the instances that have not been discovered yet happening across the US. The sewage pipe leak under the Clark Fork River in St. Regis back in January 2019 is another great example. This leak released an estimated 1,400 gallons of liquid waste into the river only a few minutes before the pumps could be shut down according to Kathleen Woodford of the Mineral Independent (January 23rd, 2019). There have been other instances where the choice to run sewer lines under or alongside a river where detrimental such as the broken sewer lines near Mammoth Hot Springs in the community of Gardiner, MT. These breaks were a result of the recent flood in Yellowstone National Park.

In conclusion, everything comes down to risk versus reward. The evidence suggests that the risk is high when it comes to running septic lines under a river not only from an infrastructure and repair cost standpoint but also from an environmental and local economic standpoint. Sometimes things should be considered a “No Brainer” which essentially means that we shouldn’t give it another thought. In this case, running septic lines under our rivers or placing treatment plants in wetlands or flood plains should be a “No Brainer” and the thought or recommendation by hopeful developers should not be entertained. I was taught that just because you can do something doesn’t mean you should and if you do, you better know what you’re getting into. If growth outside our city limits is inevitable, I ask that you would find and approve the right place and not force the wrong place to become the right place. Preserving our wild places like wetlands, rivers, and wildlife corridors should be at the top of the priority list. These are the reasons people visit Montana and these are the reasons people move to Montana. Please learn from others’ mistakes and make good decisions that we can be proud of well into the future.

B Staaland

From: Courtney Stone <courtneystone406@gmail.com>
Sent: Monday, February 20, 2023 7:40 PM
To: B Staaland
Subject: 7030 Hwy 2 Residences - Comment for City Council Hearing 3/20

RECEIVED
FEB 21 2023
CITY OF COLUMBIA FALLS

My name is Courtney Stone. I own the residence at 225 Rogers Rd, Columbia Falls, MT 59912 and reside there with four School District 6 kids and my partner, Jim Deraleau. I've lived in this house for over 10 years and in northwest Montana for just shy of 25 years.

My written comments are directed at the development referred to as 7030 Highway 2 residences. My comments are not in support of the developer's requested zone change and PUD. I am generally a proponent of growth, particularly well thought out growth, and it pains me to submit more negative comments to this council.

However, as detailed at the recent planning board hearing, there are many problems with this development, especially including that there is already a well thought out, pre-existing plan in place that impacts the developer's requests.

I'd like to take us on a very short trip through the past, all the way back to August 2020. At that time, the MT Fish and Wildlife Commission endorsed a proposal for Montana Fish, Wildlife & Parks to partner with the Flathead Land Trust to pursue purchasing almost 800 acres from CFAC as a conservation project. The Commission gave the entities two years to come up with the cash. Lots of money was raised from over 250 individual donors. The multi-million dollar project, known as the Bad Rock Canyon Wildlife Management Area (Bad Rock WMA) was fully funded just over a year later, in September 2021.

In the interim, 209 public comments were made — and **all** were in support of the acquisition by the State of Montana as a proposed Wildlife Management Area. After the funding was secure, the Commission unanimously recommended that the purchase and conservation go through. The Montana Land Board then gave its unanimous, final stamp of approval on Nov 15, 2021, and the property closed and was conserved by the end of the year.

The Bad Rock WMA also had the support of a wide array of government entities, including the Flathead County Commissioners and the City of Columbia Falls. As per a Hungry Horse News article from the time, the City even issued a statement enthusiastically stating:

"The City of Columbia Falls is thrilled to have the Bad Rock Canyon Wildlife Management Area purchase finalized. This area greatly enhances and gives the citizens of Columbia Falls and the surrounding area a wonderful opportunity to recreate and enjoy the pristine nature of this land and access to the beautiful Flathead River, right next door to our community."

Bad Rock Canyon WMA, located just 525 short feet from the proposed development, is that rare poster child for what unanimous support looks like in our county, and it matters in the development discussion. Thirteen short months after the WMA was formalized, here we are, discussing a proposed development that will dramatically impact the one thing we can apparently all agree on - the WMA. The river. The elk. The wetlands. The open space.

The proposed development is wildly out of character with the area that surrounds it. The developer's desired high density development will eventually undo all of the work that has been done to preserve this area. Development is expected, but it is also expected to be within the character of the neighborhood, and this neighborhood is one of modest homes and well-cared for acreage.

I believe that the residents of Flathead County that agreed to PLAN for the WMA a few short months ago want to stick to the plan.

I echo the concerns others have raised in terms of the wildlife, water quality, wetlands and flood plains, that this extraordinarily dense proposal brings. In listening to the developer's proposal to the planning board, the units also sound wholly unaffordable for the people who actually live in Columbia Falls -- or our existing friends and neighbors in the county who would like to buy a home or a rent an apartment in Columbia Falls, join the local workforce, coach a few soccer games, volunteer at the Food Pantry, help put up the city's Christmas lights, and in general be a part of what makes our town special. We've got soul, we've got vision, and we've already got a plan for the area around the WMA.

The zone change/PUD requests are inappropriate and I urge the City Council to deny the requests.

Thank you for serving your fellow citizens. Your time, expertise, and effort are deeply appreciated by many of us.

Sincerely yours,
Courtney Stone
406-885-6432

February 14, 2023

Columbia Falls City Hall
 Attention: Barb Staaland, City Clerk,
 130 6th Street West Room A
 Columbia Falls, MT 59912
 email: staalandb@cityofcolumbiafalls.com

Dear Columbia Falls Planning Board Members,

We appreciate this opportunity to provide input to the Columbia Falls Planning Board on the proposed 500 River Partner's development of 180 living units on 22.5 acres adjacent to the Flathead River and less than 500 feet from the Bad Rock Wildlife Management Area boundary. We also appreciate the developer's efforts to reach out and learn about lessening development impacts in this sensitive area.

Flathead Audubon Society (FAS) represents about 400 members from the Flathead Valley and northwest Montana. *Our mission is to conserve birds, wildlife habitat and ecosystem diversity; promote awareness and appreciation of the natural world through education and advocacy; work with diverse groups and agencies to achieve sound decisions on natural resource issues; provide community services such as school programs, work projects, and field trips.*

FAS has been an active member along with many other state, federal, tribal, and local organizations in the Flathead River to Lake Initiative (flatheadrivertolake.org) for over 20 years. Our goal is to help protect key riparian/wetlands, creeks, sloughs, farmlands, shallow aquifers and other crucial and important habitats along the Flathead River between Bad Rock Canyon to Flathead Lake to conserve not only incredibly unique and valuable habitats for birds and wildlife but also to protect ground water, surface water and water quality in Flathead Lake. The Initiative has conserved over 12,000 acres since 2003 (see attachment A).

Recently, Montana Fish, Wildlife and Parks, with help from the River to Lake Initiative partners, brought in around \$9 million dollars, a significant sum, to secure the former Columbia Falls Aluminum Co. (CFAC) lands south of the Flathead River. This huge sensitive area was purchased with the public's money to provide wildlife security and for seasonal public access for hunting and wildlife watching. **The western boundary of this new incredibly popular and important WMA lies about 500 feet west of the proposed high-density development.**

With this much adjacent development from the proposal, and additional high-density development that would likely come with sewer/utilities provided under or over the Flathead River, there will be significant impacts to birds and wildlife by dogs, cats, and people. The WMA will likely become **an island of disconnected habitat** supporting only habituated wildlife and species that thrive in human environments. Wildlife management will change from an ecosystem approach with animals coming and going to one that focuses on wildlife reduction to address adjacent wildlife-human conflicts. **The local communities' \$9-million investment in a natural protected landscape will be seriously diminished over time.** Once any conservation project is completed, it is just as important to protect that investment as it is to protect a new school or a community center.

We cannot overstate the value of this WMA and the river corridor for wildlife and especially the high diversity of birds that use this area. **The Bad Rock WMA as well as its**

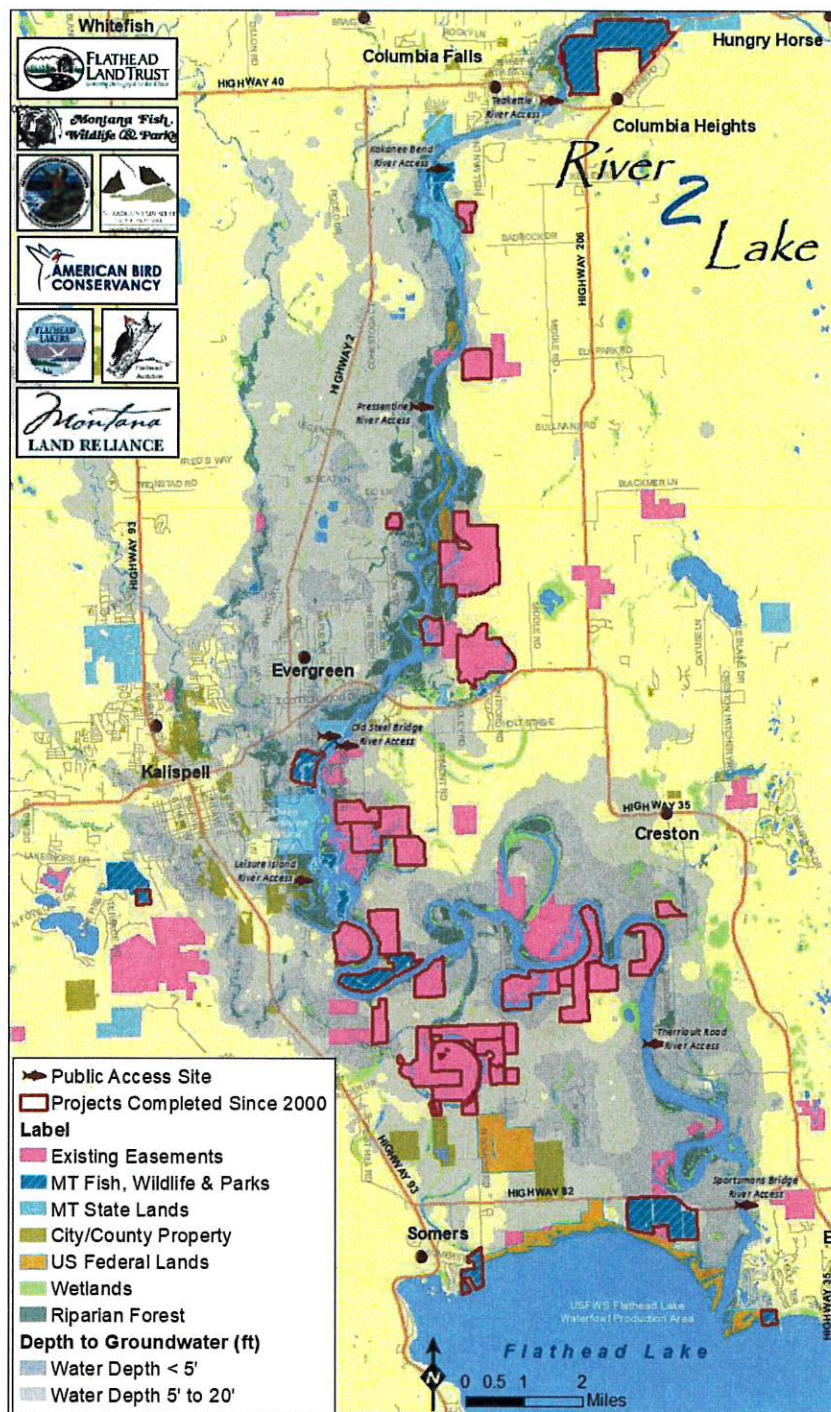
borderlands of agriculture, spring creeks, wetlands, forests, and high ground water help support a high diversity of birds (85 species in 10 surveys thus far, Cornell e-bird database) from bald eagles, osprey and great blue herons to tiny songbirds that migrate thousands of miles to nest in these riparian cottonwoods and forests. All these species need connectivity and access to other nearby habitats to survive. Elk and bears need to migrate on and off this property; birds need to forage up and down the river and often over the agricultural and wetland areas. For example, the nearby peregrine falcons prey on the ducks and other birds that use this entire area. To maintain such a significant landscape that is open seasonally to the public for youth hunting, hiking, biking, and wildlife watching and potentially for conservation education is critical to our local community. We don't want to see our community's multi-million-dollar investment into protecting this incredible landscape be undermined by adjacent high-density development. Public efforts should include expanding this area of conservation, not encouraging encroachment.

We invite all of you and the City Council to come visit this area and learn about its values and significance. It is a very special place. Thank you for the opportunity to comment on this important matter.

Sincerely,

Cory Davis, President of Flathead Audubon Society Board of Directors

(attachment)



Attachment A: Most recent Flathead River to Lake Initiative Map of Conserved Lands from early 2000s to present.

March 16, 2023
Sent via E-Mail

City of Columbia Falls
Attn: Susan Nicosia
130 6th Street West
Columbia Falls, MT 59912
E-Mail: nicosias@cityofcolumbiafalls.com

Re: *Proposed Land Use Action: CZC-23-01 and CPUD-23-02*

Dear Columbia Falls City Council,

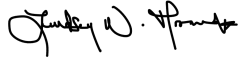
This firm represents the Upper Flathead Neighborhood Association and submits this public comment in connection with the above referenced requests submitted by Twin Peaks Farm, LLC and High Country Land and Cattle LLC, and River Partners, LLC (the “Requests”). This public comment is in addition to the public comment submitted February 13, 2022 to the Columbia Falls Planning Board.

First, comments were required to be submitted by today, March 16, 2022 to be included within the packet for the Council on March 20, 2022 despite the fact that the public does not know what additional information, if any, the developer has submitted to the City and does not have access to new information from the Planning Board, including the Planning Board findings of fact. This does not allow the public to meaningfully and fully participate in the March 20th hearing, *especially when the City Council hearing will likely have a three minute limit on comments.*

Second, it has come to our attention that the Council has been advised that public comments should be given *less* weight than “expert opinions” and the Columbia Falls Growth Policy. This statement is false and contrary to Montana law. Montana has robust public participation laws and the City’s thoughtful consideration of each public comment is a requirement when making any land use decision. *See e.g.* Mont. Code Ann. 76-2-303 and 7-1-4131; *see also North 93 Neighbors, Inc. v. Bd. of County Commissioners*, 2006 MT 132, ¶ 36, 332 Mont. 327, 137 P.3d 557 (“The public participation statutes contemplate more than merely eliciting public comment . . . [t]he Board has an obligation to consider the public comments and incorporate those comments into its decision-making process”). Conversely, nowhere in Montana law does a requirement exist that “expert opinions” should be given more weight than either public comments or the Growth Policy. Were this standard true, the public would be required to hire experts when they wish to be given equal consideration to a developer’s application, which surely has “expert opinions.” This is an absurd result and contrary to what is contemplated by the Montana constitution.

We reserve the right to submit additional comments after reviewing the packet for this hearing. We appreciate your consideration of our comments and respectfully urge the Council to deny the Requests.

Thank you,



Lindsey W. Hromadka
WEINBERG & HROMADKA, PLLC
Attorneys for Upper Flathead Neighborhood Association

	CF Staff Evaluation Based on Statutory Criteria/Findings—7030 Hwy 2 Residences	Columbia Falls City-County Planning Board Findings – February 14, 2023 supporting unanimous vote to send to City Council without Planning Board recommendation	UFNA’s Proposed Findings of Fact
Finding No. 1	Conformity to the Large Building Criteria as required in Columbia Falls Zoning Code Section 18.428. (PUD)		No Comment
Finding No. 2	Conformity to the PUD criteria as required in Columbia Falls Zoning Ordinance Section 18.338.040		No Comment
Finding No. 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.	Looking at the Growth Policy the Badrock Canyon WMA is a new land use in the area that was developed since the update	<u>This proposal does not comply with the Growth Policy.</u> As stated in the Growth Policy Introduction,”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.”

#3 Con'd	The Growth Policy recommends densities of two to eight dwellings per acre for urban residential property, the proposed 7.98 dwelling units per acre meet the provisions of the Planned Unit Development and the Growth Policy. The Growth Policy goes on to state that urban residential is primarily a single-family residential district with “limited quantities of multi-family residential”. The proposed project has 99 units of single family residential and 81 multi-family units. On the 22.5 acres of property in the development 7% of the property is devoted to multi-family building and 13% is devoted to single family. The project will be served by a full complement of urban infrastructure including public sewer and water service and private streets and private streets developed with sidewalks, curb/gutter, and boulevards.		Item No.5. Additionally, the Introduction states, “The Growth is directed toward the future and is intended to guide development patterns to the year 2020.” (Yes, it does have that date.) 1.) This 2019 Growth Policy is 3 years out of date if it is to guide development patterns to the year 2020. 2.) The Resource and Analysis Document is dated 2005 – woefully out of date now, in 2023, and out of date in 2019 when the current Policy was updated. 3.) <u>All of the text</u> must be used to interpret and implement the Growth Policy. True, the map does designate this property for urban residential use, but the Growth Policy text, page 15 Natural Resources, contains language which precludes a development of such high density on this property. Such terms as transition areas, wildlife travel corridors, and a pleasing community entrance are mentioned in the text and should be taken into consideration, along with the following goals, policies and recommendations. 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.” The Growth Policy is not a regulatory document.
Finding No. 4	Is the requested zone designed to lessen congestion in the streets?		
	All of the residential dwellings and units are accessed by the internal development roads. None of the units have direct access to the Highway. Based on the Traffic Impact Study	The Planning Board considered the Traffic Impact Study to be deficient.	<u>The proposed development plan will increase congestion in the streets, specifically Hwy 2 east of the Flathead River bridge.</u> The Traffic Impact Study is deficient, as determined by the Planning Board, and in this review.

#4 Con'd	(TIS) prepared by the applicants consulting engineer all traffic generated by the project will use Highway 2 for travel. The TIS (page 5) shows a split with half of the traffic coming and going into Columbia Falls and half the traffic heading east to the Canyon or down Highway 206. The TIS also completed a Level of Service (LOS) analysis of the project looking at "Build" and "no build" scenarios. There is no drop in Service to the highway system when comparing the "no Build" to the "Build" except at the Westbound approach drops from B to C at the peak PM hour. The MDOT responded to a request for agency comment stating that this project would be required to go through their Systems Impact Process. The MDOT will review the TIS and determine if additional study is required and they will require whatever mitigations are needed to develop safe access to the project.		The TIS addresses only the impact on the intersection of Hwy 2 and Hwy 206, not the immediate stretch of Hwy 2, the residents living along the Highway and in Benches subdivision attempting to access the Highway, as well as the thousands of other local residents and tourists using the Highway. Based on projections of 2 cars/unit there will be a minimum of 720 trips/day in and out of the development onto Hwy 2. That does not include additional resident trips/day in and out, visitors, persons accessing the public parking and trail proposed at the west end of the development, and heavy construction traffic. While there is some mention of a possible traffic light, there is no suggestion of that in the proposal. A traffic light would be strictly up to MDOT and their Systems Impact Process and a signal warrant study. Study and construction could take years.
Finding No. 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 100-year floodplain is limited to the immediate bank of the river in this location and does not impact any of the development sites.	Concerns with pedestrian access being a safety concern	<u>This zone change and PUD will increase chances of fire, panic, and other dangers.</u> With the proximity to the River, adults and children will be accessing the River in large numbers thereby increasing the possibilities of water-related accidents and deaths, especially during high water. And speaking of the River, flooding will likely be an issue, whether it is the River overflowing the low banks to the north/northeast, or seasonal surface water reoccurring around the apartments and row houses each spring. The high river bank on the west end of this property

#5 Con'd			precludes the property from being in the flood plain. However, it is worth noting that, in the major flood of 1964, the River overflowed its banks further north and the water flowed into this property from the north/northeast resulting in at least 8 feet of water spread out over this entire bottom land area. Local observers pay attention to these flooding events.
Finding No. 6	Will the requested change promote the health and general welfare?		
	The applicant is required to secure approach permits from the MDOT and go through their Systems Impact Analysis. Through the MDOT review, the applicants will be required to mitigate any impacts identified in their review. Sidewalks and paths are proposed throughout the project however at present there is no pedestrian connection to town on the north side of the Highway. The applicant will extend City sewer and water services to the east side of the Flathead River which will protect groundwater resources and provide fire suppression. In the agency comment from Fish Wildlife and Parks, they recommend a setback of 300 feet from the Flathead River and 130 feet from wetlands and ponds. The existing River Road and house located on the property are within the recommended buffer and the proposed clubhouse is no closer than the existing road. The pond referenced in the letter is a manmade pond and as neither Columbia Falls nor Flathead County have river or wetland setbacks, the proposed project complies with the City Zoning Regulations. As the Army Corps of Engineers regulates wetlands and permits encroachments, the applicants will	Traffic Impact Study (TIS) is deficient.	The health and general welfare of the 360 residents of this development, as well as residents of neighboring properties to the south and east, and those traveling Hwy 2 <u>will be impacted negatively by this high density</u> development. It will not provide attainable/affordable/workforce housing for the community. (See #11.) The Traffic Impact Study is deficient, as deemed by the Planning Board, and in this review. (See #4 above.) The proposal suggests a pedestrian crossing could be created so residents could access the walking/biking path on the south side of Hwy 2. The speed limit on this 5-lane highway is 55 mph, both width of highway and speed making any pedestrian crossing a tragic accident waiting to happen even if flashing lights were installed. Without a designated crossing, residents would attempt to cross the highway resulting in certain pedestrian fatalities. Encounters with wildlife, especially black and grizzly bears, attracted to inappropriately stored garbage, pet food, barbecue grills, and bird feeders will increase the potential for injury by wild animals. The wildlife management area is just a few hundred feet away and wildlife will be attracted to these human activities improperly maintained.

#6 Con'd	need to secure approval from the Corps for the wetland crossing on the north side of the project as well as any other activity deemed applicable by the Corps. 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.		Despite the City Planner's Finding of Facts indicating city water and septic will be drilled under the River, there is no indication of this in the Zoning or PUD proposal. There are no maps/diagrams/narrative of where they will tap into the current city water and septic, where the lines will go, how they will cross the River, who will pay for the construction of lines across the River, who will pay for the maintenance of the access lines. The proposal states "The development will be fully serviced by urban services. The development will connect to City water services....Wastewater will be treated by the City of Columbia Falls treatment facility..." It does indicate the "wastewater...will be conveyed to a proposed lift station directly south across US 2." If, in fact, the services are drilled under the River, or hung from the bridge, effluent from potential leaks & breakage of pipeline will have an adverse effect on aquatic life and human life downstream, impacting health and general welfare. This is of special concern if drilled under the River. See the licensed civil engineer's letter to the Planning Board dated January 31, 2023 in which she references EPA estimates 23,000-75,000 sewage overflows per year in the US alone. (Columbia Falls is part of that statistic.) Also, the American Society of Civil Engineers estimates 240,000 water and sewer main breaks/year in the US. The letter is well-worth reading in depth. The letter goes on to indicate the City of Missoula is moving away from water lines under the Clark Fork because of excessive leaking. Current residents value and respect the land and have an understanding of the human connection to that land and the <u>mental health benefits of the natural world</u>. The mental health of current residents will be diminished with the elimination of wildlife habitat thereby greatly
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#6 Con'd			reducing the wildlife and birds now using the land eliminating the views and rural landscapes. Neighboring farm land will see an increase of trespass by people and pets, and be at increased risk for fire, and reduction in wildlife on the property.	Item No.5.
Finding No. 7	Will the requested zone provide for adequate light and air?		No Comment	
Finding No. 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 54% of the site will be set aside as park/open space. The park and open space areas are amenity filled with proposed playgrounds, dog park, walking paths, and a club house The applicants are proposing 180 units on 22.55 acres or fewer than eight units per acre in conformance with the Growth Policy. A street and pedestrian network provides safe walking/biking routes through the neighborhood. The project has immediate access to high-capacity Highway 2. The presence of these elements will prevent a sense of overcrowding.	Overcrowding of land	This proposed zone change will provide <u>for</u> the <u>overcrowding</u> of the land, <u>not</u> the <u>prevention</u> of overcrowding. When asked, tourists and new residents alike say they like our area because it's so beautiful, because of the open spaces. (This includes Mr. Rishi Kapoor.) That's what our economy is based on. This development destroys those characteristics people are drawn too, particularly bordering the River. It makes Columbia Falls another Bozeman, Denver, Aspen. The development crowds the neighborhood, crowds out the wildlife, the views, the quiet, the reasons people live in this neighborhood surrounding this 22 acres. <u>The smallest acreage in this neighborhood is .4 acres—approximately one house per half acre.</u> The <u>average</u> size in the neighborhood is .125 units per acre which is a far cry from almost 8 units per acre. There is no multi-family housing in the neighborhood. In fact, no 3-story housing anywhere along the Flathead River all the way to Flathead Lake. <u>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</u>	

#8 Con'd			Item No.5. <u>Falls.</u> If approved, 7030 Hwy 2 Residences will have three-story apartment buildings and 3-story row houses than any one neighborhood of similar acreage in Columbia Falls. This is not the “small town feel” of Columbia Falls the Growth Policy respondents requested and City staff, residents and tourists all seem to appreciate. The close proximity of the River corridor to this high density development will allow for extreme <u>human impacts on the River and native vegetation bordering the River</u>. The large population on this acreage will adversely impact the wetlands and riparian areas. The “primitive” trail to the River through the native vegetation will become a “super highway.” It is folly to think otherwise knowing human behavior.
Finding No. 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 density of fewer than eight dwelling units per acre is within the CR-4 Planned Unit Development density requirements. The project will be fully served by urban infrastructure such as public sewer and water service, private streets developed with curb/gutter, boulevards and sidewalks. The PUD proposes to avoid undue concentrations of people by providing the following elements: 54% of the site will be set aside as park/open space. The park and open space areas are amenity filled with proposed playgrounds, dog park, walking paths, and a club house		<u>There will be a heavy concentration of people.</u> Rezoning of this land allows for high-density housing in an area with open fields stretching to the north and south and the River as a transition zone to the west. “Undue concentration of people” depends on your reference point. If you are comparing this 22 acres to a city street in Missoula or south Florida, it is not an undue concentration of people. If you are comparing it to a city street in Columbia Falls or to this rural neighborhood, it most certainly is an undue concentration of people. In August 2022 Planning Board members, referring to another proposed high-density development in this neighborhood, made comments expressing concerns about the “lifestyle change for the people in the area.” More than one Board member used words such as “<u>large project in the wrong spot.</u>” These perspectives apply to this development also, as evidenced by the unanimous opposition by the Planning Board.

#9 Con'd	The applicants are proposing 180 units on 22.55 acres or fewer than eight units per acre in conformance with the Growth Policy. A street and pedestrian network provides safe walking/biking routes through the neighborhood. The project has immediate access to high-capacity Highway 2. The presence of these elements will avoid an undue concentration of people.		
Finding No. 10	Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?		
	Adequate facilities are proposed and achieved in the following manner: With annexation the property will be in the Columbia Falls Fire and Columbia Falls Police Departments 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. The development is in School District #6 and bus service is available. There are numerous parks and open spaces in the project. The Park and open space along the river will be open to the public.	Concerns....some infrastructure needs to be developed within the city for development.	City staff have gone to great lengths to provide evidence of adequate sewerage and water for this development as well as police & fire protection. The school superintendent has provided data evidencing adequate space in classrooms as well as buses. Parks are available although the nearby WMA is likely to experience overuse resulting in habitat degradation as well as adverse impacts on wildlife such as pets prone to chase wildlife. The wetlands on the property will be adversely affected by human and animal disturbance. The services most impacted by this large increase in population will be grocery stores which even now experience empty shelves, professional services such as doctor and dentist; restaurants and drive ups experience long wait lines—many locals no longer bother to eat in CF restaurants especially in the summer; and the disposal of sewage waste is becoming a major issue in the County.

Finding No. 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 by allowing clustering of density to create 54% (12.21 acres) of the site as open space. Without the PUD densities the property would most likely be developed in 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.	High groundwater Concerns with wildlife Concerns with this being a wildlife corridor Board feels that the traffic impact study is deficient as well as the mitigation to the impacts on the wetlands.	<u>The proposed zoning does not give reasonable consideration to the suitability of the property for this high-density development.</u> The Planning Board listed a number of findings regarding this issue which are similar to the Upper Flathead Neighborhood Association's findings. <u>Impacts on the Wetlands and Water Table</u> Rivers, streams, and wetlands makeup less than 5% of Montana's landscape, yet contain 75% of the state's plant and animal diversity. (See brochure: <i>Montana's rivers and streams need Room to Roam</i> attached to the UFNA letter to Planning Board, February 7, 2023.) FWP letter requests setbacks of 300 feet from rivers and 130 feet from wetlands. To better protect rivers, streams, and wetlands the 2006 Governor's Task Force for Riparian Protection recommends building back from streams and wetlands; never dig, cut native vegetation, <u>or build within 300 feet of streamside or wetland areas</u> (emphasis mine). <u>This proposal provides no indication of any setbacks from the wetlands or the River.</u> The brochure continues, 'keep storm water away from riparian and wetland areas.' Storm water will drain from hard surfaces--roofs, patios, and driveways. The proposal calls for storm water to drain into on-site detention ponds and <u>divert into natural drainage areas</u>. Could that be the wetlands, which will then be polluted by chemicals, road salt, oils and other pollutants? (See brochure attached to February 7 letter.) The proposal mentions the #3 wetlands designated jurisdictional by the Army Corps -- "these waters are regulated under Section 404 of the Clean Water Act, since they are wetlands adjacent to a TNW." (See ACE letter.) These wetlands flow into the River and will most likely be disturbed by residents playing in and around the pond,

#11 Con'd			Item No.5. animal waste getting into the water, as well as po mentioned above. The permitting process by the Army Corps of Engineers and Flathead Conservation District does not prohibit the disturbance or destruction of wetlands, it merely provides that when permitting is required, as it will be for #3 wetlands, the developer pays fee in lieu which means the developer pays a fee to disturb/destroy the wetlands. (Per conversation with MT Freshwater Partners.) Montana does not have laws to protect wetlands. It is up to the property owner to understand the importance of the wetlands and make ethically appropriate decisions, <u>or municipalities to deny development in such areas.</u> The depth to the water table in this 22.5 acres, according to developers engineering reports is 2 feet. Previous studies of the water table revealed an underground aquifer connected to the River www.flatheadlakers.org The Flathead Lakers flyer lists ways to prevent pollution of the acquifer: • Build in upland areas where groundwater is not so shallow and limit the density of any development including paved areas, over the aquifer • Protect wetlands and riparian habitat • Apply fertilizers and pesticides sparingly The east end of this property has significant seasonal surface water every spring. The NRCS mapping recommends these soils not suitable for building on this property. <u>Housing Demand</u> <u>This would not be attainable/affordable/workforce housing for the community of Columbia Falls which is what is urgently needed.</u> This is housing for restaurant
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#11 Con'd			workers, grocery store clerks, auto mechanics, sta teachers, dental technicians, mill workers. But, since Columbia Falls City has not conducted a housing assessment it is difficult to know exactly what the need is. It is not acceptable to base community-changing decisions on hearsay nor to allow developers and public relations firms to tell community leaders what they need for housing. It is not accurate to apply the Flathead County statistics to Columbia Falls. 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,” 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. Mr. Kapoor stated they figure cost of rent at \$2/square foot. A 1,000 foot unit would cost \$2,000/month to rent.
Finding No. 12	Does the requested zone give reasonable consideration to the character of the district?		
	The property is sometimes used for hay production and much of the surrounding lands are more rural and suburban than urban. However, this property was designated in the Growth Policy for Urban Residential uses and properties just south of the Highway have been zoned for urban densities. Although the neighborhood does not reflect urban use at present it has long been planned for urban expansion of the City of Columbia Falls. This statement is true for any growth of Columbia Falls since the City has little infill	Concerns with wildlife, concerns with this being a wildlife corridor, concerns with the project doesn't meet the character of the area	<u>This request does not give reasonable consideration to the character of the district.</u> Just one property south of the Highway has been zoned for urban densities and the density is approximately one unit per half to one acre. The developer is requesting a density of 7.98 units per acre which does not fit the larger character of the neighborhood. The smallest acreage in this neighborhood is .4 acres – approximately one house per half acre. The proposal states, “less than ten rural residences within 1,000 feet,”--even that is a stretch. The proposal describes the area as “mid-density urban areas with a mix

#12 Con'd	opportunity left. The City can grow in three directions: East across the Flathead River; north up the north fork road; or west in the agricultural lands below Hilltop Road. Any one of these directions would convert rural landscapes to urban densities should the City expand.		of multi-family and single-family housing,” but this to use only the Hwy 2 corridor to base that on, specifically Columbia Heights one half mile away. There is no multi-family housing along this stretch of Hwy 2. The topographical photo on page 66 of the proposal shows only open fields to the north and south for over a mile in each direction, with just a few scattered rural homes. This is the character of the neighborhood, not high density with 99 single family attached row houses and 2 large apartment buildings – 450 people on 22.5 acres. The proposed “wildlife corridor” on a narrow swath along the Flathead River, through a lighted playground, dog park, and managed open spaces does not make for a wildlife corridor. This entire property, especially the open fields, where the high-density housing is proposed, is a critical wildlife corridor for elk, white tailed-deer, black bears, grizzly bears, small mammals, amphibians, and migratory birds. Wildlife experts from MT Fish Wildlife & Parks write, “Development of a high-density subdivision on this property will have significant negative impacts to wildlife on this parcel and in the surrounding area. Continued high density development throughout this area will have cumulative impacts to the wildlife species that currently make the Flathead Valley unique. Of particular concern is maintenance and the potential loss of a north-south wildlife movement corridor stretching from the Flathead River east to Highway 206. This winter, elk have been seen regularly crossing Highway 2 at this location. This area provides a movement corridor for wildlife, including deer and elk that winter to the north in the Bad Rock Canyon WMA. Numerous studies indicate that development in areas like this fragment habitat and associated human domestic pet activity further impacts
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#12 Con'd			Item No.5. the surrounding area.” Read more in the FWP let page 85 of the Planning Board packet. The Growth Policy map does designate this property for urban residential use, but the Growth Policy text, page 15 Natural Resources, contains language which precludes a development of such high density on this property. Such terms as transition areas, wildlife travel corridors, and a pleasing community entrance are mentioned in the text and should be taken into consideration, along with the goals, policies and recommendations. 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.”
Finding No. 13	Will the new zoning affect property values?		No Comment
Finding No. 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 Zoning and Planning jurisdiction. Many of the uses on the edge of the zoning district are suburban agricultural in nature. The suburban zoning designations next to the City preserve larger tracks that can be converted to urban designations in the future. The subject property is designated in the Columbia Falls Growth Policy as Urban Residential as far back as the 2005 Growth Policy document. The City of Columbia Falls	Looking at the Growth Policy the Badrock Canyon WMA is a new land use in the area that was developed since the update	This proposal is not an appropriate use of this land, as opposed to other land throughout the municipality. <u>There are a number of “developable lands” within proximity to Columbia Falls that would require many fewer resources on the part of a developer and the City to develop,</u> and less destruction to the natural environment. The financial burden of drilling services under the River, building in wetlands and areas with high ground water, maintaining the equipment and service lines, and mitigating leaks and breakage of the equipment as well as cleanup of the River is beyond comprehension. Tracts of land to the west and the north would not require the high cost of drilling under the

#14 Con'd	updates its 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.		Item No.5. River, the additional cost of building on high ground, water and surface water, and maintenance and mitigation. <u>We must go to great extremes to protect the Flathead River and its accompanying aquifer.</u> This is beyond dispute our community's greatest asset, in terms of economy, mental health, food production, recreation, and more. Two of its tributaries are designated "wild and scenic." Columbia Falls' leaders and citizens are responsible for protecting this River – this Gem -- responsible to ourselves, our children, future residents, persons and wildlife downstream. The Growth Policy reflects this in the "Natural Resources" section. Now, we must make decisions to live that out.
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CITY OF COLUMBIA FALLS
PLANNING BOARD AND ZONING COMMISSION MEETING MINUTES
HELD FEBRUARY 14, 2023

REGULAR MEETING – 6:30 PM

Chairman Vukonich called the meeting to order at 6:30 PM

PRESENT: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Duffy, Kavanagh and Singer

ABSENT: Shepard

Also present: City Manager Susan Nicosia, Contract Planner Eric Mulcahy, City Attorney Justin Breck, Police Chief Clint Peters, and Public Works Clerk Caleb Sobczak

APPROVAL OF MINUTES:

Approval of January 10th, 2023 Regular Meeting Minutes

Motion made by Kavanagh to approve the January 10th, 2023 minutes as presented, Seconded by Singer, and the motion carried.

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

Matthew Padgett, 220 Larch Ridge, Columbia Falls, said in his opinion too many units have been approved in Columbia Falls in the last 3 years. He believes that there has been 42% growth in 3 years when the Growth Policy states there will be 25% growth in 10 years. Mr. Padgett is concerned with increased population and how it will affect traffic and jobs in the community.

Scot Schermerhorn, 1042 Waters Edge Way, Columbia Falls, said the City has an extended service plan that is dated 2001 and urges the Board to take a step back and update the plan.

PUBLIC HEARINGS AND ACTION:

Contract Planner Eric Mulcahy presented Staff Report CPUD-23-01 as Findings of Fact. RH2 LLC is requesting an amendment to a previously approved Planned Unit Development overlay for the property located at 812 4th Ave West. The original PUD allows nine residential units and three commercial spaces in two buildings on a half-acre parcel. The amendment would replace three commercial units with three residential units for a total of twelve residential units. The three-story buildings will meet the setback and height standards of the CB-2 (General Business) zoning district. Previously there was a variance to the parking requirements and that has now been removed providing the 24 required off-street parking spaces. The project complies with the 30% open space requirement. The property is described as Assessors' Tract 8AA (Parcel B of COS 12484) in the SW1/4 of Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County. There are no deviations requested in the application. Staff is recommending approval of the amendment subject to the 13 conditions of approval.

Duffy inquired if there was discussion on the previously proposed commercial space. Mulcahy answered it was low impact office space, not necessarily retail. Duffy inquired about maintaining vegetation and tree growth on the property. Mulcahy answered the applicants will address that.

Singer asked if these units will be for purchase or rentals and if they will be short or long term? Mulcahy replied the applicant will elaborate on that aspect.

Jesse Hafen representing Dahlin Group said the project is broken into 2 buildings, the northern building consisting of 5 three-bedroom units and the southern building with 7 two-bedroom units. They will leave most of the vegetation on site, especially the big tree in the northeast corner. Each unit will have 2 parking spaces for a total of 24 parking spaces.

The garage is the first floor, the second floor is for living area and the third floor consists of bedrooms. The texture of the building is used to break up the mass and hit the bridge between commercial and residential.

Singer asked what the intention of the rental units were. Hafen responded that they will be long-term rentals; this is the plan of the owner.

Byrd-Rinck stated the application says great care has been taken to maintain the existing mature trees, and asked if the other trees will be considered as well? Hafen said the trees shown on the site plan are the trees they are intending to keep.

Kavanagh asked about the sidewalk, will there be a boulevard as the renderings show? Hafen responded yes that is what is planned as the old sidewalk is in need of rebuilding. Kavanagh asked if the applicant would speak to snow storage on-site. Hafen said there will be snow storage areas on either side of the project. Kavanagh inquired if they would be alleviating any of the runoff onto adjacent properties with swales etc. Hafen responded in the affirmative they will retain their own water on-site. Kavanagh asked if there was a turning template done in this project for firetruck access. Hafen responded in the negative.

Vukonich asked Mulcahy about the layout of the project and how it bears a resemblance to the Habitat for Humanity project near Truck Route and if City Staff noticed any problems for snow removal or ingress/egress? Mulcahy answered the Habitat for Humanity project has a 1-way street which is much narrower, this project, has 20 feet of roadway and allows for two-way traffic. The applicants will be required to go through the City's approval process and the DEQ approval process to determine stormwater detainment on-site.

Kavanagh is seeking clarification if the site review by the Fire Chief Weeks was for this project or the previous layout. Mulcahy answered the site review is for the current layout and the Fire Chief did not have any concerns about the turn radius or the configuration throughout the project. Hafen stated when these are typically designed, they have the fire truck in mind but they have not tested it.

Chairman Vukonich opened the Public Hearing at 6:57 p.m.

Matthew Padgett, 220 Larch Ridge, Columbia Falls, said with the approval of this project he believes there will be 52% growth increase in 4 years, not 25% in 10 years since Columbia Falls is already at 42% growth in 3 years. Mr. Padgett is concerned with jobs and school vacancy.

Shirley Folkwein, 285 Shooting Star Drive, Columbia Falls is speaking for the Flathead Neighborhood Association and they support the project. This is where multi-family housing needs to be, within the city limits on the west side of the river said Folkwein.

Manolo Victor, 354 Kelley Road, Columbia Falls, said in his opinion the schools do not have funding to support additional children. This is a good location for multi-family but there is too much growth for the City to handle without addressing its infrastructure.

Lori Gaye, 674 12th Ave WN, Columbia Falls, wondered about accountability and having a 25% growth plan and city infrastructure.

Tom Pullen, 819 12th St W, Columbia Falls, said he recently took a tour of the new elementary school and it is state of the art with unused room planning for growth. Mr. Pullen does not believe these houses are not in character for the neighborhood. Traffic, parking and more people may be an issue.

Sharon Dunigan, 430 3rd Ave W, Columbia Falls, stated she works for the School District. She sees more and more people shoved out of their homes because of developments like this and believes this type of building is not Columbia Falls. Ms. Dunigan believes the area is overcrowded and roads are not maintained.

Mike Robertson, 1205 10th Ave W, Columbia Falls, says his property taxes have increased for infrastructure reasons. He wonders if the new people will be paying the same amount of property taxes he is paying, or will he be paying additional taxes for the people in these buildings.

With no further Public Comment Chairman Vukonich closed the Public Hearing at 7:14 p.m.

A motion was made by Nelson to approve Staff Report #CPUD-23-01 as Findings of Fact, seconded by Lundgren.

Byrd-Rinck inquired on how much the rental units will rent for. Hafen answered that it has not been determined yet, but the focus is for families who will work in town.

A motion was made by Lundgren to add condition 14 to the PUD stating no short-term rentals will be allowed, seconded by Kavanagh. A roll-call vote was performed with all present voting AYES.

Duffy does not know the max density of this area but prefers to see this lot developed rather than remaining empty; it is a good area for development. Duffy also mentioned he would like to see a bike rack on site. Mulcahy said there is no max density in the CB-2 zone. We don't usually see residential in CB-2 but the PUD allows flexibility to determine if the use is appropriate.

Kavanagh commented this growth is what they want to take on being infill in the City, there are municipal services there and it is a vacant lot.

Byrd-Rinck asked the applicant if he could clarify how long the long-term rental periods would be. Hafen answered that the city defines that. Mulcahy answered the City regulates rentals over 30 days as long-term, and under 30 days, short-term.

Singer asked the applicant if the developer is considering selling the units. Hafen answered he does not have a direct answer, but the plan is for long-term rentals.

A roll-call vote was performed to accept Staff Report #CPUD-23-01 as Findings of Fact. All Board Members present voted AYES.

A motion was made by Duffy to recommend approval of the PUD with 14 conditions as amended, seconded by Kavanagh. Motion passed with all present voting AYES.

City Planner Eric Mulcahy presented Staff Report CZC-23-1 and CPUD-23-02 as Findings of Facts. The applicants, Twin Peaks Farms, LLC, High Country Land and Cattle (MT) LLC and 500 River Partners LLC are requesting a zone change for property located at 7030 Highway 2 East and 500 River Road in Columbia Falls. The properties are currently zoned CSAG-5 and CSAG-10 (Suburban Agricultural) with a 5 and 10 acre minimum lot size. The proposed zoning is a CR-4 (Urban Residential) zoning, with up to 8-units per acre. The two properties total approximately 22.5 acres and are located just east of the bridge over the Flathead River. The properties are described as Parcel 1 of COS 16981 (Assessor's Tract 3FB) and Tract 1 of COS 16958 (Assessor's Tract 3F) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

The applicants are also requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction; the urban scale development is located at 7030 Highway 2 East and 500 River Road in Columbia Falls. The project consists of 180 residential units (99 single family attached units and 81 apartment units. The gross density of the project is 7.9 units per acre. The applicant is proposing 12.21 acres (55%) of the site as park and open space. With the project, the applicants are proposing to extend Columbia Falls Water and Sewer service to the site. Other than the clustering of density and the density bonus provided by the PUD regulations, the applicant is not requesting any deviations. Annexation of the property will happen subsequent to the approval.

The project was reviewed for the large building standards although it is not required to ensure it is providing the architectural elements zoning regulations. Stormwater will be managed on-site with treatment. Any subdivision approval in the State of Montana requires approval by the municipality and the Department of Environmental Quality. Private streets are proposed inside of the project, with two accesses onto the Highway. These accesses will need approval by the Montana Department of Transportation. If the Board chooses to approve the Zone Change and PUD with the conditions, those conditions create the contract with the developer by the City and the developer will need to comply with those conditions before moving forward. The applicant provided street cross sections that detail the 20 feet

required for two-way traffic with detached sidewalks on one side and attached sidewalks on the other side. This is a for rent project so all of the units would be for rent and the applicants have offered to make all of these units long-term rentals, there is a condition already present that restricts short-term rentals. Parking analysis has been performed and the applicants are more than meeting the requirements and have provided guest parking throughout the site and at the clubhouse there is public parking to utilize the river frontage for access. The Traffic Impact Study did an analysis on the level of service for this project and there was no drop in service with the exception of the west bound approach going from a B to C at the peak traffic hour. The floodplain is confined to the river and adjacent to the river but there are several wetlands in the project. The developer has designed the project to stay out of the wetlands except for one crossing. For that crossing they need to obtain a permit from the Army Corps of Engineers. The man-made pond in the south east corner of the property is being preserved as open space. A geotechnical analysis was performed on the property and the Civil Engineer for the project has determined that this property is suitable for conventional construction. The applicants will be looking into a more detailed geotechnical plan upon approval. Staff is recommending approval of the project subject to the 24 conditions. Mulcahy read the 24 conditions for public benefit.

Singer mentioned she did not see any school bus locations in the subdivision. Mulcahy replied the City received a letter from School District #6 stating they can provide bus service. Mulcahy said the Planning Board can add a condition stating they must add a bus stop for the project, wherever the School District prefers.

Lundgren asked if city services were run under the river if the capacity would be just for this development or would there be capacity with future development on the east side of the river. Mulcahy replied it would be designed to be utilized for future expansion.

Vukonich asked about recommendation number 10, saying this project, unlike recent past projects, does not mention a traffic light. Mulcahy said the TIS for this project itself does not necessarily warrant a stoplight. But MDOT must still perform the System Impact Analysis and should MDOT disagree with this analysis and a traffic light is required the applicants will have to install one. Vukonich stated on page 122 of the provided TIS the date the data was provided to MDOT was Wednesday, July 21st 2021. Traffic has increased since 2021 and Vukonich questions the validity of the TIS. Mulcahy answered the trips on that day were well in excess of the average volume for the year but he will let their engineer address it more specifically. Vukonich inquired about recommendation number 19 and would like clarification on how the city will manage those parking spots. Mulcahy answered the parking spaces are still in the project which is private property, if someone is abusing the public parking spaces the owner has the power to ask them to leave. Vukonich wondered if they could condition the usage of those spaces to certain hours. Mulcahy answered in the affirmative.

Kavanagh sought clarification on the owner of the existing right of way. Mulcahy answered MDOT owns the spur that is going into the property. The applicant realizes their project hinges on the ability to acquire the land from MDOT. If they cannot accomplish that they cannot meet condition 1. Kavanagh wondered if the City has any design guidelines for wetland setbacks. Mulcahy answered we do not, nor does Flathead County.

Duffy asked Mulcahy if he knew of a culvert from this property underneath Highway 2. Mulcahy replied he believes there is likely a culvert underneath the highway but does not know the direction of the flow. Duffy wondered if the wetlands can tolerate the runoff from stormwater. Mulcahy said this is one of the reasons why the project needs to go through the DEQ stormwater review. Mulcahy said a subdivision cannot release stormwater at greater than predevelopment rates and DEQ will look at the water quality and may require bio treatment or mechanical treatment. Duffy is also concerned about the report from the Army Corps of Engineers on jurisdictional determination saying the new determination needs to be made after 5 years. Would this require a whole new determination since it was written May 30th of 2006. Mulcahy answered this is why there are two conditions of approval for project review of the wetlands.

Vukonich inquired upon PUD approval would the property be annexed immediately, and what happens if this project is cancelled after approval. Mulcahy said once a property is annexed it typically stays annexed and would remain part of the city, but it can always be develop at a lesser density.

Kavanagh asked City Staff if they could give a summary of the water and sewer capacity. City Manager Susan Nicosia responded saying City staff is currently working with both water and sewer project engineers. Nicosia noted that there is not a single number that determines wastewater treatment plant capacity. There is a discharge permit number that is commonly used based on million gallons per day (mgd) discharge. The current plant design capacity is .71 mgd and we are currently operating at .44 mgd serving approximately 6000 people. The last few years our plant's flow (mgd) has decreased 1% per year but the strength has increased. In the project that is underway now we are adding additional carbon that is treating the strength and will add an additional .21 mgd. This project would get the City through the 2028 projections. The City is currently working on phase 2 and 3 of the 2018 preliminary engineering report and phase 4 is an additional bioreactor. In regards to water the city has added a third well and has water right capacity to be pumping approximately 70 million gallons per day. The city is currently operating at about 55% of that. Along with the water preliminary engineering report we have taken an aggressive stance on leak detection, repairing two mains and several service lines that resulted in a 12 million gallon/month savings. Kavanagh asked when the improvements to the treatment plant will be completed. Nicosia replied that since the current improvements are funded by ARPA funds, they will be completed no later than December 2024. The bioreactor project will start shortly after the Growth Policy update and the water and sewer PERs are updated in 2025.

Vukonich asked how city services would get to the project after boring under the river or under the bridge if there would be a split for future development. Mulcahy answered currently city services are at 3rd Ave. E. across from OHS' Body Shop and Iron Fitness, these services will be extended to the river. Mulcahy is not sure what side of the highway the boring or suspension would take place. They would extend to the furthest extent of the property and most likely there would be a provision for a T at an intersection of the project.

Singer asked about recommendation number 10 and 12 regarding not requiring a traffic light but having a pedestrian crosswalk across the highway. Mulcahy answered right now there is not a pedestrian access on the north side of the highway. Getting pedestrians across the highway would also require a permit from MDOT and is determined by MDOT. Singer asked if there was a possibility of putting a walkway under the bridge. Mulcahy said the Planning Board could add a condition to explore it.

Chairman Vukonich invited the applicant to give their presentation at 8:17 PM.

Rishi Kapoor with Location Ventures said they had conversations with local stakeholders and collaborators. They met with hundreds of people in the Flathead over two years. They heard two things the most, a desire to address the housing problems and being respectful to what makes Montana, Montana. They are bringing this project forward to help address these problems. They picked this area because it is part of the Growth Plan where a certain density and realistically lower cost of land so they can achieve lower price points. They believe they have tastefully designed a mostly single-family community that is mostly green and open space with access to the river. The current plan is to bring over 100 million dollars in investments to Columbia Falls, including paying for additional infrastructure. With that brings jobs and circulation in the local economy along with an increased tax base.

Patrick Barkey, Economist and Director of the Bureau of Economic Research at the University of Montana is in attendance to share insights on the Flathead County housing market. He performed an analysis of the market at the request of Location Ventures. The economy of Flathead County has the highest growth in more than 20 years and the second highest of any county in the state. There is a surge of in-migration to the county that has even predated the pandemic. The income of new arrivals from other states is significantly higher than those who have arrived from other places in Montana. This has put a lot of stress on the housing market, strong demand and limited availability has pushed prices up nearly 60% in the last few years. As recently as 2017 the median household income could afford the payment on a 30-year mortgage loan on a median priced home without spending more than 25% of their monthly income. This has changed and now in 2022 a median household income can only afford to make half the payment on a median priced home. There has been more growth in housing than there has been population growth but in the 2010s this pattern reverses. Before the 2000s income and housing were growing together but now housing price growth has surpassed income growth every single year. According to their analysis there is a deficit in housing leading to price growth and

inhibits housing options. They have done a projection of how many people they expect to move to Flathead County in the next 11 years and what kind of growth there will be in the decade plus. They think Flathead County needs to add 1500 new housing units of all kinds and all price levels each year for a total of 15000 units by 2032. This kind of construction is needed to restore the balance. People are skeptical about more housing being built and the prices of houses falling because demand is also increasing and regulation is restricting supply making housing more expensive. In summary Flathead County economy will grow, housing affordability has deteriorated, there is ample evidence that supply has not kept up with demand. Efforts to address affordability without addressing the supply deficit are unlikely to succeed.

Frank Aster, Single Family Homes Division President for Location Ventures, said homes are meant to serve different types of families at different stages in their lives. The development is mostly single family attached homes with a front and back yards and a garage. There are also apartments for people with different needs. Homes are designed with traditional and contemporary architectural designs. They will offer 2-4 bedroom homes for new and existing families and the apartments will offer 1-3 bedrooms. They are addressing the missing middle of housing, townhomes and small apartment buildings. To the west of the site is the Highline Apartments and there is very little vacancy there which shows the type of housing in demand for the area. There is a neglected market population in this community that wants these sorts of homes. He believes this is an appropriate place for this type of use. They intend to create buffering for residents from the highway with various plant species. Around the clubhouse there will be a dog park and a family park with a playground. There is access space available between the clubhouse and the river not just for residents but for the public as well. There will be a bike path connected to the Gateway to Glacier Bike Trail and a pavilion that can be accessed by bikers with tools and pumps. They are open to different ways to design the area for wildlife movement and a safe place for humans. There will be mostly natural open space and an area around the clubhouse that will be maintained for the park and trails. These homes are for people who are already here that need homes.

Mark Rohweider, Civil Engineer licensed in the State of Montana and working for KLJ Engineering said the applicants are requesting an urban residential zoning, CR-4, with a maximum of 8 dwelling units per acre. With this zoning they can provide some of this missing middle of housing needs. There will be no short-term rental options in this development. About 55% of the property will be open space. This development exceeds the minimum requirement for parking and there are 36 extra spaces for guests to visit residents. Near the clubhouse, which will be private and only for residents, the 25 spaces are available to the public to park and access the river or the bike trails. There will be two access points to the development. At the western access they are proposing to move River Road to the east away from the bridge for safety and environmental concerns. The eastern access is a current access to the highway for the eastern property. The traffic impact study was started in 2022. The traffic impact study is the beginning of a long process with MDT, there is additional studies of traffic and access that will happen. Treatment of stormwater will be on-site. There will be hydrants inside the entire development. They have been provided a letter from the Corps of Engineers who have reviewed this area and have updated jurisdictional determination.

Chairman Vukonich called a recess at 9:03 p.m.

Chairman Vukonich called the meeting back into session at 9:16 p.m.

Lance Thomas spoke for the applicants about city services crossing the Flathead River. He said there are thousands of utility pipelines in the US crossing rivers. These crossings must be safe for the public and the environment so they go through certain design and operation steps. 99% of pipeline crossings go under the river. Over the last 20 years the method of drilling is the exact method proposed here. Boring under the river puts the pipeline out of harm's way and keeps the lines from freezing. To address the challenges, you will need a thorough geotechnical investigation and possibly a geophysical investigation. The pipeline can be installed very deep with directional drilling to mitigate scouring. To address leakage, you need to select a material that is twice as strong as it needs to be. Inspection of every joint and hydrostatic testing occurs on the pipe before installation and after installation a caliper tool is run through it to make sure it is not damaged in any way. After installation another pressure test is performed to ensure it will not leak during its service life. Inspection at regular intervals must occur so you can identify if deterioration is starting to occur and replace the pipe before it becomes a problem.

Vukonich asked if there is pipe within the pipe on the pipelines. Thomas answered the ideal material for these pipes are probably high density polyethylene. Mr. Thomas said there is an 8-inch gas line currently suspended from the bridge belonging to Northwestern Energy. The pros to suspending utilities from the bridge lower the cost of installation. Technically you are nowhere near the river and can do the work from on the bridge, as well as easier access for maintenance with the option of visually inspecting the line. Challenges to suspension are you are exposed to the weather and the lines need to be kept from freezing with heat tracing that needs to be powered. Unplanned power outages would be unacceptable and they would need backup power. There would also be a higher maintenance and lifecycle cost, which would be borne by the users of the system. When the bridge needs to be repaired or modified these lines may have to be moved.

Duffy asked if the line is bored under the river would there be opportunity to video inspect the line after it is in place. Thomas answered that the short answer is yes and it can be performed periodically. In pressured lines the general inspection done uses electronic PIGS that are pushed by fluid or compressed air or pulled by a cable.

Singer asked how a leak is detected if the line is under the river. Thomas answered that you monitor the volume going in and out and if the two do not match you check for a leak. You would meter upstream and downstream of the crossing to avoid variances in usage by customers. Singer asked how to repair a leak. Thomas answered you would put in a new crossing. You are monitoring for deterioration and you would plan on replacing the line before a leak.

Vukonich asked what Thomas would estimate the life expectancy of a water and sewer line. Thomas answered that if the pipe is high density polyethylene, as long as it is never exposed to ultraviolet light and the system is not over pressured the life expectancy is forever. The design would be for at least twice the pressure there could be. Vukonich asked about the guarantee the city would get for this pipeline. Thomas answered it is a contract issue that would need to be negotiated.

Singer asked the applicants where they went to get the opinions of residents and who they spoke to. Kapoor said they met with the local Chambers, Rotary Club and some advocacy groups. Frank Aster clarified they are not implying that there was any collaboration or support; they met with Flathead Neighborhood Association, the Flathead Land Trust, Fish Wildlife and Parks and Gateway to Glacier for information gathering, introduction and feedback for incorporation into their application. Singer does not believe the values of the homes in this community will go down and does not know if we are having a massive influx of new people they believe is happening. Kapoor answered that they will have market driven pricing around \$2 per foot, a 600 square foot studio would imply a rent of about \$1200 a month. They will provide units up to 2100 square feet. They want to give people the choice of having multiple unit sizes.

Byrd-Rinck asked the applicant about their intention to rent all units. Kapoor replied yes that is the intention but they are open minded to a hybrid path of offering sale of stock in the various units, such as owning 50% and the developer retaining 50% but the market will decide. Byrd-Rinck sought clarification that no one in this development will be able to build equity since they do not own the units. Kapoor answered that owning a portion of the unit would allow them to build equity. Byrd-Rinck inquired on the length of leases. Kapoor answered they want the longest lease possible since they are not seeking short-term rentals. Byrd-Rinck also wondered if there would be any retreat type rentals for 4-6 months for seasonal or traveling workers. Kapoor replied no, the intent is to provide housing for locals. Byrd-Rinck asked in the 2-3 bedroom apartments if they will be renting them out room by room. Kapoor answered no it would be a lease for the overall unit, if someone has a roommate that would be their responsibility. Byrd-Rinck asked about the maps on page 76, 78 and 152 showing the proposed wildlife corridor. There are benches, trails for the public and streetlights where the wildlife will go and on page 152 there are structures there. Kapoor answered that the wildlife corridor is a recent conversation and they wish to work with experts in that field and it has not been fully thought out.

Vukonich asked if they are willing to give up some of their density for the wildlife corridor. Kapoor said we are still in discussion and this conversation came up very recently. Vukonich asked Barkey if his research in other communities has experienced this sudden growth and how they found the revenue to bring the infrastructure up to the level that is needed. Barkey answered the approach of some is to push the cost to developers. It is not a problem no community has been able to solve. Federal ARPA funds for municipal services have helped but many systems are still broken.

Nelson asked about the article in the Flathead Beacon about the applicants claiming to be working with Fish Wildlife and Parks and the Flathead Land Trust but those groups said that they are not working with the applicants. Aster answered that there was an unfortunate use of the word partner, the interactions have happened but they used the word partner as more of an aspirational term but the intention is to collaborate. Nelson wondered what the dedicated housing was. Kapoor answered they wish to earmark a certain percentage of the units for certain trades who are unable to find other housing in the area, such as teachers. The underserved groups would be able to apply for the units first before others.

Kavanagh asked if there has been any thought given to the extent of the setback from the wetlands, as some of the units seem to be right on the wetland boundary. Rohweider answered the first step is to identify the wetlands and this scale is at more of the pictorial and the layouts would be adjusted. Kavanagh said currently there is no standard for the setback in place but can you speculate on what that will be for you. Rohweider said he does not know specific numbers but our approach is to protect the wetlands. Kavanagh asked about the boring logs experiencing static ground water at 2.2 feet, can you speak to how you plan on grading and dewatering the site as well as what foundations will be present.

Rohweider said it will be part of the next geotechnical investigation if this project goes forward. Kavanagh appreciates the renderings but most of the trees shown are falling on MDOT right of way, how you intend on buffering from the highway. Aster said the render is representational and they will work in any way on a buffer and ultimately will be communicated in the landscaping plan. Kavanagh asked about the main lines coming from the previous development. Rohweider answered it was shown coming from the previous development but now they can change it to coming from where the lines cross the river. Kavanagh noted that they are demonstrating being able to bring city services across the river with fewer units than the previous developer, is the loading sufficient for this? Aster answered that based on the estimates done by their civil engineer they are comfortable with the cost.

Vukonich asked about the outflow further upstream and if it was part of the property and if it is part of the wetland. Rohweider answered in the negative and does not believe it is part of the wetland.

Chairman Vukonich opened the Public Hearing at 10:09 PM.

Scot Shermerhorn, 1042 Water Edge Way, Columbia Falls. Believes this is all apartments, but the zoning is for single family. They say it will take at least 4 years to build with the homes close to the access point built first and the rest will not be built. They misrepresented communications and are not being authentic. The TIS does not mention River Road and could create a major traffic problem.

John Naismith, 516 Pemble Drive, Columbia Falls said he is opposed to the development. This will further erode the quality of life in the community with more people and less recreational opportunities.

Matt Padgett 220 Larch Ridge, Columbia Falls. Apologized for previous remarks as he thought the previous comment period was for this proposal. Mr. Padgett said in the city and applicant presentations they never address statistics. For the sewer and water under the river the applicants say it will never fail, if that's the case why not accept financial liability? Sewer usage rates are at about 50% capacity with the approved growth we have already gone to full capacity.

Vukonich asked staff if they could give the Board their views on the statistics presented because as he understands they are not accurate.

Nicosia replied the Council will be hosting a workshop on February 27th, 2023 at 6:30 p.m. to review the Growth Policy and statistics according to what has been approved and calculations pursuant to state and federal regulations. Looking at the numbers the City does not come close to 42% but Council will do a deep dive into growth.

Daniel Selliger, 439 Rogers Road, Columbia Falls stated he keeps hearing developers say working class, affordable and attainable and believes it is wrong, he believes there are more homeless because people cannot afford the current prices. He is opposed to the development.

Luci Yeats, 315 Shooting Star Drive, Columbia Falls, said in 2006 there was a zone change request for this property from CSAG-10 to CR-3 and it was denied by City Council. In the minutes from a public hearing on the Growth Policy in 2005, she asked if any ground proofing had been done on the property in question and the then City Manager Bill Shaw replied

not really. No one considered the ground water, density, or wildlife. Ms. Yeats finds the application incomplete. The NRCS soil survey maps say this area is not suitable for buildings. This could be mitigated but at what cost to the environment said Yeats.

Shirley Folkwein, 285 Shooting Star Drive, Columbia Falls, is representing the Upper Flathead Neighborhood Association. Said the wetlands on the south side of the highway flow year-round through a culvert to the north underneath the highway through a buried pipe in the field the developers plan to dig up. This field is a wildlife corridor. We are here to look at the zoning and this project does not fit with the character of the neighborhood and will overcrowd the land. The previous comments from the Planning Board about River Highlands saying it does not fit the neighborhood and is too dense can be applied here as well said Folkwein.

Darcy Thomas, 612 Sylvan Court, Kalispell, is the Vice President of the Flathead Autobahn Society. Montana Fish Wildlife and Parks with help from the River to Lake Initiative Partners brought in around 9 million dollars to secure Columbia Falls Aluminum Company lands south of the river. This area was purchased to secure protection of wildlife and lies about 500 feet from this proposed high density development. They obtained the Badrock Canyon Wildlife Management Area approximately a year ago and have not had a chance to do a lot of bird surveys in this area. With the 10 surveys done 91 bird species have been identified, these numbers will increase. All these species need connectivity; this development will block the corridor the wildlife needs said Thomas.

Anne Scott-Markle, 520 Badrock Drive, Columbia Falls. The Growth Policy was completed in 2019 before the big flood of growth into the area and now it is outdated. Scott-Markle asked if the Board has thought about a moratorium for zone changes until a new Growth Policy is in place. Who do we want to encourage coming to this community when we grow. Families with children and working people who want to live, rent and buy houses here, we need the diversity. You do not get it back the wetlands and farmland when you remove it.

Jeannie DeCarlo, 9 Cedar Pointe Loop, Columbia Falls, said it was valuable for her to stay at the Highline Apartments due to the affordability before purchasing her home. The proposed development has similar parks that she liked about the Highline Apartments. DeCarlo asks the Board to support common sense and reasonable housing projects that help reduce the gap between population and available housing. It's important to remain a welcoming community that embraces growth and ensures places to live.

James Druyvestein, 4196 Columbia Falls Stage, Columbia Falls, believes this proposal is not sensible growth. People are moving here because there is space to live. This zone change does not give reasonable consideration to the character of this district. 54% of the development is open space, but that area is a lot of marsh and wetland. The sewer and water under the river is still an issue. The city cannot maintain what they have and does not need more roads. None of the rivers that have pipes underneath them are attached to a federally protected wild and scenic river system. Freestone Rivers cannot be relied upon to contain a sewer pipe said Druyvestein.

Jacqueline Demongin, 4250 Columbia Falls Stage, Columbia Falls, said she is aware of the housing task force encouraging cities to approve zone changes to help with the housing crisis. Demongin asked who chose to include river front property in the Growth Policy, it was not the people. This zone change will cause congestion with or without a signal light and will change the character of the district. Demongin does not believe any developments belong along the river.

Courtney Stone, 225 Rogers Road, Columbia Falls, said in August of 2020 Montana Fish and Wildlife Commission endorsed a proposal to partner with Flathead Land Trust to purchase 800 acres from CFAC as a conservation project. It was fully funded a year later and went through conserving that property by the end of 2021. This development will dramatically affect the Badrock Canyon WMA that is 525 feet from this proposed development.

Maggie Fullerton, 225 Rogers Road, Columbia Falls, is worried with the zone change there will not be much wildlife left in the area. Fullerton is also concerned with the impact of this amount of people so close to the river.

Glenn Wehe, 267 Rogers Road, Columbia Falls, said the developer doesn't know where the wetlands or water is and how it percolates. Mr. Wehe is opposed of the development.

Eleanor Smiley, 2950 Columbia Falls Stage, Columbia Falls, said growth is inevitable but you can control how it is done. Ms. Miley is opposed to this development and is concerned with the increase in light pollution, city services crossing the river and our school system.

Evon Heaser, 160 Nucleus Avenue, Columbia Falls, said the developer is requesting going from agriculture land to an urban designation. Ms. Heaser is concerned with traffic issues and the wildlife corridor.

Fred Haas, 4188 Columbia Falls Stage, Columbia Falls, asked if single parents with kids working multiple jobs could afford these apartments. There are too many houses for the amount of space that is being developed. Can the water system handle the increase in population as other developments come in? Traffic is another concern Mr. Haas has due to the amount of existing traffic.

Phillip L. Matson, 1125 Raven Lane, Columbia Falls, said he is opposed to the proposed development. Tract 3FB was recently rezoned in 2021 from CSAG-10 to CSAG-5 with the purpose of splitting the property so the applicant can build a house for himself and his son. This development is to build a mini town. The Growth Policy did not envision a project of this density and this development will add stress to infrastructure along with congestion. Mr. Matson believes 100% of the wetlands will not be preserved as stated and may become compacted during construction.

Geri Cochrane, 163 Tumbleweed Trail, Columbia Falls, is concerned with what kind of wildlife corridor will be left after the development is complete.

Jerry McLaren, 293 Bench Run, Columbia Falls, stated the Planning Board has a lot to protect in this area as this development serves the developer not the people. Be ready to address questions if the development gets approved, you have a hard decision to make.

Ruth Clawson, 355 Rogers Road, Columbia Falls, said the development doesn't fit the character of openness in the neighborhood with three story buildings. Neither proposal of drilling under the river or suspending services from the bridge is a good idea as both have the possibility of failure.

Gary Hall, 140 Steppe Lane, Columbia Falls, said under statutory criteria in zone changes, 7 of the 11 do not conform. There will be overcrowding of the land. Under the PUD, 8 of them do not conform. There was not reasonable consideration to the character of the neighborhood. There will be impacts on the wildlife. The extension of services will add expense and maintenance needs and is discouraged. Page 56 of the Growth Policy says that the development of the Growth Policy is an ongoing process to keep abreast of changes and the thinking of the community. There is a need to revise the Growth Policy.

Chairman Vukonich closed public comment at 11:11 PM

A motion was made by Nelson to accept Staff Report CZC#23-01 as Findings of Fact, seconded by Duffy.

Smith asked City Staff about recommendation number 24 of the PUD, if approved the property would be annexed by the City. Mulcahy answered that the applicants have an application for annexation; if the application is approved by the Board the property will be annexed.

Duffy is perplexed about how the density is calculated with 22 acres and the number of units planned and how it came to 7. It seems to him that acres that are underwater or soggy are being counted. Mulcahy answered that in the PUD regulates density based on gross acreage of the property.

Vukonich said the requested zone change would allow up to 8 units per acre and the application is for 7.9. Mulcahy answered for clarification the requested zone of CR-4 does not allow for 8 units per acre it is the PUD that allows additional density but the Growth Policy caps it.

Kavanagh has concerns about the number of questions that he has pertaining to the nuts and bolts of this project. Mitigating the problems faced in developing this type of land is possible but that does not mean it is the right thing to do. There are a lot of unanswered questions in regards to groundwater and wildlife corridors that make it difficult for him to say he is doing his due diligence. Kavanagh agrees we need housing in the community but is concerned as a

teacher about the school system and the cost of these rentals. Does not see that it reflects the neighborhood or does not promote overcrowding of the land and when they were developing the Growth Policy they were unaware of the land to the north becoming a wildlife protection area. Single family homes are thought of as their own units on lots, not townhomes.

Byrd-Rinck commented that they are continuing to work on connecting habitat for deer, elk threatened and endangered species from Glacier to Yellowstone. Developers are trying to divide their habitat, the applicant is proposing to remove a wildlife corridor and she is opposed to this development.

Lundgren said this development is a half mile away from town and there is no plan for the children to ride their bike or walk into town, there would need to have a plan for this. Fish and Wildlife says the development of this property will have significant and negative impacts on wildlife on this parcel.

Singer believes the infrastructure needs to improve before more developments are approved. She believes the city needs to slow down and see what will happen. Traffic has changed dramatically and we are not even in tourist season.

Vukonich questioned moratoriums and if that is even something that is feasible for a community. Mulcahy answered that legally a moratorium would probably only be applicable if there was a health and safety issue such as a shortage of water or no sewer capacity. If there is a demand for housing and it is not addressed people will still come and prices will increase. The areas such as Jackson Hole, Sun Valley and Aspen some people have said we should look at every expensive development, an 800 square foot condominium can sell up to 1.2 million dollars. This is why the Growth Policy has statistics in it. It is not so much that the City is trying to hit a particular level of growth; it is looking at past trends and trying to predict what we might need. Even though there was little to no growth in 10 years the Flathead Valley is still experiencing high demand and has a low supply of housing. If the Growth Policy was opened up tomorrow we would still be looking at the issue of where we would be putting the housing that is needed.

City Attorney Justin Breck does not like hearing the word moratorium because you run the danger of being sued. If you put a moratorium on growth that says all land owners are prevented from developing their land the bar you would have to reach legally to prove that it is a big enough emergency to justify a moratorium is very high. Vukonich thanked Staff for the clarification saying Montana is a state that prides itself on individualism and rights of owner's land.

Chairman Vukonich called for a roll call vote on the motion to accept Staff Report CZC#23-01 as Findings of Fact. AYES: None, NOES: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Duffy, Kavanagh, and Singer. ABSENT: Shepard

Chairman Vukonich called for a motion to send this item to City Council without Planning Board recommendation. Motion was made by Singer and seconded by Nelson. A roll call vote was performed AYES: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Duffy, Kavanagh, Singer NOES: None ABSENT: Shepard

Mulcahy sought clarification on his notes to bring this forward to City Council. His notes were as follows: concerns with high groundwater, concerns with wildlife, overcrowding of land, looking at the Growth Policy the Badrock Canyon WMA is a new land use in the area that was developed since the update, concerns with this being a wildlife corridor, concerns with pedestrian access being a safety concern, concerns with the project doesn't meet the character of the area and some infrastructure needs to be developed within the city for development. Vukonich also commented that the Board feels that the traffic impact study is deficient as well as the mitigation to the impacts on the wetlands.

Chairman Vukonich called for a motion the CPUD#23-02 does not comply with zoning. Motion was made by Kavanagh and seconded by Duffy. A roll call vote was performed AYES: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Duffy, Kavanagh and Singer NOES: None ABSENT: Shepard.

This agenda item will be seen by City Council at the Columbia Falls Junior High Cafetorium at 6:30 PM on March 20th, 2023.

Kavanagh addressed the audience and City Staff saying perhaps now is the time to open up and take a look at the Growth Policy a little ahead of the 5 year deadline since there has been such good public involvement in this process.

**CITY OF COLUMBIA FALLS PLANNING BOARD AND ZONING COMISSION REGULAR MEETING MINUTES HELD
FEBRUARY 14, 2023**

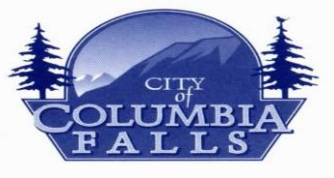
Item No.5.

ADJOURNMENT – Meeting duly adjourned at 11:40 PM

Chairman

Attest:

Public Works Clerk



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

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

CITY OF COLUMBIA FALLS

NOTICE OF PUBLIC HEARINGS

The Columbia Falls City-County Planning Board will hold a public hearing for the following item at their regular meeting on Tuesday, March 14, 2023 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 April 3, 2023 starting at 7:00 p.m. in the same location.

Conditional Use Permit – Sports Bar and Casino: A request by J & L Golf, Levi LaPrath and Jarred Griffis to open a sports bar with a casino of up to twenty gaming machines. The building in question is located at 605 Nucleus Avenue, Unit B, currently a Hair Salon. The property is zoned CB-4 (Central Business) District and the zoning ordinance requires a Conditional Use Permit for new casinos while bars and restaurants are permitted uses. The property is described as Lots 1 and 2, Block 45 of the Columbia Falls Original Townsite located in Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County.

Persons may testify at the hearings or submit written comments prior to the meetings. Written comment, including commenter's physical address, may be sent to Columbia Falls City Hall, Attention: Barb Staaland, City Clerk, 130 6th Street West, Columbia Falls, MT 59912. For more information on the conditional use permit contact Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 22nd day of February, 2023.

Susan Nicosia

Susan Nicosia, CPA, MPA, City Manager
COLUMBIA FALLS CITY-COUNTY PLANNING BOARD

Publish: Daily Interlake: February 26, 2023

memo

TO: Susan Nicosia
City Manager, City of Columbia Falls

FROM: C.R. Leisinger, PE
Project Manager, Morrison-Maierle

DATE: March 14, 2023

JOB NO.: 0541.032.00

RE: 5th Ave EN Water Main Replacement – Bid Results

CC: Chris Hanley
Public Works Director, City of Columbia Falls

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☒ For Your Use

Overview

The 5th Ave EN Water Main Replacement Project consists of the following improvements to the City's Water System:

- Replace an existing 2" galvanized steel water main with a new 8" PVC water main along 5th Ave EN from the intersection of Railroad Street E to the intersection of C Street EN.
- Replace existing water services along 5th Ave EN from the new water main to the houses.
- Install one new fire hydrant on 5th Ave EN that will connect to the new 8" water main.
- Cap and abandon the existing water main.
- Street asphalt repair

Bids were received on March 9, 2023 and read aloud at 3:00 pm at City Hall. This memorandum summarizes the bids received and the findings from our review of the bids.

Summary of Bids Received

The Certified Bid Tabulation is attached to this memorandum. Bid totals are summarized as follows:

Engineer's Estimate	\$261,740.00
Sandry Construction Company, Inc. <i>Bigfork, MT</i>	\$253,350.00
JD Thinning, Inc. <i>Kalispell, MT</i>	\$289,909.70
Sapphire Construction Services, LLC <i>Kalispell, MT</i>	\$294,918.28
NCC Neumann Construction Company <i>Kalispell, MT</i>	\$311,662.50
LHC, Inc. <i>Kalispell, MT</i>	\$355,821.80

The low bidder was Sandry Construction Company, Inc. with a total bid of **\$253,350.00.**

Review of Low Bidder

Sandry Construction Company is a local contractor with headquarters located in Bigfork, MT. The company is currently registered with the Montana Department of Labor as a registered contractor. The proposed project superintendent's resume and a list of company past project experience was received with the bid. Sandy Construction has completed many projects of similar size and scope as the 5th Ave EN Water Main Replacement Project. They appear to be a competent and responsible bidder capable of completing the work.

There were no irregularities found in Sandry Construction's bid submittal packet.

Bid Price Review and Recommended Budget

The low bid price of **\$253,350.00** is lower than the engineer's most current cost estimate of **\$261,740.00**. Unit prices in the low bid seem reasonable for the work being performed.

We recommend a project budget contingency of at least 10% of the award amount to cover potential unforeseen issues during construction. Therefore, a total available construction budget of **\$278,685.00** is recommended for the project.

Award Options

The bidding documents specify that the low bidder will be determined on the basis of the lowest base bid. The following are options available to the City in terms of awarding the project:

1. Accept the low bid from Sandry Construction Co, Inc. for **\$253,350.00.**
2. Reject all bids and re-bid the project at a later date.

Award Recommendation

If considered appropriate by the City, we recommend award to Sandry Construction Company, Inc. for **\$253,350.00.**

5th Ave EN Water Main Replacement Project
City of Columbia Falls
Certified Bid Tabulations
Bid Opening Date: 3/9/2023



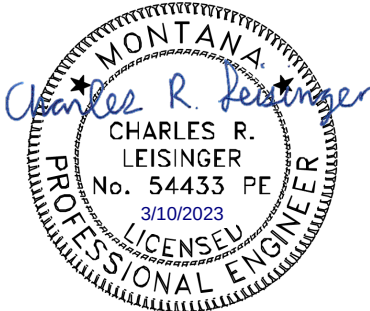
Base Bid				Engineer's Estimate Morrison-Maierle, Inc.		Sandry Construction Co, Inc. Bigfork, MT		LHC, Inc. Kalispell, MT	
ITEM NO.	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
101	Mobilization, General Requirements, Taxes, Bonds, and Insurance (15% Max)	1	LS	\$ 32,640.00	\$ 32,640.00	\$ 30,000.00	\$ 30,000.00	\$ 45,580.00	\$ 45,580.00
102	Clearing, Grubbing, Topsoil Removal	1	LS	\$ 500.00	\$ 500.00	\$ 7,000.00	\$ 7,000.00	\$ 5,885.00	\$ 5,885.00
103	Connect to Existing Water Main	2	EA	\$ 3,500.00	\$ 7,000.00	\$ 2,600.00	\$ 5,200.00	\$ 4,325.00	\$ 8,650.00
104	8" PVC Water Main	460	LF	\$ 130.00	\$ 59,800.00	\$ 72.00	\$ 33,120.00	\$ 110.55	\$ 50,853.00
105	6" PVC Water Main	20	LF	\$ 120.00	\$ 2,400.00	\$ 66.00	\$ 1,320.00	\$ 153.03	\$ 3,060.60
106	8" MJ Gate Valve	2	EA	\$ 3,500.00	\$ 7,000.00	\$ 3,050.00	\$ 6,100.00	\$ 3,549.00	\$ 7,098.00
107	6" MJ Gate Valve	1	EA	\$ 2,500.00	\$ 2,500.00	\$ 2,485.00	\$ 2,485.00	\$ 2,751.00	\$ 2,751.00
108	16" x 8" Tapping Sleeve	1	EA	\$ 10,000.00	\$ 10,000.00	\$ 5,500.00	\$ 5,500.00	\$ 5,015.00	\$ 5,015.00
109	8" MJ Bend	3	EA	\$ 1,200.00	\$ 3,600.00	\$ 1,100.00	\$ 3,300.00	\$ 930.00	\$ 2,790.00
110	8" x 6" MJ Tee	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,286.00	\$ 1,286.00
111	6" x 6" MJ Tee	1	EA	\$ 1,300.00	\$ 1,300.00	\$ 1,365.00	\$ 1,365.00	\$ 1,043.00	\$ 1,043.00
112	8" x 6" MJ Reducer	1	EA	\$ 1,200.00	\$ 1,200.00	\$ 800.00	\$ 800.00	\$ 855.00	\$ 855.00
113	Fire Hydrant Assembly	1	EA	\$ 5,800.00	\$ 5,800.00	\$ 5,200.00	\$ 5,200.00	\$ 7,947.00	\$ 7,947.00
114	Cap and Abandon Existing Water Main	1	LS	\$ 4,000.00	\$ 4,000.00	\$ 2,790.00	\$ 2,790.00	\$ 2,266.00	\$ 2,266.00
115	1" Water Service - Main to Property Line	9	EA	\$ 2,500.00	\$ 22,500.00	\$ 1,580.00	\$ 14,220.00	\$ 3,069.00	\$ 27,621.00
116	1" Water Service - Property Line to House	8	EA	\$ 1,500.00	\$ 12,000.00	\$ 3,000.00	\$ 24,000.00	\$ 7,555.00	\$ 60,440.00
117	Sawcut and Remove Existing Asphalt	710	SY	\$ 5.00	\$ 3,550.00	\$ 22.00	\$ 15,620.00	\$ 21.29	\$ 15,115.90
118	Asphalt Pavement (3" thick)	670	SY	\$ 35.00	\$ 23,450.00	\$ 47.00	\$ 31,490.00	\$ 38.97	\$ 26,109.90
119	MDT Asphalt Pavement (4" thick)	40	SY	\$ 45.00	\$ 1,800.00	\$ 122.00	\$ 4,880.00	\$ 130.47	\$ 5,218.80
120	Crushed Base	160	CY	\$ 60.00	\$ 9,600.00	\$ 43.00	\$ 6,880.00	\$ 143.46	\$ 22,953.60
121	MDT CLSM Flowable Fill Backfill	1	LS	\$ 6,000.00	\$ 6,000.00	\$ 12,250.00	\$ 12,250.00	\$ 11,057.00	\$ 11,057.00
122	Cross Existing Utility	20	EA	\$ 500.00	\$ 10,000.00	\$ 500.00	\$ 10,000.00	\$ 574.00	\$ 11,480.00
123	Traffic Control	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 10,800.00	\$ 10,800.00	\$ 10,610.00	\$ 10,610.00
124	General Reclamation and Seeding - Public	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 4,850.00	\$ 4,850.00	\$ 2,110.00	\$ 2,110.00
125	General Reclamation and Seeding - Private	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 4,850.00	\$ 4,850.00	\$ 7,210.00	\$ 7,210.00
126	Concrete Curb and Flatwork Reclamation	1	LS	\$ 1,000.00	\$ 1,000.00	\$ 3,730.00	\$ 3,730.00	\$ 5,583.00	\$ 5,583.00
127	Exploratory Excavation	4	HR	\$ 400.00	\$ 1,600.00	\$ 325.00	\$ 1,300.00	\$ 497.00	\$ 1,988.00
128	Project Sign	1	LS	\$ 2,500.00	\$ 2,500.00	\$ 1,800.00	\$ 1,800.00	\$ 2,150.00	\$ 2,150.00
129	Private Sprinkler System Repair	1	EA	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00	\$ 1,000.00	\$ 1,095.00	\$ 1,095.00
Total Bid:				\$	261,740.00	\$	253,350.00	\$	355,821.80

5th Ave EN Water Main Replacement Project
City of Columbia Falls
Certified Bid Tabulations
Bid Opening Date: 3/9/2023



Base Bid				Sapphire Construction Services, LLC Kalispell, MT		NCC Neumann Construction Co Kalispell, MT		JD Thinning, Inc Whitefish, MT	
ITEM NO.	DESCRIPTION	EST. QTY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
101	Mobilization, General Requirements, Taxes, Bonds, and Insurance (15% Max)	1	LS	\$ 28,500.00	\$ 28,500.00	\$ 30,329.00	\$ 30,329.00	\$ 42,900.00	\$ 42,900.00
102	Clearing, Grubbing, Topsoil Removal	1	LS	\$ 2,503.70	\$ 2,503.70	\$ 3,250.00	\$ 3,250.00	\$ 1,650.00	\$ 1,650.00
103	Connect to Existing Water Main	2	EA	\$ 5,805.69	\$ 11,611.38	\$ 3,650.00	\$ 7,300.00	\$ 1,232.00	\$ 2,464.00
104	8" PVC Water Main	460	LF	\$ 141.46	\$ 65,071.60	\$ 95.00	\$ 43,700.00	\$ 82.50	\$ 37,950.00
105	6" PVC Water Main	20	LF	\$ 123.30	\$ 2,466.00	\$ 165.00	\$ 3,300.00	\$ 49.50	\$ 990.00
106	8" MJ Gate Valve	2	EA	\$ 4,205.99	\$ 8,411.98	\$ 3,650.00	\$ 7,300.00	\$ 4,774.00	\$ 9,548.00
107	6" MJ Gate Valve	1	EA	\$ 3,777.39	\$ 3,777.39	\$ 2,950.00	\$ 2,950.00	\$ 4,345.00	\$ 4,345.00
108	16" x 8" Tapping Sleeve	1	EA	\$ 6,592.55	\$ 6,592.55	\$ 8,625.00	\$ 8,625.00	\$ 9,900.00	\$ 9,900.00
109	8" MJ Bend	3	EA	\$ 1,439.33	\$ 4,317.99	\$ 875.00	\$ 2,625.00	\$ 3,856.00	\$ 11,568.00
110	8" x 6" MJ Tee	1	EA	\$ 2,854.98	\$ 2,854.98	\$ 925.00	\$ 925.00	\$ 3,125.00	\$ 3,125.00
111	6" x 6" MJ Tee	1	EA	\$ 2,751.88	\$ 2,751.88	\$ 730.00	\$ 730.00	\$ 3,025.00	\$ 3,025.00
112	8" x 6" MJ Reducer	1	EA	\$ 954.09	\$ 954.09	\$ 515.00	\$ 515.00	\$ 2,860.00	\$ 2,860.00
113	Fire Hydrant Assembly	1	EA	\$ 8,475.12	\$ 8,475.12	\$ 7,950.00	\$ 7,950.00	\$ 5,527.50	\$ 5,527.50
114	Cap and Abandon Existing Water Main	1	LS	\$ 4,404.31	\$ 4,404.31	\$ 1,550.00	\$ 1,550.00	\$ 825.00	\$ 825.00
115	1" Water Service - Main to Property Line	9	EA	\$ 2,403.66	\$ 21,632.94	\$ 2,895.00	\$ 26,055.00	\$ 2,051.50	\$ 18,463.50
116	1" Water Service - Property Line to House	8	EA	\$ 2,795.85	\$ 22,366.80	\$ 7,100.00	\$ 56,800.00	\$ 1,721.50	\$ 13,772.00
117	Sawcut and Remove Existing Asphalt	710	SY	\$ 5.20	\$ 3,692.00	\$ 5.60	\$ 3,976.00	\$ 9.35	\$ 6,638.50
118	Asphalt Pavement (3" thick)	670	SY	\$ 43.68	\$ 29,265.60	\$ 46.25	\$ 30,987.50	\$ 56.16	\$ 37,627.20
119	MDT Asphalt Pavement (4" thick)	40	SY	\$ 96.40	\$ 3,856.00	\$ 188.00	\$ 7,520.00	\$ 125.44	\$ 5,017.60
120	Crushed Base	160	CY	\$ 61.65	\$ 9,864.00	\$ 120.00	\$ 19,200.00	\$ 32.45	\$ 5,192.00
121	MDT CLSM Flowable Fill Backfill	1	LS	\$ 5,999.58	\$ 5,999.58	\$ 9,500.00	\$ 9,500.00	\$ 3,850.00	\$ 3,850.00
122	Cross Existing Utility	20	EA	\$ 883.22	\$ 17,664.40	\$ 275.00	\$ 5,500.00	\$ 2,464.00	\$ 49,280.00
123	Traffic Control	1	LS	\$ 10,683.60	\$ 10,683.60	\$ 5,400.00	\$ 5,400.00	\$ 1,720.40	\$ 1,720.40
124	General Reclamation and Seeding - Public	1	LS	\$ 1,680.00	\$ 1,680.00	\$ 5,235.00	\$ 5,235.00	\$ 2,750.00	\$ 2,750.00
125	General Reclamation and Seeding - Private	1	LS	\$ 1,680.00	\$ 1,680.00	\$ 8,750.00	\$ 8,750.00	\$ 2,750.00	\$ 2,750.00
126	Concrete Curb and Flatwork Reclamation	1	LS	\$ 3,478.96	\$ 3,478.96	\$ 4,890.00	\$ 4,890.00	\$ 3,476.00	\$ 3,476.00
127	Exploratory Excavation	4	HR	\$ 2,127.20	\$ 8,508.80	\$ 425.00	\$ 1,700.00	\$ 385.00	\$ 1,540.00
128	Project Sign	1	LS	\$ 634.53	\$ 634.53	\$ 2,450.00	\$ 2,450.00	\$ 880.00	\$ 880.00
129	Private Sprinkler System Repair	1	EA	\$ 1,218.10	\$ 1,218.10	\$ 2,650.00	\$ 2,650.00	\$ 275.00	\$ 275.00
Total Bid:				\$ 294,918.28		\$ 311,662.50		\$ 289,909.70	

The tabulation of Bids herein is believed to be a true representation of the Bids received on March 9, 2023. Any discrepancies in the indicated sum of any column of figures, as presented in the bids, and the correct sum thereof, have been resolved per INSTRUCTIONS TO BIDDERS and are so reflected in this tabulation.



Indicates discrepancy was resolved per INSTRUCTIONS TO BIDDERS

CITY OFCOLUMBIA FALLS
REQUEST FOR WATER/SEWER SERVICE

DATE: March 13, 2023

OWNER NAME: Baiar Holdings Industrial Park LLC

ADDRESS: PO Box 3348

Columbia Falls, MT 59912-5348

LEGAL DESCRIPTION: Assessor # 0983385, Parcel B, COS 11804, TR 5BEB in SE1/4, Sec. 7, T 30 N, R 20 W, Flathead County, Montana, more commonly known as 290 Truck Route

DESCRIPTION OF SERVICE REQUEST: Connect existing shop to City sewer main available on the Truck Route; no main extension necessary

The undersigned owner is hereby requesting the Water and/or Sewer Service as described above and agrees to submit the required Waiver of Protest to Annexation and Waiver of Protest to Creation of Special Improvement Districts.

Owner Signature

Date

To be completed by City:

Date Extension/Service(s) approved by City Council: March 20, 2023

Date approved by MT DEQ: N/A – No main extension necessary

Date of Final Acceptance by City:

Return to:
City of Columbia Falls
130 Sixth Street West, Room A
Columbia Falls, MT 59912

WAIVER OF PROTEST TO ANNEXATION
WAIVER OF PROTEST TO SPECIAL IMPROVEMENT DISTRICT

WAIVERS OF PROTEST executed this ____ day of _____, 202_, by Baiair Holdings Industrial Park, LLC at PO Box 3348, Columbia Falls, MT 59912
(NAME) (Address)

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, the undersigned hereby waive any and all right which they may have to protest, disapprove, or object to any annexation proceedings initiated by or on behalf of the CITY OF COLUMBIA FALLS, Flathead County, Montana, to incorporate within its boundaries the following described real property owned by us and situated in Flathead County, Montana, to-wit:

Assessor # 0983385, Parcel B, COS 11804, TR 5BEB in SE1/4, Sec. 7, T 30 N, R 20 W, Flathead County, Montana, more commonly known as 290 Truck Route

(Legal Description)

We further waive any and all rights which we may have to protest, disapprove, or object to any proceedings initiated by or on behalf of the CITY OF COLUMBIA FALLS, Flathead County, Montana, to incorporate the above-described real property within a special improvement district.

We do further agree that these Waivers shall be a covenant to run with, to and be binding upon the title of the real property and shall be binding on ourselves, our assigns or successors in interest, and to any and all subsequent purchasers, holders or owners of the above-described real property or any portion thereof.

IN WITNESS WHEREOF, the foregoing Waivers were executed on the day and year first above written.

By Owner:

Name/Signature/Title

Name/Signature/Title

STATE OF MONTANA)
) ss.
County of Flathead)

On this____day of_____, 202_, before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____ known to me to be _____, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said company.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my official notary seal the day and year in this certificate first above written.

(SEAL)

Notary Public for the State of Montana
Full Printed Name: _____
Residing at: _____
My commission expires: _____
(Place full 4-year digits)

March 20, 2023

To: Montana Board of Crime Control
Re: Letter of Support for the Northwest Montana Drug Task Force

The Northwest Montana Drug Task Force has been enforcing drug laws and educating the public in Northwest Montana since 1984. The success of this task force over the years is widely known and has proved to be a major deterrent in the use, distribution and manufacture of illegal drugs. The City of Columbia Falls added the School Resource Officer assignment within the Police Department beginning in 2003 based on a strong recommendation of the NW Drug Task Force to do so to combat the use of drugs within our community.

The use of illegal drugs throughout our community continues to increase and brings with it increased crimes such as thefts, burglaries and domestic violence have a widespread impact on our citizens.

The Northwest Montana Drug Task Force has demonstrated the ability to work with state, local and federal agencies to prosecute major drug trafficking organizations in Northwest Montana.

The Northwest Montana Drug Task Force has earned the trust and support of our community through not only enforcement but also education.

The Northwest Montana Drug Task Force has trained many of the local law enforcement, fire and EMS personnel in regards to methamphetamine labs and the hazards they present as well as current drug trends.

The City of Columbia Falls fully supports the Northwest Drug Montana Task Force and any funding to continue the operation of this productive task force.

Sincerely,

Donald Barnhart, Mayor

March 20, 2023

Flathead County Commissioners
800 South Main, Room 302
Kalispell, MT 59901

RE: Support of 2023 MT Federal Lands Access Program (FLAP) Application – North Fork Road (MT Secondary 486)

Dear Board of Commissioners:

The City Council of the City of Columbia Falls continues to support the efforts of Flathead County to pave the approximate 11 mile section of the North Fork Road thoroughly described in the FLAP application. The proposal to pave this portion of MT Secondary 486 will greatly improve public safety and access to multiple local, state and federal recreational areas including the newly improved Cedar Flats Trails project.

The City has supported the paving of this section of roadway for over a decade. Paving the roadway will address hazards created by the severely dusty conditions and the poor roadway surface identified in the MDT 2010 corridor study. The project includes appropriate road surfacing, traffic calming and wildlife crossing accommodations to address the concerns raised each time paving has been proposed.

Thank you for bringing forward this grant application. We sincerely hope that the application will be approved and funded as requested.

Sincerely,

Mayor Donald Barnhart

RESOLUTION NO. 1895

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA DESIGNATING THE COLUMBIA FALLS CHAMBER OF COMMERCE AS THE NONPROFIT ORGANIZATION THAT WILL OVERSEE THE LODGING FACILITY USE TAX REVENUE COLLECTED WITHIN THE CITY TO PROMOTE COLUMBIA FALLS AS A TOURISM DESTINATION

WHEREAS, the Montana Department of Commerce notified the City of Columbia Falls on their eligibility to have a Lodging Facility Use Tax Funded Convention and Visitors Bureau (CVB) in our City; and,

Whereas, the City of Columbia Falls became eligible for CVB funding pursuant to the requirements of 15-68-820, MCA; and,

Whereas, the Montana Department of Commerce requires the City Council to designate an appropriate nonprofit organization to oversee the management of the funds, distributed through a grant application approved by the Tourism Advisory Council; and,

Whereas, the Columbia Falls Chamber of Commerce expressed interest in being designated by the City Council as the designated nonprofit organization to oversee the management of the Lodging Facility Use Tax collected within the City of Columbia Falls.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA:

Section One. The City Council of the City of Columbia Falls hereby designates the Columbia Falls Chamber of Commerce as the appropriate nonprofit organization to oversee the administration of the Lodging Facility Use Tax generated within the City of Columbia Falls.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA, THIS 20th DAY OF MARCH, 2023, THE COUNCIL VOTING AS FOLLOWS:

AYES:
NOES:
ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA, THIS 20th DAY OF MARCH 2023.

MAYOR

ATTEST:

City Clerk

**CITY OF COLUMBIA FALLS
CORRESPONDENCE LIST
COUNCIL MEETING
MARCH 17, 2023**

03/06/2023 – Email from Raylynn Carolin-RE: Quiet Zone

Correspondence

Susan Nicosia

From: raylynn carolin <raylynnkarolin@gmail.com>
Sent: Monday, March 06, 2023 10:43 AM
To: Susan Nicosia
Subject: Quiet Zone for Railroad

Follow Up Flag: Follow up
Flag Status: Flagged

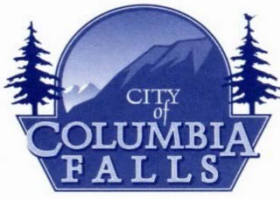
Good Monday morning!

My name is Raylynn Carolin and I am a resident at 116 First Ave. West in Columbia Falls. I was emailing you today to inquire about a quiet zone for the railroad in this area. The residents of this area are dealing with INCREDIBLY LOUD train noise during the day and ALL night. This is very challenging, and our quality of life is affected. I am born and raised in Montana, and I ABSOLUTELY LOVE Columbia Falls. I have worked very hard to purchase a home in the Columbia Falls area and I am committed to being a positive member of the community. I have tried to be a positive resident in the area and believe I have helped clean up the block. I ABSOLUTELY LOVE MY NEIGHBORS and NEIGHBORHOOD. I will admit I had no idea of the train noise that I would hear (especially at night) when I purchased in this area. It truly is incredibly loud, and I have a daughter with special needs that is not living with me in the area because of this noise. Infact, I will need to move in the future and need to rent the home out if this issue is not resolved. I grew up in Billings and see there is a quiet zone and I lived in Whitefish where there are two quiet zones in these areas. I would like to VOLUNTEER my time to help in this matter. I would like to help with moving this matter forward and creating a quiet zone in this area. Is there anything I can do to help you? Would you like to have a meeting with me so I can better understand the process and help assist in this matter? I spoke with the State and Caleb last week and I was THRILLED when informed that Columbia Falls was in the process of creating a quiet zone!!!! Again, I was wondering where the city is in this process and will VOLUNTEER my time to help bring this to fruition!

THANK YOU!

Hope you have a lovely day!!

Raylynn
406-260-6099



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

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

Item No.13.

DATE: March 17, 2023
TO: Mayor and City Council
FROM: Shawn Bates, Finance Director
Susan M. Nicosia, City Manager

RE: Financial Report – February 2023

Attached are the following condensed monthly reports for your review. Reports reflect activity from July 1, 2022 through February 28, 2023.

We have completed 66% of the fiscal year. The accounting system has been updated to include all budgetary information including line items as prepared by the City Manager and approved by Council. Reserves within the cash report have been updated to reflect the current budgeted amounts.

- First report: Summary of **Revenues Budget and Actual** for the Month of February and Year to Date. In total, we have received 42% of total revenues budgeted compared to 34% for the prior year.
- Second report: Summary of **Expenditures Budget and Actual** for the Month of February and Year to Date. There are no significant variances from anticipated expenditures/expenses. In total, we have committed 23% of the total expenditure budget compared to 22% for the prior year.
- Third report: Detail revenue and expenditures/expense for the General Fund, Water Operating Fund, and Sewer Operating Fund. These reports show detail totals of revenues by source and expenditures/expenses by activity.
- The General Fund has incurred (\$64,275) more in expenditures than revenues through February 2023, compared to (\$168,037) last year for the same time period.
 - The Water Fund reflects revenues exceeding expenses by \$75,917 to date compared to \$122,757 in the prior year.
 - The Sewer Fund reflects YTD revenues exceeding expenses \$138,458 compared to \$174,656 in the prior year.
- Fourth report: The Cash Balance report for February 2023 has been provided as a separate report for your review. Total reconciled cash/investments equal \$14,312,251 compared to \$11,192,013 from one year ago. The City as of February 28th 2023 had invested \$12,796,790 in STIP February average rate was 4.3870039%, \$373,894 in Glacier Bank, MBS various term investments of \$1,145,000 with rates ranging from 1.16% to 2.0%.

Should you have any questions on these reports or any financial matter, please do not hesitate to contact me via email: batess@cityofcolumbiafalls.com or by phone at 406-892-4327.

03/17/23
07:40:28

CITY OF COLUMBIA FALLS
Statement of Revenue Budget vs Actuals
For the Accounting Period: 2 / 23

Page: 1 of 2
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Fund	Received		Estimated Revenue	Revenue	
	Current Month	Received YTD		To Be Received	% Received
1000 GENERAL FUND	78,971.62	2,048,496.13	3,566,195.00	1,517,698.87	57 %
2100 RESORT TAX	18,518.72	1,136,222.26	797,865.00	-338,357.26	142 %
2310 TAX INCREMENT DISTRICT FUND	12,246.34	424,126.67	13,998.00	-410,128.67	*** %
2311 TEDD-INDUSTRIAL PARK	68.95	4,035.54	0.00	-4,035.54	** %
2312 TEDD - COLUMBIA RISING IND PARK	391.46	74,737.25	0.00	-74,737.25	** %
2372 PERMISSIVE MEDICAL LEVY	1,479.98	150,987.41	252,666.00	101,678.59	60 %
2394 BUILDING CODE ENFORCEMENT FUND	4,168.21	62,360.55	158,000.00	95,639.45	39 %
2400 SPECIAL LIGHTING DISTRICT FUND	305.57	21,603.72	30,199.00	8,595.28	72 %
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND	1,523.84	223,332.78	382,610.00	159,277.22	58 %
2700 CEDAR CREEK TRUST	4,154.37	24,935.92	53,155.00	28,219.08	47 %
2820 GAS TAX FUND	7,778.81	62,230.46	93,346.00	31,115.54	67 %
2917 CRIME VICTIMS ASSISTANCE FUND	519.00	2,262.35	6,000.00	3,737.65	38 %
2959 EDA	0.00	100,000.00	1,053,146.00	953,146.00	9 %
3020 GO Street Improvements	166.14	4,933.99	0.00	-4,933.99	** %
3534 SID 34 FUND - 5th Avenue Water Main	16.24	4,466.24	5,483.00	1,016.76	81 %
3536 SID 36 FUND - Talbott & 4th Avenue Water Main	12.15	1,963.24	3,344.00	1,380.76	59 %
3538 SID 38 FUND - Riverwood	68.26	16,162.11	27,609.00	11,446.89	59 %
4000 CAPITAL PROJECTS FUND - Building Improvements	503.38	9,087.63	6,500.00	-2,587.63	140 %
4010 CAPITAL PROJECTS FUND - Parks Improvements	926.08	87,198.24	82,947.00	-4,251.24	105 %
4020 CAPITAL PROJECTS FUND - General Equipment	1,397.36	99,396.08	92,837.00	-6,559.08	107 %
4040 CAPITAL PROJECTS FUND - Street Construction	3,027.31	139,181.95	123,235.00	-15,946.95	113 %
5210 WATER ENTERPRISE FUND	51,174.22	597,090.34	1,056,108.00	459,017.66	57 %
5211 WATER CAPITAL EXPANSION	1,345.00	28,768.66	95,500.00	66,731.34	30 %
5310 SEWER ENTERPRISE FUND	95,475.72	823,512.89	6,617,671.00	5,794,158.11	12 %
5311 SEWER CAPITAL EXPANSION	4,314.05	56,243.91	97,500.00	41,256.09	58 %
7120 FIRE RELIEF DISABILITY/PENSION FUND	229.08	30,398.44	67,627.00	37,228.56	45 %

Grand Total:	288,781.86	6,233,734.76	14,683,541.00	8,449,806.24	42 %
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Statement of Expenditure - Budget vs. Actual Report
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Fund	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
1000 GENERAL FUND	220,138.18	2,112,771.19	3,665,000.00	3,866,695.00	1,753,923.81	55 %
2100 RESORT TAX	25,000.00	374,883.00	250,049.00	374,883.00	0.00	100 %
2310 TAX INCREMENT DISTRICT FUND	33,356.24	214,789.62	1,217,920.00	1,217,920.00	1,003,130.38	18 %
2372 PERMISSIVE MEDICAL LEVY	0.00	133,499.91	280,244.00	280,244.00	146,744.09	48 %
2394 BUILDING CODE ENFORCEMENT FUND	5,298.22	103,680.19	213,213.00	213,213.00	109,532.81	49 %
2400 SPECIAL LIGHTING DISTRICT FUND	3,247.17	19,437.84	51,466.00	51,466.00	32,028.16	38 %
2500 SPECIAL STREET MAINTENANCE DISTRICT	43,317.98	300,528.13	499,437.00	499,437.00	198,908.87	60 %
2700 CEDAR CREEK TRUST	0.00	0.00	93,083.00	93,083.00	93,083.00	0 %
2820 GAS TAX FUND	0.00	34,630.60	93,346.00	93,346.00	58,715.40	37 %
2821 Special Road/Street Allocation Program	0.00	0.00	135,072.00	135,072.00	135,072.00	0 %
2917 CRIME VICTIMS ASSISTANCE FUND	231.00	1,974.35	6,000.00	6,000.00	4,025.65	33 %
2940 CDBG-HOME INVESTMENT PARTNERSHIP	0.00	0.00	143,389.00	143,389.00	143,389.00	0 %
2958 FEMA PUBLIC ASSISTANCE GRANT	0.00	8,498.69	0.00	0.00	-8,498.69	*** %
2959 EDA	4,670.87	23,131.86	1,251,414.00	1,251,414.00	1,228,282.14	2 %
2991 ARPA of 2021	0.00	0.00	1,505,476.00	1,505,476.00	1,505,476.00	0 %
3020 GO Street Improvements	0.00	4,587.50	44,784.00	44,784.00	40,196.50	10 %
3534 SID 34 FUND - 5th Avenue Water Main	0.00	0.00	5,483.00	5,483.00	5,483.00	0 %
3536 SID 36 FUND - Talbott & 4th Avenue	0.00	0.00	3,345.00	3,345.00	3,345.00	0 %
3538 SID 38 FUND - Riverwood	0.00	13,785.88	28,018.00	28,018.00	14,232.12	49 %
4000 CAPITAL PROJECTS FUND - Building	4,616.00	19,619.00	96,000.00	96,000.00	76,381.00	20 %
4010 CAPITAL PROJECTS FUND - Parks	0.00	111,256.35	185,500.00	185,500.00	74,243.65	60 %
4020 CAPITAL PROJECTS FUND - General	0.00	25,083.69	113,000.00	113,000.00	87,916.31	22 %
4040 CAPITAL PROJECTS FUND - Street	0.00	24,287.52	887,084.00	887,084.00	862,796.48	3 %
5210 WATER ENTERPRISE FUND	57,215.56	521,172.63	1,448,234.00	1,448,234.00	927,061.37	36 %
5211 WATER CAPITAL EXPANSION	0.00	0.00	46,500.00	46,500.00	46,500.00	0 %

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CITY OF COLUMBIA FALLS
Statement of Expenditure - Budget vs. Actual Report
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Fund	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% Committed
5310 SEWER ENTERPRISE FUND	63,907.29	685,054.49	7,016,483.00	7,016,483.00	6,331,428.51	10 %
5311 SEWER CAPITAL EXPANSION	0.00	0.00	1,221,853.00	1,221,853.00	1,221,853.00	0 %
7120 FIRE RELIEF DISABILITY/PENSION FUND	0.00	0.00	67,627.00	67,627.00	67,627.00	0 %
Grand Total:	460,998.51	4,732,672.44	20,569,020.00	20,895,549.00	16,162,876.56	23 %

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Revenue/Expenditure Ledger
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1000 GENERAL FUND

	Beginning	Debit	Credit	Net Change	Ending Balance
REVENUE					
311010 Real Property Taxes	738,208.02	0.00	6,633.63	6,633.63	744,841.65
311020 Personal Property Taxes	36,295.12	0.00	182.63	182.63	36,477.75
312000 Penalty & Interest on Delinquent	2,111.91	0.00	88.39	88.39	2,200.30
322010 Alcoholic Beverage Licenses and	7,100.00	0.00	712.50	712.50	7,812.50
322020 Professional Business Licenses	8,115.00	0.00	440.00	440.00	8,555.00
322030 General Business Licenses	12,052.50	0.00	770.00	770.00	12,822.50
323060 Non-Exclusive Cable TV Franchise	21,938.56	0.00	10,791.31	10,791.31	32,729.87
331112 Stonegarden Grant CFDA # 97.067	157.77	0.00	0.00	0.00	157.77
331179 Alcohol Compliance Check Program	0.00	0.00	0.00	0.00	0.00
334000 State Grants/Hwy Safety	2,799.49	0.00	0.00	0.00	2,799.49
334122 DNRC Grant	0.00	0.00	0.00	0.00	0.00
335120 Gambling Licenses & Permits	15,325.00	0.00	0.00	0.00	15,325.00
335230 State Entitlement	403,044.78	0.00	0.00	0.00	403,044.78
336020 State On-Behalf Retirement	0.00	0.00	0.00	0.00	0.00
337340 Flathead County (EMS)	4,453.19	0.00	0.00	0.00	4,453.19
337350 Flathead County (SRO)	0.00	0.00	0.00	0.00	0.00
337360 School District #6 (SRO)	0.00	0.00	0.00	0.00	0.00
341000 General Miscellaneous (Copies,	4,025.80	0.00	550.00	550.00	4,575.80
341070 Planning and Zoning Fees	33,396.25	0.00	2,475.00	2,475.00	35,871.25
342020 Special Fire Protection Services	66,104.00	0.00	75.00	75.00	66,179.00
342021 Fire Protective Inspections	7,465.00	0.00	235.00	235.00	7,700.00
346030 Swimming Pool User Fees	8,483.75	0.00	0.00	0.00	8,483.75
346031 Parks Use Permits/Fees	2,176.25	0.00	125.00	125.00	2,301.25
346033 Swim Lessons	4,643.50	0.00	0.00	0.00	4,643.50
346034 Individual Swim Pass	0.00	0.00	0.00	0.00	0.00
346035 Lap Swim Pass	94.00	0.00	0.00	0.00	94.00
346036 Family Swim Pass	870.00	0.00	0.00	0.00	870.00
346037 Pool Parties	2,000.00	0.00	0.00	0.00	2,000.00
346050 Swim Team Agreement	0.00	0.00	0.00	0.00	0.00
351030 City Courts Fines & Forfeitures	80,022.27	0.00	17,571.31	17,571.31	97,593.58
351031 Court Fines Surcharge	2,565.81	0.00	661.69	661.69	3,227.50
351034 Court Administration Costs	182.08	0.00	315.00	315.00	497.08
362000 Refunds, Rebates, Dividends	2,525.70	0.00	0.00	0.00	2,525.70
366000 Miscellaneous	4,257.48	1.10	2,500.00	2,498.90	6,756.38
371010 Investment Earnings	47,933.09	0.00	9,846.26	9,846.26	57,779.35
383000 Interfund Operating Transfer	451,178.19	0.00	25,000.00	25,000.00	476,178.19
Total REVENUE	1,969,524.51	1.10	78,972.72	78,971.62	2,048,496.13
EXPENDITURES					
410100 LEGISLATIVE SERVICES	66,756.33	5,255.45	0.00	5,255.45	72,011.78
410131 Tree City Program (Tree Board)	11,852.06	882.61	0.00	882.61	12,734.67
410132 Arbor Day (Tree Board)	0.00	0.00	0.00	0.00	0.00
410360 CITY COURT	108,029.48	14,601.11	0.00	14,601.11	122,630.59
410365 CITY COURT PROSECUTION	28,477.37	3,730.44	0.00	3,730.44	32,207.81
410400 ADMINISTRATIVE SERVICES	34,792.53	6,497.76	0.00	6,497.76	41,290.29
410500 DEPT. OF FINANCE	106,405.73	16,215.58	0.00	16,215.58	122,621.31
410580 Computer Systems & Programs	16,290.43	5,588.25	0.00	5,588.25	21,878.68
411000 PLANNING & ZONING	44,713.37	3,233.93	0.00	3,233.93	47,947.30

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CITY OF COLUMBIA FALLS
Revenue/Expenditure Ledger
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1000 GENERAL FUND

	Beginning	Debit	Credit	Net Change	Ending Balance
411100 LEGAL SERVICES	29,566.27	3,601.78	0.00	3,601.78	33,168.05
411200 FACILITIES ADMINISTRATION	62,175.68	7,562.31	0.00	7,562.31	69,737.99
411800 Employee Asst Program & Flex Plan	1,455.00	0.00	0.00	0.00	1,455.00
420100 LAW ENFORCEMENT SERVICES	713,576.95	109,032.48	3,896.00	105,136.48	818,713.43
420400 FIRE PROTECTION & CONTROL	146,156.66	40,125.53	0.00	40,125.53	186,282.19
420730 Emergency Medical Services	658.00	310.66	0.00	310.66	968.66
430400 Transit Systems	0.00	0.00	0.00	0.00	0.00
431200 Flood Control-High Hazard Dam	2,045.14	276.49	0.00	276.49	2,321.63
440600 ANIMAL CONTROL SERVICES	0.00	0.00	0.00	0.00	0.00
460400 PARK & RECREATION SERVICES	101,146.80	5,323.40	0.00	5,323.40	106,470.20
460445 SWIMMING POOL	61,042.65	296.40	0.00	296.40	61,339.05
490500 Other Debt Service Payments	7,933.85	0.00	0.00	0.00	7,933.85
510100 SPECIAL ASSESSMENTS	7,898.46	0.00	0.00	0.00	7,898.46
510300 ORDINANCE CODIFICATION/CONSULTANTS	0.00	0.00	0.00	0.00	0.00
510330 Comprehensive Liability Insurance	89,578.25	1,500.00	0.00	1,500.00	91,078.25
510620 TERMINATION COSTS	0.00	0.00	0.00	0.00	0.00
521000 INTERFUND OPERATING TRANSFERS OUT	252,082.00	0.00	0.00	0.00	252,082.00
Total EXPENDITURES	1,892,633.01	224,034.18	3,896.00	220,138.18	2,112,771.19

Revenue less Expenditures Current Month (141,166.56)

Revenue less Expenditures Year to Date (64,275.06)

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CITY OF COLUMBIA FALLS
Revenue/Expenditure Ledger
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5210 WATER ENTERPRISE FUND

	Beginning	Debit	Credit	Net Change	Ending Balance
REVENUE					
331991 CARES/ARPA GRANT CFDA#21.019/21.027	0.00	0.00	0.00	0.00	0.00
343021 Metered Water Sales	483,569.47	31.50	44,946.49	44,914.99	528,484.46
343022 Water Testing Charge - 75-6-108	4,350.00	0.00	0.00	0.00	4,350.00
343024 Sale of Materials, Supplies & Misc.	7,012.71	0.00	595.83	595.83	7,608.54
343025 Water Permit Fees	250.00	0.00	0.00	0.00	250.00
343026 Water Connection Fees/New	2,450.00	0.00	175.00	175.00	2,625.00
343027 Repairs/Materials & Supplies	16,766.43	0.00	124.78	124.78	16,891.21
343028 Late Charges/Disconnect &	4,377.00	4.00	715.73	711.73	5,088.73
362000 Refunds, Rebates, Dividends	3,657.43	0.00	0.00	0.00	3,657.43
363020 Special Assmts - Bond P&I	0.00	0.00	0.00	0.00	0.00
371010 Investment Earnings	23,483.08	0.00	4,651.89	4,651.89	28,134.97
383000 Interfund Operating Transfer	0.00	0.00	0.00	0.00	0.00
Total REVENUE	545,916.12	35.50	51,209.72	51,174.22	597,090.34
EXPENDITURES					
430500 Water Operating	322,912.07	44,638.79	0.00	44,638.79	367,550.86
430560 Administration	55,337.95	7,557.00	0.00	7,557.00	62,894.95
430570 Water Customer Accounting &	34,185.49	5,019.77	0.00	5,019.77	39,205.26
490210 Revenue Bonds, Series 2005	16,023.75	0.00	0.00	0.00	16,023.75
490220 Water Revenue Bonds Series 2020	21,775.00	0.00	0.00	0.00	21,775.00
510330 Comprehensive Liability Insurance	13,722.81	0.00	0.00	0.00	13,722.81
510400 Depreciation	0.00	0.00	0.00	0.00	0.00
Total EXPENDITURES	463,957.07	57,215.56	0.00	57,215.56	521,172.63

Revenue less Expenditures Current Month (6,041.34)

Revenue less Expenditures Year to Date 75,917.71

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Revenue/Expenditure Ledger
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5310 SEWER ENTERPRISE FUND

	Beginning	Debit	Credit	Net Change	Ending Balance
REVENUE					
331991 CARES/ARPA GRANT CFDA#21.019/21.027	0.00	0.00	0.00	0.00	0.00
343031 Sewer Service Charges	682,420.70	765.21	88,632.71	87,867.50	770,288.20
343032 Sewer Connection Fees/New	1,050.00	0.00	0.00	0.00	1,050.00
343033 Sewer Permit Fees	350.00	0.00	0.00	0.00	350.00
343035 Sale of Materials, Supplies & Misc.	492.38	0.00	70.34	70.34	562.72
343038 Disposal Fee Agreements	6,384.43	0.00	1,199.80	1,199.80	7,584.23
362000 Refunds, Rebates, Dividends	5,912.02	0.00	0.00	0.00	5,912.02
363020 Special Assmts - Bond P&I	0.00	0.00	0.00	0.00	0.00
371010 Investment Earnings	31,427.64	0.00	6,338.08	6,338.08	37,765.72
383000 Interfund Operating Transfer	0.00	0.00	0.00	0.00	0.00
Total REVENUE	728,037.17	765.21	96,240.93	95,475.72	823,512.89
EXPENDITURES					
430600 Sewer Operating	472,657.66	51,575.23	242.11	51,333.12	523,990.78
430610 Sewer Administration	55,333.00	7,555.78	0.00	7,555.78	62,888.78
430670 Sewer Customer Accounting &	34,174.85	5,018.39	0.00	5,018.39	39,193.24
490215 Revenue Bonds, Series 2009	23,446.25	0.00	0.00	0.00	23,446.25
510330 Comprehensive Liability Insurance	35,535.44	0.00	0.00	0.00	35,535.44
510400 Depreciation	0.00	0.00	0.00	0.00	0.00
Total EXPENDITURES	621,147.20	64,149.40	242.11	63,907.29	685,054.49
Revenue less Expenditures Current Month					31,568.43
Revenue less Expenditures Year to Date					138,458.40
Grand Total Revenue less Expenditures Current Month (					115,639.47)
Grand Total Revenue less Expenditures Year to Date					150,101.05

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CITY OF COLUMBIA FALLS
Cash Report
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Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 GENERAL FUND						
101000 CASH/CASH EQUIVALENTS	402,583.70	83,731.72	0.00	0.00	234,224.36	252,091.06
102000 CASH - RESERVE	733,215.00	0.00	0.00	0.00	0.00	733,215.00
102015 Cash-Restricted for	66,952.56	0.00	0.00	0.00	0.00	66,952.56
102200 CASH - RESTRICTED DONATIONS	1,000.00	0.00	0.00	0.00	0.00	1,000.00
103000 CASH - CHANGE FUND/PETTY CASH	200.00	0.00	0.00	0.00	0.00	200.00
Total Fund	1,203,951.26	83,731.72			234,224.36	1,053,458.62
2100 RESORT TAX						
101000 CASH/CASH EQUIVALENTS	220,004.46	18,518.72	0.00	25,000.00	0.00	213,523.18
102000 CASH - RESERVE	1,066,269.00	0.00	0.00	0.00	0.00	1,066,269.00
Total Fund	1,286,273.46	18,518.72		25,000.00		1,279,792.18
2310 TAX INCREMENT DISTRICT FUND						
101000 CASH/CASH EQUIVALENTS	1,434,369.22	12,246.34	0.00	0.00	33,356.24	1,413,259.32
102000 CASH - RESERVE	212,235.00	0.00	0.00	0.00	0.00	212,235.00
Total Fund	1,646,604.22	12,246.34			33,356.24	1,625,494.32
2311 TEDD-INDUSTRIAL PARK						
101000 CASH/CASH EQUIVALENTS	7,383.34	68.95	0.00	0.00	0.00	7,452.29
102000 CASH - RESERVE	12,561.00	0.00	0.00	0.00	0.00	12,561.00
Total Fund	19,944.34	68.95				20,013.29
2312 TEDD - COLUMBIA RISING IND PARK						
101000 CASH/CASH EQUIVALENTS	74,345.92	391.46	0.00	0.00	0.00	74,737.38
102000 CASH - RESERVE	38,892.00	0.00	0.00	0.00	0.00	38,892.00
Total Fund	113,237.92	391.46				113,629.38
2372 PERMISSIVE MEDICAL LEVY						
101000 CASH/CASH EQUIVALENTS	43,585.64	1,479.98	0.00	0.00	0.00	45,065.62
102000 CASH - RESERVE	10,056.00	0.00	0.00	0.00	0.00	10,056.00
Total Fund	53,641.64	1,479.98				55,121.62
2394 BUILDING CODE ENFORCEMENT FUND						
101000 CASH/CASH EQUIVALENTS	15,023.79	4,204.83	0.00	0.00	5,334.84	13,893.78
102000 CASH - RESERVE	131,883.00	0.00	0.00	0.00	0.00	131,883.00
Total Fund	146,906.79	4,204.83			5,334.84	145,776.78
2400 SPECIAL LIGHTING DISTRICT FUND						
101000 CASH/CASH EQUIVALENTS	26,374.65	305.57	0.00	0.00	2,727.55	23,952.67
102000 CASH - RESERVE	6,858.00	0.00	0.00	0.00	0.00	6,858.00
Total Fund	33,232.65	305.57			2,727.55	30,810.67
2500 SPECIAL STREET MAINTENANCE DISTRICT FUND						
101000 CASH/CASH EQUIVALENTS	96,596.80	1,523.84	0.00	0.00	52,810.76	45,309.88
102000 CASH - RESERVE	43,719.00	0.00	0.00	0.00	0.00	43,719.00
Total Fund	140,315.80	1,523.84			52,810.76	89,028.88
2700 CEDAR CREEK TRUST						
101000 CASH/CASH EQUIVALENTS	113,864.95	4,154.37	0.00	0.00	0.00	118,019.32
102030 Cash/Investments-Restricted	1,087,875.58	0.00	0.00	0.00	0.00	1,087,875.58
Total Fund	1,201,740.53	4,154.37				1,205,894.90
2820 GAS TAX FUND						
101000 CASH/CASH EQUIVALENTS	19,821.19	7,778.81	0.00	0.00	0.00	27,600.00
2821 Special Road/Street Allocation Program						

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101000 CASH/CASH EQUIVALENTS	135,072.09	0.00	0.00	0.00	0.00	135,072.09
2917 CRIME VICTIMS ASSISTANCE FUND						
101000 CASH/CASH EQUIVALENTS	0.00	519.00	0.00	0.00	231.00	288.00
2940 CDBG-HOME INVESTMENT PARTNERSHIP PROGRAM GRANT FUND						
101000 CASH/CASH EQUIVALENTS	143,389.00	0.00	0.00	0.00	0.00	143,389.00
2958 FEMA PUBLIC ASSISTANCE GRANT						
101000 CASH/CASH EQUIVALENTS	-8,498.69	0.00	0.00	0.00	0.00	-8,498.69
2959 EDA						
101000 CASH/CASH EQUIVALENTS	279,806.56	0.00	0.00	0.00	4,670.87	275,135.69
2991 ARPA of 2021						
101000 CASH/CASH EQUIVALENTS	1,505,475.83	0.00	0.00	0.00	0.00	1,505,475.83
3020 GO Street Improvements						
101000 CASH/CASH EQUIVALENTS	44,953.96	166.14	0.00	0.00	0.00	45,120.10
3534 SID 34 FUND - 5th Avenue Water Main						
101000 CASH/CASH EQUIVALENTS	4,450.40	16.24	0.00	0.00	0.00	4,466.64
102000 CASH - RESERVE	248.00	0.00	0.00	0.00	0.00	248.00
Total Fund	4,698.40	16.24				4,714.64
3536 SID 36 FUND - Talbott & 4th Avenue Water Main						
101000 CASH/CASH EQUIVALENTS	1,950.70	12.15	0.00	0.00	0.00	1,962.85
102000 CASH - RESERVE	1,565.00	0.00	0.00	0.00	0.00	1,565.00
Total Fund	3,515.70	12.15				3,527.85
3538 SID 38 FUND - Riverwood						
101000 CASH/CASH EQUIVALENTS	2,745.01	68.26	0.00	0.00	0.00	2,813.27
102010 CASH - SID RESTRICTED BOND	17,000.00	0.00	0.00	0.00	0.00	17,000.00
Total Fund	19,745.01	68.26				19,813.27
4000 CAPITAL PROJECTS FUND - Building Improvements						
101000 CASH/CASH EQUIVALENTS	83,081.02	503.38	0.00	0.00	4,616.00	78,968.40
102000 CASH - RESERVE	67,149.00	0.00	0.00	0.00	0.00	67,149.00
Total Fund	150,230.02	503.38			4,616.00	146,117.40
4010 CAPITAL PROJECTS FUND - Parks Improvements						
101000 CASH/CASH EQUIVALENTS	77,568.55	926.08	0.00	0.00	0.00	78,494.63
102000 CASH - RESERVE	190,322.00	0.00	0.00	0.00	0.00	190,322.00
Total Fund	267,890.55	926.08				268,816.63
4020 CAPITAL PROJECTS FUND - General Equipment						
101000 CASH/CASH EQUIVALENTS	93,078.42	1,397.36	0.00	0.00	0.00	94,475.78
102000 CASH - RESERVE	311,137.00	0.00	0.00	0.00	0.00	311,137.00
Total Fund	404,215.42	1,397.36				405,612.78
4040 CAPITAL PROJECTS FUND - Street Construction						
101000 CASH/CASH EQUIVALENTS	754,985.81	3,027.31	0.00	0.00	0.00	758,013.12
102016 CASH-RESTRICTED RR STREET	120,730.00	0.00	0.00	0.00	0.00	120,730.00
Total Fund	875,715.81	3,027.31				878,743.12
5210 WATER ENTERPRISE FUND						
101000 CASH/CASH EQUIVALENTS	441,677.80	61,266.88	0.00	0.00	58,440.58	444,504.10
102222 CASH - Bond Reserve, 2005	35,308.00	0.00	0.00	0.00	0.00	35,308.00
102223 CASH - Bond Reserve, 2020	21,863.00	0.00	0.00	0.00	0.00	21,863.00
102230 CASH - Surplus Capital	261,733.25	0.00	0.00	0.00	0.00	261,733.25

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102240 CASH - Replacement &	586,754.00	0.00	0.00	0.00	0.00	586,754.00
103000 CASH - CHANGE FUND/PETTY CASH	150.00	0.00	0.00	0.00	0.00	150.00
Total Fund	1,347,486.05	61,266.88			58,440.58	1,350,312.35
5211 WATER CAPITAL EXPANSION						
102230 CASH - Surplus Capital	389,070.36	1,345.00	0.00	0.00	0.00	390,415.36
5310 SEWER ENTERPRISE FUND						
101000 CASH/CASH EQUIVALENTS	582,165.00	90,577.57	3,644.49	0.00	88,449.68	587,937.38
102225 Cash-Bond Reserve - 2009 Series	72,111.25	0.00	0.00	0.00	0.00	72,111.25
102230 CASH - Surplus Capital	313,893.54	0.00	0.00	0.00	0.00	313,893.54
102235 CASH - Restricted WWTP	481,734.52	0.00	0.00	0.00	0.00	481,734.52
102240 CASH - Replacement &	383,940.00	0.00	0.00	0.00	0.00	383,940.00
103000 CASH - CHANGE FUND/PETTY CASH	150.00	0.00	0.00	0.00	0.00	150.00
Total Fund	1,833,994.31	90,577.57	3,644.49		88,449.68	1,839,766.69
5311 SEWER CAPITAL EXPANSION						
102230 CASH - Surplus Capital	1,247,931.42	4,314.05	0.00	0.00	0.00	1,252,245.47
7120 FIRE RELIEF DISABILITY/PENSION FUND						
101000 CASH/CASH EQUIVALENTS	1,762.39	235.17	0.00	0.00	0.00	1,997.56
7196 FLEXIBLE SPENDING ACCOUNT						
105100 Amount held by Flex Plan	7,004.57	0.00	0.00	926.06	0.00	6,078.51
7910 PAYROLL FUND						
101000 CASH/CASH EQUIVALENTS	-14,757.87	1,480.00	273,265.13	262,411.32	0.00	-2,424.06
7930 CLAIMS FUND						
101000 CASH/CASH EQUIVALENTS	4,497.43	0.00	207,952.26	188,448.42	0.00	24,001.27
Totals	14,508,868.12	300,259.18	484,861.88	476,785.80	484,861.88	14,332,341.50

*** Transfers In and Transfers Out columns should match, with the following exceptions:

- 1) Cancelled electronic checks increase the Transfers In column. Disbursed column will be overstated by the same amount and will not balance to the Redeemed Checks List.
- 2) Payroll Journal Vouchers including local deductions with receipt accounting will reduce the Transfers Out column by the total amount of these checks.