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COLUMBIA FALLS, MT 59912

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**CITY COUNCIL SPECIAL MEETING
AGENDA
MONDAY, JANUARY 30, 2023
COLUMBIA FALLS JUNIOR HIGH SCHOOL - 1805 TALBOT**

**NOTE: THIS MEETING IS NOT AVAILABLE VIA ZOOM DUE TO CHANGE IN LOCATION TO THE COLUMBIA FALLS
JUNIOR HIGH CAFETORIUM**

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

VISITORS/PUBLIC COMMENT (Items not on agenda)

PUBLIC HEARINGS:

1. Public Hearings:

The Columbia Falls City-County Planning Board held a public hearing for the following items at their regular meeting on Tuesday, January 10, 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 at a special meeting on January 30, 2023 starting at 7:00 p.m. in the same location.

Request for a Planned Unit Development (PUD) for the River Highlands Development:

James Barnett, on behalf of River Highlands LLC, is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction called River Highlands. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 83 detached single family homes; 98 attached single family townhomes, 162 apartment units. The total unit count is 343 units on 49.1 acres gross for a density of 6.9 units per acre. The applicant is proposing 19.55 acres (40%) of the site as park and open space. With the project, the applicant is proposing to move River Road further east on Highway 2 and, if supported by MDOT, the applicant would install a traffic signal at Highway 2 and River Road. The applicant is not requesting any deviations other than the clustering of density and the density bonus provided by the PUD regulations.

Request for Preliminary Plat approval of the River Highlands Subdivision in the Columbia Falls Zoning Jurisdiction:

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

A. Adopt Staff Report CPUD-22-04 as Findings of Fact

B. Adopt Staff Report CPP-22-04 as Findings of Fact

C. Approve PUD and Preliminary Plat and direct staff to prepare Ordinance and Resolution for next Regular Council Meeting

ADJOURN

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

Item No.1.

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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 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 River Highlands Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 15th day of December, 2022

Susan Nicosia

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

Publish: Daily Interlake Sunday December 25, 2022

**COLUMBIA FALLS AREA ZONING JURISDICTION
RIVER HIGHLANDS PLANNED UNIT DEVELOPMENT (PUD)
CITY OF COLUMBIA FALLS STAFF REPORT # CPUD-22-04
December 27, 2022
Amended Per Planning Board Meeting of January 10, 2023**

Item No.1.

A report to the Columbia Falls City-County Planning Board regarding a request for a Planned Unit Development concurrent with a preliminary plat application. The development proposes 343 residential units (83 detached single-family units, 98 attached single family units and 162 apartments. A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on January 10, 2023 at 6:30 PM in the Columbia Falls Junior High Cafetorium and a subsequent public hearing is scheduled for the Columbia Falls City Council for January 30, 2023 at 7:00 PM in the Columbia Falls Junior High Cafetorium.

BACKGROUND INFORMATION

A. PETITIONERS

River Highlands LLC
Attn: James Barnett
3821 Lower Valley Rd
Kalispell, MT 59901

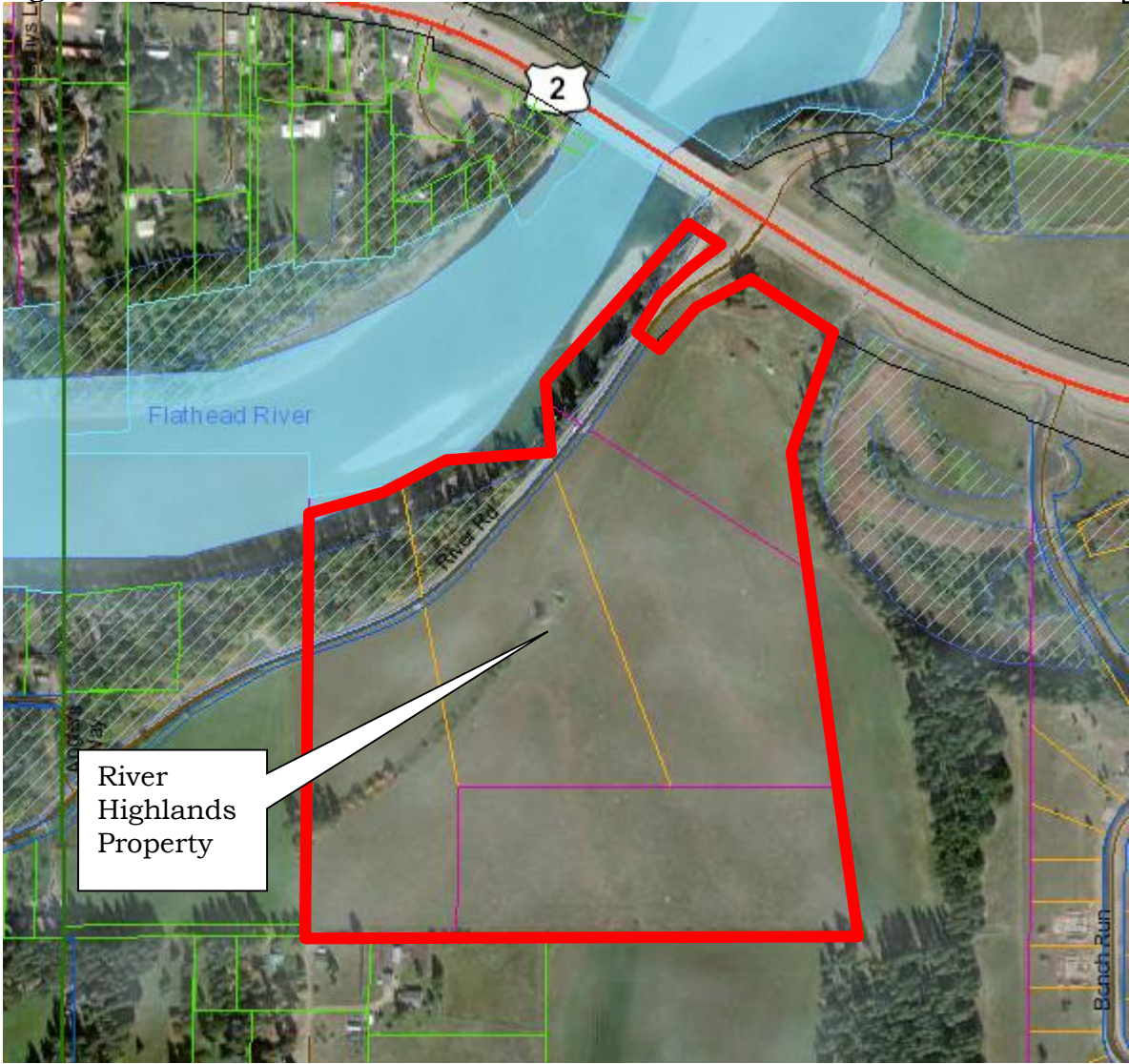
B. PETITIONER'S TECHNICAL ASSISTANCE

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

C. LOCATION/DESCRIPTION

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

Figure 1



D. REQUEST

The applicant is proposing a large residential development on 49.1 acres of land. The request includes a PUD and a subdivision application. The Development proposes 343 units on the 49 acres for a density just under seven units per acre. With the urban density, the applicant proposes extending municipal sewer and water mains across the river to the subject property. The applicants will reconstruct and move River Road to the east for better site distance and they will work with MDOT on the installation of a traffic signal. Pedestrian paths will be constructed along River Road and throughout the project connecting to the existing sidewalks on Highway 2. With the PUD, the design creates 39.8% open space which includes active park areas as well as passive open space.

E. REASON FOR REQUEST

The applicant initially proposed a zone change, PUD and subdivision in the spring of 2022 that contained 455 residential units, most of which were apartments. The density was just over nine units per acre and the applicants were requesting deviations to the building height, parking, and fire lane width. The Planning Board held a public hearing on the matter and after much public testimony against the project, the Planning Board recommended denial of the development based on the density exceeding the recommended density of the growth policy and that the dominate housing type use was multi-family residential.

The applicant withdrew the application prior to a hearing with the City Council and decided to rework the development proposal. The current application set does not include a request for a zone change and instead utilizes the existing CR-3 zoning. The applicant is using the PUD zoning tool to cluster the development and take advantage of the PUD density bonus provision. The applicant is not requesting any deviations to the zoning provisions such as height, parking, setback, or access width. The new proposal reduced the density to 343 residential units of which 181 are single family residential units of detached and townhouse mix and the remaining 162 units are multi-family apartments. Of the 49 acres only 17% of the property is devoted to the apartment use.

F. EXISTING LAND USE

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

G. ADJACENT ZONING AND LAND USE:

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

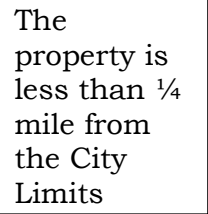
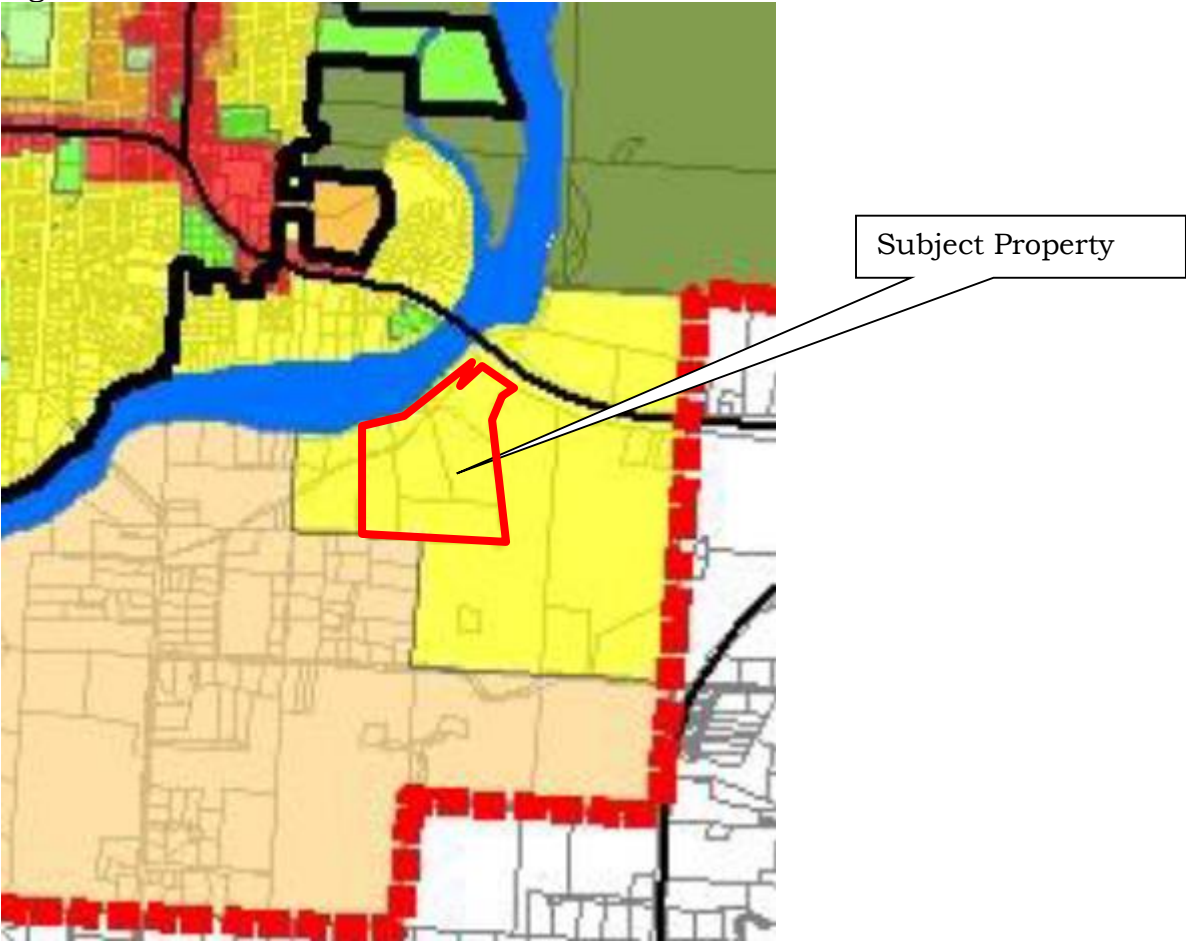
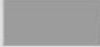


Figure 3



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

LAND USE	
	Light Industrial <i>Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.</i>
	Multi Family <i>8 or more units/acre. High density residential including townhouses and apartment units. Served by urban services. May be a buffer or transitional area between low density residential and non-residential uses.</i>
	Urban Residential <i>Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units. Fully served by urban services.</i>
	Suburban Residential <i>2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.</i>
	Rural Reserve <i>A rural area, predominately used for corporate and public lands, estate housing, and protective buffer for industry. Outside the immediate needs of urban development and having limited urban services. Residential use closely associated with highly developed access and low fire hazards.</i>

Legend for Growth Policy Map

I. UTILITIES/SERVICES

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

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

EVALUATION BASED ON STATUTORY CRITERIA¹

The following findings are made:

This request is reviewed pursuant to the criteria set forth in Section 76-2-304, M.C.A. and as stated by the Montana Supreme Court; Chapters 18.348, Planned Unit Development Standards. 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 buildings vary in height with one, two, and three story elements in a single structure. The buildings also vary in orientation with lineal and “L” shaped footprints.
2. Roofs and Parapets:
 - A. The applicant is using flat roofs with projections for the architectural interest appearance. Most of the mechanical will be housed inside the building or at

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.

ground level. The buildings will comply with the maximum height limits of CR-3 zoning regulations.

Item No.1.

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 will be parapets. The parapets don't exceed 15% of the supporting wall
 - C. There will be a three-dimensional cornice treatment
 - D. N/A The buildings are using parapets
 - E. N/A
 - 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 and textured metal. (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 49.1 acres in size. Approximately 39% 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, and landscaped areas. The streets will have tree lined boulevards.
 - B. The applicant proposes 39% of the site as landscape area (native and cultivated) which exceeds the 15% requirement for large building CUP's. The 39% also exceeds the 30% requirement of the PUD standards.
 - C. The site plan incorporates the existing features of the site and preserves all of the trees along the river bank. The remainder of the property will be completely revegetated with maintained landscape areas as it is replacing agricultural vegetation. Presently we have a schematic landscaping plan that does not indicate the plant mix or irrigation system. Staff will recommend a condition of approval that requires City Manager approval of the detailed landscape plan prior to issuance of the occupancy permit. Staff can work with the applicant and the time of year to ensure that the approved landscaping plan is implemented through a developer's agreement.
 - D. The regulations require that large buildings on sites of between 30 acres and 50 acres provide a 13-foot landscape buffer around the perimeter of the site. The CR-3 zoning has a minimum setback of 20 feet. Based on the site plan, setbacks will range from 20-feet at the narrowest to 60 or more feet for the majority of the development.
 - 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 or round-about) is proposed within the project. See discussion later in the report for an off-site improvement to help with traffic mitigation.
 - G. The applicant is providing 2.15 parking spaces per residential unit. The zoning regulations only require two parking spaces per dwelling. This works out to 53 surplus parking stalls that can be used for guest parking within the project

To address overflow and guest parking, 53 additional parking stalls were added to the apartment and clubhouse parking lots.

7. Snow Storage.
A snow storage plan will be required for review prior to building permit approval. With 39% 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 three types of road sections:
The first is River Road which is a collector road that will become a City Street for the area of annexation. River Road for the extent of the subdivision will have a detached eight-foot multi-use walk on the southeast side of the road and connecting with the multi-use path on the south side of Highway 2. There are concrete walkways between the parking lots and the building.

The main internal loop (See Figure 5 of the PUD Narrative) will be developed to a City standard with five-foot concrete sidewalks on each side of the street.

The smaller local streets will be developed with sidewalks on one side of the street along with asphalt or concrete paths through the open space/park areas. Every unit has access to a sidewalk in the street or to a path in the green belt abutting their unit. To better meet this pedestrian access, the sidewalks on the outer ring of the development could be moved to the outside of the street so that

those houses have direct access to the sidewalk in the street and the homes on the inside have direct access to the green belt walks.

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

10. Community Space

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

Of the open space, the applicant is proposing to dedicate five acres to the City of Columbia Falls for City Park area. Also, a large portion of the river front property will be preserved in a native state with only the traditional and primitive 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 49.1 acres; thus, it meets the minimum criteria of 2 acres for a PUD.

2. *The maximum density of a CR-3 zoned PUD is 7units/acre:*

The site contains a total of 49.1 acres. The applicant is requesting 343 units or 6.9 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 19.55 acres of the 49.1 acre site as open space/park area which equals 39% of the property.

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

The applicant is meeting the parking standards 2.15 off-street parking spaces per unit.

5. *Landscaping*

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

6. *Public utilities shall be provided:*

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

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

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

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 19.55 acres of the 49.1 acre site as open space/park area which equals 39% of the property. Park areas will include a five-acre park area in the northeast portion of the property as a City Park. The applicants will construct any agreed-on amenities prior to dedication. Other park amenities within the project include pavilions, playgrounds, hard surface courts and a dog park for the residents. In addition, there will be a club house with full amenities for the residents of the River Highlands development.

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

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

The main interior loop road will be constructed to a City standard with 28 feet of paved surface, curb, gutter, boulevards, and five-foot sidewalks. This loop is proposed as a City Street along with River Road. The outer roads providing local access to the bulk of the single-family units will be private streets with a 24-foot paved surface, curb, gutters, boulevards and sidewalks on at least one side of the street. As shown on the PUD site plan, paved or concrete walking paths cross through the green belts connecting units to the mixed-use path on River Road as well as the park, open space and club house amenities within the subdivision.

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 detached buildings that resemble traditional arts and craft bungalow architecture. The attached single family Also have an arts and crafts style with individual yard spaces and access to lineal green belts. The multi-family apartments combine two and three stories within a single building and front on green belts and park areas. The apartments are located to the center of the property with the single family detached and 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 6.9 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 181 units of single family residential and 162 multi-family units and of the 49.1 acres of property in the development a limited 17% (8.3 acres) of the property is devoted to multi-family. 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.

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

The proposed street layout provides direct access to all individual lots within the project. The proposed development will definitely add density to this area of Columbia Falls and add significant trips to River Road. To mitigate traffic congestion, applicant proposed to rebuild River Road moving it east on the subject property for better sight distance and work through MDOT’s system impacts process to place a traffic signal at the River Road Highway 2 intersection. A shared use pedestrian path will be installed along River Road to provide safe movement for people walking or biking along River Road for the development frontage. This River Road path will connect to the path located on Highway 2 which allows pedestrian movement into downtown Columbia Falls. The internal sidewalks and trails of the development connect to the River Road trail

As part of the application package for the River Highlands development, the applicant has provided a Traffic Impact Study (TIS). The TIS conducted a Level of Service (LOS) Study for the River Road and US Highway 2 intersection with a No-Build/Build

comparison of No-Build (No Development) and Build (343 units). The LOS Study grades a letter grade to an intersection with grades A through C being a passing grade and D through F failing. The LOS study shows that regardless of whether the project is built or not, the intersection functions at an F grade for northbound traffic making a left/right turn movement. However, if a traffic signal is installed at the intersection by the developer, the LOS for Northbound left turn movement increases to a C grade and is passing. Any signalization of this intersection must be reviewed and approved by the Montana Department of Transportation whom will also review the applicants TIS. The conclusion is that even with the traffic generated by this project, if a traffic signal is installed the congestion at River Road and Highway 2 will greatly improve.

The Columbia Falls Planning Board determined that the TIS was deficient because it did not consider the intersection of River Road and Columbia Falls Stage.

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

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

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

The applicant is proposing to move River Road east and install a traffic signal at the River Road and Highway 2 intersection which the Traffic Impact Study shows will improve turning movement off River Road. The traffic signal will not only mitigate traffic congestion from the proposed development, it will improve the already failing intersection. To provide safe pedestrian movement and mitigate conflict between vehicles and pedestrians, the developer will install a pedestrian 8-foot-wide shared use path along River Road and tie it in with the existing Highway 2 path. Sidewalks and paths are proposed throughout the project to provide safe pedestrian movement within the project and connect to the River Road and Highway 2 paths that lead into Columbia Falls or Columbia Heights. 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. The project is designed to move density away from the Flathead River and potential flooding. Based on the plat map, the buffer/setback is between 120 and 430 feet from the river. As Columbia Falls or Flathead County don't have river setbacks, these substantial buffers provide protection to the river.

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

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

The developer, through the use of the PUD, is concentrating the density of the project into the center of the 49-acre property. 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 39% 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

- 39% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, City Park, ball courts, walking paths, and a club house
- The CR-3 PUD regulations may allow 343 units on the subject property's 49.1 acres. The development is just under seven units per acre in conformance with the Growth Policy.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town.
- The project has almost immediate access to high-capacity Highway 2.

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

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

The Growth Policy Map prescribes a density of two to eight dwellings per acre for urban residential, the proposed density of just under seven dwelling units per acre is within the CR-3 Planned Unit Development density requirements. The project will be fully served by urban infrastructure such as public sewer and water service, City street and private streets developed to City standards with curb/gutter, boulevards and sidewalks.

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

- 39% of the site will be set aside as park/open space.
- The park and open space areas are amenity filled with proposed playgrounds, City Park, ball courts, walking paths, and a club house
- The CR-3 PUD regulations may allow 343 units on the subject property's 49.1 acres. The development is just under seven units per acre in conformance with the Growth Policy.
- A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town.
- The project has almost immediate access to high-capacity Highway 2.
- The development is creating a 120 to 420 foot buffer from the Flathead River with only park elements proposed for the west side of River Road.

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 on River Road.
- There are numerous parks and open spaces in the project. The Park and open space along the river, including a City park will be open to the public. The park amenities and club house on the east side of river road will be for the residents of the apartment complex.

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

The PUD is the best mechanism to develop the property east of the river by allowing clustering of density to create 39% (19.55 acres) of the site as open space including the large buffer along the Flathead River. Without the PUD densities the property would most likely be developed to half acre lots similar to that of the Benches utilizing on-site sewer and a public water system. The Benches is a nice development but it does not provide the number of units needed to meet the housing demand in the Flathead.

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

The Columbia Falls City County Planning Board determined that the proposed River Highlands Development consists of too high a concentration of Multi-Family Apartment Units for this area of Columbia Falls. The River Road area of Columbia Falls is almost exclusively a single family residential area of urban, suburban and rural densities. Although the PUD standards provide for multi-family development, the Columbia Falls Growth Policy only anticipated limited quantities of Multi-Family housing in the Urban designated areas.

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

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

The Columbia Falls City-County Planning Board determined that the proposed River Highlands Subdivision did not adequately take the character of the district into consideration when developing the residential land use mix. The Board determined that the density was too high when the underlying CR-3 zoning provides a minimum lot size of 9,600 square feet or 4.5 units per acre. Although the proposed multi-family housing was limited to 17% of the site the Board determined that the 162 units of apartments was not in Character with the District.

13.Will the new zoning affect property values?

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

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

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

The previous application at nine units per acre was characterized as more dense than any other [projects in Columbia Falls. For comparisons, the Highline Apartments were approved at 14.5 dwellings per acre. The apartments approved at Meadow Lake Blvd and Best Way are approved at 16.4 dwellings per acre. The apartments approved on Diane Road and South Hilltop are at 13.2 units per acre. Our conventional neighborhoods between 1st Ave West and 4th Ave West come in at five dwellings per acre. The density of the proposed CR-3 PUD with seven units per acre is much less than the Columbia Falls Multi-Family Neighborhoods and just slightly above traditional single-family neighborhoods.

SUMMARY OF FINDINGS

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

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

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

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.

~~The Columbia Falls City-County Planning Board determined that the proposed River Highlands Subdivision did not adequately take the character of the district into consideration when developing the residential land use mix.~~

RECOMMENDATION

~~The Columbia Falls City County Planning Board, after considering public testimony, staff findings, and discussion, determined that the proposed staff report CPUD-22-04 were not findings of fact and, therefore, that the Columbia Falls City Council should deny approval of the proposed River Highlands Subdivision because it does not comply with the underlying CR-3 zoning requirements without the PUD.~~

~~The following conditions were proposed with the PUD staff report should the City Council wish to approved the PUD.~~

Staff recommends that the Columbia Falls City-County Planning Board and Zoning Commission adopt Columbia Falls Planning Office Staff Report #CPUD-22-04 as Findings of Fact and recommend approval of the requested PUD overlay zone subject to the following conditions:

1. The project shall be built in substantial compliance with the WGM Group submitted plans dated November 2022 and the building elevations provided by Cushing Terrell.
2. Other than clustering and the allowed density bonus, the River Highlands PUD is not requesting any deviations to zoning and no deviations are permitted.
3. Landscaping and landscaping features will generally follow the PUD plan with the understanding that the PUD plan is not a detailed Landscaping Plan. The applicants shall provide the City Manager a detailed Landscape plan, in compliance with the landscape provisions of the "Large Building Standards." The landscape plan shall be approved and the landscaping installed prior to the issuance of an occupancy permit. If, due to weather, the landscaping cannot be completed prior to occupancy, the applicant may enter into a developer's agreement with the City of Columbia Falls and provide a security (bond or letter of credit) in the amount of 125% of the landscape improvements. The security amount will be determined by actual bid or licensed engineer. The developer's agreement will not be for longer than six months.
4. Refuse enclosures for the apartment buildings shall comply with the Columbia Falls Large Building Standards.
5. The developer shall install an eight-foot bike/pedestrian path on the south side of River Road and connect to the existing path on Highway 2. The developer shall connect the interior pedestrian sidewalks and pathways as indicated on the site plan. To better meet this pedestrian access, the sidewalks on the outer ring of the development should be moved to the outside of the street so that those houses have direct access to the sidewalk in the street and the homes on the inside have direct access to the green belt walks.
6. The applicant shall secure approval from the City of Columbia Falls Public Works Department and the Montana Department of Transportation for the reconstruction and relocation of River Road. Should the MDOT agree that a signal is warranted at the River Road intersection with Highway 2, the Developer of River Highlands shall install the signal. These improvements shall be installed with Phase 1.
7. The applicant shall secure approval from the City of Columbia Falls Public Works Department for the internal street and that street shall be constructed to the standard outlined in the application which provides for curbs, gutters, boulevards, and sidewalks. The loop street dedicated to the City shall have sidewalks on both sides, the private loop roads may have sidewalks on one side provided the units on the opposite side of the street have direct access to a green belt trail otherwise these streets will have sidewalks on both sides of the street.
8. The applicant shall secure approvals from the City of Columbia Falls Public Works Department and the Montana Department of Environmental Quality for the extensions of sewer, water and stormwater within the project.
9. The applicants shall secure a Floodplain Development Permit from Columbia Falls and 310 Permit from the Flathead Conservation District for the sewer and water directional bore under the Flathead River. The applicants shall provide documentation from the Corps as to whether or not a permit is needed from their agency. If a Corps permit is required, it shall be secured prior to issuance of a Floodplain Permit.
10. The City staff will review the sign permit application for compliance with the standards of the Columbia Falls Zoning Regulations prior to issuing a sign permit.

11. As specified in the PUD application, the project shall have on-site management to ensure compliance with rental rules.
12. The light details will be reviewed at the building permit stage to ensure that they comply with the 18-foot height standards and that all lighting has full cut off and/or opaque shields. Lighting shall conform to dark sky standards.
13. The proposed parkland along the Flathead River shall remain in its native state with the exception of some primitive walking paths. For the 5.18 Park (Phase P) dedicated to the City of Columbia Falls, the applicant shall work with the City of Columbia Falls Public Works Department and Parks Committee to determine what improvements would be made to the park. At a minimum, improvements would include a paved parking lot, walking trails (paved and non-paved), and park benches. Improvements may also include a public restroom at the discretion of the City. These improvements shall be completed and the park area dedicated in Phase 1.
14. The phasing plan as proposed with the PUD application is acceptable.
15. The minimum setback around the exterior shall follow that of the Overall PUD Site Plan. The minimum buffer area shall be fully landscaped and include ground cover, shrubs and trees.
16. The applicant shall submit a sign permit application to the City for approval and prior to erecting any identification signage
17. All utilities including electrical, telephone and cable shall be placed underground.
18. All conditions must be complied with prior to the issuance of an occupancy permit by the City of Columbia Falls. If certain conditions such as paving or landscape improvements cannot be reasonably complied with because of unforeseen circumstances, such as winter conditions, the applicant may, upon prior approval of the City Manager, post a bond or financial security found to be acceptable by the City Manager and equal to 125% of the cost of the improvements as certified by a licensed engineer or where appropriate a landscape architect.
19. Should the PUD and Subdivision be approved the annexation will follow immediately

**PRELIMINARY PLAT REQUEST
RIVER HIGHLANDS SUBDIVISION
SUBDIVISION REPORT #CPP-22-04
COLUMBIA FALLS PLANNING OFFICE
December 28, 2022**

A report to the Columbia Falls City-County Planning Board regarding a request for a Subdivision concurrent with a PUD application. The subdivision will create 191 lots (83 detached single family residential, 98 attached single family residential, 9 apartment lots and one club house lot). Park and open space parcels will make up remainder. A public hearing is scheduled before the Columbia Falls City-County Planning Board and Zoning Commission on January 10, 2023 at 6:30 PM in the Columbia Falls Junior High Cafetorium and a subsequent public hearing is scheduled for the Columbia Falls City Council for January 30, 2023 at 7:00 PM in the Columbia Falls Junior High Cafetorium.

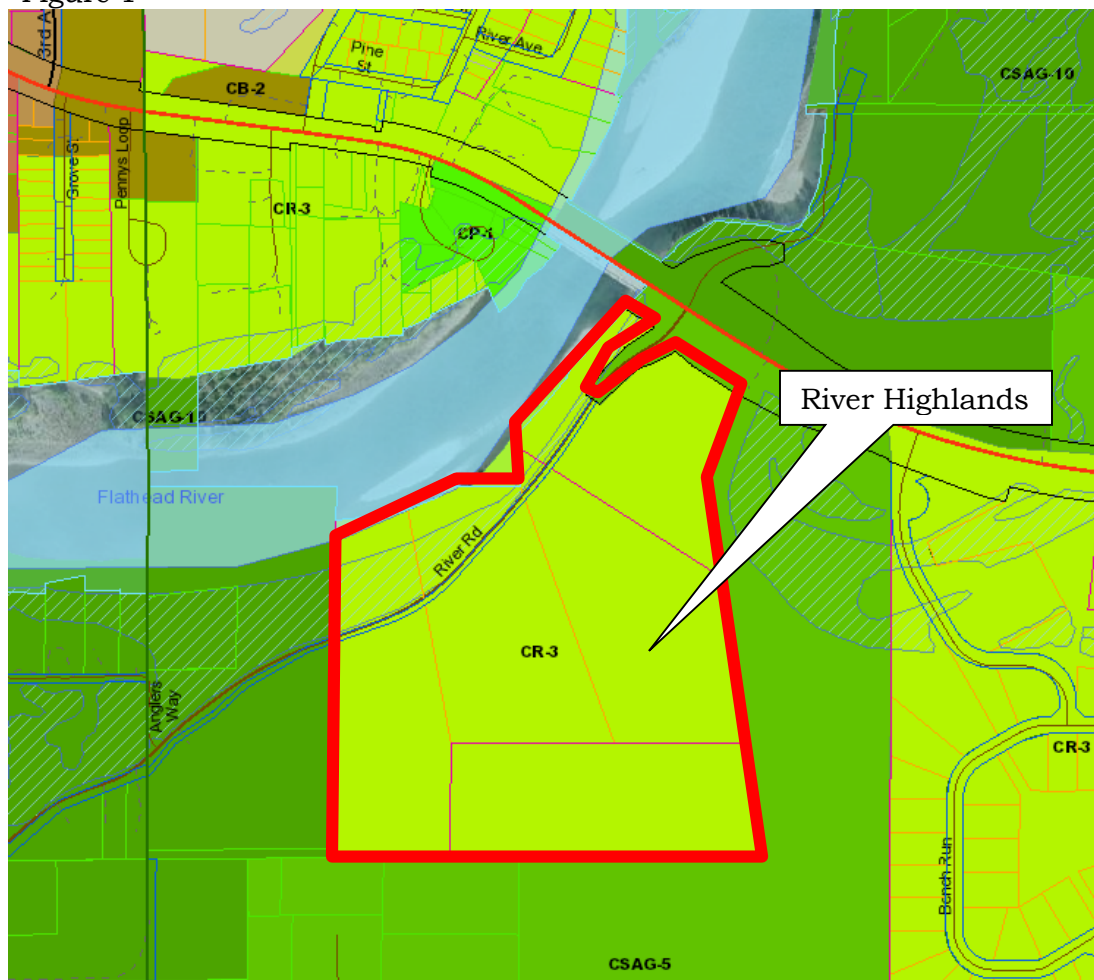
I. SITE HISTORY

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

In the spring of 2022, the current owner proposed a zone change subdivision and PUD that contained 455 residential units, most of which were apartments. The density was just over nine units per acre and the applicants were requesting deviations to the building height, parking, and fire lane width. The Planning Board held a public hearing on the matter and after much public testimony against the project, the Planning Board recommended denial of the development based on the density exceeding the recommended density of the growth policy and that the dominate housing type use was multi-family residential.

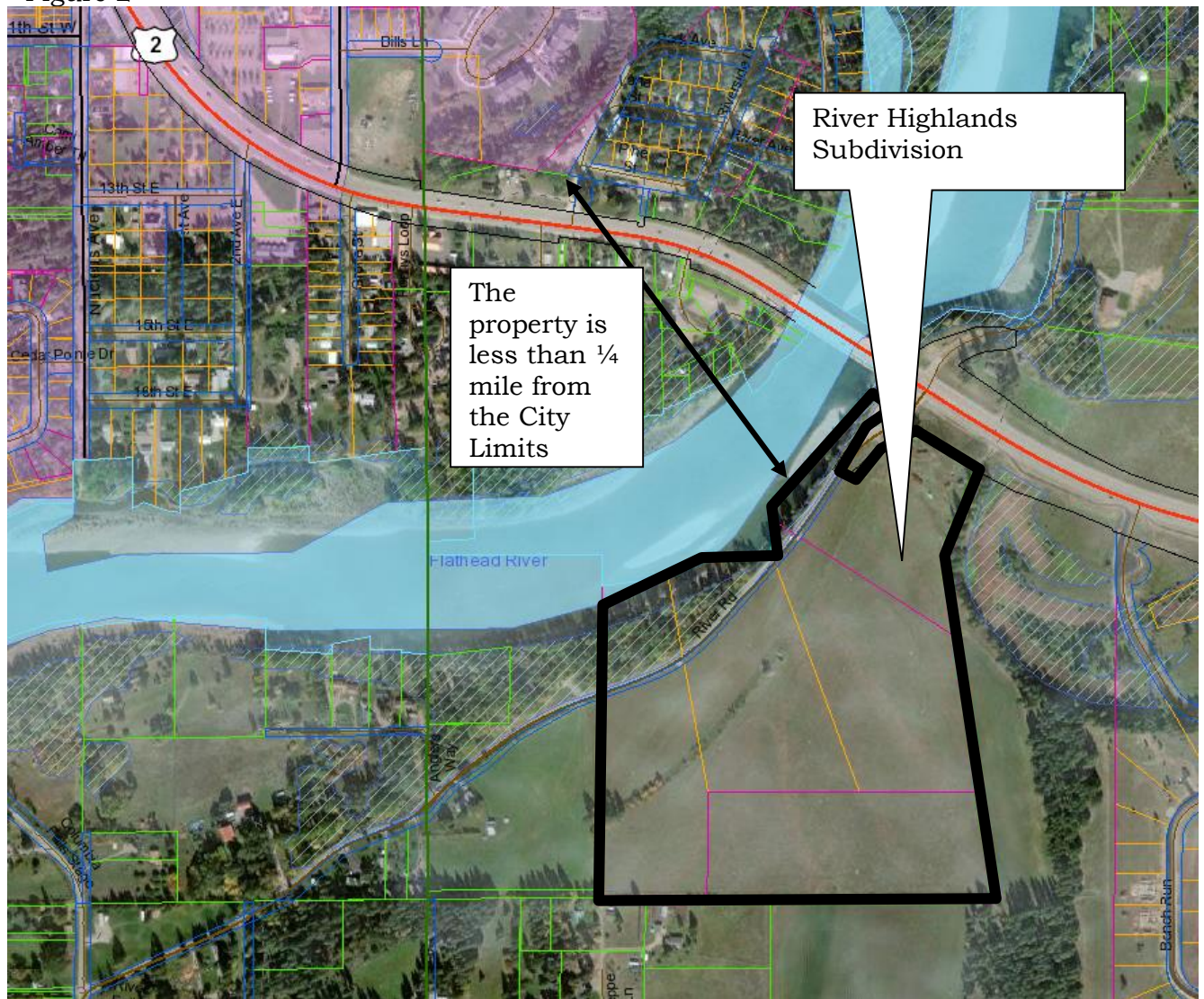
The applicant withdrew the application prior to a hearing with the City Council and decided to rework the development proposal. The current application set does not include a request for a zone change and instead utilizes the existing CR-3 zoning. The applicant is using the PUD zoning tool to cluster the development and take advantage of the PUD density bonus provision. The applicant is not requesting any deviations to the zoning provisions such as height, parking, setback, or access width. The new proposal reduced the density to 343 residential units of which 181 are single family residential units of detached and townhouse mix and the remaining 162 units are multi-family apartment. Of the 49 acres only 17% of the property is devoted to the apartment use.

Figure 1



Current Zoning

Figure 2



Flathead County GIS Photo

II. BACKGROUND INFORMATION

Owner/Applicant:

River Highlands LLC
Attn: James Barnett
3821 Lower Valley Rd
Kalispell, MT 59901

Technical Assistance:

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

A.

B. Location:

The area of interest is located at 264, 316, 378, 494 River Road in Columbia Falls. The 49.1 acres of property is described as Lots 1, 2, & 3 of Loffler Subdivision and

Tracts 2 and 3 of COS 14045 (Assessors' Tract's 7B and 7BB) of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County.

- C. Size: 49.1 acres
- D. Existing Land Use: The property is currently a hay field with native vegetation along the Flathead River frontage.
- E. Adjacent Land Uses and Zoning:
- | | |
|-------|--|
| North | Residential and Agricultural Uses north of Highway 2 (CR-3 and CSAG-5) |
| South | Residential and Agricultural Uses (CSAG-5 and CSAG-10) |
| East | Agricultural Uses and the Benches Subdivision (CSAG-5 and CR-3) |
| West | Residential and Flathead River (CSAG-10 and CR-3 across the river) |
- F. Zoning:
The property is currently zoned CR-3 and concurrent with this subdivision application; the applicants are requesting a PUD. The PUD allows a density bonus and clustering of density into a mix of dwelling types.
- G. Relation to Growth Policy:
The Columbia Falls Growth Policy Map designates the subject property Urban Residential (Figure 3). The Growth Policy also designates a large area east of the Flathead River and along the north and south sides of Highway 2 as Urban Residential. The Growth Policy document provides a list of goals and policies for urban residential uses. The proposed PUD complies with the text as well as the map of the Growth Policy.

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

Goals for urban residential include:

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

Policies for Urban Residential include:

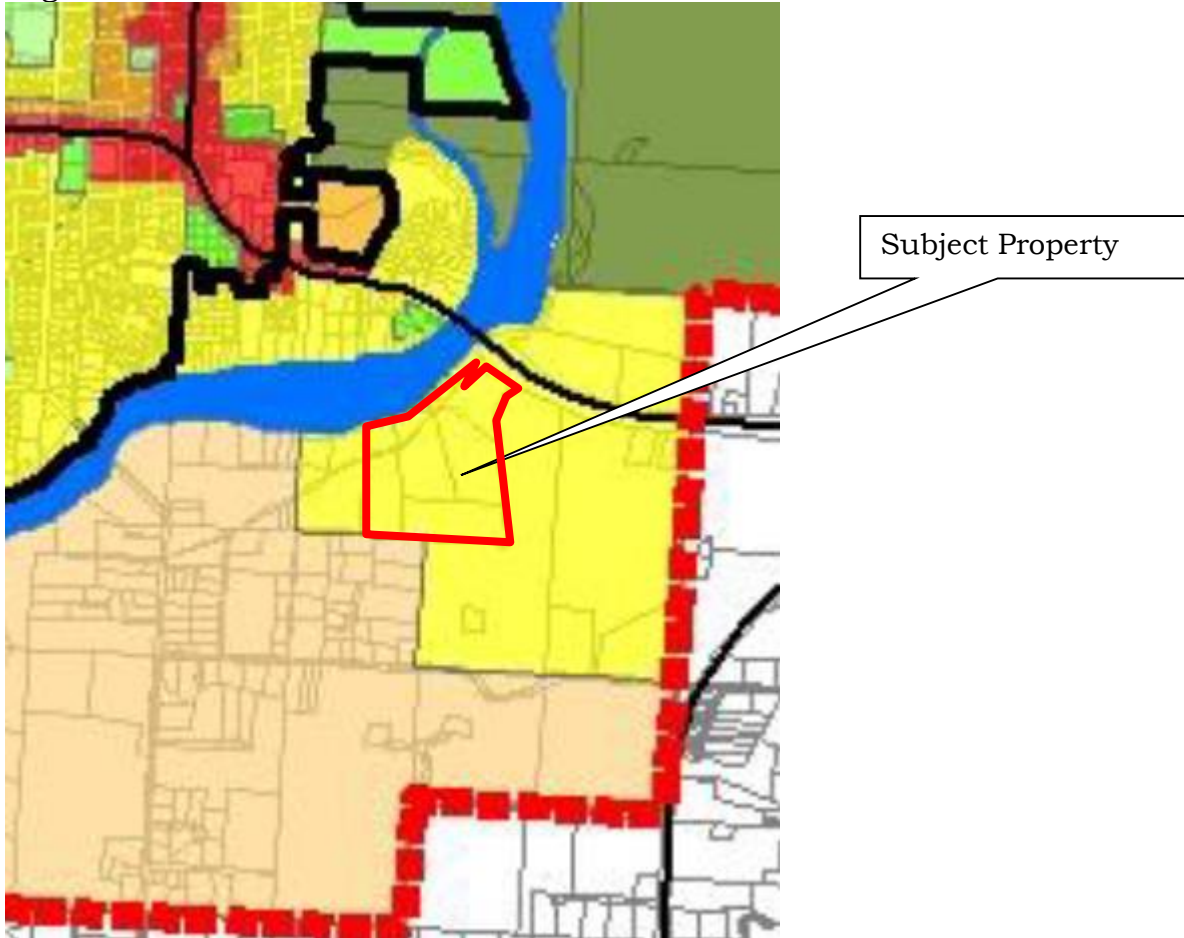
- Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be made.
- Typical densities are two to eight dwellings per gross acre.
- Urban density residential areas should be fully served by urban infrastructure and municipal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

The River Highlands project is developing at a density of just under seven units per acre in compliance with the CR-3 PUD density and the Growth Policy. 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. The proposed 343 residential units consist of 181 single family residential units of detached and townhouse mix and the remaining 162 units are multi-family apartment. Of the 49 acres only 17% of the property is devoted to the apartment use, meeting the intent of “primarily single family with limited quantities of multi-family” prescribed in the Growth Policy.

This proposal complies with the Growth Policy.

Figure 3



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

2019 Columbia Falls Growth Policy Map

2019 Growth Policy Map Legend

	LightIndustrial	<i>Wholesale and industrial uses where noise, odor, dust and associated impacts are confined to a building or screened area.</i>
	MultiFamily	<i>8 or more units/acre. High density residential including townhouses and apartment units. Served by urban services. May be a buffer or transitional area between low density residential and non-residential uses.</i>
	UrbanResidential	<i>Between 2 and 8 units/acre. Primarily single family residential with limited quantities of multifamily units. Fully served by urban services.</i>
	SuburbanResidential	<i>2 units/acre or less. Primarily single family residential in a quasi-rural setting. Some urban services available.</i>
	RuralPreserve	<i>A rural area, predominately used for corporate and public lands, estate housing, and protective buffer for industry. Outside the immediate needs of urban development and having limited urban services. Residential use closely associated with highly developed access and low fire hazards.</i>

H. Utilities:

The following utilities will service the proposed development:

Water: Columbia Falls Municipal Water

Sewer: Columbia Falls Municipal Sewer

Fire Protection: Columbia Falls Fire Department

Police Protection: Columbia Falls Police Department

Street Maintenance: City of Columbia Falls for River Road and Main Loop Road and private maintenance for all other interior streets)

Electricity: Flathead Electric

Natural Gas: Northwest Energy

III. REVIEW AND FINDINGS OF FACT

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

A. Impacts on Public Health:

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

1. River Highlands will annex into the City of Columbia Falls and connect to Municipal water and wastewater infrastructure. The proposed subdivision has access to River Road. The development upon annexation will be served by Columbia Falls Police and Fire Departments. The internal subdivision streets will be constructed to City standards with curb, gutter, sidewalks, boulevards, street lights and street trees. As such the subdivision is not likely to have negative impacts on public health and safety.

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

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

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

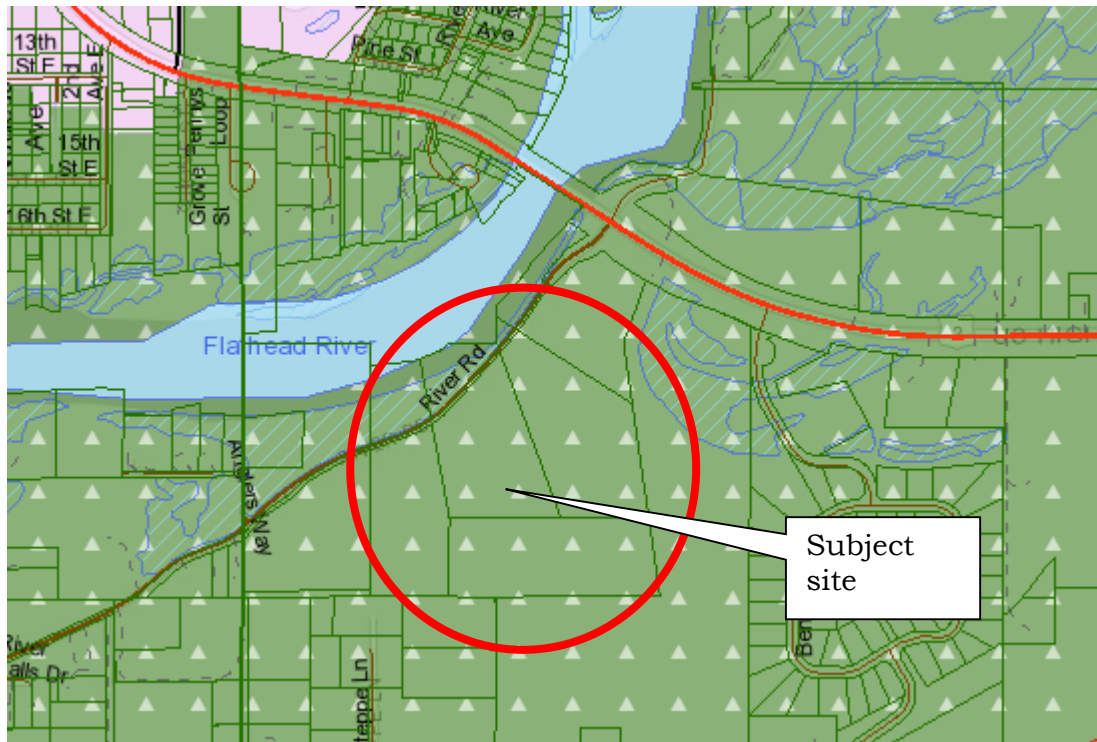
The applicant proposes to rebuild River Road moving it east on the subject property for better sight distance and work through MDOT system impacts to place a traffic signal at the River Road and Highway 2 intersection. The applicant provided a Traffic Impact Study (TIS) that indicates and recommends a signal at the River Road/Highway 2 intersection. To mitigate the lack of pedestrian facilities in the area, the applicant proposes to construct an eight-foot shared use path along River Road. This path will provide safe movement for people walking or biking along River Road connecting with the pedestrian path on Highway 2 which leads into Columbia Falls to the west or Columbia Heights to the East.

The River Highlands TIS provides a Level of Service (LOS) Study for the River Road and US Highway 2 intersection with a No-Build/Build comparison of No-Build (No Development) and Build (343 units). The LOS Study gives a letter grade to an intersection with grades A through C being a passing grades and D through F failing. The LOS study shows that regardless of whether the project is built or not, the intersection of River Road and Highway 2 functions at an F grade for northbound traffic making a left/right turn movement. However, if a traffic signal is installed at the intersection by the developer, the LOS for Northbound left/right turn movement increases to a C grade and is passing. Any signalization of this intersection must be reviewed and approved by the Montana Department of Transportation whom will also review the applicants' TIS.

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

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

The proposed subdivision is located in the Wildland Urban Interface (WUI). With the exception of the river front area, there are few trees on the property. With the extension of municipal water, the subdivision will provide fire hydrants spaced at City Standards. The access to the project will be constructed to City standards with two approaches for egress out to River Road. These items should mitigate fire hazards on the property.



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

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

There is a high-pressure gas main along the northern end of the property near the Highway. The gas main is located within an easement and any work within or under the easement requires approval from Northwestern Energy. It is not uncommon for roads and utilities to cross the gas companies' easements. No homes or buildings are proposed within the easement.

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

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

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

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

B. Impacts on Wildlife and Wildlife Habitat:

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

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

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

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

The property is located on River Road which is a County Road. River Road separates the upland areas from the riparian vegetation along the Flathead River which is also the western boundary of the property. The area west of River Road is the only area on the property that contains any significant native vegetation. The applicants are proposing all lands west of River Road to be in park or open space. The active park area being dedicated to the City is an area that is currently devoid of trees except for the area right along the river bank. The park and open space areas should mitigate impacts to the riparian area and river.

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

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

According to the application materials and environmental assessment, the proposed site may include the following Species of Concern: Lynx, Grizzly Bear, Fisher, Hoary Bat, North American Porcupine, Townsends Big-eared Bat, Western Pigmy Shrew, Wolverine, and Little Brown Myotis, Bald Eagle, Black Swift, Bobolink, Brown Creeper, Cassian's Finch, Clarks' Nutcracker, Common Loon, Evening Grosbeak, Golden Eagle, Gray Crowned Rosy Finch, Great Blue Heron, Lewis's Woodpecker, Northern Goshawk, Northern Hawk Owl, Pacific Wren, Peregrine Falcon, Pileated Woodpecker, Trumpeter Swan, Varied Thrush, and Veery. The list was provided by the Natural Heritage Program and the search area includes

approximately 12 square miles around the site. Therefore, species like the loon and wolverine would not likely visit the site. However, it can be safely assumed that bald eagles fly over the site and that the occasional grizzly bear travels through the property. However, this does not mean that the property is ideal habitat for these species or that the property has critical habitat for these species. The subdivision is providing open space along the entire River Frontage. The remaining parts of the property are hay field which does not provide much habitat for the birds or mammals.

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

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

A request for FWP agency comment was sent out with this new application and as of the writing of the report, no comment has been received.

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

The only potential habitat that would be considered critical is that area along the Flathead River. The entire river frontage between River Road and the Flathead River is designated for Park and Open Space on the proposed PUD and Subdivision plat. This property is directly across the river from the City of Columbia Falls and Fish, Wild, Life and Parks Teakettle Fishing Access. This property is in the urban growth area identified by the City’s Long Range Planning document for urban expansion.

In a comment letter from Fish Wildlife and Parks (5/31/22), they indicate that development should be 300-feet from the Flathead River. The PUD Plat scales setbacks of 120 to 420 feet from the river and only a few of the attached single family building envelopes come to the 120-foot mark. It should be pointed out that neither the City of Columbia Falls or Flathead County have adopted this recommendation for a river setback and, in this case, River Road, a paved public road sits between the Development and the River.

C. Impacts on the Natural Environment:

Air:	Vehicles and home heating will contribute exhaust and particulate matter to the air. Due to paving of road, parking and streets and unrestricted natural air movement the impact is considered minor.
Groundwater:	The subdivision will utilize Municipal waste water services which will help protect groundwater resources in the area. The stormwater facilities will be reviewed by the City of Columbia Falls Public Works Department and the Montana Department of Environmental Quality.

Natural Vegetation: Most of the native vegetation has been removed from the subject property. The remaining native vegetation is located along the Flathead River. The applicants propose protecting the native vegetation by placing the property west of River Road in a Park and Open space area.

Surface Water: The Flathead River runs along the western boundary of the subject property. The PUD Plat scales setbacks of 120 to 420 feet from the river and only a few of the attached single family building envelopes come to the 120-foot mark. River Road, a paved public road sits between the Development and the River.

D. Impacts on Local Services:

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

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

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

Solid Waste: Flathead County Solid Waste allows residents to deposit household waste at the landfill or green box sites. The application indicates that they will contract with Evergreen Disposal for refuse collection. The apartment buildings will have centralized collection points while the single-family dwellings will have individual collection.

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

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

Public Schools: School District 6 operates K-12th grade within the City of Columbia Falls. The High School is about a mile west of the proposed subdivision and the middle school is 1.5 miles from the project. The school district has seen approximately 4% growth over the past ten years or 0.4% per year. Using County wide average of 0.352 school aged children per residence. (There were 17,446 students recorded with the Flathead County Superintendent of Schools Office including public, private and home-schooled children at the beginning of the 2022 school

year. The US Census Bureau 2020 counted 49,531 housing units in Flathead County – 17,446 students / 49,531 housing units = 0.352 students per unit), the 343 units would generate 120 students in the school system. Planning Staff contacted the Columbia Falls School District for comment. According to an email from Kristian Jackola of the District dated December 20, 2022, the district provides bus service to the area and the District has no objections to the project.

Recreation/
Parkland: The applicants are proposing to place 19.55 acres (39%) of the site in park and open space. Active park areas will include a Columbia Falls City Park along with parking and public walk-in access to the river. Other park amenities within the project include pavilions, playgrounds, hard surface courts and a dog park for the residents. In addition, there will be a club house with full amenities for the residents of the River Highlands development. The developer is providing amenities for the residents as well as the general public.

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

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

The interior roads of the development will be constructed to a City standard with 28 feet of paved surface, curb, gutter, boulevards, and sidewalks. River Road and the main loop road will be owned and maintained by the City of Columbia Falls while the remaining roads within the project will be privately maintained by the developer but open to the public.

E. Impacts on Agriculture:

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

F. Impacts on Agricultural Water:

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

H. Compliance with the Montana Subdivision and Platting Act:

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

I. Compliance with Subdivision Regulations:

A waiver is requested for Standard 17.16.110, sidewalks on both sides of the street as provided for in the Subdivision regulations. This waiver would only apply to the private streets within the development. This standard requires sidewalks on all streets, unless the Council waives this requirement. The applicant is requesting a waiver to construct concrete sidewalks on one side of the street and also develop paved or concrete walking paths within the open space/green belts.

Staff has reviewed the waiver request and the locations of the proposed sidewalks and walking paths. For the most part, each residence has access to either a sidewalk or a walking path in the green belt behind the home. Where this is not the case is for the outer homes on the outside loops. To address this, staff is recommending condition that would move the sidewalks to the outside of the streets on the outer loops.

Phasing of the project is identified in the PUD application that accompanies this application set. The phasing appears to meet the standards of the subdivision regulations.

The applicant is submitting this development as a PUD which is a zoning overlay. In the case of PUD's, they require 30% of the land area be free of road and roof, this also excludes required yards. The applicant is proposing 39% of the site which greatly exceeds the maximum 11% parkland requirement of the subdivision regulations.

IV. SUMMARY OF FINDINGS

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

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

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

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

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

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

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

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

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

V. RECOMMENDATION

After reviewing the Findings of Fact, staff recommends that the Columbia Falls City County Planning Board adopt these Findings of Fact for River Highlands CPP-22-04, and recommend approval of the Preliminary Plat with attached conditions to the City Council. Recommended conditions of approval are as follows:

1. The project shall be built in substantial compliance with the WGM Group submitted plans Dated November 2022 and the building elevations provided by Cushing Terrell.
2. The applicants shall provide at final plat, CC&R's that address the private street and open space/park maintenance. A note shall be placed on the face of the plat informing the lot owner of the private street and open space maintenance responsibility through the HOA.
3. The road construction shall meet the requirements of Chapter 17.16 of the City of Columbia Falls Subdivision Regulations and the Columbia Falls Public Works Standards. However, the street widths shall meet the cross sections submitted in the PUD Application. The construction plan shall be reviewed and approved by the City prior to construction. The road construction shall be certified by a registered engineer that they meet such standards following construction and the roadways shall be accepted by the City prior to Final Plat approval.
4. The developer shall install an eight-foot bike/pedestrian path on the southeast side of River Road and connect to the existing path on Highway 2. The developer shall connect the interior pedestrian sidewalks and pathways as indicated on the PUD site plan. To better meet this pedestrian access, the sidewalks on the outer ring of the development could be moved to the outside of the street so that those houses have direct access to the sidewalk in the street and the home on the inside have direct access to the green belt walks.
5. With condition #4, Council approves the waiver to sidewalks on one side of the private streets within the project.
6. The applicants shall secure a Floodplain Development Permit from Columbia Falls and a 310 Permit from the Flathead Conservation District for the sewer and water directional bore under the Flathead River. The applicants shall provide documentation from the Corps as to whether or not a permit is needed from their agency.
7. The applicant shall secure approval from the City of Columbia Falls Public Works Department and the Montana Department of Transportation for the reconstruction and relocation of River Road. Should the MDOT agree that a signal is warranted at the River Road intersection with Highway 2, the Developer of River Highlands shall install the signal. These improvements shall be installed with Phase 1.
8. The responsible postmaster shall approve a common mailbox facility at an approved location. The facility shall meet the requirements of 17.18.250. The facility shall be installed prior to final plat or included in an SIA.
9. Developer shall provide a student loading/unloading facility at an approved location as directed by School District 6 staff. The applicants shall provide a letter from the district approving the bus stop location. The bus stop shall be incorporated into Phase 1.
10. The sewer, water and stormwater facilities shall be reviewed and approved by the Columbia Falls Public Works Director and Montana Department of Environmental Quality. The water, sewer, and stormwater shall be constructed in accordance with the approved plan and the construction shall be certified by a registered engineer that they

meet the approved specifications. The Columbia Falls Fire Chief shall approve location of the fire hydrants in writing prior to construction of the project.

11. A note shall be placed on the face of the Final Plat stating: "All dwellings shall have house numbers visible from the internal subdivision road. The apartment building shall have an address on the building and each unit shall have unit numbers at the door."
12. The applicants shall provide copies of the final plat drawing and as-built construction drawings for all public infrastructure and utilities existing or constructed in the right-of-way or easements. Copies of drawings shall be in both paper and digital. Digital copies shall be in a format prescribed by the City.
13. All utilities shall be installed underground and stubbed to each lot prior to the paving of the roads.
14. The Flathead County Weed Department shall approve a Weed Management Plan for the Development prior to Final Plat. A note shall be placed on the face of the final plat stating: "Lot owners are subject to the Weed Management Plan approved by the Flathead County Weed Department."
15. Assessment for taxation and special assessments for lands within the common areas shall be proportionally shared among all residential lots in the subdivision. The proportion may be equal or based upon the area of the lot in proportion to the total area of all lots. Such assessment shall be reported to Flathead County, billed and collected with other tax and assessment due each lot.
16. Plat notes shall be added to the face of the plat delineating that the parks and common area are dedicated in perpetuity and that said space(s) will be owned and maintained by the Homeowners Association with the exception of the park area dedicated to the City. Changes to the use and/or management of the common space or parks shall be approved by the Homeowners Association and the City with the exception of the City Park area.
17. That the parkland requirement shall be met by the proposed park and open space. A detailed park amenity plan shall be submitted for review by the City Manager and said plan shall be approved and amenities installed by Phase 1 prior to final plat.
18. The proposed parkland along the Flathead River shall remain in its native state with the exception of some primitive walking paths. For the 5.18 Park (Phase P) dedicated to the City of Columbia Falls, the applicant shall work with the City of Columbia Falls Public Works Department and Parks Committee to determine what improvements would be made to the park. At a minimum, improvements would include a paved parking lot, walking trails (paved and non-paved), and park benches. Improvements may also include a public restroom at the discretion of the City. These improvements shall be completed and the park area dedicated in Phase 1.
19. All improvements, including but not limited to, the public right-of-way, water, sewer, stormwater, pedestrian parkland amenities, landscaping, etc., shall be complete or guaranteed through an SIA prior to final plat approval. The Developer shall warranty all infrastructure improvements for a minimum of one (1) year after approval of the final plat.
20. The applicant shall provide a letter from the applicable Solid Waste Contractor stating that Solid Waste Service is available to the Subdivision. The CC&R's will require use of a Solid Waste contractor for residences in the subdivision. The CC&R's shall also reference the FW&P Living with Wildlife recommendations.
21. The preliminary plat shall expire three (3) years after the approved effective date stipulated by the City Council. Extensions may be granted by the City Council if the

applicant requests extension 30-days prior to the expiration of the plat or any remaining phase.

22. Should the PUD and Subdivision be approved the annexation will follow immediately.



WGMGROUPTM

**PLANNED UNIT DEVELOPMENT
MAJOR PRELIMINARY PLAT APPLICATION
For: River Highlands PUD/Subdivision
Owner: River Highlands LLC
11.30.2022**

431 1st Avenue West, Kalispell, MT 59901 | **OFFICE** 406.756.4848 | **EMAIL** wgm@wmggroup.com

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December 1, 2022

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

Attn: Susan Nicosia (City Manager) and Eric Mulcahy (City Planner)

RE: River Highlands PUD, Preliminary Plat, and Zone Map Amendment

Dear Susan and Eric:

On behalf of River Highlands LLC, please find attached the application for the River Highlands Planned Unit Development and Preliminary Plat.

The property is located on the east end of Columbia Falls, on the east side of the Flathead River, and south side of US Highway 2 within the City of Columbia Falls jurisdiction. The property is approximately 49.10 acres, and is zoned CR-3. The proposed project conforms to the goals, policies, and maps of the Columbia Falls Growth Policy.

Included in the accompanying email is a digital file with the applications, supportive narratives, and drawings. Checks will be provided to the City by the Owner in a total amount of \$13,367.50 the two elements of the application. The application and checks will be delivered in person with a thumb drive to the City of Columbia Falls. We are excited to bring a PUD development with a focus on housing, open space, and community development and are looking forward to working with the City on this project.

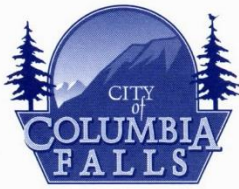
As always, thank you for your attention and please call if you have any questions.

Sincerely,
WGM Group, Inc.



Mike Brodie
Senior Project Engineer

MJB
cc: James Barnett, File



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.1.

APPLICATION FOR PLANNED UNIT DEVELOPMENT (PUD)

Project Name: River Highlands
Name of Applicant: River Highlands LLC
Mailing Address: 3821 Lower Valley Road
City/State/Zip: Kalispell, MT 59901 Phone: 406-249-5783
Name and address of owner if different than applicant:
Name: _____
Mail Address: _____
City/State/Zip: _____ Phone: _____
Technical Assistance: WGM Group / Mike Brodie, P.E.
Mail Address: 431 1st Ave W
City/State/Zip: Kalispell, MT 59901 Phone: 406-756-4848
If there are others who should be notified during the review process, please list those.

Check One:

- ☒ Initial PUD Proposal
☐ Amendment to an existing PUD

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

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

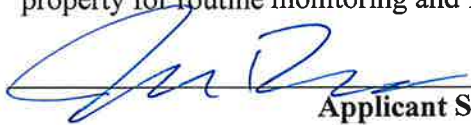
- 1) An overall description of the goals and objectives for the development of the project.
- 2) In cases where the development will be executed in increments, a schedule showing the time within phases will be completed.
- 3) The extent to which the plan departs from zoning and subdivision regulations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

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

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

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

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

 _____ 1/28/2027
Applicant Signature Date

Application Process

A. Pre-application meeting:

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

B. Complete Application Form

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

PUD Zoning Review:

SEE FEE SHEET

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

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

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

RIVER HIGHLANDS PUD

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

BACKGROUND

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

In 2022, another version of this PUD was submitted along with a zone map amendment to increase the zone density to CR-4. This application was denied by planning board and subsequently pulled prior to the council meeting.

The current PUD does not include a zone map amendment and works within the property’s existing CR-3 Zone.

NARRATIVE

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

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

The proposed development consists of 49.10 acres with 98 attached single-family lots, 83 detached single-family lots, and several multifamily apartment buildings housing 162 units; a total of 343 units. The variety of housing types will provide options to the community complementing different sectors and income levels, lifestyles, age groups, and needs. Additionally, it will give residents an opportunity to remain in the same neighborhood and grow into a different unit type or downsize to a smaller unit. By utilizing apartment buildings and efficient single-family units, the density will allow for more preservation of open areas by building “up not out”. The project integrates the various housing products into an open space system of interconnected neighborhoods and linear parks emphasizing walkability and bike accessibility. This strives to create a cohesive, community focused lifestyle that connects to and enriches existing systems. The goals of the development are as follows:

1. Planning for a variety of housing sizes, types, and socioeconomic levels by providing multifamily units and both attached and detached single family homes.
2. Allow for residential density vertically to preserve open spaces and prevent sprawl.
3. Preserve existing Flathead River corridor by leaving property adjacent to the river undeveloped and limiting river impacts by keeping development away from the river to the greatest extent possible.
4. Include site amenities such as recreational corridors and a trail system throughout the development that connects a circulating trail system with points of interest and developed park areas throughout the site. Incorporate a variety of play opportunities that are connected together through green corridors. The multi-use trail system will connect to the existing pedestrian access at the US Highway 2 bridge on the north side of the property.
5. Create a park area to perpetuate existing public use of the northern location for overflow parking for the Montana Fish, Wildlife & Parks Tea Kettle River Access.
6. Create a holistic development with an emphasis on community that incorporates the ability to live and play in one area. The park and trail system promotes outdoor activities and walkability throughout the development and accessibility to the adjacent park and river.
7. Extend City services to the eastern side of the river to limit wastewater impacts to the river to the greatest extent possible.

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

Columbia Falls and the greater Flathead Valley continue to face a housing crisis with one of the primary issues being supply. This development is intended to create additional housing in

the Columbia Falls community in a location suitable for such land use. The design directs buildings to front onto parkways similar to alley loaded developments creating several clustered neighborhoods and creating a sense of community. The neighborhoods will create a linked network of open spaces via a linear park system with playgrounds, pavilions, picnic areas, and a multi-use path system interwoven throughout the development. The clustered neighborhoods front linear parks connecting several other larger community parks as well as a club house for residents of the development.



Figure 1: Example From CottageCompany.com showing building front porches directed toward parkway

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

The proposed project will be heavily dependent on initial infrastructure investment including the extensions of City Services and improvements to the intersection of River Road and US Highway 2. It is important to acknowledge that although the development includes 343 units at full build out, this will take several years to build in optimum market conditions.

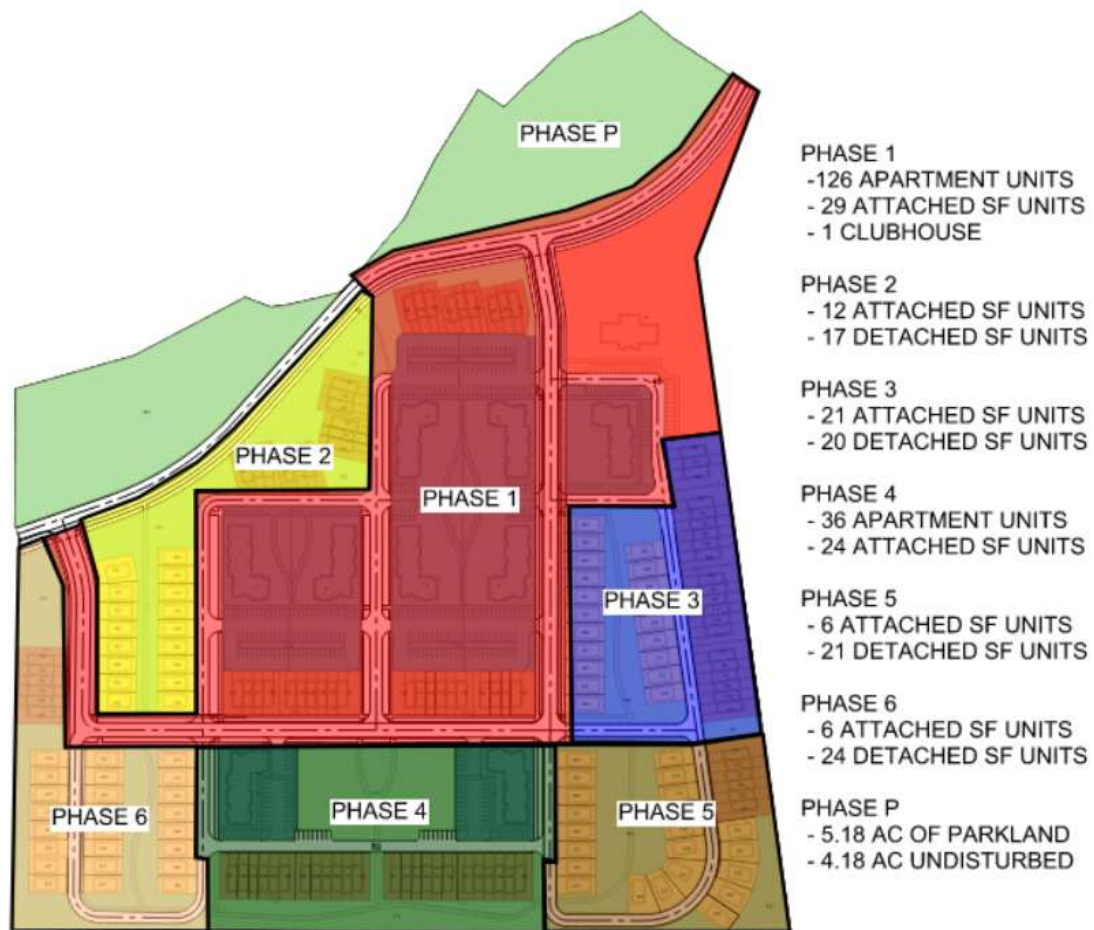


Figure 2: Phasing Map

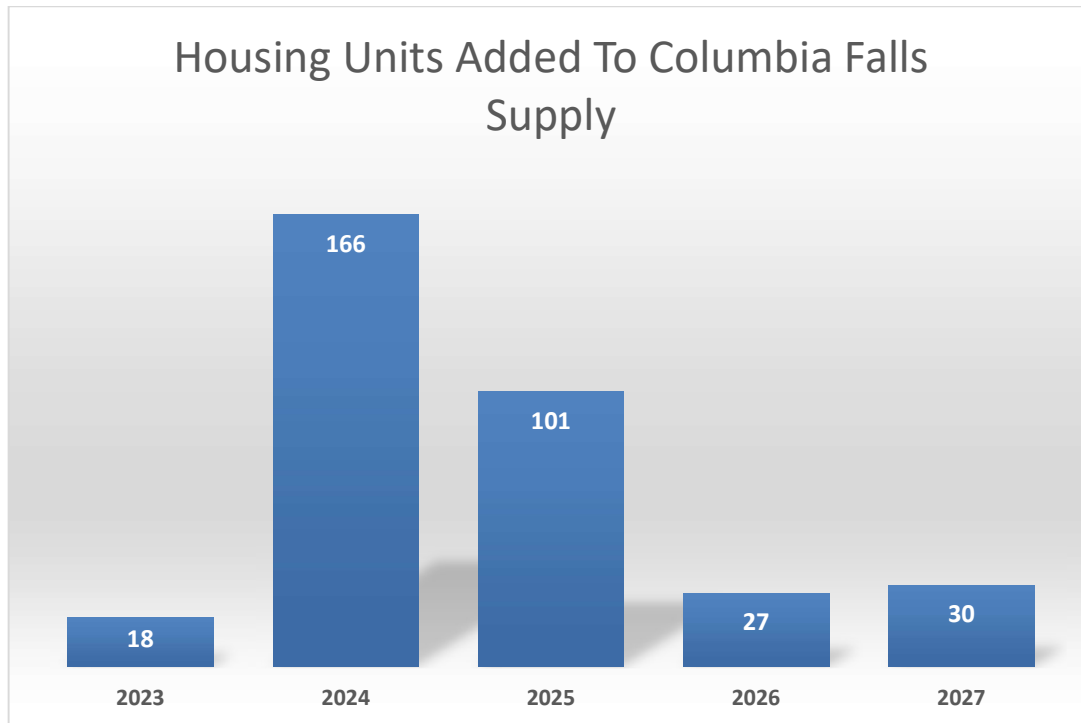


Figure 3: Housing Supply Added to Columbia Falls

Phase 1 will begin in 2023 and will include seven apartment buildings totaling 126 units, 29 attached single family units, and a clubhouse. This will be the largest phase as a significant investment in infrastructure will be required including the adjustments of the River Road alignment, water and sewer extensions, and a sewer lift station. Phase 1 will likely begin construction in 2023; to be completed in 2024. Phase 1 also installs the main loop road through the development making much of the following phases somewhat interchangeable allowing for an increase or decrease in development pace based on market conditions. Anticipated dates are given, but because the build out rate may fluctuate, each phase can function independently upon completion of Phase 1.

Phase 2 will include 12 attached single family units and 17 detached. Of these attached single-family lots. Construction is anticipated in 2024 with the remainder of Phase 1.

Phase 3 will include 21 attached single family units and 20 detached single-family units. This is anticipated for construction in 2025.

Phase 4 will include 21 attached single family units and 20 detached single-family units. This is anticipated for construction in 2025/2026.

Phase 5 will include 6 attached single-family units and 21 detached single-family units. This is anticipated for construction in 2026/2027.

Phase 6 will include 6 attached single-family units and 24 detached single-family units. This is anticipated for construction in 2027/2028.

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

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

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

The property is classified as urban residential in the growth policy which is identified as a “predominant single family” area. The current River Highlands PUD application takes care to keep the uses of the property predominantly single family in both unit type and property area. 53% of all units are proposed as single family, and 23% of the total area is dedicated to single family, versus only 17% dedicated to multifamily. The proposal remains within the CR-3 density allowable under within a PUD; seven dwelling units per acre. The layout is configured in many ways accomplishing goals of a cluster development with smaller lots clustered around open space allowing for pedestrian connectivity throughout the development through various neighborhoods.

"Cluster development" means a subdivision with lots clustered in a group of lots that is designed to concentrate building sites on smaller lots in order to reduce capital and maintenance costs for infrastructure through the use of concentrated public services and utilities and/or creating a large open space tract that preserves agricultural lands or sensitive areas important to wildlife and wildlife habitat. "Cluster Area" means the total area of the development less the combined area of dedicated public right-of-way and area set aside as open space.

The Cluster Development intent is to preserve open spaces by clustering units in a denser configuration. This PUD aims to utilize this idea to cluster single family sublots around developed open space in a well maintained neighborhood configuration.



Cottages for rent in Gainesville. Source: Sands Companies

Figure 4: Cottages in Gainesville (Sands Companies)

The reduced lot/sublot sizes are proposed for several reasons:

1. More area remains in the Homeowners Association (HOA) including maintained park / open space which will allow better control over maintenance and ensure park and path systems are well kept.
2. To help achieve a more affordable product by:
 - a. Creating and constructing more traditional, efficient units that do not require large footprints (similar to structures in historic Columbia Falls, Kalispell or Whitefish).
 - b. Removing some of the land cost associated with larger lots.
3. To accommodate more equitable use for interior open space for residents of all unit types.
4. Larger lots mean more fences and more privatized space and more restriction to wildlife movement.

The increased density associated with the PUD within the CR-3 zoning district will provide more housing options and opportunities for area residents, in accordance with Growth Policy housing goals. The intent of a PUD is “to encourage a more efficient use of land and public services by allowing, under certain circumstances, a more flexible means of land development than is otherwise generally permissible under lot-by-lot restrictions.” The increased supply of housing directly adjacent to the main highway corridor of Columbia Falls coupled with its vicinity to the City’s downtown makes it a prime location to allow for this type of development. The efficient unit type and decreased lot sizes lend themselves to a single-family residential neighborhood feel with affordability in mind. The layout achieves more open space while helping to satisfy the need for residential housing units in the Columbia Falls area.

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

To maintain and support the rural character of the surrounding area, the proposed development will create approximately 19.55 acres (40% of the property) of open space and parks. The PUD shows a series of park areas that will be associated with each phase including a larger public park on the north side of River Road and a clubhouse for the residents on the Northeast entrance of the community. The park areas will include amenities such as fixtures, pavilions, playgrounds for youth and toddlers, hard surface courts, nature play, and a dog park. The location and detail of each park amenity will be developed during the construction document phase, but currently the tan circles are associated with playground and amenity areas. Flexible use spaces within the large park and open space system will allow residents the opportunity to promote place-making by planning community events, provide a wide variety of play and passive recreation opportunities, and encourage walkability throughout the development. To promote open space, the project developed several greenway corridors along the perimeter which provides visual and physical buffer from existing properties and maintains the rural feel along River Road. Large greenways provide connectivity throughout the project and emphasize visual and physical connections to the river and surrounding views. The clubhouse will provide indoor amenities during winter months such as a fitness room and a recreation room for indoor games. During the warmer months, an outdoor pool and spa, nature play, and ground games will activate and expand recreation options at the clubhouse.

The multi-use trail system is integrated throughout the development to encourage outdoor activities and support easy access to playground and amenities. The trail system is configured in a loop with interconnected sidewalks to allow pedestrian access to and from anywhere on the property. An eight-foot multi-use sidewalk along River Road will increase pedestrian safety and provide a strong connection to the park, the river, and downtown Columbia Falls. The multi-use path will be located along the southern portion of River Road to increase safety of pedestrians and cyclists.

The trail, open space, and park system south of River Road will be maintained by the HOA. The park area allocated at the northeastern portion of the site will be set aside to be dedicated to the City of Columbia Falls for a city park. The park parcel will be created as a part of this preliminary plat and PUD and conditions around this may be set. Initial discussions with the City indicated a preference for the developer to be responsible for constructing the park with the ownership and maintenance turned over to the City.

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

- Public Park Land Dedication: 5.18 acres

- Clubhouse Lot: 2.27 acres (approximately 1.27 acres of open space)
- Conservation Area: 4.18 acres
- Interior Developed open space: 7.40 acres
- Interior passive open space: 1.52 acres
- TOTAL OPEN SPACE: 19.55 acres

Paths and sidewalks will link the open space network and provide over a mile of trails for recreation and access with points of interest along the way to activate the trail system. These trail networks will also be used to access the greater Columbia Falls pedestrian network.

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

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

The project will utilize City of Columbia Falls sewer and water facilities which will be extended from near 3rd Avenue East, along US Highway 2, and under the Flathead River by means of subsurface crossings. Preliminary plans for water, sewer, and storm have been included with this application in “Part E”. A traffic impact study is included in “Part J”.

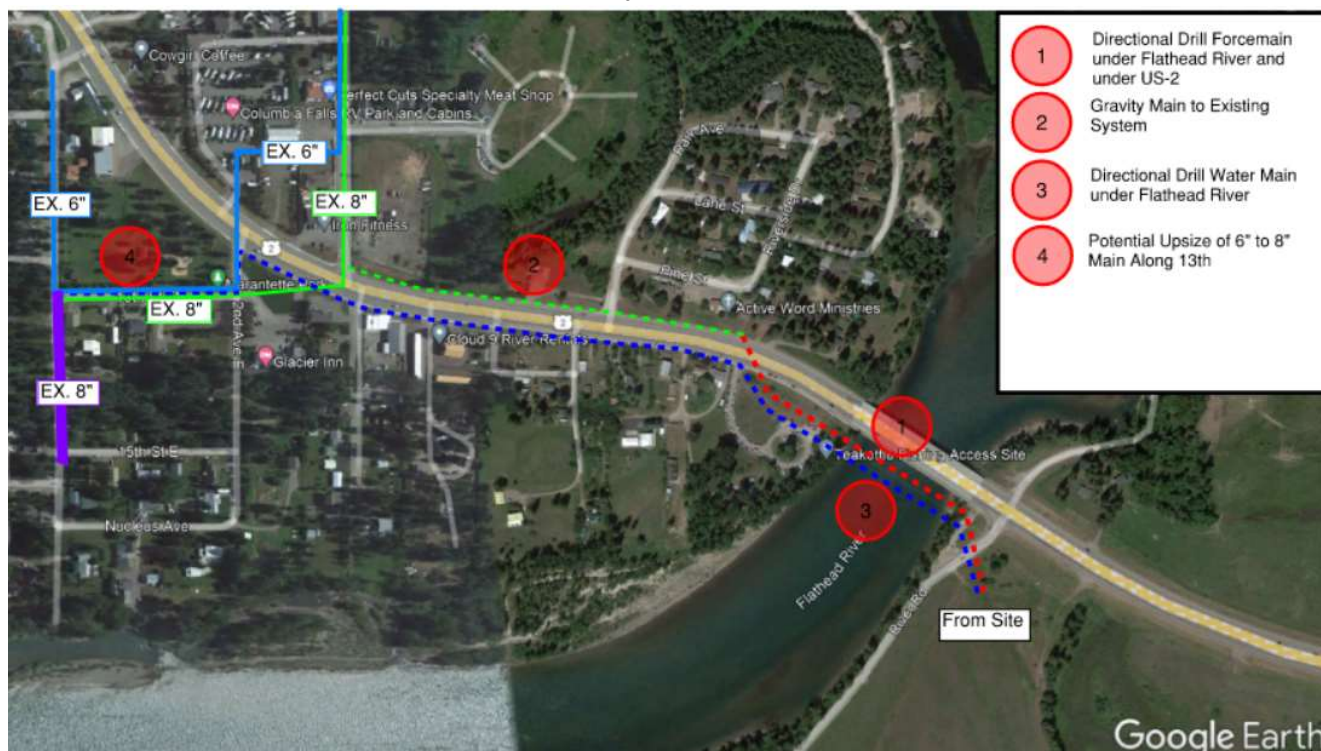


Figure 3: Connection to Existing City Utilities

SEWER

The nearest gravity sewer main is located at the intersection of US Highway 2 and 3rd Avenue East. This is proposed an eight inch gravity main and will require a lift station on the subject property to cross the river underground likely in a 6" forcemain. The 2008 application proposed a subsurface crossing and the City of Columbia Falls has indicated preference for this type of river crossing. the pressurized main will discharge into a gravity manhole at a point where gravity conveyance becomes feasible. The lift station will be sized to accommodate this development and if needed, additional growth in this area. A subsurface crossing would install a pipe below the river bottom to avoid impact from scour or changing conditions of the river bottom. A geotechnical investigation, scour analysis, and calculation would be required prior to installing any pipes, but similar crossings have yielded over 20 feet below the river bottom. Prior to using the line, pressure testing would be required to ensure no breaks or holes exist. This method is generally considered less impactful to the environment and connecting to the City utilities will have a much lower impact to the river than other methods of sewer disposal (namely septic/drain field).

WATER

Similar to the sewer, it is proposed that an eight-inch water main will be directionally drilled under the river and extended parallel to US Highway 2. The nearest connection point is slightly beyond 3rd Avenue East. Based on discussions with the City Public Works Director, the existing mains in this area are six inch diameter cast iron mains. In order to provide adequate pressures and supply at the property, a section of the six inch main may require upsizing/replacement to reach the closest eight inch mains. Initial investigations indicate this will be sufficient based on existing pressures, elevation, and supply.

STORM

Stormwater will be collected in the development streets and conveyed to one of several ponds proposed on the site. All ponds will be proposed with infiltration as the method of discharge from the site; initial investigation indicates the soils present on site will have workable infiltration rates (type A and B soils). Any ponds proposed for infiltration or detention will have water quality treatment associated with them to ensure road grit, oil, and trash do not enter the ground or Flathead. Any direct outfalls or overflow paths to the Flathead River will be appropriately stabilized to prevent erosion and permitting via Army Corp and conservation district will be obtained as needed.

ACCESS

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

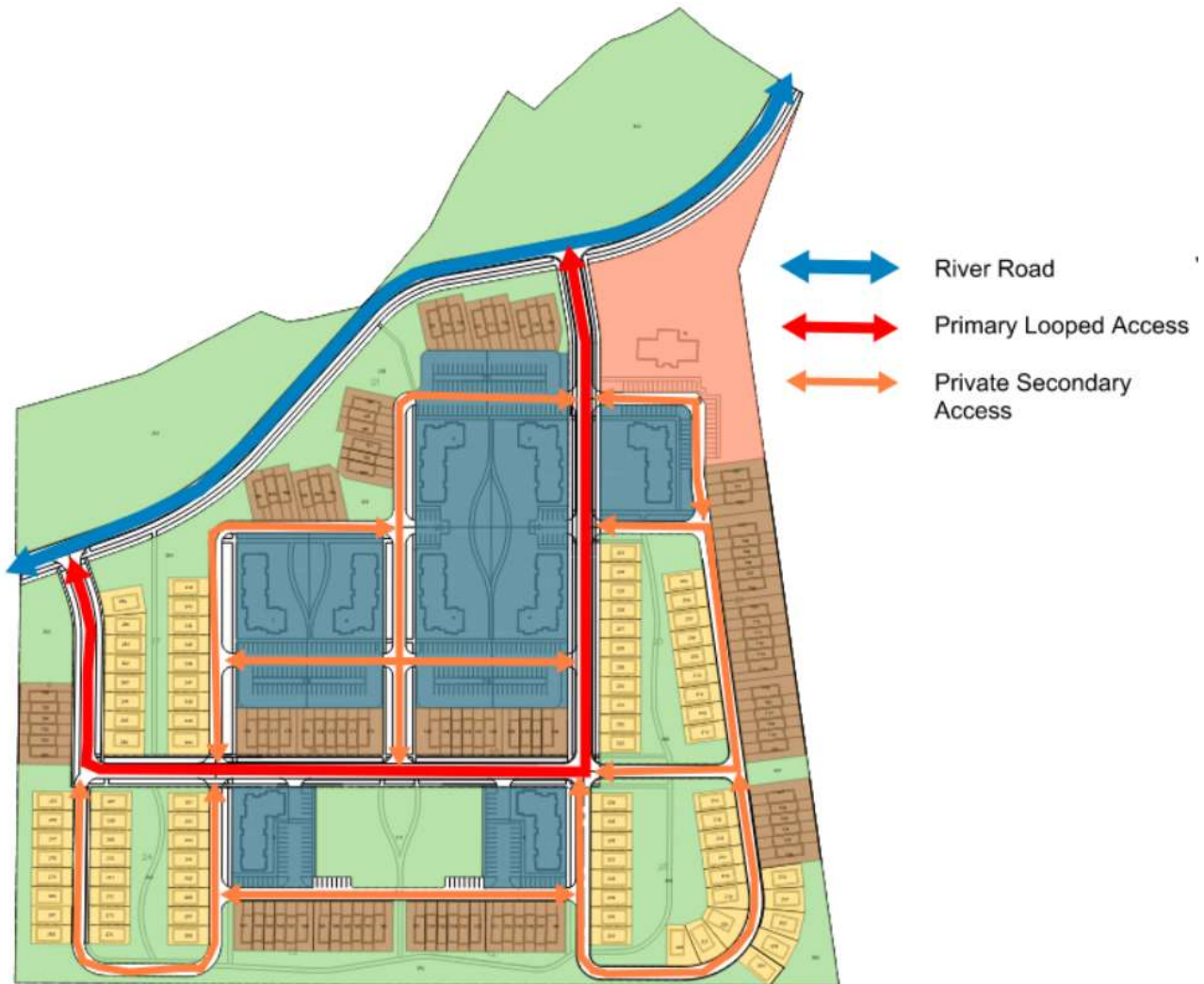


Figure 5: Site Access Diagram

Access to the development will be provided off of River Road in two locations via a looped road that provides access to the different apartment parking lots throughout the development. The majority of the access to the single family homes will be off the 24' wide private secondary access roads. Included in this application is a TIS which analyzes the intersections being created and the levels of service at full build out, as well as proposed mitigations for any adverse impacts.

SCHOOLS

The project site is within School District #6 (Columbia Falls). When the development is completed there will be 343 dwelling units. Per the United States Census, approximately 21.7% of Flathead County population is under 18 years old (school age) and each household has an estimated population of 2.55 people. This translates to 190 school age children potentially at full build out (in approximately 5 years).

The following four schools are within this district:

- Glacier Gateway Elementary School - 1.6 miles from the project site.

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

PARKS AND PEDESTRIAN ACCESS:

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

Over five acres of property adjacent to Flathead River has been set aside for a city park. Based on discussions with the City specifics of this park will be determined at a later date, but the existing overflow parking and river access will be perpetuated.

OTHER UTILITIES AND SERVICES

There are presently communications, gas, and power all available at the property. Power is provided by Flathead Electric and gas by Northwestern Energy. Communication providers are available at the site, but ownership appears to vary based on pedestals and markers adjacent and within the property.

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

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

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

- a) **Addition of Single-Family Residences** – One of the major public comments received during the previous iteration of this application was that this property should be developed with primarily single-family homes to reflect the existing neighborhood character. The

size/scale of the proposed apartment buildings and apartment unit count has been scaled back drastically in favor of two single family unit types: Efficient detached single-family units arranged around parkland in clusters and an attached single family to be constructed in a townhome style.

- b) **Utility Extensions** – The most valuable natural feature in this vicinity is the Flathead River. The extensions of utilities means the river will not be affected by septic leachate and the directional drill method of installation will limit impacts to banks and habitat. By connecting to municipal services, the waste generated by the site will be better controlled and less impactful on the environment than other methods of treatment/disposal.
- c) **Density** – With access in mind, there is no more appropriate location for density than along a state highway. Good density is building “up” and not “out” The layout has been thoughtfully created to perpetuate open space and views, limit impacts to the river, and provide housing which the City and the greater county drastically need.
- d) **Open Space and Conservation Area** – No residential development is being proposed on the river side of River Road. As a part of this proposal, approximately 4.2 acres along the river is being left untouched in an effort to conserve habitat adjacent to the river and limit impacts. An additional 5.2 acres will be set aside for the development of a public park on the riverside of River Road. This is over 20% of the property being set aside for equitable use and public benefit by perpetuating public access versus privatizing this property with homes along the river.
- e) **Parks and Pedestrian/Cyclist Access** – A generous amount of open space along River Road has been allocated on the development side of river road to both soften the visual impacts from river road and create an interesting parkway for use by current and future residents of the area. This parkway is accentuated with an eight-foot multiuse path further extending and connecting the development to the larger pedestrian network.
- f) **Traffic** – While the development will add traffic, US Highway 2 will be the primary ingress and egress from the property. As a part of the development, two benefits to the public are proposed to improve traffic operations in this area.
 - River Road is proposed to be rerouted to allow for improved site distance as well as stopping distance not located on a bridge.
 - The developer will install a signal at the intersection of River Road and US Highway 2. This will allow anyone using this intersection to benefit from a signalized left turn as they head toward Columbia Falls; a maneuver that is a difficult during peak traffic periods and which has previously resulted in a number of crashes.
- g) **Housing/Affordable Housing/Long Term Rentals** – While the definition of affordability is often intended to be nebulous, the Housing and Urban Development (HUD) defines this on which a household can be obtained for 30% or less of its income. According to the 2022 HUD Income Limits Summary, the Median Family Income in Flathead County is \$80,300, resulting in a Very Low-Income Limit (VLIL) for a family of four at \$39,700. Meaning to qualify for affordable housing, a combined household income of less than \$40,000 would be required, which most households do not qualify (see Figure 4). The major issue for our workforce in the Flathead is the limited supply of housing exacerbated by migration resulting from the pandemic and rise of remote work. In this case, the developer is

attempting to meet the housing needs of the community two-fold. The first of which is by providing long term rental units in a quantity and attainable price that can make an immediate impact to the workforce housing crisis (see phasing discussion above for anticipated supply provided). Short-term rentals are not planned nor are being requested as a part of this application.

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

Figure 6: HUD Income Limits Flathead County

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

The plan provides consideration to the character of the neighborhood by aligning with the intent of the Growth Policy and Future Land Use Map by utilizing larger pieces of property suitable for development near the City Center and providing a mix of residential uses and densities. The Growth Policy designates this location as Urban Residential with up to eight dwelling units per acre (see Figure 2). The PUD proposes a density of seven units per acre in compliance with the Columbia Falls Zoning ordinance for CR-3 zoning.

Presently, the Growth Policy calls for areas near this property to be developed as urban residential with single family and limited quantity of multi-family. The majority of the project is proposed as single family units with only 17% of the property allocated for Multi family. With consideration for the neighborhood character and in response to neighborhood comments, single family homes have been proposed along open spaces to relate to the surrounding neighborhood character. The multifamily units have been clustered away from the perimeter of the property limiting visual impacts to neighboring properties. The substantial open space being provided as a part of the development integrates the projects into the character of the area and enhances the experience along the river. View corridors have been enhanced

throughout the site from both River Road and surrounding properties to emphasize and celebrate the natural features and views.

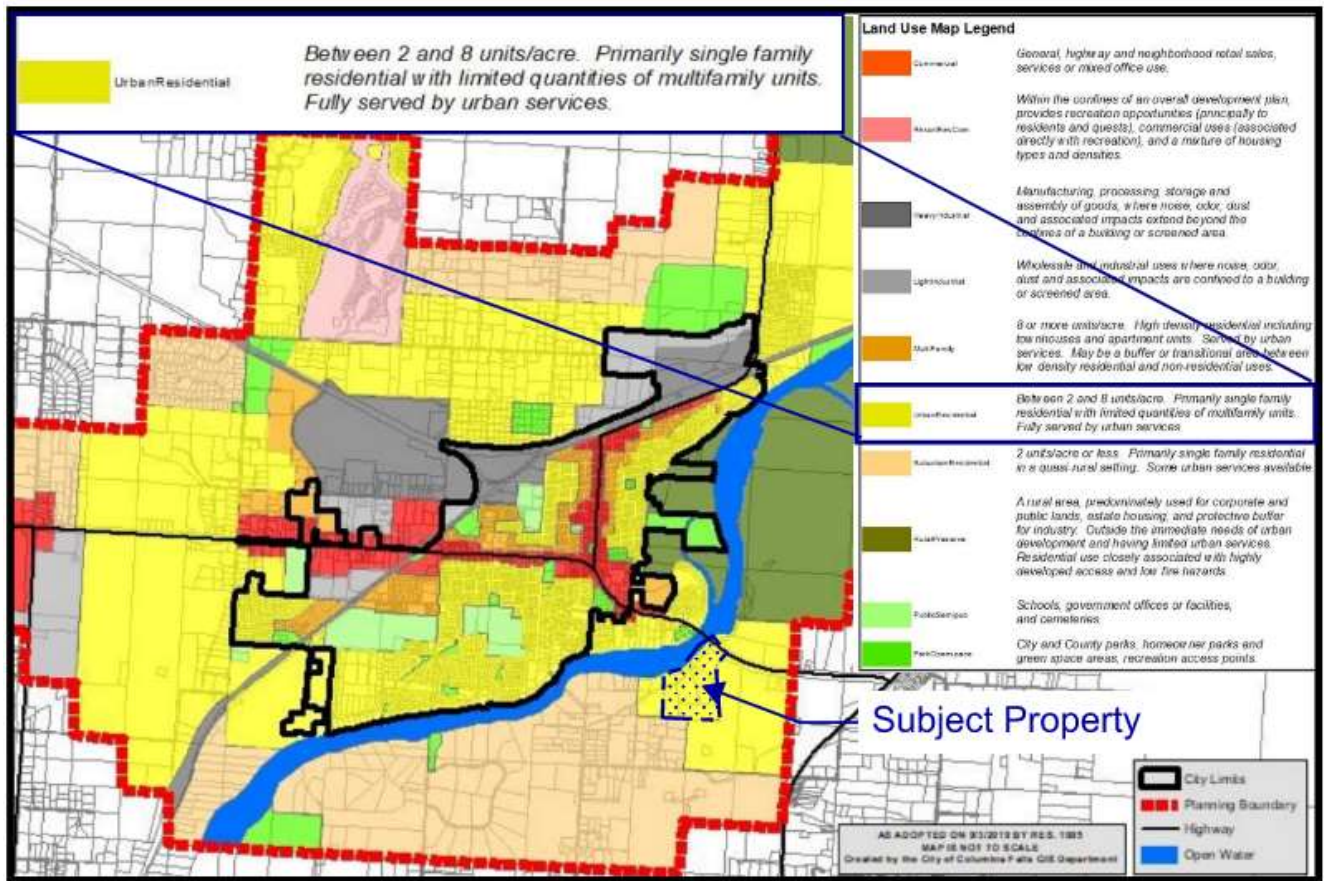


Figure 7: Growth Policy and Future Land Use Map

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

Goals:

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

This type of design will allow “an adequate supply and mix of housing options” in a unique location for a development of this type. Two single family home types are proposed alongside 18-unit apartment buildings. The installation of the supporting infrastructure will not burden the local government and will allow for public facilities/services, and the nature of the PUD will create a unique and well-maintained neighborhood where increased density is offset by a generous amount of open space and recreational amenities.

At seven units per acre, with the majority of units being proposed as single family, this proposal is directly in line with the Urban Residential designation and within the density specified of two to eight units per acre. The vicinity to the downtown area and highway makes this location suitable for residential housing in this location along with the precedence set by the original PUD approval. The extension of City services has been planned for over a decade so this proposal is not new.

The site is located in an area with good transportation connectivity and immediate access to City and private utility services which makes it particularly suitable to develop as urban residential community.

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

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

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

The proposed land uses of the subject property of single- and multi-family residential are compatible with the 2019 Growth Policy and promotes much needed attainable housing. The project includes attached single family, detached single family, and three-story apartment complexes with ample open space and recreational areas. The denser portion of the housing will be clustered away from existing homes to limit visual impacts. To create a sizeable buffer to the neighboring properties, the single-family units will be located around the perimeter of the development to transition between the residential and rural character. A buffer between the homes and adjacent properties also will provide screening opportunity and blend into the wooded character of the area. The linear park between River Road will help maintain the

scenic nature of the existing road and enhances habitat opportunities between the river and the community.

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

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

Housing and affordability are addressed by reducing the size of lots and creating efficient single-family homes as well as multifamily integrated into a single community. Additionally, the following policies are met through the River Highlands development:

Growth Management Policies:

- a) With limited available vacant developable land within the City for residential use, the industrial sites to the north, physical barriers such as the railroads, the western hillside, and Flathead River, and surrounding residential neighborhoods; the project location is suitable to increase density to provide a mix of housing needs which will support a more diverse and growing population. This will allow for community vitality, help maintain quality of life, and encourage more dynamic neighborhoods.
- b) The development will represent the values of the community by promoting walkability, outdoor lifestyles, enhancement of scenic views, river access, and diversity.
- c) Water and sewer services will be extended across the river to provide updated infrastructure limiting impact on natural environments.
- d) The project will provide a source of housing that is attainable to the average wage earner and supplements the lack of existing housing stock currently available. The development will support the general welfare of the community and local businesses by providing much needed housing for a variety of income levels.
- e) The development utilizes the space appropriately and creatively to balance the need for housing with ample open space and buffer zones.
- f) The City’s 2019 Growth Policy points out a probable need of 300 new housing units by 2025 and another 336 by 2030. The proposed development helps to fill this need, a need which has drastically grown since 2019.

Land Use- Multi-family Residential Policies:

- g) The development plan will provide an adequate supply of housing that meets current needs and provides options for future housing for individuals and families of all social and economic levels by including apartments and two types of single-family dwellings.
- h) Multi-family residential areas have typical densities of eight to twenty dwellings per gross acre. As a predominantly single-family development, this development will provide seven dwellings per acre.

- i) Several activity areas, parks, trails, and open spaces will be integrated throughout the development to provide the public a recreational destination and promote outdoor activities. The development will also maintain existing access and recreational opportunities along the river for the residents and the surrounding communities.
- j) The housing is designed for multi-generational experiences and will provide adequate considerations of functional design to accommodate residents of all ages including seniors as well as disabled residents. Looped walking & biking trails, sidewalks, toddler and youth playgrounds, and a community center will encourage walkability and an active lifestyle for all ages and abilities.
- k) Design standards will increase within the development by using street trees along the right of way, landscaping around the buildings, façade treatments and architectural interest to break up the massing, and extensive trail and sidewalk systems. Apartments will be clustered within the center of the development to provide for a wider buffer zone between smaller single-family residences and the adjacent properties to allow for more screening.

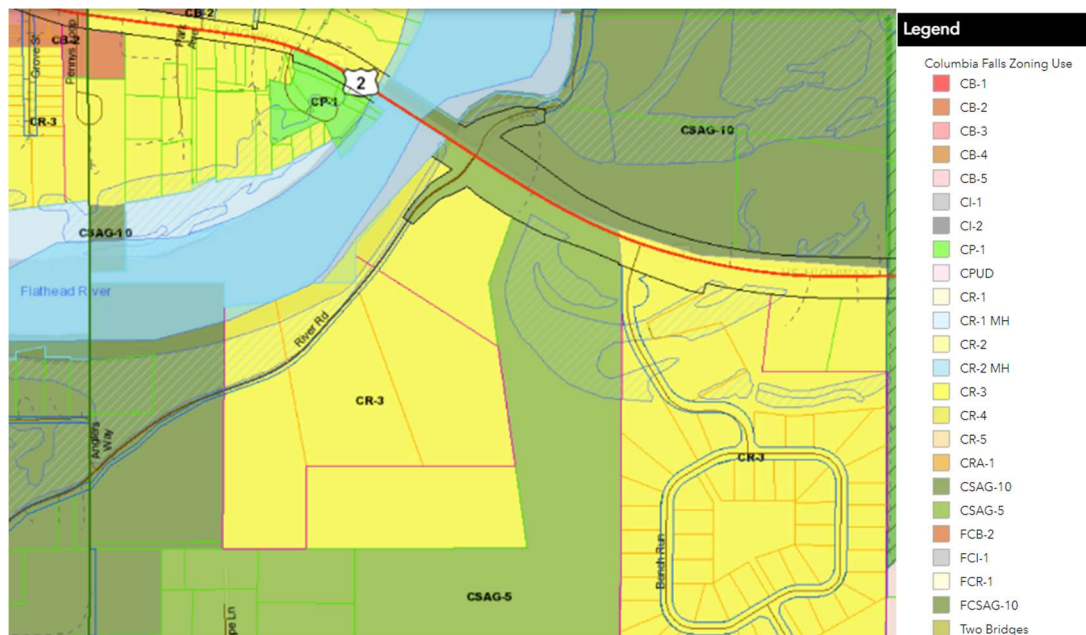


Figure 8: Future Land Use Map showing existing CR-3 zoning with CSAG-5 & CSAG-10 surrounding the property

Transportation:

- l) The implementation of this development will provide needed upgrades to the existing River Road, including an eight-foot multi-use path along the development side which will provide safer pedestrian and bike access along the river edge. The development of sidewalks and trails throughout the project will encourage residents to walk versus drive to recreational amenities, decreasing chances of car and pedestrian/bike incidents. A signalized intersection placed 375 feet away from the eastern end of the US Highway 2 bridge will provide a much safer ingress/egress from River Road onto the highway as well as adequate site distance for drivers coming off the bridge. A

complete street approach will be implemented throughout the development to increase pedestrian/bike visibility at intersections and encourage walkability.

Parks and Recreation:

- m) The development will provide activity areas and site amenities such as open space, parks, and trails to facilitate pedestrian/bike accessibility throughout the development and highlight the outdoor quality of life we enjoy in Montana. As previously discussed, the development includes generous amounts of parkland internally and an area of over 5 acres to be dedicated to the City of Columbia Falls for a public park. Additionally, the path system will connect to the larger Columbia Falls pedestrian network increasing access to parks and recreation present throughout the region.

Public Services and Facilities:

- n) The design of the development is intended to allow adequate infrastructure to help support the development and future connections. Updated infrastructure will also minimize or eliminate potential contamination and protect our environment. The design also aids safety and assists in visual and physical access to all areas and buildings by police and fire, which will increase emergency response time. Based on discussions with the Columbia Falls Fire Department, calls from this area are frequently requiring their response (despite it being currently located in the Bad Rock Fire District). The extension of water onto this side of the river will help increase the serviceability of this region, and the annexation will formally withdraw this area from the Bad Rock Fire District. This will alleviate Badrock Fire District by reducing their service area, and improve Columbia Falls' ability to service it.

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

a. Total acreage and present zoning classifications.

49.10 acres currently zoned as CR-3-PUD

b. Zoning classification of all adjoining properties;

North: Flathead River/CP-1/CR-3
West: SAG-10 (city)
East: SAG-5 (city)
South: SAG-5 (city)

c. Density in dwelling units per gross acre;

Gross acreage: 49.10 acres
343 dwelling units

Seven dwelling units per acre

Total single family lot acreage: 11.03 acres (22% of gross acreage)

Total Multifamily lot acreage: 8.30 acres (17% of gross acreage)

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

The single family homes shown on the plan will be two to three stories tall with a maximum height of 35 feet. Conceptual building renderings are included with this application. The height of the buildings is concentrated at the center of the structure to soften the impact of a taller building. Similarly, the multifamily structures have been concentrated toward the center of the site to scale to the surrounding properties with single family homes along the site's perimeter. No buildings are proposed within 25 feet of the property line.

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

The proposed PUD layout is included with this application. This layout utilizes Several road sections. The main access road is proposed with 14 foot lanes, curb/gutter, boulevard and minimum 5 ft wide sidewalks. The private residential accesses are proposed with 12 foot lanes, curb/gutter, boulevard and minimum 5 ft sidewalk on at least one side of the street (depending on location).

Two parking stalls per unit will be provided at each single-family home (attached or detached); one garaged, one in a driveway.

Parking for the multi-family will accommodate two stalls per unit. Additionally, storage closets will be proposed within some of the parking lots for additional storage (depicted on plan).

Eight foot wide asphalt or concrete multi-use paths are proposed throughout the development to link open space and recreational areas, the community center, the neighborhood park along the river, and the Flathead River itself.

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

Proposed circulation, access, and control is shown on the site and phasing plans. Each phase will have access via at least two locations for vehicle and emergency access, and all roads have been schematically designed to accommodate emergency vehicles: Phase I – Will be accessed via US Highway 2, River Road, and the main road corridor that serves all parking lots and private roads (two points on River Road).

All Subsequent Phases – The main road corridor constructed in the first phase will be expanded off in all subsequent phases. This will serve as the backbone for access in all phases with its two connections to River Road.

Phase P will be accessed from River Road. Existing US-2 access to River Road through this parcel will be removed.

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

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

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

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

No fencing is proposed on the majority of the site. Landscaping buffers and topsoil berming will provide some relief, and screening will be provided in locations depicted on plan. Individual lots may opt to add fencing, but height and types will be restricted by Covenants, Conditions & Restrictions (CC&Rs).

i. Location and type of landscaping;

A conceptual landscaping plan has been included with the submittal. This concept depicts locations along the linear park system where points of interest would be installed and includes amenities like pavilions and benches and playgrounds. A formal landscaping plan will be assembled during design and submitted to the Columbia Falls Parks and Recreation department for review and approval. One of the goals of the landscape plan will be to use native and/or drought resistant plants to reduce irrigation needs during summer months. Additionally, ponds will be planted to be of aesthetic interest to the development and types that can survive inundation during rain events.

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

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

k. Proposed maintenance of common areas and open space;

The HOA will maintain and manage the common areas and open space. Generally, ownership of the entirety of the open space internal to the community will be retained by the HOA. Maintenance of the open space will be defined by the HOA open space management / maintenance plan once specifics of parks and open spaces are determined. Individual homeowners will be responsible for maintaining the yard within their lot.

l. Property boundary locations and setback lines;

Property boundaries are shown on the site plan.

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

Renderings of the buildings have been included but formal architectural material plans will be completed during design. The intent is to provide a variety of units while creating a somewhat unique and varied street frontage. Draft CC&Rs have been included with this application with regulations that pertain to the architectural aesthetics for the property.

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

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

o. Covenants, conditions and restrictions;

CCRs are in development and will be provided by the owner. A draft is available in the application, Part "H". One of the restrictions planned is to limit fence heights and types along the path system to ensure some level of consistency and keep eyes on the park.

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

This is a PUD application for the property that was previously approved as a PUD in 2008 (also called River Highlands) and has since expired. This was approved under City of Columbia Falls Ordinance No. 705 and No. 706.

PUD LEGEND

TOTAL AREA: 49.10 AC

TOTAL APARTMENT UNITS: 162 DU

TOTAL SINGLE FAMILY ATTACHED: 98 DU

TOTAL SINGLE FAMILY DETACHED: 83 DU

TOTAL UNITS: 343 DU

TOTAL DENSITY: 7 DU/ACRE

TOTAL MF LOT AREA: 8.30 AC

TOTAL SF LOT AREA: 11.03 AC

TOTAL RESIDENTIAL LOT AREA: 19.33 AC

TOTAL AREA IN ROW: 9.72 AC

INTERNAL OPEN SPACE: 10.19 AC

CONSERVATION AREA: 4.18 AC

TOTAL COMMUNITY PARK AREA: 5.18 AC

TOTAL OPEN SPACE AREA: 19.55 AC
(39.8% OPEN SPACE)



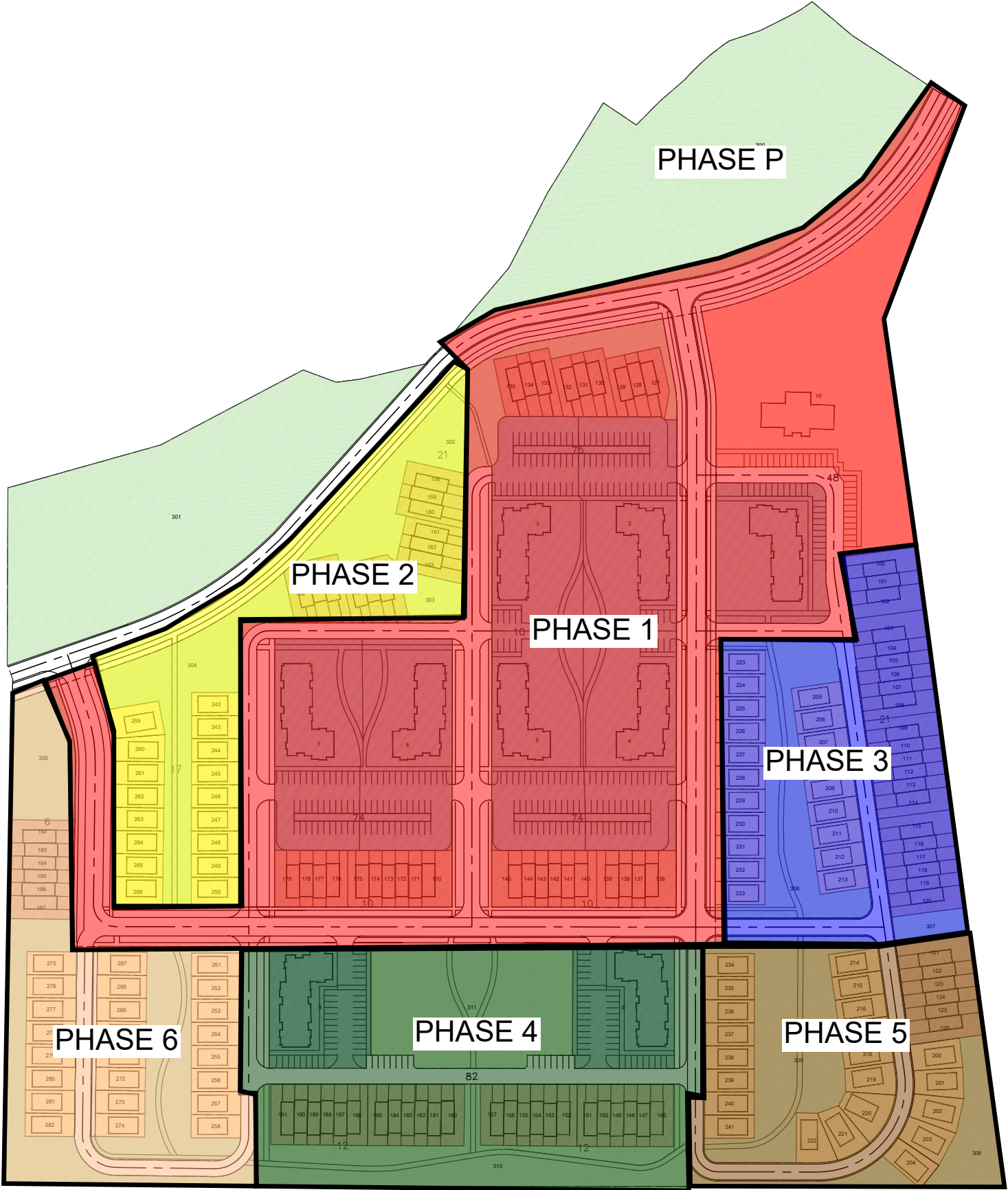
RIVER HIGHLANDS PUD

Overall Site Plan

Project Number: 201111

November 30, 2022

CONCEPTUAL



PHASE 1 (2023-2024)
- 126 APARTMENT UNITS
- 29 ATTACHED SF UNITS
- 1 CLUBHOUSE

PHASE 2 (2024-2025)
- 12 ATTACHED SF UNITS
- 17 DETACHED SF UNITS

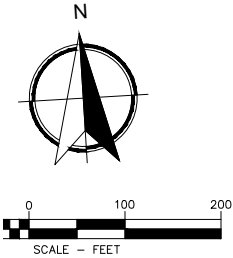
PHASE 3 (2024-2025)
- 21 ATTACHED SF UNITS
- 20 DETACHED SF UNITS

PHASE 4 (2025-2026)
- 36 APARTMENT UNITS
- 24 ATTACHED SF UNITS

PHASE 5 (2026-2027)
- 6 ATTACHED SF UNITS
- 21 DETACHED SF UNITS

PHASE 6 (2026-2027)
- 6 ATTACHED SF UNITS
- 24 DETACHED SF UNITS

PHASE P
- 5.18 AC OF PARKLAND
- 4.18 AC UNDISTURBED

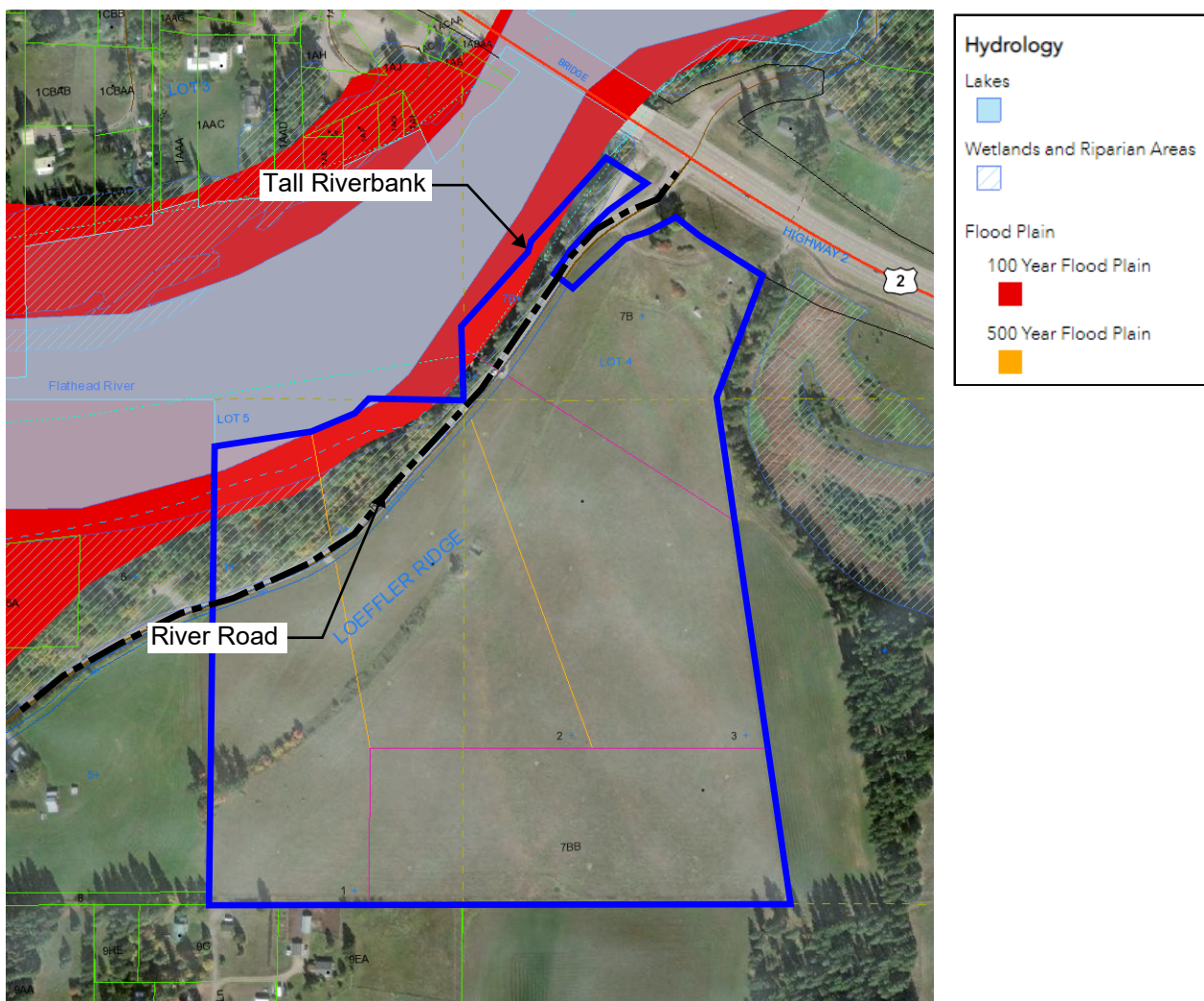


PHASING PLAN

RIVER HIGHLANDS

COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE
PROJECT: ----		
LAYOUT: ----		
SURVEYED: ----		
DESIGN:	MJB	
DRAFT:	JCN	
APPROVE:	MJB	
DATE:		
NOVEMBER 2022		



LAND USE

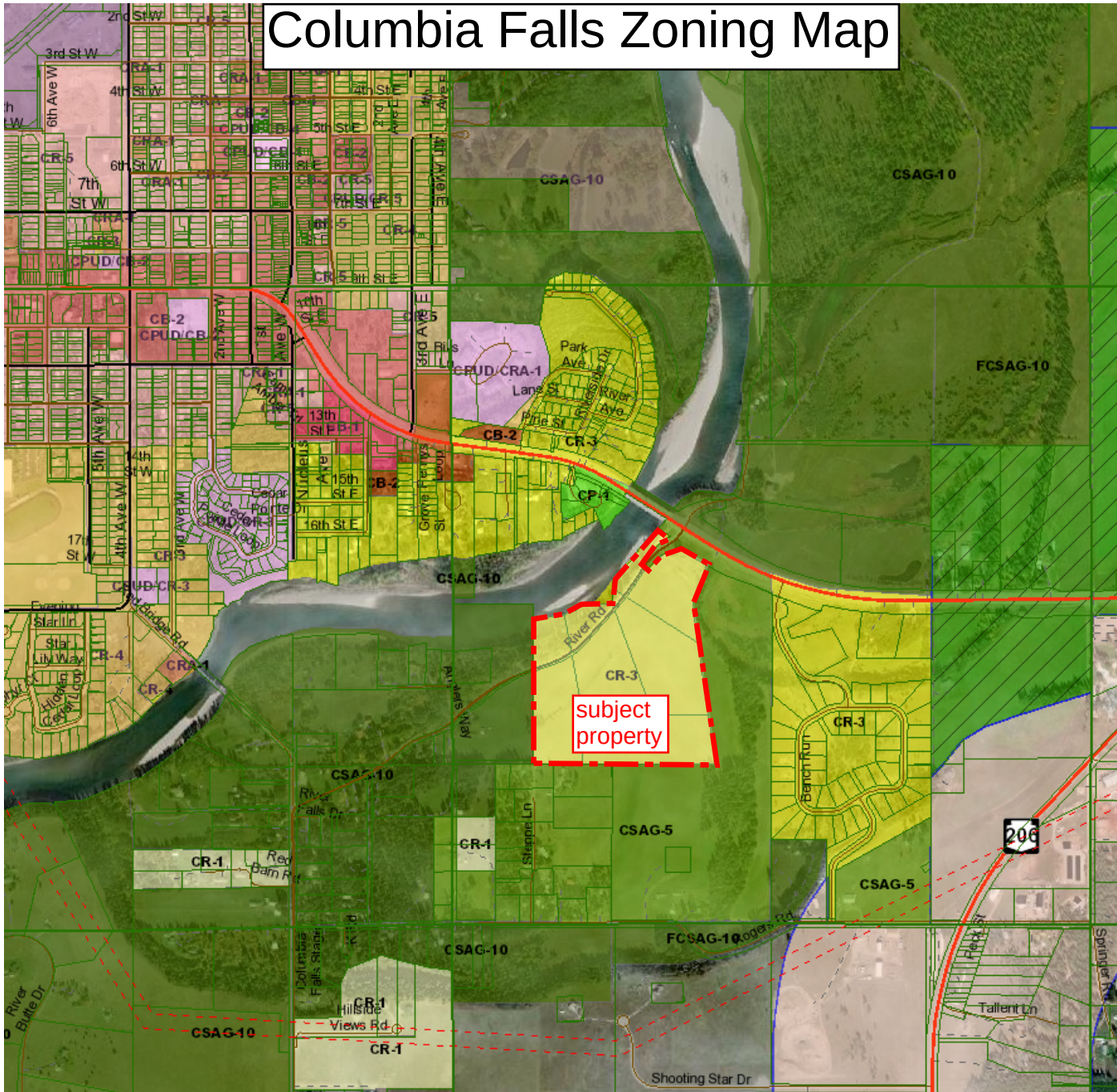
	Sq Ft	Acres		
Gross Property Area	2,138,895	49.10	Units	455
Conservation Area	246,818	5.67	Unit/Gr Ac	9.266373525
River Road 20' Easement	25,800	0.59		

APARTMENT LOTS

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

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

Columbia Falls Zoning Map



Columbia Falls Zoning Use

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



Planning Department

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

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.1.

MAJOR SUBDIVISION PRELIMINARY PLAT APPLICATION

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

SUBDIVISION NAME: River Highlands Apartments

OWNER(S) OF RECORD:

Name River Highlands LLC Phone _____
Mailing Address 3695 Lower Valley Road.
City Kalispell State MT Zip 59901

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

Name & Address WGM Group, 431 1st Ave. West, Kalispell, MT 59901
Name & Address 406-756-4848
Name & Address _____

LEGAL DESCRIPTION OF PROPERTY:

Property Address 264, 316, 378, 494 River Road, Columbia Falls, MT 59912
Assessor's Tract No(s) _____ Lot No(s) LOTS 1, 2, 3, OF LOFFLER SUBDIVISION &
TRACTS 7B AND 7BB, FLATHEAD COUNTY,
MONTANA
1/4 Sec SW Section 16 Township 30 N Range 20 W

GENERAL DESCRIPTION OF SUBDIVISION:

Number of Lots or Rental Spaces 191 Total Acreage in Subdivision 49.1
Total Acreage in Lots 21.6 Minimum Size of Lots or Spaces 0.04
Total Acreage in Streets or Roads 9.2 Maximum Size of Lots or Spaces 2.3
Total Acreage in Parks, Open Spaces and/or Common Areas 13.2

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

Single Family 83 units Townhouse 98 units Mobile Home Park N/A
Duplex N/A Apartment 162 units Recreational Vehicle Park N/A
Commercial 1 unit Industrial N/A Planned Unit Development YES
Condominium N/A Multi-Family N/A Other _____

APPLICABLE ZONING DESIGNATION & DISTRICT CR-3

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

IMPROVEMENTS TO BE PROVIDED:

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

PROPOSED EROSION/SEDIMENTATION CONTROL: See preliminary engineering plans.

ESTIMATE OF IMPACTS:

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

A. Impacts on agriculture

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

Development is located on property that has historically used for farming evidenced by piles of field stones. Though farming has historically occurred on property, there has only been limited hay production since the early 2000's.

B. Impact on agricultural water user facilities

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

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

C. Impact on local services

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

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

D. Impact on natural environment

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

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

E. Impacts on wildlife and habitat

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

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

F. Impacts on public health and safety

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

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

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

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

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

see PUD Application and Narrative for all items below.

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

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

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

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

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

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

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

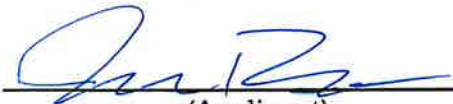
APPLICATION CONTENTS:

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

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

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

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



 (Applicant)

11/28/2022

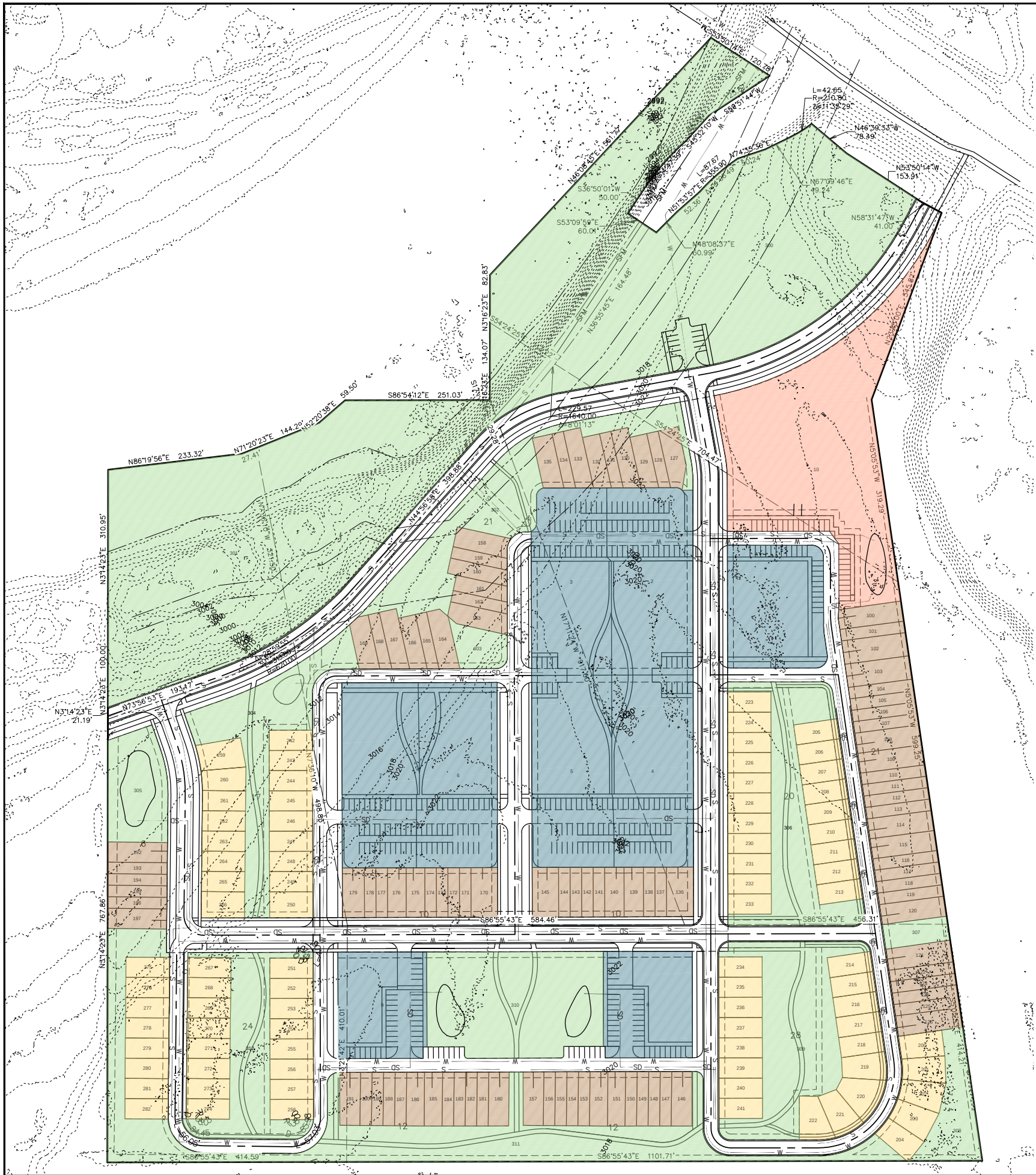
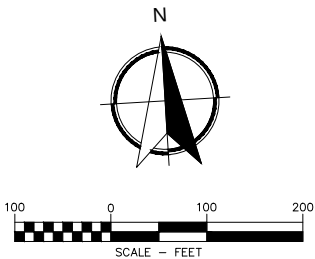
 (Date)



WGM GROUP

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

PRELIMINARY



PRELIMINARY PLAT LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: 201111
LAYOUT: -----
SURVEYED: -----
DESIGN: MJB
DRAFT: JCN
APPROVE: MJB
DATE:

NOVEMBER 2022

SHEET



Item No.1.

WGM GROUP

WWW.WGMGROUP.COM
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KALISPELL, MT 59901
TEL: 406-756-4848

PRELIMINARY

PRELIMINARY PLAT LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

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DATE:

NOVEMBER 2022

SHEET

2 OF 4

- 79 -

FILE: W:\Projects\201111\CAD Data\Design\201111_Base-P_Prelot11-22.dwg



WGM GROUP

WWW.WGMGROUP.COM
431 1ST AVENUE WEST
KALISPELL, MT 59901
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PRELIMINARY

PRELIMINARY PLAT LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

REVISIONS:
NO. DESCRIPTION DATE

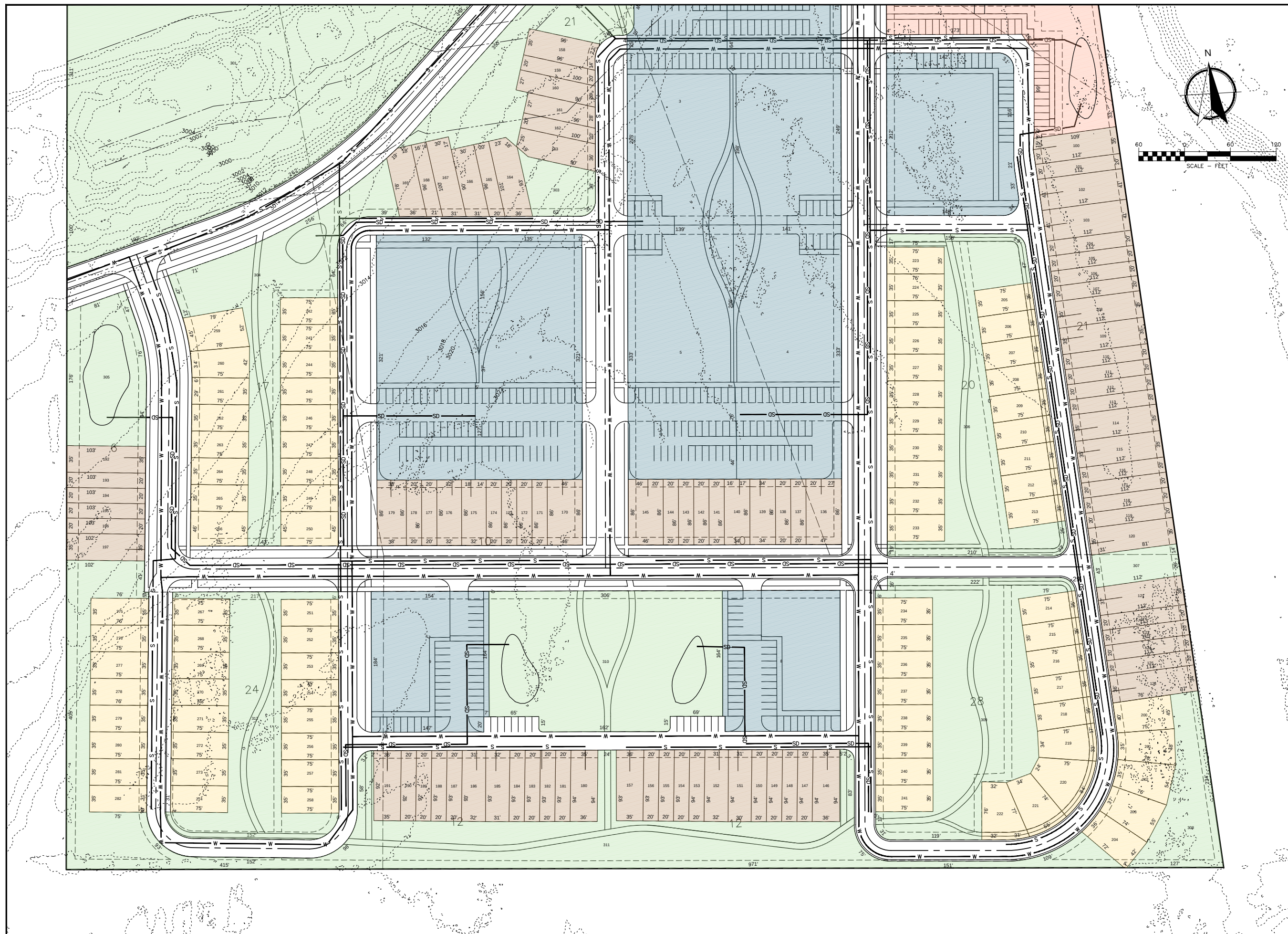
PROJECT: 201111
LAYOUT: ---
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APPROVE: MJB
DATE:

NOVEMBER 2022

SHEET

3 OF 4

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PRELIMINARY

PRELIMINARY PLAT LOT TABLES
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: 201111
LAYOUT: - - - -
SURVEYED: -
DESIGN: JCN
DRAFT: JCN
APPROVE: MJB
DATE:

NOVEMBER 2022

LOTS	
LOT NO.	LOT AREA (SQ.FT)
1	35500.95
2	46732.80
3	43380.10
4	46617.96
5	46464.58
6	44111.70
7	42210.38
8	28356.05
9	28266.08
10	98956.10
100	3862.80
101	2232.14
102	4551.04
103	4554.67
104	2234.97
105	2235.63
106	2236.29
107	2236.95
108	3940.34
109	3894.07

LOTS	
LOT NO.	LOT AREA (SQ.FT)
110	2239.76
111	2240.35
112	2240.94
113	2241.53
114	3924.10
115	3925.90
116	2244.18
117	2244.77
118	2245.36
119	2245.95
120	3938.76
121	4228.52
122	2249.93
123	2250.52
124	2251.11
125	2251.69
126	3944.62
127	3387.55
128	1967.79
129	2779.45

LOTS	
LOT NO.	LOT AREA (SQ.FT)
130	3128.03
131	1960.27
132	2796.90
133	3141.88
134	1963.82
135	3227.70
136	4007.22
137	1719.98
138	1719.98
139	2884.14
140	2884.13
141	1719.98
142	1719.98
143	1719.98
144	1719.98
145	3933.12
146	3354.45
147	1888.13
148	1887.49
149	1886.85

LOTS	
LOT NO.	LOT AREA (SQ.FT)
150	1886.21
151	2876.61
152	2930.23
153	1875.17
154	1870.48
155	1865.79
156	1861.10
157	3289.98
158	3278.66
159	1962.57
160	2804.03
161	2510.37
162	1958.43
163	3575.81
164	3579.63
165	1971.03
166	2791.80
167	3111.29
168	1973.24
169	3140.76

LOTS	
LOT NO.	LOT AREA (SQ.FT)
170	3964.63
171	1720.01
172	1720.01
173	1720.01
174	1720.01
175	2783.85
176	2783.78
177	1720.00
178	1720.00
179	3292.14
180	3316.00
181	1870.08
182	1869.10
183	1868.80
184	1868.15
185	2910.41
186	2902.71
187	1857.10
188	1852.41
189	1847.72

LOTS	
LOT NO.	LOT AREA (SQ.FT)
190	1843.03
191	3256.86
192	3614.66
193	2060.35
194	2056.72
195	2053.10
196	2049.48
197	3580.70
200	3179.91
201	3084.44
202	3315.12
203	3381.38
204	2996.34
205	2626.28
206	2627.56
207	2627.24
208	2626.60
209	2625.64
210	2625.32
211	2624.68

LOTS	
LOT NO.	LOT AREA (SQ.FT)
212	2624.04
213	2624.36
214	2624.36
215	2624.05
216	2623.42
217	2622.78
218	2623.74
219	3221.58
220	4041.42
221	3414.69
222	3589.56
223	2623.15
224	2624.09
225	2624.70
226	2625.32
227	2623.72
228	2622.10
229	2622.66
230	2623.13
231	2623.59

LOTS	
LOT NO.	LOT AREA (SQ.FT)
232	2624.05
233	2624.50
234	2625.74
235	2626.78
236	2627.40
237	2628.02
238	2628.64
239	2629.26
240	2630.20
241	2631.14
242	2629.84
243	2630.47
244	2630.77
245	2631.03
246	2631.29
247	2631.63
248	2631.88
249	2632.04
250	3379.53
251	2625.57

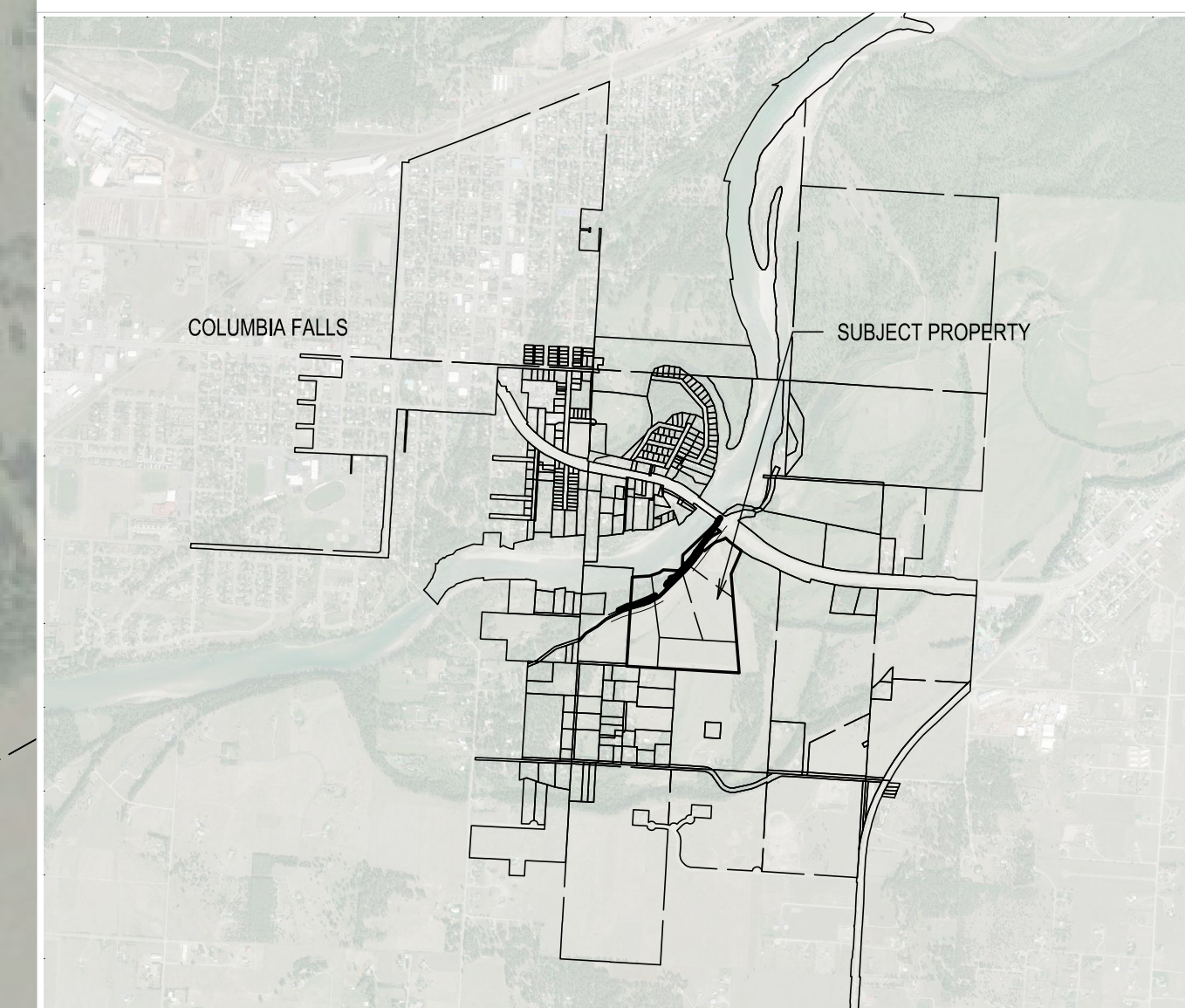
LOTS	
LOT NO.	LOT AREA (SQ.FT)
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253	2628.62
254	2630.94
255	2631.03
256	2631.11
257	2631.84
258	2628.68
259	3736.02
260	2883.72
261	2617.43
262	2617.14
263	2617.13
264	2617.13
265	2617.12
266	3395.27
267	2623.42
268	2623.73
269	2623.72
270	2623.71
271	2623.71

LOTS	
LOT NO.	LOT AREA (SQ.FT)
272	2623.70
273	2624.01
274	2623.96
275	2648.26
276	2641.74
277	2635.02
278	2639.23
279	2643.17
280	2636.58
281	2629.97
282	2623.61
300	240235.08
301	195184.28
302	39196.45
303	6227.85
304	35926.65
305	18922.93
306	35762.87
307	4770.34
308	14041.03

LOTS	
LOT NO.	LOT AREA (SQ.FT)
309	44359.75
310	53698.35
311	79334.90
312	28585.40



CONCEPTUAL



VICINITY MAP
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE
PROJECT:	----	
LAYOUT:	-----	
SURVEYED:	VALUE	
DESIGN:	###	
DRAFT:	VALUE	
APPROVE:	VALUE	
DATE:		

1 OF 1

PHASING PLAN

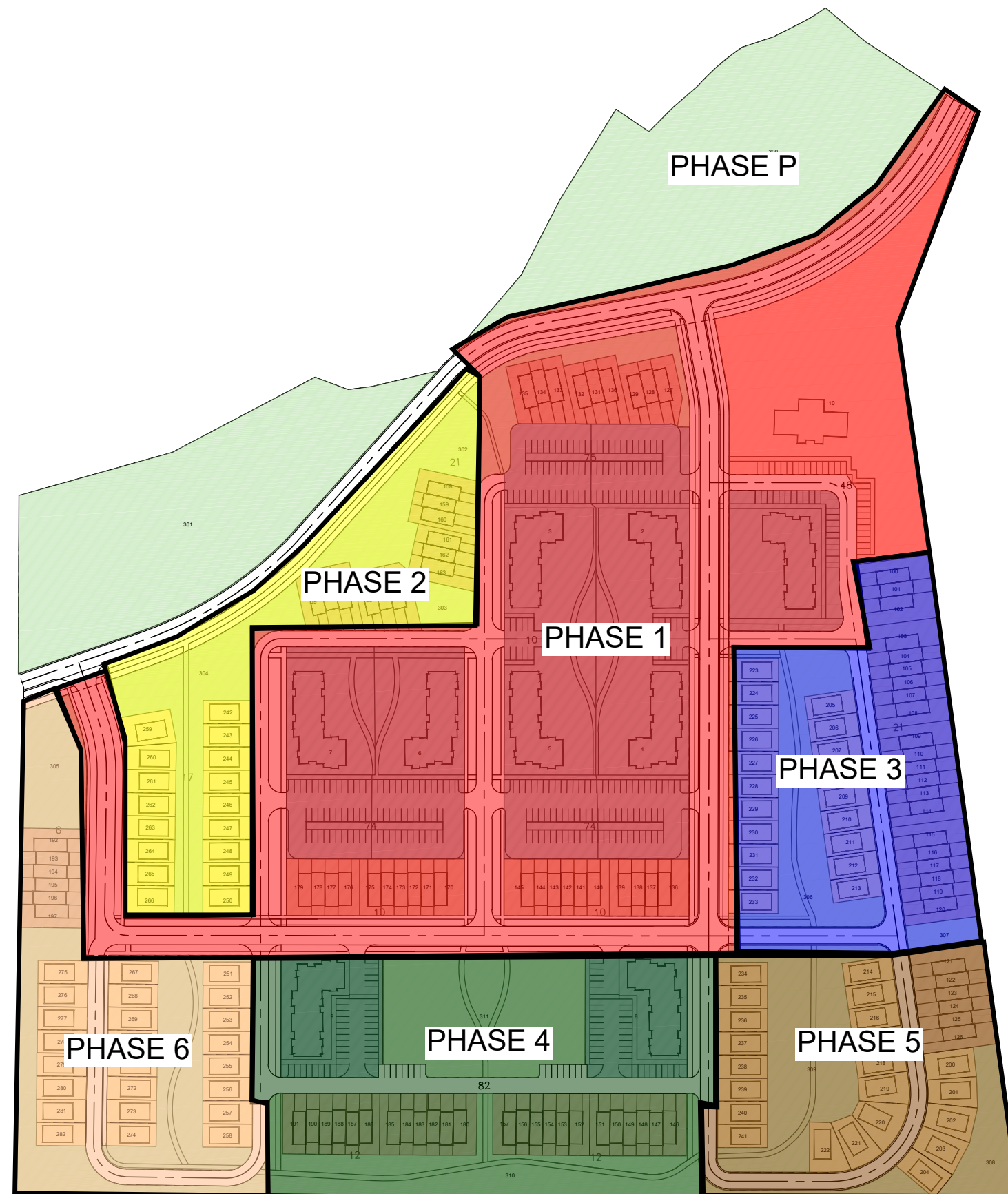
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COLUMBIA FALLS, MONTANA

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DATE:

NOVEMBER 2022



PHASE 1 (2023-2024)

- 126 APARTMENT UNITS
- 29 ATTACHED SF UNITS
- 1 CLUBHOUSE

PHASE 2 (2024-2025)
- 12 ATTACHED SF UNITS
- 17 DETACHED SF UNITS

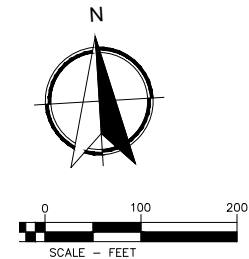
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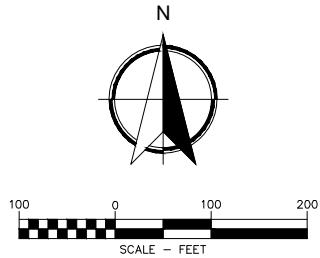
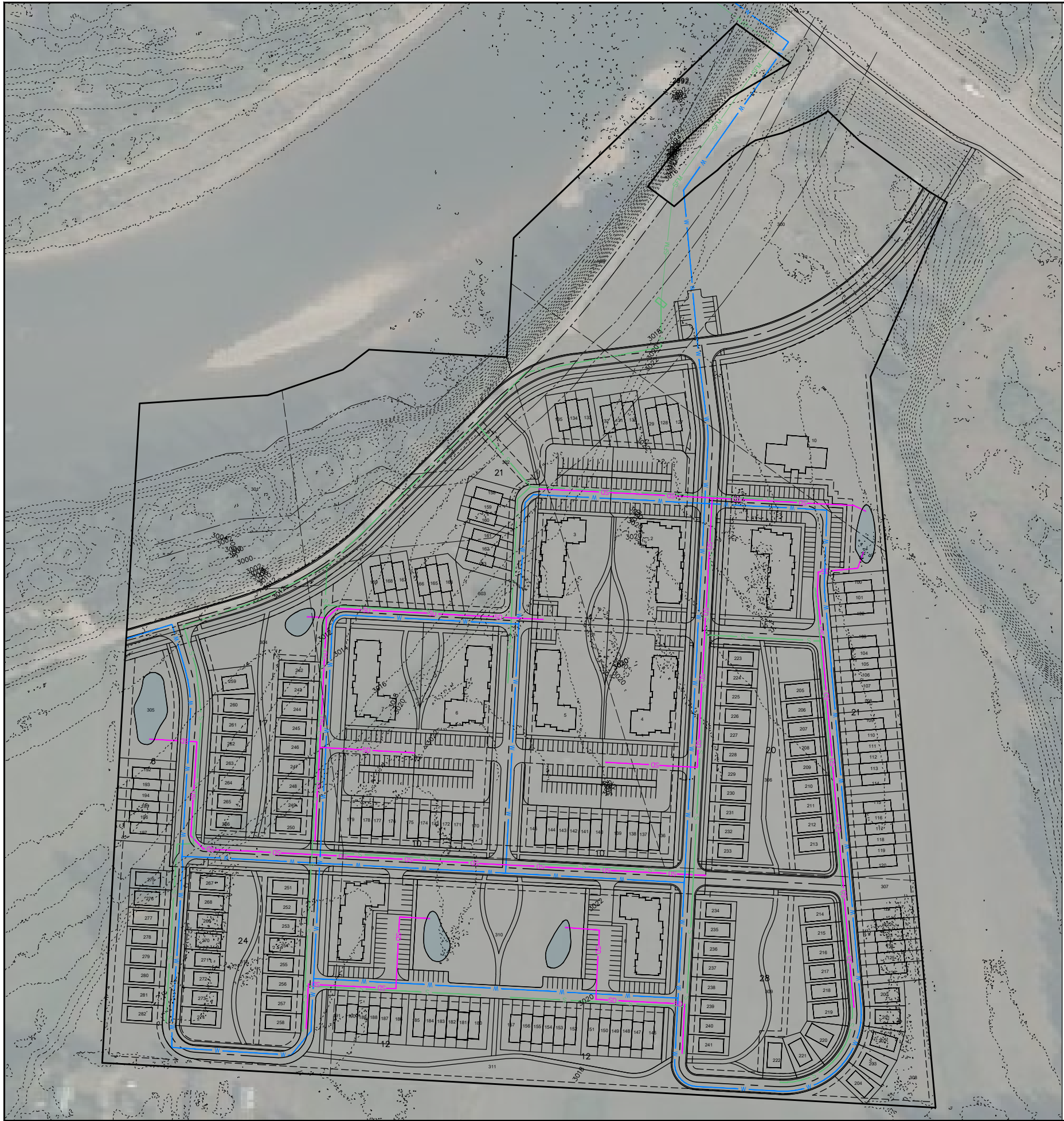
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PHASE 6 (2026-2027)
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- 24 DETACHED SF UNITS

PHASE P
- 5.18 AC OF PARKLAND
- 4.18 AC UNDISTURBED





PRELIMINARY

PRELIMINARY ENGINEERING LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

DECEMBER 2022

SHEET

1 OF 1

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WGMGROUPTM



**Environmental Assessment
River Highlands
WGM Project Number: 201111.1
Client: River Highlands, LLC
12.1.2022**

REPORT DATE:

12.1.2022

AUTHOR:

Mike Brodie, P.E.

Senior Project Engineer

WGM Group, Inc.



GEOLOGY

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

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

Source: WGM Site Visit/Inspection

Source: Natural Resources & Conservation Services Soils Maps

SURFACE WATER

Locate on a copy of the preliminary plat:

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

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



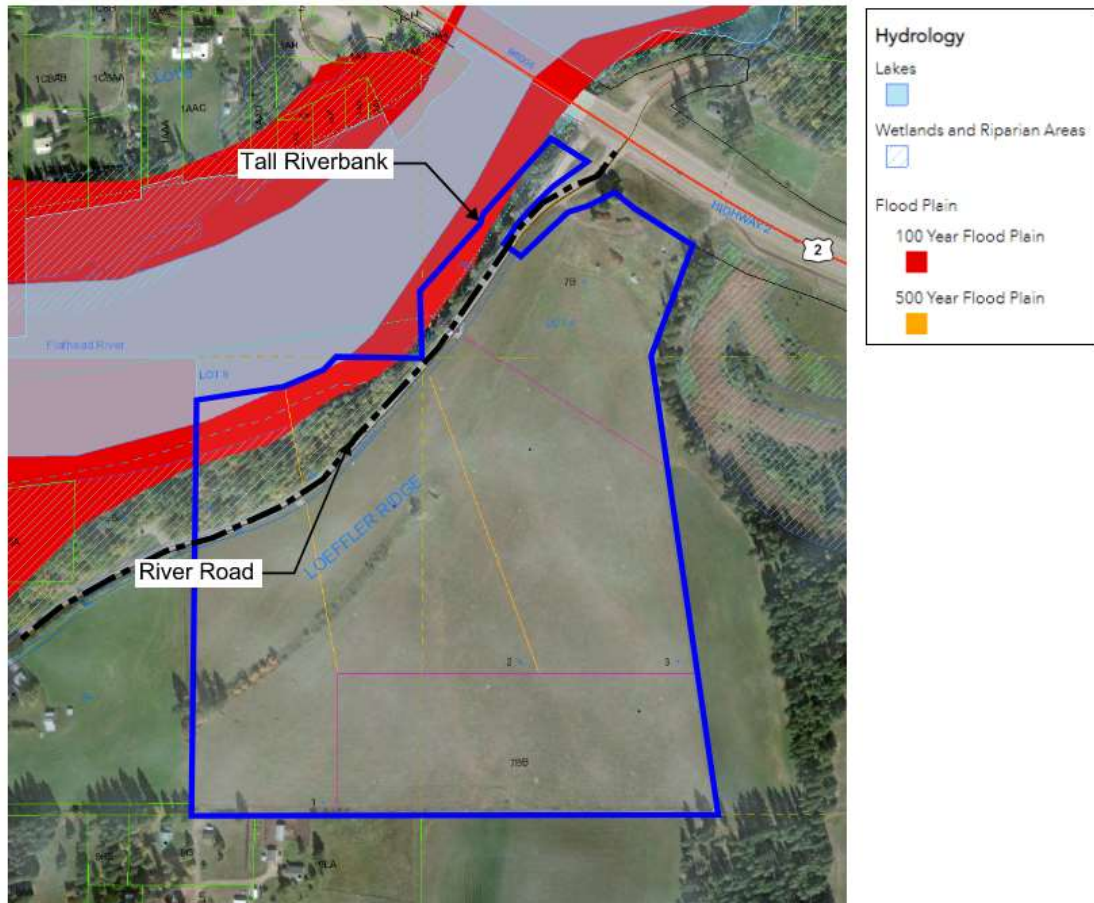


Figure 1: Surface Waters and Flood Plain

Source: WGM Site Visit/Wetland Delineation

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

VEGETATION

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

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



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

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

A full list of species is provided in Appendix B.

Source: WGM Site Visit and Preliminary Plans

Source: Land Use/Land Cover Database

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

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

WILDLIFE

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

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

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

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

Amphibians – Northern Leopard Frog, Western Toad

A full list of Species is provided in Appendix C.

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



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

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

Source: WGM Group Field observations and preliminary plans.

■ AGRICULTURAL AND TIMBER PRODUCTION

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

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

Source: Land Use/Land Cover Database:

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

■ HISTORICAL, ARCHAEOLOGICAL OR CULTURAL FEATURES

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



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

SEWAGE TREATMENT

- A. Where individual sewage treatment systems are proposed for each parcel:
Not applicable, no onsite sewer treatment proposed.
- B. For a proposed public or community sewage treatment system:
 1. Estimate the average number of gallons of sewage generated per day by the subdivision when fully developed.
Our current plans estimate around 343 units for the development. At 200 gallons per day per unit, this is an average of 38,600 gallons per day.
 2. Where an existing system is to be used:
 - a. Identify the system and the person, firm or agency responsible for its operation and maintenance.
The intention is to connect to the City of Columbia Falls wastewater conveyance and treatment system via lift station and directional drill under the river. The lift station will be conveyed to the City of Columbia Falls for ownership and maintenance upon completion and acceptance by City.
 - b. Indicate the system's capacity to handle additional use and its distance from the development.
Preliminary discussions have occurred with the City of Columbia Falls Public Works department. It is the understanding of the developer that there is sufficient capacity in the system. This will be regular residential flow and will not add high strength wastewater to the system.
 - c. Provide evidence that permission to connect has been granted.
Documented permission has not yet been obtained aside from emails with the public works director.
 3. Where a new system is proposed:
 - a. Attach a copy of the plat showing the location of all collection lines and the location and identification of the basic components of the treatment system.
 - b. If subsurface treatment of the effluent is proposed, give the results of the preliminary analysis and percolation tests in the area of the treatment site.
 - c. Provide a description of the following physical conditions:
 - 1) Depth to groundwater at time of year when water table is nearest the surface and how this information was obtained.
 - 2) Minimum depth to bedrock or other impervious material, and how this information was obtained.
 - d. Indicate who will bear the costs of installation and who will own, operate and maintain the system. Also, indicate the anticipated date of completion.
No new system is proposed. A schematic plan for utilities connecting to the City of Columbia Falls has been included with the application.



WATER SUPPLY

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

Not Applicable.

- B. Where a public or community water system is proposed:
1. Estimate the number of gallons per day required by the development (including irrigation, if applicable).
Our current plans estimate around 343 units for the development. With an estimated 2.5 people per unit, will generate a demand of approximately 100 gallons per person per day or 85,750 gallons per day (base domestic demand).

For irrigation, an additional 20% is assumed, but will need to be more closely determined at the time of design and will be dependent on park design, planting types, and what level of irrigation system is proposed. This translates to roughly 102,900 gallons per day total.

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



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

Not Applicable

SOLID WASTE

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

DRAINAGE

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



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

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

ROADS

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



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

Not Applicable, all access is provided by means of roads into the subdivision with secondary accesses to residential units.

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

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

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

Not Applicable.

EMERGENCY SERVICES

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

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

1. Fire Protection:

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

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

- b. In absence of a fire district, what fire protection procedures are planned?
Not Applicable, but fire hydrants will be provided throughout with fire sprinkler systems in all apartment buildings.

- c. Indicate the type, size and location of any proposed recharge facilities.
Not Applicable.

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

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

2. Police Protection.

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

3. Ambulance Service.

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



4. Medical Services.

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

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

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

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

SCHOOLS

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

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

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

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

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

We are currently estimating around 343 lots/dwelling units for this project site. Per US Census, approximately 21.7% of the Flathead County population is under 18 (school age) and each household has an estimated 2.55 people. This translates to 190 new school age children in a fully built and occupied development. This development will be phased and all students will not hit schools at once and ages will vary.

ECONOMIC BENEFITS

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

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

- **Assessor number 0007578 \$50.23**
- **Assessor number 0004299 \$50.23**
- **Assessor number 0004300 \$50.23**



- **Assessor number 0004302 \$51.43**
- **Assessor number 0506850 \$40.05**

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

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

The project would likely reach 25% complete by the end of 2024, which means about 45 lots and 36 apartment units will be completed at an approximate assessed value of \$22,320,000. Conservatively, if you assume a 1% tax rate, this translates to \$2,755/unit or \$223,200 in annual tax revenue.

The project would likely reach 90% complete by the end of 2027, which means about 162 lots/ 144 units will be completed at an approximate assessed value of \$82,080,000. Again, if you assume a 1% tax rate, this translates to \$2,682/unit or \$820,800 in annual tax revenue.

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

Source: Zillow.com

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

Columbia Falls Residential Sewer Rates are \$5 / 1000 gallons per month. For the estimated 343 units at 100 gallons per day / person, this calculates out to \$12,862.50 per month revenue increase (\$154,350 per year).

Columbia Falls Residential Water Rates are \$1.77/1000 gallons per month. For the estimated 343 units at 100 gallons per day / person , this calculates out to \$4,553 per month revenue increase (\$54,639.90 per year). It should be noted that this does not include irrigation, so usage and subsequent revenue would increase during summer months when landscaped areas are irrigated.

Source: City of Columbia Falls Website

<https://www.cityofcolumbiafalls.org/publicworks/page/utility-rates>

LAND USE

- A. Describe the existing historical use of the site.

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



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

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

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

PARKS AND RECREATION FACILITIES

- A. Describe park and recreation facilities to be provided within the proposed subdivision and other recreational facilities which will serve the subdivision.
The PUD plan includes a large park dedication at the north end of the property adjacent to Flathead River. This is slated to be dedicated to the City for a future park. Overall, this property is over five acres in size. Additionally, open space is planned throughout the development and a landscaped trail system will provide recreational benefit to residents. A large club house will be constructed for tenant use as a part of the first phase of the development. A park and open space plan will be submitted to the City prior to the final plat.
- B. List other parks and recreation facilities or sites in the area and their approximate distance from the site.



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

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

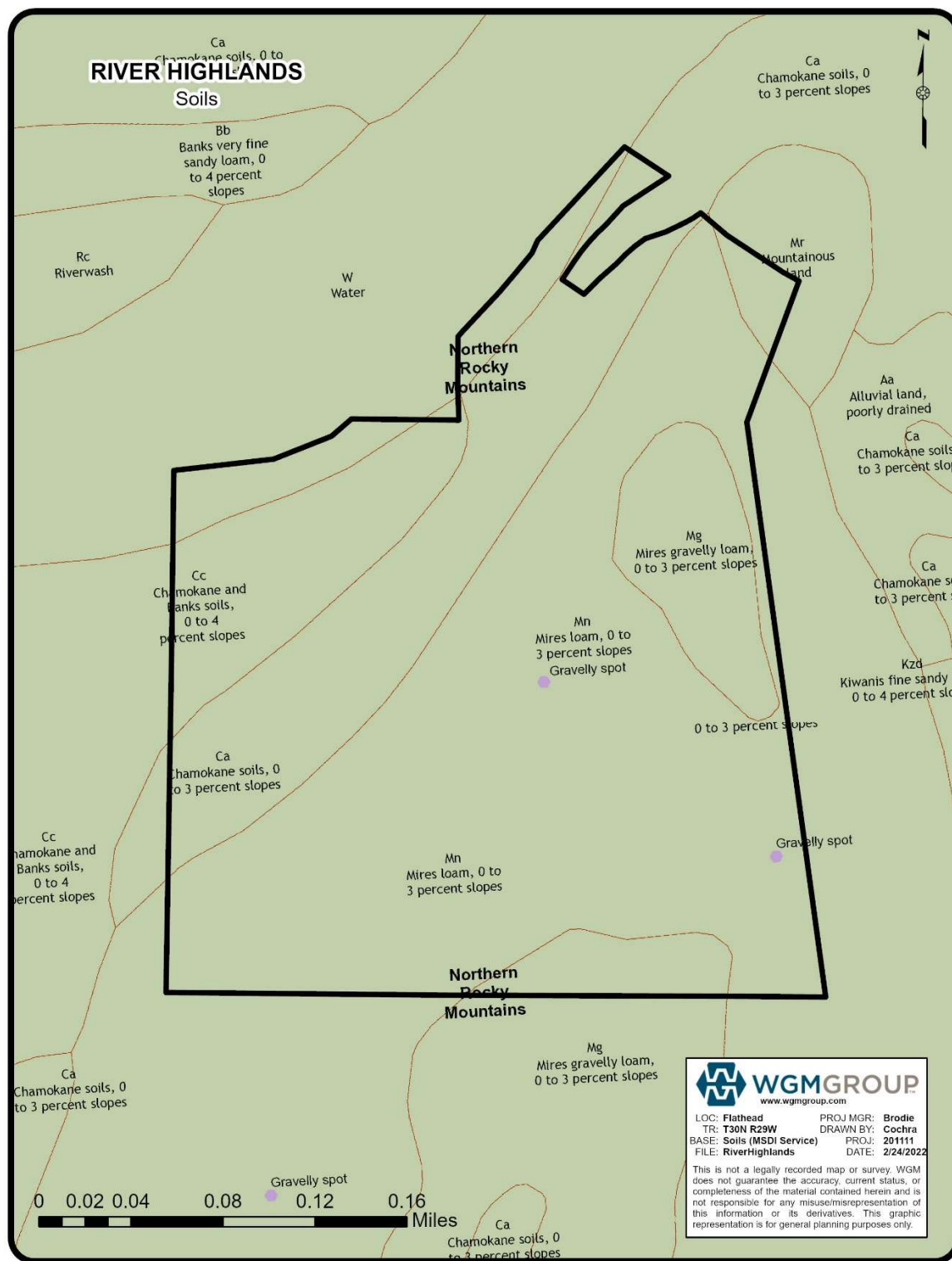
Not applicable.

UTILITIES

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



APPENDIX A: SOILS MAP



APPENDIX B: VEGETATION SPECIES (VASCULAR PLANTS)

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



Montana Natural Heritage - Species Snapshot

All Montana

Plants
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals						
Birds						
Reptiles						
Amphibians						
Fish						
Invertebrates						
ALL ANIMALS						
Vascular Plants	32					32
Bryophytes	16					16
Lichens	1					1
Algae						
ALL PLANTS	49					49

Vascular Plants 32 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Vascular Plants - Bidens beckii (Beck Water-marigold) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	7	2	View Model
Vascular Plants - Botrychium ascendens (Upward-lobed Moonwort) SOC Species of Concern Native Species Global Rank: G3 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 4	1		View Model

Vascular Plants - Botrychium campestre (Prairie Moonwort) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	
Vascular Plants - Botrychium crenulatum (Wavy Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	2	View Model
Vascular Plants - Botrychium hesperium (Western Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	4	View Model
Vascular Plants - Botrychium lanceolatum (Lanceleaf Moonwort) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	View Model
Vascular Plants - Botrychium paradoxum (Peculiar Moonwort)	1	View Model

soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: SENSITIVE MNPS Threat Rank: 4			
Vascular Plants - Botrychium sp. (SOC) (Moonworts (SOC)) soc Species of Concern Native Species Global Rank: G1G3 State Rank: S1S3 SO Delineation Criteria Mapped occurrences for Botrychiums are based on observations of one or more Botrychium species documented or reported for a site as opposed to individual species being mapped independently. Data is managed and presented in this format as a result of more than one Botrychium "species" commonly growing at a site, problems with reliably identifying Botrychiums to species and instability in Botrychium taxonomy. Botrychium Species of Concern locations have at least one reported observation of an individual Botrychium species listed by MTNHP as a Species of Concern.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		5	
Vascular Plants - Braseniaschreberi (Watershield) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	14	2	View Model
Vascular Plants - Castilleja covilleana (Coville Indian Paintbrush) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT) Sensitive - Suspected on Forests (BD) BLM: MNPS Threat Rank: 2		1	View Model
Vascular Plants - Cypripedium passerinum (Sparrow's-egg Lady's-slipper) soc			1	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2			
Vascular Plants - Drosera anglica (English Sundew) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: MNPS Threat Rank: 3		1	View Model
Vascular Plants - Dryopteris cristata (Crested Shieldfern) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3	2	2	View Model
Vascular Plants - Eleocharis rostellata (Beaked Spikerush) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: MNPS Threat Rank: 2		1	View Model
Vascular Plants - Epipactis gigantea (Giant Helleborine) SOC		5	4	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, LOLO) Sensitive - Suspected on Forests (BRT, KOOT) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2				
Vascular Plants - Equisetum pratense (Meadow Horsetail) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Eriophorum gracile (Slender Cottongrass) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3		3	6	View Model	
Vascular Plants - Lathyrus bijugatus (Latah Tule Pea) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3			1	View Model	
Vascular Plants - Lobelia kalmii (Kalm's Lobelia) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Mimulus floribundus (Floriferous Monkeyflower) SOC Species of Concern Native Species Global Rank: G5 State Rank: SH Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4		2	2	View Model	
Vascular Plants - Nymphaea leibergii (Pygmy Water-lily) SOC		3	3	View Model	

Species of Concern Native Species Global Rank: G5 State Rank: S1 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3			
Vascular Plants - Ophioglossum pusillum (<i>Adder's Tongue</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3	2	2	View Model
Vascular Plants - Pinus albicaulis (<i>Whitebark Pine</i>) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Point and/or polygonal observations are buffered by a minimum distance of 400 meters in order to account for stands instead of individual trees and to a maximum distance of 2,000 meters in order to encompass locational uncertainty associated with some common data sources for this species.	Agency Status USFWS: P USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE MNPS Threat Rank: 2	3	2	View Model
Vascular Plants - Ranunculus pedatifidus (<i>Northern Buttercup</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Rubus arcticus (<i>Nagoonberry</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S2	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Scheuchzeria palustris (<i>Pod Grass</i>) soc		3	3	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) Sensitive - Suspected on Forests (BRT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Schoenoplectus subterminalis (Water Bulrush) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	4	1	View Model
Vascular Plants - Scolochloa festucacea (Sprangletop) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4	1	1	View Model
Vascular Plants - Senecio hydrophilus (Alkali-marsh Ragwort) soc Species of Concern Native Species Global Rank: G5 State Rank: S3	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	View Model
Vascular Plants - Silene spaldingii (Spalding's Catchfly) soc Species of Concern Native Species Global Rank: G2 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: LT USFS: BLM: MNPS Threat Rank: 1		1	View Model
Vascular Plants - Trichophorum cespitosum (Tufted Club-rush) soc		4	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Vaccinium myrtilloides (Velvetleaf Huckleberry) soc Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 2		1	View Model

Bryophytes

16 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Bryophytes - Aloina brevirostris (Short-beaked Aloe Moss) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	3	
Bryophytes - Catoscopium nigritum (Black Golf Club Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Dicranella schreberiana (Schreber's Dicranella Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		3	
Bryophytes - Grimmia brittoniae (Britton's Dry Rock Moss) soc Species of Concern Native Species Global Rank: G2 State Rank: S2	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank:	2	8	View Model
Bryophytes - Hamatocaulis vernicosus (Hamatocaulis Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Hennediella heimii (Heim's Hennediella Moss) soc			3	

Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:			
Bryophytes - Meesia longiseta (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Meesia triquetra (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT) BLM: MNPS Threat Rank:	1	1	View Model
Bryophytes - Meesia uliginosa (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		5	
Bryophytes - Meiotrichum lyallii (<i>Lyall's Polytrichum Moss</i>) SOC Species of Concern Native Species Global Rank: G3G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		2	
Bryophytes - Sarmentypnum exannulatum (<i>Warnstorfia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Sphagnum angustifolium (<i>Narrowleaf Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum centrale (<i>A Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum fimbriatum (<i>Fringed Bogmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum mendocinum (<i>Mendocino Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Syntrichia norvegica (<i>Norwegian Syntrichia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	

Item No.1.

			Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Lichens - Lobaria hallii <i>(Gray Lungwort Lichen)</i> SOC			1	1	
Species of Concern Native Species Global Rank: G4? State Rank: S2 <u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:					

APPENDIX C: WILDLIFE SPECIES

TABLE 1: MAMMALS

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

TABLE 3: BIRDS

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



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



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



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

TABLE 4: REPTILES

COMMON NAME	SCIENTIFIC NAME
Northern Alligator Lizard	Elgaria coerulea

TABLE 5: AMPHIBIANS

COMMON NAME	SCIENTIFIC NAME
Long-toed Salamander	Ambystoma macrodactylum



Montana Natural Heritage - Species Snapshot

All Montana

Animals
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals	10					10
Birds	35					35
Reptiles	1					1
Amphibians	2					2
Fish	4					4
Invertebrates	5					5
ALL ANIMALS	57					57
Vascular Plants						
Bryophytes						
Lichens						
Algae						
ALL PLANTS						

Mammals 10 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Mammals - Canada Lynx (<i>Lynx canadensis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Areas designated as Critical Habitat for the species by the U.S. Fish and Wildlife Service on September 12, 2014 because they currently contain physical and biological features (e.g. boreal forests with snowshoe hare) essential to the conservation of the species and state and other lands within the outer boundaries of USFWS Critical Habitat polygons. Agency Status USFWS: LT; CH USFS: BLM: THREATENED FWP SWAP: SGCN3		1	3	View Model
Mammals - Fisher (<i>Pekania pennanti</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence of adults or juveniles within tracking regions containing core habitat for the species. Outer boundaries of tracking regions are defined by areas of forest cover on individual mountain ranges or clusters of adjacent mountain ranges with continuous forest cover. Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3		1	1	View Model
Mammals - Grizzly Bear (<i>Ursus arctos</i>) SOC		16	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Species Occurrence polygons represent areas delineated by the U.S. Fish and Wildlife Service (USFWS) that encompass both home ranges and potential transitory movements based on verified sightings. Within these areas, the USFWS wants project proponents to consider whether the species "may be present" when evaluating the potential impacts of a project and to work with the USFWS to develop and implement best management practices to minimize or eliminate project effects on the species.	Agency Status USFWS: PS: LT; XN USFS: BLM: THREATENED FWP SWAP: SGCN2-3			
Mammals - Hoary Bat (<i>Lasiurus cinereus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles during the active season. Point observation location is buffered by a minimum distance of 3,500 meters in order to be conservative about encompassing the maximum reported foraging distance for the congeneric <i>Lasiurus borealis</i> and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: SENSITIVE FWP SWAP: SGCN3	2	5	View Model
Mammals - Little Brown Myotis (<i>Myotis lucifugus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, or definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 1,600 meters in order to encompass the greater than 1,500 meters foraging distance reported for the species in New Brunswick, Canada and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,600 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	3	5	View Model
Mammals - Long-eared Myotis (<i>Myotis evotis</i>) SOC		1	1	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the average distances traveled from capture locations to roosts and between roosts in western Montana, Alberta, and Oregon and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Mammals - Long-legged Myotis <i>(Myotis volans)</i> SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 2,000 meters in order to encompass the average distances traveled from capture locations to roosts in Washington, Oregon, and in the Black Hills of South Dakota and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 2,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:		1	View Model
Mammals - Townsend's Big-eared Bat <i>(Corynorhinus townsendii)</i> SOC		4	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 4,500 meters in order to encompass the 95% confidence interval for nightly foraging distance reported for the species in California and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 4,500 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3			
Mammals - Western Pygmy Shrew (<i>Sorex eximius</i>) soc Species of Concern Native Species Global Rank: GNR State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the population density reported for the species and buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	1	2	View Model
Mammals - Wolverine (<i>Gulo gulo</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy supported by recent (post-1980), nearby (within 10 kilometers) observations of adults or juveniles. Tracking regions were defined by areas of primary habitat and adjacent female dispersal habitat as modeled by Inman et al. (2013). These regions were buffered by 1 kilometer in order to link smaller areas and account for potential inaccuracies in independent variables used in the model.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3	5	1	View Model

Birds

35 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Birds - American White Pelican (<i>Pelecanus erythrorhynchos</i>) soc	3		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction on islands buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and new fledglings.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Black Swift (<i>Cypseloides niger</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S1B SO Delineation Criteria Confirmed breeding area based on the presence of an occupied nest or birds conspicuously flying in or out of waterfall habitats during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass adjacent areas of potentially suitable nesting habitat that could be used for renesting and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN1, SGIN PIF: 2	14		View Model
Birds - Black Tern (<i>Chlidonias niger</i>) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	30	1	View Model
Birds - Black-backed Woodpecker (<i>Picoides arcticus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the majority of home range sizes reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	2		View Model
Birds - Black-necked Stilt (<i>Himantopus mexicanus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies and adjacent terrestrial habitats documented as having been used for breeding. Water bodies are buffered by 300 meters in order to encompass terrestrial habitats that are likely to be used for nesting.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	11		View Model
Birds - Bobolink (<i>Dolichonyx oryzivorus</i>) soc		13	3	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to conservatively encompass male territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Boreal Chickadee (<i>Poecile hudsonicus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to encompass the breeding territory size of the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	2	1	View Model
Birds - Brown Creeper (<i>Certhia americana</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 1	131	7	View Model
Birds - Caspian Tern (<i>Hydroprogne caspia</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.		Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	1		View Model
Birds - Cassin's Finch (<i>Haemorhous cassinii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing the courtship and foraging distance from nesting areas and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	87	3	View Model
Birds - Clark's Nutcracker (<i>Nucifraga columbiana</i>) SOC			36	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with direct evidence of breeding activity or indirect evidence of breeding activity between early March and mid-July within forested habitats containing Whitebark Pine (<i>Pinus albicaulis</i>), Limber Pine (<i>Pinus flexilis</i>), or Ponderosa Pine (<i>Pinus ponderosa</i>). Observations are buffered by a minimum distance of 1,000 meters in order to encompass the spring/summer breeding territory size reported for the species or the locational uncertainty of the observation to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Common Loon (<i>Gavia immer</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting and brood rearing buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success. Where breeding has been documented on extremely large water bodies, only the portion of the water body with territorial activity is delineated.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: FWP SWAP: SGCN3 PIF: 1	99	5	View Model
Birds - Evening Grosbeak (<i>Coccothraustes vespertinus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the maximum foraging distance from nests reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF:	298	15	View Model
Birds - Ferruginous Hawk (<i>Buteo regalis</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 2,000 meters in order to encompass the average home range size reported for the species and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	1		View Model
Birds - Forster's Tern (<i>Sterna forsteri</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence for nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	5		View Model
Birds - Franklin's Gull (<i>Leucophaeus pipixcan</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7		View Model

Birds - Golden Eagle (<i>Aquila chrysaetos</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,000 meters in order to be conservative about encompassing the entire breeding territory and area commonly used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: BGEPA; MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF:	30	1	View Model
Birds - Gray-crowned Rosy-Finch (<i>Leucosticte tephrocotis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 4,000 meters in order to encompass the known foraging distance from nests of the congeneric Black Rosy-Finch and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN2, SGIN PIF:	5		View Model
Birds - Great Blue Heron (<i>Ardea herodias</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 6,500 meters in order to be conservative about encompassing the areas commonly used for foraging near the breeding colony and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	63	6	View Model
Birds - Great Gray Owl (<i>Strix nebulosa</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,200 meters in order to encompass the known foraging distance and area likely to be used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3, SGIN PIF: 3	5		View Model
Birds - Harlequin Duck (<i>Histrionicus histrionicus</i>) SOC		4	2	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Stream reaches with confirmed presence of downy young, juveniles, or where breeding effort is believed to occur due to confirmed effort in adjacent areas or consistent observations of pairs over several breeding seasons. Minimum stream reach length is 1,000 meters (500 meters below and above a point observation). Occurrences on smaller order streams include the area 500 meters above an observation down to the mouth of that stream. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches, and, where appropriate, standing water bodies are buffered 100 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) BLM: FWP SWAP: SGCN2 PIF: 1			
Birds - Horned Grebe (<i>Podiceps auritus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of breeding activity buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	31		View Model
Birds - LeConte's Sparrow (<i>Ammospiza leconteii</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the estimated breeding territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC11 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	1	1	View Model
Birds - Lewis's Woodpecker (<i>Melanerpes lewis</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the likely foraging area used by breeding adults around the nest tree and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10; BCC17 USFS: Species of Conservation Concern on Forests (HLC) BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	8		View Model
Birds - Loggerhead Shrike (<i>Lanius ludovicianus</i>) soc		1		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the maximum breeding territory size reported for the species in Alberta and Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Long-billed Curlew (<i>Numenius americanus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 200 meters in order to approximate the breeding territory size reported for the species in Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC11 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2		1	View Model
Birds - Northern Goshawk (<i>Accipiter gentilis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 750 meters in order to encompass the area around the nest known to be defended by adults and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2		44	2 View Model
Birds - Northern Hawk Owl (<i>Surnia ulula</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 1,000 meters in order to encompass the known foraging distance from the nest and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3, SGIN PIF:		2	View Model
Birds - Pacific Wren (<i>Troglodytes pacificus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2		74	22 View Model
Birds - Peregrine Falcon (<i>Falco peregrinus</i>) SOC				24	3 View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 500 meters in order to encompass the area around the nest known to be defended by adults as well as the minimum distance reported between nests. Otherwise the nest area is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Pileated Woodpecker (<i>Dryocopus pileatus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 1,500 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2	1004	12	View Model
Birds - Trumpeter Swan (<i>Cygnus buccinator</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	42	1	View Model
Birds - Varied Thrush (<i>Ixoreus naevius</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 225 meters in order to encompass the reported minimum stand size occupied by breeding pairs and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	106	29	View Model
Birds - Veery (<i>Catharus fuscescens</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7	4	View Model
Birds - White-faced Ibis (<i>Plegadis chihi</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	3		View Model

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Reptiles - Northern Alligator Lizard (<i>Elgaria coerulea</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 200 meters in order to encompass habitats supporting other individuals and probable maximum home range sizes. Otherwise the point observation is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN	2	2	View Model

Amphibians

2 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Amphibians - Northern Leopard Frog (<i>Lithobates pipiens</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1, S4 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (BRT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN1	6		View Model
Amphibians - Western Toad (<i>Anaxyrus boreas</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN2	15	3	View Model

Fish

4 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Fish - Bull Trout (<i>Salvelinus confluentus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species is believed to be present based on the professional judgement of a fisheries biologist, potentially supported by habitat assessment, direct capture, or confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: LT, CH USFS: BLM: THREATENED FWP SWAP: SGCN2	62	5	View Model
Fish - Lake Trout (<i>Salvelinus namaycush</i>) SOC		2		View Model

Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies within the native range of the species (i.e. Elk and Twin Lakes in southwestern Montana and Saint Mary and Waterton Lakes in the Saskatchewan River drainage) where its presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN2			
Fish - Pygmy Whitefish (<i>Prosopium coulterii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN		3	View Model
Fish - Westslope Cutthroat Trout (<i>Oncorhynchus clarkii lewisi</i>) SOC Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5T4 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: SENSITIVE FWP SWAP: SGCN2	177	37	View Model

☐ Invertebrates

5 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Invertebrates - Isocapnia crinita (<i>Hooked Snowfly</i>) SOC			1	

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Invertebrates - Isocapnia integra (Alberta Snowfly) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Prophyaon humile (Smoky Taildropper) soc Species of Concern Native Species Global Rank: G3 State Rank: S2S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:	2		2
Invertebrates - Salmasellus steganothrix (A Cave Obligate Isopod) soc Species of Concern Native Species Global Rank: G2G3 State Rank: S1S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation locations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). Adjacent hexagons are included in the Species Occurrence in order to ensure that the entire cave system is encompassed.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Somatochlora walshii (Brush-tipped Emerald) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction (larval nymphs) or presumed reproduction (adults) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to adults and wetland health.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1

Item No.1.

APPENDIX D: EVERGREEN DISPOSAL WILL-SERVE LETTER





55 West Valley Drive
Kalispell, MT 59901

May 9, 2022

Mike Brodie, PE
Senior Project Engineer - WGMGROUP
Kalispell, MT 59901
406-756-4848

RE: Will Serve for River Highlands PUD

Dear Mike:

The purpose of this letter is to confirm that Waste Connections of Montana d/b/a Evergreen Disposal (hereinafter, "Evergreen") has the capacity to provide services to the planned subdivision, River Highlands PUD.

The provision of these services is contingent upon the development meeting minimum safe access to each home or business to provide waste collection services at the curbside, alley or in a trash enclosure/structure for Evergreen's standard, full-sized waste collection vehicles. In addition, roadways must be properly maintained including snow and ice removal and/or sanding as needed during winter months and Evergreen must at all times have safe and reasonable turnaround capabilities as well as reasonable egress/ingress for its full-sized waste collection vehicles.

As planning begins, should a permanent garbage enclosure or "group collection area" be proposed or required due to mountainous territory and/or private roads, Evergreen will need to review and approve the structure's dimensions and location to ensure sufficient capacity for the subdivision's projected waste type and volumes, as well as features such as adequate safe access, overhead clearance, visibility, minimum turn radius, road maintenance, and egress necessary to facilitate safe weekly waste collection.

I look forward to working with you and please don't hesitate to reach out with questions.

Warm regards,

A handwritten signature in black ink, appearing to read "SS", followed by a horizontal line.

Scott Shreves, Montana District Manager
(406) 249-9371
ScottSh@WasteConnections.com
{00099898.DOCX.}

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





55 West Valley Drive
Kalispell, MT 59901

May 9, 2022

Mike Brodie, PE
Senior Project Engineer - WGMGROUP
Kalispell, MT 59901
406-756-4848

RE: Will Serve for River Highlands PUD

Dear Mike:

The purpose of this letter is to confirm that Waste Connections of Montana d/b/a Evergreen Disposal (hereinafter, "Evergreen") has the capacity to provide services to the planned subdivision, River Highlands PUD.

The provision of these services is contingent upon the development meeting minimum safe access to each home or business to provide waste collection services at the curbside, alley or in a trash enclosure/structure for Evergreen's standard, full-sized waste collection vehicles. In addition, roadways must be properly maintained including snow and ice removal and/or sanding as needed during winter months and Evergreen must at all times have safe and reasonable turnaround capabilities as well as reasonable egress/ingress for its full-sized waste collection vehicles.

As planning begins, should a permanent garbage enclosure or "group collection area" be proposed or required due to mountainous territory and/or private roads, Evergreen will need to review and approve the structure's dimensions and location to ensure sufficient capacity for the subdivision's projected waste type and volumes, as well as features such as adequate safe access, overhead clearance, visibility, minimum turn radius, road maintenance, and egress necessary to facilitate safe weekly waste collection.

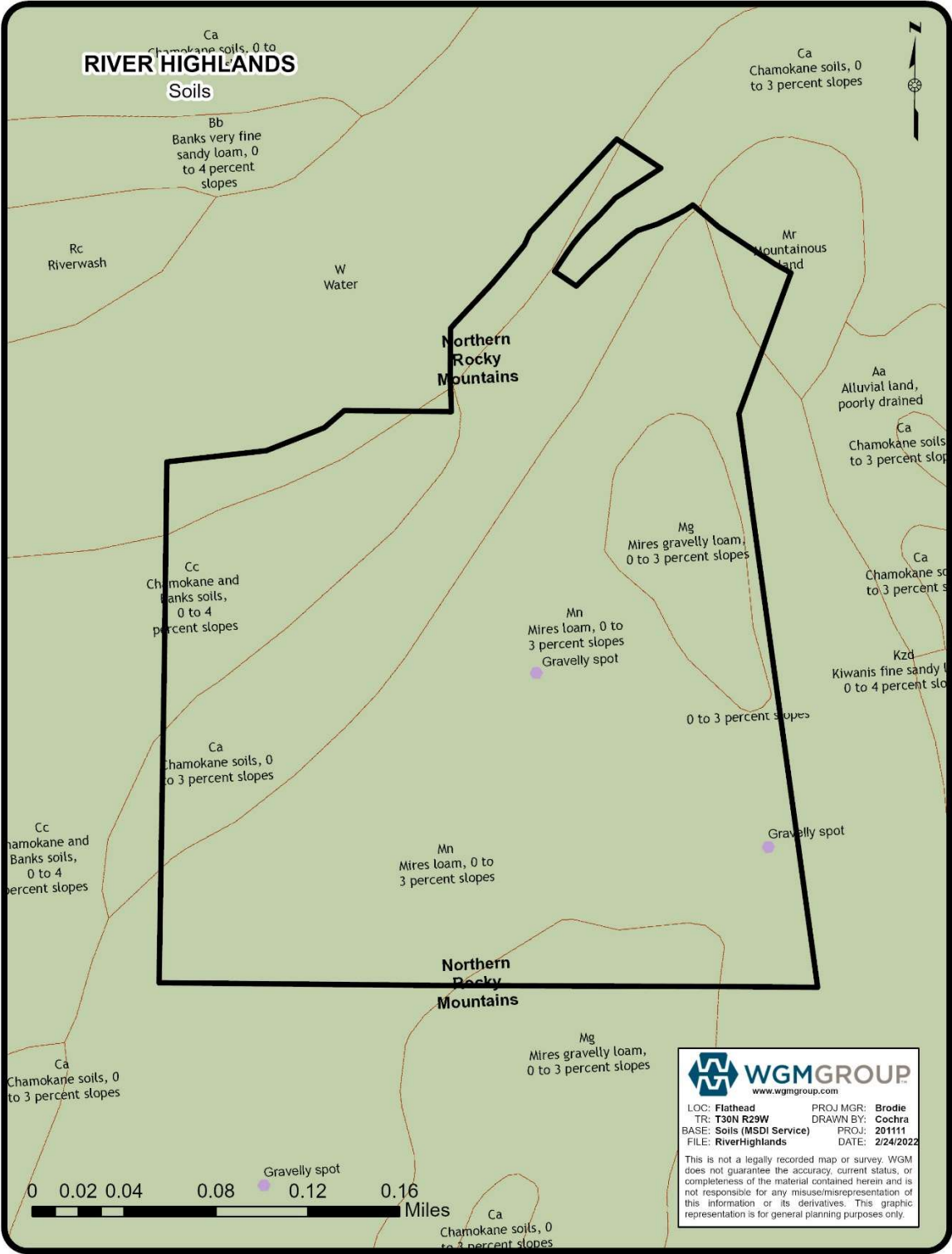
I look forward to working with you and please don't hesitate to reach out with questions.

Warm regards,

A handwritten signature in black ink, appearing to read "SS", followed by a horizontal line.

Scott Shreves, Montana District Manager
(406) 249-9371
ScottSh@WasteConnections.com
{00099898.DOCX.}

APPENDIX A: SOILS MAP



Montana Natural Heritage - Species Snapshot

All Montana

Plants
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals						
Birds						
Reptiles						
Amphibians						
Fish						
Invertebrates						
ALL ANIMALS						
Vascular Plants	32					32
Bryophytes	16					16
Lichens	1					1
Algae						
ALL PLANTS	49					49

Vascular Plants 32 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Vascular Plants - Bidens beckii (Beck Water-marigold) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	7	2	View Model
Vascular Plants - Botrychium ascendens (Upward-lobed Moonwort) SOC Species of Concern Native Species Global Rank: G3 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 4	1		View Model

Vascular Plants - Botrychium campestre (Prairie Moonwort) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	
Vascular Plants - Botrychium crenulatum (Wavy Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	2	View Model
Vascular Plants - Botrychium hesperium (Western Moonwort) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	4	View Model
Vascular Plants - Botrychium lanceolatum (Lanceleaf Moonwort) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	1	View Model
Vascular Plants - Botrychium paradoxum (Peculiar Moonwort)	1	View Model

soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: SENSITIVE MNPS Threat Rank: 4			
Vascular Plants - Botrychium sp. (SOC) (Moonworts (SOC)) soc Species of Concern Native Species Global Rank: G1G3 State Rank: S1S3 SO Delineation Criteria Mapped occurrences for Botrychiums are based on observations of one or more Botrychium species documented or reported for a site as opposed to individual species being mapped independently. Data is managed and presented in this format as a result of more than one Botrychium "species" commonly growing at a site, problems with reliably identifying Botrychiums to species and instability in Botrychium taxonomy. Botrychium Species of Concern locations have at least one reported observation of an individual Botrychium species listed by MTNHP as a Species of Concern. Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		5	
Vascular Plants - Braseniaschreberi (Watershield) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: MNPS Threat Rank: 3	14	2	View Model
Vascular Plants - Castilleja covilleana (Coville Indian Paintbrush) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT) Sensitive - Suspected on Forests (BD) BLM: MNPS Threat Rank: 2		1	View Model
Vascular Plants - Cypripedium passerinum (Sparrow's-egg Lady's-slipper) soc		1	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2			
Vascular Plants - Drosera anglica (English Sundew) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: MNPS Threat Rank: 3		1	View Model
Vascular Plants - Dryopteris cristata (Crested Shieldfern) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3	2	2	View Model
Vascular Plants - Eleocharis rostellata (Beaked Spikerush) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD) Species of Conservation Concern on Forests (CG, FLAT, HLC) BLM: MNPS Threat Rank: 2		1	View Model
Vascular Plants - Epipactis gigantea (Giant Helleborine) SOC		5	4	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, LOLO) Sensitive - Suspected on Forests (BRT, KOOT) Species of Conservation Concern on Forests (FLAT, HLC) BLM: MNPS Threat Rank: 2				
Vascular Plants - Equisetum pratense (Meadow Horsetail) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Eriophorum gracile (Slender Cottongrass) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3		3	6	View Model	
Vascular Plants - Lathyrus bijugatus (Latah Tule Pea) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation. Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3			1	View Model	
Vascular Plants - Lobelia kalmii (Kalm's Lobelia) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	2	View Model	
Vascular Plants - Mimulus floribundus (Floriferous Monkeyflower) SOC Species of Concern Native Species Global Rank: G5 State Rank: SH Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4		2	2	View Model	
Vascular Plants - Nymphaea leibergii (Pygmy Water-lily) SOC		3	3	View Model	

Species of Concern Native Species Global Rank: G5 State Rank: S1 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3			
Vascular Plants - Ophioglossum pusillum (<i>Adder's Tongue</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) BLM: MNPS Threat Rank: 3	2	2	View Model
Vascular Plants - Pinus albicaulis (<i>Whitebark Pine</i>) soc Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Point and/or polygonal observations are buffered by a minimum distance of 400 meters in order to account for stands instead of individual trees and to a maximum distance of 2,000 meters in order to encompass locational uncertainty associated with some common data sources for this species.	Agency Status USFWS: P USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE MNPS Threat Rank: 2	3	2	View Model
Vascular Plants - Ranunculus pedatifidus (<i>Northern Buttercup</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Rubus arcticus (<i>Nagoonberry</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S2	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3	1	1	View Model
Vascular Plants - Scheuchzeria palustris (<i>Pod Grass</i>) soc		3	3	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) Sensitive - Suspected on Forests (BRT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Schoenoplectus subterminalis (Water Bulrush) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank: 3	4	1	View Model
Vascular Plants - Scolochloa festucacea (Sprangletop) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 4	1	1	View Model
Vascular Plants - Senecio hydrophilus (Alkali-marsh Ragwort) soc Species of Concern Native Species Global Rank: G5 State Rank: S3	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 3		1	View Model
Vascular Plants - Silene spaldingii (Spalding's Catchfly) soc Species of Concern Native Species Global Rank: G2 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: LT BLM: MNPS Threat Rank: 1		1	View Model
Vascular Plants - Trichophorum cespitosum (Tufted Club-rush) soc		4	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, KOOT) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank: 3			
Vascular Plants - Vaccinium myrtilloides (Velvetleaf Huckleberry) soc Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Individual occurrences are generally based upon a discretely mapped area provided by an observer and are not separated by any pre-defined distance. Individual clusters of plants mapped at fine spatial scales (separated by less than approximately 25-50 meters) may be grouped together into one occurrence if they are not separated by distinct areas of habitat or terrain features. Point observations are buffered to encompass any locational uncertainty associated with the observation.	Agency Status USFWS: USFS: BLM: MNPS Threat Rank: 2		1	View Model

Bryophytes

16 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Bryophytes - Aloina brevirostris (Short-beaked Aloe Moss) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	3	
Bryophytes - Catoscopium nigritum (Black Golf Club Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Dicranella schreberiana (Schreber's Dicranella Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:		3	
Bryophytes - Grimmia brittoniae (Britton's Dry Rock Moss) soc Species of Concern Native Species Global Rank: G2 State Rank: S2	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT, LOLO) Species of Conservation Concern on Forests (FLAT) BLM: MNPS Threat Rank:	2	8	View Model
Bryophytes - Hamatocaulis vernicosus (Hamatocaulis Moss) soc Species of Concern Native Species Global Rank: G5 State Rank: S1	Agency Status USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Hennediella heimii (Heim's Hennediella Moss) soc			3	

Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:			
Bryophytes - Meesia longiseta (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Meesia triquetra (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: Sensitive - Known on Forests (BRT, KOOT) Sensitive - Suspected on Forests (LOLO) Species of Conservation Concern on Forests (CG, FLAT) BLM: MNPS Threat Rank:	1	1	View Model
Bryophytes - Meesia uliginosa (<i>Meesia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		5	
Bryophytes - Meiotrichum lyallii (<i>Lyall's Polytrichum Moss</i>) SOC Species of Concern Native Species Global Rank: G3G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		2	
Bryophytes - Sarmentypnum exannulatum (<i>Warnstorfia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Sphagnum angustifolium (<i>Narrowleaf Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum centrale (<i>A Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum fimbriatum (<i>Fringed Bogmoss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: Species of Conservation Concern on Forests (HLC) BLM: MNPS Threat Rank:	1	1	
Bryophytes - Sphagnum mendocinum (<i>Mendocino Peatmoss</i>) SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:		1	
Bryophytes - Syntrichia norvegica (<i>Norwegian Syntrichia Moss</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1	<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:	1	1	

Item No.1.

			Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Lichens - Lobaria hallii <i>(Gray Lungwort Lichen)</i> SOC			1	1	
Species of Concern Native Species Global Rank: G4? State Rank: S2					
<u>Agency Status</u> USFWS: USFS: BLM: MNPS Threat Rank:					

Montana Natural Heritage - Species Snapshot

All Montana

Animals
found in
Columbia Falls
(buffered by 10 miles)

that are MT Status
Species of Concern

	Species of Concern	Potential SOC	MT Special Status	Other Status	Invasive and Pest	Total
Mammals	10					10
Birds	35					35
Reptiles	1					1
Amphibians	2					2
Fish	4					4
Invertebrates	5					5
ALL ANIMALS	57					57
Vascular Plants						
Bryophytes						
Lichens						
Algae						
ALL PLANTS						

Mammals 10 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Mammals - Canada Lynx (<i>Lynx canadensis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Areas designated as Critical Habitat for the species by the U.S. Fish and Wildlife Service on September 12, 2014 because they currently contain physical and biological features (e.g. boreal forests with snowshoe hare) essential to the conservation of the species and state and other lands within the outer boundaries of USFWS Critical Habitat polygons. Agency Status USFWS: LT; CH USFS: BLM: THREATENED FWP SWAP: SGCN3		1	3	View Model
Mammals - Fisher (<i>Pekania pennanti</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence of adults or juveniles within tracking regions containing core habitat for the species. Outer boundaries of tracking regions are defined by areas of forest cover on individual mountain ranges or clusters of adjacent mountain ranges with continuous forest cover. Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3		1	1	View Model
Mammals - Grizzly Bear (<i>Ursus arctos</i>) SOC		16	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2S3 SO Delineation Criteria Species Occurrence polygons represent areas delineated by the U.S. Fish and Wildlife Service (USFWS) that encompass both home ranges and potential transitory movements based on verified sightings. Within these areas, the USFWS wants project proponents to consider whether the species "may be present" when evaluating the potential impacts of a project and to work with the USFWS to develop and implement best management practices to minimize or eliminate project effects on the species.	Agency Status USFWS: PS: LT; XN USFS: BLM: THREATENED FWP SWAP: SGCN2-3				
Mammals - Hoary Bat (<i>Lasiurus cinereus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles during the active season. Point observation location is buffered by a minimum distance of 3,500 meters in order to be conservative about encompassing the maximum reported foraging distance for the congeneric <i>Lasiurus borealis</i> and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: SENSITIVE FWP SWAP: SGCN3	2	5	View Model	
Mammals - Little Brown Myotis (<i>Myotis lucifugus</i>) SOC Species of Concern Native Species Global Rank: G3G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, or definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 1,600 meters in order to encompass the greater than 1,500 meters foraging distance reported for the species in New Brunswick, Canada and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,600 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	3	5	View Model	
Mammals - Long-eared Myotis (<i>Myotis evotis</i>) SOC		1	1	View Model	

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the average distances traveled from capture locations to roosts and between roosts in western Montana, Alberta, and Oregon and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 1,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Mammals - Long-legged Myotis <i>(Myotis volans)</i> SOC Species of Concern Native Species Global Rank: G4G5 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a minimum distance of 2,000 meters in order to encompass the average distances traveled from capture locations to roosts in Washington, Oregon, and in the Black Hills of South Dakota and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 2,000 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: BLM: FWP SWAP:		1	View Model
Mammals - Townsend's Big-eared Bat <i>(Corynorhinus townsendii)</i> SOC		4	1	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy based on the documented presence (mistnet captures, definitively identified acoustic recordings, and definitively identified roosting individuals) of adults or juveniles. Point observation location is buffered by a distance of 4,500 meters in order to encompass the 95% confidence interval for nightly foraging distance reported for the species in California and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. When cave locations are involved, point observations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). The outer edges of the hexagon are then buffered by a distance of 4,500 meters and otherwise by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters. All of the one-square mile hexagons intersecting this buffered area are presented as the Species Occurrence record.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3			
Mammals - Western Pygmy Shrew (Sorex eximius) SOC Species of Concern Native Species Global Rank: GNR State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the population density reported for the species and buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3	1	2	View Model
Mammals - Wolverine (Gulo gulo) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed area of occupancy supported by recent (post-1980), nearby (within 10 kilometers) observations of adults or juveniles. Tracking regions were defined by areas of primary habitat and adjacent female dispersal habitat as modeled by Inman et al. (2013). These regions were buffered by 1 kilometer in order to link smaller areas and account for potential inaccuracies in independent variables used in the model.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3	5	1	View Model

Birds

35 Species

	Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Birds - American White Pelican (Pelecanus erythrorhynchos) SOC	3		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction on islands buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and new fledglings.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Black Swift (<i>Cypseloides niger</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S1B SO Delineation Criteria Confirmed breeding area based on the presence of an occupied nest or birds conspicuously flying in or out of waterfall habitats during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass adjacent areas of potentially suitable nesting habitat that could be used for renesting and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN1, SGIN PIF: 2	14		View Model
Birds - Black Tern (<i>Chlidonias niger</i>) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	30	1	View Model
Birds - Black-backed Woodpecker (<i>Picoides arcticus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the majority of home range sizes reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	2		View Model
Birds - Black-necked Stilt (<i>Himantopus mexicanus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies and adjacent terrestrial habitats documented as having been used for breeding. Water bodies are buffered by 300 meters in order to encompass terrestrial habitats that are likely to be used for nesting.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	11		View Model
Birds - Bobolink (<i>Dolichonyx oryzivorus</i>) soc		13	3	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to conservatively encompass male territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Boreal Chickadee (<i>Poecile hudsonicus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 150 meters in order to encompass the breeding territory size of the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	2	1	View Model
Birds - Brown Creeper (<i>Certhia americana</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 1	131	7	View Model
Birds - Caspian Tern (<i>Hydroprogne caspia</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	1		View Model
Birds - Cassin's Finch (<i>Haemorhous cassinii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing the courtship and foraging distance from nesting areas and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	87	3	View Model
Birds - Clark's Nutcracker (<i>Nucifraga columbiana</i>) SOC		36	2	View Model

Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with direct evidence of breeding activity or indirect evidence of breeding activity between early March and mid-July within forested habitats containing Whitebark Pine (<i>Pinus albicaulis</i>), Limber Pine (<i>Pinus flexilis</i>), or Ponderosa Pine (<i>Pinus ponderosa</i>). Observations are buffered by a minimum distance of 1,000 meters in order to encompass the spring/summer breeding territory size reported for the species or the locational uncertainty of the observation to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Species of Conservation Concern on Forests (FLAT) BLM: FWP SWAP: SGCN3 PIF: 3			
Birds - Common Loon (<i>Gavia immer</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting and brood rearing buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success. Where breeding has been documented on extremely large water bodies, only the portion of the water body with territorial activity is delineated.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (KOOT, LOLO) BLM: FWP SWAP: SGCN3 PIF: 1	99	5	View Model
Birds - Evening Grosbeak (<i>Coccothraustes vespertinus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 1,000 meters in order to encompass the maximum foraging distance from nests reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10 USFS: BLM: FWP SWAP: SGCN3 PIF:	298	15	View Model
Birds - Ferruginous Hawk (<i>Buteo regalis</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 2,000 meters in order to encompass the average home range size reported for the species and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	1		View Model
Birds - Forster's Tern (<i>Sterna forsteri</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence for nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	5		View Model
Birds - Franklin's Gull (<i>Leucophaeus pipixcan</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of nesting buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA; BCC10; BCC11; BCC17 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7		View Model

Birds - Golden Eagle (<i>Aquila chrysaetos</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,000 meters in order to be conservative about encompassing the entire breeding territory and area commonly used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: BGEPA; MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF:	30	1	View Model
Birds - Gray-crowned Rosy-Finch (<i>Leucosticte tephrocotis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 4,000 meters in order to encompass the known foraging distance from nests of the congeneric Black Rosy-Finch and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN2, SGIN PIF:	5		View Model
Birds - Great Blue Heron (<i>Ardea herodias</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 6,500 meters in order to be conservative about encompassing the areas commonly used for foraging near the breeding colony and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF:	63	6	View Model
Birds - Great Gray Owl (<i>Strix nebulosa</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 3,200 meters in order to encompass the known foraging distance and area likely to be used for renesting and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3, SGIN PIF: 3	5		View Model
Birds - Harlequin Duck (<i>Histrionicus histrionicus</i>) SOC		4	2	View Model

Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Stream reaches with confirmed presence of downy young, juveniles, or where breeding effort is believed to occur due to confirmed effort in adjacent areas or consistent observations of pairs over several breeding seasons. Minimum stream reach length is 1,000 meters (500 meters below and above a point observation). Occurrences on smaller order streams include the area 500 meters above an observation down to the mouth of that stream. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches, and, where appropriate, standing water bodies are buffered 100 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, KOOT, LOLO) BLM: FWP SWAP: SGCN2 PIF: 1			
Birds - Horned Grebe (<i>Podiceps auritus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with evidence of breeding activity buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	31		View Model
Birds - LeConte's Sparrow (<i>Ammospiza leconteii</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the estimated breeding territory size reported for the species and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC11 USFS: BLM: FWP SWAP: SGCN3 PIF: 3	1	1	View Model
Birds - Lewis's Woodpecker (<i>Melanerpes lewis</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S2B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the likely foraging area used by breeding adults around the nest tree and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA; BCC10; BCC17 USFS: Species of Conservation Concern on Forests (HLC) BLM: SENSITIVE FWP SWAP: SGCN2 PIF: 2	8		View Model
Birds - Loggerhead Shrike (<i>Lanius ludovicianus</i>) soc		1		View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 300 meters in order to encompass the maximum breeding territory size reported for the species in Alberta and Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Long-billed Curlew (<i>Numenius americanus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 200 meters in order to approximate the breeding territory size reported for the species in Idaho and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA; BCC11 USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2		1	View Model
Birds - Northern Goshawk (<i>Accipiter gentilis</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 750 meters in order to encompass the area around the nest known to be defended by adults and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2		44	2 View Model
Birds - Northern Hawk Owl (<i>Surnia ulula</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 1,000 meters in order to encompass the known foraging distance from the nest and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3, SGIN PIF:		2	View Model
Birds - Pacific Wren (<i>Troglodytes pacificus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.		Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2		74	22 View Model
Birds - Peregrine Falcon (<i>Falco peregrinus</i>) SOC				24	3 View Model

Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Confirmed nesting area buffered by a minimum distance of 500 meters in order to encompass the area around the nest known to be defended by adults as well as the minimum distance reported between nests. Otherwise the nest area is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2			
Birds - Pileated Woodpecker (<i>Dryocopus pileatus</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 1,500 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 2	1004	12	View Model
Birds - Trumpeter Swan (<i>Cygnus buccinator</i>) soc Species of Concern Native Species Global Rank: G4 State Rank: S3 SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: Sensitive - Known on Forests (BD) BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 1	42	1	View Model
Birds - Varied Thrush (<i>Ixoreus naevius</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Confirmed breeding area based on the presence of a nest, chicks, or territorial adults during the breeding season. Point observation location is buffered by a minimum distance of 225 meters in order to encompass the reported minimum stand size occupied by breeding pairs and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: FWP SWAP: SGCN3 PIF: 3	106	29	View Model
Birds - Veery (<i>Catharus fuscescens</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Observations with evidence of breeding activity buffered by a minimum distance of 300 meters in order to be conservative about encompassing home ranges and otherwise buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	7	4	View Model
Birds - White-faced Ibis (<i>Plegadis chihi</i>) soc Species of Concern Native Species Global Rank: G5 State Rank: S3B SO Delineation Criteria Standing water bodies with confirmed nesting areas buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to breeding success.	Agency Status USFWS: MBTA USFS: BLM: SENSITIVE FWP SWAP: SGCN3 PIF: 2	3		View Model

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Reptiles - Northern Alligator Lizard (<i>Elgaria coerulea</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 200 meters in order to encompass habitats supporting other individuals and probable maximum home range sizes. Otherwise the point observation is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN	2	2	View Model

Amphibians 2 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Amphibians - Northern Leopard Frog (<i>Lithobates pipiens</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S1, S4 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (KOOT) Sensitive - Suspected on Forests (BRT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN1	6		View Model
Amphibians - Western Toad (<i>Anaxyrus boreas</i>) SOC Species of Concern Native Species Global Rank: G4 State Rank: S2 SO Delineation Criteria Standing water bodies or portions of large water bodies with confirmed evidence of reproduction (calling adults, eggs, larvae or new metamorphs) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to survival of breeding adults and newly metamorphosed juveniles.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) BLM: SENSITIVE FWP SWAP: SGCN2	15	3	View Model

Fish 4 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Fish - Bull Trout (<i>Salvelinus confluentus</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species is believed to be present based on the professional judgement of a fisheries biologist, potentially supported by habitat assessment, direct capture, or confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: LT, CH USFS: BLM: THREATENED FWP SWAP: SGCN2	62	5	View Model
Fish - Lake Trout (<i>Salvelinus namaycush</i>) SOC		2		View Model

Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies within the native range of the species (i.e. Elk and Twin Lakes in southwestern Montana and Saint Mary and Waterton Lakes in the Saskatchewan River drainage) where its presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN2			
Fish - Pygmy Whitefish (<i>Prosopium coulterii</i>) SOC Species of Concern Native Species Global Rank: G5 State Rank: S3 SO Delineation Criteria Standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: BLM: FWP SWAP: SGCN3, SGIN		3	View Model
Fish - Westslope Cutthroat Trout (<i>Oncorhynchus clarkii lewisi</i>) SOC Species of Concern Native/Non-native Species (depends on location or taxa) Global Rank: G5T4 State Rank: S2 SO Delineation Criteria Stream reaches and standing water bodies where the species presence has been confirmed through direct capture or where they are believed to be present based on the professional judgement of a fisheries biologist due to confirmed presence in adjacent areas. In order to reflect the importance of adjacent terrestrial habitats to survival, stream reaches are buffered 100 meters, standing water bodies greater than 1 acre are buffered 50 meters, and standing water bodies less than 1 acre are buffered 30 meters into the terrestrial habitat based on PACFISH/INFISH Riparian Conservation Area standards.	Agency Status USFWS: USFS: Sensitive - Known on Forests (BD, BRT, KOOT, LOLO) Species of Conservation Concern on Forests (CG, HLC) BLM: SENSITIVE FWP SWAP: SGCN2	177	37	View Model

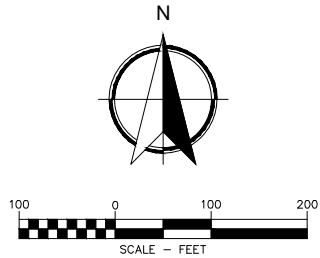
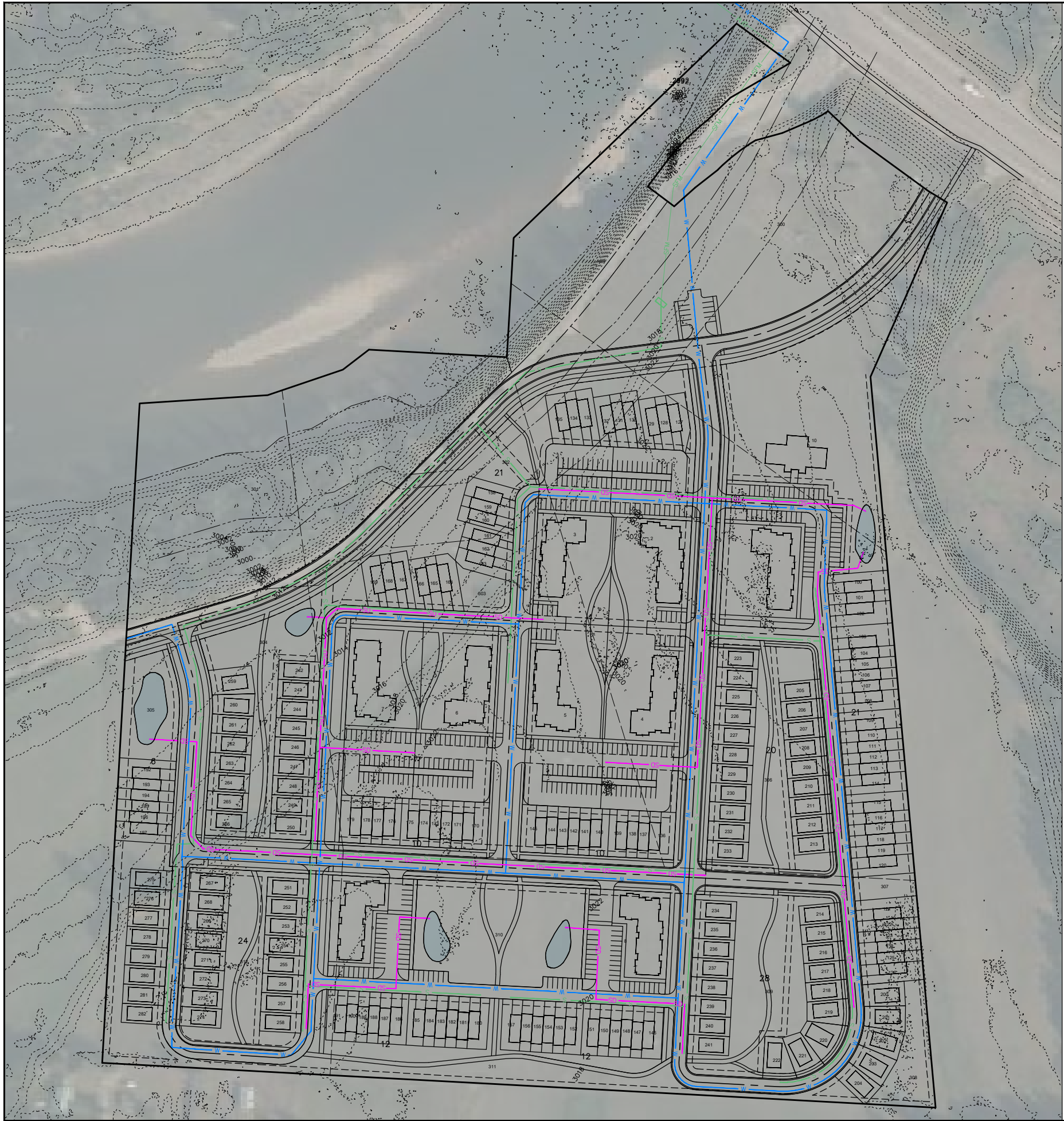
☐ Invertebrates

5 Species

		Number of Observations	Species Occurrences	Predicted Suitable Habitat Model
Invertebrates - Isocapnia crinita (<i>Hooked Snowfly</i>) SOC			1	

Species of Concern Native Species Global Rank: G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			
Invertebrates - Isocapnia integra (Alberta Snowfly) soc Species of Concern Native Species Global Rank: G4G5 State Rank: S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Prophyaon humile (Smoky Taildropper) soc Species of Concern Native Species Global Rank: G3 State Rank: S2S3 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation location is buffered by a minimum distance of 100 meters in order to encompass the home range of the individual as well as adjacent habitat likely to support other individuals and otherwise is buffered by the locational uncertainty associated with the observation up to a maximum distance of 10,000 meters.	Agency Status USFWS: USFS: BLM: FWP SWAP:	2		2
Invertebrates - Salmasellus steganothrix (A Cave Obligate Isopod) soc Species of Concern Native Species Global Rank: G2G3 State Rank: S1S2 SO Delineation Criteria Confirmed breeding area based on the presence of a resident animal of any age. Point observation locations are mapped in the center of a one-square mile hexagon to protect the exact location of the cave entrance as per the Federal Cave Resource Protection Act and associated regulations (U.S. Code Title 16 Chapter 63, Code of Federal Regulations Title 43 Subtitle A Part 37). Adjacent hexagons are included in the Species Occurrence in order to ensure that the entire cave system is encompassed.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1
Invertebrates - Somatochlora walshii (Brush-tipped Emerald) soc Species of Concern Native Species Global Rank: G5 State Rank: S1S2 SO Delineation Criteria Standing water bodies with confirmed evidence of reproduction (larval nymphs) or presumed reproduction (adults) buffered by 100 meters in order to reflect importance of adjacent terrestrial habitats to adults and wetland health.	Agency Status USFWS: USFS: BLM: FWP SWAP:			1

Item No.1.

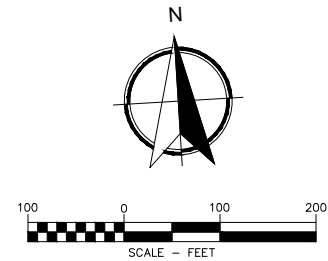


PRELIMINARY

PRELIMINARY ENGINEERING LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

DECEMBER 2022

SHEET



ACCESS DIAGRAM
RIVER HIGHLANDS
COLUMBIA FALLS, MN

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: ----
LAYOUT: ----
SURVEYED: ----
DESIGN: MJB
DRAFT: JCN
APPROVE: MJB
DATE:

NOVEMBER 2022



PRELIMINARY
PLOTED: 11/30/22
SAVED: 11/30/22

EROSION AND SEDIMENTATION CONTROL PLAN

RIVER HIGHLANDS

COLUMBIA FALLS, MONTANA

REVISIONS:	
NO.	DESCRIPTION

PROJECT: XX-XX-XX
LAYOUT: D-SIZE
SURVEYED: Initials
DESIGN: Initials
CHECKED: Initials
APPROVED: Initials
DATE: DEC 1, 2022

SHEET
XX OF XX

ALTA COMMITMENT FOR TITLE INSURANCE

Issued By:


Fidelity National Title*
Insurance Company

Commitment Number:

FT1585-213257**NOTICE**

IMPORTANT - READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, Fidelity National Title Insurance Company, a Florida corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within one hundred eighty (180) days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Fidelity National Title Insurance Company

By:

Randy Quirk, President

Attest:

Marjorie Nemzura, Secretary

Countersigned By:

 Authorized Officer or Agent
Karla Kemm

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FIDELITY NATIONAL TITLE INSURANCE COMPANY**COMMITMENT NO. FT1585-213257****Transaction Identification Data for reference only:**

ISSUING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Title Officer: Karla Kemm (MG) Fidelity National Title Company of Flathead Valley, LLC 150 1st Avenue WN, Suite B Kalispell, MT 59901 Main Phone: (406)755-7004 Email: Karla.Kemm@fnf.com	Escrow Officer: Tracy Dugan Fidelity National Title Company of Montana, LLC 284 Flathead Avenue Ste 101 Whitefish, MT 59937 Phone: 406-862-7914 Fax: 866-269-7802 Main Phone: (406)862-7914 Email: Tracy.Dugan@fnf.com

Order Number: FT1585-213257**SCHEDULE A**

1. Commitment Date: September 8, 2021 at 08:00 AM

2. Policy to be issued:

- (a) ALTA Owner's Policy 2006 (Standard)
(The premium shown reflects a reissue rate)
Proposed Insured: Matt Fritter
Proposed Policy Amount: \$3,250,000.00
Premium:
Total:

\$ 4,770.37

\$ 4,770.37

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

Fee Simple

4. The Title is, at the Commitment Date, vested in:

Flathead Mountain River LLC, a Montana limited liability company

5. The Land is described as follows:

Tract 1:

lots 1, 2, and 3 of Loeffler Ridge, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Tract 2:

Tract 3 of Certificate of Survey No. 14045, located and being in North Half of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana

Tract 3:

Tract 2 (North) and Tract 2 (South) of Certificate of Survey No. 14045, located and being in Government Lot 4 and the Northeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana.**END OF SCHEDULE A**

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SCHEDULE B, PART I REQUIREMENTS

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. If a power of attorney is to be used in this transaction, furnish a true and correct copy in recordable form, for review and approval prior to executing any documents.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation. The Company may require that the attorney-in-fact named in the power of attorney execute an affidavit stating that the power of attorney has not been revoked and that he/she has no knowledge or information regarding the death or incapacity of the principal therein.

6. If this transaction is to be involved in a 1031 or similar exchange, the closing officer must be notified well in advance of closing.
7. In the event matters are discovered during the closing process which would otherwise be insured by the Covered Risks included in the policy, the Company may limit or delete insurance provided by the affected Covered Risk. In such event, a supplemental will be issued prior to closing.
8. The Company requires a satisfactory statement from the Association or its agent stating the amount, if any, of unpaid common or maintenance charges against the property, to the date of closing. At that time, the Company may make additional requirements or exceptions.
9. If Fidelity Title is to be named a Trustee, reference it as follows:

Fidelity Title of Flathead Valley, LLC
10. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
11. If the Seller or Borrower intends to sign documents required to insure the transaction utilizing a remote online notary, please notify the Company immediately as additional underwriting requirements will need to be satisfied.
12. The Company will require the following documents for review prior to the issuance of any title insurance predicated

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**SCHEDULE B, PART I
REQUIREMENTS**
(continued)

upon a conveyance or encumbrance from the entity named below.

Limited Liability Company: Flathead Mountain River, LLC, a Montana limited liability company

- a. A copy of its operating agreement, if any, and any and all amendments, supplements and/or modifications thereto, certified by the appropriate manager or member.
- b. If a domestic Limited Liability Company, a copy of its Articles of Organization and all amendment thereto with the appropriate filing stamps.
- c. If the Limited Liability Company is member-managed a full and complete current list of members certified by the appropriate manager or member.
- d. A current dated certificate of good standing from the proper governmental authority of the state in which the entity was created
- e. If less than all members, or managers, as appropriate, will be executing the closing documents, furnish evidence of the authority of those signing.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

13. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
14. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.
15. Additional requirements and/or exceptions may be added as details of the transaction are disclosed to, or become known by the Company.

END OF SCHEDULE B, PART I

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SCHEDULE B, PART II EXCEPTIONS

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
 - a. Rights or claims of parties in possession not shown by the Public Records.
 - b. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the Land including, but not limited to, insufficient or impaired access and matters contradictory to any survey plat shown by the Public Records.
 - c. Easements, or claims of easements, not shown by the Public Records.
 - d. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
 - e. (a) unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters accepted under (a), (b), (c) are shown by the Public Records.
 - f. Taxes to special assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records. Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
 - g. County road rights-of-way, not recorded and indexed as a conveyance of record in the office of the Clerk and Recorder pursuant to Title 70, Chapter 21 MCA, including, but not limited to any right of the public to use and occupy those certain roads and trails.
 - h. Mineral rights, claims or title to minerals in or under said land, including but not limited to metals, oil, gas, coal, or other hydrocarbons, sand, gravel, or stone, and geothermal energy rights, and easement or other rights or matters relating thereto, whether express or implied, recorded, or unrecorded.

Paragraphs 1, a, b, c, d, and f will not appear as printed exceptions on extended coverage policies, except as to such parts thereof which may be typed as a Special Exception as shown below.

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

SPECIAL EXCEPTIONS:

2. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0004299

Affects: Tract 1, Lot 1

3. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0004300

Affects: Tract 1, Lot 2

4. General Taxes for the year 2020

1st Half: \$25.55 PAID

2nd Half: \$25.54 PAID

Tax ID No.: 06-0004302

Affects: Tract 1, Lot 3

5. General Taxes for the year 2020

1st Half: \$24.92 PAID

2nd Half: \$24.90 PAID

Tax ID No.: 06-0007578

Affects: Tract 2

6. General Taxes for the year 2020

1st Half: \$581.24 PAID

2nd Half: \$581.23 PAID

Tax ID No.: 06-0506850

Affects: Tract 3

7. General County Taxes for the year 2021 and subsequent years, which are a lien but not yet due or payable.

8. Any possible additional tax assessments because of construction and/or improvements to the property.

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SCHEDULE B, PART II
EXCEPTIONS
(continued)

9. Any adverse claim based upon the assertion that:
- a) Some portion of said Land is tide or submerged land, or has been created by artificial means or has accreted to such portion so created.
 - b) Some portion of said Land has been brought within the boundaries thereof by an avulsive movement of Flathead River or has been formed by accretion to any such portion.
10. Rights and easements for navigation and fishery which may exist over that portion of said Land lying beneath the waters of Flathead River.
11. Any prohibition or limitation of use, occupancy or improvement of the land resulting from the rights of the public or riparian owners to use any portion which is now or has been formerly covered by water.
12. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: March 15, 1962
Recording No.: Book 443, page 88
13. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: December 14, 1962
Recording No.: Book 452, page 13
14. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: The Montana Power Company
Recording Date: February 27, 1975
Recording No.: Book 579, page 454
15. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Pacific Power & Light Company
Recording Date: March 19, 1975
Recording No.: Book 579, page 629

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SCHEDULE B, PART II
EXCEPTIONS
(continued)

16. Contract for Radio & Telephone Dispatch Services & Message Communication Center Services
- Recording Date: January 10, 1997
Recording No.: 1997-0110-09030
17. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: CenturyTel of Montana, Inc. dba CenturyTel
Recording Date: September 26, 2000
Recording No.: 2000-270-09310
18. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: CenturyTel of Montana, Inc. dba CenturyTel
Recording Date: September 26, 2000
Recording No.: 2000-270-09320
19. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Flathead Electric Cooperative, Inc.
Recording Date: October 4, 2000
Recording No.: 2000-278-08130
20. Easement(s) and rights incidental thereto as set forth in a document:
- In favor of: Flathead Electric Cooperative, Inc.
Recording Date: October 4, 2000
Recording No.: 2000-278-08200
21. State of Montana Department of Environmental Quality Certificate of Subdivision Approval
- Recording Date: November 8, 2000
Recording No.: 2000-313-10100
22. Recitals, notes, dedications, easements, certificates and covenants as contained on the plat of Coetiler Ridge.
Reference is hereby made to the plat for more particulars.

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

23. State of Montana Department of Environmental Quality Certificate of Subdivision Approval

Recording Date: December 21, 2000

Recording No.: ~~2000-356-11200~~

24. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: December 28, 2000

Recording No.: ~~2000-363-13311~~

Release of Covenants Regarding Tracts 1, 2 and 3, C.O.S. 14045

Recording Date: November 22, 2006

Recording No.: ~~2006-326-12310~~

Release of Covenants Regarding Tracts 1, 2, and 3, C.O.S. 14045

Recording Date: March 28, 2008

Recording No.: ~~200800008484~~

25. Ordinance No. 639

Recording Date: March 20, 2003

Recording No.: ~~2003-079-15040~~

26. Ordinance No. 705

Recording Date: October 30, 2008

Recording No.: ~~200800029945~~

27. Ordinance No. 706

Recording Date: October 30, 2008

Recording No.: ~~200800029948~~

28. Ordinance No. 773

Recording Date: April 25, 2018

Recording No.: ~~201800008035~~

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**SCHEDULE B, PART II
EXCEPTIONS**
(continued)

29. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
30. In order to expedite this report to you, no physical inspection of the Land has been made. If a physical inspection is made, any matters found by our inspection requiring disclosure to you will be shown in a Supplement Report.
31. The land described in the commitment/policy shall not be deemed to include any home trailer or mobile home located on the property.
32. Exceptions and reservations contained in Patents of record.

Common address: 264, 316, 378, 3500, and 494 River Road, Columbia Falls, MT 59912

END OF SCHEDULE B, PART II

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COMMITMENT CONDITIONS**1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I-Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I-Requirements;
- (f) Schedule B, Part II-Exceptions; and
- (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I-Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II-Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I-Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.

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(continued)

- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II-Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

END OF CONDITIONS

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This mapplat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

TR. 6, 7B, 7C - 0506850

By: **Larsen Engineering and Surveying, Inc., P.C.**

Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-752-7808

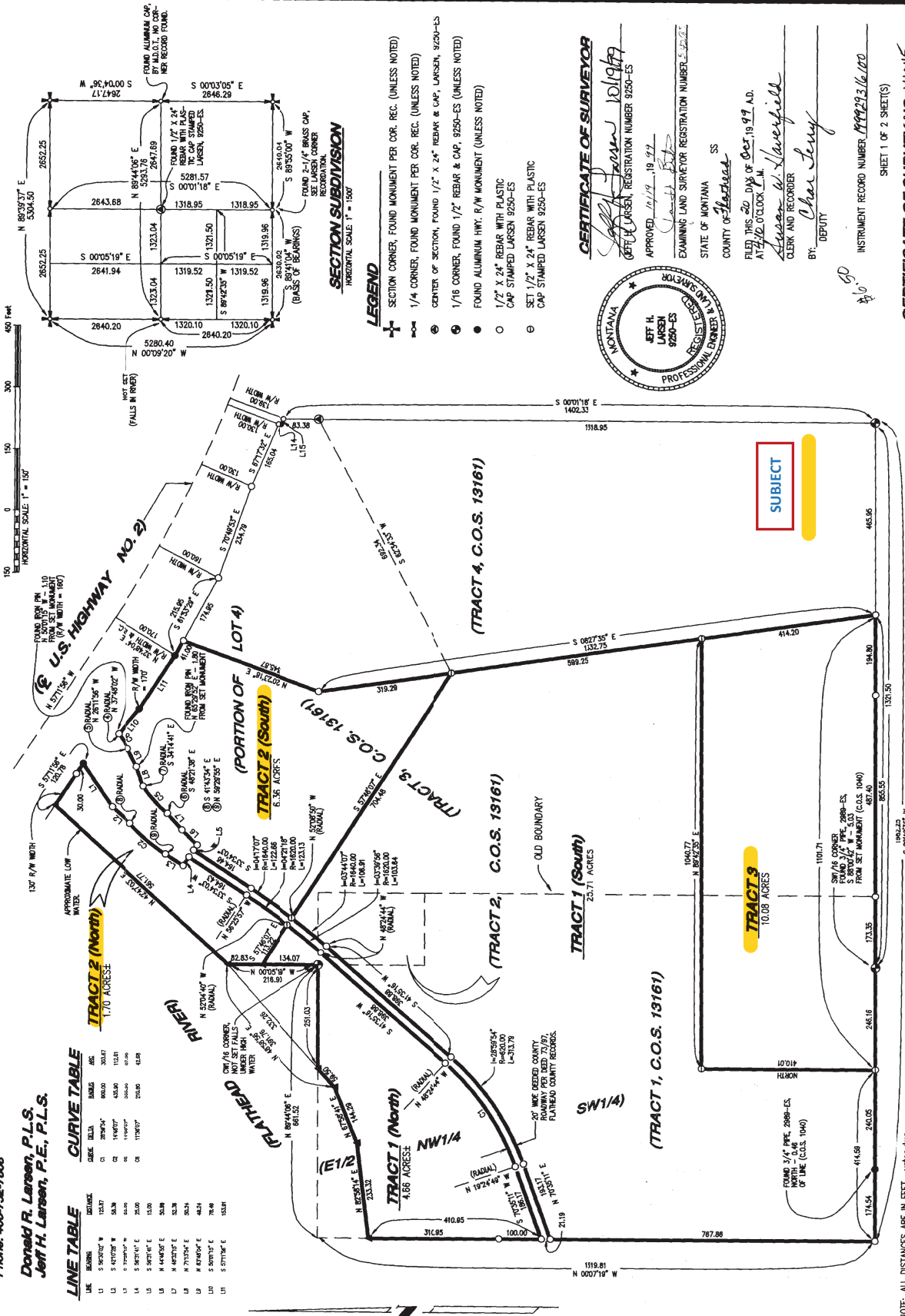
Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
Owner: **Columbia Farms, Inc.** AND **HENRY R. LOEFFLER**
Date: **September 1989**



LINE TABLE

LINE	BEARING	DISTANCE	AREA
1	S 89°00'00\"	30.00	0.0000
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200	S 89°00'00\"	30.00	0.0000

CURVE TABLE

LINE	BEARING	DISTANCE	AREA
1	S 89°00'00" W	125.87	0.0000
2	S 89°00'00" W	50.28	0.0000
3	S 73°00'00" E	25.00	0.0000
4	S 89°00'00" E	15.00	0.0000
5	S 89°00'00" E	50.00	0.0000
6	S 89°00'00" E	50.00	0.0000
7	S 89°00'00" E	50.00	0.0000
8	S 73°00'00" E	48.51	0.0000
9	S 89°00'00" E	78.49	0.0000
10	S 89°00'00" E	153.01	0.0000

By: **Larsen Engineering and Surveying, Inc., P.C.**
 Civil Engineering and
 Land Surveying
 P.O. Box 20771
 780 Two Mile Drive
 Kalispell, Mont. 59901
 Phone: 406-752-7606

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
 P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
 Owner: **Columbia Farms, Inc.**
 Date: **September 1999**



LEGAL DESCRIPTIONS

TRACT 1 (North)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Beginning at the SW1/4 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north line of the deceased county roadway per Deed Book 73, Page 97; Flathead County Records; said point line to the right with a radius of 1620.00 feet and a radius of 1620.00 feet; thence along said curve and right of way on an arc length of 103.64 feet; thence S 41°30'16" W, 398.88 feet along said curve and right of way to the beginning of the curve; thence along said curve and right of way on an arc length of 303.67 feet; thence S 28°59'54" W, 186.17 feet along said curve and right of way to the west boundary of the Flathead River; thence S 70°35'11" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.50 feet; N 68°35'38" E, 35.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.662 acres of land.

TRACT 1 (South)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; thence leaving said west boundary, thence N 70°35'11" W, 410.95 feet along said curve and right of way on an arc length of 103.64 feet; thence S 41°30'16" W, 398.88 feet along said curve and right of way to the beginning of the curve; thence along said curve and right of way on an arc length of 303.67 feet; thence S 28°59'54" W, 186.17 feet along said curve and right of way to the west boundary of the Flathead River; thence S 70°35'11" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.50 feet; N 68°35'38" E, 35.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 25.71 acres of land.

TRACT 2 (North)

A Tract of land, situate, lying and being in Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Commencing at the SW1/4 corner of said Section 16; thence N 00°05'19" W, 134.07 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence N 00°05'19" W, 82.83 feet to the approximate low water line of the Flathead River; thence N 42°47'03" E, 361.77 feet along said approximate low water line to the south right of way of U.S. Highway No. 2; thence leaving said low water line, the following courses are along U.S. Highway No. 2 right of way, S 57°15'56" E, 120.78 feet; S 56°30'02" W, 125.87 feet; S 42°10'28" W, 58.39 feet to the beginning of a curve to the left with a radial bearing of S 41°34'34" E and a radius of 435.90 feet; thence along said curve and U.S. Highway No. 2 right of way on an arc length of 112.61 feet, through a central angle of 14°48'07" to the north right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; thence along said north right of way of a deceased county roadway per Deed Book 73, Page 97; thence along said curve and county right of way to the right with a radius of 1620.00 feet; thence leaving said curve and county right of way, the following courses are along said curve and county right of way, S 56°31'41" E, 15.00 feet; N 44°46'55" E, 50.99 feet; N 48°32'15" E, 52.36 feet to the point of beginning. Containing 1.702 acres of land.

TRACT 2 (South)

A Tract of land, situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:
 Commencing at the SW1/4 corner of said Section 16; thence S 82°34'33" W, 692.34 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence S 82°34'33" W, 692.34 feet to the west boundary of Tract 4 of C.O.S. 13161; thence along said west boundary, N 57°46'07" W, 704.48 feet to the south right of way of a deceased county roadway per Deed Book 73, Page 97; Flathead County Records; said point line to the right with a radius of 1226.66 feet, through a central angle of 04°17'07"; thence N 33°40'03" E, 164.46 feet along said curve and right of way to the south right of way of U.S. Highway No. 2; thence leaving said county right of way, the following courses are along said U.S. Highway No. 2 right of way, S 56°31'41" E, 15.00 feet; N 44°46'55" E, 50.99 feet; N 48°32'15" E, 52.36 feet to the beginning of a curve to the right with a radial bearing of S 48°21'38" E and a radius of 355.90 feet; thence along said curve and U.S. Highway No. 2 right of way on an arc length of 27.88 feet, through a central angle of 14°08'57"; thence the following courses are along said U.S. Highway No. 2 right of way, N 71°13'34" E, 50.24 feet; N 63°48'04" E, 49.24 feet to the beginning of a curve to the left with a radial bearing of S 48°21'38" E and a radius of 210.80 feet; thence along said curve and U.S. Highway No. 2 right of way on an arc length of 42.88 feet, through a central angle of 11°36'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 50°01'15" E, 153.91 feet; S 61°52'29" E, 41.00 feet to the northwest corner of Tract 4 of C.O.S. 13161; thence S 57°15'56" E, U.S. Highway No. 2 right of way, S 20°23'18" W, 345.87 feet; thence S 06°27'35" E, 319.29 feet to the point of beginning. Containing 6.36 acres of land.

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

TRACT 3

A Tract of land, situate, lying and being in the SW1/4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the SW1/4 corner of said Section 16; thence S 89°42'35" W, 248.16 feet along the south boundary of Tract 1 of C.O.S. 13161; thence leaving said south boundary, thence S 08°27'35" E, 414.20 feet to the southwest corner of said Tract 4; thence S 89°42'35" W, 655.55 feet to the point of beginning. Containing 10.08 acres of land.

OWNER'S CERTIFICATE

I, hereby certify that the purpose of this division of land for Tracts 1, 2 and 3 is to relocate common boundary between adjoining tracts outside of a platted subdivision, and that the purpose of this division is to create, therefore, this division of land is exempt from payment of a subdivision pursuant to Section 76-3-207(1)(c), M.C.A.

I also certify that Tracts 2 and 3 are exempt from review by the Montana Department of Environmental Quality because Tracts 2 and 3 are areas of land where sanitary facilities will not be used, in which no structures requiring water or sewage disposal will be erected. Pursuant to 17-36-606(2)(c), A.R.M.

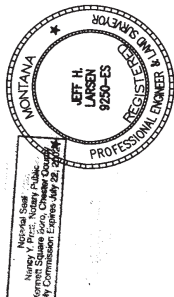
John E. Rogers
John E. Rogers
Personal Representative of
the Estate of Henry P. Rogers

State of Montana
 County of Flathead
 On this 19th day of Sept. in the year 1999
 before me, personally appeared *John E. Rogers*, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

John E. Rogers
 NOTARY PUBLIC for the State of Montana
 RESIDING at Kalispell, Montana
 My Commission Expires 12/31/2003

State of Montana
 County of Flathead
 On this 22nd day of September in the year 1999
 before me to be the first and only person known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

John E. Rogers
 NOTARY PUBLIC for the State of Montana
 RESIDING at Kalispell, Montana
 My Commission Expires 12/31/2003



INSTRUMENT RECORD NUMBER: 1999-0936120

SHEET 2 OF 2 SHEETS

CERTIFICATE OF SURVEY NO. 17045



ORDER CONFIRMATION

Date: May 06, 2022

Insured Titles Order Number: **1044949-FT**

Customer Reference Number:

Buyer/Borrower: **River Highlands, LLC**

Property Address: **264, 316, 378, 494 & NHN River Rd. Columbia Falls, MT 59912**

County: **Flathead**

Your local contact information:

Title Office:

Insured Titles

44 4th Street West/P.O. Box 188

Kalispell, Montana 59901

Phone (406)755-5028 Fax (406)755-3299



FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.1.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004299
TAX BILL NUMBER: 202009900
SCHOOL DISTRICT: 06
GEO CODE: 07418616304200000

Property Location:
264 RIVER RD
COLUMBIA FALLS MT 59912
Property Description
16.30 20 LOEFFLER RIDGE SUB LOT 1

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	516	78.00
No Buildings Assessed	0	0
Totals	516	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.65
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		35.73
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.44
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 49.82

51836 **1st Installment due 11/30/2020 = 24.92**
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004299
TAX BILL NUMBER: 202009900
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.1.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004300
TAX BILL NUMBER: 202009901
SCHOOL DISTRICT: 06
GEO CODE: 07418616304250000

Property Location:

316 RIVER RD
COLUMBIA FALLS MT 59912

Property Description

16 30 20 LOEFFLER RIDGE SUB LOT 2

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	518	78.00
No Buildings Assessed	0	0
Totals	518	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.65
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		35.73
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.44
Total Mills Levied	0.638720				
Total Taxes and Fees . . . 49.82					

51838 1st Installment due 11/30/2020 = 24.92
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
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MAY 31, 2021

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Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004300
TAX BILL NUMBER: 202009901
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

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If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.1.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004302
TAX BILL NUMBER: 202009902
SCHOOL DISTRICT: 06
GEO CODE: 07418616304300000

Property Location:

378 RIVER RD
COLUMBIA FALLS MT 59912

Property Description

16.30.20 LOEFFLER RIDGE SUB LOT 3

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	531	80.00
No Buildings Assessed	0	0
Totals	531	80.00

Description	Percentage	Amount
County Functions	25.38%	12.97
Education	71.73%	36.65
Other	2.87%	1.47

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.49	COUNTY LIBRARY	.006260	0.50
SHERIFF	.038700	3.10	CO PERM MED LEVY	.012760	1.02
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.06
ROAD	.023020	1.84	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.48			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.97
STATE - UNIVERSITY	.006000	0.48	GENERAL SCHOOLS	.104120	8.33
STATE - SCHOOL AID	.040000	3.20	FLAT VAL COM COLLEGE	.014490	1.16
COLUMBIA FALLS H.S.	.061960	4.96	CF RURAL ELEM 06	.225490	18.04
FVCC PERMIS MED LEVY	.006040	0.48			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		36.65
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.34
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.47
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 51.09

51837 **1st Installment due 11/30/2020 = 25.55**
2nd Installment due 05/31/2021 = 25.54

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
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Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

Make checks payable to **FLATHEAD COUNTY TREASURER**

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Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0004302
TAX BILL NUMBER: 202009902
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 25.54

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

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AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 25.55

51.09

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.1.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0007578
TAX BILL NUMBER: 202010163
SCHOOL DISTRICT: 06
GEO CODE: 07418616304150000

Property Location:
494 RIVER RD
COLUMBIA FALLS MT 59912
Property Description
16.30 20 TR 7BB IN L5 & NE4SW4

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Type of Property	Market Value	Taxable Value
Real Estate	519	78.00
No Buildings Assessed	0	0
Totals	519	78.00

Description	Percentage	Amount
County Functions	25.39%	12.65
Education	71.71%	35.73
Other	2.89%	1.44

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	5.34	COUNTY LIBRARY	.006260	0.49
SHERIFF	.038700	3.02	CO PERM MED LEVY	.012760	1.00
NOXIOUS WEEDS	.001280	0.10	COUNTYWIDE MOSQUITO	.000910	0.07
911 GENER OBLIG BOND	.001880	0.15	PERM SRS LEVY	.000700	0.05
ROAD	.023020	1.80	COUNTY PLANNING	.002050	0.16
BOARD OF HEALTH	.005990	0.47			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		12.65
STATE - UNIVERSITY	.006000	0.47	GENERAL SCHOOLS	.104120	8.12
STATE - SCHOOL AID	.040000	3.12	FLAT VAL COM COLLEGE	.014490	1.13
COLUMBIA FALLS H.S.	.061960	4.83	CF RURAL ELEM 06	.225490	17.59
FVCC PERMIS MED LEVY	.006040	0.47			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		35.73
SOIL & WATER CONSERV	.001680	0.13	BADROCK FIRE	.016760	1.31
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		1.44
Total Mills Levied	0.638720				
Total Taxes and Fees . . . 49.82					

51835 1st Installment due 11/30/2020 = 24.92
2nd Installment due 05/31/2021 = 24.90

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
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MAY 31, 2021

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DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0007578
TAX BILL NUMBER: 202010163
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 24.90

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 24.92

49.82

1ST 2020 REAL ESTATE





FLATHEAD COUNTY 2020 REAL ESTATE TAX BILL

Adele Krantz, Treasurer
935 1st Ave W Ste T Kalispell MT 59901
(406) 758-5680
http://flathead.mt.gov/property_tax



Item No.1.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0506850
TAX BILL NUMBER: 202013213
SCHOOL DISTRICT: 06
GEO CODE: 07418616304350000

Property Location:

Parties with ownership interest as of January 1, 2020
Owner of Record.....AVIBREE REAL ESTATE HOLDINGS LLC

Property Description
16.30.20 TR 7B IN L4 SE4NW4

Type of Property	Market Value	Taxable Value
Real Estate	134,830	1,820.00
No Buildings Assessed	0	0
Totals	134,830	1,820.00

Description	Percentage	Amount
County Functions	25.39%	295.17
Education	71.72%	833.74
Other	2.88%	33.56

SUMMARY OF TAXES, LEVIES & FEES

COUNTY	.068630	124.92	COUNTY LIBRARY	.006260	11.39
SHERIFF	.038700	70.43	CO PERM MED LEVY	.012760	23.22
NOXIOUS WEEDS	.001280	2.33	COUNTYWIDE MOSQUITO	.000910	1.66
911 GENER OBLIG BOND	.001880	3.42	PERM SRS LEVY	.000700	1.27
ROAD	.023020	41.90	COUNTY PLANNING	.002050	3.73
BOARD OF HEALTH	.005990	10.90			
SUBTOTAL - TAXES FOR COUNTY FUNCTIONS...			.162180		295.17
STATE - UNIVERSITY	.006000	10.92	GENERAL SCHOOLS	.104120	189.50
STATE - SCHOOL AID	.040000	72.80	FLAT VAL COM COLLEGE	.014490	26.37
COLUMBIA FALLS H.S.	.061960	112.77	CF RURAL ELEM 06	.225490	410.39
FVCC PERMIS MED LEVY	.006040	10.99			
SUBTOTAL - TAXES FOR EDUCATION.....			.458100		833.74
SOIL & WATER CONSERV	.001680	3.06	BADROCK FIRE	.016760	30.50
SUBTOTAL - OTHER TAXES AND FEES.....			.018440		33.56
Total Mills Levied	0.638720				

Total Taxes and Fees . . . 1162.47

51834 **1st Installment due 11/30/2020 = 581.24**
2nd Installment due 05/31/2021 = 581.23

Tax paid receipts will be mailed only if a self-addressed stamped envelope is enclosed.
To pay or view taxes online, go to http://flathead.mt.gov/property_tax.
A 3% fee will be charged on all credit/debit card payments. There is no fee to pay by e-check.
Payments made after 5:00 pm or postmarked after the due date must include 2% penalty & monthly interest of 5/6 of 1% (0.008333).
Flathead County no longer accepts checks drawn on Canadian Banks

Keep upper portion for your records.

Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

MAY 31, 2021

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

ASSESSOR NUMBER: 0506850
TAX BILL NUMBER: 202013213
SCHOOL DISTRICT: 06

No additional notice will be sent for this installment.

Tax Amount Due: 581.23

2ND 2020 REAL ESTATE



Return stub with payment. Payment must be hand delivered, paid online, or postmarked by 5:00 pm on:

NOVEMBER 30, 2020

Make checks payable to **FLATHEAD COUNTY TREASURER**

Please include your tax bill number on your check.

Pay by e-check, credit/debit card online at http://flathead.mt.gov/property_tax

DO NOT PAY THIS IF IT IS INCLUDED IN YOUR MORTGAGE PAYMENT

If your address has changed, please make corrections below.

AVIBREE REAL ESTATE HOLDINGS LLC
13427 N STONE VIEW TRL
FOUNTAIN HILLS AZ 85268

Tax Amount Due: 581.24

1162.47

1ST 2020 REAL ESTATE





Debbie Pierson, Flathead County MT by AC

202000038996

Page: 1 of 3

Fees: \$21.00

11/18/2020 1:55 PM

Item No.1.

AND WHEN RECORDED MAIL TO:

Flathead Mountain River, LLC
3500 E Lakeshore Drive
Whitefish, MT 59937

Filed for Record at Request of:
First American Title Company

Space Above This Line for Recorder's Use Only

Order No.: 939770-CT
Parcel No.: 0004299

WARRANTY DEED

FOR VALUE RECEIVED,

AviBree Real Estate Holdings, LLC a Nevada Limited Liability Company

hereinafter called Grantor(s), do(es) hereby grant, bargain, sell and convey unto

Flathead Mountain River, LLC

whose address is: **3500 E Lakeshore Drive, Whitefish, MT 59937**

Hereinafter called the Grantee, the following described premises situated in **Flathead County, Montana**, to-wit:

PARCEL 1:

LOTS 1, 2 AND 3 OF LOEFFLER RIDGE, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE CLERK AND RECORDER OF FLATHEAD COUNTY, MONTANA.

PARCEL 2:

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN AS FOLLOWS:

TRACT 3 OF CERTIFICATE OF SURVEY NO. 14045.

PARCEL 3:

A TRACT OF LAND, SITUATED, LYING AND BEING IN GOVERNMENT LOT 4 OF SECTION 16, TOWNSHIP 30, NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN

★★ 0004299, 0004300, 0004302, 00075278, 0506850 sa



AS:

TRACT 2 (NORTH) OF CERTIFICATE OF SURVEY NO. 14045

AND

A TRACT OF LAND, SITUATED, LYING AND BEING IN THE SOUTHWEST QUARTER AND GOVERNMENT LOT 4 OF SECTION 16, TOWNSHIP 30, NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, ALSO SHOWN AS:

TRACT 2 (SOUTH) OF CERTIFICATE OF SURVEY NO. 14045

SUBJECT TO covenants, conditions, restrictions, provisions, easements and encumbrances apparent or of record.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantees and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 17, 2020

AviBree Real Estate Holdings, LLC , a Nevada
limited liability company

By: 
Name: Lloyd M. Claycomb, II
Title: Manager

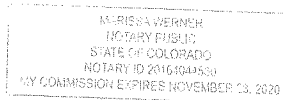


STATE OF Colorado)
COUNTY OF Adams)

This instrument was acknowledged before me on November 17, 2020, by **Lloyd M. Claycomb, II, Manager of AviBree Real Estate Holdings, LLC.**

Marissa Werner

Notary Public for the State
of Colorado
Residing at: Adams County
My Commission Expires: 11-23-20



TR 6, 7B, 7C - 0506850

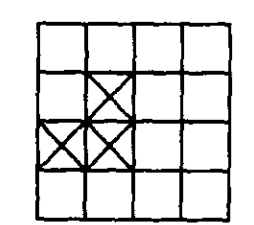
By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-752-7808

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

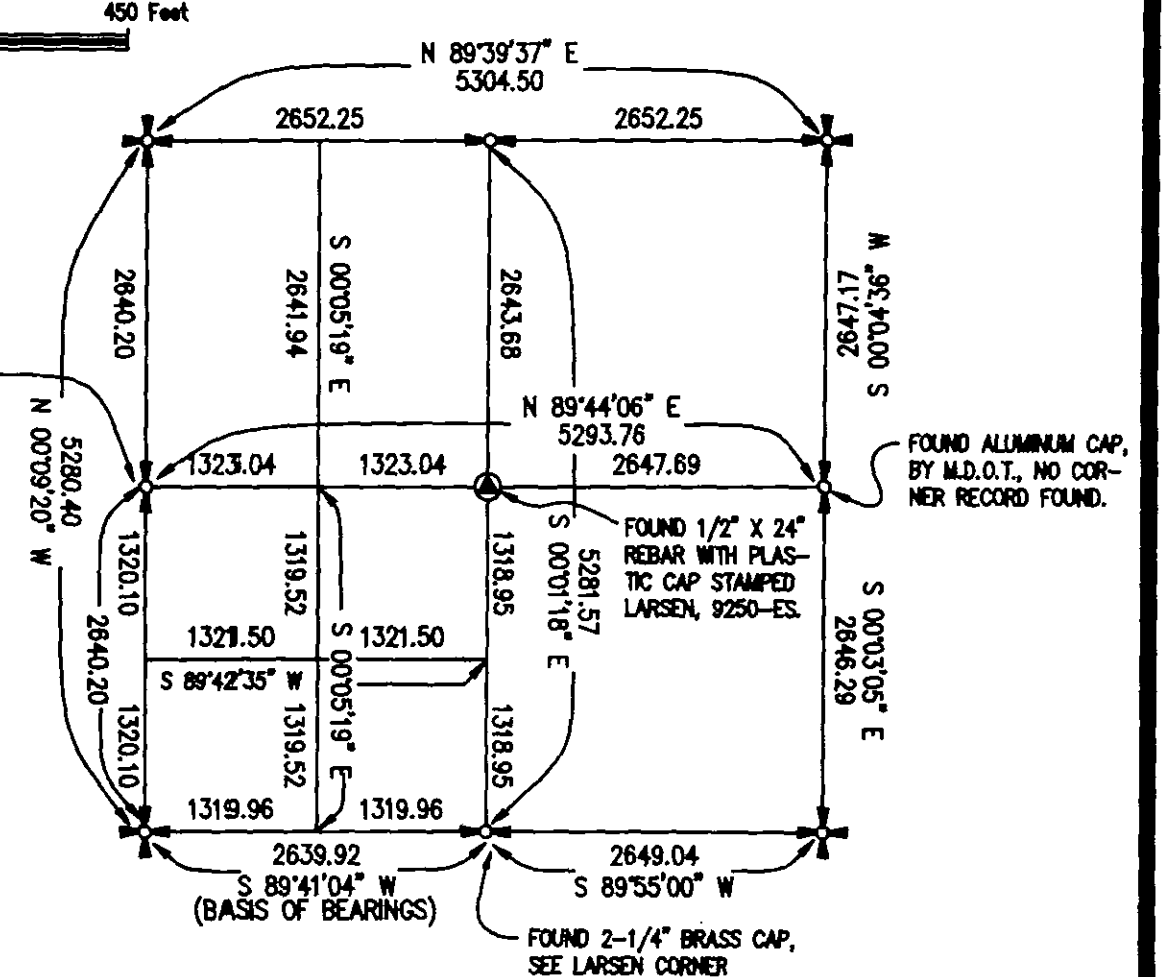
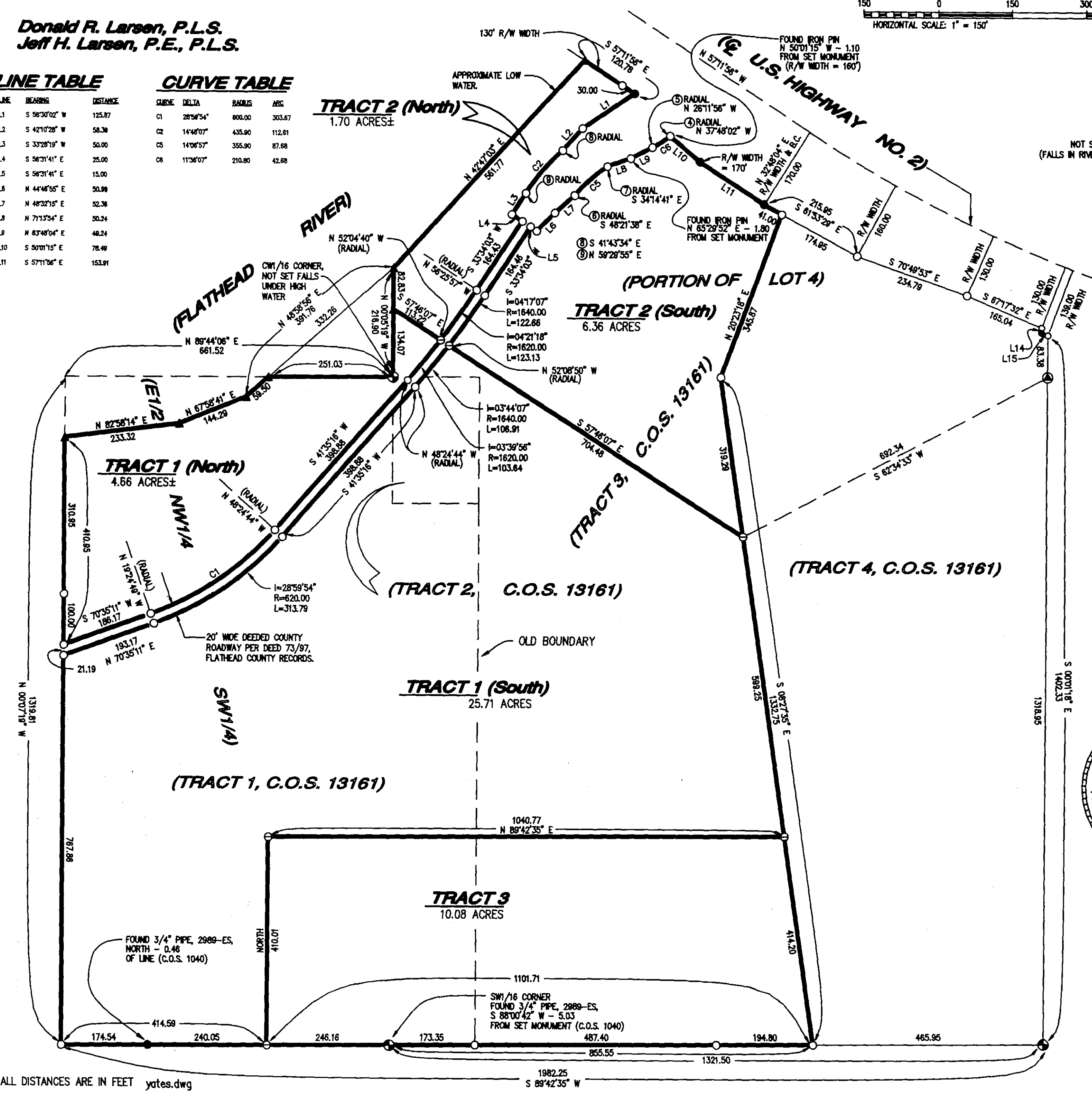
CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

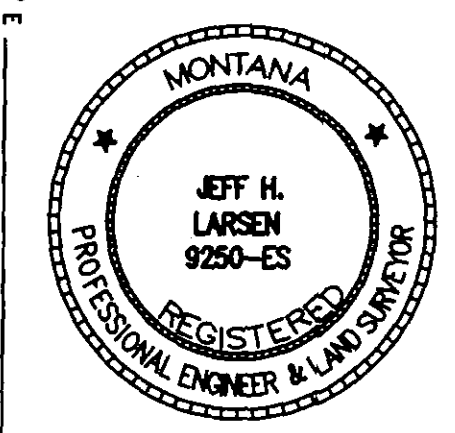
PURPOSE: B.L.A.
For: Lulu E. Rogers
Owner: Columbia Farms, Inc. AND HENRY R. LOEFFLER
Date: September 1999



LINE TABLE			CURVE TABLE			
LINE	BEARING	DISTANCE	CURVE	DELTA	RADIUS	ARC
L1	S 56°30'02" W	125.87	C1	28°54'54"	800.00	303.67
L2	S 42°10'28" W	58.38	C2	14°48'07"	435.90	112.61
L3	S 33°28'19" W	50.00	C3	14°08'57"	355.90	87.88
L4	S 56°31'41" E	25.00	C4	11°36'07"	210.80	42.88
L5	S 56°31'41" E	15.00				
L6	N 44°46'55" E	50.88				
L7	N 48°32'15" E	52.36				
L8	N 71°33'54" E	50.24				
L9	N 83°48'04" E	48.24				
L10	S 50°01'15" E	78.48				
L11	S 57°11'56" E	153.91				



- SECTION SUBDIVISION**
HORIZONTAL SCALE: 1" = 150'
- LEGEND**
- SECTION CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
 - 1/4 CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
 - CENTER OF SECTION, FOUND 1/2" X 24" REBAR & CAP, LARSEN, 9250-ES
 - 1/16 CORNER, FOUND 1/2" REBAR & CAP, 9250-ES (UNLESS NOTED)
 - FOUND ALUMINUM HWY. R/W MONUMENT (UNLESS NOTED)
 - 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
 - SET 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES



CERTIFICATE OF SURVEYOR
Jeff H. Larsen 10/19/99
JEFF H. LARSEN, REGISTRATION NUMBER 9250-ES
APPROVED 10/19/99
EXAMINING LAND SURVEYOR REGISTRATION NUMBER 54285
STATE OF MONTANA
COUNTY OF Flathead
FILED THIS 20 DAY OF Oct, 19 99 A.D.
AT 4:10 O'CLOCK P.M.
Susan W. Haverfield
CLERK AND RECORDER
BY: *Char Perry*
DEPUTY
INSTRUMENT RECORD NUMBER 199929316100

CERTIFICATE OF SURVEY NO. 14045

14045

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-752-7808

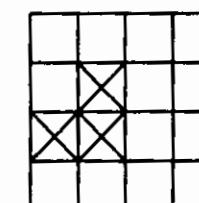
Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

CERTIFICATE OF SURVEY

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

PURPOSE: B.L.A.

For: **Lulu E. Rogers**
Owner: Columbia Farms, Inc. AND HENRY R. LOEFFLER
Date: September 1999



TRACT 1 (North)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the CW1/16 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records, said point lies on a curve to the right with a radial bearing of N 52°04'40" W and a radius of 1620.00 feet; thence along said curve and right of way an arc length of 103.64 feet, through a central angle of 03°39'56"; thence S 41°35'16" W, 398.88 feet along said north right of way to the beginning of a tangent curve to the right with a radius of 600.00 feet; thence along said curve and right of way an arc length of 303.67 feet, through a central angle of 28°59'54"; thence S 70°35'11" W, 186.17 feet along said right of way to the west boundary of Tract 1 of C.O.S. 13161; thence N 00°07'19" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.29 feet; N 48°58'56" E, 59.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.66± acres of land.

TRACT 1 (South)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said west boundary, thence N 70°35'11" E, 193.17 feet along said south right of way to the beginning of a tangent curve to the left with a radius of 620.00 feet; thence along said curve and right of way an arc length of 313.79 feet, through a central angle of 28°59'54"; thence N 41°35'16" E, 398.88 feet to the beginning of a tangent curve to the left with a radius of 1640.00 feet; thence along said curve and right of way an arc length of 106.91 feet, through a central angle of 03°44'07"; thence leaving said right of way, S 57°46'07" E, 704.48 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 599.25 feet along the west boundary of said Tract 4; thence leaving the west boundary of said Tract 4, S 89°42'35" W, 1040.77 feet; thence South, 410.01 feet to the south boundary of Tract 1 of C.O.S. 13161; thence S 89°42'35" W, 414.59 feet to the point of beginning. Containing 25.71 acres of land.

TRACT 2 (North)

A Tract of land situate, lying and being in Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing at the CW1/16 corner of said Section 16; thence N 00°05'19" W, 134.07 feet to the TRUE POINT OF BEGINNING of the Tract of land being described; thence N 00°05'19" W, 82.83 feet to the approximate low water line of the Flathead River; thence N 42°47'03" E, 561.77 feet along said approximate low water line to the south right of way of U.S. Highway No. 2; thence leaving said low water line, the following courses are along U.S. Highway No. 2 right of way, S 57°11'56" E, 120.78 feet; S 56°30'02" W, 125.87 feet; S 42°10'28" W, 58.39 feet to the beginning of a curve to the left with a radial bearing of S 41°43'34" E and a radius of 435.90 feet; thence along said curve and U.S. Highway No. 2 right of way an arc length of 112.61 feet, through a central angle of 14°48'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 33°28'19" W, 50.00 feet; S 56°31'41" E, 25.00 feet to the north right of way of a Deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said U.S. Highway No. 2 right of way, S 33°34'03" W, 164.43 feet along said north county roadway right of way to the beginning of a tangent curve to the right with a radius of 1620.00 feet; thence along said curve and county right of way an arc length of 123.13 feet, through a central angle of 04°21'18"; thence leaving said county right of way, N 57°46'07" W, 113.22 feet to the point of beginning. Containing 1.70± acres of land.

TRACT 2 (South)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Commencing at the C1/4 corner of said Section 16; thence S 62°34'33" W, 692.34 feet to the TRUE POINT OF BEGINNING of the Tract of land being described, said point lies on the west boundary of Tract 4 of C.O.S. 13161; thence leaving said west boundary, N 57°46'07" W, 704.48 feet to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records, said point lies on a curve to the left with a radial bearing of N 52°08'50" W and a radius of 1640.00 feet; thence along said curve and right of way an arc length of 122.66 feet, through a central angle of 04°17'07"; thence N 33°34'03" E, 164.46 feet along said right of way to the south right of way of U.S. Highway No. 2; thence leaving said county right of way, the following courses are along said U.S. Highway No. 2 right of way, S 56°31'41" E, 15.00 feet; N 44°46'55" E, 50.99 feet; N 48°32'15" E, 52.36 feet to the beginning of a curve to the right with a radial bearing of S 48°21'38" E and a radius of 355.90 feet, thence along said curve and U.S. Highway No. 2 right of way an arc length of 87.68 feet, through a central angle of 14°06'57"; thence the following courses are along said U.S. Highway No. 2 right of way, N 71°13'54" E, 50.24 feet; N 63°48'04" E, 49.24 feet to the beginning of a curve to the left with a radial bearing of N 26°11'56" W and a radius of 210.80 feet; thence along said curve and U.S. Highway No. 2 right of way an arc length of 42.68 feet, through a central angle of 11°36'07"; thence the following courses are along said U.S. Highway No. 2 right of way, S 50°01'15" E, 78.49 feet; S 57°11'56" E, 153.91 feet; S 61°53'29" E, 41.00 feet to the northwest corner of Tract 4 of C.O.S. 13161; thence leaving said U.S. Highway No. 2 right of way, S 20°23'18" W, 345.87 feet; thence S 08°27'35" E, 319.29 feet to the point of beginning. Containing 6.36 acres of land.

TRACT 3

A Tract of land, situate, lying and being in the SW1/4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the SW1/16 corner of said Section 16; thence S 89°42'35" W, 246.16 feet along the south boundary of Tract 1 of C.O.S. 13161; thence leaving said south boundary, North, 410.01 feet; thence N 89°42'35" E, 1040.77 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 414.20 feet to the southwest corner of said Tract 4; thence S 89°42'35" W, 855.55 feet to the point of beginning. Containing 10.08 acres of land.

OWNER'S CERTIFICATE

I, hereby certify that the purpose of this division of land for Tracts 1, 2 and 3 is to relocate common boundary lines between adjoining Tracts outside of a platted subdivision, and no additional tracts are hereby created; therefore, this division of land is exempt from review as a subdivision pursuant to Section 76-3-207(1)(a), M.C.A.

I also certify that Tracts 2 and 3 are exempt from review by the Montana Department of Environmental Quality because Tracts 2 and 3 are parcels of land where sanitary facilities will not be used, in which no structure requiring water or sewage disposal will be erected. Pursuant to 17.36.605(2)(e), A.R.M.

Lulu E. Rogers
for *Columbia Farms, Inc.*
Henry R. Loeffler
Personal Representative for
the Estate of *Henry R. Loeffler*

State of Montana

County of Flathead

On this 22 day of Sept in the year 1999
before me, personally appeared *Lulu E. Rogers for Columbia Farms, Inc.*
known to me to be the person whose name is subscribed *for*
to the within instrument, and acknowledged to me that
she executed the same.

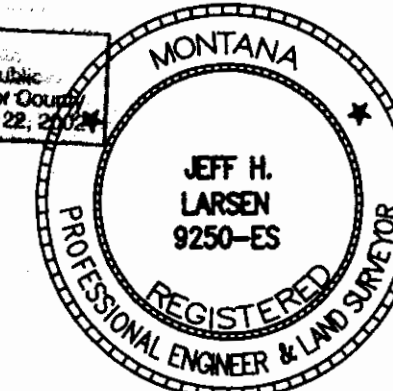
Michael J. Larson
NOTARY PUBLIC for the State of Montana
RESIDING at *Kennett Square*
My Commission Expires 3/9/03

State of Montana *Pennsylvania*
County of Flathead *Chester*

On this 22 day of October in the year 1999
before me, personally appeared *Elizabeth A. Loeffler*
known to me to be the person whose name is subscribed
to the within instrument, and acknowledged to me that
she executed the same.

Michael J. Larson
NOTARY PUBLIC for the State of Montana *Pennsylvania*
RESIDING at *Kennett Square*
My Commission Expires 7-22-02

Notarial Seal
Nancy Y. Price, Notary Public
Kennett Square, Chester County
My Commission Expires July 22, 2002



INSTRUMENT RECORD NUMBER 199929316100

SHEET 2 OF 2 SHEET(S)

CERTIFICATE OF SURVEY NO. 14045

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

EE-01-9

TR BC-0506-860 pt 6-10-33

By: **Larsen Engineering and Surveying, Inc., P.C.**
Civil Engineering and
Land Surveying
P.O. Box 2071
780 Two Mile Drive
Kalispell, Mont. 59901
Phone: 406-753-7808

Donald R. Larsen, P.L.S.
Jeff H. Larsen, P.E., P.L.S.

SUBDIVISION PLAT LOEFFLER RIDGE

SW1/4 & GOV'T LOT 4, SECTION 16, T. 30 N., R. 20 W.
P.M.M., FLATHEAD CO., MONTANA

HORIZONTAL SCALE: 1" = 150'

ACREAGE SUMMARY

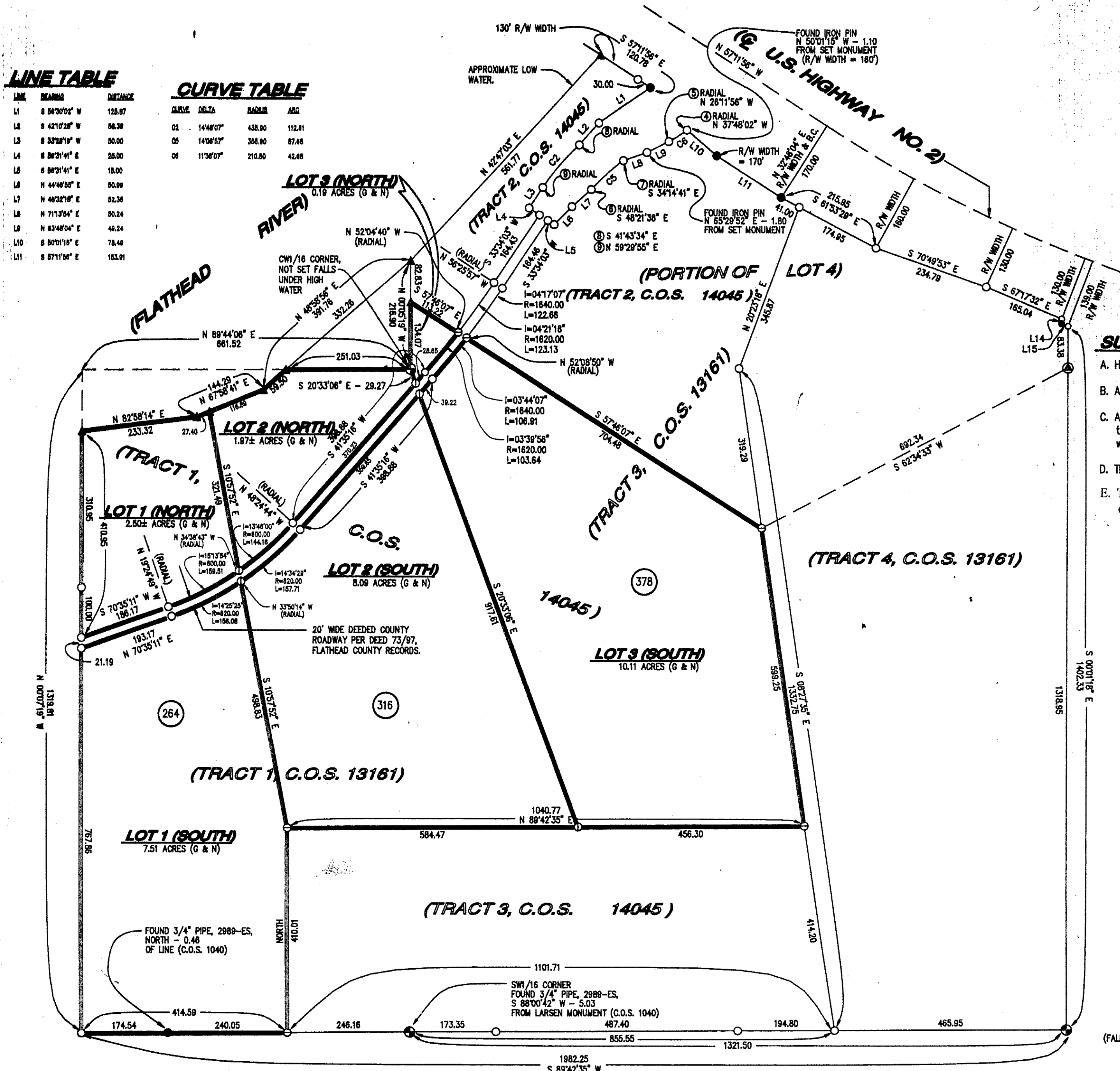
LOT 1 = 10.01 AC. (GROSS)	10.01 AC. (NET)
LOT 2 = 10.08 AC. (GROSS)	10.08 AC. (NET)
LOT 3 = 10.31 AC. (GROSS)	10.31 AC. (NET)
TOTAL	30.37 ACRES (GROSS) 30.37 ACRES (NET)

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°05'19" W	134.07
L2	S 41°35'16" E	113.22
L3	S 41°35'16" E	103.64
L4	S 89°05'19" W	113.22
L5	S 89°05'19" W	113.22
L6	S 89°05'19" W	113.22
L7	S 89°05'19" W	113.22
L8	S 89°05'19" W	113.22
L9	S 89°05'19" W	113.22
L10	S 89°05'19" W	113.22
L11	S 89°05'19" W	113.22

CURVE TABLE

DATE	DATE	DATE	DATE
02	02	02	02
02	02	02	02
02	02	02	02



LEGEND

- SECTION CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- 1/4 CORNER, FOUND MONUMENT PER COR. REC. (UNLESS NOTED)
- CENTER OF SECTION, FOUND 1/2" X 24" REBAR & CAP, LARSEN, 9250-ES
- 1/16 CORNER, FOUND 1/2" REBAR & CAP, 9250-ES (UNLESS NOTED)
- FOUND ALUMINUM HWY. R/W MONUMENT (UNLESS NOTED)
- 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- SET 1/2" X 24" REBAR WITH PLASTIC CAP STAMPED LARSEN 9250-ES
- HOUSE NUMBER (TYPICAL)

G = GROSS
N = NET

SUBDIVISION PLAT NOTES

- House numbers shall be visible at the driveway entrances.
- All disturbed areas shall be revegetated in accordance with the requirements of the Flathead County Weed Department.
- All new utilities shall be installed underground. The "backbone" service shall extend along the subdivision road in order to provide utilities to each lot. Utility easements shall be provided and indicated on the final plat in accordance with Sections 3.17 and 3.18 of the Flathead County Subdivision Regulations.
- This neighborhood is an agricultural community and dust, noise, and odor are by-products of agricultural production.
- That no residence may be placed on the north side of River Road due to the designated floodway restrictions.

CERTIFICATE OF COUNTY COMMISSIONERS

We, the undersigned, **ROBERT WATKINS** Chairman of the Board of Commissioners of Flathead County, Montana and **SUSAN W. HAVENFELD** County Clerk of said County, do hereby certify that this accompanying plat of Loeffler Ridge, Flathead County, Montana, has been submitted to the Board of Commissioners of Flathead County, Montana for examination and has been found by them to conform to law and was approved by them at a regular meeting held on the 21 day of DEC, 2000.

Robert Watkins Chairman-Board of County Commissioners
Flathead County

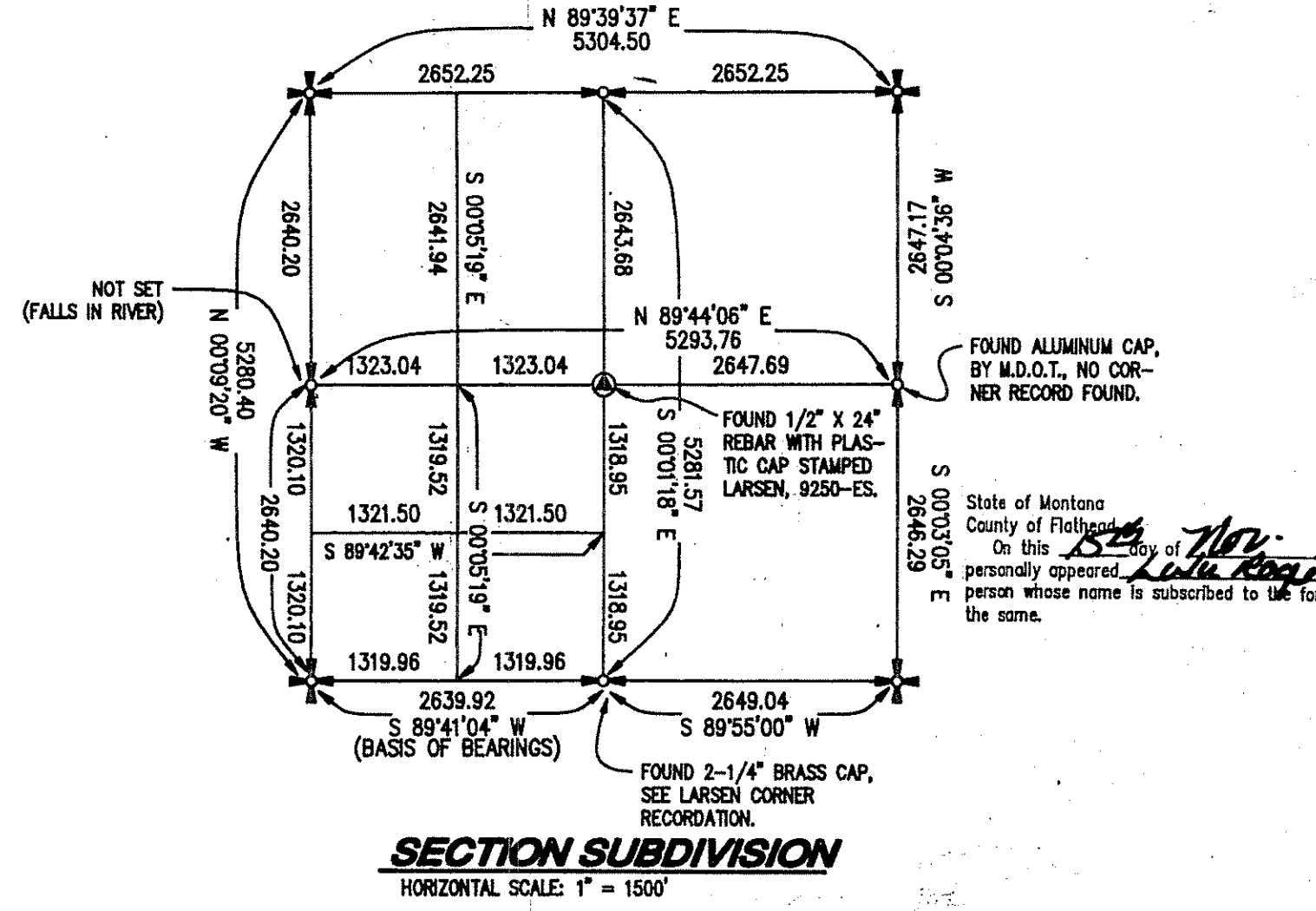
Susan W. Havenfeld County Clerk-Flathead County
Flathead County

CERTIFICATE OF COUNTY ATTORNEY

This plat has been examined by the office of the County Attorney according to Section 76-3-612 (2), M.C.A. Relying on Title report No. 21004004700160 and has been approved based upon information submitted by the developer and/or his agent.

12/19/00 date

Dennis J. Kester by



SECTION SUBDIVISION

HORIZONTAL SCALE: 1" = 150'

CERTIFICATE OF DEDICATION

I, the undersigned, property owner do hereby certify that I have caused to be surveyed and platted into lots all of the following described property as described in the Certificate of Dedication and shown by the annexed plat or map situate, lying and being in the SW1/4 Sec. 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

(NORTH PORTION)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the SW1/16 corner of said Section 16; thence N 00°05'19" W, 134.07 feet; thence S 57°46'07" E, 113.22 feet to the north-right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; said point lies on a curve to the right with a radial bearing of N 52°04'40" W and a radius of 1620.00 feet; thence along said curve and right of way on an arc length of 103.64 feet, through a central angle of 03°39'56"; thence S 41°35'16" E, 103.64 feet along said north-right of way to the beginning of a tangent curve to the right with a radius of 600.00 feet; thence along said curve and right of way on an arc length of 303.67 feet, through a central angle of 28°59'54"; thence S 70°35'11" W, 186.17 feet along said right of way to the west boundary of Tract 1 of C.O.S. 13161; thence N 00°07'19" W, 410.95 feet along said west boundary to the approximate low water line of the Flathead River; thence the following courses are along said approximate low water line, N 82°58'14" E, 233.32 feet; N 67°58'41" E, 144.29 feet; N 48°58'56" E, 59.50 feet; thence leaving said approximate low water line, N 89°44'06" E, 251.03 feet to the point of beginning. Containing 4.66± acres of land.

(SOUTH PORTION)

A Tract of land situate, lying and being in the SW1/4 and Gov't Lot 4 of Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana and more particularly described as follows:

Beginning at the southwest corner of the E1/2 NW1/4 SW1/4 of said Section 16; thence N 00°07'19" W, 767.86 feet along the west boundary of said aliquot part to the south right of way of a deeded county roadway per Deed Book 73, Page 97, Flathead County Records; thence leaving said west boundary, thence N 70°35'11" E, 193.17 feet along said south-right of way to the beginning of a tangent curve to the left with a radius of 620.00 feet; thence along said curve and right of way on an arc length of 313.79 feet, through a central angle of 28°59'54"; thence N 41°35'16" E, 398.88 feet to the beginning of a tangent curve to the left with a radius of 1640.00 feet; thence along said curve and right of way on an arc length of 106.91 feet, through a central angle of 03°44'07"; thence leaving said right of way, S 57°46'07" E, 704.48 feet to the west boundary of Tract 4 of C.O.S. 13161; thence S 08°27'35" E, 599.25 feet along the west boundary of said Tract 4; thence leaving the west boundary of said Tract 4, S 89°42'35" W, 1040.77 feet; thence South, 410.01 feet to the south boundary of Tract 1 of C.O.S. 13161; thence S 89°42'35" W, 414.59 feet to the point of beginning. Containing 25.71 acres of land.

The above described property shall be known as Loeffler Ridge.

In witness whereof I have caused my hand to be set this 30th day of OCTOBER, 2000
Columbia Farms, Inc. Owner
Jeff H. Larsen Notary Public for the State of Montana

State of Montana
County of Flathead
On this 30th day of October, in the year 2000, before me a Notary Public for the State of Montana, personally appeared **Columbia Farms, Inc.** known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that they executed the same.

Notary Public for the State of Montana
Residing at **Kenett Square**
My commission expires **July 22, 2002**

UTILITY CERTIFICATE

A ten (10) foot wide utility easement is hereby reserved for each lot of this subdivision, centered on the utility service for each lot. Said easement shall extend from the point of origin to the required service point.

The undersigned hereby grants unto each and every person, firm or corporation, whether public or private, providing or offering to provide, telephone, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for construction, maintenance, repair and removal of their lines and other facilities in and under each area designated on this plat as "Utility Easement" to have and hold forever. All extensions or additions to existing and future utilities shall be underground.

State of Montana
County of Flathead
On this 21st day of October, in the year 2000, before me a Notary Public for the State of Montana, personally appeared **Susan W. Havenfeld** known to me to be the person whose name is subscribed to the foregoing instruments, and acknowledged to me that they executed the same.

Notary Public for the State of Montana
Residing at **Kenett Square**
My commission expires **July 22, 2002**

CERTIFICATE OF SURVEYOR

Jeff H. Larsen 11/17/00
JEFF H. LARSEN, REGISTRATION NUMBER 9250-ES

APPROVED 10/11/2000
EXAMINING LAND SURVEYOR REGISTRATION NUMBER 5268

STATE OF MONTANA
COUNTY OF Flathead

FILED 21 DAY OF October, A.D.
AT 12:00 O'CLOCK P.M.
Susan W. Havenfeld
CLERK AND RECORDER

DEPUTY

INSTRUMENT RECORD NUMBER 20003561100

SHEET 1 OF 2 SHEET(S)

CERTIFICATE OF SURVEY NO. 6-10-33

For: **Lulu E. Rogers**
Owner: **Columbia Farms, Inc. and Henry R. Loeffler**
Date: **October 1999**

NOTE: ALL DISTANCES ARE IN FEET yates.dwg

After recording return to:
 William VanCanagan
 Datsopoulos, MacDonald & Lind, P.C.
 201 W. Main Street, Suite 201
 Missoula, MT 59802
 Phone: (406) 728-0810

**DECLARATION OF COVENANTS, CONDITIONS,
 RESTRICTIONS AND EASEMENTS FOR THE RIVER HIGHLANDS PUD**

This Declaration of Covenants, Conditions, Restrictions and Easements for the River Highlands PUD (this “**Declaration**”) is made this ____ day of _____, 2022 (the “**Effective Date**”), by _____, LLC, a/n _____ limited liability company (the “**Declarant**”).

RECITALS

WHEREAS, Declarant is the owner of the following described real property:

(the “**Property**”); and

WHEREAS, Declarant intends to develop the Property as several distinct projects and phases (each, a “**Phase**”), including, without limitation, a multi-family apartment project containing approximately 390 dwelling units, and townhome project containing approximately 65 dwelling units, and/or other improvements and uses permitted by applicable law and by the terms and conditions of the PUD applicable to the Property (collectively, the “**Project**”); and

WHEREAS, Declarant desires to establish certain covenants, conditions, restrictions and easements for the common benefit and enjoyment of the Owners from time to time in order to promote, preserve and enhance the value and desirability of the Property and to facilitate the continuing care and maintenance of Common Areas, and in furtherance thereof, intends to submit the Property to the provisions of this Declaration;

NOW, THEREFORE, Declarant, as the owner of the Property, hereby declares that the Property is hereby submitted to the following covenants, conditions, restrictions, and easements, which shall run with the land and bind and inure to the benefit of all Owners and any other Persons from time to time having or acquiring any right, title or interest in the Property or any portion thereof:

1. **Incorporation.** The foregoing recitals and all exhibits attached hereto are hereby incorporated into this Declaration by reference as if fully set forth in this Section 1.

2. **Definitions.** Capitalized terms used in this Declaration shall have the following meanings:

a. **“Assessments”** has the meaning set forth in Section 5.b below.

b. **“City”** means the City of Columbia Falls, Montana.

c. **“Common Areas”** means any area, improvement, equipment, or facility situated on the Property and intended or designed for the use and enjoyment of more than one, or all, of the Phases, including, without limitation: (i) streets, roads, and driveways (ii) trails, (iii) water mains, sewer mains, and other utility lines and facilities, (v) retention ponds and associated improvements and facilities providing stormwater management for the Property; (vi) entry monument signage, and (vii) open space and forest buffer areas. If and to the extent an area, improvement, equipment, or facility has been dedicated for public use and the City has assumed the responsibility for maintaining, repairing, and replacing the same, it shall not be considered a Common Area for purposes of this Declaration.

d. **“Common Expenses”** means the actual and estimated expenses incurred, or anticipated to be incurred, by the Owners in operating, maintaining, repairing, and replacing the Common Areas, including reasonable reserves.

e. **“Declarant”** means _____, LLC and its successors and assigns designated as such by the Declarant in writing.

f. **“Declaration”** means this Declaration, as it may be amended and supplemented from time to time.

g. **“Effective Date”** has the meaning given to it in the preamble of this Declaration.

h. **“Majority of the Owners”** means the Owners holding more than fifty percent (50%) of all Proportionate Shares.

i. **“Owner”** means one or more Persons who hold record title to any Phase or an interest as a purchaser under a contract for deed for any Phase. “Owner” shall not include a Person holding an interest merely as security for the performance of an obligation, or a Person who is a seller under a contract for deed for any Phase. Where this Declaration imposes responsibility for conduct of an Owner and where otherwise appropriate given the

context, the term “Owner” shall include such Owner’s occupants, tenants, guests, contractors, invitees, and licensees.

The term “Owner” does not include owners of individual dwelling units but instead refers to all such owners in a particular Phase collectively. Where a Phase is owned by more than one Person, those Persons shall, in writing, appoint a single representative who shall have the authority to act on behalf of and bind such Persons in respect to all matters arising under this Declaration, and the other Owners shall be entitled to rely, without further inquiry, on the representations and actions of such authorized representative. Accordingly, where a Phase has been submitted to a condominium, townhome, or other common-interest community governed by a homeowners association, the board of directors of such homeowners association shall be the authorized representative for such Phase.

j. **“Period of Declarant Control”** means the time period during which Declarant is an Owner.

k. **“Person”** means a natural person, a corporation, a partnership, a trustee, or any other legal entity.

l. **“Phase”** has the meaning set forth in the recitals. During the period of Declarant Control, Declarant, in its sole discretion and without the consent of any other Owner, may designate individual Phases with more specificity from time to time by recording amendments or supplements to this Declaration. A Phase may, but is not required to be, a phase identified in the PUD and/or a distinct tract of record established by deed, subdivision, certificate of survey, or otherwise.

m. **“Project”** has the meaning set forth in the recitals.

n. **“Proportionate Share”** has the meaning set forth in Section 5.a below.

o. **“PUD”** means the planned unit development applicable to the Project and the Property, as approved by the City and as the same may be amended from time to time.

3. Basic Responsibilities of the Owners. Without limiting any other obligation or responsibility of the Owners set forth herein, each Owner shall (i) comply in all respects with the terms and conditions of the PUD as they apply to such Owner’s Phase; (ii) use the Common Areas exclusively for purposes for which they are designed; (iii) avoid causing damage, other than ordinary wear and tear, to the Common Areas; (iv) cause the Common Areas benefiting such Owner’s Phase to be maintained in good working condition and repair, as set forth in more detail in Section 4 below, and (v) contribute to Common Expenses by paying Assessments as set forth in Section 5 below.

4. Maintenance of Common Areas. The Owners shall cause the Common Areas to be operated and maintained in good working condition and repair. Maintenance of the Common Areas includes, without limitation:

a. regular snow removal from all Common Area streets, roads, and driveways;

- b. maintaining, repairing, and replacing, as necessary, all paving, curb, sidewalk, and gravel improvements to Common Area streets, roads, and driveways;
- c. maintaining, repairing, and replacing, as necessary, the surface of the Common Area trail on the Property;
- d. maintaining, repairing, and replacing, as necessary, all Common Area water mains, sewer mains, and other Common Area utility lines and facilities;
- e. maintaining, repairing, and replacing, as necessary, all Common Area stormwater management improvements and facilities;
- f. maintaining all buffers and open spaces thereon in compliance with the Open Space Management Plan for the Project attached hereto as Exhibit "A"; and
- g. maintaining, repairing, and replacing, as necessary, all Common Area entry monument signage.

The Declarant (during the Period of Declarant Control) or a Majority of the Owners (after the Period of Declarant Control) may, from time to time designate a property manager to undertake, or coordinate the undertaking of, some or all of the Common Area maintenance required by this Declaration, and the fees of such property manager shall constitute Common Expenses.

The Declarant (during the Period of Declarant Control) or a Majority of the Owners (after the Period of Declarant Control) may, but are not required to, form an association in the nature of a non-profit, mutual benefit, property owners' association for the purposes of administering the maintenance responsibilities of the Owners, collecting Assessments, and paying Common Expenses as provided in this Declaration. Voting power in such property owners' association shall be in accordance with the Owners' Proportionate Shares.

5. Common Expenses.

a. Contribution for Common Expenses. Each Owner hereby agrees to contribute its Proportionate Share of Common Expenses by paying Assessments as hereinafter provided. "**Proportionate Share**" means each Owner's proportionate share of Common Expenses based on the relative benefit received by such Owner from the Common Areas. The Owners' Proportionate Shares shall be determined initially by Declarant and set forth in a subsequent amendment or a supplement to this Declaration, and thereafter may be adjusted from time to time by the Declarant (during the Period of Declarant Control) or by a Majority of the Owners (after the Period of Declarant Control), acting reasonably and in good faith. In making such determination, the Declarant or the Owners, as the case may be, may take into account, for example and without limitation, the acreage of each Owner's Phase, the number of dwelling units in each Phase, the building square footage in each Phase, the traffic generated by each Phase, the amount of impervious surface in each Phase, material differences in the improvements and uses in each Phase, and the extent to which certain Common Areas primarily or exclusively benefit certain Phases and not others.

b. Assessments; Lien for Common Expenses. Each Owner, by acceptance of a deed to, or other interest in, a Phase, whether or not it shall be so expressed in any such deed or other conveyance for such Phase, hereby covenants and agrees to contribute its Proportionate Share of Common Expenses and to pay other costs and fees levied pursuant to this Declaration (collectively, “**Assessments**”). Such Assessments, costs, and fees, not paid when due, together with interest thereon at the rate of twelve percent (12%) per annum, late fees in the amount of five percent (5%) of the total amount past due, and costs of collection (including, without limitation, attorneys’ fees incurred in respect thereto whether or not suit shall be instituted), shall be a charge and a continuing lien upon the Phase against which such levy is made in favor of all other Owners.

c. Annual Assessments. Collection and expenditure of Assessments and the holding of reserves may be done in any reasonable manner determined by a Majority of the Owners (including, without limitation, through a property owners association as provided in Section 4 above. Unless a Majority of the Owners determines otherwise, each year on or before December 1st, the Owners shall meet and confer on a budget for Common Area maintenance for the ensuing calendar year (which may include a reasonable amount for reserves), which budget may be approved by a Majority of the Owners. The approved budgeted amount shall be apportioned among the Owners in accordance with their Proportionate Shares, and on or before the fifth (5th) day of each calendar month of said year, each Owner shall be liable for and obligated to pay one-twelfth (1/12th) of such Owner’s share of its Proportionate Share of the total annual Common Expenses.

d. Special Assessments. A Majority of the Owners may at any time or from time-to-time levy special assessments on all Phases and the Owners thereof in accordance with their Proportionate Shares for the purpose of defraying, in whole or in part, the cost incurred or to be incurred for any unbudgeted Common Area maintenance, repair, or replacement.

e. Specific Assessments. A Majority of the Owners, acting reasonably and in good faith, shall have the power to levy specific assessments against a particular Phase and the Owner(s) thereof (i) to cover costs incurred in bringing a nonconforming Phase into compliance with this Declaration; and/or (ii) to cover costs or liabilities incurred as a consequence of the conduct of such Owner(s), provided the Owner(s) subject to the specific assessment shall have received notice (or a reasonable effort shall have been made to notify such Owner(s)) and a reasonable opportunity to cure before such specific assessment is levied.

f. Nonpayment of Assessments. Any Assessment which is not paid when due shall be deemed delinquent, with no requirement for notice to the delinquent Owner. If an Assessment is not paid within five (5) days after the delinquency date, such Assessment shall be subject to interest and late fees as provided in Section 5.b above from the delinquency date. If an Owner fails to pay when due any Assessment, charge, fee, cost, or other amount authorized to be charged to the Owner hereunder, such amount shall constitute a default hereunder and a lien on the Phase of such Owner. The other Owners shall have all rights and remedies to enforce collection as permitted by law, including bringing an action at law or in equity against such Owner and foreclosing the aforesaid

lien. All expenses incurred by such other Owners in connection with such action or proceedings, whether or not suit shall be instituted, including attorneys' fees and court costs and other fees and expenses, shall be charged to, and assessed against, such Owner (and shall constitute a personal liability of such Owner) and shall be added to and deemed part of that Owner's Assessment.

g. Subordination of Lien to Mortgage. The lien for Assessments provided for herein shall be subordinate to the lien of any prior, recorded first mortgage or trust deed on a Phase made to any *bona fide*, arms-length lender, except for the amount of any Assessments which becomes due and payable from and after the date such lender obtains title to or possession of such Phase pursuant to a decree of foreclosure or any other proceeding in lieu of foreclosure. Such transfer of title or possession shall not relieve any Owner from personal liability for any Assessments.

h. Failure to Levy or Notify. Failure of the Owners to fix Assessment amounts or rates or to deliver or mail each Owner an Assessment notice shall not be deemed a waiver, modification, or a release of any Owner from the obligation to pay Assessments.

i. No Withholding of Payment. No Owner shall be entitled to withhold, offset, or abate Assessments for any reason. Specifically, but without limitation, no Owner shall withhold Assessments due to interruption to services or due to an Owner's failure or refusal to benefit from Common Areas or the maintenance thereof.

j. HOA Assessments. Any homeowners association established in any Phase shall account for Assessments required hereunder and shall assess its homeowners for the same in the manner provided for in the applicable homeowners, condominium, or townhome declaration.

6. Easements and Use of Common Areas. Declarant hereby declares, grants, and establishes the following non-exclusive, perpetual easements:

a. Use of Common Areas. Subject to the provisions of this Declaration and any reasonable rules and regulations that may be adopted by a Majority of the Owners from time to time (which rules may include, without limitation, reasonable restrictions on the nature and extent of permitted uses of the Common Areas), each Owner shall have the non-exclusive right to use the Common Areas for their intended purposes in common with all other Owners.

b. Easement for Maintenance and Enforcement. A blanket easement over the Property (but not under or within any building situated on the Property from time to time) is hereby granted in favor of all Owners for the purpose of exercising their respective rights and performing their respective duties under this Declaration.

7. Reserved Rights of Declarant. Without limiting any other rights of Declarant provided by this Declaration or by law, Declarant hereby expressly reserves the following rights.

a. Notwithstanding any provision of this Declaration to the contrary, during the Period of Declarant Control, Declarant reserves the right and power to prepare, execute

and record amendments to this Declaration (i) to correct clerical or typographical or similar errors in this Declaration or any exhibit hereto; or (ii) to make any other changes to this Declaration which do not materially and adversely affect the rights or responsibilities of any other Owner. In furtherance of the foregoing, a power coupled with an interest is hereby reserved and granted to Declarant to vote in favor of, make or consent to such an amendment on behalf of each Owner as proxy or attorney in fact, as the case may be. Each deed, mortgage, trust deed, other evidence of obligation, or other instrument affecting a Phase, and the acceptance thereof, shall be deemed to be a grant and acknowledgment of, and a consent to the reservation of, the power to the Declarant to vote in favor of, make, execute, and record such amendments.

b. Nothing in this Declaration shall be construed to prohibit Declarant (including its contractors, employees, and agents) from undertaking any activity upon, or use of, the Property or any portion thereof in furtherance of development and disposition of the Project including, without limitation, activities related to advertising, construction, demolition, excavation, grading, maintenance, marketing, planning, surveying, sales, and leasing. To the extent any provision of this Declaration could be construed to limit any such activity by Declarant upon the Property or any portion thereof, Declarant shall be deemed to be exempt from such limitation.

8. General Provisions.

a. Manner of Giving Notices. Notices provided for in this Declaration to any Owner shall be in writing and addressed to the address at which such Owner receives tax bills according to the Flathead County property tax department or assessor's office, except that any Owner may from time to time designate a different address or addresses for notices by recording an instrument to that effect in the public records of Flathead County (which instrument shall reference this Declaration by book, page, and document number) and giving written notice thereof to all other Owners. Notices addressed as above shall be deemed delivered two (2) business days after deposit with the United States Postal Service, certified mail, return receipt requested, or on the day of delivery if delivered in person or by e-mail.

b. Partial Invalidity. The invalidity of any covenant, restriction, condition, limitation or any other provision of this Declaration, or any part of the same, shall not impair or affect in any manner the validity, enforceability, or effect of the rest of this Declaration.

c. Term; Perpetuities and Other Invalidity. This Declaration shall continue in effect in perpetuity. If any of the options, privileges, covenants, or rights created by this Declaration would otherwise be unlawful or void for violation of the rule against perpetuities, the rule restricting restraints on alienation, or any other statutory or common law rules imposing time limits, then such provision shall continue for so long as permitted by law.

d. Amendments. Subject to all of Declarant's rights as set forth above, this Declaration may only be amended by a written instrument that is approved in writing by all Owners.

e. No Waivers. No covenants, restrictions, conditions, obligations, or provisions contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same, irrespective of the number of violations or breaches which may occur.

f. Enforcement. Any Owner, or the Declarant shall have the option and right to enforce by any proceeding at law or in equity all restrictions, conditions, covenants, reservations, and charges imposed by the provisions of this Declaration. The method of enforcement may include legal action seeking an injunction to prohibit any violation, to recover damages, or both. Should any lawsuit or other legal proceeding be instituted against an Owner who is alleged to have violated one or more of the provisions of this Declaration, the prevailing party in such proceeding shall be entitled to reimbursement for the costs of such proceeding, including reasonable attorneys' fees.

[The remainder of this page is intentionally left blank.]

IN WITNESS WHEREOF, Declarant has executed this Declaration on the Effective Date.

_____, LLC
a/n _____ limited liability company

By: _____
Its: Authorized Signatory

STATE OF _____)
) SS
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 2021 by _____, authorized signatory of _____, LLC.

Notary Public for the State of _____
Printed Name: _____
Residing At: _____
My Commission Expires: _____

EXHIBIT A
OPEN SPACE MANAGEMENT PLAN

[attached]

OPEN SPACE MANAGEMENT PLAN – EXHIBIT A

I. GOALS AND OBJECTIVES

The Open Space Management Plan is intended to guide the management and use of the River Highlands PUD open space lands for conservation and recreational purposes. Open space is defined as an area that either remains in its natural state or is developed as usable parkland associated with the development. Lands addressed by this document are either owned in fee by the River Highlands PUD property owners, or the homeowner's association, to be formed at the time of subdivision in Phase 2 and 3 as outlined in the River Highlands PUD application Phasing Plan. Any information contained within this "Exhibit A" found to conflict with the approved Covenants, Conditions, and Restrictions for River Highlands will be amended in favor of the CCRs. A formal management plan may be developed to replace this "Exhibit A" prior to occupancy of development and amendments will be made for subsequent phases to ensure site specific items are addressed and incorporated.

Goal: To preserve, protect and manage open space properties.

Objectives include:

- Preserve and protect wildlife habitat, scenic views, scenic roads, and aesthetic values;
- Maintain the area's rural character;
- Protect and enhance the areas natural environment;
- Develop management plans for specific developed parks associated with the development.

Goal: To provide access to and/ or linkage among open space and recreational sites.

Objectives include:

- Promote walkability throughout the development;
- Protect natural treed river corridor;
- Seek to preserve pedestrian access by creating links through and around existing passive open space to areas of interest and with recreational opportunities.

Goal: To enable use of PUD open space for recreation.

Objectives include:

- Mark and maintain existing trails and easements, and create new trails where and as necessary;
- Diversify recreational opportunities available to residents;
- Provide opportunities for passive recreational activities that require trails or paths;

II. MANAGEMENT OF DEVELOPED OPEN SPACE LANDS AND PHYSICAL IMPROVEMENTS

1. Ownership of the Rental Community will be responsible for developed open space areas immediately adjacent to rental community buildings. This is estimated to be approximately two acres and includes the following:
 - a. Patio area, sidewalks, and concrete appurtenances supporting the building.
 - b. Playground equipment, benches or hard usable landscape features installed as a part of the developed landscape plans.
 - c. Trail system
 - d. Landscaping of these areas.
 - e. Irrigation systems.

2. Maintenance will include the following and will be done in accordance with the Covenants, Conditions, and Restrictions for the River Highlands PUD. Maintenance responsibilities will ensure that items outlined in item 1 are usable year round, with the exclusion of seasonal irrigation. This includes the following:
 - a. Physical maintenance of sidewalks to perpetuate American Disability Act (ADA) requirements/needs.
 - b. Physical maintenance of hard landscape features such as playground equipment to ensure safety and usability. This will not include clearing of equipment during winter.
 - c. Snow plowing/clearing access for residents.
 - d. Any methods required to perpetuate existing landscaping within developed openspace areas.
3. The Rental Ownership or Homeowners Associations (on for sale properties) may choose to appoint a Land Management Advisory Committee, either composed of residents or owners to set priority, identify issues, or provide improved maintenance.

III. TRAILS AND CROSSINGS

1. Ownership of the rental community will be responsible for maintaining access to trails and specifically fire access roads year-round for safety and walkability. This includes the following:
 - a. Maintain a walkable drivable surface free of any impedances such as ice, tripping hazards, and areas effected by erosion or frost damage.
 - b. Snow removal with the following order of importance.
 - i. Building access to ensure people can move freely in and out of the building
 - ii. Snow removal on the parking areas and fire access roads, including around fire hydrants to ensure these can be accessed and located if needed by City of Columbia Falls Fire Department.
 - iii. Adjacent trails within Highway Right of Way.
2. Access trails within property and adjacent to City of Columbia Falls and MDT Right of way, shall be maintained by the property immediately adjacent. This includes the following:
 - a. The asphalt or concrete surface to ensure ADA access is maintained, Asphalt typically has a life span of 10 years and concrete 20+ years.
 - b. Snow removal.

IV. GARBAGE REMOVAL AND COLLECTION

1. Ownership will be responsible for providing, maintaining, and emptying trash receptacles around the developed park area adjacent to the building.
2. Individually owned units will be responsible for paying for their own garbage collection and will be subject to
3. All receptacles provided shall be wildlife resistant to include mechanisms for restricting wildlife access.
4. Pet waste stations (dog bags) shall be provided in key areas surrounding the building to ensure pet waste is adequately addressed and disposed.
5. Ownership will be responsible to schedule trash removal for all provided receptacles to ensure usability and preventing overflow which could impede locking mechanisms.

V. CONDITIONAL USES OF PROPERTY

1. All property and occupants of the property will be subject to laws and regulations set forth by The City of Columbia Falls.
2. Pet owners shall keep all pets leashed at all times to protect other residents and to protect wildlife within natural open space surrounding development.
3. Organized events or group activities should be scheduled with rental community management for groups of more than 10 on rental community property.
4. Organized events or group activities on for sale properties will be subject to future developed Homeowners Association regulations.
5. Commercial activity including display of goods for sale is prohibited without written consent and approval from management and/or ownership on rental community property.
6. Commercial activity including display of goods for sale is prohibited on for sale properties and will be relegated to commercial district. This use will be at the discretion of owners of this property and subject to any developed Home Owners/Business Association guidelines.
7. Posters, leaflets, placards, or advertisements shall not be affixed to any property without written approval of individual property owners, management, and/or ownership on rental community property.

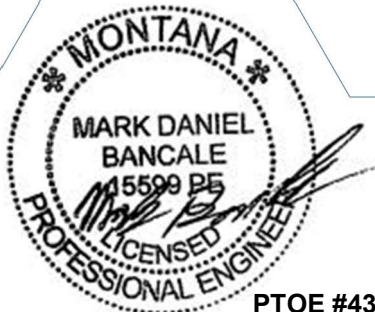
VI. ENFORCEMENT AND EMERGENCIES

The Rental Management or Homeowners Association will enforce the rules and regulations as necessary to preserve property's open space lands for their intended uses within the guidelines set forth in the above plan, CCRs, or subsequent HOA or Rental Agreements.

The City of Columbia Falls' Fire, Police, and EMT personnel are responsible for emergency procedures to be in place for response to emergencies at town open space lands. Motorized vehicles are allowed on the open space lands for public safety emergencies without prior written permission of the ownership of the properties.



WGMGROUPTM



PTOE #4336

**Revised Traffic Impact Study
River Highlands
WGM Project Number: 20-11-11
River Highlands LLC
11.29.2022**

REPORT DATE:

11.29.2022

AUTHOR:

Mark Bancale, P.E., PTOE

Senior Traffic Engineer

WGM Group, Inc.



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APPENDICES

- A – Traffic Count Data
- B – Capacity Analysis Worksheets
- C – Level of Service Definitions



INTRODUCTION

River Highlands LLC proposes to construct a residential development located east of Columbia Falls, MT on the south side of US Highway 2 (see **Figure 1**). The proposed 42-acre development will include 162 apartments, 98 attached single-family homes, and 83 detached single-family homes. A community gathering area featuring a skate park, green space, and public access to the Flathead River is also proposed in the north portion of the development. Buildout and occupancy of this development is expected to require approximately four years; accordingly, the study year for this traffic analysis is 2026.

Vehicle access to the site is proposed via two approaches that intersect with River Road (see the preliminary site plan in **Figure 2**). The currently undeveloped subject property is within both the Columbia Falls Urban Area and the Growth Policy planning boundary, as defined in the 2021 Columbia Falls Transportation Plan. The Flathead River parallels the property's west boundary; surrounding adjacent land use is undeveloped along the east boundary and low density residential and agricultural along the south boundary.

This traffic impact study (TIS) was prepared using standard traffic engineering techniques to forecast traffic volumes and operations at the proposed site access points and nearby study intersections. Capacity analysis is presented both with and without the traffic generated by the proposed River Highlands development to determine what impact this development will have on traffic operations.

A detailed traffic analysis was completed of the following study intersections:

1. US Highway 2 and River Road
2. US Highway 2 and Montana Highway 206
3. Two Primary Site Access Intersections with River Road

The analysis conducted for this report leads to the conclusion that the subject development will not negatively impact traffic operations to the degree that would require mitigation at most of the study intersections, and that traffic at the proposed development access points will operate at a good level of service. A traffic signal will be necessary in the future to accommodate projected traffic volumes at the intersection of US 2 and River Road, and a signal warrant study is recommended for this intersection as explained further in the *Capacity Analysis* portion of this report. To improve safety and sight distance, the intersection of US 2 and River Road will be relocated to the east, further from the Flathead River bridge.





FIGURE 1: SITE VICINITY MAP





FIGURE 2: PRELIMINARY SITE PLAN



EXISTING TRAFFIC VOLUME

WGM Group conducted mid-week (Tuesday and Thursday) AM and PM peak period manual intersection turning-movement counts on January 27, 2022 and February 1, 2022 to identify existing traffic volumes at the intersection of US Highway 2 and River Road. AM peak period counts were conducted between 7:00 and 9:00 AM. PM peak period counts were conducted between 4:00 and 6:00 PM. Turning movement data collected by the Montana Department of Transportation (MDT) on Wednesday, July 21, 2021 was referenced to obtain AM and PM peak period traffic volumes at US Highway 2 and Montana Highway 206. The count data (included in **Appendix A**) was analyzed to determine the existing AM and PM peak hour traffic volumes at each study intersection.

It is understood that traffic volumes on US Highway 2 through Columbia Falls are significantly influenced by seasonal tourist traffic associated with Glacier National Park. To ensure that the analysis conducted in this report reflects conditions during the peak summer season, the peak AM and PM hour eastbound, and peak PM hour westbound, through-movement volumes on Highway 2 at the intersection with River Road observed in the winter of 2022 were increased to balance with the peak summer traffic volumes counted by MDT at Highway 206. The peak AM hour westbound through-movement volume on Highway 2 was actually greater in the winter of 2022 than in the summer of 2021. Therefore, this volume was not balanced with Highway 206, as that would have resulted in a volume reduction at River Road and a less conservative analysis. These peak summer season traffic volumes were used as the baseline for all of the intersection capacity analysis discussed in this report and are illustrated in **Figure 3**.



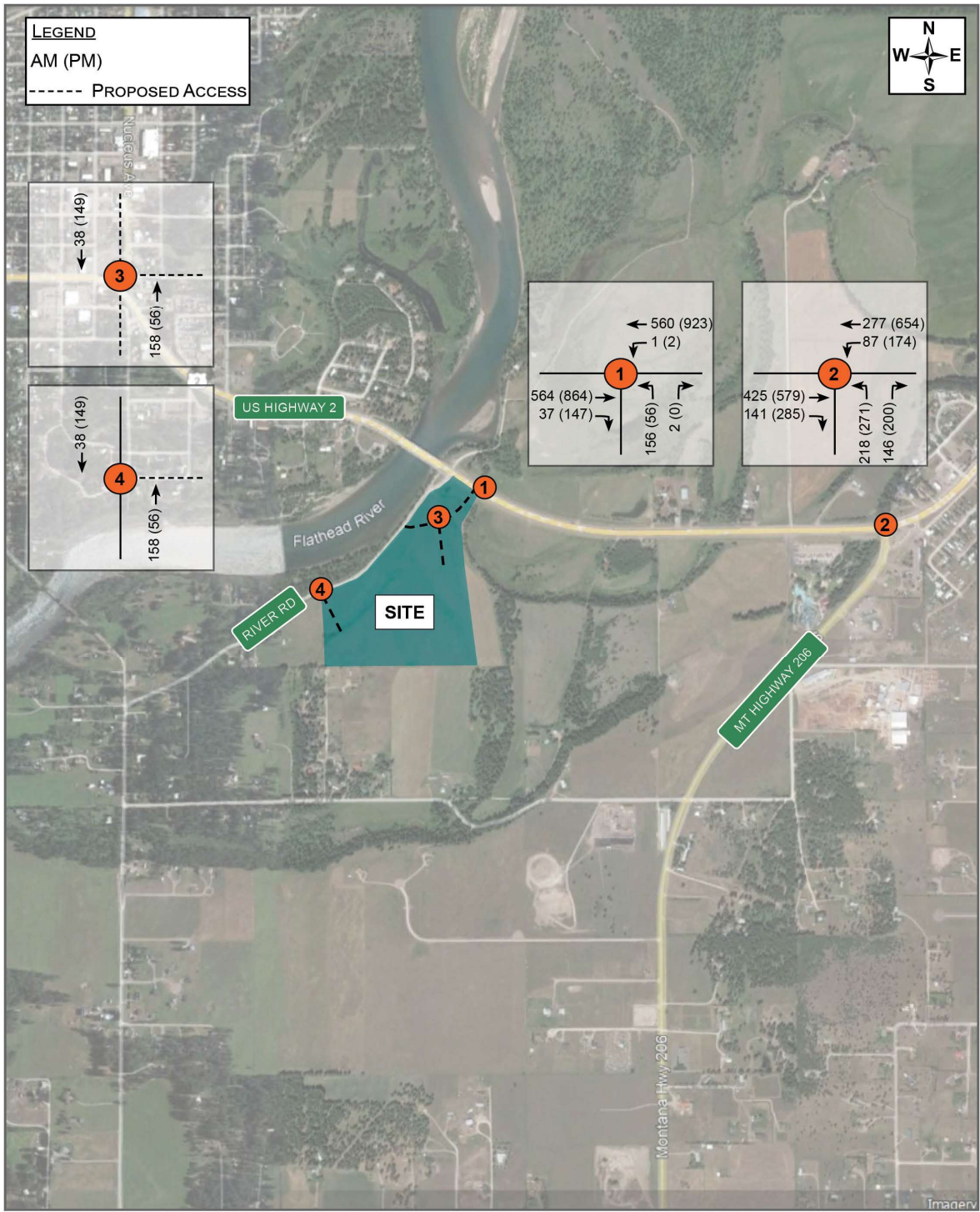


FIGURE 3: 2021/2022 EXISTING PEAK HOUR TRAFFIC



2026 NO-BUILD TRAFFIC VOLUMES

Although existing traffic volume data was collected in 2021 and 2022, the base year for this analysis is assumed to be 2021 for a more conservative estimate of future volumes. The year 2021 existing peak hour traffic volumes were projected to the study year 2026 using an annually compounded growth rate of 2.0%. This rate was calculated based on data from MDT annual counts of total two-way average daily traffic (ADT) along Highway 2 at the nearest available permanent MDT count location.

ADJACENT DEVELOPMENT TRAFFIC VOLUMES

The Benches is a planned residential development consisting of 48 single-family homes located east of the River Highlands property. At the time of this report, a traffic impact study, site plan, and development schedule were not available for The Benches. In light of this, trip generation and assignment for The Benches were estimated as part of this analysis, because The Benches will add new traffic to the intersections that must be taken into account. This “adjacent development” traffic must be included in the no-build traffic volume forecasts. The estimated peak hour traffic generated by The Benches is illustrated in **Figure 4**.

The total 2026 no-build traffic volumes illustrated in **Figure 5** are the sum of the seasonally adjusted existing traffic volume, grown to the study year using the 2.0% per year traffic growth rate, and combined with the estimated traffic generated by The Benches adjacent development. These are the volumes projected to exist in the analysis year 2026 without construction of River Highlands.



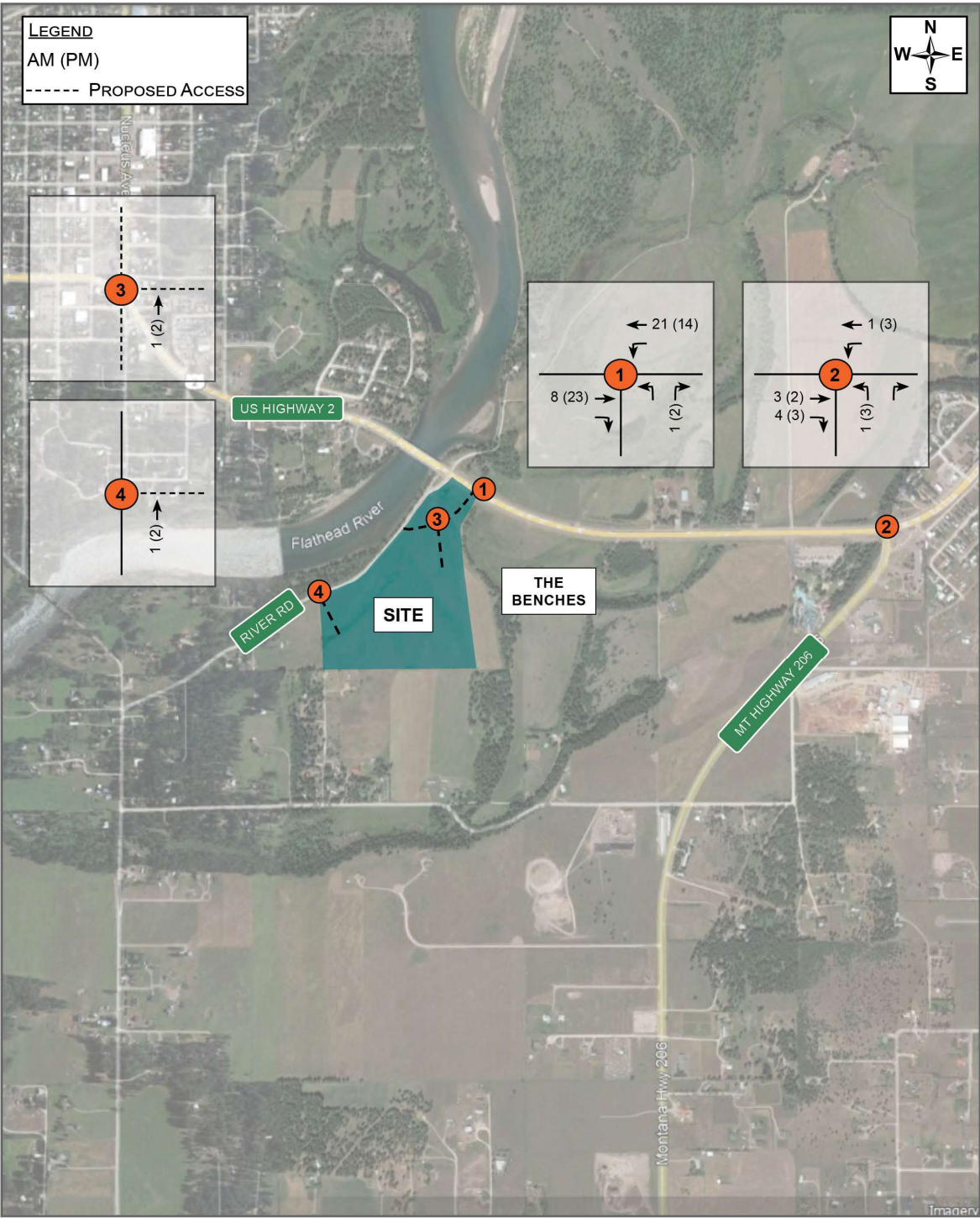


FIGURE 4: THE BENCHES ADJACENT DEVELOPMENT PEAK HOUR TRAFFIC



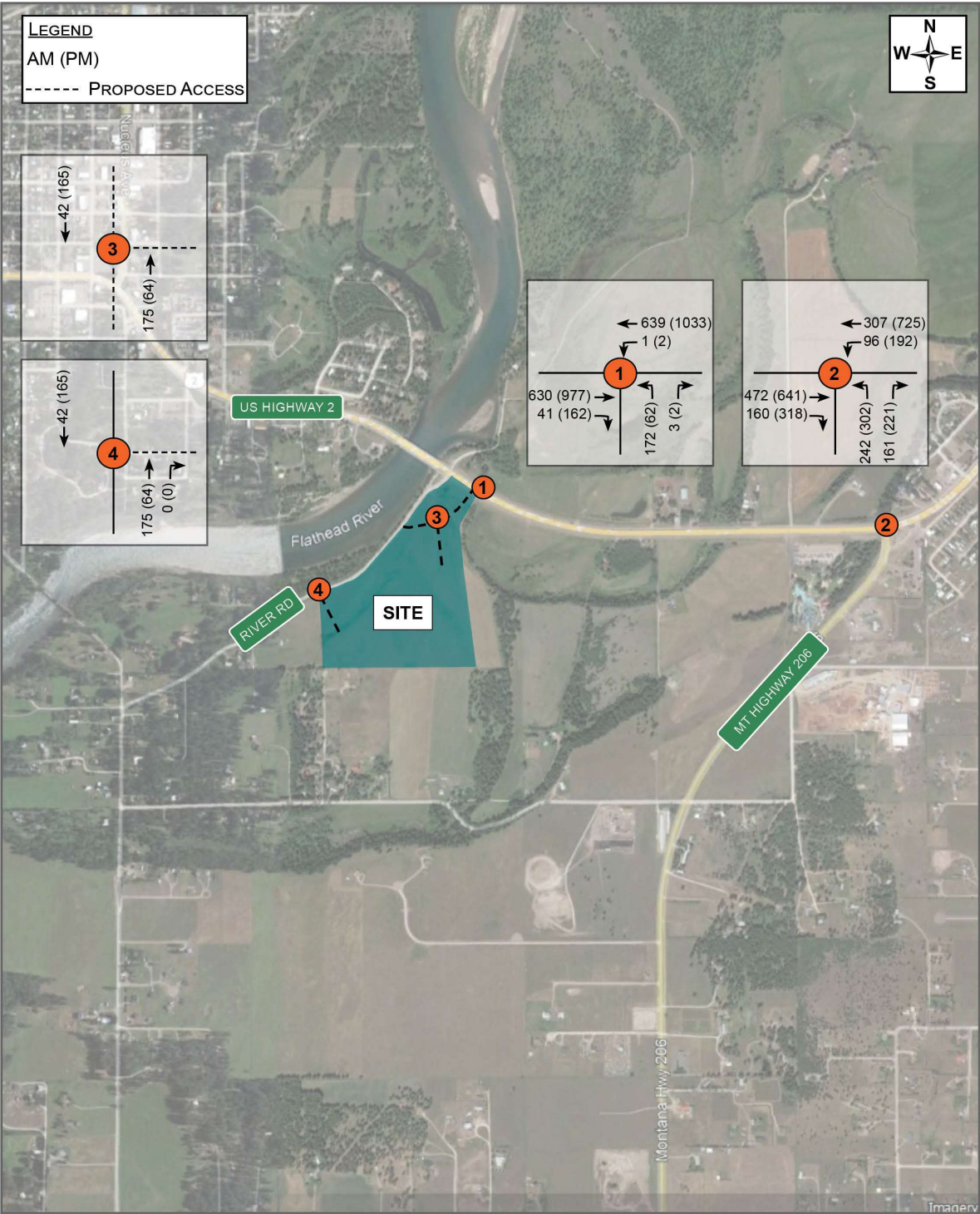


FIGURE 5: 2026 NO-BUILD PEAK HOUR TRAFFIC



SITE-GENERATED TRAFFIC

River Highlands is planned to include 162 apartments, 98 attached single-family homes, and 83 detached single-family homes. Data from the Institute of Transportation Engineers (ITE) publication *Trip Generation* (11th Edition) was used to estimate the number of vehicle trips that will be generated by the proposed development. **Table 1** shows the results of these trip-generation calculations.

TABLE 1: SITE-GENERATED VEHICLE TRIPS

Land Use	Size	ITE Land Use Code	ADT	AM Peak Hour Trips		PM Peak Hour Trips	
				Entering	Exiting	Entering	Exiting
Apartments (Multi-family, Low-Rise)	162 units	220	1,114	17	56	57	33
Attached Single-Family Homes	98 units	215	696	14	31	31	24
Detached Single-Family Homes	83 units	210	850	16	47	52	31
Total New Site Traffic			2,660	47	134	140	88



ASSIGNMENT OF SITE-GENERATED TRIPS

Roadway network connections were analyzed, the region's retail and employment distribution/density were considered (including Columbia Falls, Evergreen, Kalispell, and Whitefish), and traffic volumes on the adjoining streets were reviewed to identify potential arrival and departure patterns for the site-generated traffic. The expected site arrival and departure patterns are illustrated in **Figures 6 and 7**, respectively.

The site-generated vehicle trips from **Table 1** were distributed through the study intersections in accordance with the estimated arrival and departure patterns, resulting in the AM and PM peak hour site-generated vehicle trips shown in **Figure 8**. These are the peak hour vehicle trips that are new to the roadway network as a direct result of the River Highlands development.



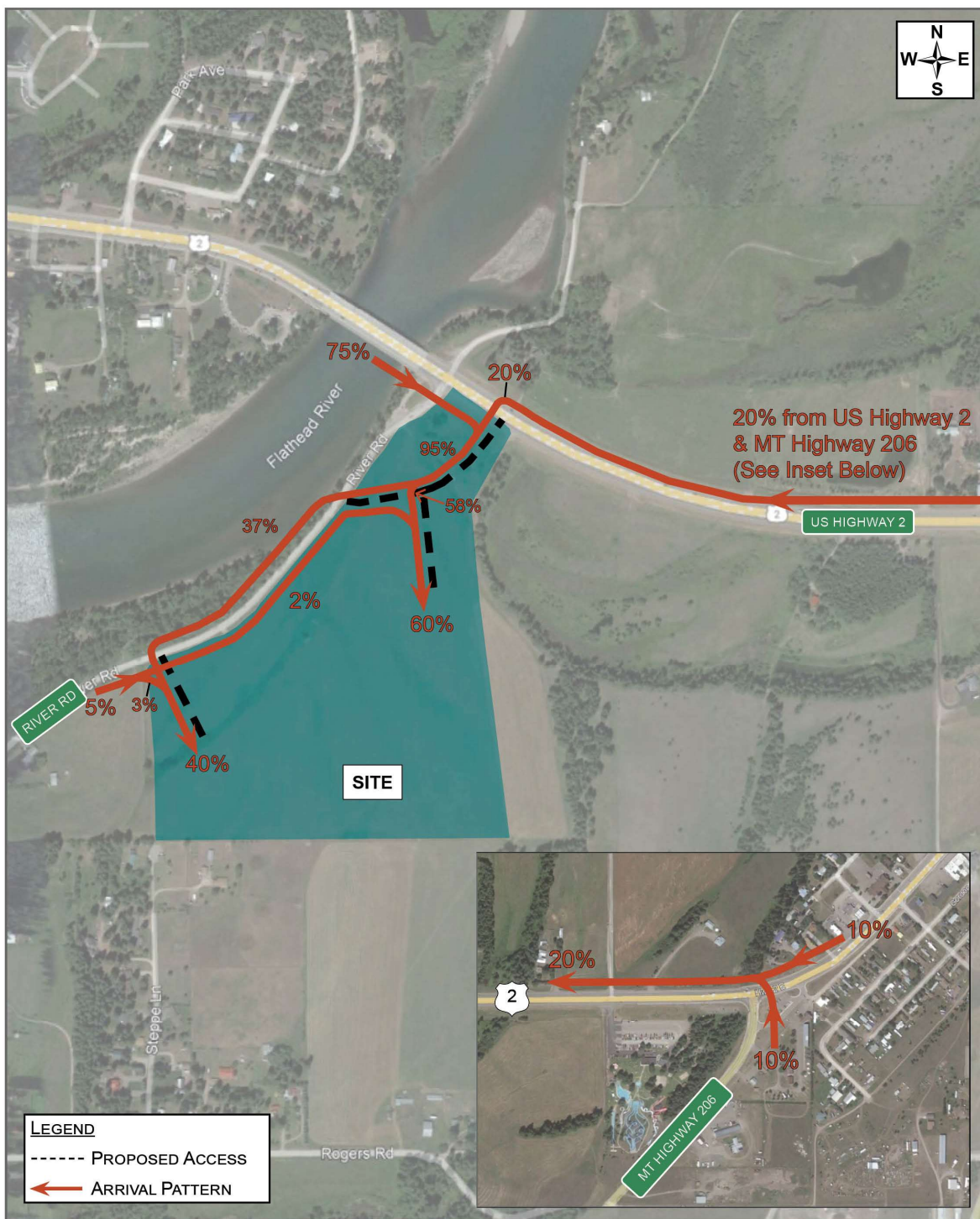


FIGURE 6: SITE TRAFFIC ARRIVAL PATTERN





FIGURE 7: SITE TRAFFIC DEPARTURE PATTERN



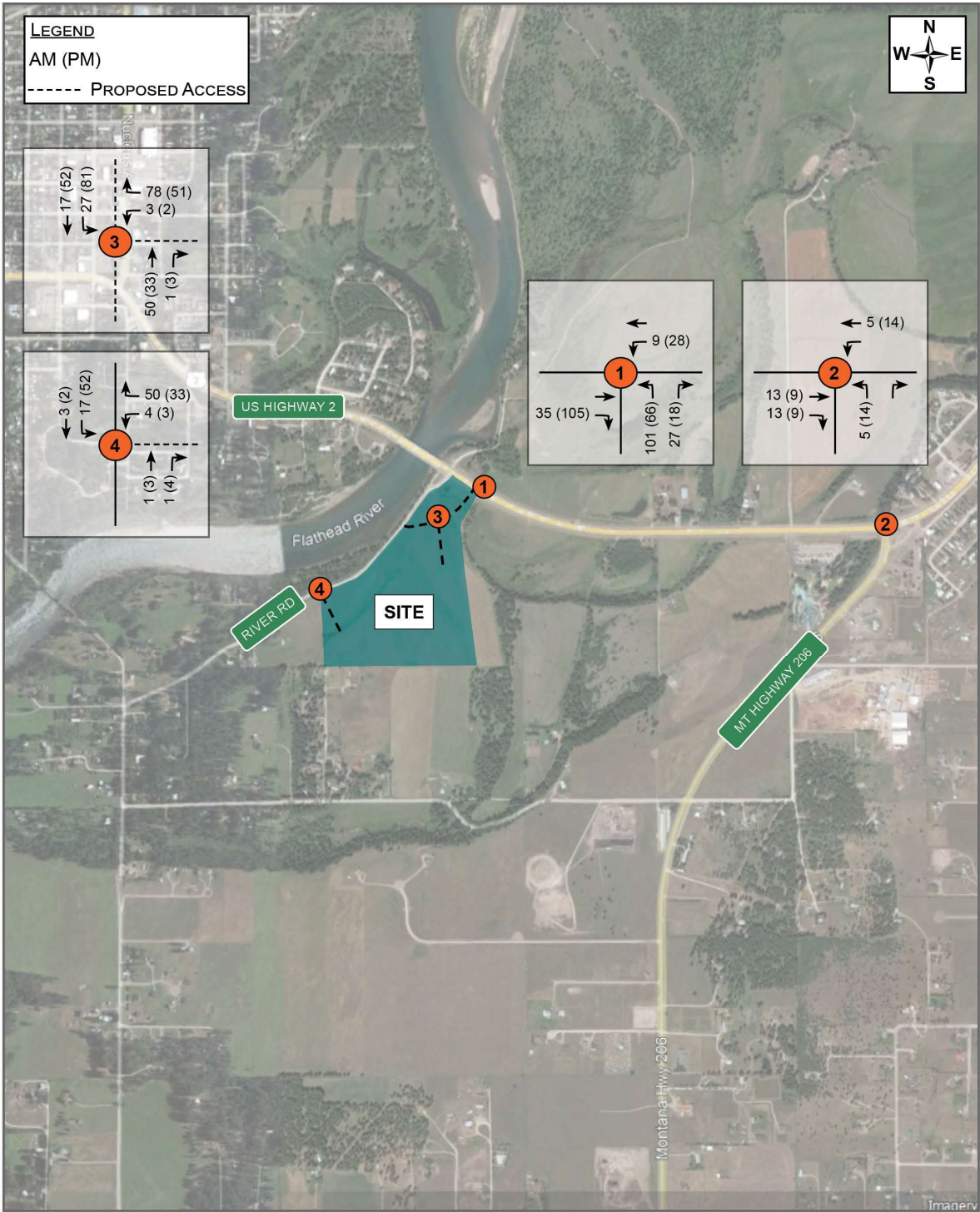


FIGURE 8: SITE-GENERATED PEAK HOUR TRAFFIC



2026 BUILD TRAFFIC VOLUMES

Combining the site-generated trips from **Figure 8** with the 2026 no-build traffic volumes from **Figure 5** results in the projected study year 2026 build traffic volumes shown in **Figure 9**. These are the total traffic volumes from all sources projected to exist at the study intersections when the River Highlands development is fully built-out and occupied.



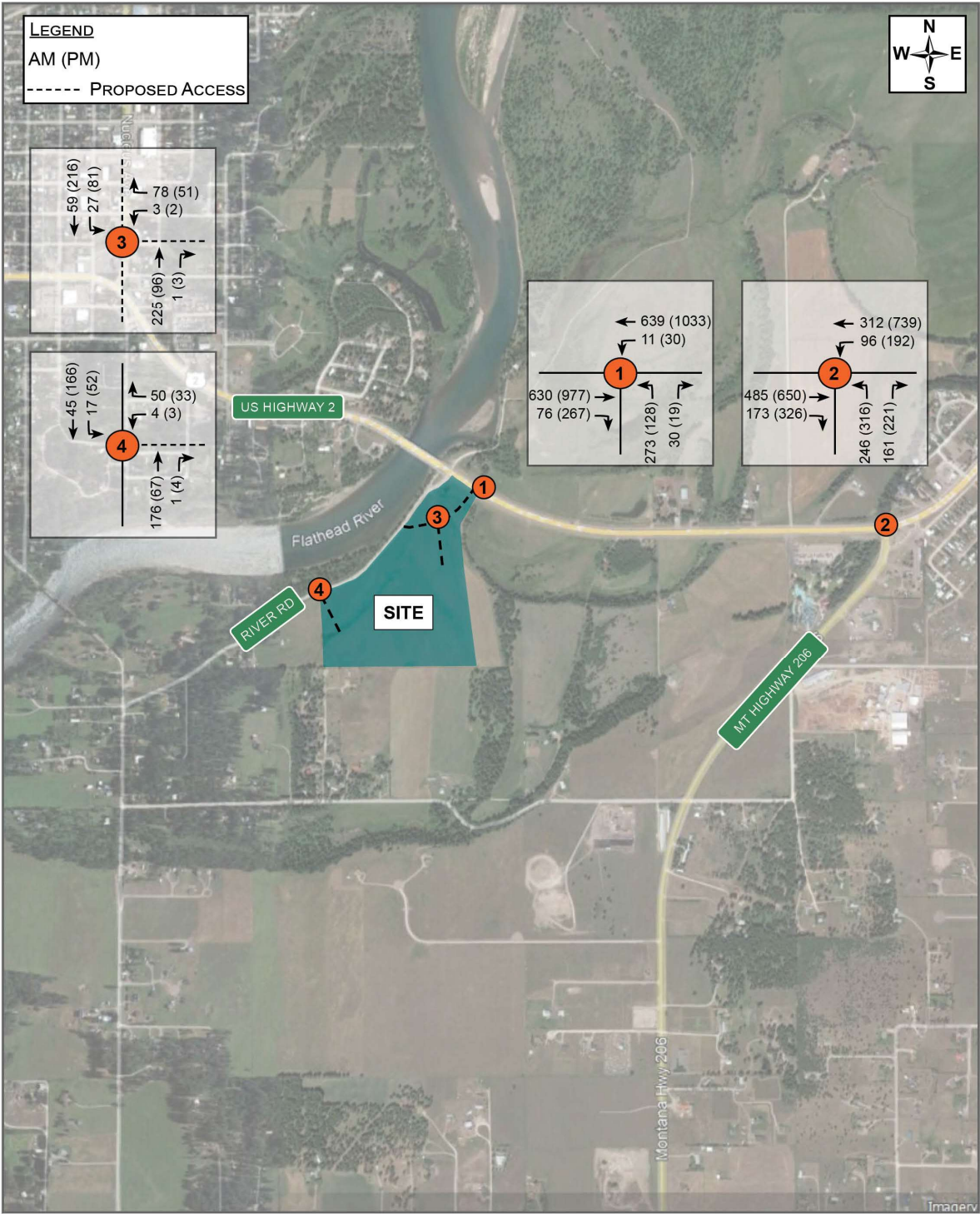


FIGURE 9: 2026 BUILD PEAK HOUR TRAFFIC



CAPACITY ANALYSIS

Capacity analysis was conducted for each of the study intersection using the AM and PM no-build and build traffic volumes forecasted in this report. Intersections were evaluated in accordance with the procedures presented in the *Highway Capacity Manual* 7th Edition (2022), published by the Transportation Research Board. The analysis results are discussed below, and the analysis worksheets are contained in **Appendix B**.

The capacity analysis procedures result in traffic level of service (LOS) rankings from A to F, with A representing essentially free-flow conditions and F representing congested conditions. See **Appendix C** for a description of the various LOS categories for signalized and unsignalized intersections.



INTERSECTION OF US HIGHWAY 2 AND RIVER ROAD

EXISTING CONDITIONS

US Highway 2 is an east/west roadway with two travel lanes in each direction and a center two-way, left-turn lane. River Road is a north/south roadway with one travel lane in each direction. The Draft 2021 Columbia Falls Transportation Plan classifies US Highway 2 as a principal arterial and River Road as a minor collector. The speed limit for this section of US Highway 2 is 55 miles per hour and 35 miles per hour on River Road. The southbound approach of this intersection is a local roadway which provides access to only a few residential properties. The northbound and southbound approaches of this intersection are stop-controlled.

Shifting the northbound approach of this intersection approximately 300' east is proposed as part of the River Highlands Development to improve intersection sight distance for northbound drivers.

CAPACITY ANALYSIS

Capacity analysis of this intersection was conducted using the 2026 no-build and build traffic volumes developed earlier in this report and is based on a T-configured intersection that is stop-controlled on the northbound approach. The results of this analysis are summarized in **Table 2**.

TABLE 2: US HIGHWAY 2 & RIVER ROAD LOS SUMMARY

	PEAK AM HOUR				PEAK PM HOUR			
	2026 NO-BUILD		2026 BUILD		2026 NO-BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Westbound Left	9.2	A	9.4	A	11.5	B	12.6	B
Northbound Lt/Rt	75.4	F	295.3	F	138.3	F	668.9	F

Delay is measured in seconds per vehicle.

The analysis summarized in **Table 2** shows that existing northbound traffic is experiencing delays longer than what is generally considered acceptable. Furthermore, site-generated traffic will have an appreciable impact on delay and traffic operations at this intersection for northbound turning vehicles. Given the context of the intersection and anticipated growth of through traffic on US Highway 2, a capacity analysis of this location as a signalized intersection was also completed. Signal timing parameters in this model



were based on the existing signal timing at US Highway 2 and Montana Highway 206. The results of this analysis are summarized in **Table 2B**.

TABLE 2B: US HIGHWAY 2 & RIVER ROAD - SIGNALIZED LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Eastbound Th/Rt	7.7	A	5.7	A
Westbound Left	14.7	B	25.1	C
Westbound Through	7.5	A	5.2	A
Northbound Lt/Rt	23.6	C	29.1	C
Overall Intersection	10.6	B	7.1	A

Delay is measured in seconds per vehicle.

The analysis summarized in **Table 2B** shows that the subject intersection can operate at an acceptable LOS if signalized. A signal warrant study is recommended for this intersection during buildout of River Highlands to determine when a traffic signal becomes warranted based on the nationally accepted Manual on Uniform Traffic Control Devices (MUTCD) traffic signal warrant criteria.



INTERSECTION OF US HIGHWAY 2 AND MONTANA HIGHWAY 206

EXISTING CONDITIONS

US Highway 2 is an east/west principal arterial roadway with two travel lanes in each direction and a center two-way, left-turn lane. Montana Highway 206 is a north/south minor arterial with one travel lane in each direction. This T-configured intersection is controlled by a two-phase traffic signal. The current timing parameters for this signal were obtained from MDT and used for this analysis. The northbound approach to this intersection consists of one dedicated left-turn lane and one dedicated right-turn lane. The eastbound approach to this intersection has one through lane and a shared through/right-turn lane. The westbound approach consists of two through lanes and one dedicated left-turn lane. The speed limit on this section of US Highway 2 is 55 miles per hour and 60 miles per hour on Montana Highway 206.

CAPACITY ANALYSIS

Capacity analysis of this intersection was conducted using the 2026 no-build and build traffic volumes developed earlier in this report and the intersection configuration described above. The results of this analysis are summarized in **Table 3**. The site-generated traffic does not have an appreciable impact on delay or LOS. No improvements or mitigation are required at this location.

TABLE 3: US HIGHWAY 2 AND MONTANA HIGHWAY 206 LOS SUMMARY

	PEAK AM HOUR				PEAK PM HOUR			
	2026 NO-BUILD		2026 BUILD		2026 NO-BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Eastbound Th/Rt	6.5	A	6.7	A	8.3	A	8.7	A
Westbound Left	13.9	B	14.5	B	32.0	C	34.8	C
Westbound Through	5.8	A	5.9	A	7.5	A	7.8	A
Northbound Left	22.9	C	22.9	C	31.3	C	31.3	C
Northbound Right	20.8	C	20.7	C	28.6	C	28.1	C
Overall Intersection	11.2	B	11.3	B	14.7	B	15.2	B

Delay is measured in seconds per vehicle.



PRIMARY SITE ACCESS INTERSECTIONS

At the time of this report, street names for site access roadways are not yet assigned; therefore, lettering is used to differentiate the two proposed intersecting approaches with River Road. The most northern site access roadway is Street “A”. Although Street “A” is oriented north/south at this intersection with River Road, it is modeled as the westbound approach since River Road is primarily oriented north/south. This T-intersection is modeled with single-lane approaches and stop-controlled on the westbound approach of Street “A”. The other site access location is also a T-oriented intersection with River Road, identified as Street “B” in this report. It is also modeled with single-lane approaches and stop-controlled on the site access leg of the intersection. Although Street “B” is oriented north/south at this intersection with River Road, it is modeled as the westbound approach since River Road is primarily oriented north/south.

CAPACITY ANALYSIS

Capacity analysis of the two site access intersections was conducted using the 2026 build traffic volumes developed earlier in this report and the intersection configurations described above. The analyses summarized in **Tables 4 and 5** show that each of the site accesses will operate at a very good LOS during both the AM and PM peak hours.

TABLE 4: RIVER ROAD AND STREET “A” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	10.2	B	9.2	A
Southbound Lt/Th/Rt	7.8	A	7.6	A

Delay is measured in seconds per vehicle.

TABLE 5: RIVER ROAD AND STREET “B” LOS SUMMARY

	PEAK AM HOUR		PEAK PM HOUR	
	2026 BUILD		2026 BUILD	
	Delay	LOS	Delay	LOS
Westbound Lt/Rt	9.6	A	9.0	A
Southbound Lt/Th	7.7	A	7.5	A

Delay is measured in seconds per vehicle.



TRAFFIC CRASH ANALYSIS

WGM Group requested three years of crash data from MDT for the intersections of US Highway 2 and River Road, US Highway 2 and MT 206, and the segment of US Highway 2 between these two intersections. Crash data documented between January 1, 2018 and December 31, 2020 was reviewed and is summarized below. There were no documented fatalities or major injuries associated with the reviewed crashes.

US Highway 2 & River Road

There were three crashes recorded at this intersection during the three-year period of reviewed data.

The collision types are as follows:

- One “Left turn, opposite direction”
- One “Rear-end”
- One “Right angle”

The “left turn opposite direction” and “right angle” collisions both involved northbound left turning vehicles and eastbound through vehicles resulting in suspected minor injuries. Ongoing monitoring of this intersection’s crash data is recommended to see if a crash trend develops. These types of collisions could be addressed through relocating River Road to the east to improve intersection sight distance, and upgrading this intersection to signalized traffic control.

US Highway 2 & MT Highway 206

There were ten incidents recorded at this intersection during the three-year period of reviewed data.

The collision types are as follows:

- Three “left turn, opposite direction”
- Seven “rear-end”

All three of the “left turn, opposite direction” collisions occurred involved a westbound left turning vehicle and an eastbound through vehicle from August 2018 to August 2019. It is recommended that crash data at this intersection be monitored by MDT and local jurisdictions for a continued trend in this crash type which could be addressed by incorporating a dedicated left turn phase for westbound traffic.

Of the seven recorded “rear-end” collisions, five incidents involved westbound vehicles with two incidents involving left-turning vehicles and three incidents involving through movement vehicles. One possible explanation is that this intersection is located within a horizontal curve. However, there is advanced



warning including flashing “Be Prepared to Stop” signage on a mast arm. The other two rear-end collisions occurred on the northbound approach of the intersection. “Rear-end” collisions are not considered correctable through intersection improvements.

US Highway 2 between River Road and MT Highway 206

There were 17 incidents recorded for this section of US Highway 2 during the three-year period of reviewed data. The collision types are as follows:

- One “rear-end” (contribution circumstance recorded as animal in roadway)
- One “right angle” (occurring at a driveway/alley access)
- Two “rollover”
- One “sideswipe, same direction”
- Twelve “wild animal”

The significant number of collisions involving wild animals over a three-year period is notable. It is recommended that this section of corridor continues to be monitored and that consideration to road ecology is given by MDT when future improvements are programmed. No other correctable crash trends were observed in the reviewed data.



NON-MOTORIZED TRANSPORTATION

In addition to sidewalks along internal streets, a proposed multi-modal trail system will provide non-motorized access to open space areas within the development. This system will promote alternative uses of transportation and walkability throughout the development. The 2019 Columbia Falls Growth Policy identified continued development of the bike and pedestrian network around schools, parks, and major commercial areas to connect with residential neighborhoods. The City and developers are encouraged to seek opportunities to develop and expand the non-motorized infrastructure in the community, to promote healthy lifestyles and reduce roadway congestion. The proposed River Highlands development takes positive steps toward those goals.



SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

The discussion and analyses contained in this report can be summarized as follows:

- River Highlands will include 162 apartments, 98 attached single-family homes, and 83 detached single-family homes.
- Vehicle access to the development will be via two site access approaches. The intersections of these access points, along with two nearby public intersections, are the focus of this traffic analysis.
- Reconstruction and realignment of River Road is an integral part of the proposed development. While still maintaining public access to the Flathead River adjacent to the project, this road relocation will move the River Road/US 2 intersection away from the Flathead River bridge and thereby improve sight distance and safety at this intersection.
- One adjacent development proposal will add traffic to the study intersections. This traffic is included in the traffic volumes studied in this report.
- The proposed River Highlands development will generate new traffic through the study intersections. *Highway Capacity Manual* based analysis shows that this traffic can be accommodated at most of the study intersections without the need for improvements to mitigate the site-generated trips.
- A traffic signal will be necessary in the future to accommodate projected traffic volumes at the intersection of US 2 and River Road, and a signal warrant analysis is recommended for the intersection of US Highway 2 and River Road during buildout of River Highlands to determine when traffic signalization is warranted at this intersection.
- In addition to sidewalks on streets within the River Highlands development, an internal non-motorized trail system will be provided to connect the internal residential units to open the proposed park/green space thereby promoting walkability and non-motorized transportation within the proposed development.



APPENDIX A

TRAFFIC COUNT DATA



Manual Traffic Count
Intersection of US Highway 2 & River Road
Columbia Falls, MT

$$PHF = \frac{V}{V' * 4}$$

Thursday, January 27, 2022

Peak AM Period

	Southbound		Westbound		Northbound		Eastbound		Interval	Hourly
	Right	Thru	Left	Right	Left	Right	Thru	Left	Total	Total
7:00 AM	0	0	0	0	0	0	4	0	164	
7:15 AM	1	0	0	0	0	1	6	43	212	
7:30 AM	0	0	0	0	0	0	39	7	268	
7:45 AM	0	0	0	0	0	0	7	49	0	268
8:00 AM	0	0	0	0	0	0	10	63	0	266
8:15 AM	0	0	0	0	1	1	14	76	0	910
8:30 AM	0	0	0	0	1	0	17	80	0	988
8:45 AM	0	0	0	0	0	0	9	42	0	974
9:00 AM	0	0	0	0	0	0	8	53	0	856
Peak Hour	1	0	0	0	1	2	37	231	0	718
Volume										

PHF = 0.92

Tuesday, February 1, 2022

Peak PM Period

	Southbound		Westbound		Northbound		Eastbound		Interval	Hourly
	Right	Thru	Left	Right	Left	Right	Thru	Left	Total	Total
4:00 PM	0	0	0	0	0	0	21	0	207	
4:15 PM	0	0	0	0	0	0	23	0	216	
4:30 PM	0	0	0	0	0	0	45	131	278	
4:45 PM	0	0	0	0	0	0	32	118	251	952
5:00 PM	0	0	0	0	0	0	31	131	263	1008
5:15 PM	0	0	0	0	0	0	39	123	243	1035
5:30 PM	0	0	0	0	0	0	28	93	183	940
5:45 PM	0	0	0	0	0	0	34	104	195	884
6:00 PM	0	0	0	0	0	0	147	503	0	
Peak Hour	0	0	0	0	2	0				
Volume										

PHF = 0.93

MDT Traffic Count Data Transfer
Intersection of US Highway 2 & MT 206
Columbia Falls, MT

$$PHF = \frac{V}{V_s * 4}$$

Wednesday, July 21, 2021
Peak AM Period

	Westbound		Northbound		Eastbound		Interval Total	Hourly Total
	Thru	Left	Right	Left	Right	Thru		
7:00 AM	54	16	33	38	22	80	243	
7:15 AM	63	25	36	38	31	89	282	
7:30 AM	86	19	34	60	35	106	340	
7:45 AM	62	17	39	63	43	116	340	1205
8:00 AM	54	19	37	48	30	95	283	1245
8:15 AM	75	32	36	47	33	108	331	1294
8:30 AM	63	29	48	45	27	116	328	1282
8:45 AM	81	22	47	51	32	109	342	1284
Peak Hour Volume	277	87	146	218	141	425		

0.95

<-- Peak Hour

Wednesday, July 21, 2021
Peak PM Period

	Westbound		Northbound		Eastbound		Interval Total	Hourly Total
	Thru	Left	Right	Left	Right	Thru		
4:00 PM	137	43	51	62	53	113	459	
4:15 PM	170	39	59	51	63	132	514	
4:30 PM	151	45	48	63	53	135	495	
4:45 PM	187	33	54	62	73	155	564	2032
5:00 PM	139	46	52	71	83	143	534	2107
5:15 PM	172	50	47	66	66	146	547	2140
5:30 PM	156	45	47	72	63	135	518	2163
5:45 PM	187	49	47	53	60	147	543	2142
Peak Hour Volume	654	174	200	271	285	579		

0.96

<-- Peak Hour

APPENDIX B

CAPACITY ANALYSIS WORKSHEETS



HCS Two-Way Stop-Control Report

Item No.1.

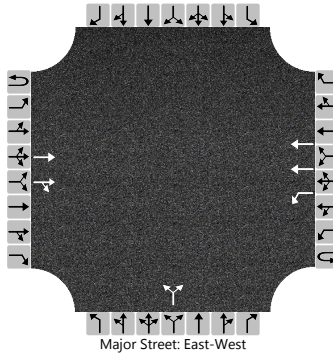
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/04/2022
Analysis Year	2026
Time Analyzed	AM No-Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			630	41	0	1	639			172		3				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						1					190					
Capacity, c (veh/h)						864					221					
v/c Ratio						0.00					0.86					
95% Queue Length, Q ₉₅ (veh)						0.0					6.7					
Control Delay (s/veh)						9.2					75.4					
Level of Service (LOS)						A					F					
Approach Delay (s/veh)					0.0				75.4							
Approach LOS					A				F							

HCS Two-Way Stop-Control Report

Item No.1.

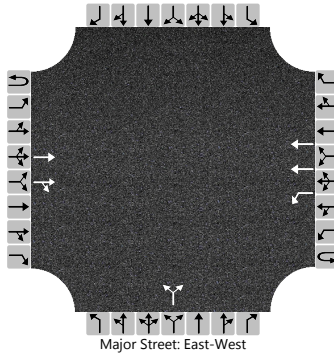
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/14/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			630	76	0	11	639			273		30				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

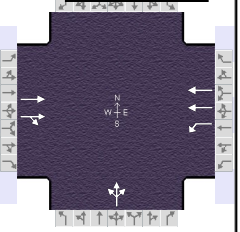
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						12					329					
Capacity, c (veh/h)						836					217					
v/c Ratio						0.01					1.52					
95% Queue Length, Q ₉₅ (veh)						0.0					20.2					
Control Delay (s/veh)						9.4					295.3					
Level of Service (LOS)						A					F					
Approach Delay (s/veh)					0.2				295.3							
Approach LOS					A				F							

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	Nov 14, 2022	Area Type	Other
Jurisdiction		Time Period	AM Build	PHF	0.92
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & RIVER ROAD	File Name	1_AM_Build_Signalized.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		630	76	11	639		273	0	30			

Signal Information											
Cycle, s	55.9	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	30.0	12.6	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		12.0		
Phase Duration, s		36.8		36.8		19.1		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		0.9		0.9		3.6		
Queue Clearance Time (g_s), s		16.3		17.0		11.8		
Green Extension Time (g_e), s		0.1		0.1		0.9		
Phase Call Probability		1.00		1.00		0.99		
Max Out Probability		0.00		0.00		0.00		

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7	4	14			
Adjusted Flow Rate (v), veh/h		391	377	12	695			329				
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1771	717	1752			1788				
Queue Service Time (g_s), s		14.3	7.0	0.7	6.4			9.8				
Cycle Queue Clearance Time (g_c), s		14.3	7.0	15.0	6.4			9.8				
Green Ratio (g/C)		0.54	0.54	0.54	0.54			0.23				
Capacity (c), veh/h		988	950	330	1880			403				
Volume-to-Capacity Ratio (X)		0.396	0.396	0.036	0.369			0.816				
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.9	2.8	0.2	2.5			7.1				
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.01	0.00			0.00				
Uniform Delay (d_1), s/veh		7.6	7.6	14.7	7.5			20.6				
Incremental Delay (d_2), s/veh		0.1	0.1	0.0	0.0			3.1				
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0			0.0				
Control Delay (d), s/veh		7.7	7.7	14.7	7.5			23.6				
Level of Service (LOS)		A	A	B	A			C				
Approach Delay, s/veh / LOS	7.7	A		7.7	A		23.6	C		0.0		
Intersection Delay, s/veh / LOS	10.6						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Two-Way Stop-Control Report

Item No.1.

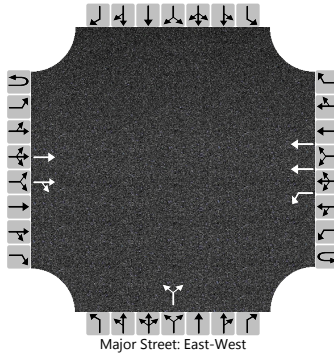
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	05/06/2022
Analysis Year	2026
Time Analyzed	PM No-Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			977	162	0	2	1033			62		2				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						2					69					
Capacity, c (veh/h)						559					84					
v/c Ratio						0.00					0.82					
95% Queue Length, Q ₉₅ (veh)						0.0					4.2					
Control Delay (s/veh)						11.5					138.3					
Level of Service (LOS)						B					F					
Approach Delay (s/veh)					0.0				138.3							
Approach LOS					A				F							

HCS Two-Way Stop-Control Report

Item No.1.

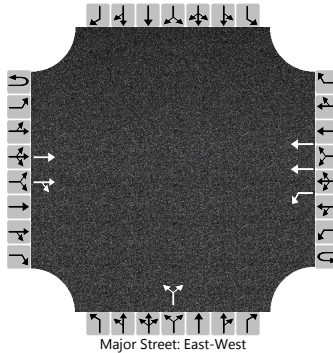
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/23/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	East-West
Project Description	River Highlands

Site Information

Intersection	US Highway 2 & River Road
Jurisdiction	
East/West Street	US Highway 2
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	0	0
Configuration			T	TR		L	T				LR					
Volume (veh/h)			977	267	0	30	1033			128		19				
Percent Heavy Vehicles (%)					3	3				3		3				
Proportion Time Blocked																
Percent Grade (%)									0							
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						4.1				7.5		6.9				
Critical Headway (sec)						4.16				6.86		6.96				
Base Follow-Up Headway (sec)						2.2				3.5		3.3				
Follow-Up Headway (sec)						2.23				3.53		3.33				

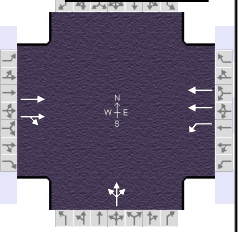
Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						32					158					
Capacity, c (veh/h)						506					72					
v/c Ratio						0.06					2.19					
95% Queue Length, Q ₉₅ (veh)						0.2					14.7					
Control Delay (s/veh)						12.6					668.9					
Level of Service (LOS)						B					F					
Approach Delay (s/veh)					0.4				668.9							
Approach LOS					A				F							

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	Nov 23, 2022	Area Type	Other
Jurisdiction		Time Period	PM Build	PHF	0.93
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & RIVER RD	File Name	1_PM_Build_Signalized.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		977	267	30	1033		128	0	19			

Signal Information											
Cycle, s	58.4	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	38.2	6.9	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		12.0		
Phase Duration, s		45.0		45.0		13.4		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.0		1.0		3.7		
Queue Clearance Time (g_s), s		33.7		38.0		7.0		
Green Extension Time (g_e), s		0.2		0.2		0.4		
Phase Call Probability		1.00		1.00		0.92		
Max Out Probability		0.00		0.00		0.00		

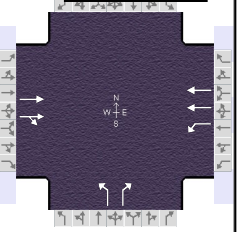
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7	4	14			
Adjusted Flow Rate (v), veh/h		691	647	32	1111			158				
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1704	418	1752			1781				
Queue Service Time (g_s), s		31.7	12.3	4.3	9.4			5.0				
Cycle Queue Clearance Time (g_c), s		31.7	12.3	36.0	9.4			5.0				
Green Ratio (g/C)		0.65	0.65	0.65	0.65			0.12				
Capacity (c), veh/h		1205	1116	170	2295			209				
Volume-to-Capacity Ratio (X)		0.573	0.579	0.190	0.484			0.755				
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		3.2	3.1	0.7	2.3			3.9				
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.05	0.00			0.00				
Uniform Delay (d_1), s/veh		5.6	5.6	24.9	5.1			25.0				
Incremental Delay (d_2), s/veh		0.2	0.2	0.2	0.1			4.1				
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0			0.0				
Control Delay (d), s/veh		5.7	5.8	25.1	5.2			29.1				
Level of Service (LOS)		A	A	C	A			C				
Approach Delay, s/veh / LOS	5.8	A		5.7	A		29.1	C		0.0		
Intersection Delay, s/veh / LOS	7.1						A					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	AM No-Build	PHF	0.95
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_AM_No-Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		472	160	96	307		242		161			

Signal Information											
Cycle, s	53.7	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	30.0	10.4	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		36.8		36.8		16.9		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.1		1.1		3.5		
Queue Clearance Time (g_s), s		14.2		19.4		9.4		
Green Extension Time (g_e), s		0.1		0.1		1.1		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		0.00		0.00		

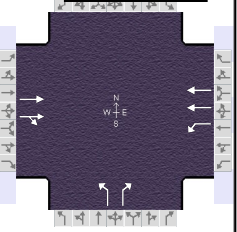
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		346	319	101	323		255		169			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1681	789	1752		1753		1560			
Queue Service Time (g_s), s		12.2	5.6	5.3	2.4		7.4		5.3			
Cycle Queue Clearance Time (g_c), s		12.2	5.6	17.4	2.4		7.4		5.3			
Green Ratio (g/C)		0.56	0.56	0.56	0.56		0.19		0.19			
Capacity (c), veh/h		1028	939	396	1957		340		303			
Volume-to-Capacity Ratio (X)		0.337	0.340	0.255	0.165		0.749		0.560			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.0	1.9	1.3	0.8		4.7		2.9			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.10	0.00		0.46		0.00			
Uniform Delay (d_1), s/veh		6.4	6.5	13.7	5.8		20.4		19.6			
Incremental Delay (d_2), s/veh		0.1	0.1	0.1	0.0		2.5		1.2			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		6.5	6.5	13.9	5.8		22.9		20.8			
Level of Service (LOS)		A	A	B	A		C		C			
Approach Delay, s/veh / LOS	6.5	A		7.7	A		22.1	C		0.0		
Intersection Delay, s/veh / LOS	11.2						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	Nov 23, 2022	Area Type	Other
Jurisdiction		Time Period	AM Build	PHF	0.95
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_AM_Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		485	173	96	312		246		161			

Signal Information											
Cycle, s	53.9	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	30.0	10.6	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		36.8		36.8		17.1		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.1		1.1		3.5		
Queue Clearance Time (g_s), s		14.8		20.3		9.5		
Green Extension Time (g_e), s		0.1		0.1		1.1		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		0.00		0.00		

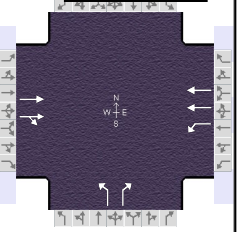
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		361	331	101	328		259		169			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1675	769	1752		1753		1560			
Queue Service Time (g_s), s		12.8	5.9	5.5	2.5		7.5		5.3			
Cycle Queue Clearance Time (g_c), s		12.8	5.9	18.3	2.5		7.5		5.3			
Green Ratio (g/C)		0.56	0.56	0.56	0.56		0.20		0.20			
Capacity (c), veh/h		1025	933	379	1952		344		306			
Volume-to-Capacity Ratio (X)		0.353	0.355	0.266	0.168		0.753		0.554			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		2.2	2.0	1.3	0.9		4.8		2.9			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.10	0.00		0.47		0.00			
Uniform Delay (d_1), s/veh		6.6	6.6	14.4	5.8		20.4		19.5			
Incremental Delay (d_2), s/veh		0.1	0.1	0.1	0.0		2.5		1.2			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		6.7	6.7	14.5	5.9		22.9		20.7			
Level of Service (LOS)		A	A	B	A		C		C			
Approach Delay, s/veh / LOS	6.7	A		7.9	A		22.0	C		0.0		
Intersection Delay, s/veh / LOS	11.3						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	May 3, 2022	Area Type	Other
Jurisdiction		Time Period	PM No-Build	PHF	0.96
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_PM_No-Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		641	318	192	725		302		221			

Signal Information											
Cycle, s	74.5	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	45.0	16.2	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		51.8		51.8		22.7		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.3		1.3		3.5		
Queue Clearance Time (g_s), s		22.6		47.0		14.7		
Green Extension Time (g_e), s		0.4		0.0		1.4		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		1.00		0.00		

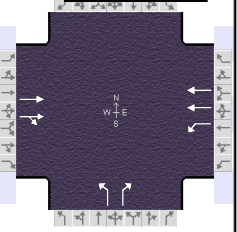
Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		529	470	200	755		315		230			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1633	577	1752		1753		1560			
Queue Service Time (g_s), s		20.6	11.9	24.4	8.1		12.7		10.1			
Cycle Queue Clearance Time (g_c), s		20.6	11.9	45.0	8.1		12.7		10.1			
Green Ratio (g/C)		0.60	0.60	0.60	0.60		0.22		0.22			
Capacity (c), veh/h		1113	987	286	2118		380		338			
Volume-to-Capacity Ratio (X)		0.476	0.476	0.700	0.357		0.827		0.680			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		5.6	5.0	6.3	3.6		8.7		6.2			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.50	0.00		0.85		0.00			
Uniform Delay (d_1), s/veh		8.2	8.2	25.7	7.4		27.8		26.8			
Incremental Delay (d_2), s/veh		0.1	0.1	6.3	0.0		3.5		1.8			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		8.3	8.3	32.0	7.5		31.3		28.6			
Level of Service (LOS)		A	A	C	A		C		C			
Approach Delay, s/veh / LOS	8.3	A		12.6	B		30.1	C		0.0		
Intersection Delay, s/veh / LOS	14.7						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Signalized Intersection Results Summary

Item No.1.

General Information				Intersection Information	
Agency	WGM Group			Duration, h	0.250
Analyst	DBG	Analysis Date	Nov 23, 2022	Area Type	Other
Jurisdiction		Time Period	PM Build	PHF	0.96
Urban Street		Analysis Year	2026	Analysis Period	1> 7:00
Intersection	HWY 2 & MT 206	File Name	2_PM_Build.xus		
Project Description	River Highlands				



Demand Information	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Demand (v), veh/h		650	326	192	739		316		221			

Signal Information											
Cycle, s	75.2	Reference Phase	2								
Offset, s	0	Reference Point	End								
Uncoordinated	Yes	Simult. Gap E/W	On	Green	45.0	16.9	0.0	0.0	0.0	0.0	
Force Mode	Fixed	Simult. Gap N/S	On	Yellow	5.0	3.0	0.0	0.0	0.0	0.0	
				Red	1.8	3.5	0.0	0.0	0.0	0.0	

Timer Results	EBL	EBT	WBL	WBT	NBL	NBT	SBL	SBT
Assigned Phase		2		6		4		
Case Number		8.0		6.0		9.0		
Phase Duration, s		51.8		51.8		23.4		
Change Period, ($Y+R_c$), s		6.8		6.8		6.5		
Max Allow Headway (MAH), s		1.3		1.3		3.5		
Queue Clearance Time (g_s), s		23.1		47.0		15.5		
Green Extension Time (g_e), s		0.4		0.0		1.4		
Phase Call Probability		1.00		1.00		1.00		
Max Out Probability		0.00		1.00		0.00		

Movement Group Results	EB			WB			NB			SB		
Approach Movement	L	T	R	L	T	R	L	T	R	L	T	R
Assigned Movement		2	12	1	6		7		14			
Adjusted Flow Rate (v), veh/h		539	478	200	770		329		230			
Adjusted Saturation Flow Rate (s), veh/h/ln		1841	1632	568	1752		1753		1560			
Queue Service Time (g_s), s		21.1	12.5	23.9	8.5		13.5		10.1			
Cycle Queue Clearance Time (g_c), s		21.1	12.5	45.0	8.5		13.5		10.1			
Green Ratio (g/C)		0.60	0.60	0.60	0.60		0.22		0.22			
Capacity (c), veh/h		1101	976	276	2097		394		351			
Volume-to-Capacity Ratio (X)		0.489	0.489	0.725	0.367		0.835		0.656			
Back of Queue (Q), ft/ln (95 th percentile)												
Back of Queue (Q), veh/ln (95 th percentile)		6.1	5.4	6.8	3.9		9.1		6.2			
Queue Storage Ratio (RQ) (95 th percentile)		0.00	0.00	0.54	0.00		0.89		0.00			
Uniform Delay (d_1), s/veh		8.6	8.6	26.8	7.8		27.8		26.5			
Incremental Delay (d_2), s/veh		0.1	0.1	8.0	0.0		3.5		1.6			
Initial Queue Delay (d_3), s/veh		0.0	0.0	0.0	0.0		0.0		0.0			
Control Delay (d), s/veh		8.7	8.7	34.8	7.8		31.3		28.1			
Level of Service (LOS)		A	A	C	A		C		C			
Approach Delay, s/veh / LOS	8.7	A		13.4	B		30.0	C		0.0		
Intersection Delay, s/veh / LOS	15.2						B					

Multimodal Results	EB			WB			NB			SB		
Pedestrian LOS Score / LOS												
Bicycle LOS Score / LOS												

HCS Two-Way Stop-Control Report

Item No.1.

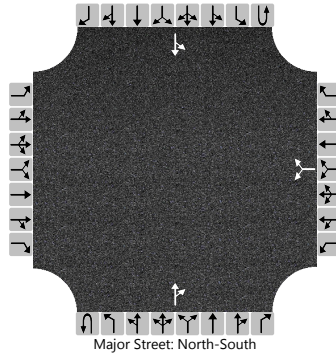
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/23/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "A"
Jurisdiction	
East/West Street	Street "A"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						3		78			225	1		27	59	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						88								29		
Capacity, c (veh/h)						783								1315		
v/c Ratio						0.11								0.02		
95% Queue Length, Q ₉₅ (veh)						0.4								0.1		
Control Delay (s/veh)						10.2								7.8	0.2	
Level of Service (LOS)						B								A	A	
Approach Delay (s/veh)					10.2								2.6			
Approach LOS					B								A			

HCS Two-Way Stop-Control Report

Item No.1.

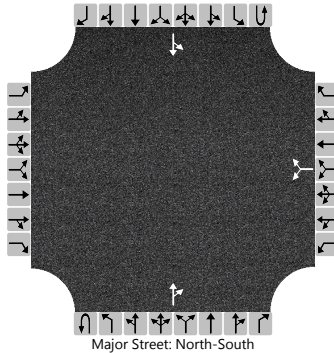
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/23/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "A"
Jurisdiction	
East/West Street	Street "A"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						2		51			96	3		81	216	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						57							87		
Capacity, c (veh/h)						914							1478		
v/c Ratio						0.06							0.06		
95% Queue Length, Q ₉₅ (veh)						0.2							0.2		
Control Delay (s/veh)						9.2							7.6	0.5	
Level of Service (LOS)						A							A	A	
Approach Delay (s/veh)					9.2							2.4			
Approach LOS					A							A			

HCS Two-Way Stop-Control Report

Item No.1.

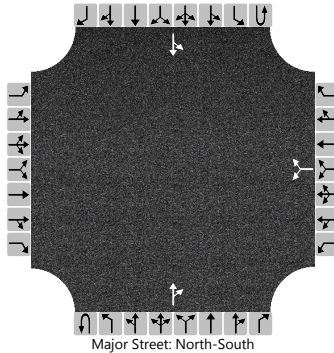
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/23/2022
Analysis Year	2026
Time Analyzed	AM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "B"
Jurisdiction	
East/West Street	Street "B"
North/South Street	River Road
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						4		50			176	1		17	45	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)						59								18		
Capacity, c (veh/h)						834								1375		
v/c Ratio						0.07								0.01		
95% Queue Length, Q ₉₅ (veh)						0.2								0.0		
Control Delay (s/veh)						9.6								7.7	0.1	
Level of Service (LOS)						A								A	A	
Approach Delay (s/veh)					9.6								2.2			
Approach LOS					A								A			

HCS Two-Way Stop-Control Report

Item No.1.

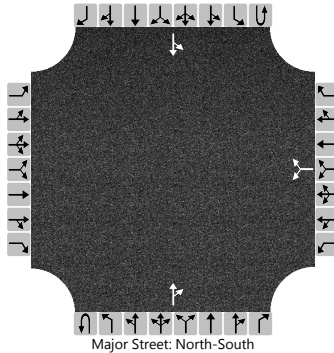
General Information

Analyst	DBG
Agency/Co.	WGM Group
Date Performed	11/23/2022
Analysis Year	2026
Time Analyzed	PM Build
Intersection Orientation	North-South
Project Description	River Highlands

Site Information

Intersection	River Road & Street "B"
Jurisdiction	
East/West Street	Street "B"
North/South Street	River Road
Peak Hour Factor	0.93
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		0	0	0		0	1	0	0	0	1	0	0	0	1	0
Configuration							LR					TR		LT		
Volume (veh/h)						3		33			67	4		52	166	
Percent Heavy Vehicles (%)						3		3						3		
Proportion Time Blocked																
Percent Grade (%)					0											
Right Turn Channelized																
Median Type Storage	Undivided															

Critical and Follow-up Headways

Base Critical Headway (sec)						7.1		6.2						4.1		
Critical Headway (sec)						6.43		6.23						4.13		
Base Follow-Up Headway (sec)						3.5		3.3						2.2		
Follow-Up Headway (sec)						3.53		3.33						2.23		

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)							39							56		
Capacity, c (veh/h)							936							1516		
v/c Ratio							0.04							0.04		
95% Queue Length, Q ₉₅ (veh)							0.1							0.1		
Control Delay (s/veh)							9.0							7.5	0.3	
Level of Service (LOS)							A							A	A	
Approach Delay (s/veh)					9.0								2.0			
Approach LOS					A								A			

APPENDIX C

LEVEL OF SERVICE DEFINITIONS



UNSIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINED

Level of Service (LOS) for unsignalized (two-way-stop-controlled) intersections is determined by the control delay experienced by drivers on each minor approach. Minor movements are those entering from or exiting onto the stop-controlled side street(s). LOS is not defined for the intersection as a whole, but rather for each minor movement individually.

The delay value used in determining LOS is known as “control delay.” Control delay is defined as the total delay experienced by a driver and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delay a vehicle experiences is a function of the capacity of the approach and the degree of saturation on the uncontrolled (unstopped) roadway (i.e. the number of acceptable gaps in the passing traffic stream).

LOS values range from A to F. The delay range for each LOS value is as shown in the following table.

LOS CRITERIA FOR TWO-WAY AND ALL-WAY STOP-CONTROLLED INTERSECTIONS

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-15
C	>15-25
D	>25-35
E	>35-50
F	>50

Source: Transportation Research Board, *Highway Capacity Manual*, 7th Edition



SIGNALIZED INTERSECTION LEVEL OF SERVICE DEFINED

Level of Service (LOS) for signalized intersections is determined by the control delay experienced by drivers and is calculated for each movement, for each approach, and for the intersection as a whole.

The delay value used in determining LOS is known as “control delay.” Control delay is defined as the total delay experienced by a driver and includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The delay a vehicle experiences is a function of the capacity of the approach, the volume of traffic, and the signal timing.

LOS values range from A to F. The delay range for each LOS value is as shown in the following table.

LOS CRITERIA FOR SIGNALIZED INTERSECTIONS

LOS	AVERAGE CONTROL DELAY (SECONDS/VEHICLE)
A	0-10
B	>10-20
C	>20-35
D	>35-55
E	>55-80
F	>80

Source: Transportation Research Board, *Highway Capacity Manual*, 7th Edition





United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

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

Item No.1.

Custom Soil Resource Report for Upper Flathead Valley Area, Montana

RIVER HIGHLANDS PUD



Preface

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

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

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

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

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

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

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Mr—Mountainous land.....	22
Rc—Riverwash.....	23
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How Soil Surveys Are Made

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

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

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

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

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

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

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

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

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

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

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

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

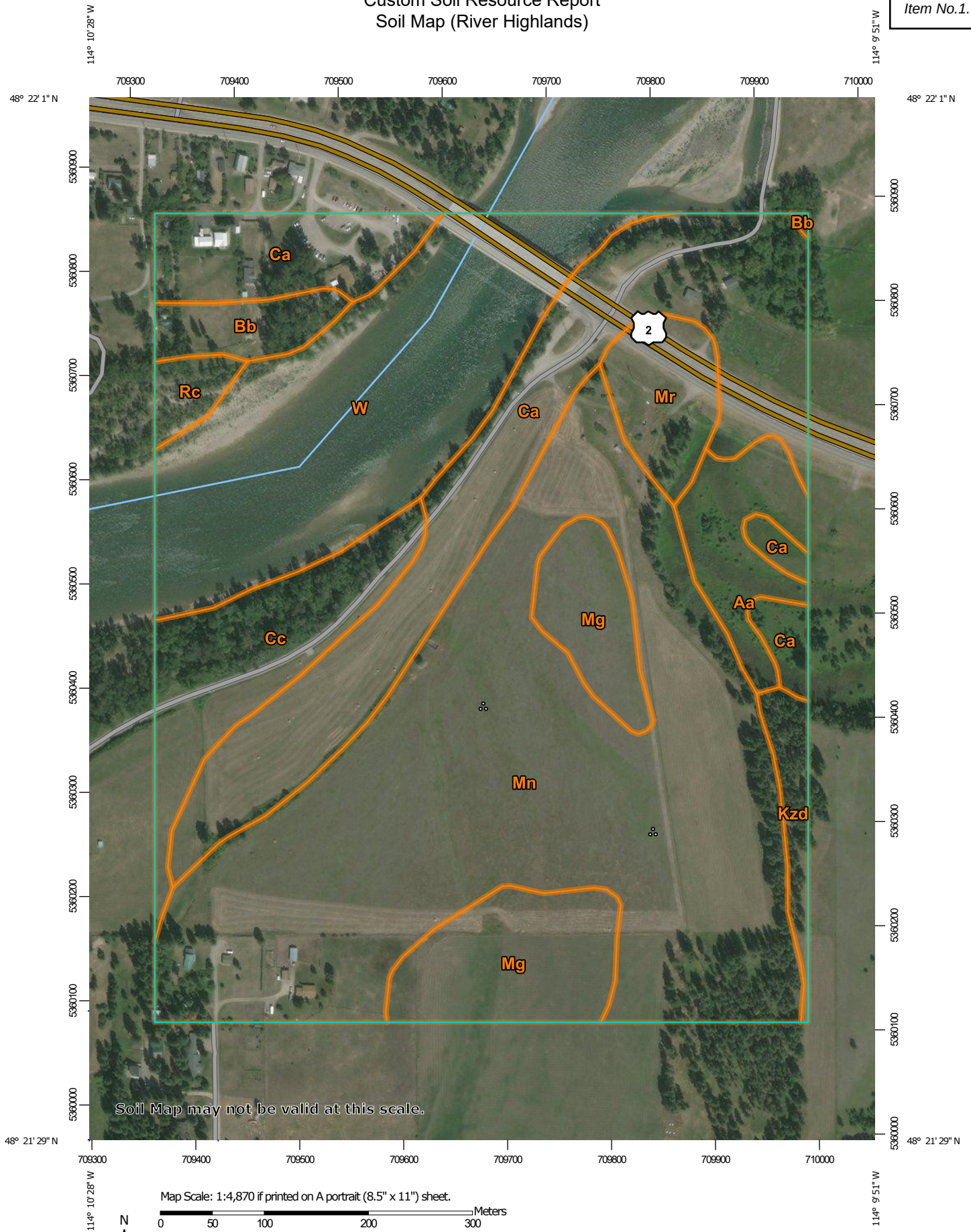
identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

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

Custom Soil Resource Report Soil Map (River Highlands)

Item No.1.



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

 Soil Map Unit Lines

 Soil Map Unit Points
Special Point Features
 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features
Water Features
 Streams and Canals
Transportation
 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads
Background
 Aerial Photography
MAP INFORMATION

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

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

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

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

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

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

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

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

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

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

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

Map Unit Legend (River Highlands)

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

Map Unit Descriptions (River Highlands)

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

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

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

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

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

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

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

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

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

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

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

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

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

Upper Flathead Valley Area, Montana

Aa—Alluvial land, poorly drained

Map Unit Setting

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

Map Unit Composition

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

Description of Alluvial Land

Typical profile

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

Properties and qualities

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

Interpretive groups

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

Minor Components

Poorly drained soils

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

Bb—Banks very fine sandy loam, 0 to 4 percent slopes**Map Unit Setting**

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

Map Unit Composition

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

Description of Banks**Setting**

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

Typical profile

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

Properties and qualities

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

Interpretive groups

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

Minor Components

Somewhat poorly drained soils

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

Ca—Chamokane soils, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 4vp7
Elevation: 2,890 to 3,030 feet
Mean annual precipitation: 15 to 19 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 120 days
Farmland classification: Prime farmland if irrigated

Map Unit Composition

Chamokane and similar soils: 50 percent
Chamokane and similar soils: 40 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Chamokane

Setting

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

Typical profile

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

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)

Interpretive groups

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

Description of Chamokane

Setting

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

Typical profile

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

Properties and qualities

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

Interpretive groups

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

Minor Components

Somewhat poorly drained soils

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

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

Map Unit Setting

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

Map Unit Composition

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

Description of Banks

Setting

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

Typical profile

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

Properties and qualities

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

Interpretive groups

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

Description of Chamokane**Setting**

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

Typical profile

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

Properties and qualities

Slope: 0 to 4 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 24 to 48 inches
Frequency of flooding: OccasionalNone
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 6.1 inches)

Interpretive groups

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

Minor Components**Somewhat poorly drained soils**

Percent of map unit: 5 percent
Landform: Flood plains
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

Kzd—Kiwanis fine sandy loam, 0 to 4 percent slopes**Map Unit Setting**

National map unit symbol: 4vr3
Elevation: 3,000 to 5,000 feet
Mean annual precipitation: 12 to 17 inches
Mean annual air temperature: 39 to 45 degrees F
Frost-free period: 90 to 130 days

Farmland classification: Prime farmland if irrigated

Map Unit Composition

Kiwanis and similar soils: 90 percent

Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Kiwanis

Setting

Landform: Stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Alluvium

Typical profile

A - 0 to 9 inches: fine sandy loam

C1 - 9 to 39 inches: fine sandy loam

2C2 - 39 to 70 inches: very gravelly sand

Properties and qualities

Slope: 0 to 4 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: RareNone

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 4e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: A

Ecological site: R044AP801MT - BOTTOMLAND ESG 44A LRU P

Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 10 percent

Hydric soil rating: No

Mg—Mires gravelly loam, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 4vrl

Elevation: 2,900 to 5,600 feet

Mean annual precipitation: 17 to 25 inches
Mean annual air temperature: 43 to 45 degrees F
Frost-free period: 70 to 105 days
Farmland classification: Not prime farmland

Map Unit Composition

Mires and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires

Setting

Landform: Terraces, outwash fans
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Outwash

Typical profile

A - 0 to 8 inches: gravelly loam
Bw - 8 to 18 inches: very gravelly loam
2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
 (0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Low (about 3.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P
Hydric soil rating: No

Minor Components

Nonhydric

Percent of map unit: 15 percent
Hydric soil rating: No

Mn—Mires loam, 0 to 3 percent slopes**Map Unit Setting**

National map unit symbol: 4vrq

Elevation: 2,600 to 3,400 feet

Mean annual precipitation: 15 to 19 inches

Mean annual air temperature: 39 to 45 degrees F

Frost-free period: 100 to 120 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Mires and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mires**Setting**

Landform: Terraces, outwash fans

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Outwash

Typical profile

A - 0 to 14 inches: loam

Bw - 14 to 18 inches: very gravelly loam

2C - 18 to 60 inches: very gravelly loamy sand

Properties and qualities

Slope: 0 to 3 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 4.5 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: B

Ecological site: R044AP808MT - UPLAND GRASSLAND ESG 44A LRU P

Hydric soil rating: No

Minor Components

Nonhydryc

Percent of map unit: 15 percent

Hydryc soil rating: No

Mr—Mountainous land

Map Unit Setting

National map unit symbol: 4vrt

Elevation: 2,000 to 4,640 feet

Mean annual precipitation: 15 to 30 inches

Mean annual air temperature: 37 to 45 degrees F

Frost-free period: 90 to 130 days

Farmland classification: Not prime farmland

Map Unit Composition

Mountainous land and similar soils: 35 percent

Whitefish and similar soils: 25 percent

Rock outcrop: 25 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Mountainous Land

Typical profile

H2 - 5 to 18 inches: loam

H3 - 18 to 26 inches: gravelly silt loam

H4 - 26 to 60 inches: gravelly loam

Properties and qualities

Slope: 30 to 70 percent

Depth to restrictive feature: More than 80 inches

Drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 10 percent

Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 7.7 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: B

Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P

Hydryc soil rating: No

Description of Whitefish**Setting**

Landform: Moraines
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Glacial till

Typical profile

Oi - 0 to 1 inches: slightly decomposed plant material
E - 1 to 9 inches: cobbly silt loam
E/Bt - 9 to 14 inches: gravelly silt loam
Bt - 14 to 20 inches: gravelly clay loam
Bk - 20 to 33 inches: gravelly silt loam
C - 33 to 60 inches: gravelly silt loam

Properties and qualities

Slope: 30 to 70 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 15 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Moderate (about 8.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e
Hydrologic Soil Group: C
Ecological site: F043AP911MT - UPLAND WARM WOODLAND ESG 43A LRU P
Hydric soil rating: No

Minor Components**Nonhydric**

Percent of map unit: 15 percent
Hydric soil rating: No

Rc—Riverwash**Map Unit Composition**

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

Minor Components

Flooded and ponded soils

Percent of map unit: 10 percent

Landform: Flood plains

Down-slope shape: Linear

Across-slope shape: Linear

Hydric soil rating: Yes

W—Water

Map Unit Composition

Water: 100 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

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ORDINANCE NO. 705

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, CHANGING THE ZONING CLASSIFICATION FROM CSAG-5 (SUBURBAN AGRICULTURE – 5 ACRE) TO CR-3 (ONE-FAMILY RESIDENTIAL) OF CERTAIN PROPERTY IN THE COLUMBIA FALLS ZONING DISTRICT DESCRIBED AS LOTS 1, 2 & 3 OF LOEFFLER RIDGE SUBDIVISION AND TRACTS 7B & 7BB LOCATED IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED ON EXHIBIT “B” ATTACHED HERETO.

WHEREAS, Avi Bree Real Estate Holdings, LLC, the purported owner of the property, has requested a zone change from CSAG-5 (Suburban Agriculture – 5 Acre) to CR-3 (One-Family Residential) for certain real property more particularly described on Exhibit “B” attached hereto;

WHEREAS, said zone change request was considered by the Columbia Falls Planning Office in Report #CZC-08-03, dated August 6, 2008, wherein it was recommended that said request be approved subject to certain conditions; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board and Zoning Commission in a public hearing at its regularly scheduled meeting on August 12, 2008, and the Commission recommended approval of said change in zoning classification subject to certain conditions; and

WHEREAS, the Columbia Falls Planning Office on August 27, 2008, revised Staff Report #CZC-08-03, to reflect recommendations made by the Planning Board; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Tuesday, September 2, 2008, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board and Zoning Commission, the revised report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the zoning change, subject to certain conditions, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-08-03, dated August 27, 2008, reflecting certain changes and including the

conditions set forth on Exhibit "A", attached hereto, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the zoning classification is hereby changed from CSAG-5 (Suburban Agriculture – 5 Acre) to CR-3 (One-Family Residential) for certain real property, consisting of approximately 48.5 acres, more particularly described in Exhibit "B" attached hereto.

Section Three. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Four. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Five. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1. The site must be overlaid with a Planned Unit Development to permanently set-aside sensitive areas such as floodplain, steep slopes and forested areas.
2. Municipal water and sewer must be provided when development occurs that makes use of any density that is greater than one acre lots.
3. Areas along the river must not be developed with structures closer than 125 feet of the high point of the slope adjacent to the Flathead River bank.
4. The intersection of River Road with Highway 2 must be moved to the east side of Tract 7B.
5. River Road should be reconstructed at a location south east of the current location a sufficient distance to significantly reduce the opportunity for vehicles to encounter the steep bank of the Flathead River.
6. Lot 1 and Tract 7BB must be developed in a manner that provides a landscape buffer along their respective western and southern borders where they abut developed parcels that possess a density less than that permitted by R3 zoning.
7. The hill along the north east side of Tract 7B should be maintained to a height to shield view of the development in a manner that protects the view shed for traffic on Highway 2.

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP TO ALLOW THE DEVELOPMENT OF A PLANNED UNIT DEVELOPMENT (PUD) (KNOWN AS RIVER HIGHLANDS) OVERLAY OVER THE EXISTING CR-3 (ONE-FAMILY RESIDENTIAL) ZONING, WHICH PROPERTY IS LOCATED IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, MORE PARTICULARLY DESCRIBED IN EXHIBIT "B" ATTACHED HERETO.

WHEREAS, Avi Bree Real Estate Holdings, LLC, the purported owner of the property, has requested an amendment to the Columbia Falls zoning map to allow the development of a Planned Unit Development (PUD) overlay zone for approximately 48.5 acres of land presently zoned CR-3 (One-Family Residential) to allow the construction of about 146 units on about 30 acres or about 4.8 units per acre.

WHEREAS, said PUD request was considered by the Columbia Falls Planning Office in Report #CPUD-08-01 dated August 6, 2008, wherein it was recommended that said request be approved, subject to certain conditions; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board and Zoning Commission in a public hearing at its regularly scheduled meeting on August 12, 2008, and the Commission recommended approval of said change in zoning classification subject to certain conditions; and

WHEREAS, the Columbia Falls Planning Office revised Report #CPUD-08-01 on August 27, 2008, to reflect the recommendations made by the Planning Board and Zoning Commission, subject to certain conditions; and

WHEREAS, a hearing on said zone change was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Tuesday, September 2, 2008, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Planning Board and Zoning Commission, the report of the Columbia Falls Planning Office, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the PUD request, subject to certain conditions, is in the best interest of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact: That the Columbia Falls Planning Office Report #CZC-08-03, dated August 27, 2008, reflecting certain changes and including the conditions set forth on Exhibit "A", attached hereto, is hereby adopted by the Council as findings of fact with respect to said zone change request.

Section Two. Change in Zoning Classification: That the requested Planned Unit Development (PUD) overlay on property presently zoned CR-3 (One-Family Residential) to allow the construction of about 146 units on about 30 acres, or about 4.8 units per acre, and other improvements, is hereby approved. Said property is more particularly described in Exhibit "B" attached hereto.

Section Three. All documents included in the site plan and the recommendations of the Planning Department are hereby incorporated by reference.

Section Four. The Council finds that the proposal complies with Chapter 18.348 of the Columbia Falls Area Zoning Regulations, and that the proposal results in a more efficient use of the land than is otherwise permissible.

Section Five. Inconsistent Provisions: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section Six. Severability: The provisions of this Ordinance are severable. If any provision of this Ordinance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision.

Section Seven. Effective Date: This Ordinance shall become effective thirty (30) days after its final passage and approval by the City Council of the City of Columbia Falls, Montana.

PASSED AND APPROVED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008, THE COUNCIL VOTING AS FOLLOWS:

AYES:

NOES:

ABSENT:

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS ____ DAY OF _____, 2008.

Mayor

ATTEST:

City Clerk

EXHIBIT "A"

1. The project shall be built in substantial compliance with the submitted "Planned Unit Development Plan for River Highlands", plan dated June 28, 2008, as prepared by SITESCAPE Associates except as modified by a preliminary plat or as modified below.
2. All lots within the development must meet the Design Standards of the Columbia Falls Subdivision Regulations.
3. All lots with the development will conform to the Columbia Falls Zoning Regulations for R3 Districts with the following exceptions:
 - a. Lot size may vary in area and front yard width but changes in size and widths shall transition across multiple adjacent lots along the same side of the same street; not less than four lots and not more than twenty percent (20%) change across the four lots.
 - b. Single family lots shall be a minimum of 6,000 square feet (sf) in area and possess at least thirty foot of street frontage.
 - c. Townhouse sublots shall be a minimum of 2,000 sf in area and possess at least thirty foot of street frontage.
 - d. Multifamily structures, bearing more than four units, and commercial structures shall adhere to the small building standards of the zoning regulations.
 - e. Lots that have a rear yard abutting a designated open space or project border buffer may have a rear yard setback of fifteen feet.
 - f. Lots that have a rear yard abutting an alley shall have on-lot parking and garages that access from the alley.
 - g. Lots possessing an area of less than 6,000 sf may cover up to fifty percent (50%) of the lot with structures.
 - h. At the time of preliminary plat application, the plat shall include a revised PUD plan showing building envelope plan for each lot and upon approval of the preliminary plat the PUD plan shall be modified to show these building envelopes. This final PUD plan shall be filed in conjunction with the approved final plat.
 - i. Use of commercial building(s) shall be limited to permitted uses allowed in B1 Neighborhood Business Zoning and recreational facilities that are open, as a minimum, to use or membership of the residents of the PUD.
4. The entire site shall be provided municipal water and sewer provided by the City of Columbia Falls.
5. Single lots or building that front River Road shall have vehicle access only to side streets.
6. Parking on River Road shall be prohibited and so signed.
7. All drive accesses and alleys shall be paved.
8. Storm water shall be maintained and disposed of on-site based on an engineered plan approved by the City of Columbia Falls prior to construction or significant site disturbance. The storm water management design shall include elements that assure that all design runoff can be effectively diverted away from the steep slopes and the Flathead River.

9. The existing trees, scrubs and grass shall be maintained in the following manner during construction of public infrastructure:
 - a. Any disturbance within the public right-of-way or public access area shall be the minimum necessary to allow construction of required improvements and with prior consent of the City. Construction limits shall be clearly staked in the field prior to commencing any work; staking shall be maintained while construction is in progress.
 - b. Areas disturbed but not covered with surface infrastructure shall be restored to conditions that provide ground cover to resist dust and weed infestations.
 - c. Set-aside areas outside the approved construction limits shall not be disturbed, nor used as a storage or parking area.
 - d. All disturbed areas shall be monitored to assure that noxious weeds are eradicated.

10. A Non-Motorized Trail System shall be developed and constructed within the PUD and the designated open space areas that meet the following requirements:
 - a. The Non-Motorized Trail System shall be located where the current River Road pavement is located.
 - b. The applicant shall either construct a path along the entire length of the north side of the site, adjacent to Highway 2, or pay a cash-in-lieu sufficient to allow for construction of this segment of a future Non-Motorized Trail System link.
 - c. The north end of the trail shall provide a minimum of six parking spaces within the current River Road approach to Highway 2.

11. Residential units constructed throughout the site shall be constructed as prescribed herein:
 - a. The outward appearance of the building shall reasonably conform to the elevation views provided with the PUD submittal.
 - b. Adjacent structures shall be dissimilar in vertical and horizontal configuration.

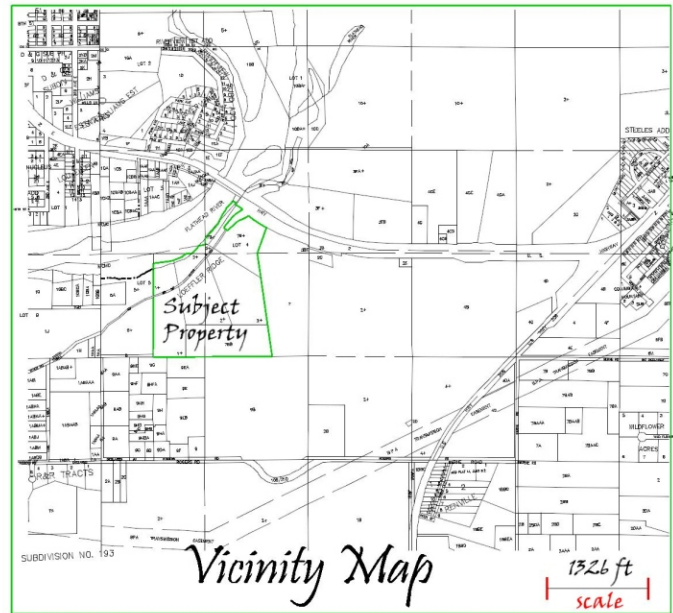
12. Buildings shall conform to the following minimum requirements:
 - a. Building shall not be sited outside the buildable limits shown on the final PUD Plan submitted with the final plat submittal.
 - b. Every building shall be constructed in accordance with City building codes.
 - c. Use and construction on all lots shall conform to the stipulation of the underlying zoning except as modified by the approved PUD conditions.

13. All land within the subdivision not platted in lots or public right-of-way shall be managed in the following manner:
 - a. Such lands shall be enrolled in a conservation easement, or similar instrument approved by the City attorney and held by the City or an approved private entity.

- b. Maintenance of the open space shall be the responsibility of the Home Owners Association approved by the City. Stipulation of such an assignment shall include provisions that the governing jurisdiction may file a lien against Home Owners property with the PUD for failure to provide maintenance of the open space.
 - c. Such area shall be maintained using native species commonly found therein prior to issuance of preliminary plat.
 - d. Noxious weeds shall be controlled and eradicated.
14. All utilities including electrical, telephone and cable shall be placed underground.
15. All conditions must be complied with prior to the issuance of an occupancy permit by the Building Inspector. If certain conditions such as paving or landscape improvements cannot be reasonably complied with because of unforeseen circumstances, such as winter conditions, the applicant may, upon prior approval of the City Manager, post a bond or financial security found to be acceptable by the City Manager and equal to 125% of the cost of the improvements as certified by a licensed engineer or where appropriate, a landscape architect.
16. The subdivision plat, dedications, covenants and other agreements relative to the River Highlands PUD shall be recorded in the Office of the County Clerk and Recorder. These documents shall also include those that create automatic membership in a non-profit homeowners' association or corporation to be formed to control, develop, and maintain common areas, properties and facilities. These documents shall also place title to any common property or facilities in the association or corporation.
17. Any commercial developments are limited to the intent and uses permitted in a B-1 zoning district.
18. The covenants for the development shall include the following language: " No agricultural or farming operation, place, establishment, or facility or any of its appurtenances or the operation thereof is or becomes a public nuisance because of the normal operation thereof as a result of changed residential or commercial conditions in or around its locality if the agricultural or farming operation, place, establishment, or facility has been in operation longer than the complaining resident has been in possession or commercial establishment has been in operation."¹
19. Fishing site access shall be provided internally within River Highlands PUD. Existing access will be closed subject to MDT approval.
20. East and South buffer areas shall be increased by a minimum of 5 feet.
21. One access will be eliminated onto River Road contingent upon review and approval of Columbia Falls emergency services.

¹ 45-8-111. Public nuisance.

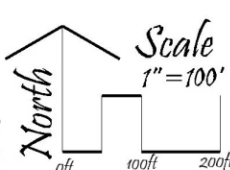
22. Buffers and barriers created with natural vegetation shall be encouraged. Fences shall not be allowed within the rear and front setbacks.



River Highlands

Planned Unit Development
Columbia Falls, Montana
Owner/Developer: Avi Bree Real Estate Holdings LLC

Total Property Area = 48.41 Acres, Existing Loeffler Ridge Subdv. (5 Lots)
Existing Zoning = CSAG-5
Growth Policy = Suburban Residential, 3-8 du/AC
Proposed Zoning = CR-3 w/ PUD Overlay
Total Residential Units = 151, Density = 3.12 du/ac
Total Single-Family Lots 77 Lots = 51% Total Units
Total Townhouse Lots = 31 Lots = 20.5% Total Units
Total Condominiums = 30 Units = 19.9% Total Units
Total Cabins - 13 Units = 8.6% Total Units (.23 Acre Total = .48%)
Total Area in Single-Family Lots = 16.04 Acres = 33.1%
Total Area in Townhouse Lots = 2.19 Acres = 4.5%
Total Area in Condos = .52 Acres = 1.0%
Total Area Village Market Site = .82 Acres = 1.7%
Total Area in Road Right-of-Way = 9.55 Acres = 19.7%
Total Area in Road Pavement = 5.68 Acres = 11.7% (36' boc to boc typ.)
Total Area in Open Space = 14.84 Acres = 30.7% (not incl. parkways)
Total Area in Roadway Landscaped Parkways = 1.66 Acres = 3.45%
Total Area in Clubhouse, Cabin, Condo Parking/access = 4.2 Acres = 8.8%
Total Length River Path = 1676 LF = .32 Miles (10 ft width)
Total Length River Access Path = 817 LF = .15 Miles (6 ft width)
5' Sidewalks on both sides of street except S side of New River Road



- Soil profile. See soil profile log, supplement to this topographic map.
- Found 2" diameter Montana Department of Transportation aluminum cap.
- Found 3/4" diameter rebar, no cap.
- Found 1" diameter, red, plastic cap marked, "LARSSEN 9250ES".
- Projected position from the Subdivision Plat of Loeffler Ridge. Monument either not found or under asphalt pavement.
- Deciduous tree, trunk diameter, and species if known.
- Coniferous tree, trunk diameter and species.
- Underground gas line or wire as noted.
- Overhead powerline
- Underground powerline
- Power pole
- Transformer
- Underground phone line
- Phone pedestal
- Post
- Street sign

Sitescape Associates
Brent F. Lott, Landscape Architect
Land Planning & Landscape Architecture
3955 24th Avenue Drive
Columbia Falls, Montana 59712
406.872.9482
Date: 6-28-08

Master Development Plan

River Highlands

Planned Unit Development





Item No.1.

- 293 -







RIVER HIGHLANDS PUD

Overall Site Plan
Project Number: 201111
November 28, 2022



This Document Prepared By:
Fidelity National Title Company of Montana, LLC
284 Flathead Avenue Ste 101
Whitefish, MT 59937

After Recording Return To:
Matt Fritter
River Highlands LLC
2404 Lewis Grove Lane
Raleigh, NC 27608

Order No.: FT1585-213257-TD

Recorded by Fidelity National Title

FNT 1585-213257

WARRANTY DEED

For Value Received Flathead Mountain River, LLC, a Montana limited liability company, the grantor(s), do(es) hereby grant, bargain, sell and convey unto River Highlands LLC, a Montana limited liability company, of 2404 Lewis Grove Lane, Raleigh, NC 27608, the grantee(s), the following described premises, in Flathead County, Montana, to wit:

Tract 1:

Lots 1, 2, and 3 of Loeffler Ridge, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Tract 2:

Tract 3 of Certificate of Survey No. 14045, located and being in North Half of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana

Tract 3:

Tract 2 (North) and Tract 2 (South) of Certificate of Survey No. 14045, located and being in Government Lot 4 and the Northeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana.

TO HAVE AND TO HOLD unto the Grantee and to the heirs and assigns forever, subject, however, to:

- A. All reservations and exceptions of record and in patents from the United States or the State of Montana;
- B. All existing easements and rights of way of record, building, use zoning, sanitary and environmental restrictions;
- C. Taxes and assessments for the year 2021 and subsequent years;
- D. All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons;

Except with reference to items referred to in paragraphs above, this Deed is given with the usual covenants expressed in §30-11-110, Montana Code Annotated.

This conveyance is made and accepted upon the express agreement that the consideration heretofore paid constitutes an adequate and full consideration in money or money's worth.

Approved 12/01/2021 sa 0004299, 0004300, 0004302, 0007578, 0506850



WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Flathead Mountain River, LLC, a Montana limited liability company

BY: [Signature]
G. Stacy Smith
Member

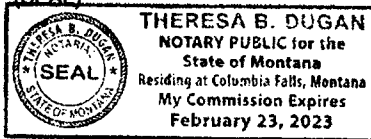
State of MT

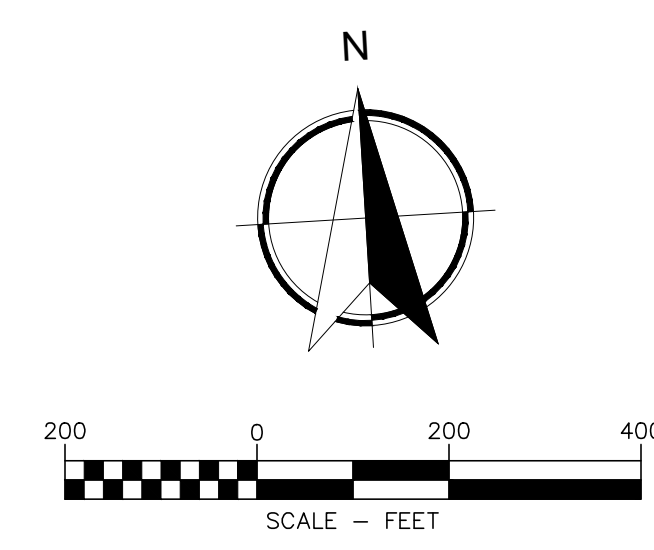
County of Flathead

This instrument was acknowledged before me on Nov. 24th, 2021 by G. Stacy Smith,
Member of Flathead Mountain River, LLC, a Montana limited liability company.

[Signature]
Notary Public for the State of _____
Residing at _____
My Commission Expires: _____

(SEAL)



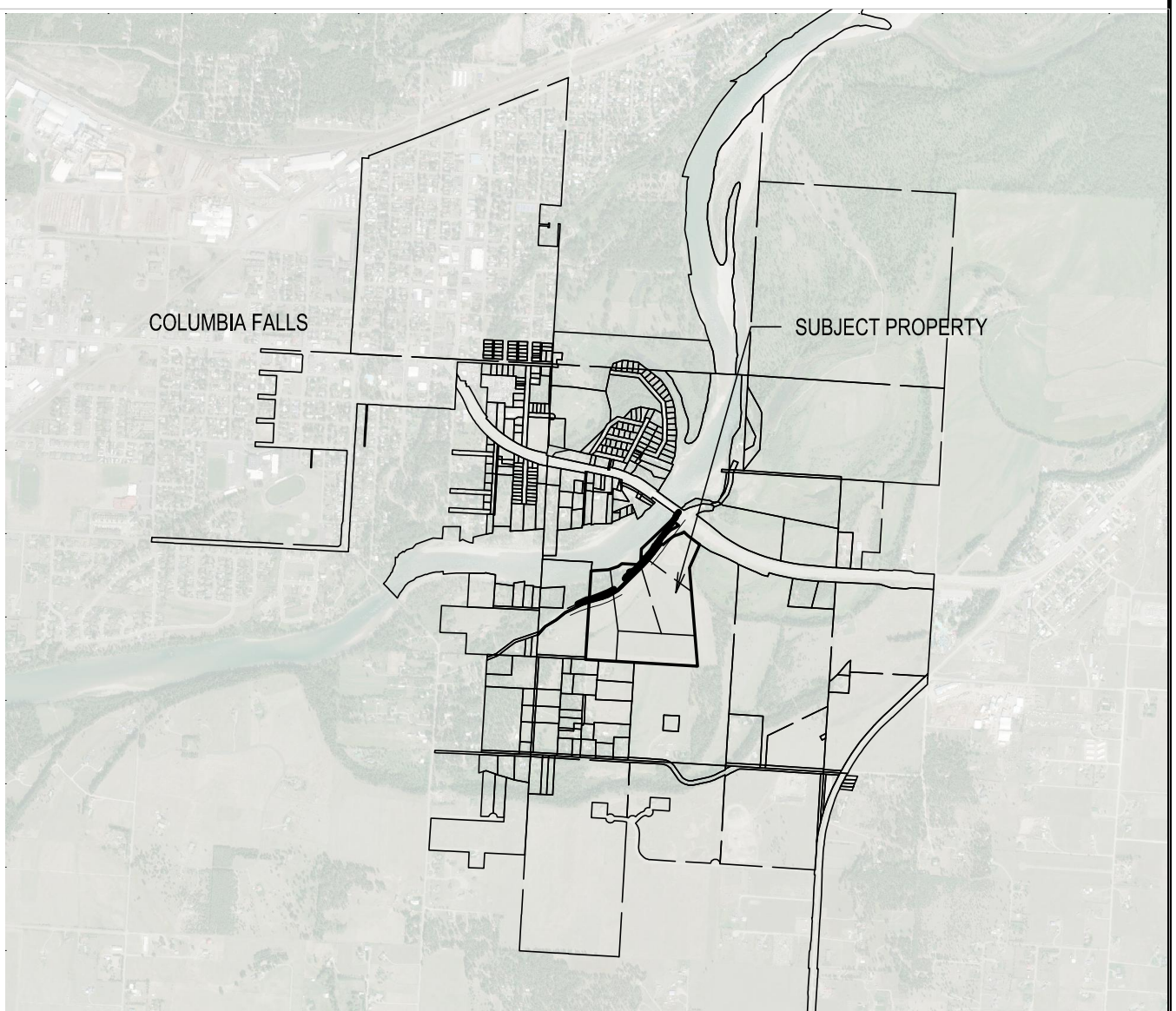




WGM GROUP
WWW.WGMGROUP.COM
431 1ST AVENUE WEST
KALISPELL, MT 59901
TEL: 406-756-4848

CONCEPTUAL

VICINITY MAP
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA



REVISIONS:

NO.	DESCRIPTION	DATE

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

SHEET 1 OF 1

FILE: W:\Projects\201111\CAD Data Design\201111_Base-P.dwg

**WAIVER OF PROTEST TO FORMATION AND
PARTICIPATION IN A SPECIAL IMPROVEMENT DISTRICT
MCA 7-12-4110**

The undersigned River Highlands LLC (owner or company name) hereinafter referred to as OWNER has requested and received the consideration and approval of the City of Columbia Falls to develop improvements within the City, on private real property as the legally described as follows:

Legal Description: Exact Legal Description of Record located in Lots 4 & 5 and the North 1/2 of the SW ¼ of Section 16, T 30 N, R 20 W, P.M.M., Flathead County, Montana.

The City has approved the requisite stormwater facilities to be constructed upon the real property owned by the OWNER upon the conditions that 1) the OWNER shall adequately maintain the stormwater facilities pursuant to City standards and the applicable Stormwater Maintenance Permit and that 2) OWNER shall waive for itself and all future owners, the statutory right the OWNER has to protest a future special improvement district as afforded by MCA 7-12-4110 for the maintenance or the reconstruction of the stormwater facilities serving the property in the event the OWNER fails in its maintenance obligation.

The OWNER, therefore, in consideration for the City's approval of its requisite stormwater facility design, hereby waives right to protest the formation by the City of Columbia Falls of a special improvement district pursuant to Title 7 Chapter 12 of Montana Code Annotated which the OWNER may have or may hereafter acquire, and waive any and all right to protest any attempt or proceedings made by or on behalf of the City of Columbia Falls to form such special improvement district.

The OWNER further agrees that this Waiver to Protest to the formation of a Special Improvement District is a covenant upon the above described real property which shall run to, with, and be binding upon the title of the said real property, and shall be binding upon any heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the above described real property.

Dated this ____ day of _____, 20__

OWNER (if owned jointly or as cotenants, each owner must sign or if signing for a corporation, LLC, or other legal entity must provide the source of the authority to bind the company)_____

STATE OF MONTANA)
 : ss
County of Flathead)

On this _____ day of _____, _____, before me, the undersigned, a Notary Public for the State of Montana, personally appeared _____ known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.

Notary Public, State of Montana
Printed Name: _____
Residing at _____
My Commission expires: _____

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: 0506850, 0004302, 0004300, 0004299, 0007578

Legal Description: Section 16, T30N, R20W, Lots 1, 2, & 3 of Loffler Subdivision & Tracts 7B and 7BB, Flathead County, Montana

Tracts / Lots & Subdivision: Tracts 7B and 7BB and Lots 1-3 of Loeffler Ridge Subdivision

Section-Township-Range 16-30-20

Proposed land use: CR-3

Current zoning: CR-3

Owner's Legal Name as recorded on deed: River Highlands LLC

Mailing Address: 2404 Lewis Grove Ln, Raleigh NC 27608

Phone Number: 406-249-5783

Owner's signature:  Date 5/27/2022

Owner's signature: _____ Date _____

Owner's signature: _____ Date _____

Attach:

- 1.) Deed
- 2.) Map
- 3.) Completed Waiver of Protest to Creation of Special Improvement District



Debbie Pierson, Flathead County MT by SM

202100041496

Page: 1 of 2

Fees: \$16.00

12/1/2021 3:55 PM

Item No.1.

Approved 12/01/2021 sa 0004299, 0004300, 0004302, 0007578, 0506850

This Document Prepared By:
Fidelity National Title Company of Montana, LLC
284 Flathead Avenue Ste 101
Whitefish, MT 59937

After Recording Return To:
Matt Fritter
River Highlands LLC
2404 Lewis Grove Lane
Raleigh, NC 27608

Order No.: FT1585-213257-TD

Recorded by Fidelity National Title

FNT 1585-213257

WARRANTY DEED

For Value Received Flathead Mountain River, LLC, a Montana limited liability company, the grantor(s), do(es) hereby grant, bargain, sell and convey unto River Highlands LLC, a Montana limited liability company, of 2404 Lewis Grove Lane, Raleigh, NC 27608, the grantee(s), the following described premises, in Flathead County, Montana, to wit:

Tract 1:

Lots 1, 2, and 3 of Loeffler Ridge, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana

Tract 2:

Tract 3 of Certificate of Survey No. 14045, located and being in North Half of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana

Tract 3:

Tract 2 (North) and Tract 2 (South) of Certificate of Survey No. 14045, located and being in Government Lot 4 and the Northeast Quarter of the Southwest Quarter of Section 16, Township 30 North, Range 20 West, P.M.,M., Flathead County, Montana.

TO HAVE AND TO HOLD unto the Grantee and to the heirs and assigns forever, subject, however, to:

- A. All reservations and exceptions of record and in patents from the United States or the State of Montana;
- B. All existing easements and rights of way of record, building, use zoning, sanitary and environmental restrictions;
- C. Taxes and assessments for the year 2021 and subsequent years;
- D. All prior conveyances, leases or transfers of any interest in minerals, including oil, gas and other hydrocarbons;

Except with reference to items referred to in paragraphs above, this Deed is given with the usual covenants expressed in §30-11-110, Montana Code Annotated.

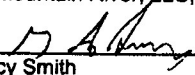
This conveyance is made and accepted upon the express agreement that the consideration heretofore paid constitutes an adequate and full consideration in money or money's worth.



WARRANTY DEED
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

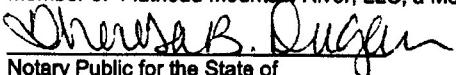
Flathead Mountain River, LLC, a Montana limited liability company

BY: 
G. Stacy Smith
Member

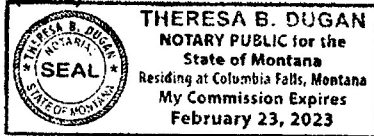
State of MT

County of Flathead

This instrument was acknowledged before me on Nov. 24th, 2021 by G. Stacy Smith,
Member of Flathead Mountain River, LLC, a Montana limited liability company.

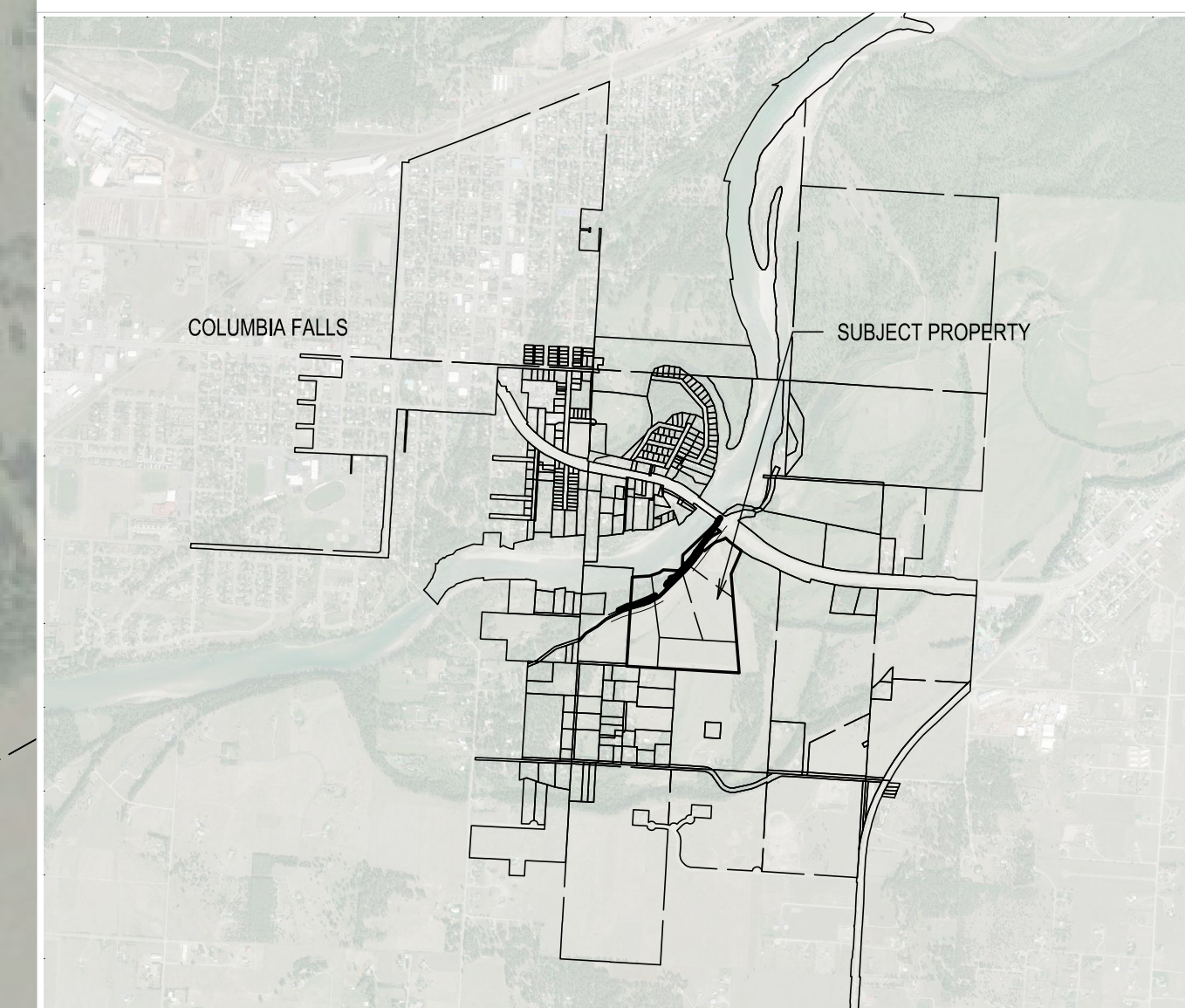

Notary Public for the State of _____
Residing at _____
My Commission Expires: _____

(SEAL)





CONCEPTUAL



VICINITY MAP
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

[illegible]

1 OF 1

File: W:\Projects\201111\CAD Data\Design\201111 Base-P.dwg

**WAIVER OF PROTEST TO FORMATION AND
PARTICIPATION IN A SPECIAL IMPROVEMENT DISTRICT
MCA 7-12-4110**

The undersigned River Highlands LLC (owner or company name) hereinafter referred to as OWNER has requested and received the consideration and approval of the City of Columbia Falls to develop improvements within the City, on private real property as the legally described as follows:

Legal Description: Exact Legal Description of Record located in Lots 4 & 5 and the North 1/2 of the SW ¼ of Section 16, T 30 N, R 20 W, P.M.M., Flathead County, Montana.

The City has approved the requisite stormwater facilities to be constructed upon the real property owned by the OWNER upon the conditions that 1) the OWNER shall adequately maintain the stormwater facilities pursuant to City standards and the applicable Stormwater Maintenance Permit and that 2) OWNER shall waive for itself and all future owners, the statutory right the OWNER has to protest a future special improvement district as afforded by MCA 7-12-4110 for the maintenance or the reconstruction of the stormwater facilities serving the property in the event the OWNER fails in its maintenance obligation.

The OWNER, therefore, in consideration for the City's approval of its requisite stormwater facility design, hereby waives right to protest the formation by the City of Columbia Falls of a special improvement district pursuant to Title 7-Chapter 12 of Montana Code Annotated which the OWNER may have or may hereafter acquire, and waive any and all right to protest any attempt or proceedings made by or on behalf of the City of Columbia Falls to form such special improvement district.

The OWNER further agrees that this Waiver to Protest to the formation of a Special Improvement District is a covenant upon the above described real property which shall run to, with, and be binding upon the title of the said real property, and shall be binding upon any heirs, assigns, successors in interest, purchasers, and any and all subsequent holders or owners of the above described real property.

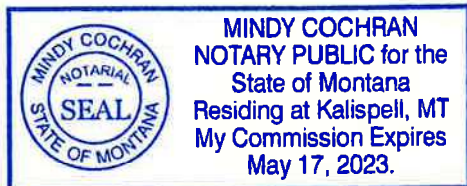
Dated this 31 day of May, 2022

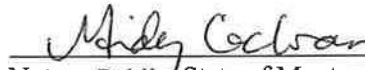

 OWNER (if owned jointly or as cotenants, each owner must sign or if signing for a corporation, LLC, or other legal entity must provide the source of the authority to bind the company) _____

STATE OF MONTANA)
 : SS
 County of Flathead)

On this 31 day of May, 2022, before me, the undersigned, a Notary Public for the State of Montana, personally appeared James Barnett known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notary Seal the day and year in this certificate first above written.




 Notary Public, State of Montana
 Printed Name: Mindy Cochran
 Residing at Kalispell, MT
 My Commission expires: May 17, 2023

PUD LEGEND

TOTAL AREA: 49.10 AC

TOTAL APARTMENT UNITS: 162 DU

TOTAL SINGLE FAMILY ATTACHED: 98 DU

TOTAL SINGLE FAMILY DETACHED: 83 DU

TOTAL UNITS: 343 DU

TOTAL DENSITY: 7 DU/ACRE

TOTAL MF LOT AREA: 8.30 AC

TOTAL SF LOT AREA: 11.03 AC

TOTAL RESIDENTIAL LOT AREA: 19.33 AC

TOTAL AREA IN ROW: 9.72 AC

INTERNAL OPEN SPACE: 10.19 AC

CONSERVATION AREA: 4.18 AC

TOTAL COMMUNITY PARK AREA: 5.18 AC

TOTAL OPEN SPACE AREA: 19.55 AC
(39.8% OPEN SPACE)



RIVER HIGHLANDS PUD

Overall Site Plan
Project Number: 201111
November 30, 2022



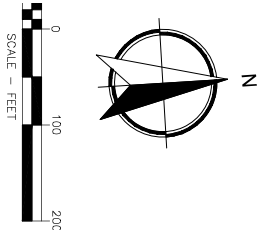
PHASING PLAN

RIVER HIGHLANDS

COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: ---
LAYOUT: ---
SURVEYED: ---
DESIGN: MJB
DRAFT: JCN
APPROVE: MJB
DATE: ---



- PHASE 1 (2023-2024)
- 126 APARTMENT UNITS
- 29 ATTACHED SF UNITS
- 1 CLUBHOUSE

PHASE 2 (2024-2025)

- 12 ATTACHED SF UNITS
- 17 DETACHED SF UNITS

PHASE 3 (2024-2025)
- 21 ATTACHED SF UNITS
- 20 DETACHED SF UNITS

PHASE 4 (2025-2026)
- 36 APARTMENT UNITS
- 24 ATTACHED SF UNITS

PHASE 5 (2026-2027)

- 6 ATTACHED SF UNITS
- 21 DETACHED SF UNITS

PHASE 6 (2026-2027)
- 6 ATTACHED SF UNITS
- 24 DETACHED SF UNITS

PHASE P

- 5.18 AC OF PARKLAND
- 4.18 AC UNDISTURBED

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

PRELIMINARY PLAT LAYOUT
RIVER HIGHLANDS
COLUMBIA FALLS, MONTANA

REVISIONS:		
NO.	DESCRIPTION	DATE

PROJECT: 201111
LAYOUT: ----
SURVEYED: ----
DESIGN: MJB
DRAFT: JCN
APPROVE: MJB
DATE:

NOVEMBER 2022

CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING
The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on Tuesday, January 10, 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 at a special meeting on January 30, 2023 starting at 7:00 p.m. in the same location.

Request for a Planned Unit Development (PUD) for the River Highlands Development:
James Barnett, on behalf of River Highlands LLC, is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction called River Highlands. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 83 detached single family homes; 98 attached single family townhomes, 162 apartment units. The total unit count is 343 units on 49.1 acres gross for a density of 6.9 units per acre. The applicant is proposing 19.55 acres (40%) of the site as park and open space. With the project, the applicant is proposing to move River Road further east on Highway 2 and, if supported by MDOT, the applicant would install a traffic signal at Highway 2 and River Road. The applicant is not requesting any deviations other than the clustering of density and the density bonus provided by the PUD regulations.

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

Persons are encouraged to submit written comments prior to the meeting. Written comments carry the same weight as public testimony given during the

Item No.1.

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. 29106**

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 DECEMBER 25, 2022

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

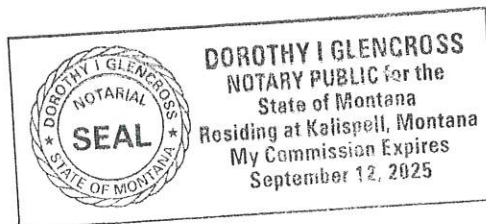
Mary Booth

Subscribed and sworn to
Before me this, December 25, 2022

Dorothy I. Glencross

Dorothy I. Glencross

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





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

Planning Department

PHONE (406) 892-4391

FAX (406) 892-4413

Item No.1.

December 19, 2022

Re: Public hearing notice for a PUD and Subdivision located at 264, 316, 378, 494 River Road in Columbia Falls.

Dear Adjacent Property Owner:

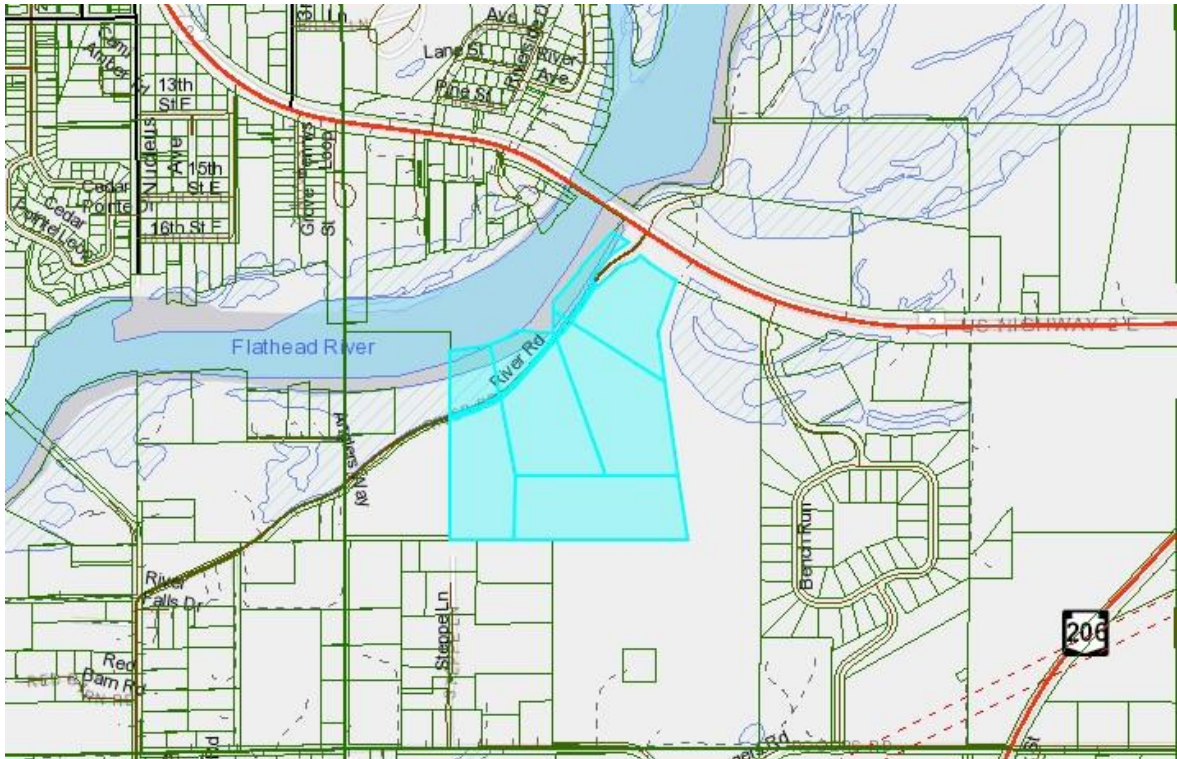
Our records indicate that you are the owner of property within 150-feet of the proposed project.

As the Planning Staff for the Columbia Falls Planning Jurisdiction, I am writing to provide you with notice of a public hearing for a Planned Unit Development and Subdivision. The PUD will overlay the existing CR-3 zoning classification and allow the development of 343 units on 49.1 acres gross for a density of 6.9 units per acre. The applicant is proposing 19.55 acres (40%) of the site as park and open space. The unit mix consists of 83 detached single family homes; 98 attached single family townhomes, 162 apartment units. The development will occur in phases and could take six or more years to complete. With the project, the applicants are proposing to move River Road further east on Highway 2 and install a traffic signal at Highway 2 and River Road. The PUD/subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path.

If you have questions or comments concerning this matter, please call, visit, or write me at City Hall. For written comment to be included in the Planning Board packet, it needs to be submitted to the City Clerk, 130 6th Street West, Columbia Falls, MT 59912 no later than Tuesday, January 3, 2023 or by email: staalandb@cityofcolumbiafalls.com. Written or emailed comments may be provided up to 5:00 pm on the day of the hearing; it will just be emailed and/or passed out at the hearing.

Sincerely,

Eric H. Mulcahy, City Planner



CITY OF COLUMBIA FALLS
NOTICE OF PUBLIC HEARING

The Columbia Falls City-County Planning Board will hold a public hearing for the following items at their regular meeting on **Tuesday, January 10, 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 at a special meeting on January 30, 2023 starting at 7:00 p.m. in the same location.

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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 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 River Highlands Development, please call Eric Mulcahy, Columbia Falls City Planner at 755-6481.

DATED this 15th day of December, 2022

Eric Mulcahy

From: Kristian Jackola <k_jackola@cfmtschoools.net>
Sent: Tuesday, December 20, 2022 3:52 PM
To: Eric Mulcahy
Subject: Re: Agency Comment for River Highlands PUD and Subdivision.

We have bus service to this area, and have no objection to the project.

Thanks,

Kristian Jackola

On Fri, Dec 16, 2022 at 9:12 AM Eric Mulcahy <eric@sandssurveying.com> wrote:

Good Morning Kristian,

I am the contract Planner for the City of Columbia Falls and we received an application for a subdivision and PUD. I attached a description and some maps of the subdivision/PUD and we are seeking agency comment on the application. This development was also reviewed earlier this year and Superintendent Wick commented at the time that the school district could accommodate the students. When the application received negative comment from the Planning Board the applicants withdrew the application and reduced the density to the attached submittal. Please provide any comment you might have by December 28th so that I can include it with the staff report. Thank you for your time and please let me know if you have any questions.

Eric H. Mulcahy, AICP

Sands Surveying, Inc

(406) 755-6481

eric@sandssurveying.com

2 Village Loop

Kalispell, MT 59901

Eric Mulcahy

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Friday, December 16, 2022 9:13 AM
To: k_jackola@cfmthschools.net
Cc: Susan Nicosia; sobczakc@cityofcolumbiafalls.com; eric@sandssurveying.com
Subject: Agency Comment for River Highlands PUD and Subdivision.
Attachments: River Highlands Agency Referral Bindrer.pdf

Good Morning Kristian,

I am the contract Planner for the City of Columbia Falls and we received an application for a subdivision and PUD. I attached a description and some maps of the subdivision/PUD and we are seeking agency comment on the application. This development was also reviewed earlier this year and Superintendent Wick commented at the time that the school district could accommodate the students. When the application received negative comment from the Planning Board the applicants withdrew the application and reduced the density to the attached submittal. Please provide any comment you might have by December 28th so that I can include it with the staff report. Thank you for your time and please let me know if you have any questions.

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

2 Village Loop
Kalispell, MT 59901

Eric Mulcahy

From: David Prunty <dprunty@flathead.mt.gov>
Sent: Tuesday, December 13, 2022 9:33 AM
To: 'Eric Mulcahy'
Subject: RE: Request for Agency Comment on River Highlands

Thanks....I'll take a read and send something back if needed.

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

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Tuesday, December 13, 2022 8:51 AM
To: David Prunty <dprunty@flathead.mt.gov>
Subject: RE: Request for Agency Comment on River Highlands

Hi David,
 Attached is the updated TIS for the River Highlands Subdivision.

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

2 Village Loop
 Kalispell, MT 59901

From: David Prunty <dprunty@flathead.mt.gov>
Sent: Tuesday, December 13, 2022 8:20 AM
To: 'Eric Mulcahy' <eric@sandssurveying.com>
Subject: RE: Request for Agency Comment on River Highlands

Good morning Eric:

Thanks for discussing this subdiv application with me yesterday. I also spoke to Rebecca at MDT on it. As I said previously this proposal will turn River Road into a City of C Falls street at the annexation boundary. We will have County citizens driving through the road just like we do on any of the three cities streets. In the discussion regarding a light at the intersection with Hwy 2 I would believe it is a good mitigation improvement providing warrants are met. The realignment of River Road further to the east also appears to be a good improvement to be further away from the bridge.

I would anticipate a TIS will be provided or modified from the previous application. I would like to get a copy of that document and may have further comments after my review.

Thanks again for the opportunity to comment on this application....

David Prunty

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

From: Eric Mulcahy <eric@sandssurveying.com>

Sent: Monday, December 12, 2022 1:53 PM

To: 'Burton, Stevie' <Stevie.Burton@mt.gov>; Franke, Rebecca <rfranke@mt.gov>; David Prunty <dprunty@flathead.mt.gov>; Montana.Reg@usace.army.mil; 'Susan Nicosia' <nicosia1962@icloud.com>; sobczakc@cityofcolumbiafalls.com

Cc: eric@sandssurveying.com

Subject: Request for Agency Comment on River Highlands

Good afternoon,

I am the Planning Consultant for the City of Columbia Falls. We have a PUD and subdivision proposed within our jurisdiction and are seeking comment from applicable agencies. Attached are a cover letter and maps of the proposed subdivision. Please let me know if you have any questions. Responses are due by December 28th. Thank you for your time.

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

2 Village Loop
Kalispell, MT 59901

Eric Mulcahy

From: Franke, Rebecca <rfranke@mt.gov>
Sent: Tuesday, December 13, 2022 10:00 AM
To: Eric Mulcahy
Cc: Axline, Kira; Hoerner, Joel; Juelfs, Justun; Vosen, Bob
Subject: RE: [EXTERNAL] Request for Agency Comment on River Highlands

Eric,

Thank you for contacting the Montana Department of Transportation (MDT) regarding the PUD and subdivision proposal for River Highlands, east of Columbia Falls. The proposal refers to a 343 unit residential development south of Highway 2 with access via River Road. 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.
- An updated, complete Traffic Impact Study (TIS) will be required. The study should show the traffic distribution and impacts this development will place on state and local roads. The study area must adequately include all known and existing development in the area. The TIS must also identify and propose any mitigation necessary to maintain levels of service and safety. If the development will be phased, the traffic generation and corresponding mitigation must be indicated for each phase.
- Once the TIS is complete, the developer must submit a hydraulics report.
- 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 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



From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Monday, December 12, 2022 1:53 PM
To: Burton, Stevie <Stevie.Burton@mt.gov>; Franke, Rebecca <rfranke@mt.gov>; dprunty@flathead.mt.gov; Montana.Reg@usace.army.mil; 'Susan Nicosia' <nicosia1962@icloud.com>; sobczakc@cityofcolumbiafalls.com
Cc: eric@sandssurveying.com
Subject: [EXTERNAL] Request for Agency Comment on River Highlands

Good afternoon,

I am the Planning Consultant for the City of Columbia Falls. We have a PUD and subdivision proposed within our jurisdiction and are seeking comment from applicable agencies. Attached are a cover letter and maps of the proposed

subdivision. Please let me know if you have any questions. Responses are due by December 28th. Thank you for your time.

Item No.1.

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

2 Village Loop
Kalispell, MT 59901

Eric Mulcahy

From: Eric Mulcahy <eric@sandssurveying.com>
Sent: Monday, December 12, 2022 1:53 PM
To: 'Burton, Stevie'; Franke, Rebecca; dprunty@flathead.mt.gov;
Montana.Reg@usace.army.mil; 'Susan Nicosia'; sobczakc@cityofcolumbiafalls.com
Cc: eric@sandssurveying.com
Subject: Request for Agency Comment on River Highlands
Attachments: River Highlands Agency Referral Bindrer.pdf; 3. VICINITY MAP.pdf

Good afternoon,

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

2 Village Loop
Kalispell, MT 59901



Region One
490 North Meridian Road
Kalispell, MT 59901
(406) 752-5501
Ref:01-01-06
January 6, 2022

Columbia Falls City Hall
Attn: Eric Mulcahy, City Planner
130 6th Street West
Room A
Columbia Falls, MT 59912

RE: Planned Unit Development, River Highlands

Dear Mr. Mulcahy,

Thank you for the opportunity to comment on the proposed Planned Unit Development called The River Highlands. This proposed subdivision would create 343 units inclusive of 83 detached single-family homes, 98 attached single-family townhomes, and 162 apartment units on 49.1 acres. This area is heavily used by wildlife and provides habitat for numerous wildlife species, including white tailed deer, elk, black bears, grizzly bears, and migratory birds. It is characterized by grasslands, mature riparian woodland, and directly abuts the Flathead River. Development of a high-density subdivision on this property will have significant negative impacts to wildlife on this parcel and in the surrounding area. Furthermore, 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.

Deer and Elk Habitat

This area provides wintering habitat for both deer and elk, which require contiguous, unfragmented winter range, rather than relatively small areas surrounded by houses. Numerous studies indicate that development in areas like this fragment habitat with road and building construction, and associated human and domestic pet activity will further impact the area. By way of one example, on whitetail winter range near Kalispell, FWP researchers Carolyn Sime and Eric Schmidt (1999) documented dogs from nearby houses at large. They noted:

“Dogs were photographed up to 2.5 km [1 mi] from the nearest home site. Some dogs were explicitly photographed chasing deer. Individual dogs were photographed in multiple years and on multiple occasions within a single year. One in particular was photographed on 6 different occasions at 5 different sites in 15 days. Two of those sites

were 3 km [1.2 mi] apart. The majority of dogs wore collars (88.5%) and were photographed during daylight (65.9%).”

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

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

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

The proposed project area is also heavily used by a resident elk herd. This parcel is part of a continuous movement corridor for elk, which cross Highway 2 to the north to access larger tracts of available habitat. This lot is a critical connection for elk moving north-south along the river corridor and through the remaining bands of open space and forest. The loss of this habitat will significantly alter movement patterns and may eliminate this habitat for elk security and foraging. Cumulatively, higher density development on this parcel and surrounding parcels will displace elk and eventually block this wildlife movement corridor. A reduction of building density, clustering of units, and consolidation of open space to create a broad movement corridor adjacent to the river would benefit wildlife passage.

Black and Grizzly Bears

In addition to ungulates, the area is used by black and grizzly bears. FWP Grizzly Bear Conflict Biologists have responded to numerous black and grizzly bear conflicts both north and south of highway 2 in this area. Both bear species travel through these larger undeveloped parcels to access the river corridor to the north and south. Development of this area would 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, too often resulting in lethal removal of the bear. The NCDE grizzly bear population remains on the federal Threatened and Endangered Species list.

Riparian Corridor

The northwestern flank of the project borders the Flathead River and a mature riparian corridor that provides habitat for migratory birds and raptors, wildlife cover, and an important corridor for wildlife movement. While the corridor lies outside the proposed building envelope, nearby high density development in the adjacent uplands will reduce the area’s functionality, including its use for wildlife movement. Disturbance, caused by increased human activity and that of unleashed pets, including both dogs and cats, will reduce the areas use by wildlife, including utilization and success of ground and shrub-nesting birds.

Per the Subdivision Recommendations provided by FWP (<https://fwp.mt.gov/conservation/living-with-wildlife/subdivision-recommendations>), we recommend a minimum of 250 feet of vegetated buffer plus 50 additional feet of building setback from the ordinary high-water mark. Total building setback equals at least 300 feet. Vegetated buffer should exclude all development including buildings, roads, trails, and lawn. Within the 50-foot building setback, lawns can be planted, and native vegetation can be removed or otherwise disturbed.

Wildlife Attractants/Wildlife Conflicts/Living with Wildlife

Additional concerns with mountain lions, bears, deer, and other wildlife with development are with attractants that often bring wildlife into conflict with people. Garbage, pet foods, livestock feed, chickens, bird feeders, barbecue grills, and anything that looks or smells like food to a bear is an attractant that brings these animals into contact with people, can result in property damage and too 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. If this development occurs, we recommend that all future property owners in this subdivision be made aware of the potential for wildlife conflicts and be given a copy of the following information. Future homeowners need to be aware that FWP cannot respond to all wildlife problems, and it is the homeowner's responsibility to avoid such problems.

- a) Homeowners must be aware of the potential for vegetation damage by wildlife, particularly from deer feeding on lawns, gardens, flowers, ornamental shrubs, and trees in this subdivision. Homeowners need to take the responsibility to plant nonpalatable vegetation or protect their vegetation (fencing, netting, repellents) in order to avoid problems. Landscape plantings of certain species of native vegetation are less likely to suffer extensive feeding damage by deer. We recommend the excellent booklet, *Minimizing Deer Damage to Residential Plantings*, put out by the Montana State University Animal & Range Sciences Extension Service and available online at: http://www.animalrangeextension.montana.edu/articles/wildlife/deer_damage.htm.
- b) Fruit-producing trees and shrubs should not be allowed because they attract bears. If present, they must be fenced with electric fencing to deter bears. Keep produce and any fruit picked and off the ground. Ripe or rotting fruit or vegetable material attracts bears, deer, skunks, and other wildlife. To help keep wildlife such as deer out of gardens, fences should be 8 feet or taller. Electric fencing for deer should be at a minimum of 8 feet, as well.
- c) Garbage must be stored either in secure, bear-resistant containers or indoors, preferably both, to avoid attracting wildlife such as bears and raccoons. If stored indoors, garbage cans may not be set out until the morning of garbage pickup and must be brought in no later than that same evening. If home sites are occupied seasonally or if the occupants are to be away from the household for 7 days or more, garbage from the home, other buildings, or containers must be removed from the property prior to their departure.

- d) Do not feed wildlife or offer supplements such as salt or mineral blocks, attractants, or bait for deer or other wildlife. Feeding wildlife results in unnatural concentrations of animals that can lead to overuse of vegetation, disease transmission, and other adverse effects to wildlife (such as foundering of deer). Such actions accustom wild animals to humans, which can be dangerous for both. It is against state law (MCA 87-3-130) to purposely or knowingly attract ungulates, bears, or mountain lions with supplemental food attractants (any food, garbage, salt block, hay, grain, or other attractant for game animals) or to provide supplemental feed attractants in a manner that results in “an artificial concentration of game animals that may potentially contribute to the transmission of disease or that constitutes a threat to public safety.” Also, homeowners must be aware that deer 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 will follow the same criteria.
- f) Pets at large, particularly dogs and cats, are a real threat to wildlife. Pets must be confined to the house, a fenced yard, or an outdoor kennel when not under the immediate control of the owner, and not allowed to roam. Under state law it is illegal for dogs to chase hoofed game animals (MCA 87-3-124). Keeping pets confined also helps protect them from predatory wildlife.
- 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 would likely increase localized use of three FWP sites in the area: Teakettle Fishing Access Site, Kokanee Bend Fishing Access Site and Bad Rock Canyon Wildlife Management Area.
- The developer should consider how increased use of these areas will impact overall management and maintenance and work with the managing agencies and county to ensure overall public enjoyment isn’t diminished.

- 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.

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
Region 1 Supervisor

Barb Staaland

RECEIVED

From: Marsha Palmer <marshapalmer570@yahoo.com>
Sent: Thursday, January 5, 2023 1:40 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development

JAN 05 2023

CITY OF COLUMBIA FALLS

Is there some part of "NO" that you don't understand? This was already scrapped once, why is it back again? Sewer under the river? Wildlife habitat-there are deer, elk, eagles, squirrels, many different species that will be pushed out, and where will they be pushed to? The highway, people! What good does it do to ask for public input when you ignore it? The least you can do is have a vote by the residents who live nearby. Please do not approve this catastrophe Sent from my iPhone

5 January 2023

JAN 05 2023

RE: River Highlands Development on River Road

CITY OF COLUMBIA FALLS

The Planning Board should reject the River Highlands application for the following reasons:

1. We don't need it and we don't want it. The City has already approved the 102 unit Garner Heights subdivision, which has yet to be built out, between Meadow Lake and Hilltop. There are also 24 new condo units on Nucleus being built, two 6 plexs on Diane, and the tentative approval of 103 lots in Meadow Lake. There are also numerous individual homes being built in the area, two under construction by my house. There is no need for density housing, and the community made it clear at the last hearing on this property that it does not want high density housing at this location. You work for the citizens of this community, who pay your wages through their taxes. When there is near unanimous consent amongst the citizens against a project, you should deny it.
2. The application is all smoke and mirrors. The developer only commits to building out phase one, which is the multifamily apartment buildings, stating that the rest of the development will be built out only if and when economic conditions are favorable. The detached houses, which are most compatible with this area, are in the last phase, which may never be built. The developer clearly just wants to build the apartments. This is problematic as in the application the developer states that the houses will act as a visual buffer for the apartments. In addition, if the houses are never built, then the percentage of multifamily units is 100%, not 17% as claimed. The public park is also in the last phase, and so that also may never be built. By approving this application, you are simply giving the developer the opportunity to build 9 apartment buildings, with no further requirements to build anything else.
3. There is no restriction against short-term rentals. All of the proposed units, including the houses, are projected to be rental units. The application spends a great deal of time touting the benefits of providing work force housing. Yet, the entire subdivision could end up being a VRBO community, with no benefit whatsoever to local housing needs.
4. This property does not comply with the Growth Policy. This property is classified as urban residential in the Growth Policy, which is defined as "predominately single family." As previously stated, if they only build the apartments, which is all they are required to do, then the subdivision has zero single family homes. In addition, on a land use basis, multifamily is 8.3 acres and single family 11.03 acres, so multifamily is 43% of the land usage. That is NOT "predominately single family."
5. The Traffic Impact Study is faulty. The study was done on January 27th and February 1st, on a Tuesday and Thursday. The application states that it recognizes that the study is not accurate with respect to summer traffic, so it says it adjusted the numbers up. What was the adjustment based on? How much was it adjusted? How do we know if

the adjustment is accurate? The TIS also fails to provide any analysis whatsoever of traffic flowing south onto Columbia Falls Stage. It also does not account for the increased traffic on Highway 2 that will result from further development east of the bridge once City sewer and water are accessible. The City should require that a new study be done in July or August to account for the above deficiencies.

6. A traffic signal on Highway 2 must be installed prior to one shovel hitting the ground. The TIS states that it will evaluate the need for a traffic signal as the development progresses into the later phases, which means that they plan to use the existing road for all construction vehicles, construction workers and for the apartment buildings once completed. That is unacceptable. River Road is already overloaded and is completely unable to tolerate the increased traffic referenced above. In addition, the placement of the signal on Highway 2 is determined by the State of Montana, not the City of Columbia Falls. The State may never approve the signal, in which case we would be stuck with high density housing on a completely unacceptable roadway. Thus, prior to the start of any structural construction, the City should require that the Highway 2 signal be approved, installed and the new road completed.
7. An Environmental Impact Assessment should be required. This property is a wildlife corridor, with the Bad Rock Conservation property adjacent to the north, the Flathead River adjacent to the west and open agricultural land to the south. The application lists several species of concern, including Grizzly Bear, Bald Eagle and Golden Eagle. Although I have seen all of these on the subject property, the application baldly states "none of these have been observed on site." They apparently didn't ask anyone who lives in the area.... I live just down the river and I had all three of these species on my property this fall. The application also states that "water dependent fowl would not be affected as they are not disturbing the river bank." Placing roughly 800 people within 30 yards of the river will most definitely disturb water dependent fowl. It is also a concern that the ponds they are creating for storm water will contain toxic road and de-icing materials that would be harmful to wildlife. Accordingly, an Environmental Impact Assessment should be required prior to approval.
8. The application contradicts itself with respect to work force housing. While the application goes to great length to say it is providing work force housing, in the section where they promote the increased tax revenue to the City, they use a house valuation of \$628,000. That is not workforce housing.
9. Open space is limited. While the application states that they are providing 20 acres of open space, over half of that is located within the subdivision. The proposed park of 5 acres may also never be built, as it is in the final phase with details provided "during the construction document phase." The only sure and noticeable open space is the 4 acres

along the river as a result of their moving the road, which also may never happen if the State does not approve the traffic signal on Highway 2.

10. There is no need to change the development approval already in place. In 2008, this property was approved for 151 residential units, consisting of condo's, townhomes and individual cabins. There is no need whatsoever to deviate from that plan.
11. This proposal deviates from the desired community aesthetics. The community has made it clear that it does not want high density apartment buildings constructed on the road to Glacier National Park, adjacent to the Flathead River, on the edge of a scenic, rural community.
12. The real estate market is softening. Nationally and locally, real estate sales and rental rates are on the decline. Kalispell has recently embarked on several high-rise apartment complexes. With the market softening, and with the current and proposed expansions already in place, it is very likely that if you approve this application, all you will have is 9 large apartment buildings that are partially occupied. An ugly, unnecessary eye sore.

This proposed subdivision is referenced as a "cluster development." I would agree that it is indeed a cluster, but of a different sort. Deny this application and stick to the original 2008 plan.



Scot Schermerhorn

1042 Waters Edge Way, Columbia Falls, MT

406-670-1470

Barb Staaland

From: Wild One <WildmannGraphics@hotmail.com>
Sent: Wednesday, January 4, 2023 9:03 PM
To: staalandb@cityofcolumbiafalls.com
Cc: Amy Sellmann; chris sellmann
Subject: Riverhighlands Subdivision

RECEIVED
JAN 05 2023
CITY OF COLUMBIA FALLS

To Barb Straaland {city clerk}:

Myself(Christopher A Sellmann) Plus My wife Amy E Sellmann Plus My Son Christopher R Sellmann All Are registered Voters in Columbia Falls and reside at 1820 Riverwood Ln oppose the annex and growth plan for the Riverhighlands subdivision. We reject the city's proposal for this and any other subdivisions they attempt to allow within city limits and outside of city limits. The environmental impact of such a subdivision would lead to irreversible damage to the River and the surrounding eco systems .

Christopher A Sellmann	Vote Against
Amy E Sellmann	Vote Against
Christopher R Sellmann	Vote Against

Sent from [Mail](#) for Windows

Barb Staaland

From: c.g.weeks@bresnan.net
Sent: Wednesday, January 4, 2023 10:01 PM
To: 'staalandb@cityofcolumbiafalls.com'
Subject: Subdivision

RECEIVED
JAN 05 2023
CITY OF COLUMBIA FALLS

Are we going to have to repeat this argument every 5 or 6 months? This is basically the same proposal as the last one on River Road. The citizens of Columbia Falls didn't want it then and we don't want it now for basically the same reasons.

The sewer line under the Flathead River is an environmental disaster waiting to happen.

The traffic in the summer is awful and would be that way all year long with 300 more homes added. The intersection of the hiway and River Road is already dangerous and would become even more so with the added traffic from so many more homes added.

Our schools and grocery stores can't handle the added population.

Our doctor and dentist offices already have more patients than they can handle with long wait times to get an appointment.

Columbia Falls is a small town and that's why a lot of us live here. We like the atmosphere and community spirit. We don't want or need developers taking that away from us so they can make more money. This project would be very profitable for them and our community would receive nothing but problems in return.

Cathryn L. Weeks

1280 4th Ave. West N.

Columbia Falls, Montana 59912

Email – c.g.weeks@bresnan.net



make a clear difference for Flathead Lake

Shallow Aquifer – A Shared Resource

RECEIVED

JAN 05 2023
CITY OF COLUMBIA FALLS

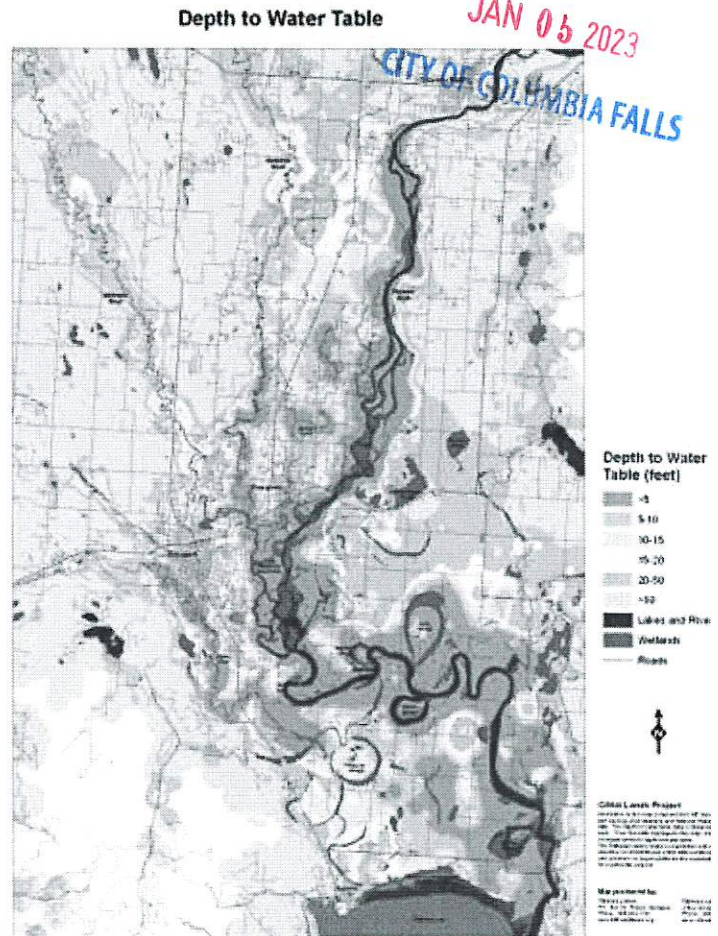
WHY SHOULD WE CARE?

As glaciers receded ten thousand years ago, the meltwater became a river many times larger than the Flathead River of today. The glaciers and ancient river left behind a huge area of gravels permeated by water that forms a shallow alluvial aquifer, often referred to as the Evergreen Aquifer.

We may not see it today, but water still moves underground between the Flathead River and the aquifer.

This aquifer is located between the Flathead River to the east and Whitefish River to the west, and between Badrock Canyon to the north and the confluence of the Flathead and Whitefish rivers to the south.

The depth to groundwater in this area is generally less than 50 feet and for much of the area less than five feet.



WHY IS THIS AQUIFER IMPORTANT?

Water quality and the economy go hand in hand

In a natural state, the shallow aquifer provides a buffer that filters out pollutants before they reach the water. The aquifer contains a complex network of organisms that naturally cleanse the waters.

The shallow aquifer can help reduce flooding. During floods, water from the river can saturate the aquifer and absorb some of the floodwaters reducing flooding.

CLEAN WATER TOOL KIT: Shallow Aquifer

WHAT CAN WE DO?

The problem

- Pollution entering the alluvial aquifer, such as oil and gas, heavy metals, or nutrients from faulty septic systems or excessive fertilizer application, can contaminate the aquifer and damage or destroy its natural cleansing system, jeopardizing groundwater supplies.
- Polluted groundwater can also move into the Flathead River and flow down to Flathead Lake, one of the cleanest, large freshwater lakes in populated areas in the world.

The solution

We can protect clean water by encouraging responsible development away from vulnerable areas, such as the shallow alluvial aquifer.

- **Build in upland areas** where the groundwater is not so shallow and limit the density of any development, including paved areas, over the aquifer.
- **Maintain your septic system** with annual checks, and pump your tank as needed.
- **Protect wetlands** and riparian habitat.
- **Apply fertilizers and pesticides sparingly.** When use is necessary, do not exceed recommended amounts.
- **Dispose of household hazardous products**, such as paints, pesticides, insecticides, motor oil, and pharmaceuticals at a collection facility. Don't pour them onto the ground or into storm drains, sinks or toilets. For small spills, sprinkle with sawdust or kitty litter, seal in a trash bag, and put in the trash. For large spills call your County Emergency Services or 911.
- **Share information** about the shallow aquifer with your friends, neighbors, Flathead County Commissioners, and newcomers to help them be good stewards and help keep Flathead waters clean and beautiful.

WHERE TO LEARN MORE?

Find out more about caring for the Shallow Aquifer and clean water at the Flathead Lakers website:

<http://www.flatheadlakers.org/index.php?page=Shallow-Groundwater>

For more information and maps contact:

Flathead County Planning and Zoning office in Kalispell (406) 751-8200.

Flathead County Health Department (406) 751-8100

Flathead Lakers (406) 883-1346, www.flatheadlakers.org

Together, we can keep Flathead Lake blue! Visit the Flathead Lake Clean Water Toolkit:

www.flatheadlakers.org/toolkit or call 883-1341.

FLATHEAD LAKERS | P.O. Box 70 | Polson, MT 59860

406-883-1341 | flatheadlakers.org



Barb Staalnd

From: Rebecca Powell <rebeccapowell406@gmail.com>
Sent: Wednesday, January 4, 2023 5:30 PM
To: staalndb@cityofcolumbiafalls.com
Subject: River Highlands Development

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Dear Planning Board Members,

I am emailing you today to voice my opposition to the newest proposed development in the River Highlands development.

I understand the battle between housing (affordable or otherwise) and know that it is naive of me to think we can keep our cherished open spaces free of development for long. But I absolutely believe this area is not a place for such high density development. When this 50 acre area gets developed, and I am sure it will eventually, we can never go back to the open landscapes we all enjoy. This area in particular is crucial to water quality in the wild and scenic flathead, large animal migration and habitat and much more. Once it is gone, its gone forever. Please deny the newest proposal from River Highlands LLC and hope a 'developer' with less interest in high density neighborhood takes a look.

The elk, deer, bears and river ecology will thank you for it.

Best,

Rebecca Powell
Columbia Falls Resident.

Barb Staaland

From: JAMES JESELUN <JANDKJ@msn.com>
Sent: Wednesday, January 4, 2023 5:45 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Re: River Highlands

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

My wife and myself are opposed to the proposed River Highlands as proposed.

Our concerns are as follows:

1. We are opposed to a density of 6.9 units per acre for a rural area. We know development is inevitable and we would not be opposed to a density of 3.0 or less per acre. Example is The Benches which is at 2.0 units per acre which allows for a development and gives ample room to enjoy the surrounding area. It also allows for affordable homes.
2. The proposed development with this high of density will require additional resources from the city of Columbia Falls.
 - a. With the proposed development there will be a need for additional police. Per national standards this will require an additional 3 -5 officers. Who will pay this bill? Does the development tax support this addition of additional officers plus their equipment (cars, computer, training etc)?
 - b. With this proposed development there will be a number of 3 story apartments all joined together. Plus with the additional townhomes I would assume the fire department will need additional equipment like a snorkel or ladder truck. If so does the developer pay for the additional equipment? Also does the City of Columbia Falls Fire Department need then to go with a paid department? If so what is the additional costs associated with the growth of the department. Will they be covered by the development.
3. The river is a natural wonder of the area. The development will diminish the natural area unless the developer enhances the rivers edge for more to enjoy and use.
4. A large heard of elk use the east tree line to move about the area. This area should be protected to allow for the natural movement of the herd.
5. River Road is a major cut through for a number of people. With the development there will be a huge increase in traffic and make that area very congested. A signal will need to be installed and the cost should be born by the developer. We are opposed to another traffic light.
6. The east tree line is a natural buffer between two subdivisions. It should be maintained to make a natural break between the two subdivisions.

Again we opposed to such a high density development that is not conducive to the surrounding area. We hope that people making the decision to think about what Montana is. It is an open, beautiful, scenic area that people come to love and enjoy. A high-density area is not Montana and should not be approved.

Sincerely,

James and Karen Jeselun
 292 Bench Run
 Columbia Falls, MT 59912

Barb Staaland

From: b belston <brbelston@yahoo.com>
Sent: Wednesday, January 4, 2023 5:03 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Fw: Failure Notice

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

----- Forwarded Message -----

From: "mailer-daemon@yahoo.com" <mailer-daemon@yahoo.com>
To: "brbelston@yahoo.com" <brbelston@yahoo.com>
Sent: Wednesday, January 4, 2023 at 05:00:12 PM MST
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<staaland@cityofcolumbiafalls.com>:
 550:

----- Forwarded message -----

----- Forwarded Message -----

From: "mailer-daemon@yahoo.com" <mailer-daemon@yahoo.com>
To: "brbelston@yahoo.com" <brbelston@yahoo.com>
Sent: Wednesday, January 4, 2023 at 04:56:52 PM MST
Subject: Failure Notice

Sorry, we were unable to deliver your message to the following address.

<staalandb@cityofcolumbiafall.com>:
 No mx record found for domain=cityofcolumbiafall.com

----- Forwarded message -----

Attn: Opposition to Flathead River Development January4, 2023

We are appalled at the thought of this development being considered for approval by those who do not live in this vicinity. We have lived here for 44 years and raised our two sons on Rogers Road in a family friendly, safe neighborhood. They still like to come home to visit and unwind. I can't imagine the outlandish amount of people who will be crammed into this small space with this unwanted development.

1. Columbia Falls does not have the infrastructure to support this influx of people:

Police

Medical Emergency Service

Fire Department

Schools

Road Mainenance/Snow removal

Garbage Pickup

Animal Control

Ect.

The citizens of Columbia Falls will surely see an increase in taxes and utilities.

2. Very concerned about the sewer lines fouling our pristine Flathead River. Who will monitor this? If there is an unfortunate mishap, who is responsible for the cleanup?

3. Concerns for the drilling of new wells. Kalispell is already experiencing water shortages. Do we really want to deal with water rationing?

4. Traffic congestion is already a concern. It is difficult to enter Hwy 2 from River Road when turning left to go into town. One needs to have patience with all the traffic, especially during tourist season. I understand a stop light may be installed, years from now, but that would result in traffic being backed up to Stage Road. Unexceptable!

5. Over the years people have searched for arrowheads on this field. Has there been a study to see if this is hallowed ground?

6. This field is home to many deer, elk and other wildlife In the overcrowded world, do we want to take away their home for the greed of those not from around here?

We do not want multimillionaires moving in to build their complexes to make more money, then leaving us to deal with the future. Things like upkeep, maintenance, repairs, crime and everything else that comes with overcrowding.

We see no advantages to this horrible idea. This is a special close knit community that does not want to grow into an overcrowded congested area.

Please take our concerns seriously. Don't take away our way of life for the sake of money. This is not the Montana way!

Item No.1.

Betty & Randy Belston

125 Rogers Road

Barb Staaland

From: Courtney Stone <courtneystone406@gmail.com>
Sent: Wednesday, January 4, 2023 5:00 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Jan 10 Hearing / River Highlands comment

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

My name is Courtney Stone. I have owned the residence at 225 Rogers Road, Columbia Falls, for over 10 years, and lived in Northwest Montana for almost 25 years. I live on Rogers Road with my partner, Jim Deraleau, and our four children, Maggie and Howard Fullerton and Ivy and Aiden Deraleau, all of whom are students in School District Six. I speak for all six members of my family.

I am opposed to the River Highlands subdivision proposal because:

(1) Responsible development for Columbia Falls should be focused in areas with existing infrastructure. The River Highlands proposed location presents extremely complicated infrastructure issues that are unnecessary for the Council to approve, due to the fact that there are existing areas and infrastructure in and around Columbia Falls that could handle the needs of this subdivision.

(2) Should the Council approval this subdivision, it is highly likely that unplanned for and an undesired domino effect will occur just east of town, well beyond the "donut" that the Columbia Falls Planning Board and City Council have jurisdiction over. What happens beyond there will be out of the Columbia Fall's control but attributable to the decisions of its leadership if River Highlands is approved.

(3) For an area like the one at issue, a development of 1,200 people is comparable to a new town, not a new development. New cities need schools, traffic control, sidewalks, EMS, fire and police departments. As the area exists today, a mishmash of county, city, and volunteer services already struggles with meeting many of these needs. Adding another 1,200 people certainly won't help. We all want to see Columbia Falls grow and prosper, but we're struggling with existing growth right now. We all know that it can be challenging to get half and half at Smith's, a barstool at the local brewery, a check cashed in under 5 minutes, or a parking spot on Nucleus these days – especially in the summer months. It's not ten years ago, when Columbia Falls' economy was in the toilet and the average house price was \$100,000. Times have changed for the better, and now is the time to make better plans for our future. We don't need to be desperate for ill thought-out development.

(4) This development is about a lot more than bringing water and sewer under the river, but I write in opposition to that, too. As noted above, it's not necessary to do this when there are other appropriate areas for the subdivision that don't require boring under the Flathead River. As discussed at the Planning Board meeting, many rivers have sewage/water running under them. However, I still have lots of questions that haven't been answered by the developer about this particular boring proposal. How will it be monitored? Who checks on it in year 1 and year 50 and beyond? Our already overtaxed city/county/state/federal agencies? Who pays for it if it something goes wrong? Can you put a dollar figure on a priceless river and lake? If something goes wrong, what do we say to our downstream Montanans? Sorry? World class water quality just wasn't that important to us? We didn't ask the hard questions and demand real answers? This isn't just any river. It's the main stem of the precious three forks of the Flathead River that inspired the Wild and Scenic Rivers Act and that drain into Flathead Lake, a priceless treasure. This river is the defining characteristic of Columbia Falls and to careless with it is to be careless with our town's future.

(5) What happens when the economy drops again, as it inevitably will? What if the project is approved, construction begins, and then the money dries up like with the last project proposed for this area and we're left

with an even worse road (River Rd) than we already have and an eyesore? What then? Speaking of that proposal to bring it up from an F to a C is pretty laughable, but the Council should take action to work with MDOT, the county, and other necessary entities to protect its citizens and actually fix River Rd regardless of River Highlands. We all know that River Road represents a true safety hazard to everyone using it.

(6) What about the neighboring Wilderness Management Area? How is it impacted by this new development? What was the point of preserving it – and the citizens of Columbia Falls clearly showed their approval of its preservation at that time – if we're going to destroy the habitat adjacent to it and build a small city? The idea that wildlife aren't using this corridor is laughable, and I'll be happy to provide the many photos and videos I've taken over the years -- as recently as last week -- of elk, bear, birds, turkeys, deer, mountain lions, and more, that are part of this area's character and treasure.

There are appropriate places in the county, and the proper city of Columbia Falls, for this development. The proposed location is not one of them, and the proposed subdivision should be DENIED by this council. I appreciate that the Council must weigh various legal considerations against strong citizen sentiment, and that is an onerous task. As a proud citizen of Columbia Falls, I hope to see your votes against River Highlands.

My best,
Courtney Stone

RECEIVED

JAN 04 2023

CITY OF COLUMBIA FALLS

1-4-2023

To Planning Board Members.

I do not feel the 343 unit Plan for Revised River Highland Development should be approved.

1. its way to many units
2. the area is not caristic to the plan its way less dense
3. its not what people need to see on their way to Glance Park and MT.'s Mountain Areas. this is a Gate way to what people come to see.
4. 2 and 3 story town houses will not look very good in front of Columbia Mountain
5. Sewer and Water (city service) will only open the gate to more non desirable development which I do not want to see
6. the possibility of add^{ing} sewer at sometime is not good. Can Columbia Falls Sewer handle this project and At the possible other will current residents start the added cost.
7. wild life habitat will be cut to cut off if this extension of development is
8. Approved
8. the add traffic is very bad!!! plan is very incomplete.

I woul like to see this
plan turned Down.

I say Do Not Approve.

Fred C Haas

Fred C Haas
4188 Columbia Fall
stage Road
Columbia Falls MT
59912

Barb Staaland

From: Derek Williams <technugent@gmail.com>
Sent: Wednesday, January 4, 2023 1:34 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Opposition of River Highlands PUD

RECEIVED

JAN 04 2023

CITY OF COLUMBIA FALLS

I wanted to voice my opinion on this proposed project. This is going to cause an unmanageable amount of traffic on River Road, Middle Road, and both the Tea Kettle pull out and the opposite pull out on River Road. You are going to adversely affect the fishing community and the guiding community.

Not only that but there's no way that our current infrastructure, be it water, electricity, schools, roads can support this kind of growth. Wasn't it obvious by the massive push back last year on the other housing complex project that people do not want to develop the more rural parts of the town into these giant sprawling complexes?

It's really disappointing that more often than not the people we elected continue to let us down and require us to get up in arms to preserve our community and way of life.

--

Derek Williams
Mobile +1 406 849 0750
289 S Many Lakes Dr | Kalispell MT 59901 | USA

Barb Staaland

From: Jim Deraleau <jimderaleau74@gmail.com>
Sent: Wednesday, January 4, 2023 4:34 PM
To: staaladb@cityofcolumbiafalls.com
Subject: River Highlands

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

I am completely opposed to this development for wildlife and water concerns. If this development goes through it's only going to open up more development to the north side of Highway 2. Jim Deraleau 225 Rogers Road, Columbia Falls

Barb Staaland

From: Denise Davies <deetledavies@yahoo.com>
Sent: Wednesday, January 4, 2023 3:58 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board

I wrote to you last summer in opposition to the proposed development on River Road, and I attended the public hearing at the Junior High.

Although the newly proposed density is reduced from 455 units to 343, the number of units proposed is still entirely out of character for the neighborhood. 163 three story apartments!

All of the issues that are of concern to me and the hundreds of others who spoke in opposition are unchanged. The impact on wildlife, traffic, local resources (schools, infrastructure, etc.) are still of grave concern. As is the potential of irreversible damage to the Flathead River (and lake) by constructing utilities under the river bed.

This appears to be another example of a greedy out of state developer using the guise of the need for affordable housing when the motive is actually monetary. This is NOT the place for such a development. One home per five acres is much more congruent with the existing neighborhood.

If the developer insists on multi-story apartment buildings, or any apartment buildings for that matter, he needs to look elsewhere. We have already seen so much damage done in our beautiful valley, and I strongly urge you to listen again to the community and do the right thing.

Sincerely,

Denise Davies
Flathead Valley resident for 36 years.

Deborah Fleming
24 Diane Road Apt. F
Columbia Falls, MT 59912

January 4, 2023

Barb Straaland
City Clerk
130 6th Street West
Columbia Falls, Montana 59912

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

To Columbia Falls Planning and Zoning Board:

I am a current resident, home and property owner in Columbia Falls. Please include my letter in the Planning Board Packet for the January 10th meeting regarding the River Highlands proposed subdivision.

I am deeply concerned that the current proposed development plan by the River Highlands LLC will result in long term negative impacts of the city infrastructure, water and sewer costs. Local taxes to cover the cost of annexation of the development of this property will force local land and homeowners to move elsewhere.

The proposal includes annexation into Columbia Falls with city utility service extended under the Flathead River. Has there been a study done by state agencies as to the cost of clean up when this pipe leaks or breaks? If not, one will need to be done to plan and mitigate water pollution issues into the Flathead River. This project will set a precedent for more large-scale developers to join in similar projects, when according to the 2019 Growth Policy the city has prepared, the city infrastructure and services cannot be sustainable. Resulting annexation from this project alone will increase the population of the city to well over 6000. The current population numbers have almost exceeded the projected population numbers for 2030!

There have been no state traffic studies of how the proposed new River Road will affect roadways. A traffic study should be conducted on 3rd Avenue East. Increased road construction and maintenance costs from the resulting changes to accommodate the increase in traffic due to the subdivision will overburden taxpayers in Columbia Falls. In addition, the developer will not provide affordable housing—this developer owns Silver Brook Apartments, which rent for upwards of \$2000/month. These apartments are similar to the River Highlands proposed apartments.

I urge the Planning and Zoning Board to take the appropriate action of denying this subdivision proposal in any capacity. The long-term negative impacts on city infrastructure, city services, water quality, environmental quality and sustainable growth far outweigh the completion of this project. Columbia Falls property owners and taxpayers will be priced out of their own home.

Sincerely,

Deborah Fleming

Dear Columbia Falls City Council and Planning Board,

I am writing to express our strong opposition to the proposed subdivision at River Road. While I understand the desire to increase housing options in our community, we believe that this particular development would have a number of negative impacts on the area and its residents !

First and foremost, the proposed subdivision would significantly increase traffic in the area the added cars on the road would not only lead to increased congestion, danger and longer commute times for residents, but would also cause a safety hazard to all.

Additionally, the development would put a strain on already limited resources such as water and sewage systems. The increased demand on these systems would lead to problems with availability and potentially even environmental damage.

Furthermore, the construction of the subdivision would likely involve destroying the beauty of the area and would also have a negative impact on local wildlife and wintering areas. Not to forget the overall ecosystem.

I urge the Columbia Falls Planning Board / City Council to consider the negative consequences of this proposed development and to reject it. Instead, encourage the exploration of alternative solutions that would address the need for additional housing, while also preserving the character and integrity of our community.

Thank you for considering our concerns!

Sincerely,

Jim & Judydel Perry

Judydel Perry
Jan 4 - 2023

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Barb Staaland

From: b knight <bkjewels1662@gmail.com>
Sent: Wednesday, January 4, 2023 9:22 AM
To: staalandb@cityofcolumbiafalls.com
Cc: Shirley Folkwein
Subject: Fwd: CF Planning Board

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

Begin forwarded message:

From: b knight <bkjewels1662@gmail.com>
Subject: CF Planning Board
Date: January 3, 2023 at 7:48:17 PM MST
To: Staaland@cityofcolumbiafalls.com
Cc: Shirley Folkwein <shirfolk48@gmail.com>

TO: CF Planning Board
 From: Concerned Resident

I attended the last meeting on this planned development on river road and was very impressed with the concern of citizens in this community. Not only attendance in opposition to this development, but how organized the process was enabling everyone to state their view. Many people were well informed and handled the points in the stated proposal with clear intent ;

- A) Drilling under the Flathead river was opposed as an environmental hazard waiting to happen.
- B) The development does not fit with the character of the neighborhood which is low rise, large lot open spaced housing. There are no 3 story buildings on that side of the river.
- C) The impact to the city residents is beyond current resources for police, fire, water, sewer, trash, road services, snow removal, maintenance staffing and creating budget constraints.
- D) The impact to current wildlife corridors is more than the land they claim to donate and inhibits current herd displacement for migration.
- E) The traffic congestion adding 686 residents traveling to work also addressed the inclusion of construction vehicles adding vehicular dangers to traffic on Highway 2. Congestion on the river could also increase requiring a lottery system for river usage and pass requirements.

The costs proposed for the drilling under the river could be allocated to better serving the entire community instead of one development.

I hope this council sees a larger vision for what this town will look like 10-20-30 years from now. Will it be a charming beautiful corridor to Glacier with amenities such as city recreation center for year round actives, connected paths thru open space for hiking, biking, and animals, with free public bus services for workers and visitors...or will we see only housing, traffic and congestion.

Please plan our community for the future benefit of all residents.

Kindest regards,
 River View Estate Resident

Fred and Lynne Vanhorn
151 River Butte Dr.
Columbia Falls, Montana 59912

Item No.1.

January 4, 2022

Susan Nicosia
City Manager/Planning Director
City Hall
130 6th St. West
Columbia Falls, Montana 59912

RECEIVED

JAN 04 2023

CITY OF COLUMBIA FALLS

Re: Regarding the proposed "River Highlands" development

Dear Ms. Nicosia and Members of the Columbia Falls City Planning Board,

This is our follow up letter to the most recent proposed River Highlands Development plan. After reviewing this proposal, we have determined that nothing has significantly changed from the original plan. I don't know whether the developer or the planning board were paying attention last time, but essentially all of the comments from the previous proposal still apply, including the comments made at the public hearing. Please do not approve this most recent proposal or any other proposal that would put such high density housing in this sensitive, critical area. Below are the comments that we had previously submitted that still apply:

We have lived in the River Butte subdivision across the Flathead River from Columbia Falls for 25 years. We chose this area because of its rural character, the 10 acre lot zoning, and proximity to Columbia Falls.

We are writing to protest the proposed high density development of the property east of the Flathead River and south of Highway 2.

This development would adversely affect all the current residents of the Columbia Falls Stage, Middle Road, Kokanee Bend, River Butte, Rogers Road, and River Road neighborhoods. It will change the character of the area from what it was when we all chose to live here.

The increased traffic on River Road, or a re-routed River Road, would create a great deal of traffic, and a hardship for people trying to get to work, school, shopping or any other activity in town.

The high density of this development will negatively impact the wildlife that we enjoy, especially those that follow the river corridor.

The proposal to put a sewer line under the river is particularly disturbing because of the potential for leaks and damage to the lines due to high water or scouring of the riverbed. This hazard has been demonstrated by oil spills on the Yellowstone River.

Although the developer is planning to pay for installing the water and sewer lines to the development, it will fall to the city to maintain them. There will also be additional costs of all other city services and infrastructure. This will become the burden of the taxpayers. The developer and his money will be long gone.

Please consider these issues when voting whether to approve this development.

Fred and Lynne Vanhorn

Fred Vanhorn
Lynne M. Vanhorn

Barb Staaland

From: Chelsea Hagen <grizgirl87@gmail.com>
Sent: Tuesday, January 3, 2023 6:51 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Opposition to River Rd subdivision

CITY OF COLUMBIA FALLS
JAN 04 2023
RECEIVED

To whom it concerns,

As a Columbia Falls native who has lived here all my life I have great concern for the proposed subdivision off River Road. I oppose this for the following reasons:

Traffic - this is already a concern without the subdivision, and even if the light is approved it will not solve the issue of major congestion, especially during busy times of day with that many new residents using River Rd on top of the current residents

Moving sewage under the river- there are obvious concerns with this, but if things go wrong it could have detrimental effects on the river, drinking water, and fish and wildlife species surrounding it

Schools- an article stated if approved it would mean 200 more students in our school system- our schools are already full, even the unfinished 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?

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

Barb Staaland

From: Leever & Sons Forestry <chris.leeve79@gmail.com>
Sent: Tuesday, January 3, 2023 8:35 PM
To: staaladb@cityofcolumbiafalls.com
Subject: River road subdivision

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Hi my name is Chris and I have lived in Columbia Falls for almost 20 years. I am completely opposed to the development on River Road. It will tax our local infrastructure including our roads, sewers, city water, and landscape. It will add 1,000 new cars driving on our roads which are already overcrowded. I understand there needs to be houses built. I have done construction before I get it. But the high density style housing that is going in these subdivisions is not good for our town. We as locals have enjoyed this town and brought our friends and Families to live here with us. Many of the people that are coming to our town are neither of those. Please help keep our town a special place and not just another overrun exploited resort town.

I will be fighting this along with the development proposed on Meadow Lake/ Tamarack Lane area. Tasteful houses on large Lots is what is needed for our area not chopped up quarter acre lots with multi-family units.

It is hard for me to understand the city council's reasoning for approving things like this.

Chris Leever

January 4, 2023

Columbia Falls City-County Planning Board
130 6th Street West
Columbia Falls, Mt 59912

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Dear Planning Board Members:

I would like to express my views as you contemplate whether or not to approve the PUD and preliminary plat applications for the River Highlands development. I am totally against this development for the following reasons, some of which I will expound upon:

- No requested zone change because Planning Board previously questioned the zone change
- The use of the Growth Policy map as a sole reason for such high-density development
- Lack of respect for the character of the neighborhood
- No transitions from parcels of less density, using landscape buffers, shield highway view, etc. (Ordinance 705, included in application, Part L)
- Impacts on wildlife and on the new Bad Rock Canyon Wildlife Management Area
- Impacts on the River Corridor and river recreation
- Columbia Falls as the "Gateway to Glacier"
- Increased traffic entering River Road and onto Highway 2
- Placing city services under the Flathead River
- At full build out development would hold about fourteen percent of today's City of CF population
- Cumulative effects as this development would open the floodgates to development east of the Flathead River

In the previous proposal for River Highlands, you, (the Planning Board) first considered the zone change. Since you voted not to accept the Findings of Fact for the zone change, the PUD and Preliminary Plat were denied. This time, the developer smartly does not ask for a zone change. The zoning would remain CR-3. According to the Zoning Regulations, CR-3 permitted uses include single family dwellings. I see no multifamily dwellings as a permitted or conditional use in CR-3 zoning. There is a conditional use of "dwelling, cluster development". The River Highlands application narrative includes the definition of cluster development, but seems to ignore the second part of the definition: "creating a large open space tract that preserves agricultural lands or sensitive areas important to wildlife and wildlife habitat."

The Growth Policy map does imply this area could be developed with up to 8 units per acre. Fortunately the text of the Growth Policy does not necessarily give rise to the same conclusion. The issues, goals, policies and recommendations must also be consulted. (Growth Policy, Pages 16-18)

The lack of respect for the character of the neighborhood is an atrocity. The neighborhood around this proposed development averages about .125 units per acre, a far cry from the 6.9 proposed. The density in the City of CF isn't even this high. The Flathead River to the west, the open fields and timber, and the wetlands all allow for animals to move freely through the neighborhood. Hunting is currently allowed on this land and in the Bad Rock Canyon Wildlife Management Area, which is less than a quarter mile away from the proposed development.

The Environmental Assessment included in the application has pages about endangered species, but not one mention that I can find about the deer, elk, bear, small mammals, and birds that frequent the property. In mid-December of 2022 over 100 head of elk moved through this property and the adjoining properties.

Approving this development as proposed would destroy wildlife habitat and be a total disregard for the agricultural heritage and the character of the neighborhood.

Included in the application is Ordinance 705, which was passed and approved by the City Council in 2008. According to Eric Mulcahy, this Ordinance is still in effect. Exhibit "A" contains 7 items, which, in keeping this letter to a reasonable length, I will refrain from copying here. I would like to point out items #3, #6 and #7, concerning structure distance from the river, landscape buffers along other parcels, and the hill being maintained to shield view of the development from Highway 2. Will you please read and study Ordinance 705 and consider it in your decision?

At full build out of over 800 residents the impact on the WMA, the Teakettle Fishing Access and on the Flathead River would be hard to imagine. As Glacier Park, Jewel Basin, MT State Parks and other recreation areas become more crowded it would seem those 800 people would recreate closer to home, putting way too much pressure on the WMA and on the river.

Speaking of recreationists on the river, the last thing they should be seeing from the Teakettle Fishing Access is 50 acres filled with three story apartments and townhouses. And touting Columbia Falls as the "Gateway to Glacier?" Those tourists driving by will have no idea they are anywhere close to Glacier when they see an out of place development of such proportions.

The summer tourist traffic is one thing, but what about the year around folks that drive River Road every day? A pleasure to most is when they exit Highway 2 and enjoy the drive, with the river on their right and the open field on their left. Instead, they will see apartment buildings, many homes and "developed open space."

Facing that development traffic when they head towards the highway will be a whole different story. Presently there can be a wait of up to five minutes to enter the highway. A traffic light is not a guarantee. Surely a light will not be warranted during the first phases of the development, but the traffic will increase.

If residents choose to avoid River Road, that will add to traffic on other arterials, including Rogers Road, Kelly Road, and Highway 206. Those statistics would never be included in a traffic study.

Drilling under the Flathead River is surely something quite feasible to accomplish, although I have found no evidence that has yet been done under the Flathead. Initially my concern included the fact the developer will turn those water and sewer lines over to the City of Columbia Falls. It would seem the City does not have a good track record at the present time with leaking pipes. So, the pipes will have to be monitored to detect leaks. Then how will the City's public works know they are leaking? How will that leak be remedied? The City of Columbia Falls will be held liable for any environmental damage to the Flathead River and Flathead Lake caused by a leaking septic pipe. Is the City willing to take on that kind of responsibility?

RECEIVED

Item No.1.

JAN 04 2023

CITY OF COLUMBIA FALLS

Lately, in speaking to folks who know the Flathead River intimately, I am just as concerned about the actual drilling. Apparently, the Flathead is a freestone river, with two undammed tributaries that can cause flooding and with those fluctuating flows the rocks that make up the riverbed can move. This can cause large quantities of riverbed to erode and redeposit along with a higher probability of bank erosion, causing a sewer or water line to fail. I know...You will say you will leave that up to the experts. You cannot always trust the DEQ.

At full buildout, according to my calculations, this proposed development could contain about fourteen percent of today's City population. That is totally absurd to think the Planning Board would approve a high-density development that is denser than the city and could contain that percentage of the population on 50 acres. The perceived housing shortage is not a reason to decimate the environment. Columbia Falls does not need to provide housing for the whole Flathead Valley. If the economy slows down in the middle of build out, what are we left with? A ruined view with water, sewer and roads leading nowhere.

Please also consider the developments you have approved in the last two or so years, including the apartments and condos downtown, Highline Apartments, Garnier Heights, Hilltop Homes condos, Toby Gilchrist apartments, Benches, etc. The Growth Policy contains a table of projected housing needs in Columbia Falls (Page 15): 2020 – 267, 2025 – 300, 2030 – 336. Has anyone added up the numbers already approved and done the comparison? I am working on it.

The cumulative effects of this development cannot be understated. This idea of city services across the river has been talked about for years. If those services are brought across, that will open the floodgates for more development on the north side of Highway 2. Is that what you want to see as an entrance to Columbia Falls?

You as a Planning Board have a great responsibility to all of us in the Flathead Valley, for this does not affect only the residents of Columbia Falls and the surrounding area, but the whole Valley. The building of this high-density development, as proposed, will be life changing for many of us.

Thank you for your time.

Sincerely,
Luci Rogers Yeats

Barb Staaland

From: Anne Scott-Markle <anneinmt@gmail.com>
Sent: Wednesday, January 4, 2023 2:16 PM
To: staalandb@cityofcolumbiafalls.com
Cc: Shirley Folkwein
Subject: River Highlands Development

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

January 4, 2023

Columbia Falls City County Planning Board and Columbia Falls City Council:

Written response to the proposal for the 49 acres currently under review for the "Revised River Highlands Development."

I have lived at 520 Badrock Drive for almost 44 years. My son and his family live in Columbia Falls also. I love having a Columbia Falls address. I have a vested interest in the future of Columbia Falls and the surrounding area.

This is one of our opportunities to hold a reasonable line on developers who might not be interested, or understand, how their business venture impacts the community they might not even live in. The threat to our community is this Development is highly visible, very large, and sets a precedence for our Highway 2 corridor that will have enormous impact. While it may not seem reasonable to totally deny this Development, I think it is critical that you hold strong boundaries to protect us, and to protect Columbia Falls, from foreseeable consequences of this Development as proposed.

We need affordable housing. I don't think this Development, designed as it is, built in this time of high materials cost, and high interest rates, can actually fulfill this need. Are there enough legal restrictions you can impose if you approve this Development to assure we actually get any affordable housing.. Or do we get another housing development that is priced so local wage earners are priced out. I think this doesn't offer what we need.

In your growth plan of 2019, you state that "opportunities rarely happen on their own and require energy and direction.... Once lost, they are very difficult to retrieve or revive". We are looking at a huge Development along open river frontage, once encroached on, will never be open again. We are looking at an entrance to Columbia Falls east of the Flathead River that at this point in time could be thoughtfully managed to remain an asset to our identity as a "Gateway to Glacier" and the wilderness of Montana. But This corridor, once surrendered to ambitious planners interested in their financial gain, will be a lost opportunity for a vision of the future as envisioned by the drafters of the Growth policy of 2019. We are looking at traffic issues with River Road and its entrance onto Highway 2 that already gets an "F" rating and there is no assurance that a stoplight can ever be installed on the proposed new entrance of River Road to Highway 2. And the information presented at the last public meeting indicated that having this many new users of River Road will create a hazard for years to come as this project builds out. Do you really want to condone that?

In the survey of 2019, only 18% of the respondents said they saw development across the Flathead River. There are reasons for that. One would be the cost and liability of extending city services under the Flathead River. Development west of town makes sense. Once you extend services across the river, you have lost control of further development. Our beautiful east entrance to our city, and our city's obvious connection to GNP will be lost.

In the survey of 2019, almost 50% of respondents said they valued the small town community. A highly visible, population dense development like this proposal, will definitely change the feel of Columbia Falls, to more an urban, suburban, large city feel. I know I don't want that and I don't think my neighbors do. We want

development that allows for families, young families, to live and work here. Again, this is not an "affordable housing project. This will be beyond our young families budgets.

You have the power to make decisions based on your growth plan. Please hold the lines that you already decided on several years ago, and work with this developer to change his plans or again deny the project. Right now they are certainly within the some of the zoning criteria, but stretching all limits they can. This is your chance. Please be bold and brave.

Anne Scott-Markle
520 Badrock Drive
406-250-1293

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Anne Scott-Markle, LCPC
520 Badrock Dr
Columbia Falls, MT 59912
406-250-1293 cell
406-892-8048 office
AnneinMT@gmail.com

Barb Staaland

From: Mike Huffman <huffmanm5377@msn.com>
Sent: Wednesday, January 4, 2023 11:52 AM
To: Barb Staaland
Subject: River Highlands Comments

RECEIVED
 JAN 04 2023
 CITY OF COLUMBIA FALLS

To Columbia Falls Planning & Zoning:

Having reviewed this latest iteration of the River Highlands proposal, we remain wholly opposed.

The project is out of character with the surrounding area and will create issues that put added strain on infrastructure and resources.

It will compromise an existing wildlife corridor and viewshed.

It will create more noise and light pollution.

Installing utilities under rivers can be done safely, but it's not without risk. Water/sewer/electric East of the bridge will open a Pandora's Box for development.

Most importantly, this does absolutely nothing to address the affordability crisis.

The Benches will be ~48 houses at build out, and sales there don't appear to be too brisk. Ruis is planning for ~100 homes North of town, and now we have Schellinger likely getting a green light for 103 units at Meadow Lake. What's the chance a large portion of these builds will be bought by investors?

This all feels like speculation that relies on the 'Greater Fool Theory' with real estate. Growth is inevitable, but the timing of this flies in the face of reason. Anyone paying attention knows that inflation and rising rates have impacted the market and demand has cooled dramatically.

All signs point to trouble ahead as inflation & market conditions worsen, yet here we have the developer making another run at a large project that was previously rejected. It's doubtful he'd be going through this again without some assurances. Something about this does not sit right with us.

A 'phased' buildout means years of construction noise and traffic, and all the related problems that come with that. What if the project stalls out, or the developer pulls out entirely - who's left holding the bag? This is a valid question, given the direction things appear to be going with the economy as a whole.

As our representatives, we expect you to ask the hard questions and remain objective about what's at stake:

- How is this being funded - is the developer operating on profit or leveraged on debt?
- Is the developer willing to pay higher impact fees that more fairly reflect the added burden to key infrastructure like EMS, schools, roads, sanitation, etc.?
- Who is the intended buyer - locals in need of housing, or wealthy retirees/investors/tourists?
- How much of this project will be deed-restricted to ensure affordability through the years?
- How much of this project will be short-term rentals? Long term rentals?
- What is the pricing model, and where is the data to back up demand, given current market conditions, wages, cost of living, etc.?
- Why now?
- Do we want a destination or a community?

It's no surprise that Mr. Barnett has not attended any public hearings to address the concerns of residents and answer questions, but then again most developers only care about maximizing profits to pad their bank account and move on to the next project.

Wrong project, wrong location, wrong time - do the right thing by rejecting this proposal and working harder to preserve the rural character of the area.

Respectfully submitted,

Mike Huffman & Julie Barter
CFalls

208 Red Barn Road
Columbia Falls, MT 59912
January 3, 2023

City County Planning Board
City Clerk
130 6th Street West
Columbia Falls, MT 59912

Re: Opposing River Highlands Subdivision on River Road

I am a native to Columbia Falls, live off of River Road and I adamantly oppose this subdivision.

I oppose a plan that the City County Planning Board and City Council approved a growth policy that allowed for development in this rural area back in 2008.

River Road is a narrow highly used road that is currently difficult to access Highway 2. Flathead County Road Department did a traffic study two years ago that gave the number 2,600 cars per day over a seven day period. At 2-1/2 car trips daily, 4,375 car trips per day, and likely more today, even with a light, that may or may not be installed by the developer, is grossly too much for this area.

River Highlands are going to run sewer and water under the river. Any streambank or stream bed disturbance is serious business because it impacts the quality of our pristine western Montana streams, rivers and lakes. Considering how much the economy of Columbia Falls and the "Gateway to Glacier" corridor is dependent on recreation on the Flathead River, we must be vigilant in its protection. It makes no sense to have some upper reaches of the Flathead River designated as "wild and scenic" and then polluted the river downstream.

In October 2021 the Daily Inter Lake ran a story about the shortage of ways to dispose of septic waste for Flathead Valley municipalities and county residents with individual septic systems. The article said Columbia Falls has been hauling all of its septic waste to the county landfill for the past three years. That is four loads per week at a weight of 5.5 tons per load. In 2020 the city disposed of 188 loads of waste, totaling 1,034 tons. What additional burden will River Highlands add – the cost of fuel alone will be major.

More water wells must be dug. The city is already talking about additional wells to supply the growing demand. How will those wells affect the aquifer? Is our water really of limitless supply here? City residents will soon be paying for upgrades in the water system and waste system and it's questionable whether the property taxes in this proposal will pay the cost for those upgrades as well as additional snow removal equipment, additional police officers, and more paid fire fighters.

The Bad Rock Canyon Wildlife Management Areas is 772 acres, located along the Flathead River, upstream from the proposed River Highlands development. The Wildlife Management Areas southern boundary is a mere quarter mile from the development's northern property line. The river and river corridor, including open fields, are habitat for many aquatic species, as well as elk, deer, both grizzly and black bear, mountain lion and other mammals. Smaller mammals and numerous birds, including raptors and songbirds, are also present. The development property not only serves as habitat for these animals, but also as an important corridor as they travel from the south, northward to the Wildlife Management Areas and other undeveloped properties. River Highlands will destroy nearly 50 acres of habitat. Garbage, pet food, bird feeders, fruit bearing trees and other food sources in the development will serve as bear attractants and will result in human-bear conflicts.

The developer pays lip service to the Flathead River corridor and their protection of it, in reality the corridor is not just the area right along the river. Imagine over 100 head of elk moving along the steep river bank as they travel from farther south in the valley, to the Bad Rock Canyon WMA. Rather, they travel through the open space where this development is planned. James Barnett claimed this development would not affect wildlife, when in fact this area is a prime ecosystem for these animals as stated by the Fish and Wildlife Department and wildlife would be dramatically affected. Christmas Day I saw over 100 head of elk in this area slated for development. I ask that you don't pass this plan onto the City Council.

Please reconsider this plan before approving it.

Thank you the time you volunteer and all your hard work.

Sincerely,

Justin Halverson
Justin Halverson

Barb Staaland

From: Matson, Phil <phil.matson@flbs.umd.edu>
Sent: Tuesday, January 3, 2023 9:28 PM
To: Barb Staaland
Subject: River Highland Development - Letter of Concern

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board,

I am writing in regards to the new River Highlands development proposal. In light of the public outrage during the previous proposal meetings, I quite frankly find it appalling this current proposal is being introduced, and am disappointed to see you entertaining the notion this time around.

Based on the numerous arguments against this development last year I am suspicious as to why it is once again introduced, and feel you have some explaining to do. Columbia Falls is the "Gateway to Glacier", not the "Gateway to Gluttony", and this proposal does nothing but feed the greedy developer and outside interests. The proposal effectively neglects the concerns of the populace and ignores the myriad of issues a development the size and magnitude of River Highlands poses. Whether it be the audacious plan to drill under the Flathead River for sewer lines, the character misfit of the "Gateway to Glacier", the impacts to the Bad Rock Wildlife Management Area, or the tremendous strain to our infrastructure and city residents, the stink of corruption rises above it all. And with all due respect, your culpability sticks out like the sore thumb this development would end up being.

Has it been thought that our precious aquifer is 10 feet below this development, or that the proposed sewer line would bifurcate and contaminate this delicate resource? How about the fact the development area is surrounded by vital wetlands our migrating and residential wildlife depend upon? Is the fact lost that our local elk population uses this land as critical overwintering habitat? Did you know Montana Fish, Wildlife, and Parks' Elk Population Objectives for the surrounding areas have already been 10-50% below its target of 200 elk for the past several years? This development would further decimate our local herd's recovery and constrict the wildlife corridor so many iconic species depend upon for survival. Instead, predators like grizzly bears and mountain lions will be pushed into our neighborhoods, causing unnecessary and potentially dangerous interactions with the general public.

In addition to straining our wildlife, our infrastructure would be further stretched thin – we haven't even begun to recoup from the recent influx of migrants. Need I mention the lack of school bus drivers? This may sound like a trivial matter to you, but my children have become anxious riding the school bus, as the driver qualification has dropped so low that our current driver cusses at the school children, frequently slams on the brakes, and often drops children off at the wrong spot. This alone is intolerable, but the thought of needing more law enforcement simply takes the cake. Not to mention the traffic...

I could go on, but for the sake of keeping this to one page, and thus your desperate attention, I will not. I will simply urge you to consider the River Highland development nothing more than a greedy deal that would tarnish our town's character, threaten our legacy, and congest our way of life. Please stop the madness.

Sincerely,

Phillip L. Matson
 1037 Raven Lane
 Columbia Falls, MT. 59912

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Phil Matson
Flathead Lake Biological Station
406) 872-4519 office
406) 249-2529 cell

To: Columbia Falls Planning Board

From: Kathie Arvidson
7123 Hwy 2 East
Columbia Falls, MT

RECEIVED
JAN 04 2023
CITY OF COLUMBIA FALLS

To Whom It May Concern:

Here we go again with the River Highlands PUD. It looks basically like the previous proposal that was rejected in August, 2022 – Developer just modified it to fit the CR-3 Zoning without addressing all the unrealistic issues.

Section 3.12.010 of R-3 Zone states:

Definition: A district to provide **adequate lot size** for urban residential development, should have **good thoroughfare access**, and be in **proximity to community and neighborhood facilities**.

Section 4.05.010 states: #2. Types of buildings – A. Within R-3 residential districts, only one-family detached dwellings shall be permitted.

Section 5.09.030 states: The cluster sites: 1. Shall be able to obtain safe and convenient access to a public or private road but individual lot access onto a highway or road is not allowed.

Proximity to facilities would require extending the City of Columbia Falls sewer and water under the river. My concern is the capacity of the City Sewer plant – with all the new subdivisions already approved and some in construction, WILL THIS SEWAGE PLANT BE ABLE TO HANDLE THE LOAD. As a Planning Board member, please ask the question if there is a possibility that this will force an undue burden both on the City and Taxpayers of Columbia Falls. Have you seen the DEQ permits for the capacity of our Sewer plant??

Traffic:

We all know how congested the intersection of River Road and Highway 2 is already. Of great concern should be adequate paperwork to insure the intersection is completely rebuilt before any construction could begin. Going back to Finding of Fact in Ordinance 705, dated 8/27/2008 states:

4. The intersection of River Road with Highway 2 must be moved to the east side of Tract 7B.
5. River Road should be reconstructed at a location south east of the current location a sufficient distance to significantly reduce the opportunity for vehicles to encounter the steep bank of the Flathead River.
7. The hill along the north east side of Tract 7B should be maintained to a height to shield view of the development in a manner that protects the view shed for traffic on Highway 2.

WGM Narrative mentions: (Page 7 of 23) – The increased density associated with the PUD withing the CR-3 zoning district will provide more housing options and opportunities for area residents, in accordance with the Growth Policy housing goals. My understanding of the projection is that the Growth Policy states: 300 units by 2025. After all the subdivisions that have already been ok'd, I'm pretty sure we have reached that limit.

WGM Narrative mentions: (Page 13 of 23) – g) **Housing** –While the definition of affordability is often intended to be nebulous, the Housing & Urban Development defines this on which a household can be obtained for 30% or less of its income. According to the 2022 HUD Income Limits Summary, the Median Family income in Flathead County is \$80,300, resulting in a Very Low-Income Limit for a family of four at \$39,000. Meaning to qualify for affordable housing, a combined household income of less than \$40,000 would be required. -----The developer is attempting to meet the housing needs of the community.

At this time, his affordable rate at Silverbrook is starting at \$1900 for a 2 Bedroom/2 Bath unit and starting at \$2,200 for a 3 Bedroom/2 Bath unit. WOULD YOU CALL THIS AFFORDABLE??

I definitely think this PUD would change the urban character of Columbia Falls. We need to be sure we are doing the right thing for our healthy future.

Thank you for your time.

Kathie Arvidson



Barb Staaland

From: KELLY GIBSON <kellyg7775@aim.com>
Sent: Tuesday, January 3, 2023 5:58 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Development on River Road

RECEIVED

JAN 03 2023

CITY OF COLUMBIA FALLS

Columbia Falls Planning Board,

We hope that you strongly oppose the 343 unit development that would have numerous negative impacts on the environment, traffic, city services, and quality of life in Columbia Falls.

Kelly Gibson

Charles and Nancy Dalley
101 Steppe Lane
Columbia Falls, MT 59912

Item No.1.

RECEIVED
JAN 03 2023
CITY OF COLUMBIA FALLS

To the members of the Columbia Falls Planning Board:

We are writing this letter in regards to the proposal for the 343 Units Planned for Revised River Highlands Development. We understand and realize as a Planning Board you have to do due diligence in reviewing and putting forth to the public this revised application.

When we purchased our home, we did so because of the rural nature of the area. We love seeing all the elk in the field this fall, along with the bears and deer traveling through our yard. We hate the idea of a huge apartment complex being built and encroaching on the wildlife habitat. We worry about the wild life being euthanized because it becomes a nuisance to the people at the apartment complex.

The concern of having the city of Columbia Falls annexing this area for supplying public utilities is huge. Yes, last summer we had the "perfect storm" where there was a malfunction at the sewage plant and waste was dumped into the Flathead River. Can Columbia Falls provide water and sewage disposal without investing huge amounts of tax payer money for expansions? How many more people will need to be employed for the police department, fire department, and schools that will come from the tax base that community members are paying and NOT residing at this complex? We all know the taxes being collected from the property owner will NOT cover the expansions. Then, we have the problem of educating the children. Does the Columbia Falls School District have adequate classroom space or will additions need to be built onto the schools or even a new elementary school built east of the Flathead River? There will be an estimated 300 new students to the Columbia Falls School District and this does not include all the new developments that are being built in and around Columbia Falls. If this is annexed, who will bear the tax burden for the necessary upgraded infrastructure?

The amount of traffic that will be brought to the intersection of River Road and Highway 2 will create many delays and wait time. The thought of a light "possibly" being installed is scary. If a light is not installed, there will be several accidents at that intersection or people speeding down Rogers Road or some of the other roads in the area to bypass this intersection. Higher traffic accident areas also increase the cost of automobile insurance. We are looking at possibly an additional 600 cars in this area. That is a lot of traffic!

The area is zoned as a CR-3 **one family residential**, which allows 7 dwelling units/gross acre. Each unit needs to have the appropriate setbacks as list on page 27 under 18.326.040 and these are for single unit houses. Does Columbia Falls follow the International Building Code for setback requirements?

Thank you for reading all of our concerns and hope you do due diligence for the area and deny this application.

Sincerely,
Charles and Nancy Dalley

Barb Staaland

From: Scott Yeats <wthunter2@hotmail.com>
Sent: Monday, January 2, 2023 11:48 AM
To: staaladb@cityofcolumbiafalls.com
Subject: River Highlands Proposal comment

RECEIVED
JAN 03 2023
CITY OF COLUMBIA FALLS

Dear CF Planning Board

I am writing in reference to the revised River Highlands development proposal along the Flathead River. The specifications of this development are in direct contrast to the nature of the upper Flathead and are a slap in the face to the many rural residents of this area along with the annual visitors who enjoy seeing open space as they approach Bad Rock Canyon and Glacier Park. I was even more disturbed to see that the City of Columbia Falls specifically highlighted this area of proposed development for high density housing in it's 2018 Development Plan. It defies logic that an area outside of city limits would be designated for a higher density of housing then the majority of the existing city.

The list of impacts from this proposed development are myriad including increased traffic and congestion in an area that is already overwhelmed by traffic flow, a high risk of contamination to the Flathead river due to the proposed running of sewer lines under the river, and a complete change to the character of the area with exceedingly high-density housing. The density of this proposal meets or exceeds any of the housing densities within the city limits of Columbia Falls. These are just a few of the impacts this development will have.

I strongly encourage the Planning Board to reject this proposed development. Further, the Development Plan needs to be amended to remove this parcel, and any other areas east of the river from high density development. It seems that there are many areas to the west of town that would be much 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.

The first version of this proposal has been soundly rejected by the people of Columbia Falls, and this new proposal does not make enough changes to even consider approving it. I trust that the Planning Board will agree.

Thank you,

Scott Yeats

PUBLIC HEARING RIVER HIGHLANDS
SUBDIVISION PUD
JANUARY 10TH, 2022

RECEIVED
JAN 03 2022
CITY OF COLUMBIA FALLS

TO: COLUMBIA FALLS CITY/COUNTY PLANNING BOARD

THANK YOU for your consideration of my comments. I so appreciate your diligent work to hear from your community on this most controversial issue facing us. You and the community spoke clearly to the City staff (and developer) in August about how this projects density and out of step with the communities values and growth trajectory. **Nothing substantial has changed.** I am extremely disappointed that the staff would not take this fact in to their considerations. I am going to attempt to make my presentation with bullet points since I won't be able to articulate my thoughts in 3 minutes. ☺

1. One major concern is that this developer, who might be a nice guy (as Susan told me) he is simply that, a developer who manages wealthy individuals monies and they have to find places to spend their money. If once this were to be developed he will move on to another location to spend his investors money. If he truly cared about our community he would not propose a project that will substantially change our environment and community character. As you are aware, this project will overwhelm our infrastructure, the new school has capacity for only 100 new students, Deer Park and Muldown is at capacity. This project will add 200 students. You heard from teachers, dentists, health care workers & others about the strain this will put on them. What will the traffic be like in our downtown and highways when you add 686 added vehicles? Because of recent new developments, (including many new developments in the county on Columbia Falls Stage/Middle Road, Hilltop Road, Meadow Lake & others) which add to the strain on our infrastructure. The PUD stated that "this will help the city reach their development goals", unit projections have

been met with out these 343 units. I couldn't disagree more, it will simply **overwhelm** the city. It was stated "this decision is based on community wants': emphatically not true. This density does not fit the character of the neighborhood, OR THE COMMUNITY, the three story apartments do not match this rural setting. Please take note of Pg. 6 of 23 of PUD narrative, how could they say: "not to be deemed to be in the public interest."

2. An absolute concern of the community should be (will be once they find out) that there are 3 other very large developments east of this development) that are waiting for River Highlands to drill under the bridge to be able to then hook up. It is simply unsustainable and city staff should be aware of this. Trust has become an issue, does city staff work for its citizens or big money developers?

3. The August PUD presentation espoused affordable housing, \$2000. Average per unit, now it states "attainable Housing". As I've studied this new proposal I find that the language is re written to try and satisfy the communities concerns. Sadly our citizens won't read through the complexity of the PUD, that **must** be taken in to consideration.

4. Most importantly to me is traffic considerations. I find the TIS (traffic impact study) is inferior on so many levels. River Highlands spent pages projecting traffic impacts mainly from the subdivision onto River Road. They did not use the Counties previous road counts on River Road. Pg. 17 Table 2, the analysis summarized that "**existing northbound traffic is experiencing delays longer that what is generally considered acceptable**", another clear reason to deny. Traffic site patterns are confusing at best. He begins by saying he will install a light but as the PUD continues he clearly states (Pg. 10) that "Maybe" at full build out and "IF" the state approves a study will be conducted to warrant a light at the intersection of River Road and Hwy 2.

In my opinion a light should be installed before development starts. Whether he moves the intersection 300 feet or not there will be **complete gridlock** at that intersection day one of construction. **The introduction (Pg. 1) states the subject development will not negatively impact traffic operations**, this simply is not true, intersection gridlock is a negative impact. (The hills were supposed to stay as a buffer, they will be removed if intersection is moved) River road (south of project) to Cfalls stage road approx. 1000 yards, is inferior, max. 20 feet wide with no shoulders, falling apart, dangerous to travel at any time day or night but no mention of how people traveling to the intersection will be able to travel safely in the future. The TIS is incomplete and inadequate when considering the future of people living south of River Road and Hwy 2. Pg. 21, Phase P, states existing US 2 access to River Road will be removed??? Also on page 21 it states the study was a 3 year back study when in fact it goes on to state 2018 to 2020 study. Page 12 states, "**no adverse impacts day to day**". Wrong on so many levels. Then most all projections are for 2026, as you study their metrics you will discover none of it is adequate for what they are projecting. TIS also stated only 3 accidents in last 2 years, not true, there have been 3 accidents I know of this year alone, one major accident 12 hours after the last public hearing. Conclusions are inaccurate and designed to favor the developer.

5. WGM's letter dated December 1 from Mike Brodie states they are excited to bring this PUD with a focus on housing, open space and community development. The previous Public Hearing clearly stated taxpayers of Cfalls don't want this.

6. Concerning the sewer, Pg. 10 states: **the City of Columbia Falls prefers drilling under the river.** Pg. 10 under sewer, the PUD states "the lift station will be sized to accommodate future additional growth", our infrastructure and community cannot bear this. My family lived in South Carolina and stated

they could not swim in the rivers there due to sewer lines breaking under the rivers with sewage smell and unclean water. Is this what we want for our future? The Salish Kootenai have been notified and am hopeful they have stated their position. Once the city takes over the sewer line from this development the city will be on the hook for future (guaranteed) failures. There should be a 2 million dollar surety bond "IF" this is ever approved, which it should not be. These things fail after years of use and a simple question is, what will you do when a thousand people plus have no place to go to the bathroom?

Lastly I want to sincerely thank you for your consideration of my lengthy comments, These comments are not from the perspective that this is in my neighborhood but sincerely from the utter devastation I feel this project would impose on a community I have owned businesses here and served as a public servant. I love my community and have invested heavily for the future of my family. Future growth needs to be directed west and between Cfalls and Whitefish. (The property across from Blue Moon has been presented to the city and Mr. Barnett as available and an option.) When your board designed future growth plans it had to be next to impossible to project what this type of project and the impacts it would have on this community. **Please do not let the city attorney tell you that you can't deny because he has met all requirements,** you have plenty of reasons to deny, especially that this project does not conform to the unique character and environment of the area, Septic concerns, Traffic concerns, wildlife corridor. Please deny approval of this project, for the future of your children and grandchildren in Columbia Falls. This is the wrong proposal at the wrong time,.. it will literally destroy our community and the environment. Thank you again, and God bless you in your deliberations. Respectfully submitted, Gary Hall Former Mayor/County Commissioner 406-253-3026

Barb Staaland

From: Samantha Towery <samanthatowery80@gmail.com>
Sent: Tuesday, January 3, 2023 9:19 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Comments on River Highlands Proposal

RECEIVED
JAN 03 2023
CITY OF COLUMBIA FALLS

Good morning,

To Columbia Falls Planning and Zoning Board:

This letter is in response to the proposed development along River Road in Columbia Falls, MT and should be included in the Planning Board Packet for the January 10, 2023, Columbia Falls Planning and Zoning Board meeting.

As current residents of Columbia Falls, MT, and long-time residents of Flathead Valley, we are deeply concerned about the proposed development plan (River Highlands) submitted by James Barnett on behalf of River Highlands, LLC. Our concerns include, but are not limited to, the following:

1. The size and scale of the proposed development is not in character with the neighborhood. The average size of tracts in the current neighborhood is approximately 8 acres with an average of 0.125 units per acre. The proposed development density is 6.9 units per acre. We are interested to hear the developer explain how the current proposal provides reasonable consideration to the character of the neighborhood. We assume he or his representative will need to be skilled in verbal judo to make that case as the proposal certainly does *not* provide reasonable consideration and would become one of the highest, if not the highest, density development within Columbia Falls.
2. From the publicly available Planning Board agenda, we are unable to determine if the applicant is requesting a zone change but assume as such due to the inclusion of apartments in the proposal. We assume the proposal includes a zoning change request from CR-3 (one family residential) to CR-4 (urban residential). Zoning change requests and ordinance amendments on this scale are troubling and if the requests are approved would result in construction of units not within the basic character of the area. Multiple 2 or 3-story apartment buildings and town houses is not only an eyesore but a burden on current Columbia Falls residents and potentially an environmental hazard. Why would the Columbia Falls Planning and Zoning Board consider changing zoning when the benefits to the community are questionable, and the change is likely detrimental? Because the developer asked for it? That reason alone is not enough, and the Board needs to be able to justify any change and explain the benefits to the community members.
3. The proposal includes annexation into Columbia Falls with city utility services (water and septic) extended under the Flathead River. Allowing this developer, or any developer, to expand city utility services to the east side of Flathead River will open the way for more large-scale development in that area. Will the City Council

consider the majority opinion and is it prepared to deny subsequent requests? On what will it base that decision? Where does it end?

4. Annexation will increase the Columbia Falls population from approximately 5,300 (in 2020) to well over 6,000; an over 12% increase from a single development. Combined with the very large developments already 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. We understand the developer is proposing to pay the cost of extending water and sewer to the development site, but we are unwilling to pay increased taxes to cover increased demand for all services after the initial water and sewer service expansion. We believe it is unfair to ask current Columbia Falls residences to foot most of the increased bill over time.
5. The proposal would increase traffic along River Road, Rogers Road, Kelley Road, Badrock Drive, 3rd Avenue East, Highway 2, Highway 206 and others. The current roadways are barely able to handle increased tourist traffic and adding a minimum of 680 vehicles per day to already congested roads will result in more congestion and more near-fatal and fatal accidents. A stop light on Highway 2 intended to control traffic will only backup traffic along all roadways, including the section of Highway 2 west of the proposed development and intersecting 3rd Avenue East. A traffic study should be conducted on 3rd Avenue East as there are already hundreds of cars per day using that road to access Rivers Edge Park and residences, as well as avoiding Nucleus Avenue to access Smith's, the Post Office, etc. Those residing in the River Highlands Apartments, if the proposal is approved, will likely do the same therefore eroding the character of a neighborhood not directly associated with the new development.
6. Boring under a river to extend water and sewer service does not come without possible stream disturbance and required recurring maintenance. Who is responsible for those maintenance costs? Current Columbia Falls residents should not pay for that recurring maintenance and the costs should be borne solely by the developer. The proposed River Highlands Apartments also appear to be in or directly adjacent to a flood plain. Has the developer included mitigations in the proposal or is he solely concerned with the monetary gain he stands to make in marketing and selling river-front property?
7. The Bad Rock Canyon Wildlife Management Area (Area) is an asset to wildlife living in and traveling through that protected Area and is within a mile of the proposed River Highlands. 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 800+ 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. The proposal is unlikely to provide much-needed affordable housing. This same developer is currently developing Silver Brook Apartments in Kalispell, MT. Those units are marketed as up-scale and run upwards of \$2000 per month. The PUD layout for the proposal is very similar to the Silver Brook Apartments layout and we can only conclude the pricing will be similar or higher based on proximity to the Flathead River. \$2000 per month and higher is not "affordable". When this developer asked for approval from Whitefish City Council for a development similar in size and scale to the River Highlands proposal, he offered that a percentage of those units would be affordable. We have seen no such offer in this proposal.

The mission of the City of Columbia Falls includes *listening to citizens and responding to their needs*, respecting diversity and differences of opinion, and evaluating the status quo and *practicing thoughtful planning*.

We encourage the Planning and Zoning Board to adhere to that mission and listen to the citizens of Columbia Falls and the overwhelming outcry to deny this proposed development. This proposed development holds no benefit for current residents and will only open the door for more outside investors looking to market the opportunity to live at the Gateway to Glacier National Park. Typically, those investors make a quick buck and are on to the next opportunity with little regard for the local community and the natural environment they unabashedly promote to appeal to buyers. We can only assume this developer fits that category based on the proposal and similar proposals from the same developer.

We are totally opposed to the proposed development!

Sincerely,

Samantha Towery and Matthew Kennedy

Barb Staaland

From: Bethany Gnauck <abgnauck@gmail.com>
Sent: Monday, January 2, 2023 5:33 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development Proposal

RECEIVED

JAN 03 2023

CITY OF COLUMBIA FALLS

To: Columbia Falls City Council and Planning Board

Re: River Highlands Development

We are writing to you to voice our continued concerns about development of the Loffler Tract, whether by Flathead Mountain River LLC or another developer. Although the previous application was withdrawn in light of the Columbia Falls Planning Board's decision to recommend rejection, we do want to state our concerns about the newest proposal for dense development directly east of the Flathead River.

- The previous River Highlands proposal was too dense to be built under the existing CR-3 zoning. The zoning variances that the developer was asking for, including but not limited to greater building height, reduced parking standards, and most importantly reduction of fire access road width, demonstrated their blatant disregard for both our small town character and the safety of our residents and first responders. **However, we understand that, incredibly, under CR-3 zoning, it is proposed that 343 units be built on this 50-acre property. We believe that this is still far more units than the area could support.**
- High density development at this location would result in a major strain on our infrastructure, such as water, sewer, fire, schools, roads, and police. It would also compromise wildlife habitat.
- The limited access to Route 2 and other major roadways from any proposed subdivision is highly problematic and potentially dangerous, and will put significant strain on secondary roads, such as River Road and Columbia Falls Stage, which were not built for high traffic volume. **Responsible development of this property is vital to providing access to Route 2 for citizens living in the rural district south of town. Clearly, the developer has no interest in preserving the character or safety of our community.**
- **A natural gas pipeline runs across the northern edge of the property. Any breach of that pipeline would present a severe risk to the lives and property of residents of a high-density development in this area. In turn, the pipeline company, developer, and township would be subject to massive lawsuits.**
- Any connection to city sewer will necessitate passage under the Flathead River, posing environmental and ecological hazards today and in the future.
- Approval of any dense development in this area would be well outside the parameters set forth in the Columbia Falls 2019 Growth Policy, such as:
 - On page 12, 48% of respondents to the Growth Policy Update Survey said they most wanted to preserve a "small town community feel" as the community grows.

- 82% of respondents favored dense development in directions other than east of the city limits.
- On page 15, where new housing units needed between 2020 and 2025 is estimated at 300, with an additional 336 units to be added between 2025 and 2030. The River Highlands development alone would total over 70% of the growth in housing units that the town planners intended for the decade between 2020 and 2030. And this excludes the 200+ units already added with the Highline Apartment development.
- And perhaps more importantly, the Multi-Family Residential zoning plan, as stated in the Columbia Falls Growth Policy 2019 Edition, specifically states that “townhouses are encouraged to be a primary housing type in these areas.”

In the 2018/19 Growth Policy Update Survey the citizens of Columbia Falls clearly identified growth, development and planning, housing and infrastructure as the key issues to be addressed moving forward, as noted on page 9 of the 2019 Growth Policy. In response our town planners created a comprehensive approach to responsible growth and development in the 2019 Growth Plan. The scale of the proposed River Highlands development so severely supersedes our 2019 Growth Plan as to negate the hard work, intentions and goals of our city planners. **We believe that future development in this area, when pushed to the limit of CR-3 zoning, will always be highly detrimental to the character of Columbia Falls.**

We moved here 7 years ago to join family that has lived here for almost 40 years. We fully expected that the zoning laws and development plans which were conscientiously designed by our resident planning board would be upheld. Are we willing to give up our quality of life so that those who don't even have a “resident interest” in our town can greatly profit? We say, “no.” This is not what the town planners intended for Columbia Falls.

Alan and Bethany Gnauck
20 Blue Jay Way
Columbia Falls

January 2, 2023

Item No.1.

Columbia Falls Planning Board
Attn: Barb Staaland, City Clerk
130 6th Street West
Columbia Falls, MT 59912

RECEIVED
JAN 03 2023
CITY OF COLUMBIA FALLS

Members of the Columbia Falls Planning Board,

I oppose the revised River Highlands proposal. The request does not show that the developer has made sufficient adjustments to address the concerns for water quality, traffic congestion, impacts to the community, while keeping the character of the neighborhood nor concern for wildlife habitat. What the developer proposes is a development that keeps the density to make a positive line of profit, but citizen and the community concerns are not valued.

Basically, and in hindsight, the 49 acres in the proposal is a parcel I believe ill-suited for residential development CR-3 (one family residential) even though the prior zone change from CSAG-5 was approved in 2008.

With the density allowed by CR-3, municipal water and sewer would be necessary to protect the water quality with its proximity to Flathead River. The known wildlife corridor would also be interrupted whether 200 single homes or 343 residences (many proposed multifamily) are planned. In 2008 little thought was given to the magnitude of the development awaiting the growth we are currently experiencing.

I repeat some of what I said in August. Growth to maximize opportunity for a developer's financial gains without regard to the community's concern for the environment is reckless. Putting water and sewer lines under or above the Flathead River has potential for disaster of sewage entering the waterway and/or disturbance of the waterway itself. Resources **are not** infinite and without careful consideration the land, water, and our community will be negatively impacted more than we expect.

As the Flathead Valley claims the dubious prize of being the fastest growing county in the state, I recognize the population growth means development. Rapid growth necessitates a careful consideration of proposals regarding water quality, our natural rural ethos, and healthy living. These attributes make our area unique and attractive; they **must be prioritized** when considering development. When we are faced with knowing better, we need to do better to protect and be good stewards of the land, water and community we value.

I support and highly value our natural resources and rural community ethos. We in the wider Columbia Falls community have embraced being the Gateway to Glacier Park, a pristine natural landscape. That is why I chose to live here. Framing the gateway with three-story buildings and with a population density greater than Columbia Falls itself does not preserve this natural setting. The proposed density of development does not protect natural, healthy values. Instead, it sets up a pattern of density along the corridor of the gateway to be strewn with more and more development. This more and more will negatively impact the ability for our small town to provide services of clean water, safe traffic patterns, as well as fire, and police protection.

The infrastructure to assimilate the additional residents has the potential of overwhelming city and community resources while increasing taxes. Our elementary schools, just now remodeled and rebuilt, could quickly become overcrowded. Our high school is at near max capacity. The sewage treatment plant will require more capacity. We do not want more taxes to pay for a developers dream.

The traffic count on River Road already indicates a need for an improved intersection.

I doubt moving the entrance to Highway 2 will prevent backup on the bridge. What is the traffic count on Highway 2 during the summer? The traffic snarl will just increase with the extra burden of traffic from this development.

Planning for growth needs a large lens. I encourage the council and planning committee to engage an investigation into long range planning which is more up to date than the 2019 growth plan. It seems that developers are ready to impose their gain without regard to community values most recently identified by our local community, as an example of the outpouring of comments last summer.

The opportunity to grow wisely is now as well as available in the future. Glacier's gateway will still exist. The question is whether the gateway to a pristine natural park remains natural or an urban area snarled by a traffic mess amid a community underserved with public services.

I believe the community and the planning board were taken by surprise of the reality of being in the bull's eye of population growth. Please deny this proposal and instead develop an updated community comprehensive plan before reaching across the Flathead River for city expansion. Growth is inevitable, let's be a smart community and win for our community and the environment not the developer.

Thank you for your consideration.

Nancy Flint

125 Lewis Lane

Columbia Falls, MT 59912

Dec. 29, 2022

George & Katherine Baughman
269 Rogers Rd.
Columbia Falls, MT 59912

Item No.1.

Columbia Falls City-County Planning Board
130 6th St. West Room A
Columbia Falls, MT 59912

RECEIVED

DEC 30 2022

CITY OF COLUMBIA FALLS

Re: Public hearing for proposed River Highlands PUD and Subdivision.

The "new" River Highlands proposed development is little changed from the proposal that was firmly dismissed last summer. Why does this keep coming up with just superficial changes in layout and height reduction of still grossly inappropriate high-rise buildings for the rural neighborhood? The proposal is still urban high density. The density is still higher than the density in any comparable sized areas within the existing Columbia Falls city limits. The Flathead River is a natural and obvious city/urban boundary. Leave high density urban development within existing city limits.

How does this proposal add to the "Gateway to Glacier" corridor experience?

This area is zoned for single family residences on large lots. The zoning was decided long ago with community input. What is the point of setting up zoning in the first place if it can be changed whenever a developer or someone comes forward with a proposal that doesn't fit the established zoning or neighborhood character.

Nor does this supposedly new proposal mitigate the traffic concerns brought up last summer. There are still no guarantees that even a traffic light will be provided, as that is a decision to be made by the Montana DOT. We note that other recent high density residential areas within Columbia Falls where the developer promised traffic lights did not receive them. Also, moving River Road/Highway 2 intersection further east only succeeds in narrowing the existing wildlife corridor.

For the last two weeks we have been watching a herd of over 100 elk utilizing part of the proposed development along with adjacent properties as part of their winter range. Since the late 70's we have seen and taken pictures of what was known as the Waterslide Elk Herd utilizing the upper level of the proposed development. It is part of an established year-round elk corridor. 100's of new housing units with upwards of 8-900 people with their daily routines and added nearby traffic will disrupt and displace these historical herds. Many other species of animals and birds use the area of the proposed development on a year-round daily basis. It is not "just an old hay field". Those who say wildlife is of negligible importance to this area are quite mistaken.

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? Is the price range of the proposed residences going to help the affordability problem, or will it just add more units of overpriced apartments, townhouses, and single-family homes?

The proposed PUD overlay of existing CR-3 zoning with a further subdivision of the existing plots is a huge variance, and should be denied as nonconforming to the character of the subject land and the surrounding lands.


Katherine A. Baughman

Barb Staaland

From: Cameron Johnson <cam.j.johnson@gmail.com>
Sent: Thursday, December 29, 2022 6:26 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose River Highlands Development
Attachments: Oppose River Road Development. .pdf

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CITY OF COLUMBIA FALLS

Please, read each of the comments you receive regarding this proposal.

Cam Johnson
222 Rogers Road
Columbia Falls.
4068908664

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CITY OF COLUMBIA FALLS

Thank you for the opportunity to comment on the proposed subdivision east of river road. I strongly oppose the development. As planned, this would have a huge negative impact on the current residents, Columbia Falls residents, the watershed, and wildlife.

1. "To maintain and support the rural character of the surrounding area, the proposed development will create approximately 19.55 acres (40% of the property) of open space and parks." "The single family homes shown on the plan will be two to three stories tall with a maximum height of 35 feet."

Apartment buildings and town homes do not exist in this neighborhood. The character of the current neighborhood consists of agriculture and lots of 1 acre or more. There are no 35 ft tall inhabited buildings in this neighborhood.

2. "A subsurface crossing would install a pipe below the river bottom to avoid impact from scour or changing conditions of the river bottom."

Where is the thorough Environmental Impact Study specific to this section of the Flathead River? I understand this has been done before, but not to the Flathead River. What if this failed in 30 years and sewage was found to be leaking into the watershed for an unknown period of time?

4. "The extensions of utilities means the river will not be affected by septic leachate and the directional drill method of installation will limit impacts to banks and habitat."

5. "the Median Family Income in Flathead County is \$80,300, resulting in a Very Low-Income Limit (VLIL) for a family of four at \$39,700."

CHECK THE MEDIAN INCOME OF COLUMBIA FALLS! It is \$48,427. Adjust the numbers and see how "affordable" this is for a resident.

7. They state it will have "minimal impact on the natural environment and wildlife. That is by far the biggest stretch of this proposal. The heard of 115 elk on this property in the beginning of December is a pretty clear example of the impact this will have.

8. Critically think about the initial response to each of the "Estimate of Impacts." Any reasonable person that doesn't have a dollar bill in the front of their mind would see that it is an utter joke. The impacts of this will be negative and irreversible.

What do you and the millions of tourists want to see when you drive east of the Flathead River? The rural landscape they came here for, or continued urban sprawl. Where east of the the river does this exist? Next to being out of character, additional noise, light pollution, and traffic would all negatively impact those that currently live there.

When it comes to the river, Placing high density homes next to it would unarguably have a negative impact on our water quality and fishery through storm water runoff a liter. The Flathead River is designated Wild and Scenic miles upriver, why would it be ok to degrade and threaten it at the first town it sees. We are very fortunate to still have clean water flowing through our rivers and lakes, our children should get to experience the same thing.

There are many areas suitable for high density homes, packing them in alongside a pristine river in a rural neighborhood is not one of them. It will be a massive mistake if this proposal is passed.

Barb Staaland

From: Gil Jordan <ontherun@aboutmontana.net>
Sent: Friday, December 30, 2022 3:14 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Revised River Highlands Development

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 COLUMBIA FALLS

The revised plan is still an unmitigated disaster waiting to happen. If it looks like a duck, walks like a duck, sounds like a duck, it is likely a duck. How crazy is this plan? Let's count the ways:

Totally out of character for the neighborhood Way too much (off the charts) density (*see below) Serious threat to pristine water quality(**see below) Ridiculous increase in traffic and congestion Disastrous impact on wildlife and the Bad Rock Canyon WMA Inadequate study and onsite visits to make an informed decision Will the taxes on the development pay for needed upgrades or will City residents' taxes increase?

* A density of 6.9 units per acre which compares to about .125 units per acre in the surrounding rural neighborhood. Within the CF city limits the density of units averages about 5 units per acre. Not only does this density not fit the character of the neighborhood, the proposed density is greater than the average density within the city limits.

**It makes no sense to have some upper reaches of the Flathead River designated as "wild and scenic" and then pollute the River downstream.

The Flathead River is unlike other rivers that have been drilled under.

This issue is very complex because myriad septic systems are not acceptable, but extending City services east of the river will open that area to more development. How would the underwater pipes be monitored for leaks? Who would monitor them? Can we depend on the agencies that issue permits allowing drilling to study the issue, make onsite visits and make an informed decision?

This is a watershed decision. Will C. Falls remain a charming, gently growing rural community, or will it succumb to avaricious development that benefits no one but the developer?

We are watching the CF Planning Board and City Council. Please do the right thing for Columbia Falls and citizens of the Flathead.

Thank you,

Gil Jordan & Kimberly Pinter
 Coram, MT

Barb Staaland

From: hannah lovelace <hannahlovelace@hotmail.com>
Sent: Thursday, December 29, 2022 5:42 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Rd project

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DEC 29 2022
CITY OF COLUMBIA FALLS

The impacts of the proposed subdivision are clear and irresponsible. VOTE NO

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Barb Staaland

From: Kelsey Johnson <kelsey.redmond@gmail.com>
Sent: Tuesday, December 27, 2022 10:55 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands City

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DEC 27 2022
CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board,

I am writing to oppose the 343-unit development James Barnett has proposed for the 49-acre lot on River Road. As a property owner in the neighborhood, Montana native, and Registered Nurse, I beg you to deny this plan. Although my concerns for this proposal are endless, I worry most about how our town and surrounding environment will negatively change. I worry about compromising the water quality of our mountain rivers with 1000 people living so close to the river. I worry about the loss of habitat for deer, elk, bears, turkeys, migratory birds, etc. Just yesterday there were nearly 100 elk staged on this property. Additionally, as a Registered Nurse in our local Emergency Department, I view public safety as a major concern in adding a 343-unit development. Our two hospitals, other medical facilities and EMS in the valley are already bursting at the seams. Our two grocery stores in town are currently extremely busy every day of the week and a waitlist for child care is two years. We do not have the capacity in Columbia Falls to add another nearly 900 residents in such a small space. This development will smother our town and the uniqueness of Columbia Falls will be changed forever.

Please consider what damage this development will have on Columbia Falls and oppose this plan.

Thank you,
Kelsey R. Johnson, BSN, RN

December 27, 2022

City Clerk, Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

Re: 2nd River Highlands proposed development

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DEC 27 2022
CITY OF COLUMBIA FALLS

Greetings Columbia Falls Planning Board:

We are Columbia Falls residents and again are opposing this development.

The Flathead Valley has experienced extreme growth and development that has impacted every corner of the valley. Home and rent prices have increased to a point that local wages do not allow many working families to live. Building more units has not eased housing prices. The second attempt at this proposed development has not been significantly improved to warrant approval. 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. There are no homes listed in our valley at this price point and nothing in this development indicate the new homes will sell in this price range.

Traffic concerns for the entrance to Hwy 2 demand a better plan, perhaps even a traffic signal. Placing water and sewer lines under the Flathead River below 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 or flood. The size of the project does not fit the character of the neighborhood and the density is far beyond other developments east of the Flathead River. Wildlife impacts outlined by FWP, are not mitigated in the proposed plan. Sewer and water capacity for the local systems may be overwhelmed if further development in east of the river follows this high-density project.

Additional development is going to occur in the Flathead Valley, but it is up to local planning boards to make sure proposed developments are well planned, fit the local neighborhood and are long range focused for all the impacts that will occur. Presently high-density developments on the east side of the Flathead River do not make sense. In time, the former CFAC property will be released for development. It includes hundreds of acres of forested property that has better access to roads and makes far more sense to develop than the small 45-acre tract proposed as River Highlands.

Please add our opposition to those who already oppose this project and deny the developer's request on the valid concerns offered by many local residents. Thank you.

Michael and Cindy Burr
560 Talbot Road
Columbia Falls, MT 59912

Barb Staaland

From: Kristen Sims Barbaree <krismedic162@gmail.com>
Sent: Saturday, December 24, 2022 7:08 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose River Highlands Development

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DEC 27 2022
CITY OF COLUMBIA FALLS

Columbia Falls Planning Board and the Columbia Falls City Council,

We are writing the board and council again to reiterate our strong opposition to the creation of 343 homes at the River Highlands Development.

As residents of River road, we strongly oppose the River Highlands development. Although we support more housing options in Columbia Falls city, developing the subject property with high density housing is not the answer. The developer has stated there will be no impact to wildlife on this property, we strongly disagree, and have seen elk, deer, upland game birds, and other migrating wildlife using this property. Understandably, this property will be developed, however, the capacity in which it is developed should be taken into consideration. The sheer number of vehicle trips per day added to an already congested roadway will create more motor vehicle collisions, as collisions routinely happen at the River Rd intersection. New residents love Montana for our clean air, water, and unspoiled views. Developing this property will destroy the quality of the aforementioned. We ask you to consider the wildlife that resides or passes through this property, the rural character of the neighborhood, and the preservation of the Flathead River corridor. Please take into consideration the voices of my neighbors. Realize that once land is developed, it is gone forever, no longer providing vital wildlife habitat and beautiful scenery that makes Columbia Falls an amazing place to live.

Sincerely,
Brian and Kristen Barbaree

Barb Staaland

From: Sharon O'Neill <soyogamt@gmail.com>
Sent: Friday, December 23, 2022 2:07 PM
To: staalandb@cityofcolumbiafalls.com
Subject: NO to River Highlands!

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CITY OF COLUMBIA FALLS

We are dismayed this is still an issue. The proposal has not been amended nearly enough. Too dense, too much habitat destruction, too much traffic, not nearly enough emergency services.

This area often is only serviced by a tiny volunteer fire department that has been desperate for help for years. The river is a beautiful and natural ecosystem that provides so much for the community and wildlife. No doubt even just the construction will pollute the river, let alone the increase in people.

Please please please, don't ruin Columbia Falls this way.

Sharon O'Neill, second generation MT

--

Sharon O'Neill

PTA, 200-ERYT

406.471.8848

soyogamt@gmail.com



<https://406yogaconference.com>

<https://downwarddogdesigns.com>

Barb Staaland

From: Bonnie Macioroski <bmacioroski@aol.com>
Sent: Thursday, December 22, 2022 1:13 PM
To: staalandsb@cityofcolumbiafalls.com
Subject: New development on river road

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DEC 22 2022
CITY OF COLUMBIA FALLS

How many times is this going to come up? We the citizens of Columbia falls don't want this! Can you not take our NO for an answer to anyone that wants to build there??? We don't have the rooms in schools, nor the want for this big development!

Bonnie Macioroski

Sent from my iPhone BonnieMac

Barb Staaland

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DEC 22 2022

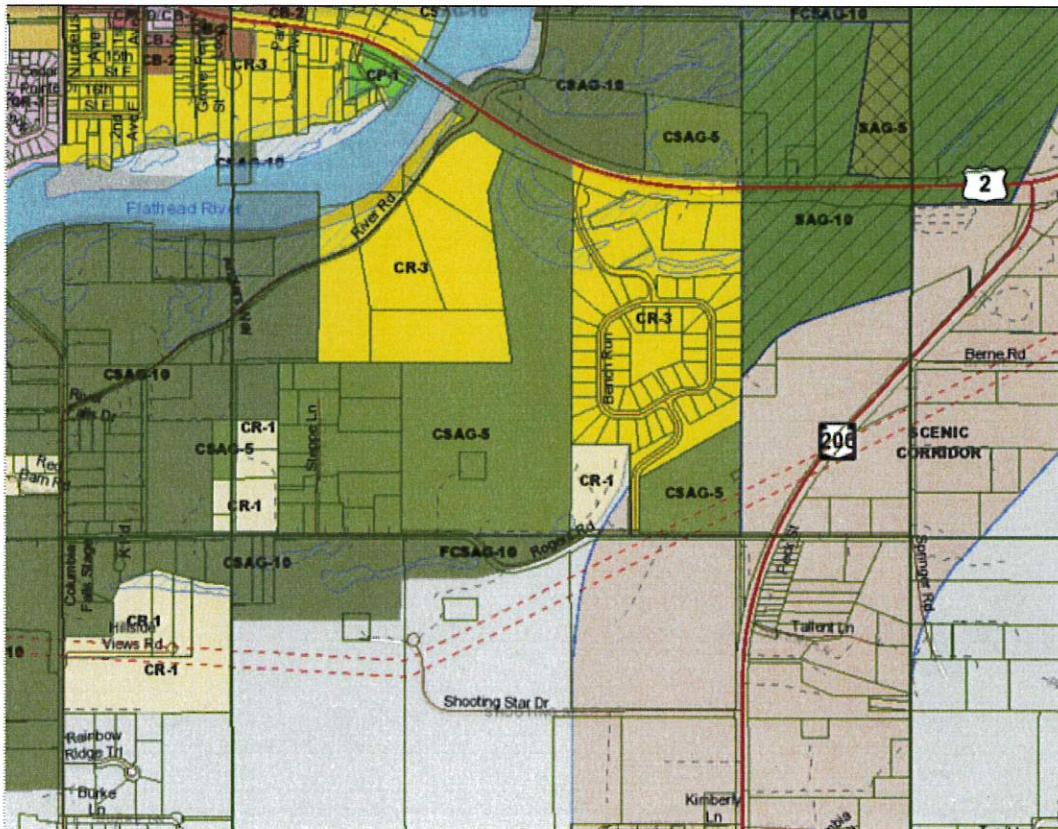
Item No.1.

CITY OF COLUMBIA FALLS

From: Cindy Houk <amontanagl@gmail.com>
Sent: Thursday, December 22, 2022 3:30 PM
To: staalandb@cityofcolumbiafalls.com; nicosias@cityofcolumbiafalls.com
Subject: River Highlands Subdivision objection
Attachments: elk 2022.jpg; elk 2013.JPG; River Highlands subdivision objection letter.docx

To whom it may concern,

I am writing in objection to the requested change in zoning for the River Highlands subdivision. Right now, the area off of River road is zoned as CR3 Single Family Residential. As you can see from the Flathead GIS Interactive map below:



Per the City of Columbia Falls Title 18 document, the requirements for this zone are:

18.326.040 Bulk And Dimensional Requirements

The bulk and dimensional requirements for the CR-3 district are as follows:

1. Minimum lot area: nine thousand six hundred (9,600) square feet;
2. Minimum lot width: eighty (80) feet;
3. Minimum yard requirements:
 1. Front: twenty-five (25) feet;
 2. Side: five (5) feet each;
 3. Side corner: fifteen (15) feet;
 4. Rear: twenty (20) feet;
4. Maximum height: thirty-five (35) feet; licensed amateur radio operators antennae-one hundred (100) feet;
5. Permitted lot coverage: thirty (30) percent;
6. Maximum fence height:
 1. Front: four (4) feet;
 2. Side: six (6) feet;
 3. Rear: six (6) feet;
7. Off-street parking: See Chapters Parking and Loading 18.500.

The entire area from the turn off from Hwy 2 onto River road, from Rogers road to Hwy 206 and from River road on to Columbia falls stage is all Single Family type zoning. The Highlands subdivision proposal does not follow with the character of the area and will cause more problems than what it will fix for housing. The River Highlands development is just too high in density for this area and should be denied.

The City planners zoned this area as CR3 for a reason, please do not approve the change in the zoning. The only reason anyone would even suggest having that type of density in an urban area is simply greed. There is no purpose or reason to create such a high density residential area at this location.

“The developers claim River Highlands will have no impact on wildlife because it leaves a buffer in place along the river.” This quote was taken from the Hungry Horse News article dated 12.22.2022. This statement is an outright lie and I can prove it.....here is a photo I took on Dec 17th, 2022 . There are a total of 84 elk in the field where the subdivision is proposed and the adjacent field. The local elk and deer population use these fields all the time along with bears, coyotes and wild turkeys. This subdivision will impact the local wildlife and if the city council doesn't see that...they are greatly misinformed. I have had the pleasure of watching Bald Eagles, Red Tail Hawks and Great Horned Owls hunt and feed in these fields as well. I have lived in this area since 2001...here are two pictures of the elk taken 9 yrs apart and I have more all through the years.

Taken Dec 17th 2022



You can see the vehicle on River road directly behind the elk. Taken April 2013



I understand this area will get developed and I understand the need for affordable housing in our town. This 49 acres can be responsibly developed in the current CR3 zoning requirements. With the right developer, this area could be developed for affordable housing, and not increase the density to the point that it will create more problems to an area that is not set up for the influx of traffic/people that the River Highlands development will create.

The Benches Subdivision is an excellent example of how this area can be developed without the high density that the Highland subdivision proposes.

As for the request of moving the road, that is not a given and might never happen....if you approve the change in the zoning for this area and the developer never follows through or the state does not put in a traffic light....how many accidents do you think will happen? The applicant is PROPOSING....so it's not a guarantee:

"With the project, the applicant is "proposing" to move River Road further east on Highway 2 and, if supported by MDOT, the applicant would install a traffic signal at Highway 2 and River Road"

Plus the moving of the road is not proposed until the END of the project....which would be 10+ yrs out....how is the city planning on handling all the traffic that comes with this type of high density? Especially in tourist season....this proposal with this high of density just doesn't make sense for this area.

The developer has options available to them to be able to develop this land in a responsible manner without changing the zoning, without creating this high of density, without changing the character of the area and most importantly without creating a major hazard for all involved with the traffic that comes with this type of development.

The people of Columbia Falls have already spoken out against this developer's previous plans and the zone change....you listened to us once...please do so again and deny this request.

Sincerely,
Cindy Houk
154 Steppe Lane
Columbia Falls MT 59912
406-314-8759
attachments included

Barb Staaland

From: Stephen <ocsteve78@gmail.com>
Sent: Thursday, January 5, 2023 9:17 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development
Attachments: River Highlands Development.docx

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JAN 06 2023
CITY OF COLUMBIA FALLS

Barb,

Please see our attached letter voicing our concerns with the new River Highland Development. Please feel free to reach out if you have any questions.

Regards,

Steve Quesada
138 Rogers Rd.
Columbia Falls, MT 59912

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Item No.1.

JAN 06 2023

1/5/2023

CITY OF COLUMBIA FALLS

To whom it may concern:

It is quite unfortunate that residents did not take more interest during the development of the growth plan that has been laid out for our city. It is hard to foresee how growth can affect the very fabric that ties together our community. Often times it comes upon us slowly with little concern and then the strains are felt much later once a precipice has been surpassed. I think the first thing we should consider is revisiting the growth plan and seeing the increase in interest the residents would then have on such meetings with the city and board members. One thing we need to consider is that once developments have been completed, we cannot reverse its affects toward our city. I believe we should be analyzing the growth constantly so that we don't turn our city into a place that is further strained for those who call it home.

I know that recently, Columbia Falls had approved a 103-lot subdivision on 47 acres called Tamarack Meadows. We still do not know how this new development will affect the city as it is yet to be developed. Should we perhaps slow down and see what adverse effects this will have prior to approval of a higher volume development?

Our beautiful city is considered part of the Gateway to Glacier. What does that look like? It should be a reflection of leaving the city and entering into a majestic area on earth. So how does putting in this development outside of town help paint that picture?

Developers have one interest in mind. Making the most money possible per square foot. A 343-unit subdivision on 49 acres only proves that point more. Recall the 103-lot division on 47 acres mentioned previously for the Tamarack Meadows subdivision?

As a resident living on Rogers Rd, here are some of my major concerns with this planned development.

On June 2nd the Columbia Falls Landfill was closed due to the amount of waste that was dropped off recently. I'm assuming it was affected in the whole valley. This should be noted with the number of homes they want to build on River.

I know health care would be another area that would be affected by this. Some people are having problems finding doctors who are accepting patients. That many more patients would put a strain on the already suffering health care in the valley.

Food shortages have greatly affected our grocery stores in the valley. With only two major grocery stores in Columbia Falls, that is a great concern for residents.

Most city expansion projects need to be public ally funded. We all are aware that these costs are burdened in the property owners. That would include the new infrastructure needed for the development and including street repairs for years to come due to the higher volume of cars on the road.

The sewer being brought across the river can possibly leak into the Flathead River which could cause contamination to the wildlife not only in the water, but to aerial life such as eagles, ravens,

swans, etc. all the way down to the Lake and beyond.

Traffic will also increase not only on Highway 2 and River Road, but along Columbia Stage Road and Rogers Road which is the road which I live on.

With more people in the area there will also be a percentage of crime increase as well to the area. Whether it be from potential residents or from being an area where criminals venture to for crimes of opportunity.

There already is a labor shortage for people who do commerce in the area. Adding that many more residents will also slow down our experiences from shopping, dining, and services like the DMV.

Inflation has greatly affected the costs of goods as well. Inventories are low at local car dealerships which make buying a used vehicle unaffordable for what value you get in return.

Contractors for small home projects seem to be booked and hard to schedule. Simple home repairs seem to burden us with repairs that need to be done in a timely manner. A project of this size would also hinder our available resources for such projects. If they hired outside contractors, the city would be paying per diem to those workers while they were in the area. And the money being made by those contractors would only be used in the valley for immediate needs rather than all needs.

I could keep going on and on with reasons why this is a bad idea but regardless of how many reasons are given we are still at your mercy for our future, please consider the voices being heard as if they were your personal struggles as well. Part of the beauty of living here is seeing the open spaces and skyline on my commute in the valley. That peace and serenity can quickly disappear with such a high-density development being built. And it also opens for more developments being pushed in down the road.

Thank you for your time and understanding.

Regards,

Steve and Prisha Quesada

138 Rogers Rd.

Columbia Falls, MT 59912

Barb Staaland

From: Henry Rivera <hrivera@centurytel.net>
Sent: Friday, January 6, 2023 12:56 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Revised River Highlands Development (RRHD)
Attachments: Loffler Subdivision.odt

RECEIVED

JAN 06 2023

CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board Members, I strongly encourage you to deny, once again, the RRHD. All of the issues that were relevant for the original development proposal are still valid for this revised proposal. Mr. James Barnett apparently has not listened very well to the community that would be most affected by the RRHD, otherwise he would not have come back with a similar proposal. The community does not want a proposal like this. This should have been obvious by the hundreds of community members that showed up and voiced their strong opposition at the last meeting. The people are not uninformed. We have valid concerns about: 1) drilling under the Flathead River, 2) increased traffic safety and congestion, 3) the total lack of blending of the proposed development with the existing rural setting, 4) the impacts on wildlife, especially as it relates to the newly created Bad Rock Canyon WMA, 5) the sincerity of the developer and whether he is really concerned about these and other issues brought forward by the public in the August 2022 Planning Board Meeting.

The city staff got it wrong when it recommended approval of the original proposal. Why? Because it appears there's a staff bias for this development and a lack of real concern about how it would affect people that live in the area and the environmental impacts that it would have. If city staff is recommending approval of the RRHD, then I believe they've got it wrong again. They need to listen to the people that are most affected by this proposal. We know our area. We know a significant negative impact when we see it. Why do you think The Benches development made it through relatively unscathed by public opposition? Mainly, because it blended with the existing setting; the proposed RRHD does not. It is the opposite. It's what an insensitive developer would propose. He doesn't really care about whether people in our community want that kind of development, otherwise he would have listened to us in the August 2022 meeting.

I urge you to deny this development plan and advise Mr. Barnett to come back with something that looks more like the Benches development. I am attaching my letter for the original River Highlands development because I believe it is still relevant to the "slightly trimmed" revised version. The overall footprint of the proposed RRHD is the same as the original proposal, therefore, if you recommend approval to the City council then it tells me (and by extension, the rest of the community that will be directly impacted) that you really don't get it. There were important reasons so many people showed up in opposition at the August 2022 meeting. Please listen to the people: we don't want what the developer is proposing because there are too many significant issues/impacts that he is downplaying. Don't be duped.

Thank you for your work for the city of Columbia Falls.

Sincerely, Henry Rivera
 79 Anglers Way
 PO Box 1083
 Columbia Falls, Mt 59912

January 6, 2023

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

CITY OF COLUMBIA FALLS

JAN 06 2023

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RE: River Highlands Development

TO: Columbia Falls Planning Board and City Council

At this time, I am not going to rehash all of the prior very good objections made by many community members at the previous meetings regarding the development on River Road.

I remain steadfastly opposed to development of this area. The majority of us do not want these types of development. Just say NO!

Sincerely,



Debora K. Hall
180 Burke Lane
Columbia Falls, MT

From: Sharon Sue Hays <sharonsuehs@gmail.com>
Sent: Thursday, January 5, 2023 7:03 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Proposed housing development on River Road in Columbia Falls

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JAN 06 2023
CITY OF COLUMBIA FALLS

To whom it concerns:

I have been a resident of Columbia Falls since November, 1970. I have seen this sweet town go from a dusty town to a nice place to live. The growth has been slow, but steady. I am not against growth. I am against development that puts people, animals and resources at risk.

The plan to overload that parcel of land on River Road and Hwy. 2 will only benefit the developer. It will lead to dangerous traffic congestion. The plan to put a sewer line under the river is very risky. If the pipes leak the effluent will likely contaminate the river for a long time before it can be detected. That is an irresponsible risk that should not be taken just so a developer can make money.

We do need affordable rentals, but his proposed rent for a small, one bedroom apartment is not affordable. Most people need to share rentals so they can each manage part of the rent and utilities. The housing plan is too dense for that area and will make it hazardous for cars to enter the highway. I am also concerned that the proposed population of that development will suddenly bring overcrowding to our schools.

Please reject this building proposal.

Sincerely,

Sharon Sue Hays
406-892-4003

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JAN 06 2023

CITY OF COLUMBIA FALLS

January 4, 2023

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 River Highlands PUD and Preliminary Plat Applications, December 1, 2022

The Upper Flathead Neighborhood Association is opposed to the River Highlands PUD and Preliminary Plat 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.

Role of Decision Makers

It is the role of decision makers to practice deliberation in a thoughtful and informed manner utilizing due diligence in reviewing proposals such as this River Highlands proposal. It is the Board's legal duty to engage in a probing analysis to quality and quantify the issues presented in this proposal. It is important for this Board, not just the public, to take a hard look at reasonably foreseeable impacts. In this case,

- the introduction of a high density 343-unit complex of multi-family apartments, row houses, and single family detached homes (860 people on 49 acres),
- in historical farmland,
- in a wildlife corridor and less than a quarter mile from the newly designated Bad Rock Canyon Wildlife Management Area,
- heavily trafficked country road,
- next to rural residential areas,
- bounded on one side by a world-class river fed by tributaries designated as wild and scenic, under which city sewer and water services will be drilled

These conditions will have far reaching impacts including the cumulative impacts of this and past and future developments in this fragile area of the Flathead River Valley. This application is not to be taken lightly by the CF Planning Board, CF staff, or the public.

Please consider the following points

Does This Development Fit the Character of the District/Neighborhood? (#12. PUD Evaluation)

Density of River Highlands

We oppose the density of this development. Mr. Barnett is not seeking a zone change in this second River Highlands proposal, choosing to work within the CR-3 One Family Residential designation of the

City Zoning Regulations. The current proposal reduces the density to 7 units per acre which just squeaks into the urban residential density requirements of 2-8 units per acre. However, CR-3 Permitted Uses #4 states Dwelling, single family. Only 53% of this plan is single family with 83 units detached and 98 attached, totaling 181 single family units. The remaining 47% consist of 162 multi-family units in 9-3-story apartment buildings. The minutes from the August 9th Planning Board meeting for the previous River Highlands proposal state amendments to the staff Finding of Facts regarding density. This new December proposal does not mitigate the issue of "limited multi-family, primarily single family" stated there. Phase 1 calls for the building of 7 of the apartment buildings—the multi-family units not allowed for in CR-3 zoning. If the economy should falter and additional phases are not built out, this property will be in violation of the zoning. This proposal clearly does not fit the zoning requirement for CR-3 and should be denied based on this alone.

Even considering Conditional Uses for CR-3, #5. "Dwelling, cluster development," this plan is a huge stretch to define it as a "cluster development." Per the definition in the City Zoning Regulations, quoted in the proposal, a cluster development has lots clustered together thus creating "a large open space tract that preserves agricultural lands or sensitive areas important to wildlife and wildlife habitat." The "developed open space" discussed in the proposal is clearly not "large open space tract(s) that preserve agricultural lands or sensitive areas important to wildlife and wildlife habitat." The density of this development clearly does not comply with the Permitted Uses or the Conditional Uses of City Zoning Regulations.

In addition, the character of this neighborhood and the values of the neighbors on the east side of the Flathead River are values of respect and appreciation for the natural resources, water quality, bird and wildlife habitat and rural landscapes of our neighborhood, and an understanding of our human connection to the land. There is still farming in the neighborhood.

The smallest acreage in this neighborhood is .4 acres—approximately one house per half acre. In 49 acres that would be 98 units. The average size in the neighborhood is .125 units per acre which is a far cry from 7 units per acre. There is no multi-family housing in the neighborhood. This development has little in common with the character and values of our neighborhood. Nor does it fit the character and density of the neighborhood of Columbia Falls – a random sampling of lot sizes shows a density of 5 units per acre in town. The Growth Policy approved higher density in our rural areas than in the City limits. If approved River Highlands will have more three-story apartment buildings and 3-story row houses than anywhere in Columbia Falls. This is Bozeman or Kalispell or Denver; this is not the "small town feel" of Columbia Falls the Growth Policy respondents requested and City staff, residents and tourists all seem to appreciate.

Reasonable Consideration to the Character of the Neighborhood

As stated above, this plan gives little or no consideration to the character of the neighborhood nor of the values of the current residents. The proposal states that 40% of the property is designated open space and parks in order "to maintain and support the rural character of the surrounding area." "Developed open space" between the buildings does not, by any definition of the term open space, provide any similarity to the "rural character of the surrounding area." The natural area to be undisturbed between River Road and the Flathead River is minimal.

This plan does not acknowledge the current homes along the south boundary of the property. There are at least 3 property owners who will suddenly find themselves living in a heavily populated residential area, more dense than living in a Columbia Falls neighborhood. The proposal indicates no home will be

built within 25 feet of a property line. That's only 8 yards away and if a berm of topsoil is piled up that will be even closer. No open space left for those neighbors. If trees are planted they will take years to mature to provide a screen from the buildings. This proposal does not prevent the overcrowding of land and avoid undue concentration of people, nor does it give reasonable consideration to the peculiar suitability of the property for particular uses.

What is the Impact on Wildlife and Wildlife Habitat?

Wildlife Greatly Impacted

The proposal takes a very narrow view, indicating there's no impact because the development provides for setback from the River. The Environmental Assessment included in the proposal is woefully inadequate. Consider, rather, the very thoughtful and thorough letter included in the packet from MT Fish, Wildlife and Parks. Those of us who live here, and MT Fish, Wildlife and Parks know this field is abundant in whitetail deer, with elk, grizzly and black bear, mountain lion and other mammals passing through. In fact, up to 115 head of elk have been on this property and the open fields to the south in late December 2022. Smaller mammals and numerous birds, including raptors and songbirds are also present. The property not only serves as habitat for these animals, but also as an important corridor as they travel from the south, northward to the new Bad Rock Canyon Wildlife Management Area of which City leaders supported the acquisition. River Highlands will destroy nearly 50 acres of habitat, leaving just a 500 foot strip of land between this development and the new subdivision to the east for the essential wildlife corridor. Bear and mountain lion sightings are prevalent in the neighborhood, including Grizzly Bears this past fall. Human-animal conflicts will occur. Consider the cumulative effect of all the current and soon to be proposed developments east of the River. If the proposed development on the 22 acres north of Highway 2 is presented and were to be approved the wildlife corridor to the Wildlife Management Area would effectively be eliminated forever. A token bit of land along the steep bank of a river is not a corridor for large mammals.

Extension of Utilities

While this plan to extend services across the Flathead River appears to be a benefit to avert septic leachate, extending services to the east side of the River will open up the land on the entire east side of the River for future high density development, aka, "urban residential." Whose "benefit" is being considered? This is not a benefit for the residents currently living in the area, to persons traveling Highway 2, to the wildlife who are already being squeezed out of the area due to an earlier approved subdivision. Nor is this a benefit to the tax payers of Columbia Falls. With the extension of city services to this area and the annexation, resources now available to residents inside the city limits will be shared with an additional 860 residents – 1/6 of the current population of Columbia Falls (5,300: 2020 census). Septic waste, now hauled to the County landfill (DIL: 10/2021) will be increased by 17%. More water wells will need to be dug, if not for this development then additional developments down the road. Upgrades in water and sewer systems, snow removal, street maintenance, police and fire protection will all be stretched thinner and the property taxes in this proposal may or may not cover these expenses.

Directional drilling of utilities under major rivers seems to be the norm, although we have not been able to find any record of this under the Flathead River. The Flathead River is different from other Montana rivers. It is a freestone river or free flowing river—two out of three tributaries. Examples that have been given of Montana rivers that have utilities under them are not free flowing rivers. River guides who are on the River every day say the River changes every day. How will the normal scouring of the River bottom and edges affect the sewer and water lines only 20 feet below the River bed. How will the City maintain the water and sewer lines buried under the River? How will they be monitored for leaks?

How will the leaks be repaired and who will pay for that? How will the polluting of the Flathead River be mitigated? Permits that are issued by agencies at the inception of the project don't provide any help in dealing with the issues down the road.

In this proposal the utilities will be drilled under the Flathead River to prevent septic leachate from individual septic systems so, barring a leak under the pristine Flathead River, septic leachate will not be a problem. While this property appears to be "high and dry" from any potential flooding of the Flathead River it should be noted that the Depth to Water Table -- the "underground river" noted in the attached document (Shallow Aquifer-A Shared Resource from Flathead Lakers) varies from 5 -20 feet. It is likely the storm water system will impact the ground water as well as the Flathead River. No information is provided on how the overflow of storm water will get to the River. Despite the plan assuring the storm water ponds will be treated for pollutants there will be a high rate of herbicides and fertilizers used on the large amount of landscaping, and road and auto pollutants will also affect the storm drainage and potentially find their way into the ground water and/or the River.

Will this Proposal Lessen Congestion in the Streets?

Traffic and Public Safety

I urge you to carefully review the proposed River Highlands map. Consider the traffic patterns in and out of the development. The two streets allowing ingress and egress converge on River Road. There is no alternate route in and out of the development. This is a safety issue as well as a congestion issue. At least 686 vehicles (2 parking spaces x 343 units) will use River Road times the number of trips per day. A recent subdivision proposal in the neighborhood suggests 10 trips per day per unit which in this case equals 3,430 trips/day added to the already 2,660 cars using River Road each day (Flathead County 2020 study).

This proposal states the developer will install a traffic light for the new River Road (300-375 feet east of the bridge) and Highway 2 intersection. In the previous proposal this was not a guarantee a traffic light for the new River Road (300-375 feet east of the bridge) and Highway 2 intersection would be installed. It only suggested a "signal warrant study" be conducted after the development has been approved and build out accomplished (4-6, or more years). It generally takes additional years before a light is actually installed and all that is dependent upon MDOT deciding it is warranted.

The proposal does not address the 2,660 cars using River Road daily (2020) drawing from the remainder of River Road, Columbia Falls Stage, Rogers Road, Middle Road, Kokanee Bend, and subdivisions further south. The potential for these drivers to divert away from the congestion of River Road (which would be hundreds of times busier than a normal city street) and begin using the east/west routes of Rogers Road, Kelley Road, and Badrock Drive to access Highway 206 will increase traffic on these narrow county roads not built for this kind of traffic.

In addition, IF a traffic light were to be installed, the proposal does not mention the difficulty residents of North River Road will have accessing Highway 2 since it will no longer be directly across Highway 2 from South River Road and not controlled by the light. Also the farm access now in place on the south side of Highway 2 immediately to the east of River Highlands property will be adjacent and parallel to the new River Road and the stop light making it difficult if not impossible to access this neighboring property from Highway 2. This all sounds like a grand idea for River Highlands but not so much for the neighbors.

Safety Issues

Fire Threats

As mentioned above, all of the traffic ingress/egress is off of River Road. ALL of the 686-3,430 vehicle trips will route on and off River Road. There is no "backdoor" alternate route out of the development, no "escape" route should River Road be impassable due to traffic pileup, an accident, a fire, snow. Rick Trembath, Wildland Urban Interface Fire Instructor for the National Fire Academy, and former Bigfork fire chief, responded to my questions about potential for a wildland fire overtaking this development with 860 inhabitants and no alternate way out. He said this neighborhood is low risk for spread of wildfire because of the natural barriers such as the River and Highway 2. BUT, he is greatly concerned about the high density, the buildings so close together and the size of the buildings. He said the alignment with the wind is a crucial factor in the spread of structure fires. A spark from a grass fire could set one building on fire and the strong winds (of which we residents are very familiar) out of Badrock Canyon or the strong south wind (both can gust up to 35-50 mph) could create a domino effect blowing fire from one building to the next. This development is setting up a situation for a major loss of large structures. The heat is so intense the fire cannot be contained and anything downwind is at great risk. He said, and I quote, "You build too many large structures too close together and you end up with a fire situation; you'll have one big bonfire; you can't stop it." City leaders must decide if they want to take this community to this level of risk and required services.

High Pressure Gas Line

There is a Northwest Energy high pressure gas line that crosses the north end of the property. This is listed as a safety consideration in evaluation questions.

Housing/Affordable Housing/Long Term Rentals

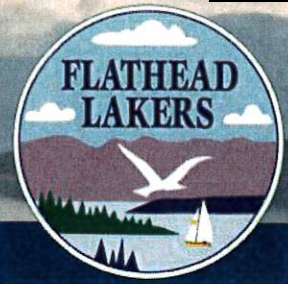
When developers indicate they are providing much needed housing for our town we must think this through. In Colu-bia Falls we are told we need affordable housing/workforce housing. That's housing for service providers – restaurant workers, grocery store clerks, auto mechanics, and newly employed school teachers, dental technicians. They do not fall into the Flathead County median family income of \$80,300 indicated in the proposal. Colu-bia Falls does not need to provide housing for the entire Flathead Valley, nor should the data presented be representative of the entire County. According to the 2020 US Census, the Colu-bia Falls median income is \$48,427; the median income for "nonfamilies" or single persons is \$20,884. Based on the Housing and Urban Development (HUD) definition of "affordability," quoted in the River Highlands proposal, in which a household should obtain housing for 30% or less of its income that would mean in order to be affordable a Colu-bia Falls household could afford rent at \$1,210/month; a single person \$522/month. New rentals in the area are charging 1,500-\$2,000 or more rent/unit. Rent increases are not uncommon. This would not be affordable housing/workforce housing for the community of Colu-bia Falls which is what is urgently needed.

This developer need not think this is the only proposal for housing in Colu-bia 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), Ruis (78++) for a total of 283. This does not include Highline Apartments, the proposed Tamarack Meadows, and Mr. Ruis has been approved to build a hotel which could include long-term rentals and the former junior high school converted into senior housing.

Consider Alternatives

The Upper Flathead Neighborhood Association Board met with Mr. Barnett and Mr. Brodie before hearings on the first River Highlands proposal. We suggested modifications to the plan which would honor the traditional agricultural roots of our neighborhood, allow for a wildlife corridor and undeveloped open space, combined with reduced cluster housing setback from the Road and the River. We would welcome and be pleased to be part of a new model of designing developments in which stakeholders engage in respectful, cooperative designing processes to acknowledge and respect the needs of all concerned. Certainly not everyone's needs will be met but most certainly we would avoid the adversarial nature of this process and all parties would come away from the table being heard and some of their needs met. Let's "think outside of the box," get creative, consider lots of possibilities, put Columbia Falls on the map as that small Montana town creating community in new and unique ways to meet the needs of the residents and the developers/investors.

Respectfully Submitted,
Shirley Folkwein, Board President
Upper Flathead Neighborhood Association
Columbia Falls, MT 59912



make a clear difference for Flathead Lake

Shallow Aquifer – *A Shared Resource*

WHY SHOULD WE CARE?

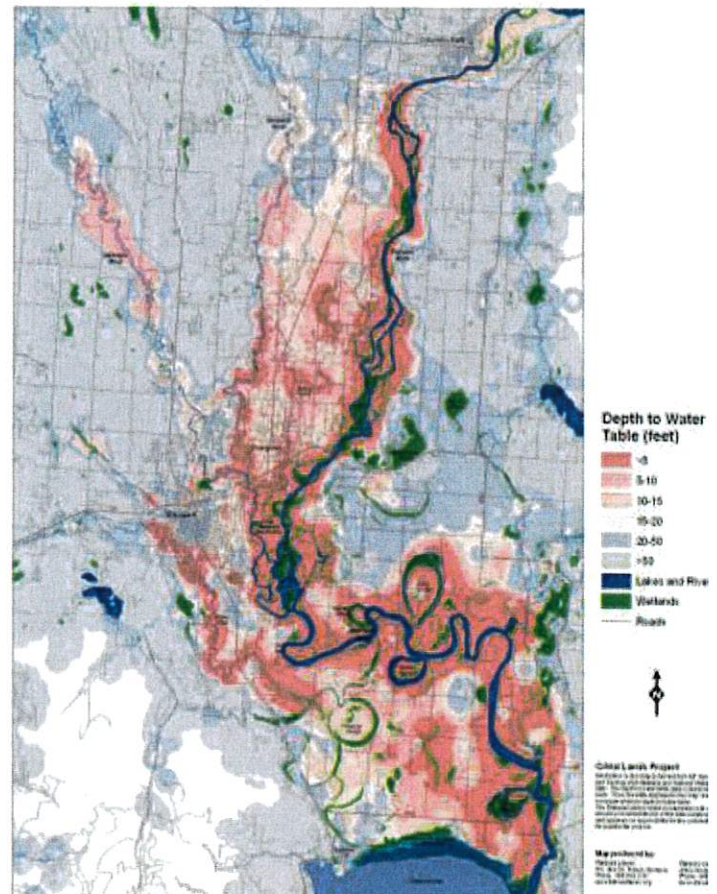
As glaciers receded ten thousand years ago, the meltwater became a river many times larger than the Flathead River of today. The glaciers and ancient river left behind a huge area of gravels permeated by water that forms a shallow alluvial aquifer, often referred to as the Evergreen Aquifer.

We may not see it today, but water still moves underground between the Flathead River and the aquifer.

This aquifer is located between the Flathead River to the east and Whitefish River to the west, and between Badrock Canyon to the north and the confluence of the Flathead and Whitefish rivers to the south.

The depth to groundwater in this area is generally less than 50 feet and for much of the area less than five feet.

Depth to Water Table



WHY IS THIS AQUIFER IMPORTANT?

Water quality and the economy go hand in hand

In a natural state, the shallow aquifer provides a buffer that filters out pollutants before they reach the water. The aquifer contains a complex network of organisms that naturally cleanse the waters.

The shallow aquifer can help reduce flooding. During floods, water from the river can saturate the aquifer and absorb some of the floodwaters reducing flooding.

CLEAN WATER TOOL KIT: Shallow Aquifer

WHAT CAN WE DO?

The problem

- Pollution entering the alluvial aquifer, such as oil and gas, heavy metals, or nutrients from faulty septic systems or excessive fertilizer application, can contaminate the aquifer and damage or destroy its natural cleansing system, jeopardizing groundwater supplies.
- Polluted groundwater can also move into the Flathead River and flow down to Flathead Lake, one of the cleanest, large freshwater lakes in populated areas in the world.

The solution

We can protect clean water by encouraging responsible development away from vulnerable areas, such as the shallow alluvial aquifer.

- **Build in upland areas** where the groundwater is not so shallow and limit the density of any development, including paved areas, over the aquifer.
- **Maintain your septic system** with annual checks, and pump your tank as needed.
- **Protect wetlands** and riparian habitat.
- **Apply fertilizers and pesticides sparingly.** When use is necessary, do not exceed recommended amounts.
- **Dispose of household hazardous products**, such as paints, pesticides, insecticides, motor oil, and pharmaceuticals at a collection facility. Don't pour them onto the ground or into storm drains, sinks or toilets. For small spills, sprinkle with sawdust or kitty litter, seal in a trash bag, and put in the trash. For large spills call your County Emergency Services or 911.
- **Share information** about the shallow aquifer with your friends, neighbors, Flathead County Commissioners, and newcomers to help them be good stewards and help keep Flathead waters clean and beautiful.

WHERE TO LEARN MORE?

Find out more about caring for the Shallow Aquifer and clean water at the Flathead Lakers website:

<http://www.flatheadlakers.org/index.php?page=Shallow-Groundwater>

For more information and maps contact:

Flathead County Planning and Zoning office in Kalispell (406) 751-8200.

Flathead County Health Department (406) 751-8100

Flathead Lakers (406) 883-1346, www.flatheadlakers.org

Together, we can keep Flathead Lake blue! Visit the Flathead Lake Clean Water Toolkit:

www.flatheadlakers.org/toolkit or call 883-1341.

FLATHEAD LAKERS | P.O. Box 70 | Polson, MT 59860
406-883-1341 | flatheadlakers.org



Barb Staaland

From: Barbara Cole <becole54@icloud.com>
Sent: Monday, January 9, 2023 10:06 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Development on River Road

RECEIVED

JAN 09 2023

CITY OF COLUMBIA FALLS

Follow Up Flag: Follow up
Flag Status: Flagged

I understand that this email is not in your time frame but I am hearing major conflicting information from the city and residents in this area. How does anyone think River Road can safely add another roughly 800 cars to it. That is 2 cars per proposed units. It is unsafe now with the over 2000 cars per day it has and that is figures from 2000 road study. It is much more.

The city can't even remove snow from their streets in the winter time. I can barely travel down 8th street to get to my house in town. The city pickups with plows drive around but don't plow. It is seen all the time or they are parked at the city park. If you can't take care of what you have how do you plan on adding more? We don't want that development in our neighborhood. Too much density. Have you ever been at the high school and tried to drive 13th Street when the school dismisses? And that is not any where near the amount of traffic you are shoving down our throats. We said no before. Does your developer really think that changing the so called amount of units really changes what they will do to our friendly neighborhood. What happened to making it match our area. It doesn't even match the city density. I am appalled that you would even entertain it. I realize you want the money and to add development across the River but we don't want this type of development in our area. I live on River Road. You have already wrecked our city with the development that Ruis is doing. Don't wreck our neighborhood. Put it next to where you live and see what you think.

Sent from my iPhone=

Barb Staaland

From: Sierra Griffith <sierragriffith2004@gmail.com>
Sent: Monday, January 9, 2023 12:18 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
JAN 09 2023
CITY OF COLUMBIA FALLS

Dear Barb Staaland,

In regards to the 343 units planned for Revised River Highlands Development I am writing this email to stand up for our rivers as well as our town. The town of Columbia Falls can not support a 343 unit development.

Once known as a small town, Columbia Falls is known for the beautiful rivers, mountains, animals etc. This development will affect all the rivers and beauty of Columbia Falls in a negative manner. I drive River Road quite often and it would be heart shattering to see a 343 unit development as you enter and as you leave. Our infrastructures can not withhold our growing community. Adding 343 units will only make our water and sewer systems fail even faster than they already are.

This development is something you would see in a big city not a small town. It is far out of reach for our small town of Columbia Falls. I would truly hate to see a small town I have lived in my whole life change into a city. I appreciate you taking the time to read through my email.

Sierra Griffith

Barb Staaland

From: Jamie Burkholder <jamieburkholder@yahoo.com>
Sent: Monday, January 9, 2023 2:38 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River highlands

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
JAN 09 2023
CITY OF COLUMBIA FALLS

Hello,

I am writing you to Express that I am NOT in favor of approving the river highlands proposal. Just as before the reasons I feel that we should not approve the development is that I believe we should leave the area zoned for single family homes, I strongly disagree with running utilities over, through or under the river and the density of home will greatly reduce availability of wintering grounds for the deer and elk that use that specific property during the hardest months of the year.

Thank you,

Jamie Burkholder
494 Kokanee Bend dr, Cfalls

[Sent from Yahoo Mail on Android](#)

Barb Staaland

From: Brian Fitzpatrick <able20027@aol.com>
Sent: Saturday, January 7, 2023 1:19 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development-Columbia Falls-Letter

RECEIVED**JAN 09 2023****CITY OF COLUMBIA FALLS**

Att: City of Columbia Falls,

We are writing to express our concern regarding the proposed development River Highlands. Our property is right next to this development and one of our main concerns with the proposed amount of units is that this will create a problem with trespassing, people meandering onto our property, loss of privacy, noise and disturbances and possible theft. We would like to please ask the Columbia Falls planning department to require this new development if passed to put up signs and fencing (not barb wire) surrounding our property to prevent trespassing, disturbances or 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 River Road is very busy and at times gets very congested. We feel this new development will compound this problem. How will River Highlands development mitigate this with all the new people they would potentially bring in.

We feel this development does not fit with our neighborhoods character and would prefer not to see this happen here.

Regards,

Brian and Lisa Fitzpatrick
202 River Road
Columbia Falls, MT 59912

PH: 406-892-9003 / C: 714-231-2845/ PH: 928-680-6676
Email: able20027@aol.com

To: Columbia Falls City-County Planning Board

January 9, 2023

River Highlands Proposed Findings of Facts for Preliminary Plat Request

Prepared by Luci Yeats, Upper Flathead Neighborhood Association (UFNA)

RECEIVED

JAN 09 2023

CITY OF COLUMBIA FALLS

	CF Staff Evaluation Based on Statutory Criteria and CF Subdivision Regs: Chapter 17.12.090	UFNA's Proposed Findings of Fact
	A. Impacts on Public Health	
	Public health and safety are defined as the prevailing healthful, sanitary condition of wellbeing for the community at large. Conditions that relate to public health and safety include, but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes, and other natural hazards; high voltage lines or high-pressure gas lines; and air or vehicular traffic safety hazards.	
1.	Proposed subdivisions that are contiguous to unincorporated town sites or within the city-county planning jurisdiction and utilize available public facilities are likely to have an impact on public health and safety.	
	<i>Emergency Services:</i> The Columbia Falls Fire District will provide fire service to the subdivision. As the subdivision is subject to City standards, fire hydrants and emergency access will be installed throughout the subdivision. The Fire Chief voiced no concerns with the project. The reconstruction and relocation of River Road will provide better and safer access to the River Road neighborhood. <i>Vehicular Traffic Safety Hazard:</i> At present River Road is a county-maintained road that intersects with Highway 2. During the summer months and particularly the peak AM and PM hours, current traffic creates long delays for northbound left and right hand turns onto Highway 2 and into Columbia Falls. The conclusion is that even with the traffic generated by this project, if a traffic signal is installed, the congestion and traffic safety at River Road and Highway 2 will greatly improve.	<i>Emergency Services:</i> Even though there is limited timber on site in which a fire could burn, there will be grass and weeds before buildout is complete. Strong winds in the area could ignite a fire, which could easily spread into dwellings. The reconstruction and relocation of River Road with only two accesses does not allow enough egress in the event of a fire emergency. <i>Vehicular Traffic Safety Hazard:</i> Current traffic count on River Road is upwards of 2600 vehicles a day. (Flathead County 2020 traffic study) The approximate minimum additional 800 vehicles per day coming out of River Highlands development will add to the congestion but will also cause many area residents to drive other county roads, such as Rogers, Kelly, Bad Rock, CF Stage. This will add to the congestion and wear and tear on these roads, along with Highway 206. There is no guarantee a traffic light will ever be installed on Highway 2, and if it is, it may be after a number of years of buildout.
2.	Proposed subdivisions or associated improvements that are located in an area identified as a high fire hazard area by a fire district are considered to have an impact on public health and safety.	
	The proposed subdivision is located in the Wildland Urban Interface (WUI). With the exception of the river front area, there are few trees on the property. With the extension of municipal water, the subdivision will provide fire hydrants spaced at City Standards. The access to the project will be constructed to City standards with two approaches	There is limited timber on the property. There are trees along the river, a few on a ridge on the west side of the property and trees on adjoining land on the east and southeast. A fire could easily start in any of those patches of timber and spread through dry grass, especially before full buildout. Strong winds in the area could help

	for egress out to River Road. These items should mitigate fire hazards on the property.	spread a fire, which could easily spread into dwellings. The presence of River Road in the subdivision lends itself to someone throwing a lighted cigarette out a window or a chain dragging and creating sparks. The reconstruction and relocation of River Road with only two accesses does not allow enough egress from the development in the event of a fire emergency. There is no "backdoor" alternate route out of the development, no "escape" route should River Road be impassable. Rick Trembath, Wildland Urban Interface Fire Instructor for the National Fire Academy, and former Bigfork fire chief, said this neighborhood is low risk for spread of wildfire BUT he is greatly concerned about the high density, the buildings so close together, and the size of the buildings. He said the alignment with the wind (35-50 mph winds from time to time in all seasons) is a crucial factor in the spread of structure fires. A spark from a grass fire could set one building on fire and the strong winds could create a domino effect blowing fire from one building to the next.
	B. Impacts on Wildlife and Wildlife Habitat	
	Wildlife is defined as those animals that are not domesticated or tamed; and wildlife habitat is defined as the place or area where wildlife naturally lives or travels through.	
1.	Proposed subdivisions that are contiguous to unincorporated town sites or within the city-county planning jurisdiction are considered to have a minimal impact on wildlife and wildlife habitat.	
	The proposed subdivision is within the Columbia Falls Planning Jurisdiction and, in an area, already identified for urban residential use by the Columbia Falls Growth Policy. The proposed subdivision is extending municipal sewer and water to the subdivision and the east side of the Flathead River. The Flathead River separates the proposed development from urban densities on the west side of the river. The property is a hay field with no sensitive habitats except those along the river which is being protected with the open space designation.	The proposed subdivision is certainly within the Columbia Falls Planning Jurisdiction but is within the so-called "doughnut." It is separated from the Columbia Falls city limits and urban densities by the Flathead River, which does not make it a prime property for urban residential use. Municipal water and sewer to serve such high densities must be brought across the river in some form. This could impact the fish species in the river, which includes the threatened bull trout. The property itself serves as habitat, forage and a travel area for a variety of small birds and mammals. The greatest impact felt by a development of this density and design in this location will be to the deer and elk. They bed, eat, and move through the property on their way to the river for water. The elk especially move from north to south through the eastern

		portion of the property and cross back and forth across Highway 2. They use properties to the north, including the Bad Rock Canyon Wildlife Management area. The property is in Hunting District 170 and is open to the hunting of big game with traditional handgun, muzzleloader, bow and shotgun. The river itself, mentioned as a sensitive habitat, and "protected with the open space designation", will be subject to pets from the development running loose. The associated feces from them, and garbage from residents will have a definite impact on the river.
2.	Proposed subdivisions or associated improvements that are proposed in locations with riparian areas, wetlands, rivers, streams, lakes, or other natural surface waters are considered to have an impact on wildlife and wildlife habitat.	
	The property is located on River Road which is a County Road. River Road separates the upland areas from the riparian vegetation along the Flathead River which is also the western boundary of the property. The area west of River Road is the only area on the property that contains any significant native vegetation. The applicants are proposing all lands west of River Road to be in park or open space. The active park area being dedicated to the City is an area that is currently devoid of trees except for the area right along the river bank. The park and open space areas should mitigate impacts to the riparian area and river.	This proposed subdivision is in a location with a river and a riparian area. A small separation of a road and a narrow open space and park will not mitigate impacts to the river and riparian areas. People from the development, and their pets, will cross River Road and enter the open space, leaving their garbage and their pets' feces along the riverbank. Unfiltered runoff from paved areas, fertilizers and pesticides will possibly make its way to the Flathead River. The proposed subdivision is located directly adjacent to an important wetland to the east. Water from this wetland drains via a culvert under Highway 2 and has a connection to the Flathead River under north River Road. Unfiltered runoff from the proposed subdivision could possibly enter the wetland, and eventually the Flathead River. The narrow setback along the east edge of the subdivision will not mitigate this problem.
3.	Proposed subdivisions or associated improvements that are proposed in an area with rare or endangered species, as identified by state or federal agencies, are considered to have an impact on wildlife.	
	According to the application materials and environmental assessment, the proposed site may include the following Species of Concern: (see list on Page 9 of Findings of Fact) The list was provided by the Natural Heritage Program and the search area includes approximately 12 square miles around the site. Therefore, species like the loon and wolverine would not likely visit the site. However, it can be	The proposed subdivision is most likely not an area where rare or endangered species regularly frequent. There is telemetry data of grizzly bears passing through the area. The open space along the river is probably not the area where most large mammals travel, so that protection is of little worth to these animals.

	safely assumed that bald eagles fly over the site and that the occasional grizzly bear travels through the property. However, this does not mean that the property is ideal habitat for these species or that the property has critical habitat for these species. The subdivision is providing open space along the entire River Frontage. The remaining parts of the property are hay field which does not provide much habitat for the birds or mammals. Fish Wildlife and Parks in their letter dated May 31, 2022 for the previous application, indicate that the proposed subdivision may displace deer and elk which use the area periodically. Deer and Elk are not species of concern and the subject property is in the urban growth area identified by the City for expansion. Pretty much any direction the City of Columbia Falls expands will displace deer and elk. This same comment is directed at conflicts with black and grizzly bears. This comment is true for all of Columbia Falls. To address this issue, staff will recommend securing refuse in bear resistant enclosures and utilizing the "Living with Wildlife" standards in to the management of the residential property. A request for FWP agency comment was sent out with this new application and as of the writing of the report, no comment has been received.	The "hay field" <u>does</u> provide habitat for birds and mammals. It also provides a large open space and movement corridor for elk to the open spaces north of Highway 2 and to the Bad Rock Canyon Wildlife Management Area. To state "pretty much any direction the City of Columbia Falls expands will displace deer and elk" is a total disregard of the natural world and a lack of understanding about what makes our area unique. Current residents value and respect the land and understand the human connection to that land and the mental health benefits of the natural world. The mental health of current residents will be diminished with the elimination of wildlife habitat thereby greatly reducing the wildlife and birds now using the land and eliminating the views and rural landscapes. The letter submitted by MT Fish, Wildlife and Parks regarding the previous application is still applicable. In talking with Franz Ingelfinger, Region 1 wildlife biologist, he indicated a letter had been written regarding this subdivision application. The letter was submitted to the FWP office in Helena for approval and had not yet been returned.
4.	Proposed subdivisions or associated improvements that are proposed on or adjacent to land identified by state or federal agencies as critical habitat are considered to have an impact on wildlife and wildlife habitat.	
	The only potential habitat that would be considered critical is that area along the Flathead River. The entire river frontage between River Road and the Flathead River is designated for Park and Open Space on the proposed PUD and Subdivision plat. This property is directly across the river from the City of Columbia Falls and Fish, Wild, Life and Parks Teakettle Fishing Access. This property is in the urban growth area identified by the City's Long Range Planning document for urban expansion. In a comment letter from Fish Wildlife and Parks (5/31/22), they indicate that development should be	From MT FWP letter (May 31, 2022): "The proposed project is heavily used by a resident elk herd. This parcel is part of a continuous movement corridor for elk, which cross highway 2 to the north to access larger tracts of available habitat. This lot is a <u>critical</u> connection for elk moving south to the river corridor through the remaining bands of open space and forest. The loss of this habitat will alter movement patterns and eliminate this habitat for elk security and foraging. Cumulatively, high density development on this parcel and surrounding

	300-feet from the Flathead River. The PUD Plat scales setbacks of 120 to 420 feet from the river and only a few of the attached single family building envelopes come to the 120-foot mark. It should be pointed out that neither the City of Columbia Falls or Flathead County have adopted this recommendation for a river setback and, in this case, River Road, a paved public road sits between the Development and the River.	parcels could eventually displace elk completely from this area.” Also, “In addition to ungulates, the area is used by black and grizzly bears. FWP grizzly bear conflict biologists have responded to numerous black and grizzly bear conflicts both north and south of highway 2 in this area. Both bear species travel through these larger undeveloped parcels to access the river corridor to the north and south. Development of this area would displace bears from natural habitat, and result in increased human-bear conflicts.” The FWP Teakettle Fishing Access Site is directly across the Flathead River from the proposed development. In the spring, summer and fall this FAS is heavily used by fisherman and floaters. This proposed high density, highly visible development is not compatible to the recreational use of the Flathead River. Parts of the City’s Long Range Planning document were approved in error, without enough citizen input and without thought to the repercussions of urban expansion to this property. The FWP recommendation of a 300 foot setback from the river should be followed.
C.	Impacts on the Natural Environment	
	The natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, noise, light and objects of historic and aesthetic significance.	
	Air: Vehicles and home heating will contribute exhaust and particulate matter to the air. Due to paving of road, parking and streets and unrestricted natural air movement the impact is considered minor. Groundwater: The subdivision will utilize Municipal waste water services which will help protect groundwater resources in the area. The stormwater facilities will be reviewed by the City of Columbia Falls Public Works Department and the Montana Department of Environmental Quality.	The City staff’s Findings of Fact do not cover each of the items 1-5, as prescribed in the Subdivision Regulations, Chapter 17.12.090, Impact Criteria, D. Impact on natural environment. Staff’s Findings of Fact only covers air, groundwater, natural vegetation and surface water. Here are the criteria to be covered: 1. Proposed subdivisions that are contiguous to unincorporated town sites or within the city-county planning jurisdiction and will use existing utilities are considered to have a minimal impact on the natural environment except as otherwise provided in subsection (5) below. 2. Proposed subdivisions or associated improvements that are proposed in locations with riparian areas, rivers streams, lakes, or other natural surface waters are considered to have an impact on the natural environment.

Natural Vegetation:

Most of the native vegetation has been removed from the subject property. The remaining native vegetation is located along the Flathead River. The applicants propose protecting the native vegetation by placing the property west of River Road in a Park and Open space area.

Surface Water:

The Flathead River runs along the western boundary of the subject property. The PUD Plat scales setbacks of 120 to 420 feet from the river and only a few of the attached single family building envelopes come to the 120-foot mark. River Road, a paved public road sits between the Development and the River.

3. Proposed subdivisions or associated improvements that are proposed on land with a high water table (less than 4 feet from the surface), wetlands, or groundwater recharge areas are considered to have an impact on the natural environment.

4. Proposed subdivisions or associated improvements that are proposed in locations with evidence of soils with building or site development limitations as defined by the soil survey, or are proposed on slopes greater than 25 percent are considered to have an impact on the natural environment.

5. Proposed subdivisions or associated improvements that are proposed on land with historical, cultural, archeological, or paleontological features are considered to have an impact on the natural environment.

1. The proposed subdivision will have a great impact on the natural environment, as noted in other sections of this alternative Findings of Fact.

2. The proposed subdivision is in a location with nearby riparian areas, a river and will have a great impact on the natural environment, as noted in other sections of this alternative Findings of Fact.

3. Parts of the proposed subdivision are located in an area where depth to groundwater is from 5 to 10 feet. Even though this is more than the 4 feet mentioned in the criteria, this is all part of the shallow aquifer that moves underground. Fertilizers, pesticides, oil, and road salts can contaminate the aquifer and damage or destroy its natural cleansing system. The Flathead Lakers encourage responsible development away from vulnerable areas such as this. They recommend building in upland areas where the groundwater is not so shallow and limiting the density, including paved areas.

4. No comment

5. This site appears to have been an important site to the Native Americans. A former resident of Columbia Falls had spent many hours searching for artifacts in the field along River Road after it had been cultivated, and found over 70 arrowheads and other items. This proposed subdivision is on a location of historical and cultural significance.

D.	Impacts on Local Services	
	Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens.	
	Waste water: The subdivision will connect to and extend mains into the subdivision for waste water collection. Waste water is transported along the mains to the City Waste Water Treatment Facility on the Flathead River near the Veterans Home. The City Public Works Department indicated that the system has capacity to serve the subdivision. Roads: The primary access to the project is via River Road which is currently a County road and accesses Highway 2. With annexation, the County will transfer the portion of River Road included in the annexation to the City of Columbia Falls. The applicant proposed moving River Road further east to get better site distance at the intersection with Highway 2 and the Traffic Impact Study indicates that the project will warrant a traffic signal at River Road and Highway 2.	City Staff's Finding of Fact covers protective services, waste water, solid waste, potable water, fire suppression, public schools, recreation/parkland, public transportation and roads. The two criteria listed under C. Impact on local services in Subdivision Regulations: Chapter 17.12.090 on the City website are: 1. Proposed subdivisions that are contiguous to unincorporated town sites or within the city-county planning jurisdiction and will use existing utilities are considered to have a minimal impact on local services. 2. Proposed subdivisions that will require the extension of public facilities are considered to have an impact on local services. 2. The City's main water and sewer lines will be extended, so there will be an impact on local services. The City has been hauling solids from the Waste Water Treatment Facility to the Flathead County landfill. The landfill will soon no longer be available for this purpose. The county and cities are considering a treatment plant in the lower Flathead Valley. This has not been finalized, so there is some question as to whether the City has the capacity to serve this subdivision, along with the other subdivisions already approved. River Road, which is currently a county road, is a narrow, heavily used road. That portion within the proposed development will be transferred to the City upon annexation. The City will own and maintain that portion, but where it leaves the subdivision it will suddenly revert back to a narrow, winding road, without the proposed 8-foot shared use path. This could add to the possibility of accidents for vehicles, pedestrians and bicyclists.

TO: Columbia Falls City-County Planning Board, Columbia Falls, Montana January 10, 2023
 River Highlands Finding of Facts for Planned Unit Development (PUD) Request
 Prepared & Submitted by Shirley Folkwein, President, Upper Flathead Neighborhood Association (UFNA)

RECEIVED

JAN 09 2023

CITY OF COLUMBIA FALLS

Item No.1.

	CF Staff Evaluation Based on Statutory Criteria/Findings—River Highlands	UFNA's Proposed Findings of Fact
	Conformity to the Large Building Criteria as required in Columbia Falls Zoning Code Section 18.428.	
Finding No. 1		No Comment
	Conformity to the PUD criteria as required in Columbia Falls Zoning Ordinance Section 18.338.040	
Finding No. 2		No Comment
	Does the requested zone comply with the Growth Policy?	
Finding No. 3	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 6.9 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 181 units of single family residential and 162 multi-family units and of the 49.1 acres of property in the development a limited 17% (8.3 acres) of the property is devoted to multi-family. 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.	<u>This proposal does not comply with the Columbia Falls Growth Policy.</u> The density of this development does not comply with the Permitted Uses or the Conditional Uses of City Zoning Regulations 18.326. The Growth Policy Map designates this property urban residential. Zoning regulations Chapter 18.326 CR-3 One Family Residential Permitted Uses #4. states "Dwelling, single family. Only 53% of this plan is single family with 83 units detached and 98 attached, totaling 181 single family units. The remaining 47% consist of 162 multi-family units in 9 3-story apartment buildings, 18 apartments/building. The minutes from the August 9th Planning Board meeting record one member stating, " In the Growth Policy we said limited multi-family and this development is primarily multi-family. Does not believe this is in step with the Growth Policy." While this December proposal has reduced multi-family 47% is not "limited multi-family." The minutes go on to report, "Important that the PUD reflects the character and nature of the land and that is not the case here." Phase 1 calls for the building of 7 of the apartment buildings—the multi-family units limited in CR-3 zoning. If the economy should falter and additional phases are not built out, this

#3 Con'd		property will be in violation of the zoning. This proposal clearly does not fit the zoning requirement for CR-3 and should be denied based on this alone. Furthermore, this proposal does not comply with <u>Conditional Uses #5, Dwelling, cluster development</u>. The proposal does not contain "large open space tracts that preserve agricultural lands or sensitive areas important to wildlife and wildlife habitat," per the definition in the City Zoning Regulations. The "developed open space" discussed in the proposal does not meet that description. There is also some question as to whether or not Ordinance 705 and Exhibit A conditions apply to the designation of the <u>2008</u> CR-3 zone for this property. If this ordinance is still in effect conditions include maintaining the hill on the northeast side of the property to protect the view shed for traffic on Highway 2. Also some question about the distance of River Road that must be rerouted. The Growth Policy is not a regulatory document.
	Is the requested zone designed to lessen congestion in the streets?	
Finding No. 4	The proposed street layout provides direct access to all individual lots within the project. The proposed development will definitely add density to this area of Columbia Falls and add significant trips to River Road. To mitigate traffic congestion, applicant proposed to rebuild River Road moving it east on the subject property for better sight distance and work through MDOT's system impacts process to place a traffic signal at the River road Highway 2 intersection. A shared use pedestrian path will be installed along River road to provide safe movement for people walking or biking along River Road for the development frontage. This River Road path will connect to the path located on Highway 2 which allows pedestrian movement into downtown Columbia Falls. The internal sidewalks and trails of the development connect to the River Road trail. As part of the application package for the River Highlands development, the applicant has provided a Traffic Impact Study (TISO). The TIS conducted a Level	<u>The proposed development plan will increase congestion in the streets, specifically River Road which will become a City street. This was also said of the previous proposal as stated in the August 9th minutes.</u> Based on the number of parking spaces provided, there will be a similar number of cars ingressing/egressing River Road. Moving River Road east will control egress/ingress to Highway 2 but will do nothing to reduce congestion <u>on</u> River Road. This proposal adds 1/6 of the current population of CF – 860 people. At least 686 vehicles (2 parking spaces x 343 units), times the number of trips per day (686 x conservatively 4), will add to the already congested River Road. River Road will become a City street, many times more congested than any residential street in Columbia Falls.

#4 Con'd	of Service (LOS) Study for the River Road and US Highway 2 intersection with a No-Build/Build comparison of No-Build (No Development) and Build (343 units). The LOS Study gave a letter grade to an intersection with grades A through C being a passing grade and D through F failing. The LOS study shows that regardless of whether the project is built or not, the intersection functions at an F grade for northbound traffic making a left-right turn movement. However, if a traffic signal is installed at the intersection by the developer, the LOS for Northbound left turn movement increases to a C grade and is passing. Any signalization of this intersection must be reviewed and approved by the Montana Department of Transportation whom will also review the applicants TIS. The conclusion is that even with the traffic generated by this project, if a traffic signal is installed the congestion at River Road and Highway 2 will greatly improve.	A River Road seven-day traffic study completed by Flathead County in 2020 counted 2,660 cars/day already using the Road. <u>This proposal will increase that count to at least 4,000 cars/day.</u> Each of the 2 streets that ingress/egress the development converge on River Road. There is no alternate route to mitigate the congestion in the development and on River Road. City residential areas normally have many alternate routes that disperse traffic. Additionally, congestion on narrow County roads to the south (Rogers Road, Kelley Road, Badrock Drive, Columbia Falls Stage) will increase as already established residents seek alternate routes, and River Highlands' residents head south to work, shopping, entertainment in Kalispell. While this proposal states the developer will install a traffic light, that is strictly up to MDOT and their signal warrant study. Study and construction could take years and will only improve the intersection to a Class C, barely passing grade.
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 property west of River Road will be set aside as park and open space. Therefore, the floodplain along the river will not threaten any structures that would be developed the east side of River Road.	<u>This zone change will increase chances of fire, panic, and other dangers.</u> <u>Fire & Panic -- There is no "backdoor" alternate route out of the development, no "escape" route should River Road be impassable or the high winds common to the area create a hazard.</u> Rick Trembath, Wildland Urban Interface Fire Instructor for the National Fire Academy, and former Bigfork fire chief, said this neighborhood is low risk for spread of wildfire BUT he is greatly concerned about the high density, the buildings so close together, and the size of the buildings. He said the alignment with the wind (35-50 mph winds from time to time in all seasons) is a crucial factor in the spread of structure fires. A spark from a grass fire could set one building on fire and the strong winds could create a domino effect blowing fire from one building to the next. This cannot be contained and anything downwind is at great risk, including

#5 Con'd		neighboring structures on nearby properties. City leaders must decide if they want to take this community to this level of risk and required services. There is a Northwest Energy high pressure gas line that crosses the north end of the property and crosses the River attached to the lower deck of the bridge. This is the area on which the city park is planned. <u>High pressure gas lines are listed as a safety consideration in evaluation questions.</u> Effluent from potential leaks & breakage of the under-river pipeline will have an adverse effect on aquatic life and human life downstream. With the proximity to the River, adults and children will be accessing the River in large numbers thereby increasing the possibilities of drowning, especially during high water.
	Will the requested change promote the health and general welfare? Finding No. 6 The applicant is proposing to move River Road east and install a traffic signal at the River Road and Highway 2 intersection which the Traffic Impact Study shows will improve turning movement off River Road. The traffic signal will not only mitigate traffic congestion from the proposed development, it will improve the already failing intersection. To provide safe pedestrian movement and mitigate conflict between vehicles and pedestrians, the developer will install a pedestrian 8-foot-wide shared use path along River Road and tie it in with the existing Highway 2 path. Sidewalks and paths are proposed throughout the project to provide safe pedestrian movement within the project and connect to the River Road and Highway 2 paths that lead into Columbia Falls or Columbia Heights. 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. The project is designed to move density away from the Flathead River and potential flooding. Based on the plat map, the buffer/setback is between 120 and 430 feet from the river. As Columbia Falls or Flathead County don't have river setbacks, these substantial buffers provide protection to the river. 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	The health and general welfare of the 343 residents of River Highlands as well as residents of neighboring properties to the south and west <u>will be impacted by this high density development. Increased traffic on River Road</u> will increase the chances of traffic accidents, and increased danger to bicyclists and pedestrians despite lanes designated for their use. The pedestrian path along River Road installed on the southeast side of River Road will require pedestrians and cyclists to cross River Road to access the existing Highway 2 path into Columbia Falls. The sidewalk along Highway 2 is minimally maintained during the winter forcing pedestrians to walk on the edge of the Highway. There is the hazard of <u>traffic flow from the improved north end of the Road funneling down into a narrow, winding country lane with driveways with poor sight visibility. Other narrow County roads to the south will have increased traffic reducing the safety of pedestrians and drivers.</u> Current residents value and respect the land and have an understanding of the human connection to that land and the

#6 Con'd	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.	<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 reducing the wildlife and birds now using the land, and 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.
	Will the requested zone provide for adequate light and air?	
Finding No. 7		No Comment
	Will the requested zone prevent the overcrowding of land?	
Finding No. 8	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 39% of the site will be set aside as park/open space. The park and open space areas are amenity filled with proposed playgrounds, City Park, ball courts, walking paths, and a club house The CR-3 PUD regulations may allow 343 units on the subject property's 49.1 acres. The development is just under seven units per acre in conformance with the Growth Policy. A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town. The project has almost immediate access to high-capacity Highway 2. The presence of these elements will prevent a sense of overcrowding.	This proposed zone change will provide <u>for the overcrowding</u> of the land, <u>not the 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. 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 49 acres. <u>The smallest acreage in this neighborhood is .4 acres—approximately one house per half acre. In 49 acres that would be 98 units.</u> The average size in the neighborhood is .125 units per acre which is a far cry from 7 units per acre. There is no multi-family housing in the neighborhood. <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 Falls</u> – a random sampling of lot sizes shows a density of 5 units per acre in town. The Growth Policy approved higher density in our rural areas than in the City limits. If approved, River Highlands will have more three-story apartment buildings and 3-story row houses than any one neighborhood in Columbia Falls. This is not the "small town feel" of

#8 Con'd		Columbia Falls the Growth Policy respondents requested 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>. River Road will experience overcrowding with the addition of thousands of vehicle trips per day, and the entire character of the neighborhood will be impacted.
	Will the requested zone avoid undue concentration of people? Finding No. 9 The Growth Policy Map prescribes a density of two to eight dwellings per acre for urban residential, the proposed density of just under seven dwelling units per acre is within the CR-3 Planned Unit Development density requirements. The project will be fully served by urban infrastructure such as public sewer and water service, City street and private streets developed to City standards with curb/gutter, boulevards and sidewalks. The PUD proposes to avoid undue concentrations of people by providing the following elements: ☐ 39% of the site will be set aside as park/open space.☐ ☐ The park and open space areas are amenity filled with proposed playgrounds, City Park, ball courts, walking paths, and a club house ☐ The CR-3 PUD regulations may allow 343 units on the subject property's 49.1 acres. The development is just under seven units per acre in conformance with the Growth Policy. ☐ A street and pedestrian network provides safe walking/biking routes through the neighborhood and into town. ☐ The project has almost immediate access to high-capacity Highway 2. ☐ The development is creating a 120 to 420 foot buffer from the Flathead River with only park elements proposed for the west side of River Road. The presence of these elements will avoid an undue concentration of people.	<u>There will be a heavy concentration of people. This proposal provides for high-density housing in an area designated for one-family residential (Zoning Code 18.326). The Planning Board amended the August Finding of Facts because the property is zoned for "limited multi-family, primarily single family."</u> This December proposal plans for 181 single family units and 162 multi-family units. This is not "limited multi-family." In August Board members 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 issues remain despite the reduction in the number of units.
	Will the requested zone facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements?	
#10	Finding No. 10 Adequate facilities are proposed and achieved in the following manner:	The proposed zone change and subsequent development will have a negative impact on transportation, water, sewerage,

#10 Con'd	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 on River Road. There are numerous parks and open spaces in the project. The Park and open space along the river, including a City park will be open to the public. The park amenities and club house on the east side of river road will be for the residents of the apartment complex.	schools and parks. <u>Traffic on River Road, US Highway 2 and other area roads such as Rogers, Kelly and CF Stage Roads will be more congested.</u> A traffic light at the intersection of River Road and Highway 2 is suggested but may not be warranted by MDOT until the development is built out. <u>City water wells and sewer plant may be at capacity with an additional 686+ people in this development as well as people from the 283-unit developments approved by the City since July 2021, recently connected or yet to be built.</u> Schools and bus service will be pressed to expand and parks, especially the nearby Teakettle FAS, already overcrowded, will be highly congested. The <u>Bad Rock Canyon Wildlife Management Area</u>, less than a quarter mile away, will be impacted by an increase in visitors and pets prone to chase the wildlife.
	Does the requested zone give reasonable consideration to the peculiar suitability of the property for particular uses?	
Finding No. 11	The PUD is the best mechanism to develop the property east of the river by allowing clustering of density to create 39% (19.55 acres) of the site as open space including the large buffer along the Flathead River. Without the PUD densities the property would most likely be developed to half acre lots similar to that of the Benches utilizing on-site sewer and a public water system. The Benches is a nice development but it does not provide the number of units needed to meet the housing demand in the Flathead. The proposed project does give reasonable consideration to the peculiar suitability of the property for residential development.	The proposed zoning does not give reasonable consideration to the suitability of the property for this high-density development. The site is mostly an open field with a hill along the highway and a ridge with native vegetation paralleling the river about 80 yards to the southeast. The actual river corridor on the west side of River Road contains native trees and shrubs. Even though this river corridor would not be developed, construction, additional traffic and people accessing the river would have a negative impact on the river corridor. The hill and ridge would be excavated with no regard for the current lay of the land. <u>Housing Demand</u> <u>This would not be affordable housing/workforce housing for the community of Columbia Falls which is what is urgently needed.</u> It is not accurate to apply the Flathead County median family income of \$80,300 indicated in the proposal. According to the 2020 US Census, the Columbia Falls median income is \$48,427; the median income for "nonfamilies" or single persons is \$20,884. Based on the Housing and Urban Development (HUD) definition of "affordability," quoted in the

#11 Con'd		River Highlands proposal, in which a household should be able to afford 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 1,500-\$2,000 or more rent/unit. Rent increases are not uncommon. River Highlands is not the only proposal for housing in Columbia Falls and does not 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), Ruis (78++) for a total of 283. This does not include Highline Apartments (180) the proposed Tamarack Meadows (103), and Mr. Ruis has been approved to build a hotel which could include long-term rentals and the former junior high school converted into senior housing.
	Does the requested zone give reasonable consideration to the character of the district?	
Finding No. 12	The property is currently used for hay production and much of the surrounding lands are more rural and suburban than urban. However, this specific property was designated in the Growth Policy for Urban Residential uses, the property was zoned CR-3, an Urban Residential zoning, and the City approved a PUD and Subdivision on this property for urban scale development back in 2008. Although the neighborhood does not reflect urban use at present it has long been planned for urban expansion of the City of Columbia Falls.	This request does not give reasonable consideration to the character of the district. This property has been out of agricultural production for several years and serves as a wildlife corridor, and food and habitat for deer, elk, bears, mountain lions, birds and small mammals. As MT Fish, Wildlife & Parks wildlife biologists will explain, this entire property is wildlife corridor, not just a narrow swath along the River. The surrounding lands immediately to the east and south are in agriculture, specifically hay production. Other acreages to the south and west are smaller lots, with single family homes. To the northwest is River Road and the Flathead River, which offers scenic views and is a recreational draw. This property serves as a view scape for travelers on River Road and Highway 2 as well as river recreationists. <u>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</u>

#12 Con'd		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."
	Will the new zoning affect property values?	
Finding No. 13		No Comment
	Will the requested zone encourage the most appropriate use of the land throughout the municipality?	
Finding No. 14	The subject property is designated in the Columbia Falls Growth Policy as Urban Residential. The City of Columbia Falls updates it's Growth Policy every five years and most recently in 2019. The consensus of the most recent update was that Columbia Falls is quickly running out of developable lands with access to public sewer and water. The subject lands east of the Flathead River along with lands along the Northfork Road and the lands west of town below Hilltop were areas identified for future urban growth. Since 2019 we continue to see shortages in housing supply for all categories of housing type. The proposed project will extend the City's infrastructure to an area of the community that has been identified for urban expansion. Therefore, the proposed zone change is an appropriate use as identified by the municipality. The previous application at nine units per acre was characterized as more dense than any other [projects in Columbia Falls. For comparisons, the Highline Apartments were approved at 14.5 dwellings per acre. The apartments approved at Meadow Lake Blvd and Best Way are approved at 16.4 dwellings per acre. The apartments approved on Diane Road and South Hilltop are at 13.2 units per acre. Our conventional neighborhoods between 1st Ave West and 4th Ave West come in at five dwellings per acre. The density of the proposed CR-3 PUD with seven units per acre is much less than the Columbia Falls Multi-Family Neighborhoods and just slightly above traditional single-family neighborhoods.	This proposal is not an appropriate use of this land, as opposed to other land throughout the municipality. There are a number of "developable lands" within proximity to <u>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, maintaining the equipment, 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 River 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.

CONCERNING THE CURRENT RIVER HIGHLANDS DEVELOPMENT PROPOSAL

TO WHOM IT MAY CONCERN:

My husband and I are landowners to the east and south of the proposed River Highlands development. We have several concerns as to the impact it will have on our neighborhood and community.

1. This winter the herd of elk that has been an attraction and enjoyment for us and many people driving by will be no more.
2. When we envision three story dwellings next to our hayfield, somehow they don't fit the character of the openness in our current neighborhood. The same can be said for the 3 story buildings on Nucleus Avenue.
3. As an adjoining property owner, we're quite confident there will be trespassing on our property, walking through our hayfield, etc. What do you propose we do to alleviate this potential problem?
4. And finally, 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 gives to all these matters. We pray that you will make wise decisions concerning the future of Columbia Falls.

Thank you.

Sincerely, Bob and Ruth Clawson

Barb Staaland

From: Sheena Pate <sheena.pate@hotmail.com>
Sent: Tuesday, January 10, 2023 12:32 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Letter of Concern- River Highlands Development

RECEIVED
 JAN 10 2023
 CITY OF COLUMBIA FALLS

Good afternoon Ms. Staaland & Planning Board,

Thank you for the opportunity to comment on the proposed -planned development called The River Highlands. This dense proposed subdivision would create 343 units inclusive of 83 single family units, 98 three story townhouses and 162 three story apartment units on 49 acres located in a rural area that the neighborhood character has far less density than proposed development. This area is heavily used by wildlife and provides critical habitat for numerous wildlife species, including white tailed deer, elk, black bears, grizzly bears, and migratory birds. Like the property upstream that was recently protected as the Badrock Wildlife Management Area it too encompass a unique and complex system of springs, wetlands, and shallow connectivity to the sub-surface Flathead River and aquifer. This dense of a development would greatly impact the wildlife corridor and occurrence of non-point source pollution into aquifer and Flathead River itself. Additionally, there are significant concerns about the drilling to place sewer and water lines under the Flathead River to service this proposed development. Not only the impacts to the riparian buffer area and streambed, but the long term ramifications for that sort of infrastructure being placed under a river that has significant fluctuation in volume of water and movement of streambed materials during annual and 100-yr and 500-yr flood events. It's important to note that 3 miles upstream of the development is the federally designated Flathead Wild & Scenic River, which has the highest level of federal protection. The three forks of the Flathead River provide 85% of the water flowing into Flathead Lake and are known for their free-flowing conditions and outstanding water quality. The Middle and North Forks are undammed and flooding on those tributaries have significant impacts on Columbia Falls and the migration of streambed materials and undercutting of infrastructure. A break in the pipes would be catastrophic impacting public water, wildlife and livelihoods.

Traffic is another concern. The intersection of River Road and HWY 2 is already incredibly difficult and dangerous to navigate. Even moving or adding an additional service road would not mitigate the increase of traffic to an already high traffic area by existing property owners. Glacier to Gateway recently put-in a pedestrian/bike trail along HWY2 along that section of road. It would be irresponsible to knowingly increase traffic at that intersection while offering the trail as a safe human-powered transportation route. Additionally, there is concern about how the the City of Columbia Falls and county services will be able to serve this drastic increase in population. Our public services (city, schools, emergency services, etc) and businesses are already stretched trying to fill existing positions to serve existing community members. As more housing comes in that isn't affordable to the core of the community that provides services the quality of life in our community will not be able to be upheld.

People are investing in businesses and people are moving to our community, because of the quality of life provided for them. We're not only "Where the Adventure Begins", but also a sought after community that values natural resources and wildlife connectivity that has avoided high development of this magnitude. Recreation, wildlife viewing, and hunting on and surrounding the Flathead River corridor are major economic drivers for Columbia Falls and the greater region. Flathead River system is one of the last strongholds for the native Cutthroat trout which draws people from around the world. Montana FWP

biologists have led some of the largest conservation projects in the country aimed at restoring native Westslope Cutthroat trout and ensuring high water quality is paramount. Continued high density development throughout this area will have cumulative impacts in immediate area and the Flathead Valley. I am not against development, but feel strongly we have a duty to ensure responsible and appropriate development, especially in such a sensitive river and wildlife corridor. Thank you for your consideration and please deny the development of The River Highlands.

Quick Fact:

The 219 mile three forks of the Flathead River above Columbia Falls are nationally designated as Wild & Scenic River protecting not only its outstanding remarkable values, but also the water quality that we all rely on downstream.

Sincerely,
Sheena Pate
1116 4th Ave. W.
Columbia Falls, MT

Barb Staaland

From: jbbk1991@centurytel.net
Sent: Tuesday, January 10, 2023 11:03 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands

RECEIVED

JAN 10 2023

CITY OF COLUMBIA FALLS

Hello,

Count us as two opposition votes against the River Highlands project.

We understand the project has made adjustments. Because the plan continues to carry water/sewer across the Flathead River and the way the project will permanently affect our town with further abundant, dense development to follow, we still are in opposition.

Thank you,
Karen Black
Jim Betters

Barb Staaland

From: City of Columbia Falls Montana <columbiafalls-mt@municodeweb.com>
Sent: Monday, January 9, 2023 2:32 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Form submission from: Contact Us

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

Submitted on Monday, January 9, 2023 - 2:32pm

Submitted by anonymous user: 66.135.70.160

Submitted values are:

First Name Wendy & Mike

Last Name Lauman

Email mwlauman@montanasky.us

Question/Comment

It would be devastating to the community, environment, and wildlife if the River Highlands and Location Ventures high density development are allowed to proceed.

The community does not need high density development that destroys spaces for wildlife and risks damage to the Flathead River by drilling to connect to city sewer and water. How would you repair a sewage rupture in the Flathead River and cover the high cost of repair? Pollution of the river would be terrible. The development would require new road construction and there is little space for that possibility.

The disturbance of the elk herd and other wildlife would be catastrophic. The development of open farmland is bad enough but pristine habitat is much worse.

The possible tram to Columbia Mountain will also destroy our natural environment.

The results of this submission may be viewed at:

<https://www.cityofcolumbiafalls.org/node/7/submission/1794>

Barb Staaland

From: Henry Rivera <hrivera@centurytel.net>
Sent: Friday, January 6, 2023 12:56 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Revised River Highlands Development (RRHD)
Attachments: Loffler Subdivision.odt

RECEIVED
 JAN 10 2023
 CITY OF COLUMBIA FALLS

Dear Columbia Falls Planning Board Members, I strongly encourage you to deny, once again, the RRHD. All of the issues that were relevant for the original development proposal are still valid for this revised proposal. Mr. James Barnett apparently has not listened very well to the community that would be most affected by the RRHD, otherwise he would not have come back with a similar proposal. The community does not want a proposal like this. This should have been obvious by the hundreds of community members that showed up and voiced their strong opposition at the last meeting. The people are not uninformed. We have valid concerns about: 1) drilling under the Flathead River, 2) increased traffic safety and congestion, 3) the total lack of blending of the proposed development with the existing rural setting, 4) the impacts on wildlife, especially as it relates to the newly created Bad Rock Canyon WMA, 5) the sincerity of the developer and whether he is really concerned about these and other issues brought forward by the public in the August 2022 Planning Board Meeting.

The city staff got it wrong when it recommended approval of the original proposal. Why? Because it appears there's a staff bias for this development and a lack of real concern about how it would affect people that live in the area and the environmental impacts that it would have. If city staff is recommending approval of the RRHD, then I believe they've got it wrong again. They need to listen to the people that are most affected by this proposal. We know our area. We know a significant negative impact when we see it. Why do you think The Benches development made it through relatively unscathed by public opposition? Mainly, because it blended with the existing setting; the proposed RRHD does not. It is the opposite. It's what an insensitive developer would propose. He doesn't really care about whether people in our community want that kind of development, otherwise he would have listened to us in the August 2022 meeting.

I urge you to deny this development plan and advise Mr. Barnett to come back with something that looks more like the Benches development. I am attaching my letter for the original River Highlands development because I believe it is still relevant to the "slightly trimmed" revised version. The overall footprint of the proposed RRHD is the same as the original proposal, therefore, if you recommend approval to the City council then it tells me (and by extension, the rest of the community that will be directly impacted) that you really don't get it. There were important reasons so many people showed up in opposition at the August 2022 meeting. Please listen to the people: we don't want what the developer is proposing because there are too many significant issues/impacts that he is downplaying. Don't be duped.

Thank you for your work for the city of Columbia Falls.

Sincerely, Henry Rivera
 79 Anglers Way
 PO Box 1083
 Columbia Falls, Mt 59912

July 5, 2022

To: Columbia Falls City-County Planning Board members

Subject: Proposed River Highlands PUD on the Loffler subdivision

Dear Members:

I live just off River Road about a half mile south of Highway 2, on Anglers Way. I have lived here for 29 years. I was a member of a group of local folks that convened about 15 years ago to create a River Road Neighborhood Plan. This was being done under the guidance of the late Bill Shaw (former Columbia Falls city manager). That plan was never finalized because the proposed development was withdrawn, primarily due to the housing market crash in 2009. That was the same land that Mr. Barnett (developer) is now proposing to develop. From what I understand, the proposed development would have a much higher density than what was being proposed in the late 2000's. Both proposals want the moving of River Road, presumably to create more river frontage.

There are serious concerns/issues, social and ecological, that need to be considered for this development:

Zoning

The existing setting is obviously rural (see attached image). There is not a compelling need to change the zoning from CR-3 to CR-4 as is being requested by the developer. One Family Residential is a better fit for the area. The Hungry Horse News stated that the developer indicated that all the proposed units would be rentals. Is this what this rural area needs? As you probably know, the developer proposing this project was denied a similar high density development project at the base of the Big Mountain Road in Whitefish because it wasn't a good fit for the area. The same is true here.

The developer is requesting a couple of variances. One is to reduce parking from 2 to 1.5 spaces per apartment. What is the rationale for this? Is this better for occupiers of the units or better for the developer? The other is increasing building height from 35 to 45 feet. Why? Supposedly to allow for "architectural creativity". The regulations are in place for good reasons. An architect can be creative within the framework provided; that is not a good reason to allow 45 foot buildings in this rural setting.

I recommend you deny the zoning change request as well as the variances to better maintain the setting.

River Road

The developer is proposing to move the road further east from the current location. What is the compelling need to move this road? I'm speculating that this is to create more Flathead River frontage, resulting in more valuable land for the developer. However, something to think about: will the river be better off for this? And if there is a traffic light intalled at this new junction, between the traffic lights at Columbia Heights and Nucleus, don't you think this will create some serious congestions all summer long in both directions? The traffic has and will only get busier as millions of tourists drive back and forth to the Park. But does the developer really care about this? No, so long as he gets his proposed development approved and it appears he's "taking care" of the basics, that's all that matters.

The WGM group, the engineering firm working with Mr. Barnett, sent a mailer to residents living on/along River Road. In that mailer, it was stated that the intersection of River Road and Highway 2 is not functional. I've been driving through this intersection for the last 29 years and it seems functional enough to me. One of the best pleasures of living/driving on River Road is the view I get, coming and going, of the beautiful Flathead River. If the road is moved, we will lose a precious pleasure in our lives: our view of the river.

Infrastructure

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.

Ecology

"The City of Columbia Falls is thrilled to have the Bad Rock Canyon Wildlife Management Area (BRCWMA) 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, December 28, 2021).

Having expressed gratitude and appreciation for the conservation of an area that is still wild enough to be formally designated/conserved as a wildlife management area, it would be illogical if the city of Columbia Falls approved the proposed River Highlands PUD. The BRCWMA is immediately north of the proposed development/urbanization area, and only separated by Highway 2. Wildlife still, and will continue to use the Loffler subdivision. However, if the area is urbanized, as proposed, not only will wildlife use be significantly diminished, but it will also reveal whether the city of Columbia Falls is really interested in conservation or will 'look the other way' and allow urban development.

The developer was quoted as saying the development "takes pains to protect the river as well". I'm not sure what the developer is saying because to really protect the river he wouldn't be proposing such a massive development in the first place and put the river at risk by proposing to bring a sewer line under the river. Where is all of the storm water runoff going to go from the proposed subdivision? Is this 'taking pains' to protect the river? No, the developer suggests that 1) not cutting trees from the river bank, and 2) housing being 100 feet away from the river as 'protecting' the river. Are these the "pains" he refers to in protecting the river? It seems like 'developer' talk to me. The 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. The developer saying the river is being protected doesn't make it happen. In the bigger picture and longer term, the developer is doing more harm than good for the river. That's the bottom line.

Overall

Columbia Falls is becoming a thriving community and has many great assets such as Rivers Edge Park, Maranette Park, Meadow Lake Golf course, the Flathead River, and many commercial entities. Entering and exiting Columbia Falls from the east is currently an aesthetically pleasing experience. I believe that the proposed River Highlands PUD will take our community in the wrong direction. Columbia Falls is benefitting by its small town charm with enough amenities to satisfy tourists. Our small town charm is enhanced by the rural transition that currently exists from Columbia Falls for all that live or visit the Flathead and travel eastward toward the Park and other destinations.

I recommend you deny the River Highlands PUD, as currently proposed. The

density of units need to be drastically reduced. Single family homes would be a better fit our rural neighborhood. Do not allow the moving of River Road. Thank you for hearing me out.

Sincerely,

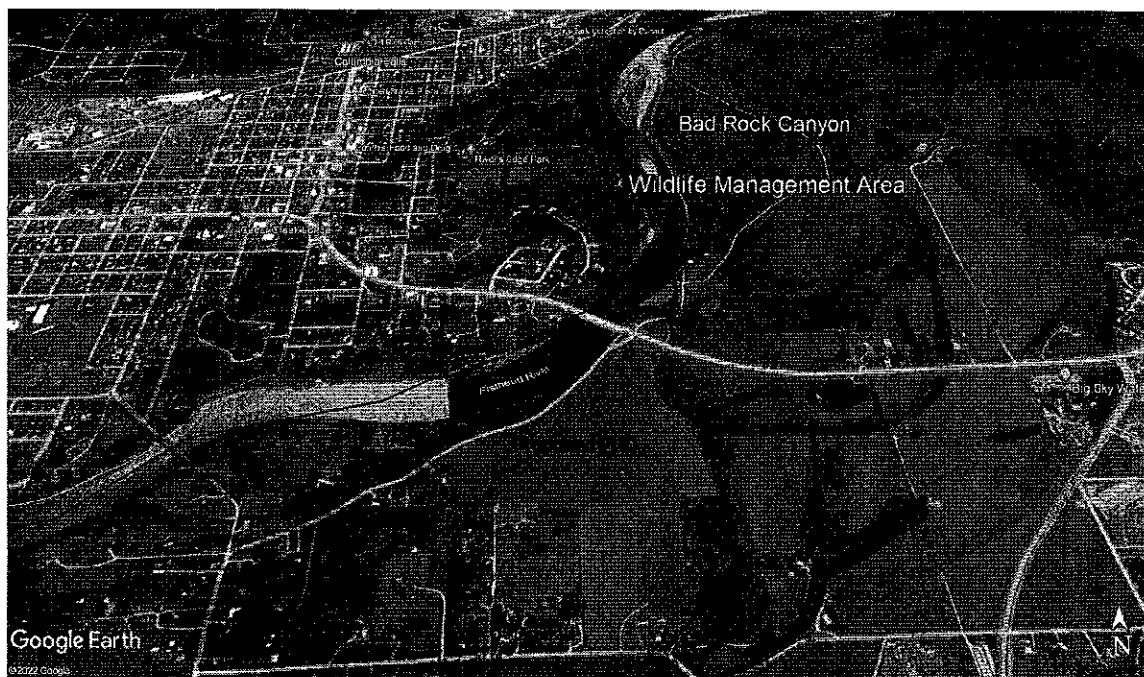
Henry Rivera

79 Anglers Way, Columbia Falls

Mailing Address:

PO Box 1883

Whitefish, MT 59937



RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

From: Sam P. <samuelprentiss@gmail.com>
Sent: Monday, January 9, 2023 10:14 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Columbia Falls, Public comment on James Barnett River Road development proposal
Attachments: image.png

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

Hello,

I wish to submit written dissent to the development proposed by James Barnett (on behalf of Flathead Mountain River LLC) located at 264,316,378, & 494 River Road in Columbia Falls. I am a resident of Columbia Falls and live on Steppe Ln. Steppe Ln is a quiet dead end road that directly abuts the property in question.

I provided similar comments in August when the first iteration of this development was submitted. That submission was unanimously rejected by the community and planning board. Has enough changed with this newest submission? I strongly suggest that you do not recommend approval of the development proposal. I suggest that you look to revise the city's growth policy as soon as possible to avoid future awkward decisions for the planning board and city council. Are you going to let Columbia Falls end up like every other ugly sprawling city?

While I understand the housing crisis currently experienced in the Flathead Valley, the nature of the proposed development would destroy the current area's character. This area contains beautiful fields, trees, shrubs, and historical building remains located directly on the Flathead river. The quantity of wildlife that utilize this field for food and shelter throughout the year is astounding. This proposal would displace and disrupt wildlife, including a herd of elk. This area cannot be replicated and will be lost forever if this development is approved. The potential pollution to the Flathead river due to construction and increased residents is concerning. Excluding concerns over the finished development, the 5+ year construction period would be a constant disruption to all humans and animals that live in the area

The proposed 6.9 units per acre density should not be allowed. The current density of the area is only 0.125 units per acre, and the desire for increased density is not due to any hardships beyond.

The moving of River Road and the proposed traffic light on Route 2 should not be allowed. Requiring traffic to stop on Route 2 on the bridge during winter is dangerous due to ice build up, as per the concerns of MDT. Additionally, re-building a portion of River Road will not mitigate any traffic congestion concerns.

The proposed utility installation under the Flathead river to service the development will increase stress on the existing waste treatment system and possible contamination of the river. Are there plans to expand the City's wastewater treatment facility to provide service to this additional development, as well as future development once these mains have been brought across the river?

Will additional city water wells be drilled to support the water demand for this subdivision and future development on the east side of the river?

Please also refer to subdivision regulation 17.14.030, see attached image with highlight.

Thank you for considering my comments.

Regards,
Sam Prentiss
110 Steppe Ln
Columbia Falls, MT 59912

sobczakc@cityofcolumbiafalls.com

From: Susan Nicosia <nicosias@cityofcolumbiafalls.com>
Sent: Tuesday, January 10, 2023 11:49 AM
To: 'Barb Staaland'
Cc: sobczakc@cityofcolumbiafalls.com
Subject: FW: River Highlands

Importance: High

Public Comment – River Highlands

From: Doug Barth [mailto:douglasjbarth@gmail.com]
Sent: Monday, January 09, 2023 9:28 PM
To: nicosias@cityofcolumbiafalls.com
Subject: Fwd: River Highlands

----- Forwarded message -----

From: **Doug Barth** <douglasjbarth@gmail.com>
Date: Mon, Jan 9, 2023 at 9:25 PM
Subject: Fwd: River Highlands
To: <planning.zoning@flathead.mt.gov>

----- Forwarded message -----

From: **Doug Barth** <douglasjbarth@gmail.com>
Date: Sun, Jul 10, 2022 at 11:35 AM
Subject: River Highlands
To: <staalandb@cityofcolumbiafalls.com>

RECEIVED

JAN 10 2023

CITY OF COLUMBIA FALLS

To whom it may concern

This proposed subdivision is the most reckless and obnoxious idea I have ever seen in all my years as a rural Columbia Falls resident. This idea goes against all the current surroundings and would certainly conflict with all of its future neighbors.

Any support for this totally out of local character project is simple greed.

As Columbia Falls is already bursting at its seams with parking and traffic this project would greatly compound our infrastructure problems.

Stop this project in its tracks!

Doug Barth

22 year rural Columbia Falls resident

406-261-9005

January 10, 2023

Subject: Planning and Zoning Commission, Agenda item 2. Loeffler Ridge, River Highlands LLC Project

I hereby object to the scale of the project. The project is too large for our rural community. The project should not be allowed to exceed the original plan of 151 units. The proposal of 343 units is an increase of approximately 225 percent. The increase should be questioned as it appears to lack integrity and does not support the interest of the community. The long-term effects of creating a mini city within a city can not be undone and will forever change the landscape of Columbia Falls.

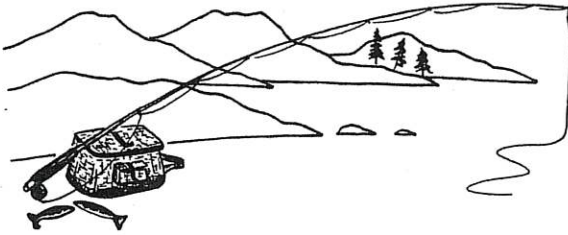


Abbe McClenahan

540 Whispering Ridge Lane

Columbia Falls, MT 59912

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS



Jerry L. Smalley

1142 Columbia Mtn. Rd.
Columbia Falls, MT 59912

(406) 892-4785

Item No.1.

10 January 2023

RECEIVED

JAN 10 2023

CITY OF COLUMBIA FALLS

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

Barb,

I urge the Columbia Falls Planning Board to REJECT developer James Barnett's revised River Highlands development plan. In full.

I drive across the US. Highway 2 bridge near the proposed development almost every day. Driving west, I'm frequently raced across the bridge by drivers in the center, turn lane. There is no "merge lane." Driving east, drivers often slow quickly to turn right, without signaling. The area with canyon view, beautiful river and nasty, busy corner is "bad" waiting to happen, especially during our extended tourist season. Adding hundreds of "gotta get to town" cars every day will make a left turn from River Road even more dangerous.

Columbia Falls does not need River Highlands and its three-story buildings. Columbia Falls does not need the additional expenses of sewer, water, and police protection.

I hope to see deer and elk and bears and other critters every time I drive to town. Wildlife makes our area fun. Three-story buildings do not.

I urge the Columbia Falls Planning Board to REJECT, in its entirety, the proposed River Highlands development plan.

Thanks for listening.

Jerry L. Smalley



Barb Staaland

From: Jennifer Nave <jennifernave@gmail.com>
Sent: Tuesday, January 10, 2023 7:49 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands Development

RECEIVED

JAN 10 2023

CITY OF COLUMBIA FALLS

As a 25+ year resident of Montana and an avid recreationalist and supporter of wildlife, water quality, and our way of life, I am writing to oppose the River Highlands Development. This high density project will have adverse effects on the community of Columbia Falls, which does not have the infrastructure (or desire) to support such massive growth. More importantly, because the plan requires drilling under the Flathead River, it compromises the safety and water quality of the Flathead River, whose stretches have been designated Wild and Scenic. It will impact the elk, deer, and other wildlife as it will eliminate open space and will negatively impact migration routes. Montanans should not have to sacrifice our wild and scenic river, and our rural way of life, so that some developer can make a profit.

The River Highlands Development is not in the public interest, and I respectfully ask that the request to develop this area is rejected.

Thank you.

--
Jen Nave
406.880.6283

Elsa Putzier

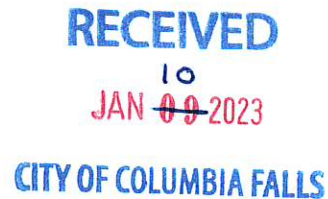
January 10, 2023

10 Sunset Place

Bigfork, MT 59911

Columbia Falls City Council

Columbia Falls Planning and Zoning



RE: OPPOSING approval of River Highland Subdivision

Dear members of the City Council and of the Planning Board,

I am a former, longtime resident of Columbia Falls and a current Col. Fls property owner.

It was with great concern, that I opposed the original proposal to build a subdivision on that land. Here are my reasons for opposing the new version again:

I believe it could be argued that much of the level portion of the subject property is wetland. Anybody can see the cattails growing on that land indicating a high water-table. Surely test holes were drilled and confirmed that. There used to be a soft sided pond which apparently was in the way – there is now a new bridge.

Where is the Department of Environmental Quality on these issues?

As you discuss this subdivision proposal, please imagine 40 +/- building sites. All will have lawns and all lawns require fertilizer and all kinds of weed killer; all will be regularly watered and some of all these chemicals will most assuredly seep into the aquifer and from there into the Flathead River/Lake.

Question: Would the developer pay impact fees or will he just pay for the connection to the Columbia Falls Water and Sewer system thus letting the local taxpayers pay for the resulting need for expansion? How much will our real estate taxes go up for that?

Please continue your original stand "Not in our town" !

Thank You,

A handwritten signature in blue ink that reads "Elsa Putzier".

Barb Staaland

From: Melody Ward <melodyward90@gmail.com>
Sent: Monday, January 9, 2023 9:02 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Planning Board: Opposition to River Highlands Project

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

We are writing in opposition to this subdivision project.

Even with all the revisions to the project, it is too big for the selected location. We are very concerned about the environmental impact of drilling under the river for water and sewer services. It will also greatly impact the movement of wildlife as they travel through the area regularly to and from water.

As regular drivers of River Road, we are concerned about the additional entrance points onto the road.

Sincerely,
Gerald & Melody Ward
121 Hellman Lane
Columbia Falls, MT 59912

Barb Staaland

From: Melody Ward <melodyward90@gmail.com>
Sent: Monday, January 9, 2023 9:18 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Planning Board Procedures

RECEIVED

JAN 10 2023

CITY OF COLUMBIA FALLS

Hello,

As someone fairly new to the City of Columbia Falls planning and growth policies. I am wanting to learn more about the processes that go into approving and monitoring approved building projects. Who should I contact to get answers to some of my questions? Below are some questions I have after reading through the River Highland proposals as well as comments in the minutes on other projects.

1. How are board recommendations reviewed and verified that the applicant has followed through appropriately?
2. When several permits and approvals are required to complete the proposal, do all said permits and approvals need to be obtained *before* the project can start?
3. In the case of the River Highland project, at what point in the project is the issue of the traffic light on Highway 2 addressed? What happens if the Montana Department of Transportation denies (or greatly delays) the request to install a traffic light at the intersection of Highway 2? Are the drivers of River Road stuck with dealing with the extra traffic and hazards until such time as MDT changes their mind.
4. If the Montana Department of Environmental Quality does not approve the drilling under the Flathead River, does that stop the project?

Thank you for your time,
Melody Ward
121 Hellman Lane
Columbia Falls, MT 59912

Barb Staaland

From: Margie Wherritt <inrlady@gmail.com>
Sent: Tuesday, January 10, 2023 2:34 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Opposition to revised River Highlands Development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

Dear Columbia Falls City-County Planning Board

I am writing in strong opposition to the revised development plan for the 48 acres along River Rd submitted by James Barnett.

I live on Painted Mountain Dr off of Middle Road and use River Rd to get to town. After many years living here and seeing that area almost daily, I cannot fathom that bit of land environmentally handling all that housing and people.

I am a fly fisher woman and am totally against drilling under the Flathead for water and sewer lines. Do not allow that to happen, Please. CF cannot handle that increase in their infrastructure.

I moved here for the mountains, wildlife viewing, rural character of CF and this will totally be eradicated. I don't want traffic congestion, environmental degradation to the flora and fauna.

Do not allow this to happen.

Yours,
Margaret Wherritt
525 Painted Mountain Drive
Columbia Falls, MT 59912

--
Margie Wherritt
507-993-6755

No matter what...Don't ever, ever give up!!!
Sent from me iPhone

Barb Staaland

From: Susan Nicosia <nicosias@cityofcolumbiafalls.com>
Sent: Tuesday, January 10, 2023 3:01 PM
To: 'Barb Staaland'
Cc: sobczakc@cityofcolumbiafalls.com
Subject: FW: River road subdivision

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

Public comment

-----Original Message-----

From: Manolo [mailto:nmbowhunter@gmail.com]
Sent: Tuesday, January 10, 2023 2:56 PM
To: nicosias@cityofcolumbiafalls.com
Subject: River road subdivision

Dear Board

I'm writing to voice my OPPOSITION to the proposed subdivision.

Number 1 concern is the traffic impact to current residents. The builder is promising a light on highway 2. But as you know he has no control, it is a state decision. Construction is scheduled to take years and then, possibility, the state will evaluate the intersection for the proposed light. In the meantime we as residents will have an extremely difficult time traveling along River rd. Not only the current issues with tourist traffic but the additional construction vehicles. He should petition the state to install the light first.

Next the density is approved for 151 units. Please stand by this approved number and not allow it to more than double. We simply do not need or want more that that in an already congested area.

Thank you.
Manolo Victor
Kelley Rd resident
Sent from my iPhone=

Barb Staalnd

From: Zach Rutt <zachrutt@gmail.com>
Sent: Tuesday, January 10, 2023 3:00 PM
To: staalndb@cityofcolumbiafalls.com
Subject: River Highlands is a dangerous precedent for Columbia Falls

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

The River Highlands Monstrocity does not belong East of the Flathead River. It is totally out of character with the local neighborhoods. The traffic implications of this project are immense and would alter the character of these communities in a lasting negative way.

There is no opportunity for ownership, no affordability, and therefore no benefit for the residents of Columbia Falls, with a 45k average income.

Overwhelming majority of Columbia Falls residents do not support expanding to the East of the River.

There are too many unknowns with this proposal, including the environmental impacts, and it doesn't address the needs of our town and community, which is affordable housing and opportunity to own a home where we work.

Sensible development looks different than this, and we can do better.

Thanks for your time,
Zach Rutt

Barb Staaland

From: Jo Ericksen <jo.ericksen49@gmail.com>
Sent: Tuesday, January 10, 2023 3:08 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Opposition to Revised River Highlands Development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

To Columbia Falls Planning Board-

Do not grant permission to Mr James Barnett for his revised development plan for the 49 acres along River Road.

I do not want drilling under the Flathead River for the developments water and sewer. I don't want to infringe on the wildlife that resides there. I fish the river and want it as pristine as possible.

I moved here for a rural setting, love the lack of congested traffic, love small Columbia Falls. I believe Columbia Falls infrastructure cannot handle this development. River Rd and 206 will be a mess. I am and have been a seasonal volunteer at Glacier Park and those roads are bad enough in the summertime, let alone if the development comes.

I oppose and do not want you to grant permission in any way to Mr. Barnett.

Thank you,
Joanne Ericksen
525 Painted Mountain Dr
Columbia Falls, MT 59912

Jo Ericksen
jo.ericksen49@gmail.com

We need women who are so strong they can be gentle, so educated they can be humble, so fierce they can be compassionate, so passionate they can be rational, and so disciplined they can be free.

- Kavita Ramdas

Barb Staaland

From: jack gordon <gordos5mt@gmail.com>
Sent: Tuesday, January 10, 2023 3:09 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Subdivision proposal

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

The atrocious proposed subdivision at River Road and Highway 2 should not move forward. Following being turned down with the HUGE first proposed monstrosity, they are now proposing a scaled down version of the same thing! This subdivision still is completely out of character with what exists in this rural area of neighborhood development south of the highway. Three story apartments may be appropriate along Highway 206 but not here. Furthermore, our infrastructure cannot handle this atrocity.
Please forward this to the Planning Board and Columbia Falls City Council.

Thank you,

Jack L Gordon
430 Trapline Trail
Columbia Falls, MT
59912

Sent from my iPhone
and iMe=

Barb Staaland

From: Jo Ericksen <jo.ericksen49@gmail.com>
Sent: Tuesday, January 10, 2023 3:10 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose Revised River Rd Development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

To Columbia Falls City Council-

Do not grant permission to Mr James Barnett for his revised development plan for the 49 acres along River Road.

I do not want drilling under the Flathead River for the developments water and sewer. I don't want to infringe on the wildlife that resides there. I fish the river and want it as pristine as possible.

I moved here for a rural setting, love the lack of congested traffic, love small Columbia Falls. I believe Columbia Falls infrastructure cannot handle this development. River Rd and 206 will be a mess. I am and have been a seasonal volunteer at Glacier Park and those roads are bad enough in the summertime, let alone if the development comes.

I oppose and do not want you to grant permission in any way to Mr. Barnett.

Thank you,
Joanne Ericksen
525 Painted Mountain Dr
Columbia Falls, MT 59912

Jo Ericksen
jo.ericksen49@gmail.com

We need women who are so strong they can be gentle, so educated they can be humble, so fierce they can be compassionate, so passionate they can be rational, and so disciplined they can be free.

- Kavita Ramdas

Barb Staaland

From: Margie Wherritt <inrlady@gmail.com>
Sent: Tuesday, January 10, 2023 3:15 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose revised River highlands development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

To CF City Council-

I am writing in strong opposition to the revised development plan for the 48 acres along River Rd submitted by James Barnett.

I live on Painted Mountain Dr off of Middle Road and use River Rd to get to town. After many years living here and seeing that area almost daily, I cannot fathom that bit of land environmentally handling all that housing and people.

I am a fly fisher woman and am totally against drilling under the Flathead for water and sewer lines. Do not allow that to happen, Please. CF cannot handle that increase in their infrastructure.

I moved here for the mountains, wildlife viewing, rural character of CF and this will totally be eradicated. I don't want traffic congestion, environmental degradation to the flora and fauna.

Do not allow this to happen.

Yours,
Margaret Wherritt
525 Painted Mountain Drive
Columbia Falls, MT 59912

inrlady@gmail.com

--

Margie Wherritt
507-993-6755

No matter what...Don't ever, ever give up!!!
Sent from me iPhone

Barb Staaland

From: Kevin Hansen <kev_hansen@yahoo.com>
Sent: Tuesday, January 10, 2023 3:16 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

To whom it may concern,

I am writing this to strongly encourage the county planning board and city council to again reject the proposed housing development on River Road at Highway 2. As someone who drives River Road several times daily from my home to town this development is not only ridiculous but insulting to all of us who live in the area. Yes, housing is needed and development is inevitable but this proposal reads like it was written in a high rise in California by someone who has never stepped foot in Columbia Falls. So far, our recent development has kept with the culture and appearance of our town, and this development is the opposite of that. As someone who drives River Road several times a day, that lot is home to tons of wildlife, including deer, elk, and the occasional bears. Plopping down 4 story apartments buildings, pipelining sewer across the flathead river, and constructing riverfront townhomes goes against everything that our town is supposed to stand for. People come here for the natural beauty, the views of the mountains, and pristine rivers. This development is a slap in the face to all of that which we love about this place.

The county planning made the right decision rejecting the original proposal, and this developer is showing his complete lack of respect for our community by making a few slight changes and representing his plan. It is time for our county and elected officials to take a stand and make it clear that we will not allow developers and their desire to capitalize to control and dictate how and where our community grows and progresses.

In conclusion, I strongly urge you to stand for our town, our wildlife, and our natural resources, and reject the proposal and reconsider the future of a lot that will eventually stand across the street from a state wildlife area that will attract many more visitors to the Columbia Falls area.

Thank you,

Kevin Hansen
150 River Butte Drive
Columbia Falls, MT 59912

Barb Staaland

From: Nick Friedmann <nick.friedmann11@gmail.com>
Sent: Tuesday, January 10, 2023 3:17 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River highlands development

RECEIVED
JAN 10 2023
CITY OF COLUMBIA FALLS

Hi my name is Nick Friedmann I am a Columbia Falls resident. I just want to state that I am in strong opposition of the river highland's development plan in Columbia Falls, there is reason this was stopped the first time. Re applying for basically the same development under a "new" project is, pardon my French, total bullshit. Drilling sewage utilities under the flathead river which is heavily protected is almost guaranteed to have a negative impact on our river system and the flathead lake. Please do not let this development happen.

Thank you =

Planned Unit Development and Preliminary Plat - River Highlands

Item No.1.

Comment to Columbia Falls City Planning Board

Please incorporate my comments in opposition to the proposed River Highlands subdivision. Following are my issues in opposition:

- The proposal requires drilling under the Flathead River for water, sewer line connection to City lines and facilities. The Columbia Falls system is already under capacity and mitigation for major increase to these systems has not been addressed- is it even feasible. Drilling under the Wild and Scenic Flathead River is unacceptable. There appears to be no engagement with primary permitting agencies such as the Army Corp of Engineers, MT State and Flathead Conservation District.
- The proposal does not fit with established growth planning for the City. It does not fit with the character of the existing neighborhood and the zoning being used, CR-3. The standards being used barely allow for this level of development and is an irresponsible ploy to implement a development that will negatively impact Columbia Falls and the landscape zone immediately around the City.
- Riparian and River corridors such as this are immensely valuable to our Valley, substantially around Columbia Falls. This site in proximity to the newly established land acquisition for wildlife and habitat protection is critically necessary to maintain any level of safety for both humans and wildlife due to the overall uncontrolled, extreme growth. Accumulated impacts and an updated growth plan need to be assessed prior to any approval. The recent improvement of highway 206 , already insufficient and not even completed, further highlights a need for evaluation before adding a potential disaster on this route.
- Besides broad issues associated with highway 206, the traffic congestion at the junction with River Road will be unmanageable. It is already unsafe. Deny this proposal

Thank you for the opportunity to comment on this proposal. It needs to be rejected. Do not inable poor management that will contribute to the further demise of our valley and in particular Columbia Falls, gateway to Glacier and the Bob Marshall Wilderness.

Gordon Ash

752- 7521

- Does this development fit the character of the neighborhood?: The developer is requesting a density of 6.9 units per acre which compares to about .125 units per acre in the surrounding rural neighborhood. Within the CF city limits the density of units averages about 5 units per acre. Not only does this density not fit the character of the neighborhood, the proposed density is greater than the average density within the city limits. Furthermore, the three story attached townhouses and apartments do not match this rural setting.
- 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?
- Impacts on wildlife and the Bad Rock Canyon WMA: The 49 acres where the proposed development is planned is a notable open space which is used by wildlife, including deer and elk. The developer's narrative pays lip service to the Flathead River corridor and their protection of it, but in reality, the corridor is not just that area right along the river. Imagine over 100 head of elk moving along the steep river bank as they travel from farther south in the valley, to the Bad Rock Canyon WMA. Rather, they travel through the open space where this development is planned.
- Traffic congestion: River Highlands will add a minimum of 686 vehicles (343 units x 2 per unit)

spaces) using River Road. Consider each unit will make more than one trip per day. A Flathead County traffic study completed in 2020 counted 2,660 cars/day on River Road. There are likely more today. Adding these numbers together spells major congestion. Even with a traffic light on Highway 2, which is not guaranteed, that light would only help control vehicles entering the highway. The entrances from the subdivision merge onto River Road and will certainly create problems, especially during busier times of the day. If current users of River Road choose to use other county roads, traffic on those roads will increase, and congestion on Highway 206 will increase.

Barb Staaland

From: Mike Aastrom's <jmpnfish66@icloud.com>
Sent: Thursday, January 26, 2023 8:05 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River road project

RECEIVED
JAN 26 2023
CITY OF COLUMBIA FALLS

I am very disappointed this is still going on, NO TO RIVER HIGHLANDS DEVELOPMENT, the infrastructure is not ready for this , a traffic light at river road is not needed, if put in place will bottleneck hwy2 both ways in summer, and NO TO GETTING RID IF PART OF RIVER ROAD, and for putting a sewer line under the Flathead river, a big no, my well is in this aquifer, shit does happen, this project is not correct for the area proposed, please don't let this go through at any phase, NO TOO RIVER HIGHLANDS PROPOSAL

Sent from my iPhone=

To: Columbia Falls City Council

From: Kathie Arvidson
7123 Hwy 2 East
Columbia Falls, MT

RECEIVED
JAN 25 2023
CITY OF COLUMBIA FALLS

To Whom It May Concern:

I am asking you to listen to the Planning Board – we do not need this River Highlands Development as proposed. Here are a few high points:

- R3 Zone states:**
1. Provide adequate lot size
 2. Good thoroughfare access
 3. Proximity to community and neighborhood facilities.
 4. Density

These stipulations ARE NOT met adequately by the new Proposal.

Traffic: This is definitely a huge concern. After the **F** rating already related to that intersection, are we ready for more??

Clarification on Construction: There definitely needs to be more Clarification on parts of the speech made by Mike Brodie at the Planning Board hearing. He stated River Highlands would build Phase 1 (which is the most dense and of course, the most profitable) and “Other Phases” may not be developed in number order. AND “some lots” may be SOLD. *What does that really mean? Please review the transcript as no minutes have been posted as to the exact wording and possibly meaning of his data.*

City Infrastructure: No numbers were provided by the City officials or the Developer as to the available usage of the Water Treatment Plant or City Wells. *Can we handle all this new development all at once adequately and affordably?? We have water leaks within the City – snow plowing has been less than usual this year. Do we have the employees to add to this already full load??*

Attendance: I think James Barnett should have made an appearance at the Planning Board meeting to address his project – but he chose to send a representative. *Where will he be if there are problems??*

This development would change the urban character of Columbia Falls. We need to be positive we are doing the right thing for our healthy future – and the beauty of our corridor.

Thank you for your time,
Kathie Arvidson

Barb Staaland

From: Jennifer Ashe <jsashe94@gmail.com>
Sent: Wednesday, January 25, 2023 11:54 AM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands

RECEIVED
JAN 25 2023
CITY OF COLUMBIA FALLS

Columbia Falls City Council,

I am against the River Highlands Development for numerous reasons. I am a county resident and a small business owner in Columbia Falls. I use River Road as my daily commute. A large concern is that this development DOES NOT fit the character of the area. The application even states that this is the FIRST urban development on the East side of the river so it is different than any traditional dwellings & neighborhoods that existed when this was mostly agricultural.

Our growth policy also states that Commercial infill is still preferred over expanding up or down the highway. One of the goals stated in the growth policy is "Encourage infill development where full public services are available by pointing & educating developers to sites within the planning jurisdiction.

Urban Residential also states that FAMILY HOUSES are the primary housing type with LIMITED quantities of multi-family residential. 162 multi-family residential to 181 single family housing does not seem very limited in my opinion.

Expanding east of Third Ave was only at 7% support in the growth policy. Infill was 42% and expand west of South hilltop was 25%. This development is being proposed in the wrong area. Yes, this area is part of the growth plan. But I believe we are not following our growth policy if we allow this. Our community sees the growth heading west and we should concentrate on that first and not change the character of the river.

Thank you
Jennifer Ashe
21 Blue Jay Way
Columbia Falls, MT

Barb Staaland

From: Bonnie Macioroski <bmacioroski@aol.com>
Sent: Tuesday, January 24, 2023 5:04 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Vote that River highland Down

RECEIVED
JAN 24 2023
CITY OF COLUMBIA FALLS

Vote the River Highland down! Tell them to go build elsewhere! We don't want it there an we don't need it! The injustice that you let those huge buildings build on nucleus ave is disgusting! Quit this crap from ruining our town!
Bonnie Macioroski

Sent from my iPhone BonnieMac

Barb Staaland

From: Terri Smiley <talfterri09@yahoo.com>
Sent: Tuesday, January 24, 2023 3:03 PM
To: staalandb@cityofcolumbiafalls.com
Subject: Oppose River Highlands subdivision proposal

RECEIVED
JAN 24 2023
CITY OF COLUMBIA FALLS

We implore the Columbia Falls City Council to REJECT the revised River Highlands subdivision proposal.

We have been residents and landowners at 3020 Columbia Falls Stage Rd for 50+ years. We oppose this development because of the extreme density, traffic congestion and safety of turning left from River Rd onto US HWY 2, and because of the negative impact on wildlife that we regularly see, such as elk crossings to access the river.

We feel this proposal is not in keeping with the character of the neighborhood, and urge the Columbia Falls City Council to REJECT it.

Thank you.

Terri & Paul Smiley (retired DMV)
3020 Columbia Falls Stage
Columbia Falls MT 59912
406-250-1741

Terri Smiley

PUBLIC HEARING RIVER HIGHLANDS
SUBDIVISION PUD
JANUARY 30TH, 2022

RECEIVED
JAN 24 2023
CITY OF COLUMBIA FALLS

TO: COLUMBIA FALLS CITY Council

THANK YOU for your consideration of my comments. I so appreciate your diligent work to hear from your community on this most controversial issue facing us. You and the community spoke clearly to the City staff (and developer) in August about how this projects density and out of step with the communities values and growth trajectory. **Nothing substantial has changed.** I am going to attempt to make my presentation with bullet points since I won't be able to articulate my thoughts in 3 minutes.

1. One major concern is that this developer, who might be a nice guy (as Susan told me) he is simply that, a developer who manages wealthy individuals monies and they have to find places to spend their money. If once this were to be developed he will move on to another location to spend his investors money. If he truly cared about our community he would not propose a project that will substantially change our environment and community character. As you are aware, this project will overwhelm our infrastructure, the new school has capacity for only 100 new students, Deer Park and Muldown is at capacity. This project will add 200 students. The planning board heard from teachers, dentists, health care workers & others about the strain this will put on them. What will the traffic be like in our downtown and highways when you add 686 added vehicles?
2. Because of recent new developments, (including many new developments in the county on Columbia Falls

Stage/Middle Road, Hilltop Road, Meadow Lake & others) which add to the strain on our infrastructure. The PUD stated that “this will help the city reach their development goals”, approx. unit projections have been met with out these 343 units. I couldn’t disagree more, it will simply **overwhelm** the city. It was stated “this decision is based on community wants’: emphatically not true. This density does not fit the character of the neighborhood, OR THE COMMUNITY, the three story apartments do not match this rural setting. Please take note of Pg. 6 of 23 of PUD narrative, how could they say: “not to be deemed to be in the public interest.”

3. An absolute concern of the community should be (will be once they find out) that there are 3 other very large developments east of this development) that are waiting for River Highlands to drill under the bridge to be able to then hook up. It is simply unsustainable, city staff should be aware of this. Trust has become an issue in our community and this proposal has caused division amongst our citizens. We want to support development.
4. The August PUD presentation espoused affordable housing, \$2000. Average per unit, now it states “**attainable Housing**”. As I’ve studied this new proposal I find that the language is re written to try and satisfy the communities concerns. Sadly our citizens won’t read through the complexity of the PUD, that **must** be taken in to consideration. People are emotional about what this will do to our community character and environment.
5. Most importantly to me is traffic considerations. I find the TIS (traffic impact study) is inferior on so many levels. River Highlands spent pages projecting traffic impacts mainly from the subdivision onto River Road. They did not use the Counties previous road counts on River Road. Pg. 17 Table 2, the analysis summarized that “**existing**

northbound traffic is experiencing delays longer than what is generally considered acceptable", another clear reason to deny. Traffic site patterns are confusing at best. He begins by saying he will install a light but as the PUD continues, he clearly states (Pg. 10) that "Maybe" at full build out and "IF" the state approves a study will be conducted to warrant a light at the intersection of River Road and Hwy 2. At a minimum, as Eric Mulcahy stated, a light must (should) be installed before construction begins.

6. Whether he moves the intersection 300 feet or not there will be **complete gridlock** at that intersection day one of construction. **The introduction (Pg. 1) states the subject development will not negatively impact traffic operations**, this simply is not true, intersection gridlock is a negative impact. (The hills were supposed to stay as a buffer, they will be removed if intersection is moved.) River road (south of project) to Cfalls stage road approx. 1000 yards, is inferior, max. 20 feet wide with no shoulders, falling apart, dangerous to travel at any time day or night but no mention of how people traveling to the intersection will be able to travel safely in the future. The TIS is incomplete and inadequate when considering the future of people living south of River Road and Hwy 2. Pg. 21, Phase P, states existing US 2 access to River Road will be removed??? Also on page 21 it states the study was a 3 year back study when in fact it goes on to state 2018 to 2020 study. Page 12 states, "**no adverse impacts day to day**". Wrong on so many levels. Then most all projections are for 2026, as you study their metrics you will discover none of it is adequate for what they are projecting. TIS also stated only 3 accidents in last 2 years, not true, there have been 3 accidents I know of this year alone, one major accident 12 hours after the last public

hearing. Conclusions are inaccurate and designed to favor the developer.

7. WGM's letter dated December 1 from Mike Brodie states they are excited to bring this PUD with a focus on housing, open space and community development. The previous Public Hearing clearly stated taxpayers of Cfalls don't want this.
8. Concerning the sewer, Pg. 10 states: **the City of Columbia Falls prefers drilling under the river.** Pg. 10 under sewer, the PUD states "the lift station will be sized to accommodate future additional growth", our infrastructure and community cannot bear this. My (sons) family lived in South Carolina and stated they could not swim in the rivers there due to sewer lines breaking under the rivers with sewage smell and unclean water. Is this what we want for our future? The Salish Kootenai have been notified and am hopeful they have stated their position. Once the city takes over the sewer line from this development the city will be on the hook for future (guaranteed) failures. There should be a **2 million dollar surety bond** "IF" this is ever approved, which it should not be. These things fail after years of use and a simple question is, what will **you** do when a **thousand people plus have no place to go to the bathroom?**

Lastly I want to sincerely thank you for your consideration of my lengthy comments, These comments are not from the perspective that this is in my neighborhood (NIMBY) but sincerely from the utter devastation I feel this project would impose on a community I have owned businesses here and served as a public servant. I love my community and have invested my life's savings here for the future of my family. Future growth needs to be directed west and between Cfalls and Whitefish. (The property across from Blue Moon has been presented to the city and Mr. Barnett as available and an

option.} When our City County Planning Board and yourselves designed future growth plans it had to be next to impossible to project what this type of project and the impacts it would have on this community. **Please do not let the city attorney tell you that you can't deny because developer has met all requirements.** you have plenty of reasons to deny, especially that this project does not conform to the unique character and environment of the area, Septic concerns, Traffic concerns, wildlife corridor. Please deny approval of this project, for the future of your children and grandchildren in Columbia Falls. This is the wrong proposal at the wrong time, it will literally destroy our community and the environment. Thank you again, and God bless you in your deliberations. Respectfully submitted, Gary Hall Former Mayor/County Commissioner
406-253-3026

RECEIVED
JAN 24 2023
CITY OF COLUMBIA FALLS

Jan 23, 2023

To the Columbia Falls City Council and Leaders,

I am writing this letter to convey my feelings towards the proposed development on the east side of the Flathead River along River Road. I am adamantly against rerouting River Road. I do not support rezoning of this area to allow multiple housing buildings resulting in a high density development. For environmental reasons, I am strongly opposed to routing sewer lines under, beside or over the Flathead River.

Rerouting River Road would turn this into a privately maintained road (including snow removal). We would lose the efficient County upkeep which is concerning, especially in the winter. This road provides access to a vast amount of houses and is a much used alternative route during inclement winter weather to avoid the high winds and poor visibility in Columbia Heights. I have lived in my current home for 25 years and use this road numerous times a week and everytime we have a blizzard. If snow removal is not done promptly and efficiently during winter storms, this will potentially create a safety issue. I foresee this road eventually becoming the responsibility of the city if/when the area is annexed into city limits. I would again question how much priority this road would get from City plows. My experience has been during storms there is minimal snow removal being done in the city and possibly only main thoroughfares. Ultimately, I would like to see River Road left in place, and if any way possible, left under County maintenance. It is unfair to the many many county residents that currently use this road to have it changed from County maintained to a privately maintained road. This would affect exceedingly more individuals than the number of individuals that will find housing in the proposed new development. A private entrance into the development and no approaches onto River Road leaving River Road intact should be considered.

A personal concern in regards to River Road is for years all the people of Columbia Falls, the Flathead Valley and visitors have had the pleasure of being able to take a drive and enjoy looking at the River. I have very fond memories of my husband and I taking drives to look at the river on River Road. I hope to be able to take our kids on this beautiful drive to check out the river. It seems very selfish to move this road so only a very small handful of people have access to this incredible scenery. In its current state, it is a beautiful treasure that can be enjoyed by all.

It has been stated that these apartments, town houses and free standing homes are essential to provide much needed housing to the people of Columbia Falls. It has become a persistent trend to purchase homes in our beautiful town and use them as VRBO homes. Many times these purchasers are using these homes for a vacation home for themselves and other vacationers. This does not build our community, our resident families, our work pool, our schools or citizens that are vested in the vision of local fellowship. It is my opinion that it does not matter how many houses are built, as long as there is unlimited potential to use houses as VRBO homes, the housing crisis will never be resolved. I think the City of Columbia Falls would be wise to consider limiting the amount of houses that can be used as short term rentals, perhaps making a permit system or special zoning. It might be an opportunity to collect fees and special taxes on houses that are used as short term rentals. The developer has indicated it is not the intent that these homes be used as short term rentals but there are no restrictions in place to prevent this so I really question if our local persons in need of housing will even have a chance at purchasing these homes. Approving multi unit tall apartment complexes that inevitably will forever ruin the wilderness aesthetic of the river landscape (that most likely will ultimately appeal and be bought by vacationers) feels a little like we are losing a little part of our soul and selling out future generations.

I understand that growth is necessary but also planning where growth occurs is essential. The River is the gem of Columbia Falls and preserving the scenic corridor of the River draws recreation enthusiasts from all over. In my opinion, we have a responsibility to protect our River for our town and our future generations. Routing sewer/waste lines across or under the river would create the possibility of future catastrophic detriment to our clean waters and should not be a consideration. If a sewage contamination disaster did occur, would the City be legally at fault? We need to take pride in our River which includes a responsibility to take every precaution to safeguard the natural look and purity of our habitat. The image of sewer pipes and tall buildings looming over the immaculate water brings a picture of big cosmopolitan cities, not an image of the "Gateway to Glacier".

The many individuals that raft, boat, kayak, etc on our river will have much better adventures if the banks of the river have limited development. The land where the units are proposed should not be rezoned to allow apartments, town houses or taller buildings and the height restrictions should remain. Not only would the tall buildings be an eyesore for the people enjoying river sport, but it would also restrict the view of Columbia Mountain. There are areas in Columbia Falls that do not require running sewer lines across our pristine river where high density development s can be built that will not ruin the charm of the River ,which is an integral part of Columbia Falls. This proposed development would irrevocably ruin the essence of Columbia Falls.

If this development was approved, it would benefit a select few wealthy individuals who would not fully appreciate the rich history and splendor of Columbia Falls; further restrict the general public from enjoyment of our magnificent river which defines our town. The land where the units are proposed should remain zoned for single home residents and specifically restrict high density housing along the river corridor. The height restrictions should remain and River Road should not be altered from the current path.

I ask you, what does the Gateway of Glacier look like?

Sincerely,
Danielle Perry
A 29 year resident who loves our town

Jan 23, 2023

To the Columbia Falls City Council and Leaders,

I am writing this letter to convey my feelings towards the proposed development on the east side of the Flathead River along River Road. I am adamantly against rerouting River Road. I do not support rezoning of this area to allow multiple housing buildings resulting in a high density development. For environmental reasons, I am strongly opposed to routing sewer lines under, beside or over the Flathead River.

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A personal concern in regards to River Road is for years all the people of Columbia Falls, the Flathead Valley and visitors have had the pleasure of being able to take a drive and enjoy looking at the River. I have very fond memories from when I was a kid taking Sunday afternoon drives specifically to peek at the River, adding to those memories when my husband and I took our children on the same drive and now my adult children take my grandchildren on this road. It seems very selfish to move this road so only a very small handful of people have access to this incredible scenery. In its current state, it is a beautiful treasure that can be enjoyed by all.

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I ask you, what does the Gateway of Glacier look like?

Sincerely,
Laurie Gilley

A 52 year resident who loves our town

Barb Staaland

From: City of Columbia Falls Montana <columbiafalls-mt@municodeweb.com>
Sent: Tuesday, January 24, 2023 9:23 AM
To: staaladb@cityofcolumbiafalls.com
Subject: Form submission from: Contact Us

Follow Up Flag: Follow up
Flag Status: Flagged

RECEIVED
 JAN 24 2023
 CITY OF COLUMBIA FALLS

Submitted on Tuesday, January 24, 2023 - 9:23am

Submitted by anonymous user: 208.123.203.192

Submitted values are:

First Name James
 Last Name Jeselun
 Email jandkj@msn.com
 Question/Comment
 To the Columbia Falls City Council.

Re: City Council meeting on January 30th.

My wife and I are opposed to the planned development River Highlands.

Our concerns are:

1. Developer stated affordable housing. They have failed to give pricing and or rents they are targeting. They claim they do not know the costs associated with the project. They have failed to mention if they will use Title 8 in their project for low-income earners. The developer is being vague on this point, and I cannot see how the City Council could vote to approve with limited information.
2. The developer said at the last meeting that they would sell the lots. Who is the builder? What are the restrictions to the size and type of house. The developer did not address this subject. He did comment about the possibility of a HOA. Again, very vague in how they are planning this community.
3. The City of Columbia Falls has numerous parcels within the current city limits for development. The city does not need to expand outside of city limits until it completes the infill. With infill the city has the infrastructure in place, plus it would and could clean up some areas within the city to make it more desirable.
4. The development plan for the city shows that a major of the people want to see growth to the south and west. Why encourage development to the east? There is more land that could be developed in those areas which is more contiguous to the city with less infrastructure costs.
5. If there is more affordable housing as said within this proposed development the workers would most likely be going to Kalispell or Whitefish. Having the development to the south or west would allow for commuting to those locations easier and would put less strain on the Hwy 2 through town or down River Rd.
6. With a number of new 3 story apartments in the proposed development have the fire department said they can

handle such a development without the need for additional equipment. Will this development require the department to go to a paid department? The same for law enforcement. With an additional 1000 plus people will require per national standards and additional 1.5 officers plus equipment. Can the city afford this?

As I stated that my wife and I are opposed to this proposed development. We know development will take place but feel that such density is not warranted on this site. We feel that a density of 2 units per acre would be best. We also feel that that the drive over the Flathead is the gateway to Glacier and should not look like a city with apartments.

Please do not approve this development. Work to infill the land within the current city limits and do not try to annex more land just to grow the city.

Sincerely,

James Jeselun
292 Bench Run
Columbia Falls, MT 59912

The results of this submission may be viewed at:

<https://www.cityofcolumbiafalls.org/node/7/submission/1801>

Jan 23, 2023

RECEIVED
JAN 24 2023
CITY OF COLUMBIA FALLS

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I ask you, what does the Gateway of Glacier look like?

Sincerely,
Mark Gilley
A 44 year resident who loves our town

Barb Staaland

From: Staceyb <staceyb@cyberport.net>
Sent: Friday, January 20, 2023 7:20 PM
To: Staalandb@cityofcolumbiafalls.com
Subject: River Highland's Proposal

RECEIVED
JAN 23 2023
CITY OF COLUMBIA FALLS

I would like to ask you to vote AGAINST the River Highlands subdivision project proposal for the east side of the Flathead River.

Thank you!
Stacey Bengtson

Charles Renfro <crenfro169@gmail.com>
Monday, January 16, 2023 8:41 AM
nicosias@cityofcolumbiafalls.com
River Highlands Development

Subject:

Good Morning Susan,

My name is Charles Renfro, I am a long time resident of the Flathead Valley. I am 53 yrs old and grew up here. My wife and I have owned our home off Kelly Road southeast of Columbia Falls for twenty years.

I am sending you this email to let you know that we are opposed to the proposed River Highlands Development. We have been discussing this and see no upside to this kind of development on that piece of land.

The downsides, way out way, any upside there could be. The only upside is more housing, but more housing creates more problems. Our concerns are the same that hundreds of the local residents have. Environmental concerns which include both river quality and wildlife, traffic concerns dumping more traffic onto an already crowded highway and city, especially with the huge amount of tourism in recent years. Aesthetic concerns, putting a large development right along our beautiful Flathead River for everyone to look at as they drive by. More noise, more light pollution, more cars, more trash, more traffic on not only the highway, but River road and Columbia Falls Stage will see an immense amount of more traffic that those roads are not meant for.

We could go on and on about why this development should not happen, so please lets think about more environmentally friendly ways of the use of this piece of land.

Our little piece of the world is growing way to fast, we are losing our community to the greed of development. We need to slow down the growth and let things even out a bit and really think about the impact of so much growth in our little community.

Please remember that, just because you can doesn't mean you should.

Please say NO to the River Highlands development.

Thank you for your time.

Have a Good day!

Charles Renfro

RECEIVED
JAN 17 2023
CITY OF COLUMBIA FALLS

January 16, 2023

City Clerk, Columbia Falls
130 6th Street West
Columbia Falls, MT 59912

Re: 2nd request proposed River Highlands development

Greetings Columbia Falls City Councilors:

We are Columbia Falls residents and again are opposing this proposed development.

You are fully aware the Flathead Valley has experienced extreme growth and development that has impacted every corner of the valley 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. Building more units has not eased housing prices. The second request of this proposal has not been significantly improved to warrant approval. Besides the Developer's representative no person spoke in favor of the project at the Public Planning Board meeting on 1-10-2023.

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. There are no homes listed in our valley at this price point and nothing in this development indicate the new homes will sell in this price range.

Traffic concerns have been addressed for the entrance to Hwy 2 but entry to River Road out of the development and traffic heading south on River Road to Columbia Falls Stage demand a better plan. Placing water and sewer lines under the Flathead River below 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. Even if these lines were attached to the Hwy 2 bridge, I am not convinced it is time to take these city utilities east of the Flathead River. The size of the project does not fit the character of the neighborhood. The phased in build out begins with apartments and the community park is not realized until the last phase. Wildlife impacts outlined by FWP, are not mitigated in the proposed plan. 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.

Additional development is going to occur in the Flathead Valley, but it is up to local 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. In time, the former CFAC property will be released for development. It includes hundreds of acres of forested property that has better access to roads and may make far more sense to develop than the 45-acre tract proposed as River Highlands.

Please add our opposition to those who already oppose this project and deny the developer's request on the valid concerns offered by many local residents. Thank you.

Michael and Cindy Burr
560 Talbot Road
Columbia Falls, MT 59912

Barb Staaland

From: Susan Nicosia <nicosias@cityofcolumbiafalls.com>
Sent: Friday, January 13, 2023 12:58 PM
To: 'Barb Staaland'
Subject: FW: River Road project support

Public comment for Council

-----Original Message-----

From: cindyshaw518@yahoo.com [<mailto:cindyshaw518@yahoo.com>]
Sent: Friday, January 13, 2023 4:59 AM
To: Susan Nicosia
Subject: River Road project support

Good morning Susan,

I am strongly in support of the River Road project.

I have a list of good reasons and would elaborate if you think it would help, just let me know.

I attended the first public meeting and was very intimidated by the negativity of the audience. I believe there were many others who support the project but, like me, are afraid to speak up.

Please add my voice of support of this project to the Council packets.

Thank you,

Cindy Shaw

3328 Columbia Falls Stage Road

Sent from my iPad

Barb Staaland

From: Karen South <ksouthy1956@gmail.com>
Sent: Tuesday, January 10, 2023 5:02 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Road Development.

Good afternoon,

I apologize for later entry and response to this subdivision issue.

I would like to voice my concerns with the community to deny this Planner access to these lands to build yet another area of unaffordable living space. I moved here 18 years ago from Colorado to be relieved of the crowding and sprawl that these developers have no morals in participating in, only filling their greedy pockets. I do not understand the need to take over these beautiful lands with elk herds, poor road access, sewer systems under rivers. The housing they will provide will be for non local, non committed folks who do not care about the community or the infrastructure and what is at stake for the long range planning. Look at the awful Ruis mess on Nucleus, it is absolutely hideous and not part of the culture of this hard working, nature loving community. I hope tonight the planning board does the right thing as before and denies this permit.

Thank you for your time

Karen Florey

Barb Staaland

From: Susan Wheeler <nyackflats@gmail.com>
Sent: Tuesday, January 10, 2023 4:47 PM
To: staalandb@cityofcolumbiafalls.com
Subject: River Highlands

Round two of River Highlands and the Developer still fails to address the concerns of the community. Main concerns are traffic, affordability, burden on city services, drilling under the river, and loss of wildlife habitat, and neighborhood character. The Developer also barely meets the CR3 zoning requirements. 53% single family is barely a majority.

The Neighborhood Association that represents the area in which the proposed River Highlands Development sits (UFNA) asked to meet with the Developer to ask some questions regarding the new proposal. The Developer agreed and questions were submitted ahead of time. The day of the meeting the Developer canceled the meeting, then said it could be rescheduled but then backtracked and said they actually didn't want to meet with them. How is the community supposed to have their questions addressed? I think this is very telling that the Developer is NOT willing to listen or address the concerns of the community.

Our community needs to be working with developers who are open to communicating and listening to the needs and ideas of the community. Not with a Developer who won't spend time addressing the concerns and looking into the numbers, facts, and details of their proposal. The River Highlands Narrative just states that it will work and it fits with the neighborhood but how can we believe them when no actual data is presented and they won't answer questions.

My vote is NO!

Susan Wheeler



1/10/2023

To: Columbia Falls City-County Planning Board
City Manager City of Columbia Falls
City Planner City of Columbia Falls

On behalf of Citizens for a Better Flathead and the numerous residents we represent please accept the following comments for your hearing record this evening.

COMPLIANCE WITH STATE NOTICE REQUIREMENTS FOR THE FOLLOWING LAND USE HEARINGS

- **Request for a Planned Unit Development in the Columbia Falls Zoning Jurisdiction:**
James Barnett on behalf of Flathead Mountain River LLC is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction, the development is called River Highlands Apartments.
- **Request for a subdivision in the Columbia Falls Zoning Jurisdiction:**
James Barnett on behalf of Flathead Mountain River LLC is requesting a Subdivision in the Columbia Falls Zoning Jurisdiction.

Citizens for a Better Flathead would like to formally request that you leave open after 1/10/2023 the public hearings for these two agenda items for additional public comment and continue and reschedule the agenda items listed above for a continuation of these two hearings out of respect for the enormity and complexity of these three decisions which are of significant interest to the public.

We believe that you have a legal duty to do this in accordance with MCA 76-2-303 governing municipal zoning and MCA 76-2-205 governing county zone changes. We assert that these statutes and case law on the public's right to participate require you at a minimum to provide concurrent with the 15 day notice the proposed regulations and supporting documents to be changed and not merely notice of the date and location of these public hearings. Access to the board packet with over 408 pages of information for the public to study in preparation for these two hearings, with no other public notice, was only posted on January 5th the same day you recommend that written public comment must be received for inclusion in the board packet for the planning board to review prior to the hearing and only three business days before this hearing. Additionally, scheduling of the hearing before the Columbia Falls City Council on January 30th does not allow for the 45 days for public review of the planning board action as set forth in MCA 76-2-205.

Failure to provide the proposed changes to the zoning and subdivision regulations concurrent with notice of a public hearing provides inadequate time for the public to consider and know of these proposed changes, or to prepare and to provide informed comment at the noticed public hearings on these changes.

Because the documents outlining the proposed land uses by the applicant and the city or county planning staff set forth the changes and the reasons for them, and these documents are fundamental to the planning board and the city council when making a decision to adopt or deny a proposed zoning or subdivision change, these same documents must be provided to the public at the date of notice of the hearings at the minimum. Documents provided with notice of a public hearing should include the proposed zone change

regulations, application, staff report and findings of fact that the planning staff is recommending for the planning board to accept and forward for approval in this case to the Columbia Falls City Council.

Item No.1.

The two hearings tonight are on property that is outside of the city limits of Columbia Falls and would need to be annexed to be considered only under notice provisions for city property, we believe.

Compliance with **MCA 76-2-205 (see attached)** (county zoning) establishes that a zoning hearing shall be scheduled:

- And that notice of such hearing be posted not less than 45 days before the public hearing;
- And that the notice must state the proposed zoning regulations are on file for public inspection at the office of the county clerk and recorder.

In this case, the River Highland's a zone change and subdivision preliminary plat lay outside of the City of Columbia Falls, have not been annexed, but zoning and subdivision are administered by an interlocal agreement with the City of Columbia Falls.

Additionally, **MCA 76-2-204. Role of planning boards**¹ establishes that the county commissioners "shall require the county planning board and the city-county planning board to recommend boundaries and appropriate regulations for the various zoning districts."

It is important for the public process to work as the legislature intended and as the public has the right to expect under our state constitution for meaningful public participation, that you comply with all sections of MCA 76-2-205. We ask that you consider that it is not possible for you to comply with MCA 76-2-205-1 (a) (iv) if you schedule a public hearing on proposed new zoning before the Columbia Falls City-County Planning Board or the Columbia Falls City Council without adequate notice and timely access to all documents the Columbia Falls City-County Planning Board are be given to consider in making their decision. Additionally, scheduling the City Council Hearing with less than the 45-period required under MCA 76-2-205 between the planning board action and the county delegated decision-making authority which the city currently holds violates the requirements of MCA 76-2-205. The 45-day period should begin:

- After the planning board public hearing has taken place, and
- After the planning board has formulated and adopted or rejected or amended the proposed zoning.

To comply with MCA 76-2-205 as a whole you must be able to first comply with MCA 76-2-204 that requires the planning board to complete their review, findings, and to propose zoning changes that can be viewed and studied by the public on day one of the required 45-day comment period.

You are well aware I am sure, but I repeat here for the public's benefit, that Montana statues provide a fundamental right to all citizens to be afforded the opportunity to meaningfully participate in decisions prior to action by local governmental bodies including:

¹ **76-2-204. Role of planning boards.** (1) The board of county commissioners shall require the county planning board and the city-county planning board to recommend boundaries and appropriate regulations for the various zoning districts. The county planning board and the city-county planning board shall make written reports of their recommendations to the board of county commissioners, but such recommendations shall be advisory only.

(2) This section shall apply to either the county planning board or the city-county planning board where only one of these planning boards has been established.

History: En. Sec. 2, Ch. 246, L. 1963; amd. Sec. 17, Ch. 273, L. 1971; R.C.M. 1947, 16-4702.

MCA 2-3-101. Legislative intent. The legislature finds and declares pursuant to the mandate of Article II, section 8, of the 1972 Montana constitution that legislative guidelines should be established to secure to the people of Montana their constitutional right to be afforded reasonable opportunity to participate in the operation of governmental agencies prior to the final decision of the agency.

MCA 2-3-111. Opportunity to submit views -- public hearings. (1) Procedures for assisting public participation must include a method of affording interested persons reasonable opportunity to submit data, views, or arguments, orally or in written form, prior to making a final decision that is of significant interest to the public.

(2) When a state agency other than the board of regents proposes to take an action that directly impacts a specific community or area and a public hearing is held, the hearing must be held in an accessible facility in the impacted community or area or in the nearest community or area with an accessible facility.

Additionally, Montana courts have held as in the *Bryan v. Yellowstone County Elementary School District No. 2*, 2002 MT 264, 312 M 257, 60 P3d 381 (2002) case that at a minimum, the "reasonable opportunity" standard articulated in Art. II, sec. 8, Mont. Const., which protects the right to participate, demands compliance with the right to know contained in Art. II, sec. 9, Mont. Const. In the *Bryan* case the court held that when the school district violated plaintiff's right to know, it reduced what should have been a genuine interchange into a mere formality. Here we would argue that by failing to provide reasonable and timely access to proposed changes to county/city zoning regulations--- that the public's right to be afforded reasonable opportunity to participate in the operations of governmental agencies prior to the final decision of the agency is being violated as well as the public's constitutional right to know.

Finally, if reasonable accommodations for the public cannot be made and the public can not fit within the hearing room the meeting should be postponed and scheduled for a meeting space to accommodate the public so they are not spilling out side of the hearing room. Note that the county planning board has taken this approach on numerous occasions including for a hearing they postponed just last month.

For all of these reasons, Citizens for a Better Flathead is formally requesting that you leave open for additional public comment and continue and reschedule the agenda items listed above for a continuation of these three hearings before the Columbia Falls City/County Planning Board out of respect for the enormity and complexity of these three decisions which are of significant interest to the public. Additionally, we ask that you reschedule the hearing before the Columbia Falls City Council on August 1st as it does not allow for the 45days for public review of the planning board action as set forth in MCA 76-2-205.

Due to the failure of the city to provide us timely and legally required access to the materials for tonight's hearing and time to develop meaningful comments, we reserve the right to provide more extensive comments, but in general ask that the planning board consider the following as additional information they should seek to reach a final decision tonight and/or to close the public hearing:

GROWTH POLICY COMPLIANCE AND INFRASTRUCTURE CAPACITY

Growth Policy Compliance: Policy 2.a. "Urban residential areas should be encouraged to be developed where adequate services and facilities are available, or extensions can be provided."

- **The hearing documents before you fails to provide you or the public any analysis of the current Columbia Falls Sewage Treatment Plant and any factual information about its current**

capacity, already committed capacity, projected need for future growth particularly if extended under the river, the ability for plant expansion at the current location, the serious limits the plant currently faces for disposal of solids and other waste from the plant, and cost to the public for the capacity expansion particularly when this development is providing development that cannot be considered workforce or affordable housing which the city needs. Additionally, the analysis and information provided, fails to set forth the much-needed analysis of the pros and cons/risks of drilling under the Flathead River and at this particular location, or who will bear the costs long term.

The decision to permit a property outside the City limits of Columbia Falls to be provided sewer and water connection is also governed by statues outside of the mandatory land use statues against which you must adopt findings in reaching decisions on the two decisions before you this evening.

13.04.080 Connections To Property Outside City Limits

1. Permission to Connect. The city council shall have the power and authority to determine when and if specific buildings, premises or structures beyond the city limits of the city shall, upon the petition of the owner, be permitted to attach to the water distribution system of the city. Upon petition or application being made to the city by the owner of property, together with the payment of the fees, if any, for such application, the city council shall determine whether to furnish water. Among other things the council shall consider the following: the effect upon public health and safety; whether such attachment will be in the best interests of the city and its residents; and the availability of water and proximity of city water infrastructure.
2. Connection Requirements. Upon approval of application the terms, conditions and requirements thereof shall be as follows:
 1. Applicant shall perform the following:
 1. Pay all connection fees, water permit fee, and plant investment fee and other charges required for a new connection.
 2. Construct a service line in accordance with city standards.
 2. If the applicant is contiguous to the city limit, the applicant shall execute a petition for annexation. If the applicant is not contiguous to the city limit, the applicant shall execute a waiver of protest to annexation. All applicants shall provide a waiver of protest for the creation of special improvement districts for water improvements, whether prior to or subsequent to the time that such premises would be annexed into the city, such petition and waiver to be in the form as prescribed by the city on file with the clerk of the city.
 3. Pay to the city the volume and service charges for the furnishing of water as charged by the city for users within the city, plus an additional percent of that sum, established in the rate schedule, the consideration therefore being the furnishing of water to users outside the city limits.
 4. The applicant shall provide, install and maintain in good condition an approved metering device to meter the water supplied to applicant. Such metering devices shall remain the exclusive property of the city.
 5. Connect to city of Columbia Falls municipal sewer, if the city council, at its sole discretion, determines that the sewer main is reasonably proximate to the applicant's property, sufficient sewer capacity is available to accept connection, and the requirement to connect is in the best interest of the sewer utility and the city. (emphasis added)

13.08.160 Sewer Connections Outside The City Limit

1. Authority. The city council shall have the power and authority to determine when and if specific buildings, premises or structures beyond the city limits of the city shall, upon the petition of the owner thereof, be permitted to attach to the sanitary sewerage collection system of the city. The

city council, at its sole discretion shall make the determination after taking into consideration the public health and safety of the petitioner and those residing in adjacent premises; whether receiving raw sewerage from the premises of the applicant will be in the best interests of the city and its residents and not detrimental thereto; the availability or proximity of city mains, lines or pipes.

2. Terms and conditions. Upon city council determining that it will receive the raw sewerage from premises of applicant into the city's sanitary collection system, the terms, conditions and requirements thereof shall be as follows:
 1. Applicant shall pay all costs in connection with the connection to city sewerage lines or mains, as required by the city, from time to time, and all connections shall be made in accordance with city regulations for connections, and shall be inspected and **approved by** the city prior to the usage thereof;
 2. In the event it is necessary to construct pipes or lines from premises of applicant unto the city collection lines, pipes or mains, all costs in connection therewith, including excavation, pipe and laying the same shall be borne by the applicant;
 3. The applicant shall execute a petition for annexation, as well as a waiver of protest for the creation of special improvement districts for sewer improvements, whether prior to or subsequent to the time that such premises would be annexed into the city, such petition and waiver to be in the forms as prescribed by the city and on file with the clerk of the city;
 4. To pay to the city the regular charge for the receiving of sewerage for users outside the city as set forth in the rate schedule.
 5. Any and all individuals and/or businesses who deposit raw sewage into the city's sanitary collection system shall be required to install a water meter to be used for billing purposes. Such water meter shall be installed according to the city's requirements and shall be paid for by the individual and/or business desiring to use the city's sanitary collection system. Such metering devices shall remain the exclusive property of the city.
3. Permit Required. Before applicant's premises shall be attached to the city's sanitary collection system, a permit shall be issued to the applicant by the city upon forms approved by the city for such purposes. Each applicant must pay the appropriate fees as set forth under the rate schedule. Such fees, including but not limited to a permit fee, connection fee and plant investment fee, must be paid at least two business days before such service is requested. Failure of the customer to provide adequate notice to the sewer utility as provided by this chapter shall result in the charging of an administrative fee as set forth under the rate schedule.

17.18.010 Subdivisions To Comply With Design Standards

All subdivisions of lands not annexed to the City of Columbia Falls nor petitioning or waiving annexation, but within the City's Planning Jurisdiction, shall comply with design standards included in this chapter, unless a variance from any particular section is requested in writing and granted by the City Council pursuant to Section 17.36.010 of these Regulations. Engineering and survey plans, specifications, design details and reports required by the City shall be prepared by a licensed professional engineer or registered surveyor as their respective license laws allow in accordance with the Montana Subdivision and Platting Act and these Regulations. The design and development of a subdivision shall conform with any adopted Growth Policy (formerly Master Plan)s, zoning ordinances, public works standards, and other regulations adopted by the City. County regulations, applicable to land use and land development, may be imposed where these regulations either do not address the issue or the City does not have jurisdiction.

I do not find that the applications required under these three sections of your city code have been made or that the city has issued reports and documented finding supporting or questioning if this proposed development meets the criteria set forth in these sections of city code. I do not find that

this information has been provided the public as part of the information included in the board packet tonight. Additionally, the subdivision application prepared and submitted on behalf of Flathead Mountain River LLC, is missing required information that must be provided for consideration of a subdivision about the approval of provisions of city water and sewer. Finally, it is not clear when or if the city intends to annex this property and under what public process and under what conditions. Until this is resolved and established and full reporting made available to the public, we would ask that the hearings before you tonight be tabled as the information cited here, as required under city code, can be provided for the public and these hearing records. Short of this the public does not have the information we all need to make informed and prudent decisions or public comment.

- **The proposed zone change that the requested PUD represents and then the increased density allowed under the CF PUD are not consistent with the underlying zoning which does not allow for multi-family housing and as such as applied is likely illegal.** The proper procedure should be to require a growth policy amendment that would fully consider the impacts of these proposed zone changes and changed conditions in the city and this area including the major Bad Rock Canyon conservation area.
- **The hearing documents before you, fails to provide you or the public any meaningful analysis of the other services that the city must provide for this scale of development** with the limited staffing of your police and fire department and transportation impacts with the cumulative new development that will likely occur with the extension of sewer and water.
- **The developer's application for subdivision fails to provide answers to some critical questions.** There are contradictions between the staff report findings and the application that need to be addressed and clarified. For example, the staff report says that all storm water will be retained on site, but the application states that they will need to apply for river discharge.

Sincerely,

**Mayre Flowers, Acting Executive Director and Board Co-Chair
Citizens for a Better Flathead**

76-2-205. Procedure for adoption of regulations and boundaries. The board of county commissioners shall observe the following procedures in the establishment or revision of boundaries for zoning districts and in the adoption or amendment of zoning regulations:

(1) Notice of a public hearing on the proposed zoning district boundaries and of regulations for the zoning district must:

(a) state:

(i) the boundaries of the proposed district;

(ii) the general character of the proposed zoning regulations;

(iii) the time and place of the public hearing;

(iv) that the proposed zoning regulations are on file for public inspection at the office of the county clerk and recorder;

(b) be posted not less than 45 days before the public hearing in at least five public places, including but not limited to public buildings and adjacent to public rights-of-way, within the proposed district; and

(c) be published once a week for 2 weeks in a newspaper of general circulation within the county.

(2) At the public hearing, the board of county commissioners shall give the public an opportunity to be heard regarding the proposed zoning district and regulations.

(3) After the public hearing, the board of county commissioners shall review the proposals of the

planning board and shall make any revisions or amendments that it determines to be proper.

(4) The board of county commissioners may pass a resolution of intention to create a zoning district and to adopt zoning regulations for the district.

(5) The board of county commissioners shall publish notice of passage of the resolution of intention once a week for 2 weeks in a newspaper of general circulation within the county. The notice must state:

- (a) the boundaries of the proposed district;
- (b) the general character of the proposed zoning regulations;
- (c) that the proposed zoning regulations are on file for public inspection at the office of the county clerk and recorder;
- (d) that for 30 days after first publication of this notice, the board of county commissioners will receive written protests to the creation of the zoning district or to the zoning regulations from persons owning real property within the district whose names appear on the last-completed assessment roll of the county.

(6) Within 30 days after the expiration of the protest period, the board of county commissioners may in its discretion adopt the resolution creating the zoning district or establishing the zoning regulations for the district. However, if 40% of the real property owners within the district whose names appear on the last-completed assessment roll or if real property owners representing 50% of the titled property ownership whose property is taxed for agricultural purposes under 15-7-202 or whose property is taxed as forest land under Title 15, chapter 44, part 1, have protested the establishment of the district or adoption of the regulations, the board of county commissioners may not adopt the resolution and a further zoning resolution may not be proposed for the district for a period of 1 year.

History: En. Sec. 5, Ch. 246, L. 1963; amd. Sec. 19, Ch. 273, L. 1971; R.C.M. 1947, 16-4705; amd. Sec. 2, Ch. 591, L. 1995; amd. Sec. 8, Ch. 446, L. 2009.

76-2-303. Procedure to administer certain annexations and zoning laws -- hearing and notice. (1) The city or town council or other legislative body of a municipality shall provide for the manner in which regulations and restrictions and the boundaries of districts are determined, established, enforced, and changed, subject to the requirements of subsection (2).

(2) A regulation, restriction, or boundary may not become effective until after a public hearing in relation to the regulation, restriction, or boundary at which parties in interest and citizens have an opportunity to be heard has been held. At least 15 days' notice of the time and place of the hearing must be published in an official paper or a paper of general circulation in the municipality.

(3) (a) For municipal annexations, a municipality may conduct a hearing on the annexation in conjunction with a hearing on the zoning of the proposed annexation if the proposed municipal zoning regulations for the annexed property:

- (i) authorize land uses comparable to the land uses authorized by county zoning;
- (ii) authorize land uses that are consistent with land uses approved by the board of county commissioners or the board of adjustment pursuant to Title 76, chapter 2, part 1 or 2; or
- (iii) are consistent with zoning requirements recommended in a growth policy adopted pursuant to Title 76, chapter 1, for the annexed property.

(b) A joint hearing authorized under this subsection (3) fulfills a municipality's obligation regarding zoning notice and public hearing for a proposed annexation. History: En. Sec. 4, Ch. 136, L. 1929; re-en. Sec. 5305.4, R.C.M. 1935; R.C.M. 1947, 11-2704; amd. Sec. 1, Ch. 217, L. 1997; amd. Sec. 1, Ch. 355, L. 1999; Sec. 34, Ch. 582, L. 1999; amd. Sec. 5, Ch. 87, L. 2003; amd. Sec. 40, Ch. 19, L. 2011.

Barb Staaland

From: Ryan Lakey <rlakey81@outlook.com>
Sent: Wednesday, January 11, 2023 8:15 AM
To: staalandb@cityofcolumbiafalls.com
Subject: Comment to the Planning Board

RECEIVED

JAN 11 2023

CITY OF COLUMBIA FALLS

To the planning board,

After listening to the planning board last night 1/10 I just wanted to pass along that it appears someone studied the traffic going south on river road and columbia falls stage after the August meeting regarding River Highlands. Not long after that meeting I do recall seeing the black pneumatic road tubes along locations on River road and if my memory serves me correctly all the way down to highway 35 on columbia falls stage. I also recall thinking that was a funny coincidence that those tubes showed up not long after the meeting where traffic to the south was a hot topic.

Just wanted to comment on that as it appears to me that someone studied that traffic pattern between meetings on River Highlands.

Ryan



RIVER HIGHLANDS PUD

Where we started



Public Outreach and Involvement



We heard numerous Concerns at the previous meeting and met with several of the commenters

- “We need apartments, but we do not want to see them.”
- “The buildings are too tall.”
- “Keep project within existing zoning.”
- “Like the open space.”
- “Why can’t you build an affordable home?”
- “Need the traffic light regardless of development.”

Historic Downtown Areas



Scale & The Missing Middle

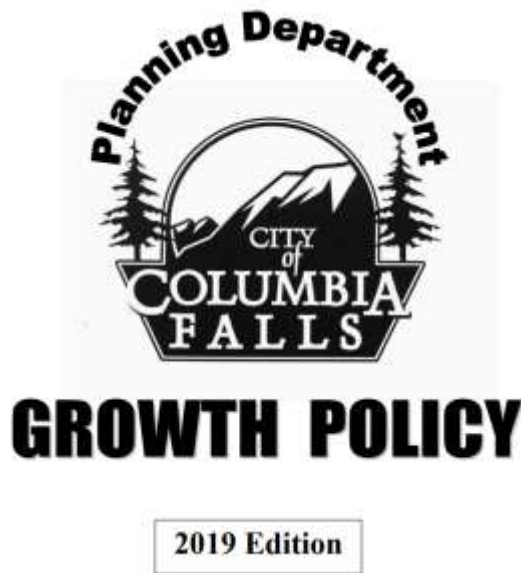


Neighborhood Concept

Missing Middle Housing is a range of house-scale buildings with multiple units—compatible in scale and form with detached single-family homes—located in a walkable neighborhood.



Growth Policy



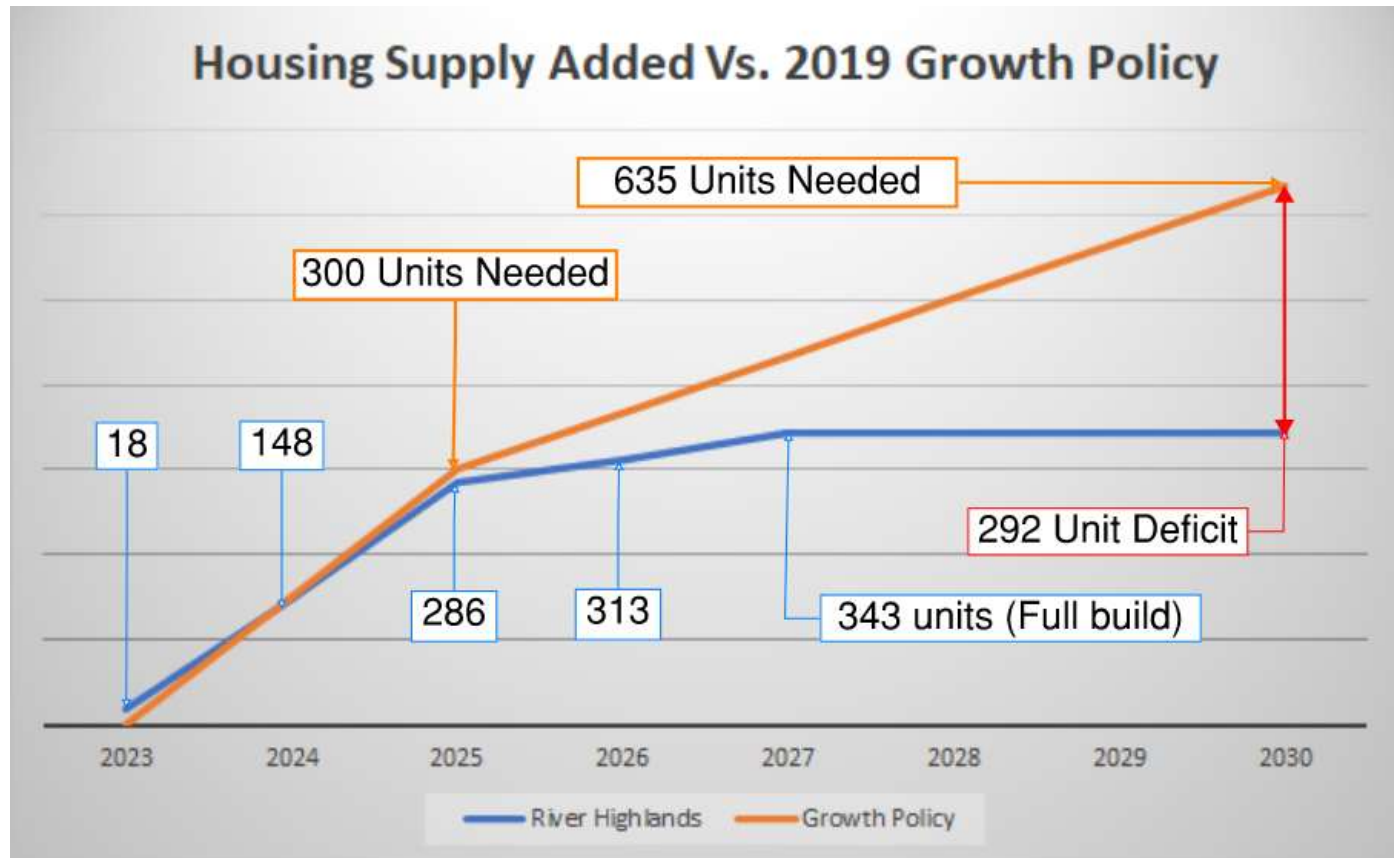
- Threats/Weakness identified in GP
 - Limited tax base
 - Loss of housing/ commercial development within city limits to county
 - Limited opportunity for young families to live/work
 - Short term rentals
- The property was incorporated into growth policy annexation boundary in ~2005
- Land Previously approved as PUD in 2008
- Growth Policy Designates property as “Urban Residential”
- Was not redesignated in 2019 GP Update
- Meets housing needs outlined in GP

Growth Policy

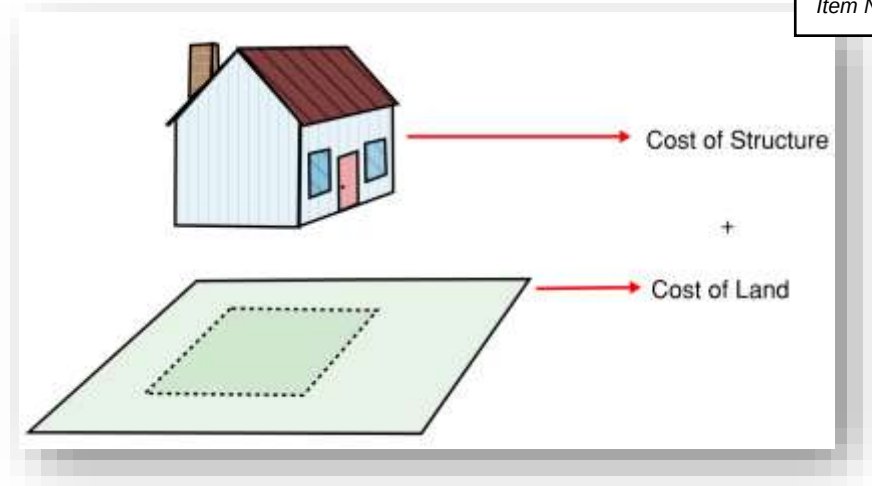


- Creates a place to keep tax base in CFalls
- Creates a place for our next generation to live (including fire fighters, police, teachers)
- No Zone Map Amendment
- Works within Zoning Ordinance
- Predominantly Single Family
- No Variances Requested
- **No short-term rentals requested**

Housing Supply and Growth Policy



Sustainable Housing



- Median size of a home in 1950 was 938 square feet and cost \$82,000 (\$87/SF)
- Median home size in Columbia Falls is currently 1,700 square feet and \$500,000 (\$300/sf)
- Cost of Lot w. Utilities ~\$600,000 per acre
 - 0.25 acre lot ~\$150,000 (Minimum Lot Size w/o PUD)
 - 0.08 acre lot ~\$50,000

Sustainable Housing (Cont.)



The goal is to produce a single-family residence that will be less expensive than anything on the market

PUD LEGEND	
TOTAL AREA:	49.10 AC
TOTAL APARTMENT UNITS:	162 DU
TOTAL SINGLE FAMILY ATTACHED:	98 DU
TOTAL SINGLE FAMILY DETACHED:	83 DU
TOTAL UNITS:	343 DU
TOTAL DENSITY:	7 DU/ACRE
TOTAL MF LOT AREA:	8.30 AC
TOTAL SF LOT AREA:	11.03 AC
TOTAL RESIDENTIAL LOT AREA:	19.33 AC
TOTAL AREA IN ROW:	9.72 AC
INTERNAL OPEN SPACE:	10.19 AC
CONSERVATION AREA:	4.18 AC
TOTAL COMMUNITY PARK AREA:	5.18 AC
TOTAL OPEN SPACE AREA:	19.55 AC (39.8% OPEN SPACE)



RIVER HIGHLANDS PUD

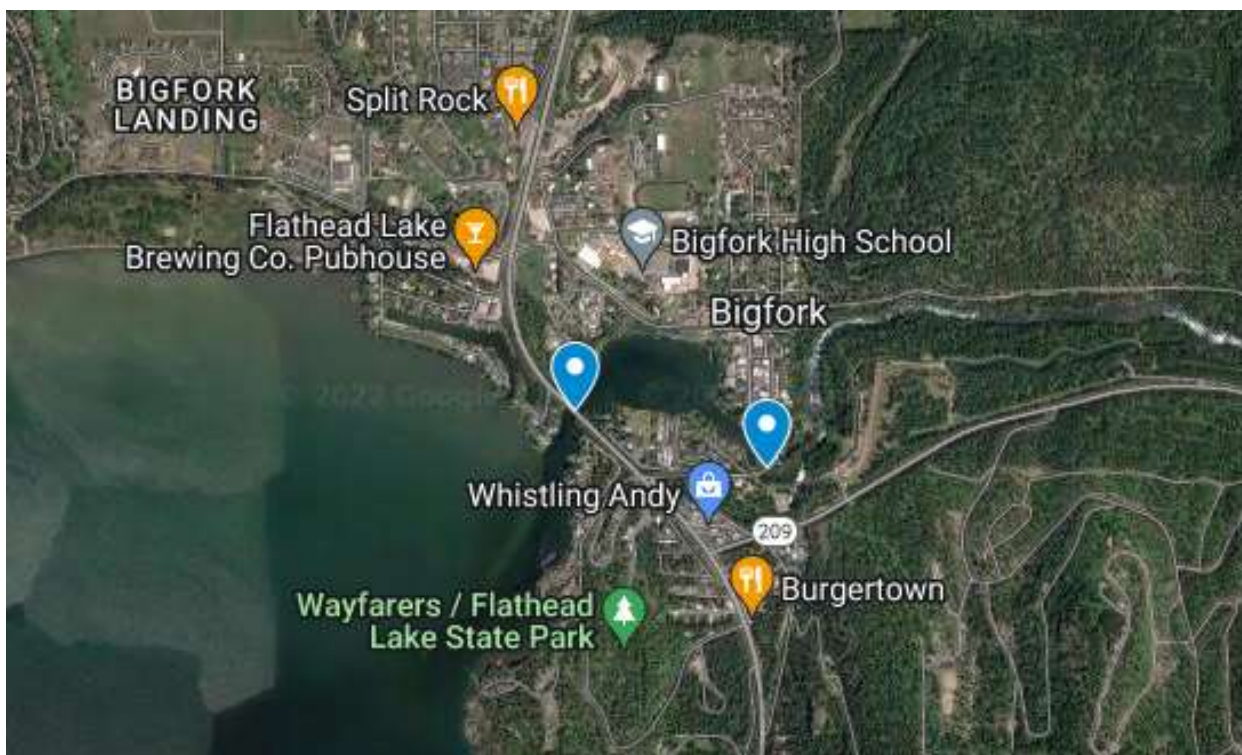
Overall Site Plan
Project Number: 201111
November 30, 2022



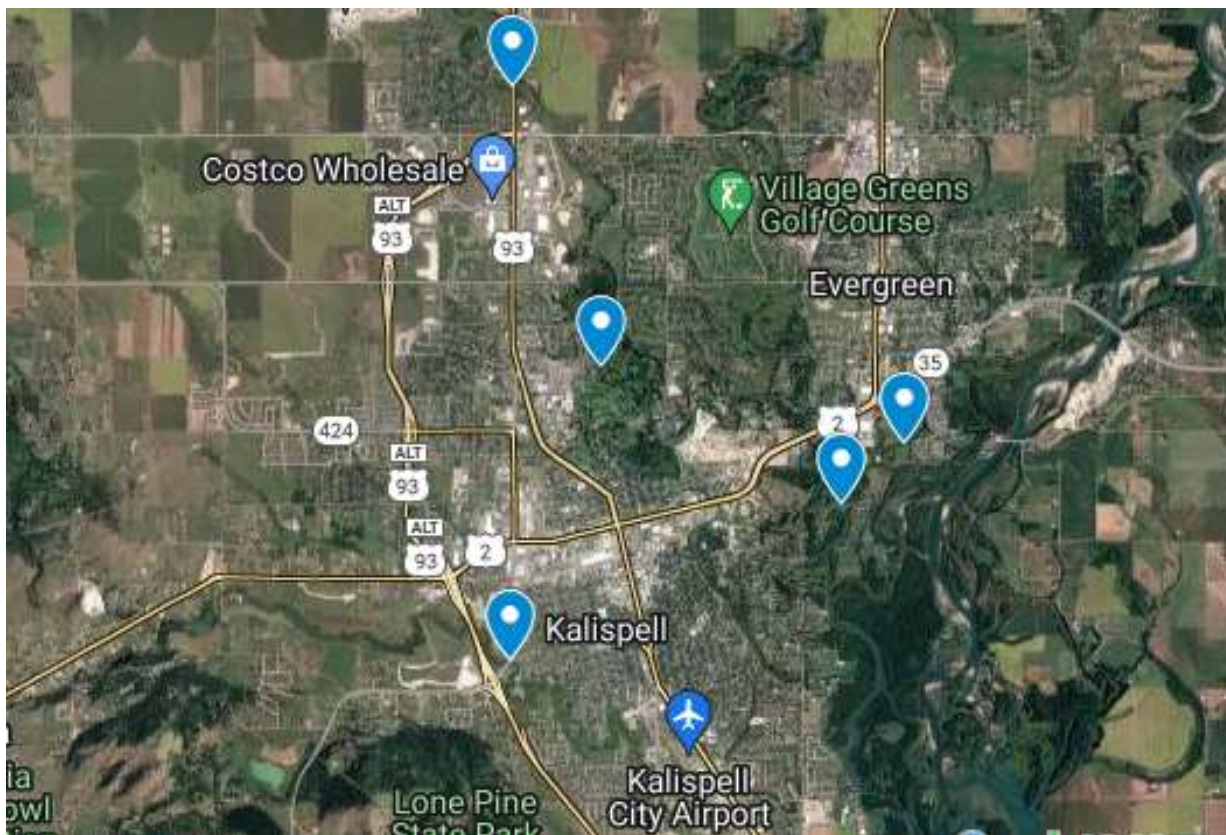
- 502 -



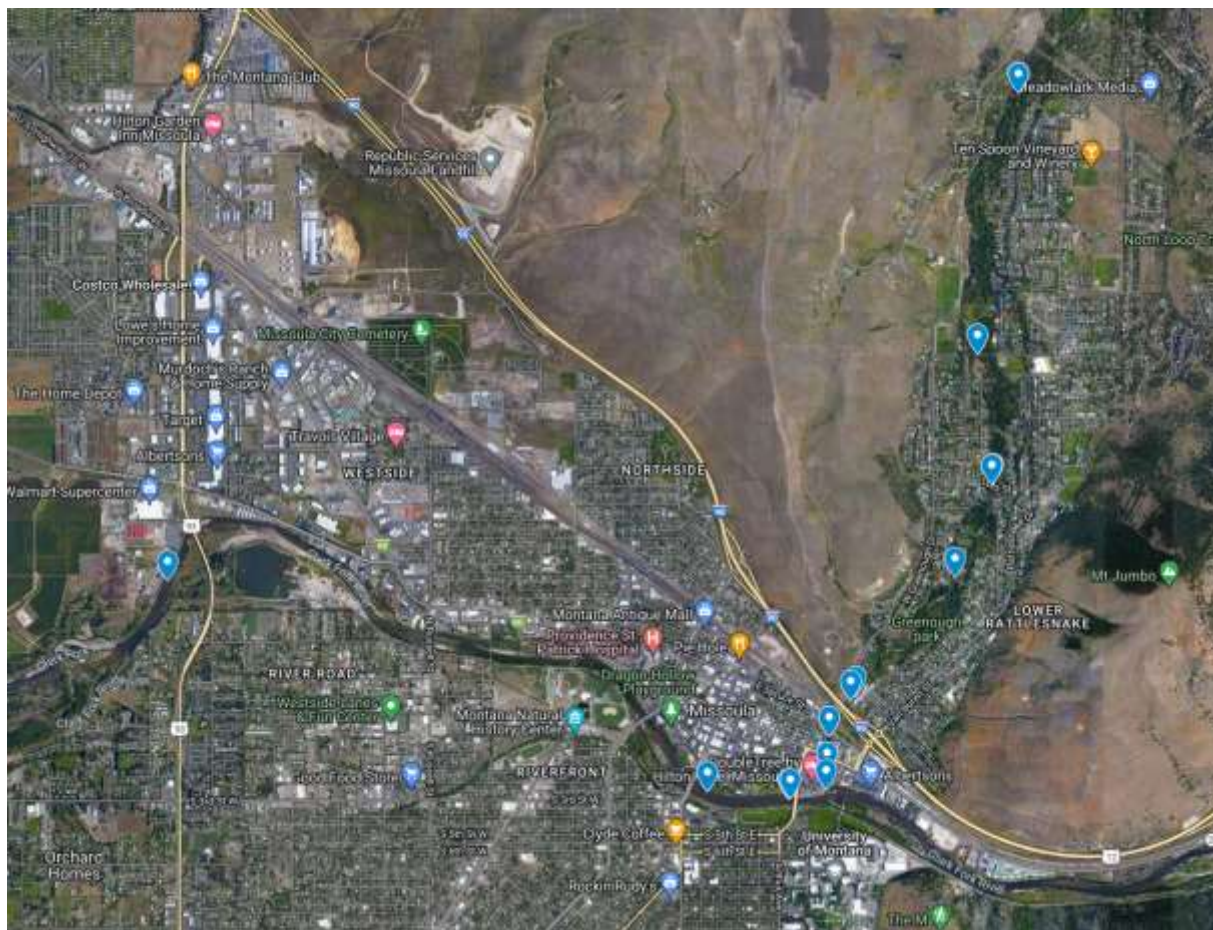
Bigfork



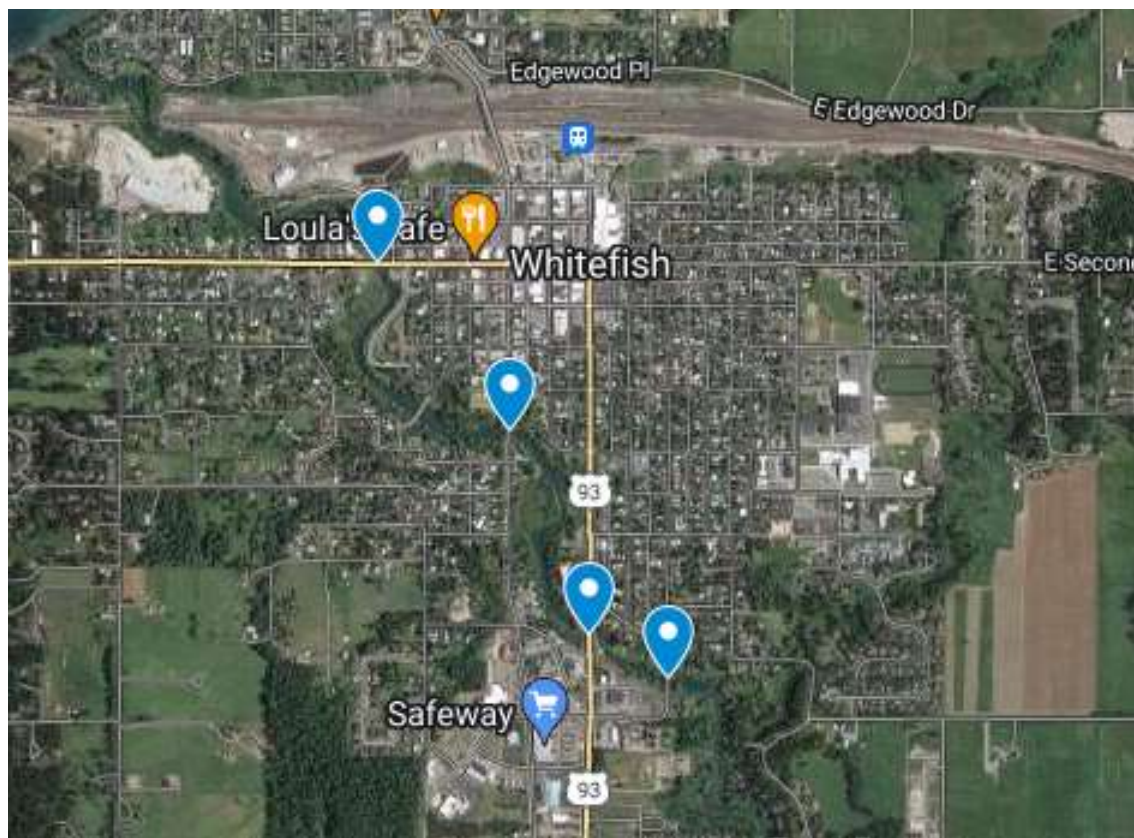
Kalispell/Evergreen



Missoula



Whitefish



Stormwater

- All stormwater will be subject to City and MDEQ treatment requirements.
- Majority of open space will be planted with native/drought tolerant plants to reduce irrigation and fertilizer (high in nutrients).
- Stormwater runoff generally has low nutrient loading.
- Ponds designed to be landscape features vs. fenced



Traffic Impact Study

- What is Level of Service (LOS)?
- River Road Signal warranted by MDT standards with less than 50% of the development complete
- Warranted by 4 Hour Volume
- Need 5+ Crashes/Year



What Concerns Have Been Addressed?

- Apartment footprints were reduced to a neighborhood scale.
- Reduced unit Count by 112
- Removed Rezone/worked within CR-3/PUD
- Did our best to preserve open space through a linear park network.
- Traffic light and all infrastructure would be funded by developer.

Community Benefits



- Housing
- Open space and parkland
- A lower priced single-family option
- Pedestrian path extension
- Improved safety at intersection
- Excellent neighborhood and location for those who live there



“The mission of the City of Columbia Falls is to foster a community that appeals to individuals, families, businesses and investors. Columbia Falls is a city that encourages individual rights and responsibilities, promotes aesthetics and recreation, and provides safety and security. By listening to its citizens and responding to their needs, by respecting diversity and differences of opinion, and by evaluating the status quo and practicing thoughtful planning, the City provides excellent value at reasonable cost.”

**CITY OF COLUMBIA FALLS
PLANNING BOARD AND ZONING COMMISSION MEETING MINUTES
HELD JANUARY 10, 2023**

REGULAR MEETING – 630 PM.

Chairman Vukonich called Meeting to order at 6:31 PM

PRESENT: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Shepard, Kavanagh, Singer

ABSENT: Duffy

Also present: City Manager Susan Nicosia, Contract Planner Eric Mulcahy, City Attorney Justin Breck, City Attorney Stephanie Breck, Police Chief Clint Peters and Public Works Clerk Caleb Sobczak

APPROVAL OF MINUTES:

Approval of December 13th, 2022 Regular Meeting Minutes

Motion made by Shepard to approve the December 13th, 2022 minutes as presented, Seconded by Lundgren and the motion carried.

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

Frank Leftwich, 245 Klein Lane, Columbia Falls. Board Member of the Columbia Falls Rural Water Resources Fund. Leftwich believes commercial entities are compromising the Flathead Valley aquifer, and is concerned that regulations by DNRC in Helena were not followed when people were given water rights in the Flathead Valley. Leftwich wants the Planning Board to know that they have concerns in the Flathead Valley on planned developments tapping into the aquifer. Leftwich asks for the proper vetting process with these planned developments and to take their concerns into consideration.

Clarence Taber, 24 Taber Lane, Columbia Falls, said there is a group starting the process of getting rid of the Zoning Donut around Columbia Falls and going back to a County Planning Board because they feel they have no representation.

PUBLIC HEARINGS AND ACTION:

Request for a Planned Unit Development (PUD) for the River Highlands Development:

James Barnett, on behalf of River Highlands LLC, is requesting a Planned Unit Development in the Columbia Falls Zoning Jurisdiction called River Highlands. The property is located at 264, 316, 378, & 494 River Road in Columbia Falls and is described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township 20 North, Range 20 West, P.M.M., Flathead County. The project consists of 83 detached single-family homes; 98 attached single family townhomes, 162 apartment units. The total unit count is 343 units on 49.1 acres gross for a density of 6.9 units per acre. The applicant is proposing 19.55 acres (40%) of the site as park and open space. With the project, the applicant is proposing to move River Road further east on Highway 2 and, if supported by MDOT, the applicant would install a traffic signal at Highway 2 and River Road. The applicant is not requesting any deviations other than the clustering of density and the density bonus provided by the PUD regulations.

Request for Preliminary Plat approval of the River Highlands Subdivision in the Columbia Falls Zoning Jurisdiction:

James Barnett, on behalf of River Highlands LLC, is requesting preliminary plat approval for property located at 264, 316, 378, & 494 River Road in Columbia Falls further described as Lots 1, 2, & 3 of Loeffler Ridge Subdivision and Assessor's Tracts 7 B and 7BB (Tracts 1 and 3 of COS 14045) in Section 16, Township

20 North, Range 20 West, P.M.M., Flathead County. The applicant will subdivide the property to create 21 lots (17 residential and 4 open space lots). The subdivision will extend Municipal water and sewer services along with reconstructing River Road and incorporating a detached pedestrian path. The new roads within the project will be public and privately maintained but all open to the public. The proposed subdivision is part of a PUD application for River Highlands.

Contract Planner Eric Mulchy presented Staff Report CPUD-22-04: Request for a Planned Unit Development (PUD) for the River Highlands Development going through all Findings and the 19 Conditions. Mulcahy also presented Staff Report CPP-22-04: Request for Preliminary Plat approval of the River Highlands Subdivision in the Columbia Falls Zoning Jurisdiction going through all Findings and the 22 Conditions. Mulchy noted that no variances were asked for. Staff Report presentation ended at 7:05 PM and questions from the Board were fielded.

Lundgren asked if the City of Columbia Falls is capable of assuming the responsibility for the infrastructure once it is completed. Mulcahy answered in the affirmative, it has been reviewed by the Public Works Department and the City's Consulting Engineer.

Vukonich inquired about the traffic study and southbound traffic as it was not reflected in the TIS. Mulcahy replied that in the traffic study it was shown the traffic disperses primarily to the north, with 10% going to the south.

Shepard asked how long Fish, Wildlife and Parks did their study. Mulcahy replied they did not specify the length of their study in the letter.

Vukonich inquired on setbacks of the river and if that setback is measured from the high-water mark? Mulcahy replied that generally it is the average of high water, it is not flood height and it is not the lowest point.

Smith asked if in 2008 this proposal was for 151 units? It is his understanding the water and sewer running under the river will be paid for by the applicant and then the City would take over and annex the area? Mulcahy answered yes. Smith then asked could these new homes be vacation rentals? Mulcahy replied everywhere in the City and County can apply for a conditional use permit for a vacation rental. The Planning Board can request that the developer not allow short term rentals.

Kavanagh asked if Staff can expand on present water and sewer capacity. Nicosia said the City is working with HDR Engineering on the bioreactor expansion. The City has the capacity and has planned to increase the capacity of the wastewater treatment plant. Federal dollars have allowed the City to not borrow funds for this project. In regards to water, the City has completed a third well that has greatly increased capacity and the water rights encompasses the entire planning jurisdiction, including this area. Kavanagh asked if the City has had a conversation with MDT regarding a signal at this location. Mulcahy answered that MDT sent a comment letter saying that this development is being reviewed by their System Impact Action Process. It has not been completely reviewed yet so they specifically did not elaborate on the improvements proposed. Kavanagh inquired about the timeframe for the evaluation? Mulcahy said generally it is a 6-8 month process.

Shepard asked how does this project's density compare to other projects of similar in size in the Valley? Mulcahy answered Kalispell has a project they are reviewing that is 400 units on 20 acres and another project that is roughly 230 units on 40 acres. This is not completely out of scale with what is being proposed in Kalispell. The County does not see projects of this magnitude since they do not have water and sewer systems. Whitefish has not approved any big projects in quite some time, the last one big one was Pheasant Run and it was pushing 12 units an acre said Mulcahy.

Singer asked where the water sewer capacity number is coming from. Nicosia said it is coming from HDR Engineering. Singer then asked if it is based on per unit that will be built and how many people live in the units? Nicosia answered there is a DEQ formula on capacity and the City has a permit based on flow of over ½ a million gallons per day. Singer asked how much can the City handle? Nicosia said that the permit is based on average daily flow. DEQ's formula is based on households, taking everything and converting it to an equivalent dwelling unit.

Kavanagh inquired if the intention is to plat the entire development in a single plat or multiple? Mulcahy answered that there would be multiple plats. The first phase would be infrastructure and the multifamily units, then the subsequent

phases would be portions of the outer ring of the development. Kavanagh asked in order to change phases in the future would they would have to come back and amend the PUD? Mulcahy said they can change the order of phasing and ask for an extension of time without coming back, but should they want to change the makeup of the development they would be required to go through the Public Hearing process again.

Vukonich inquired on page 21 of the packet, item number 3. It refers to zoning complying with the Growth Policy. Noting that this proposal is just under the maximum. Does compliance in that manner compel approval for the quantity of the units? Does the Board have to approve it because it is under that number? Mulcahy answered you do not need to approve the subdivision because it is under that number. The reason we have hearings is so the Planning Board and City Council can weigh in on these proposals. Should there be other findings that constitute a reason for denial you can make that decision.

Applicant presentation began at 7:27 PM. Mike Brodie, WGM Group, 431 1st Ave W, Kalispell is representing the applicant. Mr. Brodie presented the applicants PowerPoint. The applicant scaled down the density and took away the Zoning Map Amendment. The applicant took the public comments into consideration, making the proposal predominantly single-family homes. They took the cottage cluster idea with smaller homes fronting on to a shared park space, as well as townhomes with shared walls fronting onto something nice like a park. Apartment buildings were scaled down to 18-unit buildings vs the previous 41-unit buildings. The applicant looked at Growth Policy weaknesses and threats. The applicant stated this proposal works within the existing zoning and is not requesting any variances. Short term rentals are not the intention of the developer or this application, and the applicant encourages the Board to limit short term rentals. This proposal was compared to the housing supply need of the 2019 Growth Policy and will provide 286 of the 300 units needed by 2025 and at full build, in 2027, will provide 343 units of the 635 units needed by 2030. The cost of a lot with utilities will be approximately \$600,000 per acre, and a ¼ acre lot, the minimum lot size without a PUD, is about \$150,000. The applicant will reduce the lot size, with a PUD, to .08 of an acre at a cost of about \$50,000. Main variables are cost of the structure and the cost of the land. The goal of the applicant is to “produce a single-family residence that will be less expensive than anything on the market.” The proposal provides a linear park element allowing them to preserve the open space; the project has many pocket neighborhoods and will dedicate parkland to the City of Columbia Falls. No river front homes are proposed. The only structures within the 300-foot river setback are 6 townhomes by the jog in the property line and they are proposing a network of pocket parks along the east side of River Road. Mr. Brodie said in addressing Ms. Singers question about sewer capacity, typically it is calculated at approximately 100 gallons per day per person and a typical household is 2.5 people. In this case it is (2.5 x343)x100. Brodie said he spoke with Morrison Maierle and met with HDR regarding the capacity of the treatment plant and there is a high level of confidence that there is capacity, especially with the upgrade. He wanted to point out that they will be willing to hang the water and sewer lines from the bridge if that what the Board decided was best. Mr. Brodie passed around a piece of pipe that is of the same type that will be placed under the river. It is a little over ½ inch thick and is air tested before they put it through the machine to install under the river. Once the pipe is in they do high pressure tests to determine if it is working properly. An in depth scour analysis is done before boring to make sure the river will not impact it. It is not an uncommon practice to bore under the river when there is development on both sides. Stormwater would be subject to City and DEQ treatment requirements. A majority of open space will be planted with native/drought tolerant plants to reduce irrigation and fertilizer and the treatment ponds are designed to be landscape features.

Mr. Brodie wanted to explain the level of service in the traffic study, a grade of F is a 70 second wait time and a level of service grade C is a 23 second wait time. They looked at a signal warrant analysis for this development and the 4 hour traffic volume and the crash volume are relevant. Crash volume is 5 crashes a year and less than 50% of this development will trigger the hour traffic volume. They looked at getting the signal before meeting volume warrants but MDT would need to review it more and the first phase would trigger the volume warrants. There is a maintenance cost with running a lift station but running the city service line under the river would require little maintenance said Brodie. Brodie stated that the Community benefits of this project are housing availability, parkland, lower price single family options, pedestrian path extension and improve safety with a traffic signal. Presentation ended and questions were fielded from the Planning Board.

Nelson said last summer there was 10 donated lots to the Northwest MT Community Land Trust, now on page 81 it shows a donation lot. Mr. Brodie said the donation lot is a park. Applicant is still in discussions with the Community Land Trust and does intend to pursue it.

Singer asked if the rentals will not be short-term? Brodie answered that is the intention. Singer then asked will there be CC&Rs for this development? Brodie said there is draft CC&R's included in the application. Mulcahy said the Board can condition that short term rentals not be permitted in the development and that note would be placed on the plat. Singer inquired if the pipe that was presented is the same pipe that would be attached to the bridge if it is not put under the river? Brodie said he was unsure at this point as it would require more engineering and design review. Singer inquired on apartment monthly rent? Brodie answered they do not know what the market will be once completed. Singer inquired when it is all built out will the developer sell? Brodie thinks that there is an intention to sell at least some of the lots, but market conditions will dictate what will happen.

Kavanagh asked Mr. Brodie if he would elaborate on how this is accommodating the character of the neighborhood as opposed to something of an entirely different character. Brodie said they have reduced size to keep it congruent with the neighborhood. Keeping open space around the outside, the roads are not on property lines and excess soil material can be mounded to block sight and make it have a more rural feel. Kavanagh wondered if the townhomes have garages? Brodie said the townhomes and single-family homes will have garages. They tried to cluster the multi-family towards the center and away from the edges with additional parking lots to keep the cars above the two per unit. Kavanagh asked about the traffic going to the south, was there an analysis on the intersection of River Road and Columbia Falls Stage? Brodie answered they did not look at that intersection but they can. Kavanagh then inquired about the preliminary engineering and having adequate pressure? Brodie said there is a chance they may have to reduce pressure.

Vukonich asked about the number of apartment units compared to the single-family units and how that weighed in with your redesign? Brodie answered that Mr. Barnett is an apartment developer but it was called out in the last meeting that this area is predominantly single family so they reduced the multifamily.

Shepard said if this fails tonight at what point, number wise, do you not offer providing City water and sewer to this development? Brodie answered that it would be similar to the Benches subdivision, so maybe 40 or 50 units on this property with drain fields.

Chairman Vukonich called a recess at 8:08 PM.

Chairman Vukonich called the meeting back to order at 8:20 PM.

Public Comment opened at 8:21 PM.

Mark Reiten, 380 Kokanee Bend Drive, Columbia Falls. Said he believes that most of the traffic will not go north and will use Columbia Falls Stage Road. Mr. Reiten is concerned about a herd of approximately 80 elk on Rogers Road that migrate through this area. He believes the density is not appropriate for this particular property. This project does not fit the personality of Columbia Falls said Reiten.

Clare Reese, 4123 Columbia Falls Stage, Columbia Falls. Said she is concerned about the traffic on Columbia Falls Stage and River Road. There are only two entrances and exits to this development which could create a bottleneck. She is also concerned about evacuation through these two exits if there is a fire.

Clarence Taber, 24 Taber Lane, Columbia Falls. Said he wants to live in the country, do not bring the city to us. Mr. Taber said that the proposed development is on a property with Native American artifacts and should be protected as a Cultural Heritage Site.

Fred Haas, 4188 Columbia Falls Stage, Columbia Falls, said there has been comparison of this development to the rest of the County but this area is not the rest of the County. He does not want to see this development when driving to Glacier National Park.

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Matthew Padgett, 220 Larch Ridge, Columbia Falls, said the average family size is 3.15 and 2.5 cars per family so you could potentially see an increase of population of 1080 people and potentially add 857 cars to highways and roads. Mr. Padgett questions if the City infrastructure can support this project.

Keigh Smiley, 2950 Columbia Falls Stage, Columbia Falls, also has concerns about the traffic. The current intersection of River Road and Highway 2 has F grade and with the traffic light it will go up to a C grade, he believes we should be attaining a higher grade. Smiley said that they should be looking at 2 signals in this proposal, one for the development and one for River Road. Smiley is also concerned about adding a lift station on the west side of the river and the noise it could produce.

Kristi Sell-Gullufsen, 2995 Columbia Falls Stage, Columbia Falls, said she is concerned about the traffic and speed limit on Columbia Falls Stage.

Tom Countryman, 1009 3rd Ave E, Columbia Falls. Said the developer talks about firefighters and teachers but he has yet to see a Columbia Falls resident able to afford a \$500,000 house. Countryman said the pipe has an expiration date and when it fails the tax payers will have to replace it.

Courtney Stone, 225 Rogers Road, Columbia Falls, believes the increase in people will essentially form a new town outside of the City of Columbia Falls. She believes the density is still too high. Stone says that it is fair to look at short-term rental vacancy as well and all the housing that is servicing visitors and not teachers and firefighters.

Samantha Towery, 711 3rd Ave E, Columbia Falls; said she does not believe that the proposition complies with the Growth Policy. She stated the developer recognizes that to be affordable; housing should cost 30% or less than the household income. Then the Developer references median family income in the Flathead Valley which is slightly more than \$80,000 a year and according to these figures, affordable housing would be a \$2000 a month. She believes average home price for this development would need to be less than \$385,000 to be affordable. The developer does not have the interest of this community in mind said Towery.

Deborah Fleming, 24 Diane Road, Columbia Falls, is opposed to this development. Her main concern is the negative impacts of the water and sewer pipelines under the river. She stated the river changes course most of the year and according to this pipe size, when it is damaged 50 gallons per minute will flow into the river, causing loss of aquatic life and loss of tourist dollars. She believes the City services need to be improved soon and that tax payers will be forced to pay for infrastructure improvements.

Jackie Demongin, 4250 Columbia Falls Stage, Columbia Falls, said she is challenging conditions #4 and #12 on the PUD. #4 regards congestion of the streets. She believes an increase from an F to a C at the intersection is not a great improvement. She has met with Flathead Roads and Bridges looking for solutions. #12 regards the character of the neighborhood and she believes the area does not reflect urban development. Demongin said 100% of the homes around her are farms or single-family homes. She asked the developer if he would consider letting the citizens of Flathead County buy the property back so it can be donated to Flathead Land Trust.

Shirley Folkwein, 285 Shooting Star Drive, Columbia Falls. Is representing the Upper Flathead Neighborhood Association and they have attempted an objective review of this proposal. Their conclusion is that this is not sensible development especially for the east side of the Flathead River. They urge the Planning Board to take a hard look at far reaching impacts on this fragile low land along the river. Folkwein said the property is zoned for limited multifamily and primarily single family. In this proposal they have 53% single family and 47% multifamily. She believes that on page 15 of the Growth Policy under natural resources it contains language that precludes a development of such high density on this property. The extension of services is not a benefit to the neighborhood and the City should stop at the river said Folkwein. The City of Columbia Falls housing approvals since July of 2021 include a minimum of 180 units which does not include another 180 units in the Highline Apartments, and 103 units proposed in Tamarack Meadows, senior housing in the old Junior High and long-term housing in the new hotel on Highway 2. Folkwein believes affordable housing figures provided are for the entire county, the median income for Columbia Falls is \$48,000.

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Christopher Kay, 587 Red Hawk Lane, Columbia Falls, said he got his numbers from the United States Census Bureau. Columbia Falls median household income is \$56,000 per year from 2017-2021. Per capita for the last 12 months is \$29,000. He challenges the definition of affordable housing with the average rental being \$1900-\$2200. Kay inquired about the contingency plan for recovery when infrastructure fails? Kay said jobs build communities and we are not providing them in this community.

Debbie Evans, 1206 2nd Ave W, Columbia Falls. Said she believes the Planning Board should put a cap on vacation rentals for this development. She saw that on the internet there are over 250 houses for sale in Columbia Falls. Evans is also concerned with traffic and believes the City infrastructure cannot handle the population growth.

Locke Ballard, 107 River Butte Drive, Columbia Falls. Believes this development is a cancer on the land and the zoning is not cast in stone and can be changed.

Dawn Lorenzen, 2730 Middle Road, Columbia Falls. Stated before approving any high density development the Planning Board must think critically and clearly on the personality it wants to project and protect. Don't make decisions that are monetarily beneficial in the short term said Lorenzen.

Charles Lorenzen, 2730 Middle Road, Columbia Falls. Said he is opposed to this development. Projects like this require long term maintenance, deep pockets, tax assessment districts and HOA's to make it better for them. He believes Badrock Fire is going to take care of the development and they are small volunteer Fire Department. Lorenzen spoke on traffic concerns, City services and added taxes.

Vicki Brown, 385 Badrock Drive, Columbia Falls, said she feels there is more concern for accommodating new residents than concern for the quality of life of current residents. Brown questions city infrastructure accommodating the population increase. Brown believes the character of community would be negatively affected due to increased traffic, decreased wildlife on River Road and sewage under the Flathead River.

DJ Zor, 372 Badrock Drive, Columbia Falls. Zor is speaking on behalf of MT Chapter of Backcountry Hunters and Anglers. He encourages the City to think long-term and big picture. Zor said the upmost importance is the local environment, the Flathead River and current residents being forced to absorb the external cost of the development. Zor believes running sewer pipes under the Flathead River is risky and could cause impacts to water quality and damage to fisheries. Zor stated the only successful sewage boring under tail water rivers is controlled by a dam. Fixing a leak would cost millions of dollars that the citizens will potentially have to bear.

Kathleen Melee, 612 3rd Ave W, Columbia Falls, is opposed to this development. Melee said in her opinion we do not have the resources for this development. According to the American Community Service, the US Census Bureau, the Social Security Administration and the Library of Congress, the per-capita income of Columbia Falls is \$27,612 per household with a population of 5621. She questions how we will afford litigation brought on us by the DNRC, tribes or water rights if the developer is allowed to run services under the river and what happens when things go wrong?

Elenore Smiley, 2950 Columbia Falls Stage, Columbia Falls, believes the school system does not need more students as there are not enough teachers or classrooms. She notes that a C is not the grade she strives for in school and a C is not good enough.

Lee Shamp, 150 Red Barn Road, Columbia Falls. Mr. Shamp is concerned with infrastructure and how it will be addressed.

Evon Druyvestein, 4196 Columbia Falls Stage, Columbia Falls. Druyvestein said she used to be able to get patients in within 24 hours but now she cannot. In her opinion the current Columbia Falls infrastructure cannot support this development. Druyvestein said she received a letter from the city to keep her sidewalks clean and the city road adjacent to her business had not been plowed in days.

James Druyvestein, 4196 Columbia Falls Stage, Columbia Falls. Said the developer obviously listened to public comment by reducing unit numbers but this development but still does not address the major concerns of the community. #2 and #6 of the PUD are still a concern and have been poorly addressed. Druyvestein stated in his opinion boring or putting the

sewer under the bridge is not the answer. Maintenance will be required, who will perform it and pay for it as well as who is responsible for damage? Druyvestein noticed some City streets are not being plowed. He believes the requested zone does not comply with the growth policy and that multifamily is not in limited quantities. Druyvestein said the survey on the direction of growth in 2018 and 2019 said that 45% of people surveyed wanted expansion to the west, 18% to the north and 18% to the east.

Phillip Matson, 1125 Raven Lane, Columbia Falls, stated he has family ties to Salish-Kootenai Tribes and is opposed to this development. The artifacts on the property have not be exhumed or studied which should make this a hard no said Matson. He believes this development will make more wildlife traffic in town without that migratory corridor. Matson is concerned about the wetlands adjacent to the proposed stoplight as well as the aquifer.

Glenn Wehe, 267 Rogers Road, Columbia Falls, said he is opposed to this development. He said there will be increased light and noise pollution with this development. He also said that the landowners in the immediate area have shallow wells, and he has yet to see any geological index summaries or hydrological surveys. He believes liquification from this development will affect their wells. He has not seen the elk for 2 years, western meadowlarks do not nest there anymore and the gray owls are gone.

Chelsea Hawser, 630 12th St W, Columbia Falls, believes this development is not affordable housing. She said that the deer are in town because their habitat by the river has been destroyed.

Lucy Yeats, 315 Shooting Star Drive, Columbia Falls, is opposed to this development. She said the Growth Policy is not a regulatory document and is more of a general concept. She believes that the development does not belong here. She took issue with the math on page 6 of WGMs narrative and says only 17% of the total acres is multifamily and 23% is single family. She said from the headwaters of the Flathead River all the way to Flathead Lake there is not one area close to the river that has multifamily dwellings with this kind of density. She also saw the video on the Cities website, it is a 10-minute-long video that no longer reflects Columbia Falls.

Ruth Clawson, 355 Rogers Road, Columbia Falls, is concerned with the impact this development will have on wildlife. She believes having 3 story dwellings next to her hay field does not fit the character of the current neighborhood. She believes there will be trespassing on her property. She spoke to a fishing guide who said the river is changing daily because it is a freestone, free flowing river and is less than ideal for City services under the river.

Mayre Flowers, 135 Main Street, Kalispell, represents Citizens for a Better Flathead. Flowers believes the questions and public comment highlights is not enough information to make a sound decision tonight. It is required under State Law to provide a 15-day notice for a Public Hearing. She said the public is guaranteed the right to have the information and believes it was not available until 3 days before the hearing. The City should not close the public hearing in order to give the Planning Board, Staff and the public more time to review. The City should be providing more information on the Extension of Service Plan that was last done in 2001. The movement of River Road was called for in the 2008 proposal for safety and infrastructure. Flowers stated the PUD application needs to be looked at as an illegal application.

Patty Timlick, 54 Middle View Trail, Columbia Falls, is opposed to this development and hopes the Planning Board will listen to the public and vote no.

Tom Pullen, 819 12th St W, Columbia Falls. He believes his community is losing its character. Pullen said we do not have to be like some other towns in the valley and he would like to see this mitigated.

Kelly Toman, 2805 Middle Road, Columbia Falls, said he has seen developments come into the city and go bankrupt then the City had to take over. The South Hilltop apartments are privately owned and the rent is very high. Toman read the posts in the police blotter happen on Martha Rd. and believes the area is neglected by the City. Toman is concerned this development could easily turn into an issue without proper policing. Toman also inquired about the current City water usage.

Susan Wheeler, 170 River Road, Columbia Falls, inquired about the lack of the developer attendance as she has spent hours of her time attending meetings.

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With no further comments Chairman Vukonich closed Public Comments at 10:01 PM

Chairman Vukonich called a recess 10:01 PM.

Chairman Vukonich called the meeting back to order at 10:08 PM.

Motion made by Nelson to accept Staff Report CPUD-22-04 as Findings of Fact. Seconded by Singer.

Chairman Vukonich asked the Board for discussion at 10:10 PM.

Nelson stated his biggest concern is traffic and density. Running the lines under the river is the least of his concerns, as it has been done before.

Singer said she has concerns about traffic. In her opinion we need the traffic light before anything. She is concerned about the fact that after phase 1 if the developer will continue to do the rest of the phases? She said that the schools are crowded, teachers are in a shortage and it is a huge issue. She believes that no short-term rentals allowed should be put in the CC&Rs. There are several other developments with infrastructure issues and she does not know how the City will handle this quantity of people in a short amount of time.

Nelson inquired if the HOA can stipulate that there are no short-term rentals in the development? Mulcahy replied placing the note of no short-term rentals on the plat will allow it to be enforced by the City. The developer can also add it to the CC&Rs.

Kavanagh said he too has concerns on traffic. He would also like to know the numbers for the capacity to serve with sewer and water. He said the intersection of River Road and Columbia Falls Stage Road was never intended to be a through intersection but now it operates as just that. An increase would warrant an investigation before they move forward. There are a number of questions still unanswered and he would like to see an additional study namely on capacity and traffic to the south. He is fully supportive of conditioning any approval on having the traffic light installed in phase 1. They need to ensure that they are providing a neighborhood that will serve the residents well said Kavanagh. He has not had an opportunity to dive into the shallow aquifer but there is merit for a study. Kavanagh believes the Findings of Fact leaves questions that need to be addressed.

Vukonich said that City water and sewer would serve this community and there could be an impact on stormwater running into the ground. He asked if there is anything from DEQ or a Hydrologist that explains to us what this project would do to other offsite wells.

Mulcahy answered the way subdivisions work is there is a condition in every subdivision that makes it subject to DEQ approval for water, sewer and stormwater. It is not reviewed at this stage and will be reviewed after a preliminary plat approval and before final plat approval. The reason the Benches subdivision was testing neighboring wells was because they developed their own water system. Contaminants were also reviewed for the Benches subdivision. To address Kavanagh's questions on traffic and capacity there is 2 ways to handle that. You can table this meeting to a date to receive those numbers, you can condition those numbers or you could recommend denial until you get those numbers. The Consulting Engineers have run the numbers on capacity and those can be provided by the City but the expanded traffic data you are requesting is not available at this time and would have to come from the consultant.

Shepard stated this property will be developed whether it is done now, 2 years from now or 10 years. The density of the project is a concern for him and he cannot fathom that many facilities on that piece of property.

Kavanagh wants to table this discussion until they receive more information, as it is his responsibility to obtain more information on this project.

Sub motion made by Byrd-Rinck to table this agenda item until more information is presented, regarding transportation to the south to include the Columbia Falls Stage intersection and to get a more complete picture of water and sewer capacity. Seconded by Kavanagh. A roll call vote was performed. AYES: Nelson, Byrd-Rinck, Kavanagh, Singer. NOES: Vukonich, Smith, Lundgren, Shepard ABSENT: Duffy. The motion failed with a tie vote.

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Vukonich stated there is still a motion to accept Staff Report CPUD-22-04 as Findings of Fact and it has been seconded. A roll call vote was performed. AYES: None. NOES: Vukonich, Nelson, Smith, Byrd-Rinck, Lundgren, Shepard, Kavanagh. ABSTAIN: Singer. ABSENT: Duffy. The motion failed.

Vukonich inquired if agenda item number 2 is now moot? Mulcahy asked the Board to elaborate on what findings they are disagreeing with. Vukonich believes that the Growth Policy did not envision a project of this density and it does not fit the character of the neighborhood.

Smith concurs with Vukonich and believes it is too dense.

Kavanagh believes the analysis and impacts of the transportation in the area was incomplete and insufficient.

Since the Staff Report on the CPUD failed the Subdivision application does not comply with the zoning requirements and no voting is required.

Chairman Vukonich said the City Council will hear this proposal on January 30th, 2023 at the Jr. High Cafetorium.

Board comments and discussion closed at 10:42 PM

Vukonich said some board members are concerned with projects of this nature and that the Board would like the information as soon as possible. Nicosia replied the report was delivered 5 days before the hearing. Singer does not feel that 5 days is enough time to read through a large packet. She needs the opportunity to review the application first and then when the Staff Reports are complete can be given to the Board 5 days before the public hearing.

Next regular Planning Board Meeting will be on February 14th, 2023.

Motion made by Nelson to adjourn. Seconded by Singer.

ADJOURNMENT – Meeting duly adjourned at 10:44 PM

Chairman

Attest:

Public Works Clerk