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City of Columbia Falls  
130 6<sup>th</sup> Street West  
Columbia Falls, MT 59912

### **RESOLUTION NO. 1889**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT BY LITTLEFOOT PROPERTIES LLC TO DEVELOP A BUILDING GREATER THAN 10,000 SQUARE FEET AT 1800 9<sup>TH</sup> STREET WEST, COLUMBIA FALLS, MORE PARTICULARLY DESCRIBED AS TRACT 1 OF COS 21160 IN NW 1/4 NE 1/4 OF SECTION 18, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY.

WHEREAS, an Application been filed with the City by Littlefoot Properties, LLC to construct a building greater than 10,000 square feet at 1800 9<sup>th</sup> Street West, more particularly described as Tract 1 of COS 21160 in NW 1/4 NE 1/4 of Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County.

WHEREAS, the property is currently zoned CB-2 General Business which allows, with conditional use pursuant to 18.428 Large Building Standards in the Columbia Falls Municipal Code, the proposed 10,640 square foot building;

WHEREAS, said requested conditional use permit was considered by the Columbia Falls City-County Planning Board at its regular meeting on Tuesday, December 13, 2022, and said Board recommended granting the proposed conditional use permit, with certain conditions; and

WHEREAS, said conditional use permit was considered by the City Council of the City of Columbia Falls, Montana, at a public hearing held during the Council's regularly scheduled meeting on Tuesday, January 3, 2023, pursuant to public notice as required by law, and all comments filed or voiced concerning said requested conditional use permit having been considered by the City Council, along with the recommendation of the Planning Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA AS FOLLOWS:

Section One. Findings of Fact. That the City Council specifically finds that the conditions set forth in Section 18.428 of the Columbia Falls Municipal Code are accurately evaluated as set forth in Conditional Use Report #CCU-22-03 of the Columbia Falls Planning Office, and the City Council hereby adopts said report as findings of fact in support of the requested conditional use permit.

Section Two. Permit Approved. That based upon the findings of Section One of this Resolution, the Application by Littlefoot Properties, LLC to construct a 10,640 square foot building at 1800 9<sup>th</sup> Street West, Columbia Falls, more particularly known as Tract 1 of COS 21160 in NW 1/4 NE 1/4 of Section 18, Township 30 North, Range 20 West, P.M.M., Flathead County, is hereby approved.

Section Three. Conditional Use Permit. That the conditional use permit is approved, specifically contingent upon the conditions set forth on Exhibit "A" attached hereto and incorporated herein by reference.

Section Four. Effective Date. That this Resolution shall become effective immediately upon its passage and approval by the City Council.

PASSED AND ADOPTED BY THE CITY COUNCIL OF COLUMBIA FALLS, MONTANA THIS 17<sup>th</sup> DAY OF JANUARY, 2023, THE COUNCIL VOTING AS FOLLOWS:

AYES: Piper, Robinson, Shepard, Fisher, Hamilton, Lovering and Barnhart

NOES: None

ABSENT: None

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CITY CLERK

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 17TH DAY OF JANUARY, 2023.

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MAYOR

ATTEST:

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CITY CLERK

**EXHIBIT "A"**

1. Except as modified by the CUP. The proposed building shall comply with this submitted application dated 11/4/22.
2. Verify there is a three dimensional cornice at the time of building permit when we have a detailed set of plans.
3. The application appears deficient in the following areas:
  - 18.428.040(4). There are no eaves proposed with the building. The applicant will need to provide a three foot eave on the west side of the building where there is no parapet
  - 18.428.040(5) The roof slope does not appear to meet the slope requirements. To address this, the applicant shall articulate the parapet on the east side of the building to give the appearance of articulated roof structure.
  - 18.428.050(1) Need one additional entrance element. The applicants will need to demonstrate that they meet these three standards prior to issuance of a building permit.
4. Landscaping and landscaping features will generally follow the CUP plan with the understanding that the CUP 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.
5. 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.
6. Where the walkway crosses the parking lot in front of the building, the developer shall install stamped asphalt or pavers to delineate and differentiate the pedestrian crossing from the driveway asphalt.
7. Prior to issuance of the Building Permit, the City shall verify the widths of the walkways and landscape bed in front of the building for conformance with Section 18.428.110(2) and (3).
8. Any RTU will be screened by the parapet or similar screening so that it is not visible from the public.
9. 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.
10. The applicant shall install a bike rack near the front entrance of the building
11. All conditions of the CUP shall be complied with prior to the issuance of the occupancy permit or otherwise addressed as provided for in this PUD.