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City of Columbia Falls
130 6th St. W.
Columbia Falls, MT 59912

ORDINANCE NO.815

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) OVERLAY FOR THE PROPERTY LOCATED AT 1123 9th STREET WEST, COLUMBIA FALLS, FURTHER DESCRIBED AS LOTS 1, 2 & 3 EXCLUDING THE SOUTH 10 FEET IN BLOCK 5, ROBINDALE SUBDIVISION IN SECTION 8, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, DARCAR Properties, LLC, owner of the real property, has requested an amendment to the Columbia Falls zoning map to allow the development of a Planned Unit Development (PUD) overlay on property zoned CB-2 General Business at 1123 9th Street West, Columbia Falls, further described as Lots 1, 2 & 3 excluding the South 10 feet in Block 5, Robindale Subdivision, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana; and

WHEREAS, the Columbia Falls Planning Department, on February 15, 2022, in Staff Report CPUD-22-01, recommended approval of the requested Planned Unit Development (PUD), subject to certain conditions; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on February 15, 2022, at which the Board adopted Staff Report CPUD-22-01 and recommended approval of the requested Planned Unit Development (PUD) subject to certain conditions as shown in Exhibit A; and

WHEREAS, a hearing on the Planned Unit Development (PUD) was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, March 7, 2022 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, 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 and that the unique character of the property justifies approval of a PUD of less than two acres.

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 #CPUD-22-01, dated February 15, 2022 is hereby adopted by the Council as findings of fact with respect to said PUD request.

Section Two. Change in Zoning Classification: That the requested Planning Unit Development (PUD) overlay on property presently zoned CB-2 General Business will allow the owner to provide mixed use including commercial and limited residential on property located at 1123 9th Street West, further described as Lots 1, 2 & 3 excluding the south 10 feet, Block 5 of Robindale Subdivision, Section 8, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

Section Three. All documents included in the site plan and the recommendation of the Columbia Falls Planning Office is hereby incorporated by reference and the Conditions are shown in Exhibit A.

Section Four. The Council finds that the proposal complies with the Columbia Falls City Growth Policy and will encourage appropriate use of the land and the requested mixed-use PUD is consistent with the neighboring uses that are both commercial and residential.

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 21ST DAY OF MARCH, 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES: Lovering, Piper, Robinson, Shepard, Karper and Barnhart

NOES: None

ABSENT: Fisher

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 21ST DAY OF MARCH, 2022.

Mayor

ATTEST:

City Clerk

EXHIBIT A

1. The City Council approves a PUD in an area less than two acres.
2. The Backslope Brewery Annex PUD will allow the following deviations:
 - a. Mixed use with residential and commercial use.
3. The basement dormitory is limited to two bedrooms with two beds in each room for a total occupancy of four residents. The main floor use is subject to the CB-2 Zoning
4. The applicant shall secure a building permit from the City of Columbia Falls and the project shall meet all building and Fire Codes.
5. All conditions of the PUD shall be complied with prior to the issuance of the occupancy permit or otherwise addressed as provided for in this PUD.