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

ORDINANCE NO.821

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 AT 230 HIGHWAY 2 EAST DESCRIBED AS TRACT 1 OF COS NO. 3040 AND COS NO. 3778 IN SECTION 17, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA.

WHEREAS, Mick Ruis on behalf of Ruis Glacier 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 located at 230 Highway 2 East described as Tract 1 of COS No. 3040 and COS No. 3778 in Section 17, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana.

WHEREAS, the Columbia Falls Planning Department, on September 6, 2022, in Staff Report CPUD-22-03, 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 September 13, 2022, at which the Board adopted Staff Report CPUD-22-03, as amended, and recommended approval of the 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, October 3, 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 justified 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-22-03, dated September 6 2022 and as amended by the Planning Board on September 13, 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 a building height of 50' feet to provide an articulated roofline at 230 Highway 2 East described as Tract 1 of COS No. 3040 and COS No. 3778 in Section 17, 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 Chapter 18.428 of the Columbia Falls Area Zoning Regulations, and that the height deviation results in a more attractive building, allowing for architecture.

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 17TH DAY OF OCTOBER 2022, THE COUNCIL VOTING AS FOLLOWS:

AYES: Lovering, Piper, Shepard, Hamilton and Barnhart

NOES: None

ABSENT: Fisher and Robinson

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 17TH DAY OF OCTOBER, 2022.

Mayor

ATTEST:

City Clerk

EXHIBIT A

1. The Ruis Holding PUD will allow the following deviations:
 - a. Building Height – The maximum building height is 50-feet at the top of the gable.
 - b. Landscape Buffer - The projection on the west side of the building (approximately 35-feet) may encroach within five feet of the western property boundary.Staff is not recommending approval of the deviation to the 15% landscaping.
2. The City Council Approves the PUD application of less than 2 acres
3. The project shall be built in substantial compliance with the submitted “Staying at the Ruis Hotel” application and all accompanying drawings, as prepared by Jackola Engineering and Architecture except as modified by these conditions.
4. The fire department shall approve the turning radius of the parking lots along with any new fire hydrant placement. The applicant shall provide access to the roof by a man door approved by the Fire Chief.
5. Public Works requires the sewer main and water service be moved to the Highway right-of-way or other approved location. Public Works and MT DEQ will approve the sewer and water main specifications.
6. Landscaping and landscaping features will generally follow the PUD plan with the understanding that the PUD plan is not a detailed Landscaping Plan. The applicants shall provide the City Manager a detailed Landscape plan, in compliance with the landscape provisions of the “Large Building Standards”. The landscape plan shall be approved and the landscaping installed prior to the issuance of an occupancy permit. If, due to weather, the landscaping cannot be completed prior to occupancy, the applicant may enter into a developer’s agreement with the City of Columbia Falls and provide a security (bond or letter of credit) in the amount of 125% of the landscape improvements. The security amount will be determined by actual bid or licensed engineer. The developer’s agreement will not be for longer than six months.
7. The developer of the hotel shall install curb, gutter and sidewalk for the frontage along Second Avenue East. The applicant may run a portion of the sidewalk along the curb in order to preserve the Ponderosa trees on the west side of the property.
8. 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.
9. Any RTU will be screened by the parapet or similar screening so that it is not visible from the public.
10. The lighting 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.
11. 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.
12. The owner shall install a tree buffer on the entire length of the west side of the building visible to Marantette Park.

