

Please Return to:
City of Columbia Falls
130 6th Street W.
Columbia Falls, MT 59912

ORDINANCE NO.814

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP TO ADD THE MARIJUANA BUSINESS OVERLAY ZONE.

WHEREAS, the City of Columbia Falls has requested an amendment to the Columbia Falls zoning map to add an overlay zone to address the provisions of Adult Use Marijuana Business as adopted by the Montana Legislature; and

WHEREAS, the Columbia Falls Planning Department, on October 1, 2021, in Staff Report CZTA-21-01, recommended approval of the requested overlay zone in concert with the text amendments; and

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on October 12, 2021 at which the Board adopted Staff Report CTZA-21-01 and recommended approval of the requested overlay zone; and

WHEREAS, a hearing on the Text Amendments and Zoning Map Overlay Zone was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, October 18, 2021, 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 zoning map amendment request to add the overlay zone 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 #CTZA-21-01, dated October 1, 2021 and as amended by the Planning Board on October 12, 2021 is hereby adopted by the Council as findings of fact with respect to said zoning map amendment request.

Section Two. Overlay Zone Addition: That the requested zoning map amendment adding an Overlay Zone is hereby adopted as described fully on the attached legal description, Exhibit A and as shown on Exhibit B.

Section Three. The Council finds that the proposal complies with the Columbia Falls City Growth Policy.

Section Four. Inconsistent Provisions: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section Five. 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 Six. 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 15th DAY OF NOVEMBER, 2021, THE COUNCIL VOTING AS FOLLOWS:

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

NOES: None

ABSENT: None

City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 15th DAY OF NOVEMBER, 2021.

Mayor

ATTEST:

City Clerk

EXHIBIT A - PROPOSED MARIJUANA BUSINESS OVERLAY

A TRACT OF LAND BEING IN THE SOUTH HALF OF THE SOUTHEAST QUARTER AND IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 7; AND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER AND IN THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 18, ALL OF TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS TO WIT:

BEGINNING at the southwest corner of Lot 2 of the plat of O'Neil Subdivision, which is on the easterly R/W of South Meadow Lake Boulevard; Thence northerly along said easterly R/W of South Meadow Lake Boulevard 750.43 feet to a point on the southerly R/W of U.S. Highway 2; Thence northerly 120 feet more or less to the southwest corner of Lot 7A of the plat of Sunshine Revisited No. 2, which is on the easterly R/W of Meadow Lake Boulevard; Thence along said easterly R/W of Meadow Lake Boulevard, N00°05'07"E 318.78 feet to the northwest corner of Parcel A of the plat of Sunshine Revisited; Thence leaving said R/W and along the north boundary of said Parcel A, N89°54'06"E 525.25 feet to the northeast corner of said Parcel A; Thence continuing easterly along the north boundary of Lots 14 through 19 of the plat of Sunshine, 319.4 feet more or less, to the northeast corner of said Lot 19; Thence continuing easterly along the extension of the north boundary of said Lot 19, a distance of 66.00 feet to a point on the east boundary of Lot 20 A of the Amended Plat of Lot 20 of Sunshine; Thence N05°46'50"E 117.04 feet to the northeast corner of said Lot 20A, and being the northwest corner of Tract 1 as shown on Certificate of Survey No. 3804; Thence along the north boundaries of Tracts 1 and 2 of said Certificate of Survey No. 3804, S88°19'53"E 468.99 feet to a point on the westerly R/W of a City street known as Truck Route; Thence S01°39'20"W along said westerly R/W approximately 150 feet more or less to a point that is N88°04'17"W from the northwest corner of Tract 3 of Certificate of Survey No. 13264; Thence leaving said westerly R/W, S88°04'17"E 60 feet to the northwest corner of said Tract 3; Thence S88°04'17"E 100.74 feet; Thence S87°58'33"E 100.01 feet to the southwest corner of Lot 5 of the plat of Columbia Falls Industrial Sites; Thence S88°00'29"E 264.78 feet to the southeast corner of said Lot 5; Thence continuing S88°00'29"E 455 feet more or less to a point on the east boundary of Tract 5 of Certificate of Survey No. 5160; Thence along said east boundary of Tract 5, N00°16'53"E 49.2 feet more or less to the southwest corner of Tract 6 on said Certificate of Survey No. 5160; Thence along said south boundary of said Tract 6, S89°50'13"E 577.80 feet to a point on the northwesterly R/W of the BNSF Railroad; Thence along said Railroad R/W, S48°38'56"W 571.45 feet to a point on the north boundary of the Northeast Quarter of Section 18, T30N, R20W; Thence along said north Section line, N89°50'13"W 1004.7 feet more or less to a point that is NORTH from the northwest corner of Lot 1 of the plat of L-P Subdivision; Thence leaving said Section line, SOUTH 50 feet more or less to the northwest corner of said Lot 1; Thence SOUTH 330.00 feet to the southwest corner of said Lot 1; Thence S89°41'52"W 1034.00 feet more or less to a point on the east boundary of Lot 2 of said O'Neil Subdivision; Thence SOUTH 407.10 feet to the southeast corner of said Lot 2; Thence along the south boundary of said Lot 2, WEST 605.90 feet to the point of beginning.

