**Introduction to Columbia Falls and Flathead County Planning/Zoning Application Process**

By Susan Nicosia, Columbia Falls City Manager/Planning Director, and Shirley Folkwein, Upper Flathead Neighborhood Association Board President

**Columbia Falls (within city limits & approximately one-mile beyond, extending north approx. 3 miles)**

The Planning and Zoning process begins with the adoption of policies and regulations. The **Growth Policy** is referenced in every planning and zoning application and the findings must determine if the application, such as for a zone change, conforms to the Growth Policy. Originally called a “Master Plan,” the first plan was adopted in 1963 and most recently updated in 2019. The Growth Policy is updated every 5 years through an extensive Planning Board process culminating with public hearing(s) and final adoption by the City Council. The Growth Policy consists of two major components – text and map, both are equally important and must be equally weighed. The Growth Policy is the comprehensive guide for community development. www.cityofcolumbiafalls.org/planning-zoning/page/growth-policy-2019

The **Subdivision Regulations** are established by the Montana Subdivision and Platting Act as codified in Title 76 Chapter 3, MT Code Annotated (MCA) <https://leg.mt.gov/bills/mca/>

Current statutory authority allows Columbia Falls to add text amendments to the MCA, by adopting language or specifics unique to Columbia Falls in compliance with MCA. The authority is limited and is best described as adding the “sprinkles” to the cake. The Columbia Falls Subdivision Regulations are codified as Title 17 in the Municipal Code. [Columbia Falls : Municipal Code (municipalcodeonline.com)](https://columbiafalls.municipalcodeonline.com/book?type=ordinances#name=Title_17_SUBDIVISION_REGULATIONS)

The **Zoning Regulations**, Codified as Title 18 in the Municipal Code, are also subject to the authority given by the State of Montana, Section 76-2-301, MCA. Each legislative session limits the authority of Columbia Falls to adopt standards specific to our community. The application process for platting, text amendments, zone changes, etc. are all prescribed in state statute, Title 17 or Title 18. <https://leg.mt.gov/bills/mca/> [Columbia Falls : Municipal Code (municipalcodeonline.com)](https://columbiafalls.municipalcodeonline.com/book?type=ordinances#name=Title_18_ZONING_REGULATIONS)

**Step 1** - Generally, the first step in the process, the Columbia Falls City-County Planning Department holds a pre-application meeting with a person/entity seeking a land use application for a zone change, planned unit development (PUD), text amendment or subdivision. These are informal meetings and may occur multiple times before an application is submitted. The project/request does not move forward until the required **“Preapplication Conference”** is held. This is the first meeting that signals the owner/developer is serious about the proposed project. The preapplication conference provides for the review of the proposed project elements for compliance with applicable state statute, Title 17 Subdivisions or Title 18 Zoning Regulations adopted by the Planning Board and City Council, the Growth Policy, DEQ and Public Works Standards, etc. It should be noted that applications are reviewed by staff for compliance with adopted policies, design standards and required statutes; City staff does not express an opinion of personal approval or disapproval.

 If a citizen is “keeping an eye” on a particular piece of land, the City Manager will respond to an occasional brief e-mail or phone inquiry as to whether or not a preapplication conference has been held. A quick “what is happening” in my neighborhood, any applications?

**Step 2** -The developer **submits an application(s)** to the City. The Columbia Falls Planner, Eric Mulcahy, must review the application(s) and determine if the application contains all of the required information within 5 days of receipt. If the application is not complete, the applicant must provide all of the missing information before any further action is taken on the applications. Once the application is deemed complete, the Planner then determines if the application is sufficient for review. **Once deemed complete and sufficient for review, the applications become public information.** A request to the City Clerk to obtain the proposal (application forms and supporting documentation such as plats, phasing plans, etc.) can be made on the Document Request Form found on the City website. [NEW - Records Request Form | City of Columbia Falls Montana](https://www.cityofcolumbiafalls.org/admin-finance/page/new-records-request-form)

Fees are charged for photocopying & time to research the information beyond 15 minutes.

**Step 3** - The City-County Planner, Eric Mulcahy, reviews the applications for compliance with the pertinent policies and state statutes and begins writing the **Findings for the Staff Report(s).** The Findings of Fact are defined in state statute and Title 17 and Title 18 as adopted by the Planning Board and City Council and include compliance with the design standards, applicable zoning regulations, Growth Policy, MT Subdivision and Platting Act. The Planning Office has an established Staff Report format for each application making review by citizens, the applicant, City staff, Planning Board members and City Council easier, consistent and predictable.

**Step 4** **–** Concurrent with the review process, the Planner prepares the **letter to the property owners** within 150’ feet of the property to be developed, per state statute, and the **public hearing notice for publication in the Daily Interlake.** The hearing notice is also posted on the City bulletin board and is included on the City Council Meeting Agenda under “Notice of Public Hearings/Public Hearing.” The notice of public hearings and letters to the neighbors provide a brief description of the project(s) and dates/times/locations of hearings and directions on submitting written comments to the City Clerk.

The Staff Report becomes available to the public upon completion and is posted with the agenda and meeting packet on the City website usually the Friday before the Planning Board or City Council meetings. The meeting packet includes the staff report, applications and all attachments in a pdf format. The printed materials are available for review at City Hall.

**Step 5** – The **first public hearing** is conducted by the Columbia Falls Planning and Zoning Board. The **Planning Board meets once a month, the Tuesday after the second Monday of the month at 6:30 p.m.**

At the conclusion of the hearing the Board makes recommendations to the City Council to approve, amend or deny the proposed zone change/preliminary plat/conditional use permit, etc. The Board may amend the staff report or conditions based on the public hearing. The City Council then takes up the proposal at the date/time specified in the hearing notice and conducts a **second public hearing**. The **City Council meets on the first and third Mondays at 7:00 p.m.** If the City Council approves a Preliminary Plat the developer then moves through the steps to gain approval from the City, state and federal agencies and, if all approvals are gained, development begins. The City Council grants Final Plat Approval by Resolution when the developer applies for Final Plat and has provided proof of satisfying all of the Preliminary Plat Conditions. The Resolution is approved at a regularly scheduled meeting and requires only one reading. Text amendments and Zone Changes, including Planned Unit Developments (PUD), are adopted by Ordinance: an Ordinance requires two readings and becomes effective 30 days after the final reading. Text amendments are reflected on the City Code page on the website. Zone map amendments are sent to Flathead County GIS for publication on the GIS map as a one-stop zoning map.

**Citizens are encouraged to submit written comments to the Planning Board and City Council prior to the public hearings.** Comments, both written and oral, are most effective if they support or deny the Findings in the Staff Reports. Letters/e-mails can be mailed to the City office, e-mailed, or dropped off in person. Written comments must include the physical address of the commenter. For the comments to be included in the Board/Council packets they must be received by the Friday before the meeting. If after that deadline then comments will be handed to the Board/Council members up until 5 p.m. of the meeting date. Citizens are encouraged to express their opinions regarding the proposal at the hearing and are usually allowed 3 minutes. This is a time to express one’s opinions and recommendations to Board/Council members and is not a question/answer time. See Rules for Addressing the Council on the City website.

**If a person has questions** regarding the proposal or subdivision regulations they may be directed to the Columbia Falls Contract Planner, Eric Mulcahy, at 406 755-6481.

As folks in the Columbia Falls area have become aware, it is important to be informed and become involved in local decisions. In fact, the Planning Board, City Council, and City staff welcome and invite our interest and involvement. **If you have suggestions** to pass along to City staff or Board/Council members you may do so by submitting comments through City Clerk Barb Staaland at City Hall, 130 6th Street West, Columbia Falls, MT 59912 or via email: staalandb@cityofcolumbiafalls.com.

**Flathead County (outside the CF city limits and beyond the one-mile city planning jurisdiction)**

The process for County land planning and subdivisions is very similar. There is a Planning Board that conducts the initial public hearing. The Flathead County Commissioners conduct the second public hearing and make the final decisions regarding subdivisions and land planning. See County website

Flathead.mt.gov/department-directory/planning-zoning and follow the links. The County Planning Board meets the second Wednesday of the month.