Introduction on Working together on Planning/Zoning Matters

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

Shirley Folkwein and Susan Nicosia have teamed up to provide a guide to the planning and zoning process to help all of us have a better understanding of how and when we can be involved in decisions regarding land use planning. The MT Constitution provides for fierce private property rights as well as very strong publics’ right to participate. While these two separate rights have recently resulted in a more adversarial or “us vs them” atmosphere, that is not the anticipated tenor of the planning hearings. Hopefully we can work together to return to respectful, non-adversarial hearings.

By state law, the public hearings are quasi-judicial and require the Planning Board and City Council or Board of County Commissioners to conduct the hearings accordingly. The Planning Board or Council/Commission members do not engage in discussions with the applicant/developer or with proponents/opponents prior to the hearings; such “ex parte” communications are not permitted thus the importance of attending the public hearing to comment and/or providing written public comment in advance of the hearing so it may be provided to the members with the staff reports and applications. Citizens may submit written comments and summarize them during the 3-minute comment period during the public hearing.

Columbia Falls’ regulations apply to property within the city limits and approximately one-mile beyond the city limits in all directions and extends to the north approximately 3 miles using the North Fork Highway as the western boundary. The Columbia Falls City-County Planning and Zoning Jurisdiction is granted under agreement with the City Council and Board of County Commissioners, subject to state law. The current jurisdiction was adopted in January 2005. The 9 member Columbia Falls City-County Planning Board is comprised of 4 members appointed by the City Council who reside within the city limits, 4 members appointed by the Board of County Commissioners who reside outside the city limits but within the planning jurisdiction and the final member is nominated by the other members with final appointment by both Council and Commission. All nine members represent Columbia Falls.

Property outside of the Columbia Falls City-County Planning and Zoning jurisdiction is under the jurisdiction of the Flathead County Planning Board. The Board of County Commissioners appoint 9 members who reside within the County Planning/Zoning jurisdiction. The Flathead County GIS map has a zoning layer that depicts each zoning jurisdiction as well as the adopted zoning district such as CB-2 General Business or CSAG-10 Suburban Agriculture (the C stands for Columbia Falls so when we reference our zoning code, we often leave off the C and reference only the B-2).

**Columbia Falls**

City Hall, 130 6th St. West; Hours M-F 7 a.m. – 6 p.m.; Phone 406-892-4391

Website: cityofcolumbiafalls.org

Email: staalandb@cityofcolumbiafalls.com

**Flathead County** Flathead.mt.gov

County Commissioners: 800 S. Main, Rm 302, Kalispell, MT 59901 Phone: 406 758-5503 Email individual commissioners from website

County Planning Board: 40 11th St. W., Ste 220, Kalispell, MT 59901 Phone: 751-8200