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City of Columbia Falls  
130 6<sup>th</sup> Street W.  
Columbia Falls, MT 59912

ORDINANCE NO. 747

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE COLUMBIA FALLS ZONING MAP TO ALLOW THE DEVELOPMENT OF AN AMENDED PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ON GLACIER VILLAGE AT MEADOW LAKE RESORT, FURTHER DESCRIBED AS A PORTION OF LOT 1 MEADOW LAKE COUNTRY CLUB ESTATES, PHASE IX AND LOT 2A OF THE AMENDED PLAT OF LOT 2, MEADOW LAKE COUNTRY CLUB ESTATES, PHASE IX IN THE SE ¼ SW ¼ OF SECTION 6, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY.

WHEREAS, Meadow Lake Resort Development LLC, the purported owner of the property, has requested an amendment to the Columbia Falls zoning map to allow the development of an Amended Planned Unit Development (PUD) overlay on property zoned CRA-1 and CB-5;

WHEREAS, the Columbia Falls Planning Department, on October 2, 2014, in Staff Report #CPUD-14-01, recommended approval of the requested Planned Unit Development (PUD) subject to certain conditions;

WHEREAS, said request was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on October 14, 2014, and the Planning Board recommended approval of said Planned Unit Development subject to certain conditions;

WHEREAS, a hearing on the Planned Unit Development was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, October 20, 2014, after said hearing was advertised according to law; and at said hearing on said date, the City Council considered the recommendation of the Columbia Falls City-County Planning Board, the report of the Columbia Falls Planning Department, together with any and all comments filed or voiced with respect to said change; and

WHEREAS, the City Council has determined that the Amended PUD request, subject to certain conditions, 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 Department Report #CPUD-14-01, dated October 2, 2014, as amended by the Columbia Falls City-County Planning Board and City Council, 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 Planned Unit Development (PUD) overlay on property presently zoned CRA-1 and CB-5 will allow vacation rentals as a permitted use with the PUD overlay, subject to the conditions as set forth on Exhibit "A" attached hereto. Said property is more particularly described on Exhibit "B," an attached metes and bounds description.

Section Three. All documents included in the site plan and the recommendation of the Columbia Falls Planning Department is hereby incorporated by reference.

Section Four. The Council finds that the proposal complies with Chapter 18.33 of the Columbia Falls Area Zoning Regulations, and that the proposal results in a more efficient use of the land than is otherwise permissible.

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 NOVEMBER, 2014. THE COUNCIL VOTING AS FOLLOWS:

AYES: Karper, Lovering, Petersen, Plevel, Fisher, Shepard and Barnhart.

NOES: None.

ABSENT: None.

\_\_\_\_\_  
City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 17th DAY OF NOVEMBER 2014.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## **EXHIBIT "A"**

1. The project shall be built in substantial compliance with the submitted "Glacier Village at Meadow Lake Resort" and all accompanying drawings, as prepared by Sitescape Associates. This approval amends and supersedes Columbia Falls Ordinance #738.
2. Vacation rentals are allowed as a permitted use within the Glacier Village PUD.
3. Landscaping and landscaping features will generally follow the PUD plan with the understanding that the PUD plan is not a detailed Landscaping Plan.
4. All lots within the development must meet the Design Standards of the Columbia Falls Subdivision Regulations unless a variance is granted therein.
5. The applicant shall be responsible for the upgrading of all improvements and other plat conditions as outlined in the staff report and findings of Subdivision Report CPP-14-02.
6. All conditions of the PUD and Preliminary Plat must be complied with or addressed through an SIA prior to construction of any units. If certain conditions such as paving or landscape improvements cannot be reasonably complied with because of unforeseen circumstances, such as winter conditions, the applicant may, upon prior approval of the City Manager, post a bond or financial security found to be acceptable by the City Manager and equal to 125% of the cost of the improvements as certified by a licensed engineer or where appropriate a landscape architect.
7. With the exception of the Hotel Lot, subdivision plat, dedications, covenants and other agreements relative to the Glacier Village at Meadow Lake Resort Preliminary Plat shall be recorded in the Office of the County Clerk and Recorder. These documents shall also include those that create automatic membership in the homeowners' association to maintain common areas, properties and facilities. These documents shall also place title to any common property or facilities in the association or corporation.

## Exhibit "B"

### PURPOSE: PUD PERIMETER DESCRIPTION

A TRACT OF LAND, SITUATED, LYING, AND BEING IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND IN THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 6, 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 1 of the Plat of Meadow Lake Country Club Estates Phase IX (records of Flathead County, Montana) which is a found iron pin on the west R/W of a 60 foot private road and utility easement known as Saint Andrews Drive, and being in the midst of a 160.00 foot radius curve concave northwesterly (radial bearing N60°48'44"W); Thence northerly along said R/W the following four courses: Along said curve through a central angle of 21°11'16" for an arc length of 59.17 feet to a found iron pin; Thence N08°00'00"E 104.97 feet to a found iron pin and the P.C. of a 430.00 foot radius curve, concave southwesterly, having a central angle of 24°35'02"; Thence along an arc length of 184.50 feet to a found iron pin; Thence N16°35'00"W 44.36 feet to a found iron pin; Thence leaving said R/W EAST 143.41 feet to a found iron pin; Thence S09°41'02"E 223.86 feet to a found iron pin; Thence N85°32'31"E 74.14 feet to a found iron pin and the P.C. of a 470.00 foot radius curve, concave northwesterly, having a central angle of 04°33'29"; Thence along an arc length of 37.39 feet to a found iron pin; Thence N12°05'09"W 116.59 feet to a found iron pin; Thence N45°50'52"E 57.47 feet to a set iron pin; Thence S41°14'53"E 105.47 feet to a set iron pin; Thence N77°02'33"E 41.72 feet to a set iron pin; Thence S01°32'13"E 89.21 feet to a point on the centerline of a 40 foot private road and utility easement; Thence along said centerline N57°56'18"E 11.79 feet to the P.C. of a 100.00 foot radius curve, concave southeasterly, having a central angle of 30°31'29"; Thence along an arc length of 53.28 feet to a point; Thence leaving said centerline N01°32'13"W 54.12 feet to a set iron pin; Thence N43°42'07"E 28.21 feet to a found iron pin; Thence N84°29'34"E 74.57 feet to a found iron pin and the P.C. of a 330.00 foot radius curve, concave southerly, having a central angle of 12°41'22"; Thence along an arc length of 73.09 feet to a found iron pin; Thence S82°49'04"E 58.06 feet to a found iron pin and the P.C. of a 50.00 foot radius curve, concave northwesterly, having a central angle of 96°24'25"; Thence along an arc length of 84.13 feet to a found iron pin; Thence N00°46'31"E 112.98 feet to a found iron pin; Thence N89°29'40"E 245.76 feet to a found iron pin; Thence S02°44'57"E 155.12 feet to a found iron pin; Thence S02°47'43"W 165.38 feet to a found iron pin; Thence S10°33'39"W 157.13 feet to a found iron pin; Thence N80°48'42"W 171.96 feet to a found iron pin; Thence N74°20'27"W 205.78 feet to a found iron pin; Thence S85°21'26"W 128.44 feet to a found iron pin; Thence S72°59'56"W 99.75 feet to a found iron pin; Thence N89°32'54"W 394.54 feet to the point of beginning and containing 7.033 ACRES; Being subject to and together with private road and utility easements as shown hereon; Subject to and together with all appurtenant easements of record.