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

ORDINANCE NO.786

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBIA FALLS, MONTANA, AMENDING THE PLANNED UNIT DEVELOPMENT (PUD) OVERLAY AT 405 BILLS LANE FURTHER DESCRIBED AS LOTS 3 AND 4 OF WILLIAMS ESTATES IN SECTION 16, TOWNSHIP 30 NORTH, RANGE 20 WEST, P.M.M., FLATHEAD COUNTY, MONTANA

WHEREAS, the Highline Apartments, LLC, purported owner of the real property, has requested an amendment to the Planned Unit Development (PUD) overlay on property zoned CRA-1 located at 405 Bills Lane, described as Lots 3 and 4 of Williams Estates in Section 16, Township 30 North, Range 20 West, P.M.M., Flathead County, Montana; and

WHEREAS, the Columbia Falls City Council approved the Planned Unit Development Overlay on August 20, 2018 with conditions as set forth in Ordinance 779; and

WHEREAS, the request to amend the PUD was considered by the Columbia Falls City-County Planning Board in a public hearing at its regularly scheduled meeting on October 15, 2019, at which the Board adopted Staff Report CPUD-19-02 and recommended approval of the requested Planned Unit Development (PUD) amendments subject to certain conditions as shown in Exhibit A; and

WHEREAS, a hearing on the amended Planned Unit Development (PUD) was held by the City Council of the City of Columbia Falls, Montana, at its regular meeting on Monday, October 21, 2019, 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 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 Office Report #CPUD-19-02, dated October 9, 2019 is hereby adopted by the Council as findings of fact with respect to said amended PUD request.

Section Two. 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 Three. The Council finds that the proposal complies with Chapter 18.428 and 18.348 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 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 4th DAY OF NOVEMBER, 2019, THE COUNCIL VOTING AS FOLLOWS:

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

NOES: None

ABSENT: None


City Clerk

APPROVED BY THE MAYOR OF COLUMBIA FALLS, MONTANA THIS 4TH DAY OF NOVEMBER, 2019.


Mayor

ATTEST:


City Clerk

Amendment 1 - The applicant may alter Phase 2 to include Building E for a total of three buildings.

Amendment 2 - The applicant may construct a building mounted sign up to a maximum of 102 square feet as shown on the drawings submitted with the PUD amendment application.

Alter Condition 21 to read as follows:

Condition 21: Before the issuance of building permits for Phase 3, the applicant will complete a new traffic impact study and return to City Council to address the issue of traffic. The Highline Apartment project is limited to a maximum 200 units.