

ZONING AND PLANNING BOARD MEETING MINUTES

May 15, 2025, Zoning & Planning Board meeting was called to order at 6:30PM back at City Hall, located at 206 S. Main Street, Three Forks, MT.

Members present were: Kelly Smith, Matt Jones, Reagan Hooton, Jacob Sebens, and Racheal Tollison were present. Amy Laban and Niki Griffis were excused. Lee Nellis (consultant for Impact Fees and Zoning/Subdivision Regulation rewrite) attended via Zoom; City Planner Randy Carpenter was excused. (Zoom is a virtual meeting tool allowing people to attend remotely, which started as an option during the COVID-19 pandemic and the City has continued to offer for meetings.) There was a quorum with the attendance of five members, and the meeting was held. The minutes were completed by City Clerk Crystal Turner after the meeting.

Matt Jones called the meeting to order.

Public Present: None

PUBLIC COMMENT (items not on the agenda): There was none.

CONSENT AGENDA

A. Approval of the 4/22/25 Meeting Minutes

Reagan Hooton moved to approve the minutes. Jacob Sebens seconded the motion. Motion passed unanimously.

PUBLIC HEARINGS

There were no public hearings.

OLD BUSINESS

A. Chapter 13 Parking V2

Matt Jones introduced Lee Nellis. Mr. Nellis said he wanted to go over the changes he has made or is considering. He said I pointed out that the chapter mentions the Central Business District a lot leading to the feeling that it only applies within that district. "It occurred to me that we could make it really clear by cross-referencing both chapters," he said. "I removed the prohibition and added that off-street parking accessible from the alley may be provided, based on the Board's comments last time. You cannot fit very many spaces on existing lots when people decide to build on them because parking spaces are so wide and so long. This loosening of the regulation will allow the existing lots to be built on, or redo an existing building. They can still provide it in the back if they wish," Lee said. Jacob Sebens clarified at the language *directly accessible* means parking along the alley? Lee replied yes, that is the intent and he will have a drawing/diagram to go with it. Lee added that for a lodging or apartments which have to provide parking, it would be off the alley, which makes sense.

Lee said he has included the requirement to provide bicycle parking spaces. Kelly Smith said the City already provides several bike racks in town, typically near the Headwaters Trail pickup point. She further questioned why a business would be required to provide bike parking if they are not required to provide vehicular parking. Reagan Hooton asked if a bike rack would

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just be a U-shaped structure bolted to the sidewalk, which led Kelly to ask if the bike parking would be on private property or in the public right-of-way which would be blocking pedestrians. Reagan then asked if that would mean a bike rack would have to be 1-foot off the sidewalk. Kelly said, from the City Hall perspective, that she and Crystal felt required bike racks/parking were a little much for Three Forks. Lee said it is his job to put these standards in the new zoning so the Board can discuss it. Racheal Tollison said she felt it is excessive. Jacob Sebens said he feels bike racks on Main Street would be the City's business, not the individual property owner's business. Reagan said she thinks that would be more of the regulations in the Downtown Master Plan. Lee said he could remove it and it could come up naturally down the road when the Board/City discusses the downtown area more in depth.

Lee continued that this chapter references the City's existing design standards and there was a comment from staff about that. Kelly explained that some building that will occur is just a single home being built, but the Design Standards are more for a developer; the document is over 90-pages. "A developer would definitely understand that, but we don't see someone coming in to build their own house on a vacant existing lot having to go through that document. It might be better to have it in the Parking Ordinance for those situations," she said. Lee said he will come back to that, and his sense is to repeat it and reference the Design Standards.

Next, he covered off-street freight loading spaces being required somewhere on the property rather than on Main Street or in the alleys, "Although the alleys do serve this purpose," he said. "So, when the application comes in we will need to just ensure they have adequate designated freight loading space," Lee said.

Reagan asked if there were any new laws, that the Legislature recently passed, that would affect the Parking Chapter. Lee said no. Kelly said she had sent out to the Board HB492 is on its way to the Governor, which mainly affects residential that zoning regulations may not require more than one parking space per unit, and not require more parking for change of uses, or for childcare facilities registered with the State, or require more than .5 parking space for units under 1,200SF. Kelly said that law will not be effective until October 2026.

B. Southeast District Checklist V2

Lee Nellis informed the Board that the Council had accepted the first reading of the Southeast Zoning Chapter 22 last Tuesday night, adding he assumed Crystal Turner would get a clean copy out to everyone soon. "Now it's time to talk about how to make that [Ch. 22's regulation] work. The way these work best is in talking about the application up front and for the review, is to checklist. This ensures you do not miss any of the required standards. When a complicated project comes before the Board, there will be public question, confusion, combined parking and landscaping or whatever. Rather than letting people stand up and make a speech, it would be better to say *We are talking about 11.22.6, does anyone have any comments?* That way you don't have to hear about the grandpappy who settled in the area in whenever," Lee explained. "This keeps the discussion short and to the point, even on a complicated project," he added. He asked the Board to review the checklist and see if it is

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easy to use, readable, and if the Board likes the format. Racheal Tollison asked what Lee means by “collector street setback” on the checklist. Lee explained the Board could require a deeper setback on street-frontage properties that enter/exit onto a main thoroughfare. Kelly Smith said she thinks the checklist would help keep the meetings on task. Jacob Sebens agreed. Lee suggested that once the Council adopts Chapter 22, the Board should run through a hypothetical application using the checklist to ensure it has everything addressed. He recommended they review the checklist and think about and come back with any questions or comments.

NEW BUSINESS

A. Chapter 8A Central Business District (CBD) V1

Lee Nellis stated the Southeast Zoning was almost easier than the Central Business District to write because you do not have to think about commercial business layouts. The map he sent out to the Board for his proposed new boundary for the CBD is wrong, because Kelly informed him there was a request to change from Residential to CBD just last year which he omitted.

Lee said he also thought about how Three Forks has several different zoning districts for commercial and industrial uses, mostly which go along the highway and he recommends the City consolidate that into one “Highway-Oriented Zoning District”. Reagan Hooton asked where the Highway Zone would be. Lee replied that it is all the lots that have highway access. He wants to simplify the ordinance and its enforcement for staff by tying everything together with the commonality of accessibility. Reagan asked if the properties coming out of CBD in his proposed map would be what, or is there more? Lee said they would be the Highway-Oriented Zone and that would be all through the city, and that would be extended as you annex. He said he will get a map of the Highway District when we decide whether or not to move on this way or not. Kelly asked if there will still be an Industrial District? Lee said we can discuss it, but there are a lot of uses listed in those three zones which intermix a lot too from zone to zone. “You have a seed plant right in the middle of the city, that’s an industrial use. You have lots of buildings right along there that could be industrial as well,” Lee said. Kelly replied she was thinking of the batch plant (Three Forks Ready Mix) because it has already moved to what was outside of town and now it is back inside city limits as the city has grown. “That is something that is industrial and people around that area have complained, as you have said you can hear it when you stay at the Sacajawea Hotel,” Kelly said. Lee said, based on the comments and input tonight, he would provide a draft of the Highway Oriented Zone.

Kelly asked, as she and Crystal have already submitted to him via email, asks the process of just changing people’s zoning designation. “Do we have to notify them? What’s the process for rezoning?” she asked. Lee said, “Well the highway district they would be in will have all sorts of uses, but what we are really talking about it is parking. When you add or subtract to the zoning map, there are some requirements, but I don’t remember what they are for Montana, but yes we will have to do a map amendment.”

Lee continued with saying to the Board that they did not have to love what he has presented tonight, but it is his way to keep the process moving.

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"The drafted Central Business Chapter sets out differences, relies on on-street parking, allows housing, does not rely on permitted uses only. Permitted uses, it's impossible to make a truly detailed use by use list, so what we do is we have a list of what we think fits here," Lee explained. Lee talked about the appeal process that is drafted in the Code. Then he talked about the building height, lot coverage, and setbacks (you can use the whole lot if you want to) as written. He continued about the basic performance standards as well including sidewalks to remain as wide as they currently are.

Reagan Hooton stated she believes the link on page 1 did not work when she tried it. Kelly Smith agreed and said it takes you to the Department of Commerce and says "Page Not Found". Kelly also said one of the uses says "Entertainment" and we have already had two inquiries this year about hosting outdoor music in CBD. Lee replied with a question, "If people are downtown and setup a stage in a parking lot for instance, is that OK?" Reagan said we (the City) already does that. Kelly stated that for those homes around Main Street which are adjacent to CBD, they put up with that over rodeo weekend but she thinks the neighbors would be upset if it were every night all summer long for instance. "I think we need to discuss whether or not that use is permitted. Just like breweries, we had a lot of conditions laid out for the brewery when it first applied to come into CBD and it seems all that is gone and this chapter just says *breweries are allowed*," Kelly said. She continued, "The multi-unit hotels or motels like the Sac has, we have a whole list of conditions for that. We have specifics/conditions that the public had input on. Like you can't bring in mobile homes and call them hotel rooms. We had a lot of well-thought out structure for certain businesses in CBD, like breweries could only be 7,000SF, and now it's all gone and just allow anything. But this is just my opinion." Lee replied first to the Entertainment, "One thing some cities do, and Three Forks may have this on its books already and I don't know it, but for entertainment is to consider a temporary use and requires a permit." Kelly said Three Forks does not currently have temporary uses or require permits, but that would be a good idea. "When the marijuana extraction business came into town, they did a conditional use that went straight to the Council to determine if that use is allowed permitted. Outdoor concerts are the new big hip thing and if we have a bunch of them on Main Street, we will get a lot of complaints," she said. Lee recommended one way is to continue using the conditional use procedure, or put in a temporary use procedure that is not much different than the conditional use procedure. We could also put in, to regulate operating hours. Kelly reminded Lee the bars are all located in CBD and they can be open until 2AM. Lee said for a new use, or a temporary use the City could regulate hours [not for state-permitted liquor licenses]. Lee said he will split entertainment into indoor and outdoor. "I have a standard thing for your use, whether temporary or permanent, they will have to show how they manage litter and restrooms too," Lee added. He asked the board if it wanted him to split out the conditional uses and permitted uses and be ready to go? Reagan asked for clarification on the breweries. Kelly explained that breweries and bottling were only allowed in the Industrial zone because they were usually big manufacturing buildings, but having breweries is a new thing and they are smaller. So the Board thought about limits, and the Planner Randy Carpenter wanted to limit the size to 3,500SF but the Board and Council decided it should be 7,000 SF maximum, and if they served food that there was adequate parking. For the multi-unit hotels or motels, it was similar

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because the Sac wanted to put in their cottages. But if you allowed that, then someone would want to come in and put a bunch of mobile homes on a lot and call it a motel. "We actually had that a few years ago where someone requested to put two mobile homes together and call it a duplex, so the Board amended the zoning regulation to require multi-family homes to be on a continuous foundation," she explained. "So there are some conditions on multi-unit hotels or motels so that they cannot be lived in over 28 consecutive days," Kelly added. Lee asked Kelly to send him the conditions the Board had already set as a precedent. Kelly said she already had when Crystal email with their comments for needed updates. Lee said he will look for that email. Lee also said many places require multi-story buildings in the Business Districts.

Lee suggested the Board members run through the various uses downtown and get him input on what conditions they would like to see so that he can build a list of conditions. Matt Jones said he would like to see the Highway District chapter and compare it to the Central Business District chapter since Lee says it is very similar. "I would like to see the differences before we move forward," Matt said. Lee said he would have it ready for the next meeting. He will also provide an update to the Central Business District, and to Kelly's comments once you look at the Highway District the Board can decide on whether to continue with an Industrial District or not.

ITEMS FOR THE NEXT MEETING IN JUNE.

There was discussion on the next meeting date. Racheal asked if the meeting had to be held on a Wednesday, as Monday-Wednesday that week works better for her. The meeting will be held on the 18th of June at 6:30PM. Kelly will see if that date works for Niki and Amy as well.

Jacob Sebens moved to adjourn. Racheal Tollison seconded the motion. Motion passed unanimously. Meeting was adjourned at 7:07 PM.