

ZONING AND PLANNING BOARD MEETING MINUTES

May 21, 2026, Zoning & Planning Board meeting was called to order at 6:31PM at City Hall, located at 206 S. Main Street, Three Forks, MT.

Zoning Members present were Kelly Smith, Jacob Sebens, Reagan Hooton, Rachael Tollison, and Amy Laban. Niki Griffis and Matt Jones were excused. City Planner Randy Carpenter was present in City Hall, and Zoning Consultant Lee Nellis joined via Zoom. (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 Zoning Board members. (The minutes were completed by City Clerk Crystal Turner after the meeting.)

Vice Chair Amy Laban called the meeting to order. She reminded everyone that the meeting was being recorded.

Public Present: There was no public in attendance.

PUBLIC COMMENT (items not on the agenda): There were no comments for items not on the agenda.

CONSENT AGENDA

Approval of the 4/16/2026 Meeting Minutes

Reagan Hooton moved to approve the 4/16/2026 meeting minutes. Rachael Tollison and Kelly Smith seconded the motion in unison.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 13 – Downtown Business District (DBD)

Kelly Smith explained a change 11-13-6, "After we met last time, the building height was 24 feet and at the eaves was 32-feet. But I remembered on Main Street you must have a flat roof because of rain runoff, but then I remembered farther down Main Street is residential," she said. Amy asked if we should return the language to how it was originally, and reference checking in with the State for its building regulations. Kelly will add the original language back in and then add the State regulation reference.

Rachael Tollison moved to send Chapter 13 Downtown Business District to the City Council as amended. Kelly Smith seconded the motion. **Motion Passed Unanimously.**

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 14 – Neighborhood Business District (NBD)

Kelly Smith moved to send Chapter 14 Neighborhood Business District to the City Council. Reagan Hooton seconded the motion. **Motion Passed Unanimously.**

Randy Carpenter asked how long it would take to be codified once approved by the City Council. Kelly replied it is usually on their website as soon as we see them, but it does not appear in the title section until the 30-days past the second reading date is approved. Amy asked if we were holding off sending

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chapters to the Council until staff and the Board can ensure that all cross-referencing is accurate. Kelly agreed.

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 9 – Enforcement, Including Required Improvements

Reagan Hooton moved to send Chapter 9 Enforcement, Including Required Improvements to the City Council. Rachael Tollison seconded the motion. **Motion Passed Unanimously.**

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 19 – Planned Unit Developments (PUD)

Rachael Tollison moved to send Chapter 19 regarding PUD to City Council. Reagan Hooton seconded the motion. **Motion Passed Unanimously.**

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 22 – Dangerous Buildings

Rachael Tollison moved to send Chapter 22 Dangerous Buildings to the City Council. Reagan Hooton seconded the motion. **Motion Passed Unanimously.**

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 24 – Compatibility

Reagan Hooton moved to send Chapter 24 Compatibility to the City Council. Rachael Tollison seconded the motion. **Motion Passed Unanimously.**

OLD BUSINESS

A. Discussion Regarding Chapter 4 – Permits

Lee Nellis explained this was not read for a public hearing to send on to City Council because we needed to edit some uses based on discussion he had with Susan Swimley. “I noticed Kelly must have made an edit to 11-4-2, but this does not change what we do so this is acceptable. Other than that, permits are required and this provides opportunity for exemptions, but the Board has thoroughly reviewed this in the past. Are there any questions?” Lee asked. Amy said she questioned 11-4-2.D should we add “also” in there so the applicant knows it requires a City permit but it may also require a state permit. All agreed. Kelly said she highlighted the parking section because the last Legislative session added something about not requiring additional parking, but she is unsure, so asked Randy and Lee to investigate it. Lee suggested to leave it as is because he thinks it only applies to larger cities. Kelly disagreed because the law (HB492) only references large cities in some of the code, but not all of it. She asked that they investigate it and edit as needed when this chapter is brought back to the Board. This chapter will be continued to the June meeting.

B. Discussion Regarding Chapter 20 - Access

Lee Nellis reported this chapter talks about the different rules applying to lots in different areas, such as along Main Street which is a state highway would need to talk to the Department of Transportation, but corner lots would need to address sight triangles for new uses. Reagan Hooton questioned “new uses”. Lee said the Board could amend the draft, but he thought they

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wanted to address trees and plants and shrubs on corner properties. Reagan asked how this would affect a vacant lot? Lee replied they would have to come in and obtain a permit. Staff would look and say *Oh this is a new house, and they have to comply with the new standards so will review each part of the code.* A clear sight triangle would have to comply with that. Kelly Smith questioned the wording, which states “new subdivisions” which would not mean that a vacant lot must comply. New subdivisions to her meant a newly developed subdivision. Lee said they could change the word to “development” rather than “subdivision”. There was some confusion as this was discussed until they realized Amy and Lee had one version, and the rest of everyone else had a different version. Jacob Sebena noted 11-20-7 is misnumbered and used twice. Kelly added 11-20-6.E “new driveways for commercial/industrial uses must be 50-feet...” and knew the Board discussed it, but could not remember the Board’s consensus since there are two different versions out there. “Do we want residential driveways to also have this regulation, as I thought we’d agreed it was for commercial and industrial only?” she asked. Lee read, “The place of a driveway may be affected by the Standards for Design & Construction, or along the highway the requirements of MDT.” The Board agreed to this language. Kelly reminded that the text could be approved by the Board, but this chapter could not be forwarded on to the Council until the diagrams that Studio Collective is working on are complete. Amy also noted that the “Required improvements” should be 11-28-A.8. Randy Carpenter said 11-24-B “shall be required if feasible” do we want to keep the word “feasible”? (There was disagreement between Lee and the board members, no decision was clear on the record.)

Kelly Smith moved to forward Chapter 20 – Access to the City Council once the illustrations are done. 11-26-E changed to Lee’s wording, and the required improvements because 11-28. Reagan Hooton seconded the motion. **Motion Passed Unanimously.**

C. Discussion Regarding Chapter 28 – Temporary Uses

Lee Nellis explained this chapter was discussed at the last meeting and the Board had several comments. He has created a newer version based on those comments. Amy Laban pointed out that 11-28-5.E says “TUPs for events that expected to attract...” Lee will edit to “TUPs for event that ARE expected to attract...” 11-28-6.F regarding emergency services, Amy asked who would determine that they will or will not be present? Lee said with 400 people or more it would go to the Council, and they would then discuss/require security or whatever and be a condition of approval.

Kelly Smith moved to forward Chapter 28 – Temporary Uses to the City Council. Rachael Tollison seconded the motion. Kelly corrected herself, that both this Chapter and Chater 20 her motion should reflect the chapters going to Public Hearing before the Zoning & Planning Board rather than the City Council. She amended her Chapter 20 motion, Reagan Hooton agreed. She amended her Chapter 28 motion. Rachael Tollison agreed.
Motion Passed Unanimously.

NEW BUSINESS

A. Discussion Regarding Chapter 6 – Conditional Use Permits (CUP)

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Lee Nellis explained he has cross-referenced all the district chapters listing conditional uses and this chapter details how that process would occur for those listed conditional uses. "The important thing about it is that you tie any conditions you have imposed are followed through. Let's say you have a business that will have a dumpster, and it is required to be screened from the public review, you would incorporate those requirements into your motion and those would be defensible. If it is operating hours condition, or whatever, you state which conditions you are applying to the conditional use permit application based on the requirements listed on those other chapters," Lee explained. Amy Laban asked (unsure if it goes with this chapter or Chapter 27), "I was wondering if mobile home parks should also be subject to a conditional use permit? We don't seem to have clear indication of what zoning district they may or may not fit into, and so it seems difficult to have a separate chapter." Lee said that was a great question, but you do have to have two-acres of land in the residential zoning district to have mobile home park. Kelly said that Chapter 27 does not specifically state it must be in residential zoning so it could be interpreted as long as you have two-acres you could do one. Lee asked if there is any other zoning district the Board/City would allow a mobile home park, so he can make the edits more clear. There was discussion on various districts and how mobile home parks would fit in. Amy said she likes the way Agricultural is written now that you would have to amend the zoning in order for a mobile home to be allowed. Lee suggested the Board think about all the various districts it could be allowed in, and Kelly added that the Board already agreed no residential uses in Industrial. Board members discussed mobile home parks could be allowed where it fits (meaning two-acres), Amy apologized for mixing the two chapters in this one conversation, as long as they meet the requirements of Chapter 27, in zoning districts with residential uses allowed. Lee will also make the minor edits to Chapter 17 to align with this conversation and bring it back to the Board at the June meeting. Amy asked the other board members to weigh in. Jacob Sebena thought it would be good to have them as a conditional use, he did not feel that the applications would come up too often since you need a full two-acres.

Kelly Smith mentioned that 11-6-4.A agrees with Lee, and knows this means we will need to amend the bylaws as well, "We changed a few years ago that the application needed to be received by noon at least 21 days prior to the hearing because 20 business days you almost do not have enough time to get the notice to the newspaper anymore since the Chronicle is not a daily publication. You have to have it published at least 10 days prior to the meeting. We had a definite deadline before and I think that should be included in the ordinance, and update the bylaws as well." She then clarified that staff will have 20 days to determine the application is complete AND THEN still have plenty of time to schedule the hearing. Lee agreed. Kelly questioned the third Thursday of the month versus the timeline of 20 + 21 days, meaning the application may not be heard/decided upon for 60 days after its receipt date (because the Council hears it at least 2-3 weeks after the Zoning Board). Lee agreed, "It's completely up to staff to determine the application is complete, and then staff would determine the next available hearing date of the board (which may or may not be the designated third Thursday of the upcoming month). Kelly understood. She also questioned about "all other social media" postings because that is above and beyond what is required, but it would be posted on the website and then the required newspaper publication, but in the instance where staff is gone for

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an extended period it may not be able to be posted on social media. Amy and Randy both agreed the Board had opted to remove that additional language wherever it is written.

B. Discussion Regarding Chapter 27 – Mobile Home Parks

Amy said, “11-27-2.H where it says *streets, sidewalks and trails will be privately owned and maintained but must be required...but rollover curbs will be required within a mobile home park*, I wonder if we should include *shall be included in the interior of a mobile home park?*” Lee agreed to add it. Reagan Hooton asked about the setback standards in 11-27-2.G, “for other dwellings it is 15-foot front and back. Will this work for a mobile home park?” Lee said it will. Reagan asked, “Does that mean there is enough room in between mobile homes?” Lee said yes, it has 5 feet from each side, to make a 10 feet between two homes. Kelly asked if we should clarify and specifically state “a minimum of 10 feet between mobile homes”. Board agreed. There was also discussion on required park land and that it was excessive on 2-acres, but the Board agreed if the mobile home park was 4-acres or larger, an interior park would be required, or provide cash in lieu. Lee recommended no cash in lieu and at 4-acres they could come up with a 4-5,000SF park space. The remainder of this chapter was continued until the June meeting.

C. Discussion Regarding Chapter 25 – Infrastructure

No major edits to report.

Reagan Hooton move Chapter 25 – Infrastructure to public hearing. Jacob Sebena seconded the motion. **Motion Passed Unanimously.**

NEXT CHAPTER(S) TO COME TO THE BOARD: in May. The Board agreed to hold the next meeting on the 25th of June. These items will be heard:

- A. Chapter 20 – to be reheard
- B. Chapter 24 – to be reheard
- C. Chapter 4 – Permits (3 pages)
- D. Chapter 6 – Parking (4 pages)
- E. Chapter 26 – Parking (4 pages)
- F. Chapter 27 – Mobile Home Parks (?? Assuming 1 page)
- G. Chapter 25 – Infrastructure (1 page)

Amy Laban moved to adjourn. Kelly Smith seconded the motion. **Motion Passed Unanimously.** The meeting was adjourned at 8:15 PM.