

## CHAPTER 13 – DOWNTOWN BUSINESS DISTRICT (DBD)

### 11-13-1: PURPOSE:

The Downtown Business District (DBD) is established to facilitate more intensive COMMERCIAL and residential development in a pleasant, walkable city center. Specifically, DEVELOPMENT in the DBD will:

- Rely primarily on on-street parking and pedestrian circulation.
- Serve as the hub of the city's commercial and social life with shopping, services, dining, entertainment, lodging, and office space.
- Provide housing that supports the vitality of the central business district and at least has the potential of being affordable to the people who make Three Forks work.
- The DBD is not the place for new auto-dependent uses (lodging will be an exception, and existing auto-dependent uses may continue under these regulations' provisions for nonconforming uses) or most industrial uses.
- The DBD is not the place for uses that rely heavily on outdoor sales or storage.
- Three Forks is fortunate to have wide sidewalks that are a tremendous asset to any downtown. They will continue to be required throughout the DBD.

### 11-13-2: BOUNDARIES:

The boundaries of the DBD are as shown on the Official Zoning Map of the City of Three Forks.

### 11-13-3: PERMITTED USES:

- A. Commercial uses, including uses in SIC Division G - Retail Trade, Division H – Finance, Insurance, and Real Estate, and Division I -Services, excepting those uses made conditional in Section 11-13-4, consistent with the purposes stated in Section 11-13-1. Please see Table 13.1 for examples.
- B. Retail sales of alcohol and drinking places are permitted subject to continuing compliance with state law.
- C. Marijuana dispensaries (which the city classifies as a retail-only use in SIC 5993) in continuing compliance with state law.
- D. PUBLIC ADMINISTRATION uses in SIC Division J, excepting those uses made conditional in Section 11-13-4, and consistent with the purposes stated in Section 11-13-1
- E. ARTISANAL INDUSTRIES consistent with the purposes stated in Section 11-13-1 but see Section 11-13-7.
- F. Second floor dwellings above permitted commercial uses and, where a building height exception is granted pursuant to Section 11-13-6.A, third and fourth floor dwellings would be permitted. Ground

floor apartments may also be permitted in compliance with Section 11-13-4.A or 11-13-7.G.

- G. CHILDCARE with valid state licenses and in continuing compliance with these and state regulations.
- H. Infrastructure serving the DBD and the city.
- I. Customary accessory uses and structures.
- J. TEMPORARY USES in compliance with Chapter 11-28.

#### **11-13-4: CONDITIONAL USES:**

- A. Multifamily dwellings with ground floor units with six (6) or more units on a lot of not less than 7,000 SF.
- B. PLACES OF ASSEMBLY, which may be classified as either commercial or public administration in the SIC. Please see Table 13.1 for examples.

#### **11-13-5: PROHIBITED USES:**

All uses that are not explicitly permitted, by-right or conditionally, are prohibited by Section 11-4-2.B. This partial list is provided here for convenience.

- A. Sexually oriented business, sales and related activities regulated by Title 4 of THIS CODE.
- B. Services, including heavy construction equipment leasing and industrial launderers, that involve heavy equipment and industrial-scale processes.
- C. Mobile Home and RV Dealers.
- D. New dwellings except as specifically permitted by Section 11-13-3.F and Section 11-13-4.A.

#### **11-13-6: DIMENSIONAL STANDARDS:**

- A. BUILDING HEIGHT. The maximum building height in the DBD is twenty-four (24) feet. Flat roofs may require per State Building regulations. This is assumed to permit a two-story building. An exception of up to forty-four (44) feet may be allowed where a sprinkler system is provided in compliance with state building codes and where that building is not directly adjacent to the Residential Zoning District.
- B. There is no LOT COVERAGE limit in the DBD. Landscaped buffers may, however, be required by Chapter 11-23 and parking for lodging and residential uses is required by Chapter 11-26.
- C. SETBACKS
  - 1. New buildings and additions to buildings in the DBD are expected to come to the front (the sidewalk) and side property lines, except as provided by 2, below.

2. Commercial, mixed-use, and multi-family residential buildings may incorporate entry courtyards no more than fifteen feet (15') deep across 50% of the front property line or along the entire side property line.
3. Where landscaped buffers are required by Section 11-23-6, they supersede this section.

**11-13-7: PERFORMANCE STANDARDS:**

- A. General Performance Standards: Development in the DBD must, unless specifically exempted, comply with all standards established in THESE REGULATIONS.
- B. Lodging and residential uses in the DBD must provide one (1) off-street parking space per dwelling or lodging unit.
- C. Place of assembly in the DBD may be required to provide off-street parking as a condition of approval.
- D. Other uses in the DBD may provide new off-street parking that is directly accessible from the alley.
- E. Off-street parking in the DBD must comply with all standards of Chapter 11-26, except Section 11-26-6.
- F. Wider Sidewalks: Development in the DBD must extend the existing width of the sidewalks along Main Street with non-fruit bearing trees placed in tree wells rather than a boulevard. See also Title 8-1-1 regarding excavations in public ways.
- G. Ground Floor Apartments: A ground floor apartment may be permitted on the alley side of a commercial building where the depth of the commercial space facing Main Street is at least 75 feet.
- H. Commercial Parking Areas: Commercial off-street parking areas (pay-for-parking) are permitted in the DBD only where they have commercial frontage along Main Street.
- I. Microbreweries permitted as Artisanal Industries are limited to 7,000 SF.

**Table 13.1 - Examples of Commercial Use Permitted in the DBD**

All possible uses are, by definition, included in the SIC. This table gives examples that seem applicable in Three Forks, but it is not complete. See the SIC Manual at: <https://www.osha.gov/data/sic-manual>

**SIC Code**

**Use**

**Division G**

**Retail Trade**

- Building Materials, Hardware, Garden Supply, and Mobile Home Dealers
- 52
- 53 General Merchandise Stores
- 54 Food Stores
- 55 Automotive Dealers and Gasoline Service Stations
- 56 Apparel and Accessory Stores
- 57 Home Furniture and Furnishings
- 58 Eating and Drinking Places
- 5993 Marijuana dispensaries are included here with Tobacco Stores

**Division H**

**Finance, Insurance, and Real Estate**

- 60 Depository Institutions (banks)
- 64 Insurance Agents, Brokers, and Service
- 65 Real Estate

**Division I**

**Services**

- 7011 Hotels and Motels
- 703 RV Parks are prohibited in Three Forks
- 72 Personal Services barber/stylist
- 7215 Coin Operated Laundries and Dry Cleaning laundromat
- 7218 Industrial Launderers are permitted in the GI zoning district only.
- 73 Business Services
- 7353 - Heavy Construction Equipment Leasing is permitted in the GI zoning district
- 75 Automotive Repair, Services, and Parking  
SIC 75 needs discussion,
- 7832 Motion Picture Theaters are conditional uses.
- 79 Amusement and Recreation Services  
Many places of assembly fall within SIC 79, see the note below.
- 80 Health Services physical therapy
- 8351 Child Day Care Services
- 8412 Museums and Art Galleries

**Division J**

**Public Administration**

Places of assembly are conditional uses regardless of their classification in the SIC. city hall