

**April 18, 2025**

**TO:** Three Forks Zoning and Planning Board

**FR:** Randy Carpenter  
Planning Consultant to the City of Three Forks

**RE:** Zoning Text Amendment

**Name of Applicant:** City of Three Forks

**Hearing Date:** April 22, 2025

**Application Request:**

The City of Three Forks requests a Zoning Text Amendment allowing home occupations in the Public Lands Institutional (PLI) zoning district.

**Background:**

The City of Three Forks is requesting a Zone Text Amendment to allow home occupations as a conditional use in the PLI zoning district. Home occupations are currently not allowed as either a permitted or conditional use in the PLI zoning district.

Ryan Malmquist wishes to start a temporary greenhouse on a parcel in the PLI district that would sell products to the public. He has applied for a conditional use permit for the home occupation. This Zoning Text Amendment would have to be approved before Mr. Malmquist could be granted a conditional use permit.

The existing residence on this parcel is a non-conforming use, given that residences are not permitted in the PLI zoning district. The parcel is an aberration – it is surrounded by land owned by Montana Fish, Wildlife, and Parks and is in use as the Headwaters Golf Course, which is clearly a permitted use in the PLI zoning district.

When the City updates its zoning ordinance and zoning map, this parcel should be rezoned to residential. In the meantime, however, the City believes that it would be appropriate to allow home occupations in the PLI district.

**Staff Report:**

Section 76-2-304, MCA, establishes a 12-point test under which municipal governing bodies must consider whether a proposed zoning or rezoning of land is appropriate.

1. Is the proposed land use designation in accordance with the Growth Policy?

*Staff comment:*

Yes: This proposal would be in accordance with Goal 2 of the Three Forks Growth Policy:

“Encourage The Commercial Vitality of The City Of Three Forks.

Objective 2a. “New commercial businesses should be encouraged to locate in the City of Three Forks.”

2. Will the proposed land use designation lessen congestion in the streets?

*Staff comment:*

Yes: Given the limitations placed on home occupations, staff believes that this proposal would have little or no impact on congestion. In addition, any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

3. Will the proposed land use designation insure safety from fire, panic and other dangers?

*Staff comment:*

Yes: Allowing home occupations in the PLI would not be expected to have an impact on fire, panic, and other dangers. In addition, any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

4. Will the proposed land use designation promote health and the general welfare?

*Staff comment:*

Yes: To the extent that this text change amendment helps meet the need for greenhouse products while encouraging commercial vitality in Three Forks, staff believes it would promote the health and general welfare of the community.

5. Will the proposed land use designation ensure adequate light and air?

*Staff comment:*

Yes: This proposal would not be expected to impact adequate light and air. All other PLI land uses are low-intensity land uses. In addition, any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

6. Will the proposed land use designation prevent the overcrowding of land?

*Staff comment:*

Yes: This proposal would not be expected to have an impact on the overcrowding of land. All other PLI land uses are low-intensity land uses. In addition, any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

7. Will the proposed land use designation avoid undue concentration of population?

*Staff comment:*

Yes: This proposal would not be expected to impact population concentration. All other PLI land uses are low-intensity land uses. In addition, any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

8. Will the proposed land use designation facilitate and/or conform to the City's provisions for transportation, water, sewage, schools, parks, and other public requirements?

*Staff comment:*

Yes: This proposal would not be expected to have an impact on transportation, water, sewage, schools, parks, and other public requirements. Any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

9. Does the proposed text amendment give reasonable consideration to the character of the district in which it is located?

*Staff comment:*

Yes: Any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

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10. Does the proposed land use designation give reasonable consideration to the peculiar suitability of the property for particular uses?

*Staff comment:*

N/A: This is a text change amendment, not a zoning map amendment.

11. Does the proposed land use designation serve to conserve the value of existing buildings?

*Staff comment:*

N/A: This is a text change amendment, not a zoning map amendment.

12. Does the proposed land use designation encourage the most appropriate use of land throughout the municipality?

*Staff comment:*

Yes: Any conditional use proposed in the PLI zoning district would have to meet the requirements of conditional uses and could be denied if they do not meet those requirements, or conditions could be placed on any proposed conditional use.

**Staff recommendation:** Staff recommends the approval of this text amendment.