

ZONING AND PLANNING BOARD MEETING MINUTES

October 22, 2025, Zoning & Planning Board meeting was called to order at 6:30PM at City Hall, located at 206 S. Main Street, Three Forks, MT.

Zoning Members present were Matt Jones, Kelly Smith, Jacob Sebens, Reagan Hooton, Niki Griffis and Amy Laban. Rachael Tollison was excused. City Planner Randy Carpenter attended 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 six Zoning Board members. The minutes were completed by City Clerk Crystal Turner.

Matt Jones called the meeting to order. He reminded everyone that the meeting was being recorded.

Public Present: Steve Blakeman

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

CONSENT AGENDA

Approval of the 9/18/2025 Meeting Minutes

Kelly Smith moved to approve the September 18th minutes. Niki Griffis seconded the motion.

Motion Passed Unanimously.

PUBLIC HEARINGS

Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 12 – Agricultural District

Randy Carpenter apologized for not attending in person. He has a meeting in Livingston and while driving back, there was an accident in the canyon and he was not sure he would make it to Three Forks on time. "All, Lee is currently in air so cannot join us," Randy added.

The Agricultural chapter has been heard by the Board previously, and the changes have been made as requested, so this one is ready to move on to the City Council for first reading of an ordinance to adopt.

There was no public comment.

Niki Griffis asked if the Board changed the minimum lot size from 5 to 10 acres? Kelly Smith stated there was nothing defined in the old chapter before, so we are adding 10-acre minimum now. Kelly added, "Fencing was limited to be 50-feet off the property line, but now fencing can be on the property line. And the 50-foot setback is only for buildings."

Reagan Hooton moved to approve Chapter 12 Agricultural District to move it to the City Council. Amy Laban seconded the motion.

Motion Passed Unanimously.

OLD BUSINESS

A. Chapter 21 – Home Businesses

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Matt Jones introduced this chapter and then turned it over to Randy Carpenter. Randy asked if there were any comments from the Board.

Kelly Smith commented that 11-21-1: Purpose could add "said activities must be clearly incidental of the dwelling's purposes and shall not change the character of the neighborhood thereof". "This has helped prevent homes from being not used entirely as businesses," Kelly said. Reagan Hooton asked for an example. Kelly replied, "Like an Airbnb. This is the language the City relies on to back up that a home in the residential district using the whole building/dwelling for their business purposes," she said.

Kelly commented on 11-21-3.G, "This is where we discussed noise and odor. Should we specifically state "like noise, odor, etc" rather than just refer to another chapter?" Niki Griffis thought that would be a good idea. Amy Laban said it would save them time to see it there to get the general idea in case they do not cross-reference. Kelly also added that in 11-21-4.H it should also state "like noise, odor, smoke, etc." The Board agreed.

Amy Laban asked if the Board thought it would be helpful to see those [reference] chapters before sending this one on to Council? The Board agreed.

Randy Carpenter is to make changes and bring it back to the Board at the next meeting for a final draft review.

B. Chapter 17 – Residential

Randy Carpenter said he still has questions on this draft chapter. The Board needs to discuss and come to a consensus on the highlighted sections in the draft.

Kelly Smith posed several questions for edits to this chapter, "That the Board add 'temporary buildings, for and during construction only'. Lee had said something about changing the language so that folks could have a camper on site while they are building. We don't have anything in the code that specifically defines mobile homes, and right now we have regulations about not mobile homes not being older than 10 years when brought in, and 8 other conditions if you were bringing in a mobile home on a lot. Also, in 11-17-4 I think we should add condo/townhomes too in the 'or more dwelling units'. And also, at the last Zoning meeting, the Board said CUPs would include Live/Work, and that is not included in this version and needs to be listed in the CUPs," Kelly said.

Kelly also said that years ago, when medical marijuana came about, the Council had documented that marijuana distribution centers (those meeting all the State regulations) were conditionally allowed in all districts. She posed to the Board, "Does the board want to allow it?"

Kelly commented that under Setbacks #2, "So a garage can't be in the front yard? Not sure I agree with that." Randy Carpenter and I have talked for years about the accessory structure not being larger than the main structure too, so the Board should discuss this as well.

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Kelly said in 11-17-6.3 – “This isn’t the City’s policy. This needs to be reworded to match the water ordinance, or just reference the Water ordinance title. If you’re building new, sure you want a meter on each unit. But if you are converting, you have one water line coming in, you can’t put another meter on it.”

Last, Kelly noted that in 11-17-4, “Are we going to require an architect on a conversion to put ingress/egress windows? Do we really want them to pay for an architect to say they have done that?”

Reagan Hooton replied she thinks the City should make it easier to convert [an existing residence], as it increases affordability. Niki Griffis agrees with the house being bigger than an accessory. “I don’t think an architect is needed for a conversion, that seems excessive. Who is the authority?” Kelly said the City does not have an inspector and we do not go off the International Building Code (IBC). “If we say they have to have ingress/egress windows, they take on that liability,” Kelly said referring to the property owner.

The current regulation reads these minimum requirements for Mobile Homes:

- Minimum of 900SF of occupied space
- Single or double section architecturally designed for neighborhood
- Utilities connected
- Siding customarily used for site constructive residences
- Placed on permanent foundation
- Anchored to the ground
- Wheels/axels removed
- Materials used the same as onsite residences
- Not older than 10 years and must bear a HUD seal stating it meets safety and construction standards
- Exterior must be in good repair

Commented [CT1]: Define “good” if used in the new chapter.

Randy said Lee will need to take this into consideration when defining “mobile homes”. (The Board did not have access to review the draft definition at this time.)

There was discussion that mobile home parks have different rules, per Montana Department of Environmental Quality (MDEQ). Kelly stated that one cannot get financing on a mobile home if it has been moved twice, as it is considered unfit. Amy Laban asked if the Board is being overly redundant with this list of rules? Jacob Sebens said he is curious about the 900S requirement, and asked what the standard of a mobile home size is? Kelly replied that now they are probably smaller, but she believes the original intent for the 900SF came because it is the same as a single-family home minimum requirement. Randy Carpenter was able to pull up the draft definition of mobile homes and read it aloud, “Must comply with manufactured home construction safety standards or building codes.” Kelly asked that those standards be provided to the Board prior to adopting anything in this chapter.

Commented [CT2]: Randy - is this what you stated exactly? I didn't catch it all when you were reading it.

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Kelly Smith asked what the Board's thoughts were about 'temporary buildings, for and during construction only'? "This [language] has helped [the City enforce] when people brought in RVs and were trying to live in them on private property." Niki Griffis asked if a time limit was defined for building? Kelly answered yes, currently one year. Reagan Hooton asked, "If someone does have an RV in their driveway, which we know is not allowed, how long is it tolerated?" Kelly answered it is usually determined to be a visitor, or during rodeo weekend, which the Gallatin County Sheriff has said they will not enforce it over rodeo weekend because so many people come to stay more than 3 days to visit, and then are gone. She asked the Board, "What do people feel about having garage in the front?" Jacob Sebens said for those where actual residences that have extra space in front, he would prefer only garages, not sheds. Amy Laban said that many people need a bigger shed than home nowadays since they may have toys for summer and winter. She mentioned that not a lot of people build homes that are not connected to the house anymore, so it makes more sense to allow accessory structures to be larger than house (since a home could already be built and have no garage/storage).

Public Comment: Steve Blakeman asked the Board what it felt about a shed right on the property line. He wants to not have wasted space [in the yard] and tuck a little shed right against the property line.

Randy Carpenter commented that setbacks are used to prevent overcrowding, as per statute. "Another reason is to prevent the spread of fire if you have two accessory buildings both along the property line – could allow fire to spread. Those are the basic reasons for setbacks." Kelly brought back up that in previous meetings the Board talked about allowing sheds on the property line without permits but the attorney said the City should require a permit, even if it did not charge a fee, so you had a record. "Maybe we add that no setback is required under a certain square footage, like the 120 which was suggested in previous meetings, so OK to be right on the property line. If it has a garage door, then the door side must be at least 15 feet from the property line. Garages and carports must have egress of 15 feet for safe access from the alley," and all agreed.

Randy Carpenter commented on 11-17-4 for short term rentals. There are questions in 4.C & 4.D, "I don't have a definition yet for B&Bs and so is it the Board's intent on the short-term rental that has to be an owner-occupied?" Reagan Hooton asked, "You can't go on vacation and rent out your house?" There was discussion on this. Matt Jones visits Pennsylvania, and they allow it, but only so many in a block. "They limit long-term too, like you cannot have three in a row, and short-term is like they must be at least nine homes away. "I'm not in favor of limiting the long-term, but would support something along the lines for short-term so that people do come and stay and visit our town. This could just be a first-come, first-served, and is controlled from the get-go. Some of the complaints could occur the same from neighbors who live there. Could it legally be limited by spacing and/or first-come, like chickens are?" Matt asked. Randy said Livingston is proposing allowing non-occupied short-term rentals but requiring a property manager to be within a certain distance. "We could find some alternatives and present to you at the next meeting?" he suggested. The Board agreed.

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NEW BUSINESS

There was no new business.

NEXT CHAPTER(S) TO COME TO THE BOARD & ITEMS FOR THE NEXT MEETING NOVEMBER 22:

17A – Airport Overlay, with residential a basic addition to this chapter

16 – Open Space District (replace PLI) both short discussions

Any others? Lee Nellis' intent is to have Highway Commercial and Central Business District next. Kelly asked if that meant December then? Matt Jones said add it to November and try to get to it, if not we will continue it.

Matt Jones will be gone 11/20-25/2025. Jacob Sebens is unavailable on November 20th. 11/20 works for all except Matt, so it was agreed to hold the meeting at 6:30PM.

Jacob Sebens moved to adjourn at once. Kelly Smith seconded the motion. Motion passed unanimously. Meeting was adjourned at 8:00 PM.