

## ZONING AND PLANNING BOARD MEETING MINUTES

**March 12, 2026**, 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, and Amy Laban. Niki Griffis and Rachael Tollison were excused. City Planner Randy Carpenter attended at City Hall but arrived at 6:55PM. City Attorney Susan Swimley 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.

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

Public Present: Meghan Gayle attended at City Hall; Rick Orizotti joined via Zoom at 7:02PM.

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

### CONSENT AGENDA

#### Approval of the 2/19/2026 Meeting Minutes

Kelly Smith moved to approve the minutes. Reagan Hooton seconded the motion.

**Motion Passed Unanimously.**

### PUBLIC HEARINGS

#### Public Hearing, Discussion and Decision to Send a Recommendation to the City Council Regarding Chapter 17 - Residential

Kelly Smith stated there are no major changes, but the references to other chapters (which have not been drafted yet) need to be added when those chapters are actually written.

Kelly Smith moved to send Chapter 17, Residential, to the City Council. Amy Laban seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

### OLD BUSINESS

#### A. Discussion Regarding Chapter 14 – Central Business District (CBD)

Matt Jones turned this presentation over to Lee Nellis, which said there are just three questions in the prefacing memo for the Board to answer in order for him to finalize this chapter. 1) Should movie theaters be permitted? We recommend yes, as they would be conditional like all other places of assembly. 2) Should apartment buildings with ground-floor units be permitted? 3) This draft allows for taller than 32-foot buildings if equipped with sprinklers. After that, dimensional standards downtown are straightforward. But it would be nice to allow a taller building downtown. Is the Board OK with this?

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Lee continued to report that the allowed lot coverage is 100%, setbacks come to the sidewalk unless the use is residential, then he has drafted a courtyard would be allowed.

Kelly Smith asked Crystal Turner to bring up the map on screen. "Blue is the proposed CBD, green Neighborhood-Commercial Business (currently called Neighborhood-Highway NH, but proposed to be changed to Highway-Commercial HC), but highlighted in pink are left at the discretion of the Board," she explained. Lee said if you look at the pink transitional area, it is currently zoned CBD, but is an area that would tie to the apartment on the ground floor question posed. Reagan Hooton asked what the lighter pink was by the market? Kelly answered it is zoned Medium Residential currently, but that is where the 20-unit RV park is now. "My assumption would be that is become the same as the market property," she said. There was discussion on changing the lumber yard block area (near the school) to Residential, but current residences there would be grandfathered in if we leave it Commercial, and some of those homes use their property as a residence with a home business.

Reagan Hooton likes the idea of changing, but is unsure which she prefers: blue (CBD) or green (HCD). Amy Laban thought CBD would be best. Kelly Smith agrees with Amy. Amy would like to see a more cohesive zoning throughout Three Forks. Additionally, she supported the lumber yard area being CBD. Matt Jones thought it should be HCB. There was discussion because if it is zoned CBD, there is no off-street parking required. "However, if I bought a place across from the school and wanted to put a business in there, it would need parking because there isn't any available around there," Matt said. Lee proposed that people could bring parking off the alley. He agreed that it makes sense to leave these properties HCD and have mixed uses while stuff changes. The Board agreed to leave the "L" in the drawing as CBD, which will not require parking unless it is for lodging. Lee added, "They can put it [parking] in if they want, but unless we reword the drafted code it would not be required." Reagan questioned if a business is located in CBD, they must have parking? Randy Carpenter clarified only if mixed use, or lodging even Airbnb. All agreed the "L" will remain CBD. All agreed the lumber yard area and school HCD.

Reagan responded to question #1) movie theater, "Yes, I think they should be allowed in CBD without parking." Lee preferred to leave them as a conditional use, so you can discuss parking, or any other items, for places of assembly. Amy agreed they should be conditional. There was discussion about drive-in theaters. Amy said, "I can't see the odds of wanting a drive-in downtown since it wouldn't be dark enough to see the screen.

Regarding question #2) Amy would prefer seeing residential on the second floor. Matt argued, "Then no one could ever build an apartment building." Amy said they could go to HCD to build them. Reagan commented the last proposal before them [a CUP for a wholesale wood cutter] then wouldn't fly? No, not anymore. Matt provided the example, "If I bought 123 Main Street and turned it into a very nice apartment complex, you guys are saying that shouldn't be allowed?" Kelly said it would have to be residential on the 2<sup>nd</sup> floor only. Amy agreed. They talked about keeping it commercial downtown, and a safety factor of ground-floor apartments, people coming out onto the sidewalk from their apartment to walk their dog. Kelly said, "When discussing as staff, we were wondering if the Board was thinking apartment building though, so that would allow access on the ground floor. Or the Board can nix this idea." Amy does not think there should be residential in our

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commercial area unless it is upstairs. Jacob Sebens asked what the Board thought about access doors on side streets (but the property would still be on Main Street). Kelly thought it would be too hard to regulate. Randy Carpenter agreed. Lee said he prefers housing on the second floor if the building is facing Main Street, and on the other side of the block/alley (towards 1<sup>st</sup> Avenue East and 1<sup>st</sup> Avenue West), you could allow ground-floor residential access because it would be across from Residential zones. Kelly asked, "So on the east side of the alley you could just buy a lot and build a house?" Lee answered no, it would have to be multi-family, or 2<sup>nd</sup>-story residences. Amy is open to that. Matt asked why make exceptions; just leave it CBD. "Or let's move on to the 2<sup>nd</sup> question of this on higher stories so we can build higher apartment buildings. Our ladder truck can only go to 24 feet. If we require sprinklers, they could go higher," Matt said. Amy asked if the City required sprinklers, who would enforce it is built correctly? Lee replied the State Fire Marshall would. Lee suggested putting a height limit at 42-feet. There was discussion on allowing a 4<sup>th</sup> floor. Matt said if he bought City Hall and had a business on the main level and 2-3 apartments on the next 3 floors – is that too high? No one thought it was too high. He added, "We always get in these meetings and talk about making building more affordable and providing more housing. The State will review and inspect the sprinklers, and then the Fire Department has to preplan how to access the building." The Board agreed that anything above 24-feet will require sprinklers.

Going back to multi-family dwellings on the ground level: Randy Carpenter posed to the Board, "If you had a storefront on Main, and an apartment on the back end, would you allow that?" Lee suggested you could do a minimum depth of commercial, which would allow for parking still. Randy said you could have a smaller commercial. Matt asked if you could have a business that charges for parking. "If you had a parking lot, you could build your building above it (like a parking garage) and that way you have a business on Main Street." Reagan said, "And no façade?" Lee said you could require a façade. There was discussion on a commercial display window taking up 3-4 feet deep, or a business that takes up 20 feet, do we really care as long as it still has the feeling of being in a commercial district, even if it is a parking garage behind that façade? "If you're going to put parking on the ground floor downtown, it has to have a commercial façade," Lee said. He recommended a minimum depth, allowing for parking in back, a building that could go up 3 more stories, which may include apartments, the parking and entrance being on the alley. Reagan asked if this would be the right place to have a tree pit size requirement in the zoning. Lee said that would be in the design & construction standards.

The Board is good with the changes and then moving forward with a final hearing and forwarding this draft chapter on to the City Council.

### NEW BUSINESS

#### A. Discussion Regarding Chapter 13 – Highway-Commercial District (HCD)

Lee Nellis explained some of the same questions were posed to the Board as were in the CBD chapter presentation: 1) Dwellings allowed? This creates more parking, more traffic, sometimes uses are not as compatible as they are downtown.

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Lee would prefer to leave the higher building limits downtown and this will make a stronger downtown by keeping that tolerance in CBD and not allowing it in HCD. This one has more auto-dependent uses with allowing auto parts stores, drive-throughs, etc.

Reagan Hooton said the permitted uses she was thinking of are like a contractor's office, or trade type shop with storage/wholesale in the back. Lee said he envisioned it being more commercial, less industrial. Reagan approved of that idea. She also questioned signs – Lee recommended keeping regulations easy for now. Crystal Turner explained that the Montana Department of Transportation (DOT) regulates Main Street and MT Hwy 2 by the rodeo grounds. Lee asked, "Off of that, like Railway, what would we do?" Reagan wanted to make sure the language of "lighting from signs not facing residences" remains in the chapter. Lee said if you imagine a drive-thru restaurant, for example near where the RV park/market are now, you could orient the speaker and the signage to face the road rather than the neighboring residences. (Internet got really grainy and computerized, and Susan Swimley dropped off at 7:38PM.)

Kelly Smith asked what the Board felt about any residences in HCD? Jacob Sebena said it would be nice so that a businesses could save themselves some investment costs by adding an apartment upstairs. He does not see harm in allowing them. Reagan Hooton said she is thinking of the purple/pink area behind City Hall, roughly half block, and also where the batch plant is located, what would the downside be to allowing daycares here – cars and kids? Lee said yes. Amy Laban said she does not have a problem with a daycare center in HCD. Kelly Smith agreed. Amy said, "A daycare here would most likely be a larger one, not a small mom/pop style."

Kelly asked what Lee meant in the drafted language in 11-14-5.D with just "RV" noted. Lee replied, "Well, I thought we were prohibiting RV parks." Kelly replied that it is not documented as prohibited in other chapters, other than in the SIC code table. D in Prohibited Uses (because this section is labeled 5, but so is Dimensional Standards and Performance Standards, so the numbering needs to be fixed) should both be removed. E New Dwellings will also be removed based on the Board's above comments/discussion.

Reagan asked what type of outdoor storage Lee envisions, "Like a junk yard?" Lee said if the Board wants more aggressive screening along the street for specific businesses, he could make outdoor storage a conditional use, and the Board could require screening in any way it wishes to. Amy agreed with making outdoor storage a conditional use. Everyone agreed. Lee is also to add outdoor sales and outdoor storage as conditional uses.

Amy brought the conversation back to building height. "Lee had a good argument that it promotes that lifestyle downtown. I feel allowing higher building heights downtown would be good. It is still a central enough part of town that, with sprinklers, I don't think it would detract from Main Street alone." There was discussion if you look at the piece next to the Family Dollar, that the Board saw at the last meeting. Matt said, "You could put commercial on the main floor and residential upstairs." Randy Carpenter asked if it should be a conditional use. Matt argued that it is still close enough to downtown that you could walk to it." There was discussion on parking needs. Matt proposed changing the buffer requirement to only when it butts up to

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residential. Reagan asked if four stories is a limit in HCD too. Amy and Jacob think they should be. Kelly said she can go with it. Matt said he feels pressured. "When I drive into town, in a city it gets bigger if you go downtown." Kelly suggested three stories max then. Amy said she understands what Matt is saying and would support max three stories in HCD, with sprinklers. Matt tossed out that if the property borders residential, should the Board taper the height down? So three [stories] max, but only two [stories] if the property borders Residential. The Board agreed.

Reagan asked about the hours of operation listed in 11-14-5.A-1, "A bar can be open that early?" Lee said he was really talking more about eating/drinking places, "So a bar could come in for CUP and you negotiate out then." There was discussion on operating hours because if properties were adjacent to Residential. If one does not meet 11-14-5.A-1 through -3, they would need to apply for a CUP.

Kelly had one more question in SIC Code list. "Do we want to allow a dry cleaner in town?" she asked the Board. This could also be a uniform service company or a dry cleaner. Lee said the City allows a lot of other things in the Industrial District, so he feels this type of business would be the same as other allowed impacts. The Board agreed.

### **B. Illustrations Presentation**

Randy Carpenter and Lee Nellis went through the illustrations briefly on the screen. Due to the late hour of this meeting, Lee suggested taking a copy home of these, and review and talk about them at the next meeting. Randy and Lee have done as much as they can to fine tune the drawings, and want to make sure the Board can understand them.

**NEXT CHAPTER(S) TO COME TO THE BOARD: in April.** The Board agreed to hold the next meeting on the 16<sup>th</sup> of April. These items will be heard:

- A. Illustrations
- B. Chapter 9 – Enforcement
- C. Chapter 19 – PUD
- D. Chapter 20 – Access
- E. Chapter 22 – Dangerous Buildings
- F. Chapter 24 – Compatibility
- G. Chapter 27 – Temporary Uses

Matt Jones asked if there were any public comments. Rick Orizotti said he is a little confused by 11-14-5 under the HCD chapter and asked, "What did you guys decide on RV? Will that be deleted and included in another part of the ordinance?" Kelly Smith answered the Board has recommended they be prohibited from now on, but the existing RV Parks are grandfathered in. Lee Nellis said the RV prohibition is listed in the SIC table.

Reagan Hooton moved to adjourn. Jacob Sebena seconded the motion. Motion passed unanimously. The meeting was adjourned at 8:15 PM.