

## ZONING AND PLANNING BOARD MEETING MINUTES

**April 16, 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, Niki Griffis, Rachael Tollison, and Amy Laban. City Planner Randy Carpenter 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 seven 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: There were no public in attendance at City Hall; Rick Orizotti, and Scott Hazelton (joined at 6:44PM) attended via Zoom.

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

### CONSENT AGENDA

#### Approval of the 3/12/2026 Meeting Minutes

Rachael Tollison moved to approve the 3/12 meeting minutes. Amy Laban seconded the motion.

**Motion Passed Unanimously.**

### PUBLIC HEARINGS

There were no public hearings.

### OLD BUSINESS

#### A. Discussion Regarding Chapter 13 – “Downtown Business District (DBD)” Formerly CBD

Kelly Smith explained the name could be changed if the Board wished. Crystal Turner shared her screen of the hand-drawn zoning map. Kelly explained that the sections outlined in pink highlighter were still open for discussion on whether or not to make them “Central Business” or leave as currently designated. The Board discussed and agreed it made sense, when they get to the public hearing and notification process, to make these areas designated as “Neighborhood Business District”.

Next, the Board discussed changing the name of this designation and agreed upon “Downtown Business District” (DBD) (blue on map in packet) for what is currently called Central Business, because it is focused on the downtown area of Three Forks; and likewise “Neighborhood Business District” (NBD) (green on map in packet) for what currently called Neighborhood Highway.

Lee Nellis reported he made changes based upon the Board’s comments at the last meeting. “After reviewing Randy’s and Kelly’s notes, you all agreed to allow the Downtown Business District to go to three stories high, with sprinklers required above two stories.” Matt Jones, Amy

## ZONING AND PLANNING BOARD MEETING MINUTES

Laban and Kelly Smith all recalled the Board allowing up to four stories. Lee asked if there were other questions or issues with this draft from the Board.

Reagan Hooton questioned 11-13.7.5, "Does that mean it is prohibited to have a motor home dealership?" Lee answered, "Yes, in this district, but would be allowed in other (districts)."

Kelly Smith moved to move Chapter 13 onto the City Council at the next meeting. Amy Laban seconded the motion. There was no public comment. **Motion Passed Unanimously.**

### **B. Discussion Regarding Chapter 14 – "Neighborhood Business District (NBD)" or "Business District (BD)" Formerly HCD**

Lee explained, "This chapter originally was just along Railway Avenue and the highway, but based on Matt Jones' and Kelly Smith's comments and the Board's consensus to include the east part of town, and I like that we now allow housing mixed in, which I think is a good thing." He asked if there was anything else the Board wanted to edit or include? Jacob Sebena said 11-14-3.H it specifically says housing is allowed on the 2<sup>nd</sup> and 3<sup>rd</sup> floor, and nothing on 4<sup>th</sup> floor. This district the Board agreed 3 stories maximum for this district, yet this chapter still reflects only two stories. Lee will update.

Kelly Smith moved to put Chapter 14 "Neighborhood Business District" to the public hearing at the next meeting to go onto the City Council. Rachael Tollison seconded the motion. There was no public comment. **Motion Passed Unanimously.**

### **C. Illustrations for Clarification in Chapters**

Chairman Jones said he is understanding this will be moved to May's meeting.

(Rick Orizotti signed off of Zoom.)

## **NEW BUSINESS**

### **A. Discussion Regarding Chapter 9 – Enforcement (5 pages)**

Lee said this is an important chapter as this is how we ensure whatever is required to be completed gets completed. "This chapter says a developer is responsible for this cost, but provides an exception, for example if the development to the southeast goes in as anticipated and needs an additional transmission line for the water system, this language allows you to negotiate crediting impact fees or have the ability to be edited if it does not serve just them but serves the City. This lets the City do business with people to overbuild facilities for future growth or correct deficiencies, as the case may be," Lee explained. He continued, "Warranty time would be required, and continuing maintenance for improvements that stay in private ownership. Then we get into violations and procedures of how to address violations."

Reagan Hooton questioned 11-9-4.B, where it states about the City participating in the cost of improvements, "Should *prudent* be more specific?" Lee said it could be better defined if someone has a suggestion, or removed entirely. "The goal is to correct deficiencies, or to make improvements for future needs," Lee said. Reagan said she is new so does not really know anything, but it was not clear to her. Lee said anyone reading this it would be new to them, so he

## ZONING AND PLANNING BOARD MEETING MINUTES

appreciated feedback. Rachael Tollison agreed either option beside *prudent* that Lee read aloud, could be better. Niki Griffis said, "If it corrects deficiencies, that means it should go back onto the contractor, right?" Lee replied, "No, not exactly because it could mean deficiencies in the City's mains; like growth is anticipated further down from whatever development, so we split the cost with the developer to make it larger while it is already dug up. For example, there are wastewater mains we need to be bigger, if someone had to connect to that, we wouldn't want them to size it to just fit their development, but to fit the City's overall needs."

Kelly Smith moved to ready Chapter 9 – Enforcement to a public hearing at the next meeting and then onto the City Council. Amy Laban seconded the motion. There was no public comment.

**Motion Passed Unanimously.**

### **B. Discussion Regarding Chapter 19 – PUD (1 page)**

Lee explained this chapter as cleaning up previously approved Planned Unit Developments.

"When I worked in Great Falls, they had spent hours trying to find previously approved developments, and so this just cleans up those agreements and helps everyone find them so you can amend them when/if needed," Lee explained.

Amy Laban asked, "Moving forward, if there was another PUD would we need to update this chapter?" Crystal replied yes, the ordinance would be updated to include any new. Lee said that there would not be any more PUDs the way the new Zoning Regulations are written. Kelly asked if we should put them in numerical/date order? The Board agreed, so Crystal fixed it and saved the version. Lee said this makes them in alphabetical order as well.

Reagan Hooton moved to have Chapter 19 to public hearing. Jacob Sebena seconded the motion. **Motion Passed Unanimously.**

### **C. Discussion Regarding Chapter 20 – Access (2.5 pages)**

Lee talked about how the Growth Policy says we want to extend the existing grid style and the trail system, and if not possible to extend the existing grid, we could accept a cul-de-sac. The City's Design and Construction Standards describe the specifics about how to build streets. They do so in engineering terms, but there are a couple things that would happen on a regular basis that do not necessarily happen when building one home, like a new driveway. This has a little easier language for a normal build, than the Design Standards have for a major development.

Kelly Smith said the Board should discuss some things in 11-20-6-E, "If you only have a 50-foot wide lot, you could not put a driveway on the street. And then if you have to have 40-foot clearance off an alley. So those two numbers are for the Board to discuss. Reagan asked if this would apply to any new residential or commercial too? Lee said it applies to all, but you could make a distinction between the two if you want to, and keep these numbers for commercial and reduce them for residential. "The desire is that you do not create turning maneuvers that are too close to other turning maneuvers," he said. "The stuff on the highway, the developer would have to work with the Department of Transportation anyway," he added.

## ZONING AND PLANNING BOARD MEETING MINUTES

Niki Griffis asked where these numbers came from, if this is a traffic study or an engineering standard? Lee said no, these numbers are based on his experience. Niki asked what existing driveways are now to the street. Kelly Smith replied this is not the length of the driveway, it is from the street corner. Amy Laban suggested something like *For new driveways, they must be 50 feet from an intersection of any street or must be 40 feet from an intersection of an alley whenever feasible?* Matt Jones questioned if we leave it *as feasible* would everyone just say it isn't feasible for their project? There was discussion about corner lots, and trucks being 22-foot long now, 15-foot parking prohibition from any intersection (which includes an alley for an intersection definition), etc. Lee said maybe the alternative is to eliminate it from the residential requirements, and just have the standard for access for commercial uses, as it will not be that critical for most residential uses.

Reagan Hooton asked about existing trees, or like her hedges. Kelly said the last sentence says existing trees may remain if they are pruned to a single stem at 8-feet above the grade. Reagan said, "So if you didn't have a tree, and you wanted one, you would have to stay away from the sight triangle." Lee said yes.

Kelly asked about fencing and what the Board thought about fencing, "If you allow a transparent fence, like chain link which you can see through, I don't think you should limit its height." Reagan went back to clarify the 8-foot limit on a tree, "Can I only have an 8-foot tree?" Lee said no, just no branches under 8-feet from the ground. He went on with deciduous trees and how that would not be beneficial to that kind of tree. Matt asked if you purchased a corner lot, almost halfway down the triangle would be unusable space. Comments within the triangle; Matt gave an example of a 12-foot tall inflatable snowman put up for the holidays causing the same blockage which is not a structure. Crystal Turner said 32-inches seems low, echinacea grows 36-40". Reagan agreed. Matt brought up the fence he has, the hedge around Reagan's home, the fencing/shielding around the Sacajawea Hotel cottages. There was discussion making lot unbuildable by this standard and whether it needs to be in the chapter at all? Randy Carpenter said it is purely a safety issue. But it's a sight block when you're in a car if something is over 32-inches. Lee suggested *clear vision for drivers shall be maintained on all intersections and driveways* and that way it allows to staff to look at each application, and maybe just leave it as a really loose performance standard. Lee added that the State will enforce what it wants anyway (along the highway). Jacob Sebena asked how enforcement would be handled then, because someone makes a complaint but the issue already exists. Crystal said there is an existing ordinance that addresses the height of trees and shrubs that could be better enforced if the Board wants to rely on those. Matt would like to see it in new subdivisions like in Buttelman Field the southeast proposed development, not on a vacant lot in the existing part of town that is getting built on. Kelly agreed with that as well. Lee will rework the language and bring it back to the Board.

Matt asked what a continuous curb cut is. Lee answered it means there are no existing curbs, so the driveway is the same as the street/pavement edge. Lee gave the example of the Railway Avenue being like this. Kelly asked if "continuous curb cut" should be defined? Lee said, "Yes, this conversation has demonstrated that."

## ZONING AND PLANNING BOARD MEETING MINUTES

### D. Discussion Regarding Chapter 22 – Dangerous Buildings (1 page)

Lee said, “We can’t talk about nuisances because of rules and laws in Montana. If you read the intent [of this chapter], we are trying to look at hazards that affect public safety personnel. There is no intent here to clear ground or deem something as condemned. Hopefully, this is something you won’t have to deal with frequently, but provides a way to deal with properties that are abandoned. If there is a fire, your firefighters are going to deal with it and we don’t want to put them in a hazardous situation.”

Reagan Hooton questioned 11-22-3.G, “Are we saying we are condemning something for a *suspected presence* of a hazard and not a confirmed hazard.” Lee replied, “Well, if you would not state *suspected* without seeing some evidence, like seeing some green viscous fluid draining away from a property and onto the street, you could confirm the hazard.” Reagan said she is also unclear with enforcement, “If we say here is the issue and you need to fix it, and they ignore it, then what?” Lee explained the City would fine them, and each day would constitute a new fine, and eventually have to take them to court if they do not comply. “Hopefully a court would order them to correct it. This gives the City the opportunity to do something if you need to, but hopefully you won’t have to use it. These conditions that I’ve listed here do occur from time to time out there in the world – and sometimes it would be good to haul the owner into court and have them fix something,” Lee said. Amy said she likes the chapter and wants to include it in the Regulations.

Amy Laban moved to move Chapter 22 to a public hearing. Niki Griffis seconded the motion.  
**Motion Passed Unanimously.**

### E. Discussion Regarding Chapter 24 – Compatibility (1 page)

Lee said this is another short chapter, and it would be used at the time of annexation, or at time of building. “This would mainly apply to the property to the southeast of town, but could also apply to the property in Buttelman’s Field. If they are proposing multiple structures, or multiple uses, because there are a dozen ways to address issues, this gives you [the City] the opportunity for discussion. Let’s say a new subdivision is going to be next to an existing business that generates dust, noise, etc. How are you going to mitigate that? Are you going to put up a berm, a fence, landscaping, etc... and the City and the developer work it out.” Lee said.

Reagan Hooton moved Chapter 24 to public hearing. Amy Laban seconded. There were no other comments nor public comment. **Motion Passed Unanimously.**

### F. Discussion Regarding Chapter 28 – Temporary Uses (2 pages)

Lee Nellis explained this chapter is for if someone has some type of event, such as a church revival, music festival, book fair, if it reoccurs or does so on an annual basis, it would need to apply for an obtain a Temporary Use Permit. “Here is the Planning Board’s job: how many people is a lot of people in Three Forks? I chose 40. I also picked 4 days as a reoccurring use. You could amend both of these. You would have to address litter, access, I don’t think anything is that onerous to the applicant, but it gives the City a way to deal with the request. We just need to

## ZONING AND PLANNING BOARD MEETING MINUTES

agree on some numbers.” Matt Jones asked if he had a graduation party with 100 people, he would need to obtain a temporary use permit? Crystal Turner said his graduation party last year was actually used as an example in the staff meeting about this chapter. Lee said if you have 50 people coming to your house, there could be 50 cars and so the neighborhood would be affected. There was discussion on garage sales, graduation parties, etc. Niki Griffis thinks this is overkill, “Where can you even host 400 people in town other than the rodeo grounds?” she asked. Crystal said she is unsure the residential uses are the problem, and possibly they could be exempted. “Sawdust & Steel Brewery held three summer events last year which they used their parking lot as the area to have the larger event, so everyone had to park on the street and the neighboring homes were affected,” she explained. Matt asked if you need to obtain a permit just once? Kelly Smith said she thinks it is to prevent “rodeo weekend” from happening all the time. “Right now, every bar could have a band every weekend and we don’t have a regulation to stop that or set rules,” she said. Matt asked if the City asks the Sacajawea to not have their bands at their wedding venues? Amy Laban asked if these permits cost money? Matt said the Sac is actually closer to residential than the back of the Plaza. He, Amy and Reagan all said they can hear the Sac weddings at their homes, 3 and 4 blocks away. Niki asked if Sawdust & Steel’s events have had complaints? Kelly said no. Niki asked if the City gets complaints for events at the rodeo grounds? Kelly said yes, for closing the street, for the PA system being too loud. Reagan Hooton said, “So if we did this, the brewery would need to apply for every event they want, the Sac for their weddings. And six weeks ahead of time?” Amy said this is a draft and the Board can change it. Reagan asked what if they think 40 people are coming and 100 show up, what then? How do you verify adherence? Matt suggested a nominal fee because it will take time to administer, but raise the number for the total number of people. Niki asked if events at the rodeo grounds would have to adhere to this. Crystal said no, the Rodeo Board has set rules for how to utilize that space and they have to apply for, which could be denied based on not addressing neighborhood issues. “They have rules for times, and PA systems being turned off, etc.” she said. There was a discussion about whether or not the Sac has a cutoff time for their events. Kelly answered that if they do, it is not set by the City. Crystal suggested they probably have their own rule to respect their other guests in the hotel. Lee interjected that the Sac could apply for a permit for all the weddings in the season on one permit and address how they will manage each issue. He also gave an example of a farmer’s market in the park, which Crystal said events held in parks would not be under this ordinance as there is already an ordinance addresses the City’s property of parks and how they are rented. Lee asked if he should add rodeo grounds to the exempt parks? Kelly said yes.

Kelly asked what numbers are the Board members thinking about for 11-28-3.A for instance? Crystal asked if it is for a use outside of their normal business, or just anything *for which a zoning permit is not required* which is what 11-28-1 states? Lee said he can address expansion of the use. He asked if he was hearing increasing the total number of visitors to any event to 100. Matt doesn’t care either way. Reagan thinks it should be more than 40. Matt asked if the Methodist Church would need to get a temporary use permit if they rent their facility to his business to hold a Trailer Sales of America conference (just as an example)? According to this as written, yes, they would. Matt asked if it could only be for events held outside? Reagan said parking is still the issue right? “If it is an outdoor event that affects the neighborhood, you get a permit. If it’s a

## ZONING AND PLANNING BOARD MEETING MINUTES

commercial business you can only have so many people in your business anyway, right?" Matt asked. Lee read 11-28-3.E, F and G aloud. Rachael Tollison said the issue is still the number of people. Reagan said that she believes it should be more than 40 people. Matt asked if it should be in the Downtown Business and Neighborhood Business District? Yes, so Kelly suggested just removing the Downtown Business District from this requirement. Lee confirmed making the minimum 100 people rather than 40. The Board discussed 65, 75, 100. Lee said, "You can imagine people having garden parties or grad parties with 75 people. Most will be inside a building and not use outdoor space." Amy said 75 people would bother neighbors. Matt asked if he held a meeting longer than 4 days and 75 people, he would not have to obtain a permit? Amy laughed and asked if he would be hosting a Burning Man event?" All laughed. If it is longer than 4 days, you would have to get a zoning permit and be in a district that allows a place of assembly. Lee said he will clarify this chapter, including if it is over 4 days it would have to be an allowed use.

Chapters 20 and 28 to come back to the board next month for more discussion.

Reagan asked how people will know they will need to get a permit for these things? Crystal said when there are new regulations, we typically have an educational period. We could post things in the newspaper and ask the editor to write stories on all these changes. Matt said, "For the most part, the City would need to notify the businesses right away for these upcoming changes."

**NEXT CHAPTER(S) TO COME TO THE BOARD: in May.** The Board agreed to hold the next meeting on the 21<sup>st</sup> of May. 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.