

ZONING AND PLANNING BOARD MEETING MINUTES

January 29, 2025, Zoning & Planning Board meeting was called to order at 6:01PM in the “Montana Room” of the Library at 607 S. Main Street, Three Forks, MT.

Members Kelly Smith, Reagan Hooton, Racheal Tollison, Jacob Sebena, Matt Jones, and Amy Laban were present. Niki Griffis was excused. No one attended via Zoom. City Planner Randy Carpenter and Lee Nellis (consultant for Impact Fees and Zoning/Subdivision Regulation rewrite) were present. (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 members, and the meeting was held. The minutes were completed by City Clerk Crystal Turner.

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

Public Present: Mike Stenberg, and Andy Willet.

PUBLIC COMMENT (items not on the agenda): There was none.

CONSENT AGENDA

There was no Consent Agenda.

PUBLIC HEARINGS

There were no Public Hearings.

NEW BUSINESS

A. Discussion on Landscaping Ordinance

Lee Nellis explained the PowerPoint slide show (which was organized by chapter order). He posed a few questions for the Board to answer in order to finalize the draft which included screening requirements or not for loading areas, mechanical equipment, manufacturing operations, materials/handling/storage, solid waste, and other utilities. He showed a nice example of screening a dumpster which was built right into the building. The Board felt that screening could be dense evergreen hedges as well as a wall or fencing. Randy Carpenter provided an example of the RV Park’s fencing which was requested by the neighbors. Jacob Sebena felt that screening should be required for noise reduction, and that noise needed to be addressed. There were comments that to address the neighbor’s concerns, the Board previously required a fence, and trees planted between the Work/Live development and the agricultural activities next door.

Then the discussion turned to landscaping materials. Amy Laban felt that instead of xeriscaping as a requirement, the chapter should mention that Three Forks has a high-water table, and many people have sand point wells for irrigation. An explanation of what a sand point well is should be included as well. Randy suggested language such as, “Irrigate with your own well, but if using city water to utilize plant materials that use less water.” Mike Stenberg agreed that it is not a requirement, but it could be mentioned as a recommendation. Randy recommended not doing requirements that add 8-feet of rock or gravel, because that reduces livable space. Lee said that he and Randy are keeping a list of examples that this could be added to. Jacob asked about the proposed requirement to have a sand point well for a shared common area. Lee said he does not think it is unreasonable to request this, unless that land

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does not have as high as a water table and would need to drill a well. Kelly Smith reminded that they cannot drill a cased well. Kelly then mentioned about “native” landscape, and said the language needs to be clear enough to not allow folks to just grow tall vegetation and then call it “natural” because that is what will happen. There are also landscaping standards in the Public Design Standards.

Lee asked how the Board felt about “open buffers” and then provided an example on slide #4, as well as “dense buffers”. There was talk about a parking lot adjacent to another parking lot and whether that could be considered a buffer or not. The Board felt this would be good. There was some discussion regarding distances of buffers for various use types. When the picture on slide #9 came up and the parking lot to parking lot came up again, Matt Jones said, “The board just thought parking lots next to each other was a good idea, but now you are talking about headlights coming in and shining from this commercial business into what could be residential in the next lot. Maybe we should require a headlight screen, so it doesn’t shine into people’s houses.” There was discussion regarding varying buffers from one type of zoning to another. Mike Stenberg offered that a 20-foot setback on Industrial eats up a lot of backyard space in Residential. Lee asked the Board if these proposed numbers made sense. Lee suggested the Board think about the situations that might exist, or the situations that already exist in Three Forks, do these numbers make sense? Mike asked if roads would count as buffers. Lee said the way this is written no roads will not count but boulevards could be. “Counting road will just introduce another variable because then you have to know how wide a road is,” Lee said. Reagan Hooton asked about “open space being covered by small shrubs and trees” and ensured that meant it cannot just be lawn. Reagan noted that in 11-?-15 it states in Public Ways “inches” and should be “feet”.

Amy said she personally cannot stand mulch and wanted to be sure that berms would require vegetation and not just be covered in mulch. Lee said yes, he will include that. Lee said he got the feeling on Monday night that if there was a standard on parking for specifics it would help the Board out. The Board agreed. Jacob asked if any site analysis has been done yet on the Kyd Road property. Mike Stenberg answered they have a wetland delineation that has been done, and then that got submitted to the Army Corps of Engineers to determine what are jurisdictional and non jurisdictional wetlands. That helps determine if any can be used as credits on site. There will be a lot of open space on that project because of the terrain. Lee will come up with something similar to the draft Landscaping on the Parking chapter. Randy Carpenter asked how the Board feels about excessively required parking, and is there a maximum required? There were a lot of comments on excessive parking lots, Jacob does not want to see acres of asphalt. Lee said he will start with the existing Parking chapter and then make edits based on these comments and bring it back to the Board.

OLD BUSINESS

A. Discussion on Kyd Road Zoning District, Informed by Discussion of Zoning the Buttelman Parcel

Next, Lee showed some existing residential developments on screen starting with 1930s developments on the east coast. The first one shown was in Greenbelt, Maryland and these units are all accessed via what is essentially an alley. There is no on-street parking, they are all 24-feet wide. “I wanted to show you some options because this town wanted narrow streets, so they had parking in the back,” Lee explained. Jacob and Reagan liked this example.

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Then he shows the Hamlet development. Amy asked how big the lots were. Lee answered they were 4400SF. Most of the Board members said these were too small of a lot if that lot coverage is allowed. Someone said that it was pointless to have stand-alone houses that are that close together. Crystal Turner brought up that in Montana an accessory dwelling unit (ADU) is allowed so asked where that would fit. Lee continued with the example on screen showing the live/work and proximity to the high-density residential of this design. They are crammed in there. Reagan said for affordability, it does seem good but perhaps duplex or triplex, or even row homes.

Then Lee showed Matt's friend's neighborhood in Colorado called the Westminster, "Again these are pretty dense. There is no parking on the street, but they have large houses which hold bigger families, but small open space for all." Randy Carpenter recommended that if anyone had time to drive through Billings to check out Josephine Crossing and then also Annabelle Crossing. Matt said he thought about it, and PB7 he cannot see any restricting and does not want to think later "Oh we forgot this or that". ON a 6,000SF lot at 90% house allowed – that will not equal affordability. A 10,000SF lot with a tiny home on it is more affordable. It's not the land that is expensive, but the house," Matt said. "So, I thought back to myself *what restrictions would take care of that?*" He distributed some calculations Kelly helped him with from Bozeman's Zoning. "Let these zoning districts, whether it be Buttelman's or Kyd Road – let them put on it what they can but based on the lot size. I think the Board needs to come up with a limit on the percentage of what the building can do. Let them come back to us with their design that way," he recommended. Kelly distributed a spreadsheet with various lot sizes and maximum builds. "Regarding parking, we could say no parking on a small road but the larger the road it could allow parking on one side, and if even larger you could park on both sides if the street was really wide. Also regarding every bedroom having a parking space, you could have a driveway that is double car-wide and a two-car garage for a four bedroom house. That would provide you four parking spaces for a four bedroom house. That would help off-street parking, and I would like to see that included," Matt said. Kelly added that if you could build two stories, her spreadsheet explained how that could be affected. Mike Stenberg said you could base it on square footage of the house, not the footprint, like a 40% building maximum. Lee suggested a bulk coverage ratio. Reagan asked what that is, "It's not the same as lot coverage?" Lee said the setbacks could increase to reduce the building size.

There was discussion regarding parking requirements and storage in the Homeowner's Association documents. Lee posed the question to the board regarding duplexes, triplexes, fourplexes – everything he has heard is that the Board would like to make those allowed by right? Kelly added that as long as the conditions that have been consistently applied to each request so far are included in the requirements of the zoning for multifamily, the board is agreeable. Lee felt the lot coverage for multifamily is a little too restrictive. Kelly returned to her spreadsheet to explain.

Kelly wanted to return to one spot per bedroom. "I have a four-bedroom home and can fit four cars in my garage and driveway, and I don't think that is excessive parking so why is one spot per bedroom considered excessive by you and Randy?" she posed to Lee. Randy Carpenter replied that every spot is precious to parking a car, and if you require someone who buys a home that has two kids and a four-bedroom home but the kids are old enough to drive so they only have two cars, seems excessive. Matt disagreed and said he has four bedrooms and five cars, and have four drivers. "Would you want all my cars on the street?" (The group teased and laughed because Matt is the only one who parks in the

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driveway in his family and the rest of them park on the street.) “It is not unreasonable to have four cars in a four-bedroom house,” Matt expressed. Amy said she does not mind cars on the street. Mike Stenberg said that visitors park on the street though when they come over. Matt suggested that the regulations says, “No campers, no boats, no trailers” and that way those would be in the driveways and then the vehicles would be on the street but at least they would be moving regularly. Amy reminded the Board that this development talked about storage units as a buffer to the railroad so perhaps this zoning could offer that or require it.

Amy said, “One thing that you said Monday Lee which caught my attention, did you say your subdivision has a parking lot for those kind of things to park?” Lee said yes, the homeowner’s association manages a parking lot for those purposes.

Lee said he will update the setbacks and include them in this zoning district draft. Randy included that it should offer a variety of choices, like 10,000SF and 6,000SF lots that could allow multifamily and how that would fit.

Andy Willett spoke for a while about his view which includes that he does not like campers, boats, dirty bikes, etc. on the street yet has all those things. “I grew up in Ennis and I spent ten years in Denver as well. Scale is important, floor to area ratio is important. Land use planning is not going to be in the AI world anytime soon. You can’t just put in numbers and spit AI spit it out what you think will work. I live in a small home now, but have a dog, and offsite storage. You conceptually think about a rural mindset, where you have room for all those things, but now moving to a neighborhood you have to think about that. You need to think about the livability and how the residents come and go on a daily basis not a basis of *where is everything parked*. Growing up in Ennis you had big city lots and you could pack everything in them. But that is not necessarily efficient space. There has to be discretion in planning boards and council members. I do represent Kevin Cook, and I also represent other developers that are not nearly as conscientious as these guys. When you think of scale, bulk, floor area ratios, design review can touch on that too. But if you keep all those things in consideration, remember *what do you want to see on a daily basis?*”

Mike Stenberg asked if everyone has seen the development rough draft. Kelly interrupted, “I don’t think you can share that yet since we do not have an application. It may change board members’ opinions.” Matt said he believed Andy summed up his feelings really well. “When we talk about affordability, the smaller the lot with a maximum footprint size, you can make them very affordable if you can only build a house Andy’s size on a 3,000SF lot. It cannot be so packed with big homes that way. The rest of the document made sense to me,” Matt said.

Lee said he intends to update the landscaping chapter as well based on tonight’s earlier comments but asked the Board to continue to think about buffers. The “Southeast Zoning District” will be updated as well based on tonight’s input. He still thinks it is time to schedule a public hearing. He will cover the parking chapter next. He will send the chapter regarding Permits out, then parking, and then take a cluster of chapters to public hearing (possibly in March). Crystal Turner asked about the procedural chapters, like 1-4. Lee said he was not going to send those out yet for a public hearing because Subdivision Regulation chapter will need to be addressed as well. (Crystal wonders if this a separate

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title or a chapter within zoning?) Lee said then he will update the existing Residential chapter, which he does not feel has many issues but does need some updates. Then we will talk about the downtown (Central Business District chapter) and the highway (Neighborhood Highway Business chapter).

The next meeting will be held on February 20th. Rachael said she may be gone. Remember these meetings will be at 6:30PM. Lee will attend via Zoom. Regarding March - Kelly said she will be unavailable during the March meeting. Amy and Rachael will also be unavailable. They discussed changing the week, Jacob requested not a Thursday night. The meeting in March will be on Monday, March 24th.

Randy thanked everyone for their time and input and said this has been a lot of work and to hold two meetings this month is a lot, but the Board has provided a lot of great discussion and recommendations for its community.

Lee informed the Board that the Impact Fees were discussed last night at the Council, but no changes were made based on last night's hearing of what the Zoning and Planning Board heard. It appears the Council will adopt the new schedule of fees in February.

Amy Laban moved to adjourn. Rachael Tollison seconded the motion. Motion passed unanimously. Meeting was adjourned at 8:05PM.