

## ZONING AND PLANNING BOARD MEETING MINUTES

**August 15, 2024**, Zoning & Planning Board meeting was called to order at 7:00PM at City Hall at 206 Main Street, Three Forks, MT 59752.

Members Niki Griffis, Kelly Smith, Racheal Tollison, and Amy Laban were present at City Hall; 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.) Matt Jones and George Chancellor were excused. There was a quorum with the attendance of four members, and the meeting was held. The minutes were completed by City Clerk Crystal Turner after the meeting.

Being that no chair or vice chair was present, Kelly Smith officiated the meeting. She reminded everyone the meeting was being recorded.

Public Present: Tricia Lowerre and Justin Higginbotham were present at City Hall. No public attended via Zoom.

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

### CONSENT AGENDA

#### Minutes from the meeting held on 7/18/2024

Amy Laban moved to approve the July 18<sup>th</sup>, 2024, meeting minutes. Niki Griffis seconded the motion.

**Motion Passed 4:0.**

### NEW BUSINESS

There was no new business.

### PUBLIC HEARINGS

**Public Hearing and Recommendation on a Request by Tricia Lowerre for a Conditional Use Permit for the property located at Block 29, Lots 7 & 8 of Three Forks Original Townsite (Plat D-18) commonly known as 423 S. Main Street to convert a single-family residence into a triplex (3 units) within the Central Business District designation.**

City Planner Randy Carpenter entered his staff report into the record. He noted the square footage was incorrect in his staff report and asked Kelly Smith to correct the record which was 986SF. (Brief interruption and introduction of new Zoning and Planning Board member Jacob Sebena as he arrived at 7:10PM. There are now five Board members present. Randy explained what they were currently doing in the meeting, then continued.) Randy finished reading his staff report including recommending the following conditions:

- 1) The basement apartment must contain at least two ingress and egress windows that meet International Building Code standards. The basement apartment bedroom must contain at least one such window.
- 2) The parking spots must be paved.

**Applicant Presentation:** Justin Higginbotham said the basement windows are already dug out and ready to install egress windows. Tricia Lowerre added that there is already a plan for three egress windows in this unit.

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**Board Discussion/Questions/Motions:** Jacob Sebena asked what square footage the stairs will take up in the basement unit. The applicants did not know the square footage of the staircase off the top of their heads, but guessed it was around 30SF. Jacob continued by asking if there is a developed floor plan. The applicants took turn answering, saying there was already an apartment built in the basement when they purchased this property, so the floor plan will remain the same as is for the main and basement levels. They will not be tearing down any walls. The garage is the one unit which would have construction and just be a studio, or possibly a one-bedroom. Niki Griffis asked if the square footage would change in the garage, and the applicants answered no. Jacob asked about electrical; the applicants replied all electrical has been updated and they have an electrician coming next week to confirm it is up to code. Tricia Lowerre commented that there is added insulation on the inside of the log structure and then wall on top of that, but most of the house has exposed logs and they will be adding insulation in some areas. Niki Griffis asked about pets, and Amy Laban informed the applicants this Board usually puts a limit on the number of dogs based on units because that the law allows a max of three dogs on one lot. "When there is multi-family we like to put a limit on it because they are still on *one lot*," she explained. Kelly Smith replied that the triplex condos limited it to two dogs per unit but it had a larger lot. Tricia Lowerre asked if the City has a limit on cats? Kelly replied the City does not regulate cats. Kelly also asked the Board if they wanted to require paving and painting the parking spaces like it has previously. Amy was not supportive of this condition. Racheal Tollison was supportive because it encourages people to park correctly. Justin Higginbotham added that the parking would mostly inside the fence. There was clarification on when/if the third unit was complete, then its designated parking spaces would need to be paved and painted.

**There was no public comment, and no applicant rebuttal.**

Kelly Smith moved to approve the conditional use permit for Tricia Lowerre for 423 South Main Street with the following conditions: 1) all statements made in the application are made conditions of the approval, 2) two dogs per unit maximum, 3) the basement apartment must contain at least two ingress and egress windows that meet International Building Code standards and the basement apartment bedroom must contain at least one such window, 4) parking spots must be paved and they must be demarcated. Amy Laban seconded the motion.

**Motion Passed 4:1, Jacob Sebena opposed.**

### OLD BUSINESS

There was no old business on the agenda, but Randy Carpenter asked if there was any applications yet. Kelly replied no. Randy said Wally Ziegler (Code Enforcement and Office Assistant) has been doing parking surveys at different times of the days on different days of the week. This is for the downtown area, we will be presenting this information at the next meeting. "What we are finding is that aside from Rodeo weekend, there is 60% of the parking spaces on Main Street available during these survey times. So there is a lot of vacant parking on Main Street. One reason we are doing this study is that that the City requires a lot of off-street parking which can make it challenging to develop downtown. And this is at a time when we are saying we don't have enough housing, which could be developed downtown. I realize we can say one thing but Main Street is a state highway and the State's signs say that there is no parking during 2-6AM," Randy explained. "This will be discussed so possibly we can reduce the required number of parking spaces," he added.

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Randy said Lee Nellis will also attend the September meeting and go over the Impact Fee analysis and breakdown and how growth increases demands on some services. Randy used tonight's approval of a single-family home being converted into a 3-unit in one, "That creates an impact on the existing infrastructure and services. When new development creates an impact on the existing services, a municipality can charge an impact fee for that impact," Randy explained.

Kelly Smith reported to the Board that the Landgaard CUP heard and recommended last month by this Board that, "The City Council approved it but did add one more condition which was paving the alley from the exit of the units to W. Elm Street."

So, next meeting's agenda will included:

- Parking survey results and discussion
- 1-mile extra-territorial discussion (requested discussion by City Attorney Susan Swimley)
- Impact Fee discussion with Lee Nellis

Amy Laban moved to adjourn. Niki Griffis seconded the motion.

**Motion Passed Unanimously** and the meeting adjourned at 8:41PM.