

ZONING AND PLANNING BOARD MEETING MINUTES

January 27, 2025, Zoning & Planning Board meeting was called to order at 6:30PM in the “Montana Room” of the Library at 607 S. Main Street, Three Forks, MT.

Members Kelly Smith, Reagan Hooton, Racheal Tollison, Jacob Sebens, Matt Jones, Amy Laban and Niki Griffis were present. 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, Kevin Cook, Andy Willet and Tori Cook.

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

CONSENT AGENDA

Approval of the 11/21/2024 and 12/12/2024 Meeting Minutes

Kelly Smith noted both sets of minutes state that seven members were present, and for both only six were present. Amy Laban moved to approve the both sets of meetings as to the corrections of those in attendance. Racheal Tollison seconded the motion. Motion Passed Unanimously.

PUBLIC HEARINGS

There were no Public Hearings.

NEW BUSINESS

A. Discussion and Decision Regarding Changing Meeting Time

Kelly Smith said this discussion started last meeting, but it was not on the agenda. Matt Jones said he would like to see it move earlier in the evening. Niki Griffis said it would be difficult for her to make earlier in the summer, the winters may be ok but she would prefer to keep it at 7. Amy Laban said she was good with 6:30PM. Crystal Turner said this means the bylaws will need to be amended as well, then adopted via resolution by the Council.

Reagan Hooton moved to move the meetings to 6:30PM. Matt Jones seconded the motion. Motion passed unanimously.

OLD BUSINESS

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

1. North West Zoning District Used to Understand Performance Approaches

Lee Nellis thanked the Board for having him. There has been a lot of discussion leading up to this point, and he has made changes to the draft of the Kyd Road Zoning District, and addressed some questions raised by staff. The best way to address some of the questions, in his opinion, was to show how we deal with another parcel of land and show the contrast. “So I drafted up the Northwest Zoning District chapter. This ground is relatively flat. A 3% slope would be ideal, flat land is not good to shedding water. This property would extend the same grid style pattern and then fade from the road, and I have drafted it to extend the existing setbacks of the

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Residential District to this district as well. The point is to demonstrate we thought about it for specific zoning district, but I will not recommend that the Board act on this draft though," Lee said.

Lee said it was relayed to him that there are some rights the Board wished to extend, like duplex by right if the conditions are met. "Every time you grant a waiver, or an exception, you lose credibility," he said.

Is the Board ready to schedule a public hearing? Kelly Smith said she is still hung up on the name because the Impact Fee Ordinance calls it the "Southeast Residential" area and this is called the Kyd Road Zoning District. There are no other zoning districts named by street or vicinity, they are "Residential", "Commercial", "Industrial", etc. Lee said he will change the name. Kelly continued, "Also, 11-22-2 regarding the boundaries and it says "shown on its official zoning map." Is that once it's annexed?" Kelly asked. Lee replied yes.

Kevin Cook asked where the Buttelman property is, and various people explained it to him. Kelly Smith told Lee and to Kevin that the Buttelman property is already in the city's limits and will not need to be annexed. Reagan Hooton asked if this document is what would be presented as a first public hearing. Lee said yes. Crystal Turner commented the format bothers her, as it does not mirror the remaining Titles and Chapters of the City Code. She did not have any comments regarding the content though. Lee explained he likes the Q&A style format as it helps the public understand the code better. Amy Laban said she was OK with moving forward with a public meeting. Jacobo Sebena said he believed the Board has had useful discussion so far, and thinks the public's input would be good to add now. Mike Stenberg asked if alleys had made it into this zoning district. Lee said no, alleys will not be in this District. Matt Jones said, "I don't like it. I don't like the no alleys. We talked a lot about alleys and you brought us a draft of Buttelman that we have never even talked about. If you want to go to a hearing, fine I will not stop that. I have been to enough city meetings that it will be the same people in this room. We had a lot of discussion, you weren't there Lee but it was in the minutes – about referencing other earlier chapters like landscaping, but we have not even seen those chapters yet." Amy Laban echoed frustration that this felt like the same meeting the Board already had last month. Reagan Hooton asked what other blanks besides landscaping is this chapter referencing that are not created? Lee said there are infrastructure, street lights, trees, connection to the trail that are referenced in other documents which do not exist yet as chapters. Kelly Smith replied to Reagan that home businesses if they would or would not be allowed, off street parking, and signs are chapter not yet written. Randy Carpenter asked to Matt, "On moving forward with the Southeast Residential Zoning District are these the hold ups: 1) without having these other chapters done, and 2) is the content of this zoning district still unclear to you?" Matt responded that he believed the Board talked about slowing down, finishing those other chapters and then revisiting this district. They agreed to start with the other chapters on the upcoming Wednesday night meeting scheduled.

Lee facilitated a discussion regarding this being a new concept for the Board. The other districts are so defined that it is hard to grasp or envision what it looked like. Lee continued

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that the Growth Policy states “extending existing grid style” which makes sense for land that works in that capacity, like the Buttelman land. However, he added it is also good to provide some consumer choice.

Matt said his #1 concern is parking. “In the grid, you tend to find parking on the street because a developer is selling land and it is easier to sell land to building houses than parking lots. But at what point do you need to require a parking lot when lots are small and roads are narrow? If it were duplexes or fourplexes, or an apartment building, is there a number that would trigger requiring a parking lot?” Matt asked. Lee explained a variety of way one could utilize the alley to park if alleys are required. The ultimate goal is to declutter the streets though. Niki Griffis thinks this is getting away from the details of the zoning district. Mike Stenberg explained about developing land so that it includes a driveway, which often provides at least two parking spaces, and an attached garage would provide another two parking spaces. Randy Carpenter said he may not have relayed the Board’s comments the best to Lee. Reagan stated she did not think our streets are crowded. Matt disagreed and thinks they are overcrowded. Niki said she does not prefer narrow streets. Kevin Cook said he envisions 36-38-foot wide streets and 2-car garages for this subdivision. It is more expensive to build roads, so he does want to provide good parking on each lot. Reagan offered “provide adequate parking” in the text of the regulation. That prompted what “adequate” is as it would need to be defined. Amy said once a plan comes to the Board though, it should show where all the parking will be. “Can the Board then say *we find this adequate, or excessive* at that point?” she asked. Lee said yes. Kelly questioned that in performance-based zoning not all applications would come to the Board, “I thought staff was going to be able to decide some of this as you explained previously in other meetings.” Lee said a subdivision application will still come before the Board. Reagan suggested putting that in the regulations: adequate parking, not excessive, shall be provided. Lee said it is typically agreed upon in the Development Agreement. Reagan asked what happens if someone buys a lot and want to do it differently than in the development agreement? Lee said they would then need to apply for a variance. They would have to demonstrate a hardship, not a monetary hardship, in order for the Board to approve a variance. Then he provided a few examples of variance types. Matt said if he is the only one with issues regarding parking, he does not want to hold it up and suggested the conversation move on. He asked for a motion to take this chapter to a public hearing. Jacob said he would prefer covering the landscaping chapter on Wednesday, and then deciding on that motion. Kelly said, “From working at City Hall, the #1 complaint we get is regarding parking.”

Lee asked the Board’s thoughts on lot size. There was discussion about bumping up density, or allow for smaller lots again, like 7,500SF. Lee suggested even 6,000SF, which equates to roughly 7 lots per acre. Crystal added that with each allowable ADU that would get the density to match what the Growth Policy says (which is 10-15 dwelling units/acre). Lee said you have to factor less the streets’ width, but it would be close. Matt added that the Southeast Zoning does not address lot size either, nor maximum lot coverage (getting back to the text of this district). Lee explained there are lots of ways to accomplish his goals, but that is why Lee does not like numbers specifically in the code. There was discussion regarding buffers between residential and commercial in this district as well. Randy Carpenter recommended all check out

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Josephine Crossing in Billings if you get there (he ended up emailing a link to it to the Board the next day), as it is a good example of the things the Board likes.

Kelly printed copies of the draft Landscaping chapter and distributed them to anyone who wished to take a copy home.

Amy Laban moved to adjourn. Matt Jones seconded the motion. Motion passed unanimously. Meeting was adjourned at 8:33PM.

The next meeting will held here in the Library on Wednesday, January 29, 2025, at 6PM.

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