

ZONING AND PLANNING BOARD MEETING MINUTES

July 18, 2024, Zoning & Planning Board meeting was called to order at 7:01PM at City Hall at 206 Main Street, Three Forks, MT 59752.

Chairman George Chancellor, Members Niki Griffis, Kelly Smith, Racheal Tollison, Matt Jones and Amy Laban; City Planner Randy Carpenter were present at City Hall. No one 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.) There was a quorum with the attendance of five members, and the meeting was held. The minutes were completed by City Clerk Crystal Turner after the meeting.

Public Present: Ken Landgaard was present at City Hall. No one attended via Zoom.

Chairman Chancellor reminded everyone the meeting was being recorded.

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 5/16/2024 and 6/20/2024

Kelly Smith said she corrected the May minutes that were emailed out as Crystal has put “Niki Elmore” and Kelly corrected the final copy to be “Niki Griffis”.

Kelly Smith moved to approve both the May 16th and June 20th, 2024, meeting minutes. Niki Griffis seconded the motion.

Motion Passed Unanimously.

NEW BUSINESS

There was no new business.

PUBLIC HEARINGS

(See Old Business)

OLD BUSINESS

(Continued from 5/16/2024) Public Hearing and Recommendation on a Request by Ken Landgaard with Christopher Trent and Charles Trent for a Conditional Use Permit for the property located at Block 28, Lots 3, 4, 5 & 6 of Three Forks Original Townsite (Plat D-18) that will be known as 410 S. Main Street. Said request is for approval to build 2 buildings, each containing 4 residential units within the Central Business District designation.

City Planner Randy Carpenter recapped his staff report (as the Board is familiar since they heard this application in May originally) and entered it into the record. It appears the sketches requested by the Board to be edited are in order. The primary concern was in relation to the vehicles and traffic pattern. The City Engineer has reviewed the newer plans, it should be signed and stamped by a P.E., the turning movements looked okay and they went on to talk about the fire truck-design vehicle for that circulation will not match trucks used in the United States. Randy added, “We have spoken with the Fire Chief who said they would not run a truck into the lot, they would park on the street in the event the building came down on the truck.” They also talked about turning movements and an ambulance may have difficulty turning around so they recommend the two parking spaces are removed or pull through the development leaving via the alley. Randy

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recommends approval and noted the following recommended conditions: 1) the site plan should be stamped by an engineer, 2) the half-oval island shown near the westernmost building should be removed.

Applicant Presentation: Ken Landgaard said he has no issue removing the green space in condition #2, and he forgot to have the engineer sign and stamp it.

Board Discussion/Questions/Motions: Amy Laban how many SF in each unit – Mr. Landgaard replied around 800. Kelly Smith asked if the units that do not have garage doors, they only have storage space. Mr. Landgaard said yes. Amy clarified that some units do not have garage doors, or do not have parking? “I was thinking 800 square feet is small, totally doable, but you are going to need some sort of storage,” Amy said. She asked if there is enough parking without people having to park within their garage? Randy Carpenter said no, “Those parking spaces outside the garage have to be counted towards this project.” Amy asked how many parking spaces are there without the garages? Kelly replied there are nine. Randy said, “There needs to be 12, and there are 5 in garages and 9 outside of garages.” Mr. Landgaard said the long garages will be large enough for two cars or storage and one car. Kelly asked what the timeframe would be on having these complete. Mr. Landgaard said if approved in August, close in September, maybe break ground in spring but if the weather is good we hope to break ground this fall. “We hope to have it all done by June of next year,” he said.

Kelly Smith said on other projects like this we’ve limited the number of dogs. George agreed and explained to the applicant that due to the city ordinance limiting the number of dogs on each city lot, the Board has conditioned a maximum number of dogs on a multi-family property. Mr. Landgaard said he did not think they would be renting to folks and allowing dogs but, “This is Montana and everyone loves to have a dog it seems.” Amy Laban questioned then if Mr. Landgaard was intending to maintain ownership of all the units then. He said yes. Niki Griffis asked if the City had any Air Bnb limitations they should consider as well? Kelly replied that it is zoned Central Business District so Air Bnb would be allowed per the Zoning. There was discussion regarding how many dogs to limit based on the square footage of the lot. Mr. Landgaard was agreeable to limiting the number of dogs to one dog per unit. Racheal Tollison questioned the parking spaces next; Randy Carpenter recommended striking the two spaces that are near the island which is recommended to be removed. George worded it as, “Remove the oval landscaping and strike two [parking] spaces.” Amy offered a thought, “For the units that do not have direct garage access, I’m wondering if we should consider numbering the parking spaces so someone who does not have any option to park in their garage can’t have a designated parking space?” Mr. Landgaard agreed to that condition and will include that in the lease. There was discussion regarding landscaping and trees. (which was covered in the last meeting as well).

There was no public comment, and no applicant rebuttal.

George Chancellor moved to approve the Ken Landgaards application for two buildings on Block 28, Lots 3, 4, 5 and 6, Plat D18 known as 410 S. Main with the following conditions: 1) all statements made and presented in this application are made condition of this approval, 2) one dog per unit, 3) removal of the oval island and strike the two spaces and show in the drawings with all the parking spaces; 4) parking spaces to be designated to each unit and shown on the final site plan, 5) all features are to be designated and shown on the final site plan and should be stamped by a P.E. Amy Laban seconded the motion.

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Motion Passed Unanimously.

Randy Carpenter discussed with the Board regarding the city's extra-territorial authority, if it so chooses to exercise it. "That's the green area outside of city limits that is shown on the future land use map. At the time we left it ambiguous and did not discuss any densities. The consultant who did the growth policy said they can't do an analysis of what appropriate densities would be out there. We have recently had a discussion with the County about an interlocal agreement for that area that could contain a few number of things: any subdivisions out there would be reviewed by this Planning Board and but ultimately it would be the County Commission's decision; this board would make a recommendation to the County. And this can go all the way up to the Statute allows the City to exercise zoning and subdivision regulation authority up to 1-mile. I've had a discussion with Susan [Swimley] which thinks *why do the latter?* If someone is going to zone it, it should be the County with cooperation from us. If you want to zone we are talking about a lot of work – or just hold public hearings and zone it and have a lot of negative public comment which would probably be a disaster because the property owner may say *What? I live in the County and you are going to zone me!?* So what I would like to do in the August Planning Board meeting is come back with the staff memo laying out the various options," Randy said. Kelly said, "That is an option too right, not zone the area?" Randy said yes. Niki Griffis said, "In the long run the County has the final say though and we could put in a bunch of work and still not accept our recommendations?" Randy said yes. Kelly explained this ends up costing the City quite a bit of money anyway though if the City sticks with the 1-mile jurisdiction. She said, "If the application comes before this Board the City still has to advertise and notice the neighbors, and we pay Randy [Carpenter] to do the staff report or Great West to review the major subdivision, and then it goes to the County – who may or may not accept the recommendations – and decides upon it and gets the tax base for the development yet the City would be spending money for the County's job, and that's what I don't like about it." Randy argued at least the City would have some control, influence, input on the ultimate outcomes in that 1-mile area. Randy explained situations that have happened in Livingston and other areas where the County had the development drill wells and install septic tanks and then the City grows and the City makes them abandon those systems and connect to the City which created a lot of disgruntlement. He wants to ensure something like that does not happen in Three Forks, as well as not have development close like that contaminate or infiltrate City systems. "I think it's good for the City to have some influence on what's going on out there, but the flipside is that the City can end up doing all the work," Randy said. He added that he wants the Planning Board to have this discussion, which will probably take a few meetings, and then take the Board's recommendation to the City Council, who will ultimately have the discussion with the County. Kelly Smith asked if there was any update on putting a bunch of wells on a subdivision and the law that may be coming out about that. Randy replied that it was a good question, and there was a ruling in Broadwater County about the rural development shaking up the well/septic process. There was also discussion regarding floodplain control in that area, which the City does not want to administer.

Another issue to discuss at the August meeting will be regarding the beginning stages to updating the Zoning and Subdivision Regulations with Lee Nellis. He would like to have a discussion with what he has ideas on so far and what direction the Board would like to head – this will be on the September agenda.

Amy Laban moved to adjourn. Matt Jones seconded the motion.

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