

## CHAPTER 17 – RESIDENTIAL DISTRICT (RD)

### 11-17-1: PURPOSE:

This zoning district is intended to maintain a safe and healthy living environment of Three Forks' residential neighborhoods while encouraging housing choice and affordability. It does this by allowing a balanced variety of building types and densities within each neighborhood as well as in the entire community, rather than adhering to a uniform pattern of single-family detached dwellings.

### 11-17-2: BOUNDARIES:

The boundaries of the RD are as shown on the Official Zoning Map of the City of Three Forks.

### 11-17-3: PERMITTED USES:

The uses permitted in this zoning district BY-RIGHT and in continuing compliance with THESE REGULATIONS are listed below.

- A. Single-family dwellings, including ADUs, as mandated by §76-2-345, MCA, as amended.
- B. Two (2) and three (3) family dwellings.
- C. CHILDCARE for eight (8) or fewer children with valid, current state licenses.
- D. ACCESSORY USES, BUILDINGS, AND STRUCTURES that are customary in Three Forks' residential neighborhoods.
- E. The by-right home businesses listed as permitted in Section 11-21-3.
- F. INFRASTRUCTURE that serves the neighborhood and the City.
- G. TEMPORARY USES permitted by Chapter 11-27.

### 11-17-4: CONDITIONAL USES:

The uses permitted in this zoning district upon approval of a CUP, and in continuing compliance with these regulations, are listed below.

- A. Multiple-family dwellings with four or more dwelling units, including apartments, condominiums, live-work units, and townhouses.
- B. The home businesses listed as permitted with a CUP in Section 11-21-4.
- C. BED AND BREAKFAST INNS.
- D. SHORT-TERM RENTALS where the owner is present during the entire duration of the rental period.
- E. GROUP HOMES that are required to be treated as single-family dwellings by state law.
- F. LONG TERM CARE FACILITIES.

G. CHURCHES (SIC 8661 – Religious Organizations).

**11-17-5: DIMENSIONAL STANDARDS**

A. Building Height: The maximum building height in the RD is twenty-four (24) feet to the eaves and thirty-two (32) feet overall.

B. Lot Size:

1. Minimum Lot Size, Three (3) or Fewer: The minimum lot size for three (3) or fewer dwelling units shall be 7,000 SF, except that single-family dwellings on smaller lots may be permitted in new subdivisions, including the re-platting of existing lots, as provided by [Section 11-8-2](#).
2. Minimum Lot Size, Four or More: The minimum lot size, four (4) or more dwelling units shall be a function of the building footprint; the maximum lot coverage established by C, below; the area required for the off-street parking required by Chapter 11-26; the setbacks required by D, below; and the landscaped buffers required by Chapter 11-23. A separate minimum lot size is established for mobile home parks in Section 11-17-10.

C. Lot Coverage: Lot coverage in the RD shall be limited to 40%.

D. Setbacks:

1. Dwelling Setbacks: The minimum setbacks for dwellings shall be: front – fifteen (15) feet, side – five (5) feet, and rear – fifteen (15) feet.
2. Accessory Building and Structure Location: The only accessory buildings and structures permitted in front yards are carports and garages. All other accessory buildings and structures must be in rear or side yards.
3. Accessory Building and Structure Setbacks: There will be no minimum setbacks for accessory buildings or structures of one-hundred-twenty (120) SF or less. Accessory buildings and structures larger than one hundred twenty (120) SF must be set back at least five (5) feet from lot lines, except that garages and carports must be setback at least fifteen (15) feet from the alley or street from which they have access.
4. Landscaped buffers required by Table 11-23-6-1 may fulfill (meaning they are not in addition to) the setback requirements of 1 and 3, above, but where the BUFFER requirement is greater than the SETBACK requirement, the buffer requirement applies.
5. Balconies, bay windows, eaves, and similar extensions of a BUILDING or STRUCTURE that do not rest on the ground (i.e. eaves, cantilevers, second floor decks, etc.) may extend no more than forty (40) inches into a required YARD (setbacks).
6. Required yards may be used for parking, patios, and accessory structures within the setbacks required by 1 and 3 above. Where not paved or otherwise hard surfaced, required yards shall be landscaped in accordance with the landscaping plan if such a plan is required in Section 11-23-2 or consistent with the landscaping of the neighboring lots.

**11-17-6: PERFORMANCE STANDARDS**

- A. General Performance Standards: Development in the RD must, unless specifically exempted, comply with all standards established in Title 11.
- B. Home Businesses please see Chapter 11-21 for the standards for home businesses.
- C. Multi-family Dwellings:
  - 1. Each multi-family dwelling must have a separate water meter except that a single meter may be allowed where an existing building is being converted to multiple units. (See also Section 9-2-3: Water System Rules: Rule 19).
  - 2. Each unit in a multi-family dwelling must have ingress/egress as required by the current edition of the *International Building Code*.
  - 3. The limit on the number of dogs imposed by Section 6-4-3A of this Code is hereby reduced to two dogs for each unit in a multi-family dwelling.
- D. The EXTERIOR MATERIALS used for accessory buildings and structures in the RD must be consistent with the architectural materials used in the neighborhood.

**11-17-7: DWELLINGS FOR RENT:**

The only determination made by the City in issuing a permit for a dwelling that may be offered for rent is that it complied with THESE REGULATIONS at the time the permit was approved. The City has not adopted, and does not enforce, any standards guaranteeing or even implying that a dwelling offered for rent or lease is safe and suitable for occupancy.

**11-17-8: AIRPORT INFLUENCED AREA**

- A. Noise: New dwellings will be permitted in the airport influenced area only with an architect's certificate, supported by accompanying drawings and specifications, that airport noise will be attenuated to a safe level.
- B. Please see also the POGREBA FIELD AIRPORT AFFECTED AREA REGULATION adopted by Gallatin County.

**11-17-9: FACTORY BUILT HOMES (MOBILE AND MANUFACTURED HOMES IN THE RESIDENTIAL ZONING DISTRICT:**

These standards apply to mobile or manufactured homes being placed on a lot as single-family dwelling, as permitted by 11-17-3.A. Please see Section 11-XX-? for the standards applicable in mobile home parks.

- A. A home must bear a plate certifying that it complied with the Manufactured Home Construction and Safety Standards adopted at 24 CFR Part 3280 or the manufacturer's certification that it complied with the International Building Code or International Residential Code at the time it was built.

**Commented [KS1]:** Board to decide: Allow mobile homes on a city lot for affordable housing if they meet conditions below?

**Commented [KS2]:** Board to decide: Should Mobile home parks be allowed in more than residential district?

- B. Home shall have been manufactured no more than ten (10) years before filing the application for a zoning permit for its placement.
- C. Homes shall have all running gear - wheels, axles, and hitches removed.
- D. Homes shall be placed on a foundation that complies with the HUD Permanent Foundations for Manufactured Homes Guide, which may be found at: <https://www.hud.gov/hudclips/guidebooks-4930-3g>, or the IBC.
- E. Home shall be connected to city utilities in accord with this code. Payment of impact fees will be required, as applicable, before connection.
- F. Once a home is attached to a permanent foundation, it must have its tax classification with the State of Montana changed from personal property to real property.

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