

MEMO

TO: Three Forks Planning Board, Staff

FROM: Lee Nellis, FAICP

DATE: January 22, 2025

RE: Zoning for the Buttleman Parcel and Kyd Road

There is a concern that what we know about the intentions of the prospective developers of the Kyd Road parcel is driving the proposed zoning. Randy and I have spoken with them, and are, as we are supposed to be if we're serving the City's interests, aware of their intentions. But there is nothing in the draft KRZD that wouldn't be there if we had just looked at that land without even knowing that a developer owned it. The parcel is riddled with wet soils and actual wetlands. 50 years of training and experience in regulating land development tell me that grid development is inappropriate. The property is also separated from the traditional development pattern of the city by a wide transportation corridor. It offers the opportunity for a more contemporary approach to development in Three Forks.

Rather than continuing to just say that, it finally occurred to us that the best way to show you that we are responding to site conditions, not the particular owners, is to give you a first draft of zoning for the Buttleman parcel where the story is different. That draft is attached.

The Buttleman parcel is not physically separated from the city's traditional grid pattern and is not, at least as far as we know now, as comprehensively affected by wet soils and wetlands. It is the right place to extend the grid and offer a more traditional approach to development. This draft requires that the grid be extended as far as the site conditions (there are wet soils and wetlands) permit. It is also a great place to encourage development at somewhat higher densities, which this draft does.

Our goal is not to dive right into a discussion of the development of the Buttleman property. Our goal is to show you in detail the contrast in how we see the two parcels as a way of moving the KRZD forward. We can then move on to the Buttleman property – which raises different, equally interesting questions - or whatever other area the Board wants to tackle next. Three Forks has a fortunate geography, where it is possible to offer prospective residents the choice between two different kinds of neighborhoods. Your new zoning should facilitate that.

Chapter 11-? - Northwest Residential Zoning District

11-?-1 What is the purpose of this zoning district? The Northwest Residential Zoning District (NRZD) is established to implement Three Fork's growth policy by guiding the development of an amendable new residential neighborhood that:

- continues Three Forks' historic residential development pattern of grid streets, boulevards, and alleys to the extent permitted by the terrain;

Development here should be able to maintain the traditional grid for at least one-half and probably a whole block to a new street parallel with Jefferson. Going on toward the river the grid may have to become irregular. 'To the extent permitted by the terrain' is the best we can say without more information, but this gives clear guidance to whoever develops the Buttleman parcel.

- uses site planning, architectural, and landscape design to achieve compatibility with neighboring uses and within the neighborhood;
- provides on-site infrastructure and improvements in compliance with state and local standards;
- contributes to off-site infrastructure in fair proportion to the demand it creates;
- relies on low-impact stormwater management to the extent feasible given the site's constraints;
- provides adequate, but not excessive parking;
- is child and pedestrian friendly, allowing childcare uses, and providing bicycle and pedestrian access throughout, as well as connecting to the regional trail system; and organizing the neighborhood around focal points , , , ;

The Board liked the idea of focal points in the Kyd Road neighborhood. They're not ordinarily part of a traditional grid. The developer could work some in, but requiring them here is probably over the top. But we do need to talk about parks and playgrounds. This zoning district is close to a small existing park. But at full development another park or at least a playground would be desirable.

- offers a variety of housing choices; and
- addresses the need for housing affordable to the people who make Three Forks work, for example city employees, schoolteachers, and hospitality workers.

Density is important here. The proximity to downtown makes this an ideal place to build more affordable housing. We think a relatively high neighborhood density is appropriate.

11-?-2 What are the boundaries of this zoning district? The boundaries of the NRZD are as shown on the Official Zoning Map of the City of Three Forks.

11-?-3 What uses are permitted in the NRZD?

- A. Dwellings at a minimum density of 7.5 dwelling units per buildable acre and a maximum of 12 dwelling units per buildable acre, in any building form that complies with the standards of this chapter, except that development of the half-block (the lots between Jefferson and a new alley) facing Jefferson shall be limited to single and two-family dwellings;

This allows a minimal increase in density along Jefferson. Is it necessary to limit it that much?

- B. childcare with valid state licenses and in continuing compliance with the applicable state regulations and these regulations;
- C. home businesses in continuing compliance with Chapter 11-? – Home Businesses of these regulations;
- D. customary accessory uses and structures, including accessory dwelling units as mandated by state law, and off-street parking in continuing compliance with these regulations;
- E. infrastructure, including but not limited to neighborhood parks and utilities, that serves the neighborhood; and
- F. signs, as permitted by Chapter 11-?.

Dimensional Standards

11-?-5 Is there a maximum building height in the NRZD? The maximum building height is 24 feet to the eaves and 32 feet overall.

11-?-6 Are there other dimensional standards in the NRZD? Yes. Development in the NRZD is subject to the dimensional standards of Table 11-?-6.1.

The draft table accompanies this draft as a separate file. It is designed to allow a little higher density (duplexes) along Jefferson by right, but following essentially the same standards that apply to the existing properties across the street, then to allow density to increase on the other side of the new alley that parallels Jefferson.

Performance Standards

11-?-7 Is compatibility with adjoining uses required? Yes.

- A. The potentially adverse impacts of adjoining land uses must be effectively mitigated.

The application for annexation and subdivision shall identify all adjoining land uses (existing and future, as allowed by the current zoning) that may adversely affect development in the NRZD. Proposed mitigation measures may include site planning (the arrangement of lots, streets, parking areas, open spaces, and buildings or building envelopes); landscaped buffers; berms, fences, or walls; and architectural features. Other mitigation measures proposed by the applicant may be found to be effective by the city.

- B. The potentially adverse impacts of development in the NRZD on adjoining land uses (existing and future, as allowed by the current zoning) must also be effectively mitigated using any of the measures listed A., above.
- C. Approved mitigation measures are required improvements subject to continuing maintenance requirements.

11-?-7 Is land use compatibility within the NRZD required? Yes.

- A. The application for annexation and subdivision shall show how site planning, landscaping, and architectural design minimize potential land use conflict within the NRZD.
- B. Potential land use conflict within the NRZD may be mitigated by conditions of approval that restrict operating and/or delivery hours.
- C. Potential land use conflict within the NRZD may be mitigated by conditions of approval that restrict potential nuisances including blowing dust or litter, glare, noise, odor, smoke, and/or vibration.
- D. Where it is not possible to continue the grid pattern of development due to site constraints, the application for annexation and subdivision shall propose a table of dimensional standards that are consistent with the proposed site plan and can be adopted for use by the city in the future regulation of building additions and accessory structures.

11-?-8 Must a safe, complete, and efficient system of circulation be provided in the NRZD? Yes. The application for annexation and subdivision must show how safe, effective access via driving, bicycling, and walking will be provided throughout the NRZD.

11-?-9 Must adequate parking be provided in the NRZD? Yes.

- A. The application for annexation and subdivision shall show how parking demand in the NRZD will be fulfilled in continuing compliance with city ordinances.

This language from the KRZD is just here as a placeholder. It is reasonable for the City to wait and evaluate what is proposed over there where the developer needs more design flexibility. Here, where the City is requiring the grid to the extent feasible, we need to talk about parking, and particularly about how parking interacts with street design and alleys. There are choices: wider streets where on-street parking is

permitted, narrower streets with the assumption that parking will be provided off the alleys, shared parking off-street or off-alley parking areas where smaller lots are permitted, and variations on each of those themes.

- B. Too much pavement generates unnecessary stormwater runoff, increases the costs of cooling nearby buildings, and detracts from the pedestrian-friendly character called for in the NRZD neighborhood. A reasonable estimate of parking demand should be met, as required by A, above. but the city will not approve an application for annexation and subdivision that proposes excessive parking.
- C. There shall be safe pedestrian circulation within large off-street parking areas.
- D. Large off-street parking areas shall be broken up by landscaping and effectively buffered by their location on the site, landscaped buffers, or screening.
- E. Parking area landscaping should be integrated with stormwater management on the site as required by 11-?-12.

11-22-10 Must development in the NRZD be pedestrian-friendly? Yes.

- A. There shall be a direct pedestrian connection, ordinarily a sidewalk, between the sidewalk and the main entrance of every principal building.
- B. The application for annexation and subdivision must show how the project will be connected to the regional trail system.
- C. If permitted in response to site conditions, culs-de-sac shall have a bicycle/pedestrian connection wherever that enables a shorter travel time for bicyclists and pedestrians to other parts of the neighborhood.

11-22-11 Must other on-site infrastructure be provided in the NRZD? Yes. The application for annexation and subdivision shall show how water, wastewater, and private utilities will be provided throughout the NRZD in compliance with state, local, and utility standards.

11-22-12 Is effective stormwater management (SWM) required in the NRZD? Yes.

- A. The application for annexation and subdivision shall show how stormwater management (SWM) will be provided throughout the NRZD in compliance with state and local standards, using low-impact techniques, as feasible.
- B. The application for annexation and subdivision shall show how stormwater management (SWM) is designed to be an asset in the proposed neighborhood. Filter strips, swales, grassed waterways and other channels, stormwater ponds, and other erosion and runoff control works shall be integrated with landscaped buffers, parking area landscaping, and other vegetated areas.

11-22-13 Must development in the NRZD contribute to the provision of off-site infrastructure? Yes. Development in the NRZD must pay impact fees as required by city

ordinance.

11-22-14 Are certain elements of neighborhood design required in the NRZD?

Street trees and streetlights need not be required here as they are in the KRZD. Those requirements will appear in a chapter that applies throughout the city. We do need to talk about the impact of adding numerous new dwellings on the existing park and whether another neighborhood park should be required.

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