



**CITY OF HAMILTON
ZONING UPDATE WORKING GROUP**

**JOINT MEETING OF THE ZONING COMMISSION,
PLANNING BOARD, & ZONING BOARD OF ADJUSTMENT
MONDAY, SEPTEMBER 30, 2024, 5:30 PM
AGENDA**

This meeting will be conducted in a hybrid format including in-person and remote participation through Zoom. Any member of the public who wishes to observe or participate is able to attend and make comments in person, on the Internet or by phone. Detailed instructions on joining and participating via Zoom are available at www.cityofhamilton.net or by contacting mrud@cityofhamilton.net. Meeting will be held at City Hall, 223 South 2nd Street, Hamilton, MT.

- I. Call Meeting to Order**
- II. Public Comment on Non-Agenda Items**
- III. Old Business:**
- IV. New Business:**
 - A. Phase II Zoning Update**
 - **Discuss Proposed Draft Residential Zoning Amendments***
 - **Next Steps for Phase II of Hamilton's Zoning Update**
- V. Approval of Minutes: April 1, 2024 and July 15, 2024***
- VI. Meeting Adjournment**

***Materials Attached**

- Proposed Draft Residential Zoning Amendments
- April 1, 2024 Minutes
- July 15, 2024 Minutes

A quorum of the Hamilton City Council may be present

City of Hamilton, MT

Phase II Zoning Update Proposed Residential District Amendments

1st Draft - September 2024



Phase II Zoning Update Overview

This document outlines the first draft of proposed phase II residential zoning amendments for the City of Hamilton. These amendments look to balance the need for increased housing production while ensuring new development fits the character of Hamilton’s varied neighborhoods. To that end, the proposed amendments would allow for increased residential densities in Hamilton and would also place added requirements on building to address the form and scale of new development. One way this would be achieved is through restructuring existing residential zoning districts as outlined below and on page 2.

Existing Zoning District		Proposed Zoning District
Single-Family Residential (RS)	➡	Traditional Neighborhood (R1)
Multi-Family Residential (RM)	➡	Medium Density Residential (R2)
Residential High Density (RH)	➡	High Density Residential (R3)

Phase II of Hamilton’s zoning update began in the fall of 2023 guided by the following four focus areas:

- 1. Attainable Housing
- 2. Differentiating Between Mature and Developing Areas
- 3. Reevaluating Permitted and Conditional Uses
- 4. Recent State Law Changes

Through a series of neighborhood meetings and zoning update working group meetings these focus areas have been narrowed down to the proposed zoning amendments outlined here. There will be more proposed phase II zoning amendments dealing with commercial zoning, however due to the scope of amendments and based on public interest, this document and September 2024 public meetings are focused on residential zoning.

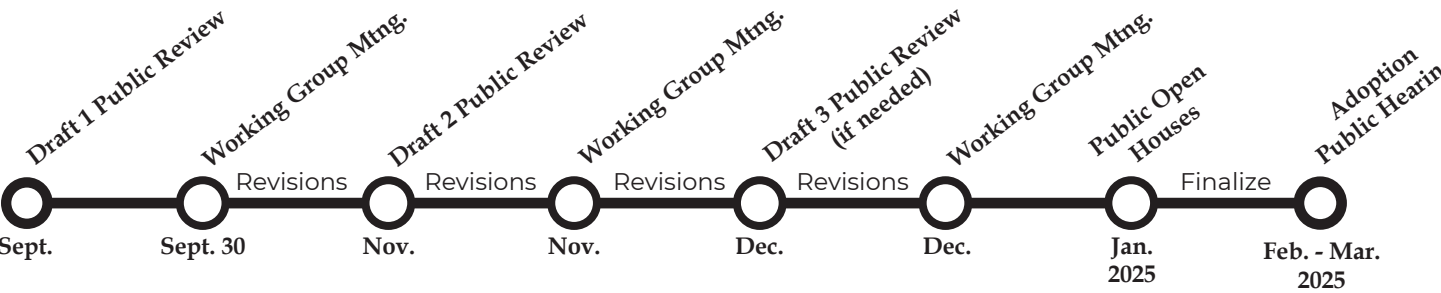
An Iterative Process

The proposed zoning amendments outlined in this document are a first draft intended to be reviewed and scrutinized by the Hamilton community. City planning staff continue to wrestle with questions that require the community to weigh in on. What is an appropriate height limit for accessory dwelling units? Should four story apartment buildings be allowed anywhere? How do we allow for incremental increases in housing while preserving community character? The City’s expectation is that through community conversations and feedback the proposed zoning amendments will be refined and improved to better reflect Hamilton’s values and priorities.









Why is this needed?

Hamilton’s zoning code has not been substantially updated in 20 years. In that time the Bitterroot Valley has grown, community needs have changed, and state laws have been amended. Additionally, Hamilton’s, and Montana’s, acute housing shortage has become an ever-present concern coupled with residents’ desire to preserve what we love about Hamilton. In response to these factors, and with direction from the City’s Comprehensive Plan, the whole of Hamilton’s zoning code and zoning map are being reviewed for updates. The approach has and will continue to be incremental, with updates occurring in phases.









Phase II Zoning Update Schedule



CURRENT ZONING CODE allows for...

	Single fam. Home 	Duplex 	Fourplex 	Sixplex 	Eightplex 	Cottage Court 	Community Residential < 8 people 	Day-Care Homes 
RS	Allowed	Allowed as a Conditional Use	Not Allowed	Not Allowed	Not Allowed	Not Allowed	Allowed as a Conditional Use	Allowed as a Conditional Use
RM	Allowed	Allowed	Allowed	Allowed as a Conditional Use	Allowed as a Conditional Use	Not Allowed	Not Allowed	Not Allowed
RH	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	Not Allowed	Not Allowed

PROPOSED 1ST DRAFT ZONING CODE WOULD allow for...

	Single fam. Home 	Duplex 	Fourplex 	Sixplex 	Eightplex 	Cottage Court 	Community Residential < 8 people 	Day-Care Homes 
R1	Allowed	Allowed	Allowed	Not Allowed	Not Allowed	4 Units or Fewer	Allowed	Allowed
R2	Allowed	Allowed	Allowed	Allowed	Not Allowed	6 Units or Fewer	Allowed	Allowed
R3	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed	Allowed

R-1: Traditional Neighborhood District

Proposed New District, 1st Draft - September 2024

Intent

The R-1 district is intended to be a walkable residential neighborhood, with blocks, alleys, and within walking distance of retail & services. The R-1 district accommodates a variety of low-intensity housing options including detached single-family homes, multi-family dwellings up to four units, and accessory dwelling units. The R-1 district is intended for areas of infill on Hamilton’s west side as well as developing areas intended to replicate patterns of traditional neighborhood development.

Uses

Permitted Uses

- | | |
|---|----------------------|
| Single-family dwellings | Short-term rentals |
| Multi-family dwellings, 2-4 units | Accessory buildings |
| Cottage courts (4 units or fewer)* | Manufactured housing |
| Accessory dwelling units* | Day-care homes* |
| Community residential facilities ≤ 8 residents* | Home occupations |

Conditional Uses

- Churches
- Community Centers

*See page 20 for definition

Lot Standards

Minimum Lot Area **A**

- | | |
|----------------|---------------|
| 1-2 dwellings | 4,200 SF |
| 3-4 dwellings | 2,000 SF/unit |
| All other uses | 4,200 SF |

Min. Lot Width **B**

- | | |
|----------------|-----|
| 1-2 dwellings | 30' |
| 3-4 dwellings | 50' |
| All other uses | 30' |

Max. Lot Coverage

40%



Building Standards

Minimum Building Setbacks

Front Yard

C

3 & 4 unit bldgs.	10'
Front facing garages	10' behind front of main bldg.
All other bldgs.	20'

Side yard

D

1 - 1.5 story bldgs.	5'
2 - 2.5 story bldgs.	
Duplexes	5'
All other bldgs.	10'
Corner lots	10' along non-frontage street

Rear yard

E

Main bldg.	20'
Accessory bldgs.	5'

Encroachments

F

Porches, bay windows, stairs, roof eaves and the like may encroach into setbacks, as outlined below. Encroachments shall not encroach closer than 2' to any property line.

Front	5'
Side	3'
Rear	10'

Maximum Building Height

G

Main Building

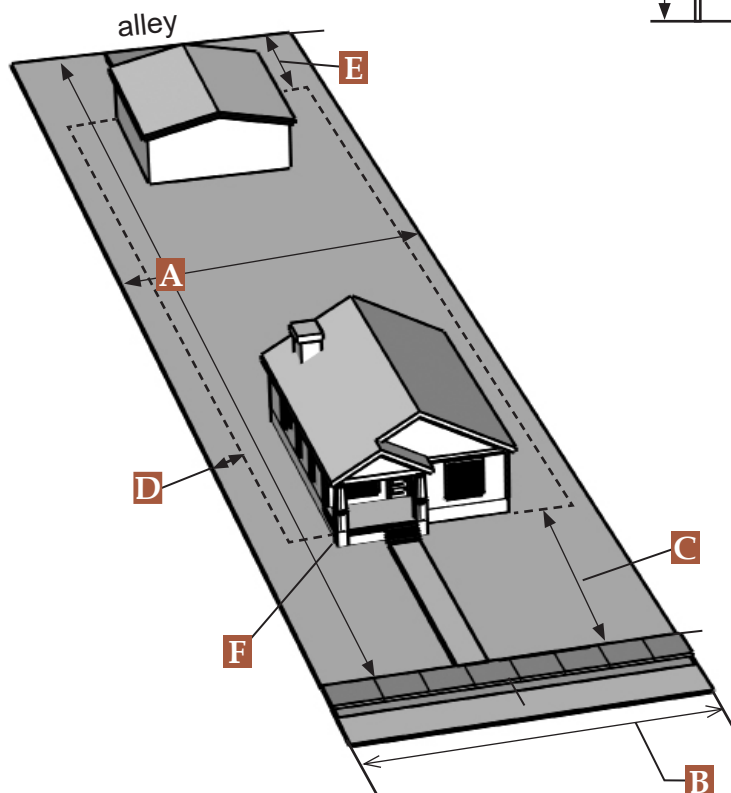
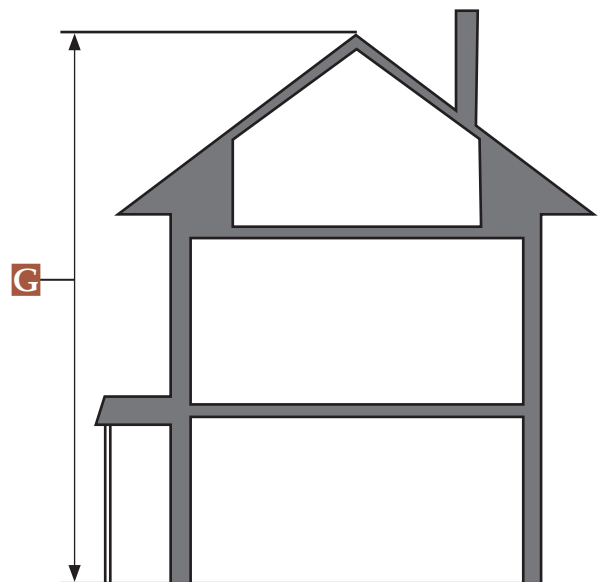
2.5 stories / 30'

Accessory Building

Accessory dwelling unit	No higher than main dwelling
All other accessory bldgs.	2 stories / 20'

Chimney's & antennas

5' above highest roofline



R-1: Traditional Neighborhood District

Proposed New District, 1st Draft - September 2024



RS: Single-Family Residential District

Current Zoning District

Intent

The RS district establishes zoning for primarily single-family dwellings on urban lots.

Uses

Permitted Uses

Single-family dwellings	Short-term rentals
Accessory dwelling units	Home occupations
Accessory buildings	Incidental uses

Conditional Uses

Multi-family dwellings, 2 units	Group day care homes
Foster care	Libraries
Community residential facilities ≤ 12 residents	Parks & open space
Day care centers & preschools	Playgrounds & recreation
Day care homes	Schools

Lot Standards

Minimum Lot Area

All uses	4,200 SF
----------	----------

Minimum Lot Width

All uses	30'
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Max. Lot Coverage

N/A

Building Standards

Minimum Building Setbacks

Front Yard	15'
Side yard	
All bldgs. & uses	5'
Corner lots	10' along non-frontage street

Rear yard

Main bldg.	20'
Accessory bldg.	5'
Garages opening to alley	10'

Maximum Building Height

Main Building	2.5 stories / 35'
Accessory Building	2 stories / 25'
Churches (CUP)	45'

R-2: Medium Density Residential District

Proposed New District, 1st Draft - September 2024

Intent

The R-2 district is intended to be a walkable residential neighborhood accommodating a variety of low to moderate-intensity housing options including detached single-family homes, duplexes up to six-plexes, and accessory dwelling units. The R-2 is intended for areas that have developed more recently as well as newly developing areas.

Uses

Permitted Uses

Single-family dwellings	Short-term rentals
Multi-family dwellings, 2-6 units	Accessory buildings
Cottage courts (6 units or fewer)*	Manufactured housing
Townhouses	Day-care homes*
Accessory dwelling units*	Home occupations
Community residential facilities ≤ 8 residents*	

Conditional Uses

Churches
Community Centers

*See page 20 for definition

Lot Standards

Minimum Lot Area A

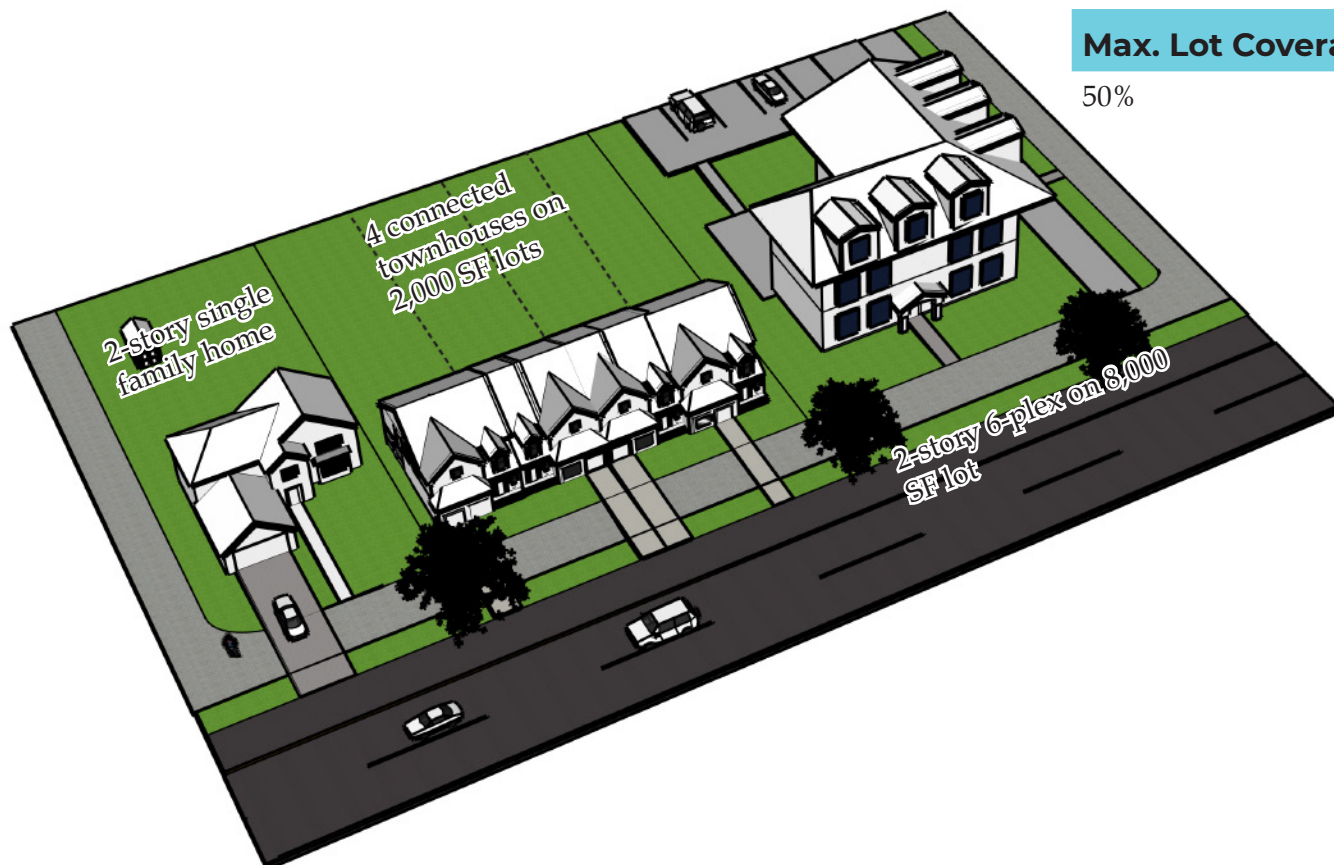
1-2 dwellings	4,000 SF
3-4 dwellings	6,000 SF
5-6 dwellings	8,000 SF
Townhouses	2,000 SF
All other uses	4,000 SF

Min. Lot Width B

1-2 dwellings	30'
3-4 dwellings	50'
5-6 dwellings	60'
Townhouses	20'
All other uses	30'

Max. Lot Coverage

50%



Building Standards

Minimum Building Setbacks

Front Yard

C

3 & 4 unit bldgs.	10'
Townhouses	10'
All other bldgs.	15'

Side yard

D

Townhouse interior walls	0'
All other bldgs.	5'
Corner lots	10' along non-frontage street

Rear yard

E

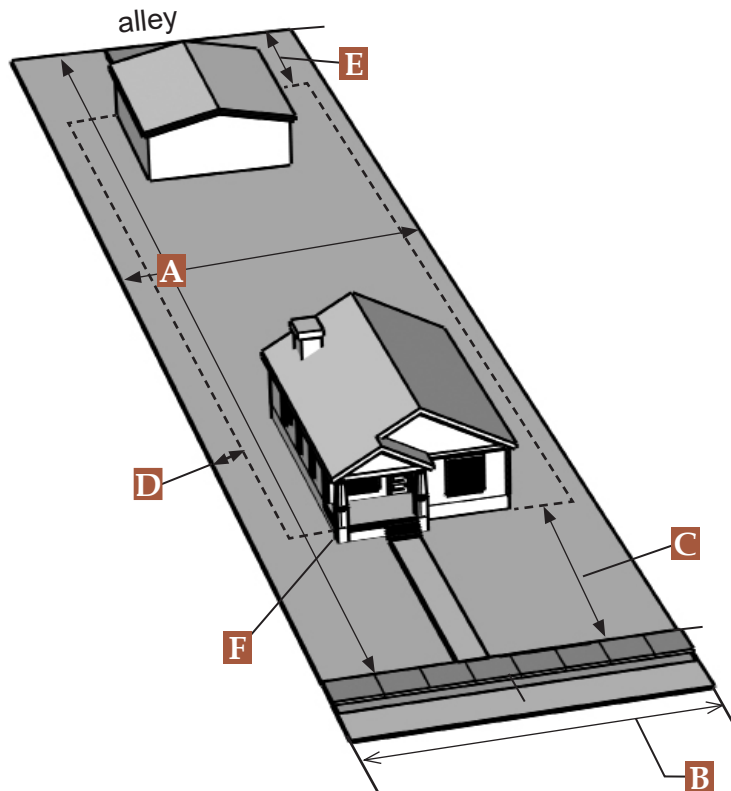
Main bldg.	20'
Accessory bldg.	5'

Encroachments

F

Porches, bay windows, stairs, roof eaves and the like may encroach into setbacks, as outlined below. Encroachments shall not encroach closer than 2' to any property line.

Front	5'
Side	3'
Rear	10'



Maximum Building Height

G

Main Building

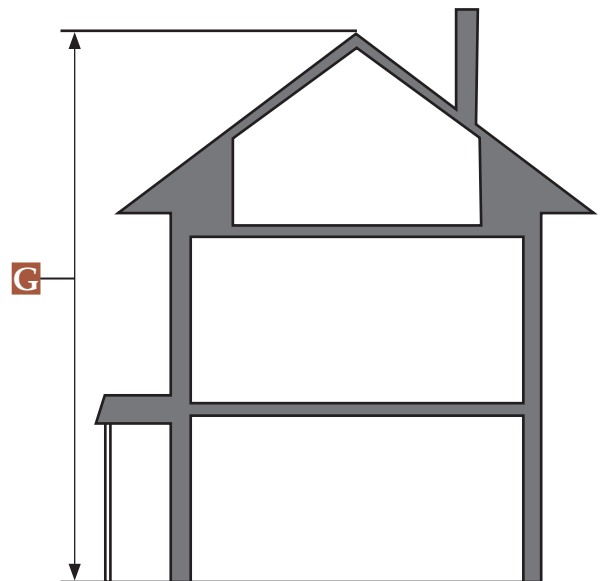
Townhouse	2 stories / 25'
All other bldgs.	2.5 stories / 30'

Accessory Building

Accessory dwelling unit	No higher than main dwelling
All other accessory bldgs.	2 stories / 25'

Chimney's & antennas

5' above highest roofline



R-2: Medium Density Residential District

Proposed New District, 1st Draft - September 2024



RM: Multiple-Family Residential District

Current Zoning District

Intent

The RM district establishes zoning for one to four family dwelling units.

Uses

Permitted Uses

Single-family dwellings	Short-term rentals
Townhouses	Home occupations
Multi-family dwellings, 2-4 units	Incidental uses
Accessory dwelling units	Accessory buildings

Conditional Uses

Multi-family dwellings, 5-8 units	Parks & open space
Boarding and lodging houses	Playgrounds & recreation
Personal & food services in multi-family	Schools
Community centers	Churches > 45'
Libraries	Churches

Lot Standards

Minimum Lot Area

Single home	4,200 SF
Townhouses	4,200 SF
2+ dwellings	2,500 SF/unit
All other uses	8,000 SF

Min. Lot Width

Single home	30'
Townhouses	30'
2 dwellings	50'
3+ dwellings	60'
All other uses	60'

Max. Lot Coverage

N/A

Building Standards

Minimum Building Setbacks

Front Yard	15'
Side yard	
Townhouse interior walls	0'
All other bldgs.	5'
Corner lots	10' along non-frontage street

Rear yard

Main bldg.	20'
Accessory bldg.	5'
Garages opening to alley	10'

Maximum Building Height

Main Building	3 stories / 45'
Accessory Building	2 stories / 25'

R-3: High Density Residential District

Proposed New District, 1st Draft - September 2024

Intent

The R-3 district is intended to provide for higher density housing through a variety of building types including apartments, cottage courts, townhouses, and condominiums.

Minimum Density

The minimum density in the R-3 district shall be 14 dwelling units per acre.

Uses

Permitted Uses

- | | |
|---|------------------------|
| Single-family dwellings | Short-term rentals |
| Multi-family dwellings, 2-6 | Accessory buildings |
| Apartments & apartment bldgs.* | Single room occupancy* |
| Cottage courts* | Manufactured housing |
| Townhouses | Day-care homes* |
| Accessory dwelling units* | Home occupations |
| Community residential facilities ≤ 8 residents* | |

Conditional Uses

- Churches
- Day care centers*
- Community Centers

*See page 20 for definition

Lot Standards

Minimum Lot Area A

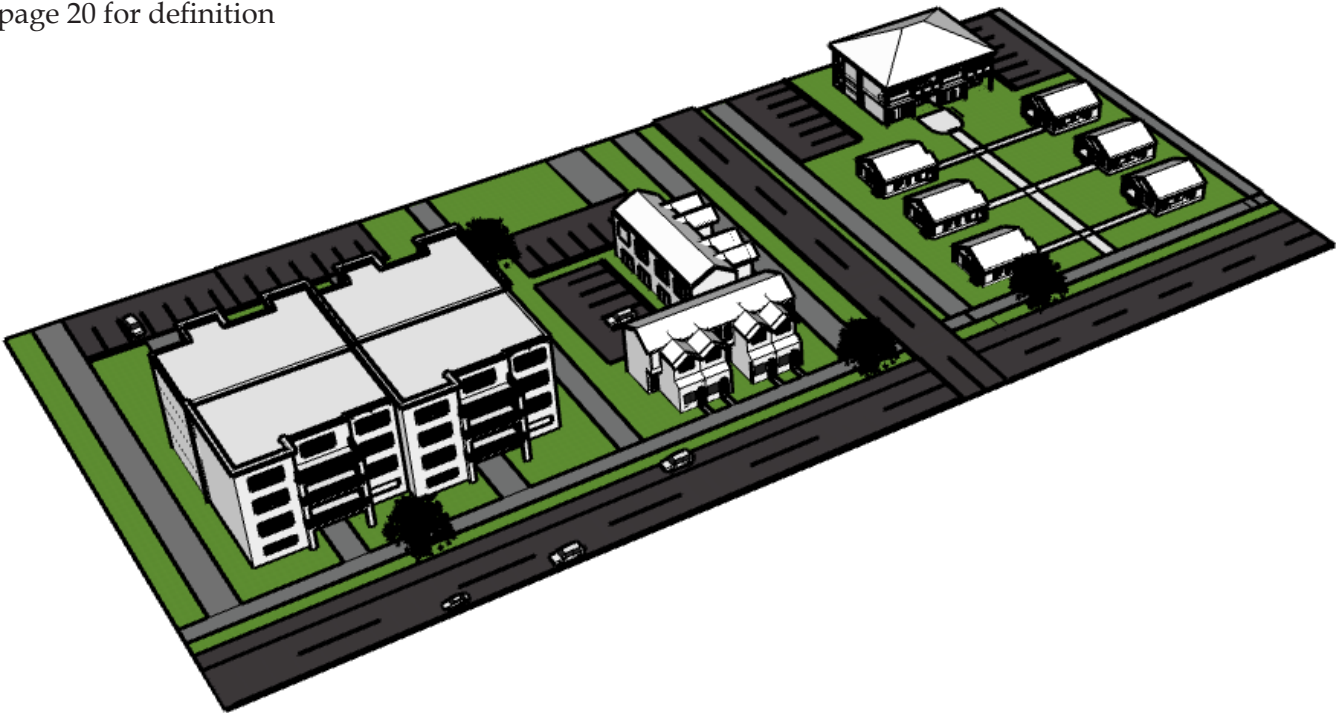
None

Min. Lot Width B

- | | |
|----------------|-----|
| 1-2 dwellings | 30' |
| 3-6 dwellings | 50' |
| Townhouses | 16' |
| All other uses | 60' |

Max. Lot Coverage

70%



Building Standards ¹

Minimum Building Setbacks

Front Yard

C

Townhouses	5'
All other bldgs.	15'

Side yard

D

Townhouse interior walls	0'
All other bldgs.	5'
Corner lots	10' along non-frontage street

Rear yard

E

Main bldg.	15'
Accessory bldg.	5'

Encroachments

F

Porches, bay windows, stairs, roof eaves and the like may encroach into setbacks, as outlined below. Encroachments shall not encroach closer than 2' to any property line.

Front	5'
Side	3'
Rear	10'

¹ Residential buildings with 7 or more units facing public areas are subject to the building and site development standards.

Maximum Building Height

G

Main Building

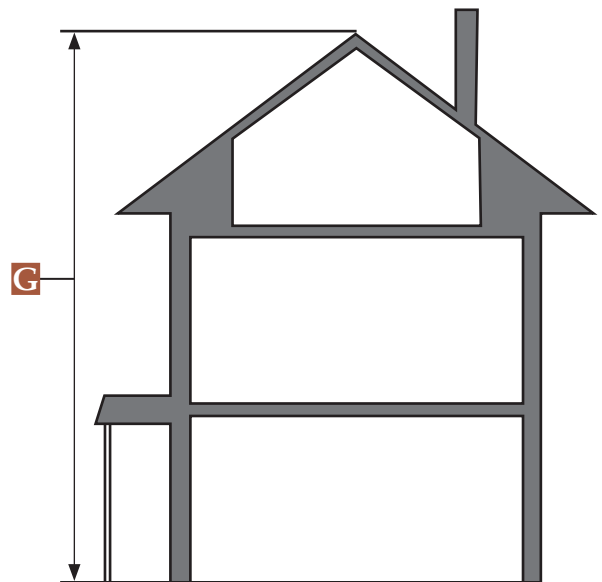
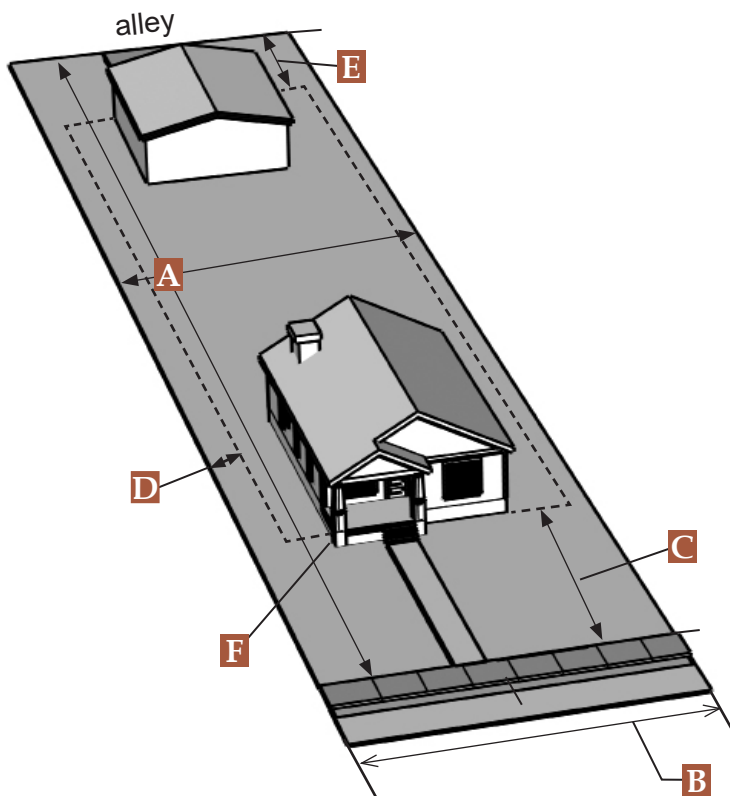
Townhouse	2 stories / 25'
All other bldgs.	4 stories / 60'

Accessory Building

Accessory dwelling unit	No higher than main dwelling
Other accessory bldgs.	2 stories / 25'
Chimney's & antennas	5' above highest roofline

Maximum Building Footprint

Main building(s)	12,000 SF per bldg.
Accessory building(s)	2,000 SF per bldg.



R-3: High Density Residential District

Proposed New District, 1st Draft - September 2024



RH: Residential High Density District

Current Zoning District

Intent

The RH district establishes zoning for multiple-family dwelling units.

Uses

Permitted Uses

Single-family dwellings	Short-term rentals
Multi-family dwellings	Accessory buildings
Townhouses	Home occupations*
Accessory dwelling units	Incidental uses

Conditional Uses

Boarding & lodging houses
Personal & food services in multi-family

Lot Standards

Minimum Lot Area

1-2 dwellings	4,200 SF
3-4 dwellings	2,000 SF/unit
5-8 dwellings	1,200 SF/unit
8+ dwellings	10,000 SF + 1,400 SF/each unit over 8
Townhouses	1,600 SF

Min. Lot Width

1-2 dwellings	30'
Townhouses	20'
All other uses	50'

Max. Lot Coverage

N/A

Building Standards

Minimum Building Setbacks

Front Yard	15'
Side yard	
Townhouse interior walls	0'
All other bldgs.	5'
Corner lots	10' along non-frontage street

Rear yard

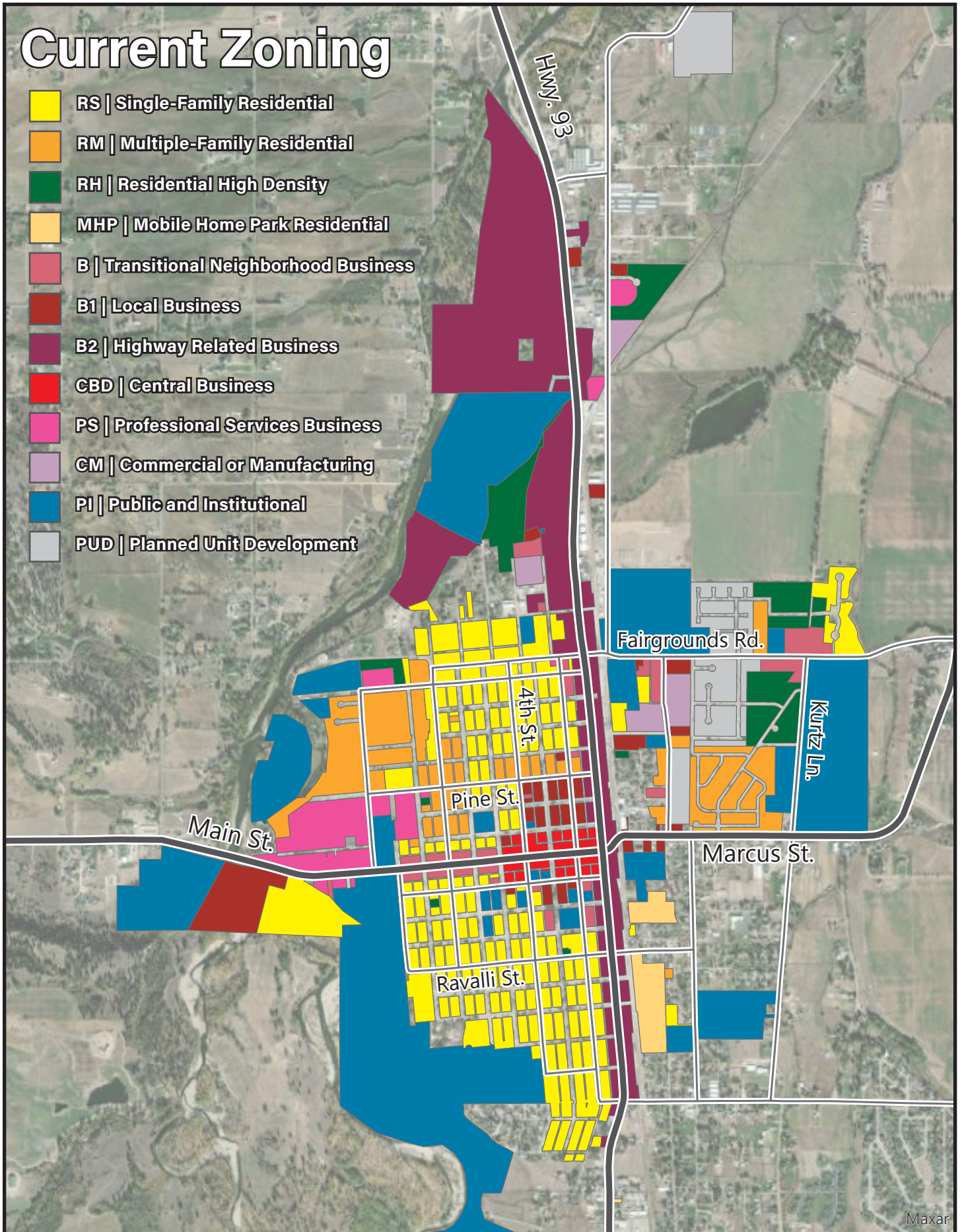
Main bldg.	20'
Accessory bldg.	5'
Garages opening to alley	10'

Maximum Building Height

Main Building	3 stories / 45'
Accessory Building	2 stories / 25'

Current Zoning

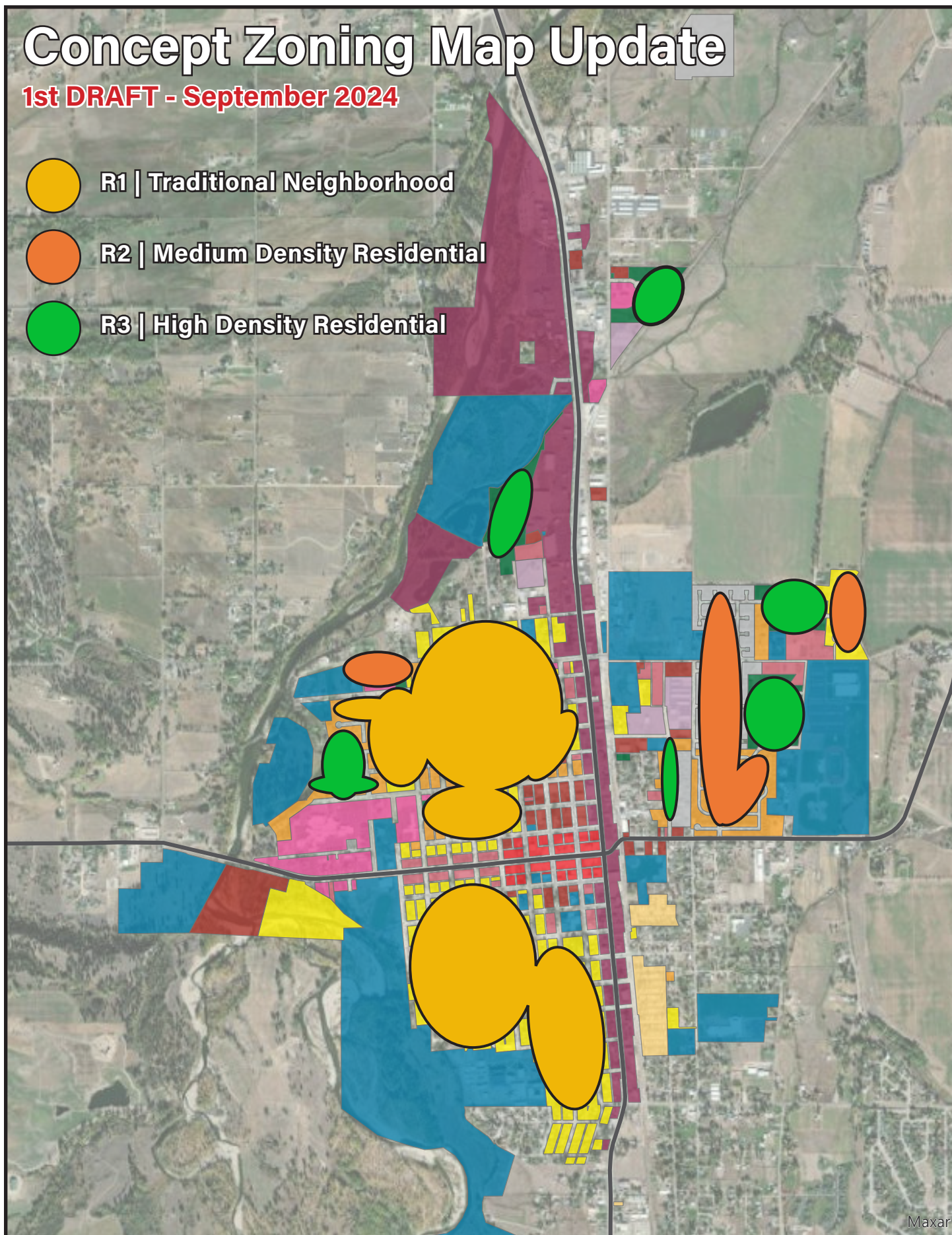
- RS | Single-Family Residential
- RM | Multiple-Family Residential
- RH | Residential High Density
- MHP | Mobile Home Park Residential
- B | Transitional Neighborhood Business
- B1 | Local Business
- B2 | Highway Related Business
- CBD | Central Business
- PS | Professional Services Business
- CM | Commercial or Manufacturing
- PI | Public and Institutional
- PUD | Planned Unit Development



Concept Zoning Map Update

1st DRAFT - September 2024

-  R1 | Traditional Neighborhood
-  R2 | Medium Density Residential
-  R3 | High Density Residential



Building & Site Development Standards

Proposed New Standards, 1st Draft - September 2024

Purpose

The purpose of the building and site development standards is to enhance the character, quality, health, and safety of new and existing neighborhoods by requiring development to meet certain standards for building facades facing public spaces.

Applicability

Building and site development standards apply to building facades of residential buildings with seven or more units and mixed-used residential-commercial buildings that are adjacent to:

1. Public or private streets, OR
2. Public parks or non-motorized paths.

Standards

Minimum Facade Transparency

Building facades shall meet the minimum transparency requirements outlined below. The percentage of transparency per story shall be calculated within the area between finished floor and finished ceiling

1. First story: 30%
2. Upper stories: 20%

Primary Entrance

Where a building is adjacent to a public street, its primary entrance must be located along and directly face the street. Additional building entrances are permitted.

Buildings Adjacent to the R-1 & R-2 Districts

Buildings over two stories tall shall meet the following requirement for each façade adjacent to property zoned R-1 or R-2.

1. Each story over two shall be setback an additional 10-feet per story.

Townhouse Development Standards

Proposed New Standards, 1st Draft - September 2024

Intent

The intent of this section is to allow for a range of home ownership options while also upholding public health, safety, and general welfare for townhouse developments. It is further the intent of this section to facilitate townhouse developments exempt from subdivision review under state law within Hamilton City limits where city infrastructure exists. It is not the intent of this section to facilitate complicated development proposals outside of city limits requiring annexation and extension on city infrastructure. Those developments should be pursued through the subdivision process.

Applicability

Townhouse developments are a permitted use in the R-2, R-3, and B zoning districts. Townhouse developments that convert spaces in buildings from rental to owner occupancy, that do not include the division of land, do not need to conform to this section.

Standards

1. Buildings shall not contain more than four attached townhouse units.
2. All detached townhouse buildings shall be separated by a minimum distance of 10-feet
3. Parking
 - a. Access to parking spaces and garages must be from the alley for all townhouses that abut an alley.
 - b. For townhouses without alley access, driveways, parking and other vehicular use areas may not be located between the covered building entrance and the street.
 - c. Garages and carports that abut a street must be set back at least 25 feet from all townhouse parcel lines on public road frontages, or from the back of curb or sidewalk on private roads.
 - d. There must be a minimum of 35 feet distance between single or paired driveways, unless otherwise approved by the city Director of Public Works.
5. Each townhouse lot shall have legal and physical access.
6. Blocks
 - a. Blocks and streets shall be designed to create a grid pattern to the extent possible.
 - b. Blocks and streets shall be designed to maximize connectivity to adjoining developed lands or connectivity potential to adjoining undeveloped lands.
 - c. Block length shall not exceed 600 feet.
4. Each townhouse must have a separate ground-floor entrance that is clearly defined and highly visible on the building façade that faces a street or a right-of-way other than an alley.
5. Orientation
 - a. Townhouse facades must be oriented to public streets, private roads within a public access easement, or courtyards.
 - b. Within individual townhouse developments fronts of townhouses may not face backs of other townhouses.

Nonconformities

Proposed Updated Regulations, 1st Draft - September 2024

What Are Nonconformities?

In zoning, nonconforming, (aka grandfathered) means a use or building which was allowed when it was built but no longer meets current zoning requirements. They are allowed to legally continue but cannot expand, be moved, or replaced. A local example is Hamilton's west side, where many homes and businesses pre-date current zoning and are considered nonconforming with respect to setbacks, use, off-street parking, or the presence of a particular building type (e.g. mobile homes).

How Are Nonconformities Currently Treated in Zoning?

Hamilton's current zoning takes the stance that all non-conformities are created equal, and they should and will eventually go away. In reality this does not happen, and in many cases it can prevent desired incremental redevelopment and property improvements. Further the uniqueness of Hamilton's downtown and west side neighborhoods is a community asset that many residents wish to preserve rather than require conformity with new development standards. Yet if any of these properties were to expand, redevelop, or be destroyed, they would have to come into compliance with Hamilton zoning, which would result in a development pattern more akin to areas developed in the last 30-years.

What is Being Proposed for Nonconformities?

The proposed zoning amendments would update Hamilton's nonconforming use regulations (chapter 17.32 of the Hamilton Municipal Code) to distinguish between "benign nonconformities" which do not pose a risk to public health, safety, or general welfare and nonconformities which do pose a risk to public health, safety, or general welfare and should eventually go away. Under the proposed amendments the City's zoning administrator would be able to administratively designate "benign nonconformities" and, subject to compliance with City building codes, permit them to:

1. Expand up to 10% of the floor area of the original structure,
2. Be altered, and
3. Be replaced if they are destroyed or removed.

This would remove the requirement for "benign nonconformities" to apply for a variance and go before the City's Zoning Board of Adjustment at a public hearing. However, the zoning administrator's decision in designating benign nonconformities could still be appealed to the Zoning Board of Adjustment.

Example Application

A half-acre lot currently zoned single-family residential with eight mobile homes pre-dating zoning would be considered nonconforming with respect to use. The eight mobile homes can continue to be used but if one were destroyed by a falling tree it could not be replaced.

Recognizing mobile homes as an important piece of Hamilton's supply of naturally occurring affordable housing, the proposed amendments to the City's nonconforming regulations would allow the zoning administrator to determine whether replacement of the mobile home would pose any risk to public health, safety, or general welfare. If it does not, then that mobile home could be replaced so long as the total number of mobile homes on the lot does not exceed eight.

Definitions

Accessory Dwelling Unit	A separate dwelling unit within or attached to a single-family dwelling, a separate dwelling unit that occupies an accessory building located on the same lot as a single-family dwelling, or a detached dwelling unit located on the same lot as a single-family dwelling. Accessory dwelling units shall be permanently located on the ground.
Apartment	A habitable room or suite of two or more habitable rooms, meeting the requirements of the city's adopted International Building Code, located in an apartment building or used for residential purposes in non-residential buildings
Apartment building	A building other than a hotel, motel, townhouse, or rowhouse containing seven or more dwelling units
Community residential facility	A community group home for developmentally, mentally, or severely disabled persons that does not provide skilled or intermediate nursing care; a youth foster home, a kinship foster home, a youth shelter care facility, a transitional living program, or youth group home as defined in MCA 52-2-602; a halfway house operated in accordance with regulations of the department of public health and human services for the rehabilitation of alcoholics or drug dependent persons; a licensed adult foster family care home; or an assisted living facility licensed under MCA 50-5-227.
Cottage court	A development containing a cluster (or clusters) of dwellings on the same lot located around common open space.
Day care home	A private residence or other structure in which day care is provided to 3 to 15 children on a regular basis.
Day care center	An out-of-home place in which day care is provided to 16 or more children on a regular or irregular basis.
Single room occupancy	Attached multifamily residential building with independent sleeping units and shared amenities including cooking facilities, bathrooms, or both; and which are intended for permanent or semi-permanent housing occupancy. They include dormitories and similar housing not associated with a school or institution. Single-room occupancy housing does not include detached units or detached amenity spaces.
Story	The portion of a building included between the surface of any floor and the surface of the next floor above, or if there is no floor above, the space between the surface of any floor and the ceiling above. A basement is not considered a story.
Story, half	The portion of a building between the top floor and a sloping roof, with at least two opposite exterior walls meeting the sloping roof not over three feet above such floor level.



City of Hamilton Planning Dept

223 South 2nd Street, Hamilton, MT 59840

(406) 363-2101

MINUTES OF THE CITY OF HAMILTON ZONING CODE UPDATE WORKING GROUP APRIL 1, 2024

1 Zoning Commission members present: Vivian Yang, Karen Hughes, Nancy Valk, Jessica
2 Randazzo, Jenny West

3
4 Zoning Commission members absent: None.

5
6 Planning Board members present: Dan Harmon, Karen Hughes, Dan Mitchell, Marisa Neyenhuis,
7 Chip Pigman (Zoom), Roger Gantz

8
9 Planning Board members absent: Jeff Burrows

10
11 Zoning Board of Adjustment members present: Drew Blankenbaker, Vivian Yang, Roger Gantz

12
13 Zoning Board of Adjustment members absent: Darwin Ernst, Richard Franklin, Sue Smith

14
15 Also present: Matthew Rohrbach, City Planner; Mark Rud, Assistant Planner

16
17 NOTE FOR THE RECORD: Remote participation platform failed early in the meeting. Mr.
18 Pigman and Ms. West were removed from participation. Remaining record is captured in
19 standalone audio recording.

20
21 I. Planning Board President Dan Mitchell called the joint meeting to order at 5:32 pm.

22
23 II. Public Comments on Non-Agenda Items: None

24
25 III. OLD BUSINESS: None

26
27 IV. NEW BUSINESS:

28 29 **A. Proposed Phase II Action Items**

30 Mr. Rohrbach gave an overview of Phase II's Focus Areas and Common Themes from
31 Neighborhood Kickoff Meetings.

32
33 Mr. Rohrbach reviewed Phase II Draft Actions, including proposed new zoning designations,
34 and changes to nonconforming use and structure regulations.

35
36 Working Group members had discussion on proposed Draft Actions throughout the
37 presentation, including consideration for Crime Prevention Through Environmental Design
38 (CPTED), reforming non-conforming use and structure standards and reducing the need for

39 Variances with historic homes, the reliance on Planned Unit Developments for newer
40 subdivisions, a desire to buffer higher intensity commercial uses from residential
41 neighborhoods, and changes to regulations regarding accessory dwelling units, day-cares and
42 community residential facilities to conform with state law.

43
44 Mr. Rohrbach reviewed next steps and plans for communicating and engaging with the public
45 for Phase II.

- 46
47
48 V. APPROVAL OF MINUTES: January 29, 2024
49 MOTION to approve January 29, 2024 minutes: by Ms. Yang
50 SECOND: by Ms. Neyenhuis
51 No further discussion.
52 VOICE VOTE called by Mr. Mitchell was Unanimous in Favor. Motion CARRIES.
53
54 VI. MOTION to adjourn the meeting: by Ms. Randazzo.
55 SECOND: Ms. Valk.
56 No further discussion.
57 VOICE VOTE called by Mr. Mitchell was Unanimous in Favor. Motion CARRIES.

58
59
60 Meeting adjourned at approximately 7:20pm
61
62
63

64
65 _____
66 Mark Rud
67 Assistant Planner

68
69 _____
70 Vivian Yang
71 Zoning Commission Vice Chair
72 Zoning Board of Adjustment Vice Chair

73
74 _____
75 Dan Mitchell
76 Planning Board Acting President



City of Hamilton Planning Dept

223 South 2nd Street, Hamilton, MT 59840

(406) 363-2101

MINUTES OF THE CITY OF HAMILTON ZONING CODE UPDATE WORKING GROUP July 15, 2024

1 Zoning Commission members present: Alyssa English, Karen Hughes, Jessica Randazzo, Nancy
2 Valk, Jenny West

3
4 Zoning Commission members absent: Jessica Randazzo

5
6 Planning Board members present: Roger Gantz, Dan Harmon, Karen Hughes, Dan Mitchell,
7 Marisa Neyenhuis, Chip Pigman

8
9 Planning Board members absent: Jeff Burrows

10
11 Zoning Board of Adjustment members present: Roger Gantz, Richard Franklin

12
13 Zoning Board of Adjustment members absent: Drew Blankenbaker, Darwin Ernst, Sue Smith,
14 Vivian Yang

15
16 Also present: Matthew Rohrbach, City Planner; Mark Rud, Assistant Planner

17
18 I. Planning Board Vice President Dan Harmon called the joint meeting to order at 5:32 pm.

19
20 II. Public Comments on Non-Agenda Items: None

21
22 III. OLD BUSINESS: None

23
24 IV. NEW BUSINESS:

25 26 **A. Phase II Zoning Update**

27 **• Discuss Public Feedback from Spring Neighborhood Meetings**

28 Mr. Rohrbach reviewed public feedback from the Spring series of 5 meetings, which reviewed
29 the 10 proposed Phase II Action Items. They were sparsely attended compared to the Fall.
30 Discussions were largely focused on and concerned with proposed R1 District zoning,
31 including slight increases in density if paired with form and intensity standards that preserve
32 neighborhood form. Some discussion extended to smaller housing products such as tiny homes
33 and cottage courts, allowing manufactured homes, and single-room occupancy housing.

34 35 **• Review Preliminary Draft Zoning Amendments**

36 Mr. Rohrbach reviewed proposals for residential districts.

R1 is proposed to mirror the traditional neighborhood development of the Westside and be mapped to core residential areas there. It would allow up to 4 dwelling units per parcel, manufactured homes, community residential facilities with 8 or fewer residents, and day-care homes by right as a change to existing RS District standards. Conditional uses would be churches and community centers, the same as for the RS District. Minimum lot area would be 4,200 square feet for 1 or 2 dwellings, and 2,000 square feet per dwelling unit for 3 to 4 units by right; minimum lot width would be 30-feet for 1 to 2 units, and 60-feet for 3-4 units. Front setback would be 20-feet, changed from RS District's current 15-feet – with an additional requirement that a garage be at least 5-feet behind the main façade of the home. Side setback would be 5-feet for 1-1.5 story building, or 10-feet for 2-2.5 stories, where the RS currently only requires 5-feet for any structure. Rear setbacks would repeat those of the RS District. Porches, balconies, bay windows, steps, etc. could encroach into setbacks: 5-feet front, 3-feet side, and 10-feet rear, with no encroachment within 2-feet of a property line. Max height would be 2.5 stories for main building or 35-feet for peak of roof and 25-feet to eave; for accessory building would be 1.5 stories or 20-feet to peak and 15-feet to eave; chimneys may be 5-feet above roof height. R1 maximum lot coverage would be 50%, where the RS currently has not lot coverage requirement. Mr. Rohrbach also asked about potential maximum front setbacks, allowing mobile homes, and additional size or footprint standards for infill development. Group members discussed potential implications of these changes. Mr. Rohrbach said graphics can be drafted to demonstrate some of these impacts.

R2 would allow up single dwellings and up to six dwellings per parcel, townhomes, manufactured homes, etc. Minimum lot area would be 4,000 square feet for 1-2 dwellings, 6,000 square feet for 3-4 dwellings, and 8,000 square feet for 5 or more units. Current RM only allows up to 4plex, with 5-8 units allowed with conditional use permit. Townhomes could be on 1,600 square foot lots. R2 minimum lot width would be 30-feet for 1-2 units, 50-feet for 3-4 units, and 70-feet for 5+ units. Townhomes minimum width would be 20-feet. Standards would also eliminate the frontage requirement to allow courtyard configurations. Setbacks would mirror the existing RM standard, but also allow encroachments as proposed with the R1. Maximum height would mirror the R1 District, where the RM District allows 45-feet or 3 stories – except maximum height of accessory buildings would be measured from peak rather than average of peak and eave, still capped at 25-feet. Group members discussed potential implications of these changes, and suggested some amendments. Mr. Rohrbach showed a draft map of potential areas for R1 and R2 districts.

R3 would require a gross unit density of 10 dwellings per acre. It would not allow a single detached single-family home. It would allow apartments, townhomes, cottage courts, and group living (single-room occupancy housing), day care homes, etc. Conditional uses would be community centers, churches and day care centers (16+ children). Group members discussed potential implications of these changes and suggested amendments and areas for research.

Other items under review are considering building massing and articulation standards, standards for multiple buildings on one lot such a cottage courts, nonconforming lots, structures and uses, townhome standards, home occupation regulations, and drafting graphics, along with all other action items.

85 • **Next Steps & Public Engagement for Phase II of Hamilton’s Zoning Update**

86 The process is slightly behind schedule. The next working group meeting will tentatively be in
87 August. Public meetings may be held in September and October to discuss draft changes. A
88 series of neighborhood walks will show some aspects of changes on the ground. More working
89 group meetings will review these, along with neighborhood meetings that both incorporate
90 manufacturing and industrial district standards. Public review of all Phase II updates will start
91 in December. Zoning Commission public hearing would take place in February with potential
92 Council hearing in March.

93
94
95 V. MOTION to adjourn the meeting: by Ms. West.

96 SECOND: Mr. Mitchell.

97 No further discussion.

98 VOICE VOTE called by Mr. Mitchell was Unanimous in Favor. Motion CARRIES.

99
100
101 Meeting adjourned at 7:31pm

102
103
104
105 _____
106 Mark Rud
107 Assistant Planner

105 _____
106 Jessica Randazzo
107 Zoning Commission Chair

108
109
110
111 _____
112 Dan Mitchell
113 Planning Board President

111 _____
112 Darwin Ernst
113 Zoning Board of Adjustment Acting Chair



Hamilton Zoning Update

Phase II – Draft Residential Zoning Amendments

Zoning Code Update Working Group

September 30, 2024

Meeting Overview

1. Broad Overview of Proposed Amendments
2. Results of Public Outreach
3. Proposed Revisions
4. Next Steps

Proposed Amendments

1. Change Residential Districts

- Single-Family Residential (RS) > Traditional Neighborhood (R1)
- Multi-Family Residential (RM) > Medium Density Residential (R2)
- Residential High Density (RH) > High Density Residential (R3)

2. Zoning Map Updates

3. Building & Site Development Standards

4. Townhouse Standards

5. Nonconforming Buildings & Uses

Public Outreach

- 2 Public Meetings
 - Inform at a high level
 - Avg. 11 people at each
- 4 Neighborhood Walks
 - Get into details and visualize proposed amendments
 - Avg. 10 people at each



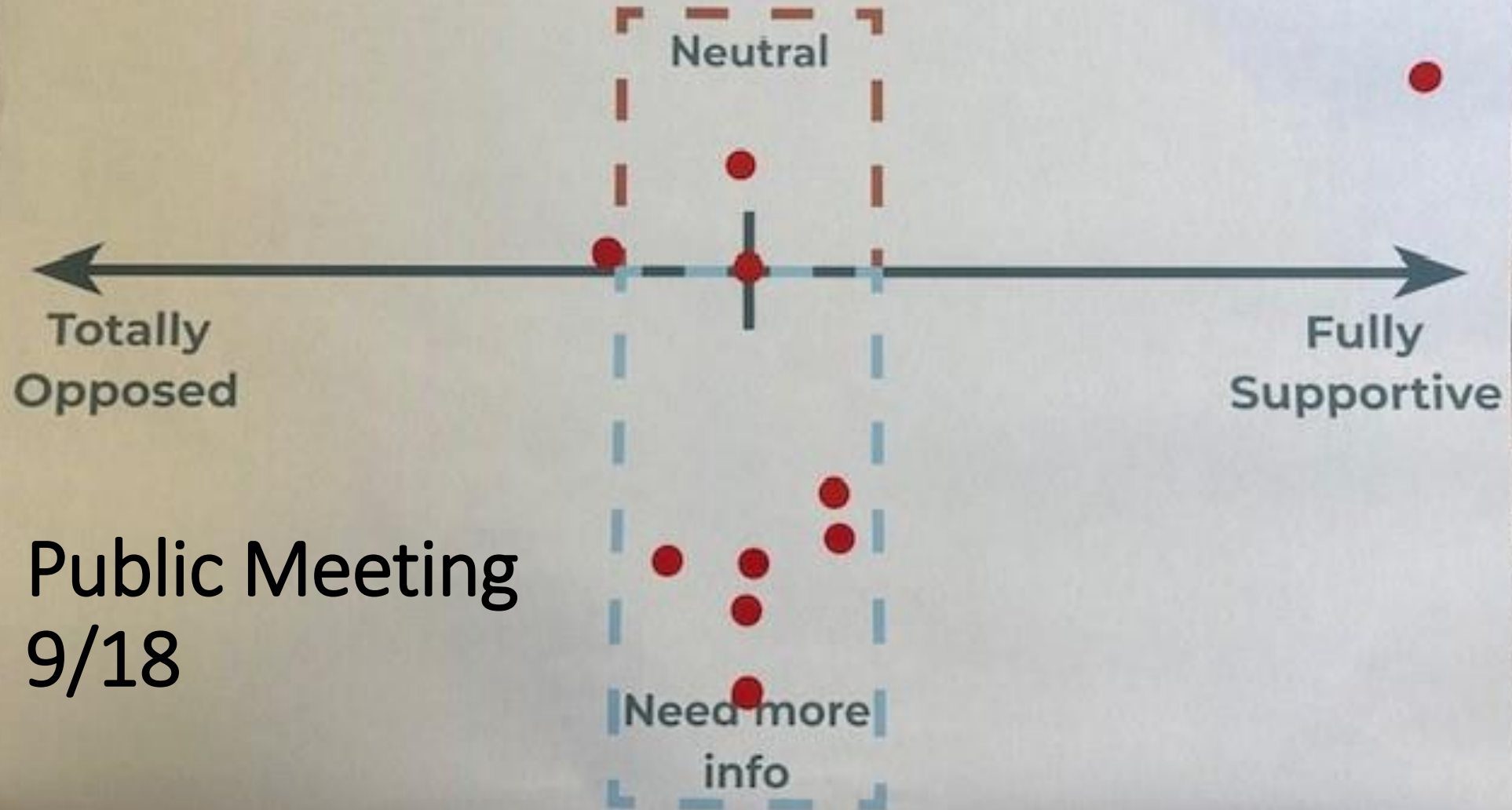
Spectrums of Support

- Dot exercise asking attendees their level of support for the proposed amendments

1st Draft Residential Zoning Spectrum of Support



Place a sticky dot in a location that aligns with your level of support



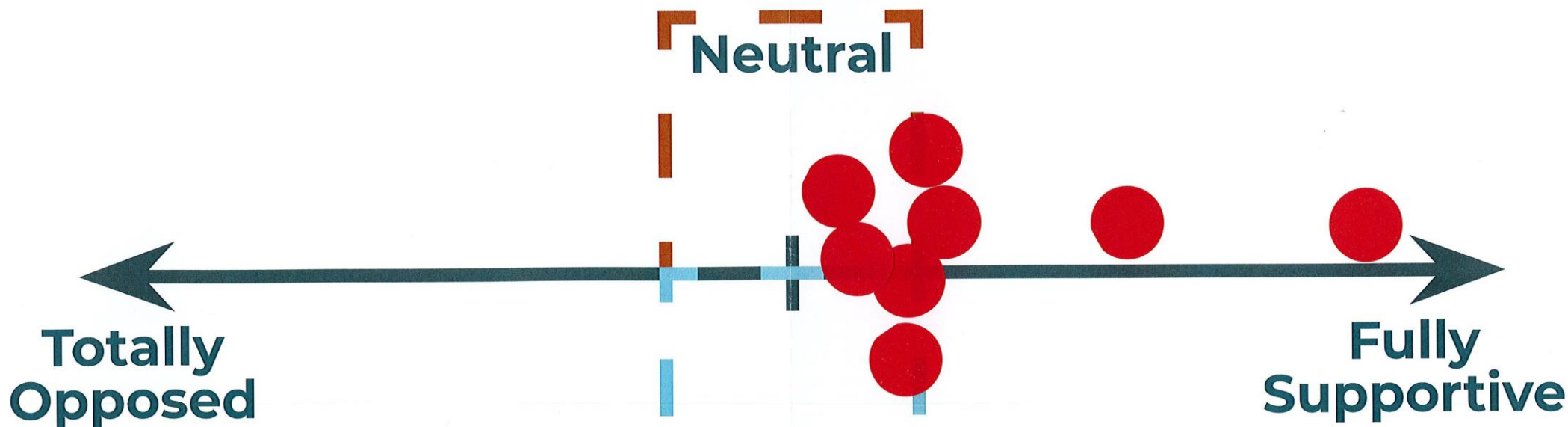
Public Meeting
9/18

Neighborhood Walk
9/19/24 - 12pm



1st Draft Residential Zoning Spectrum of Support

Place a sticky dot in a location that aligns with your level of support

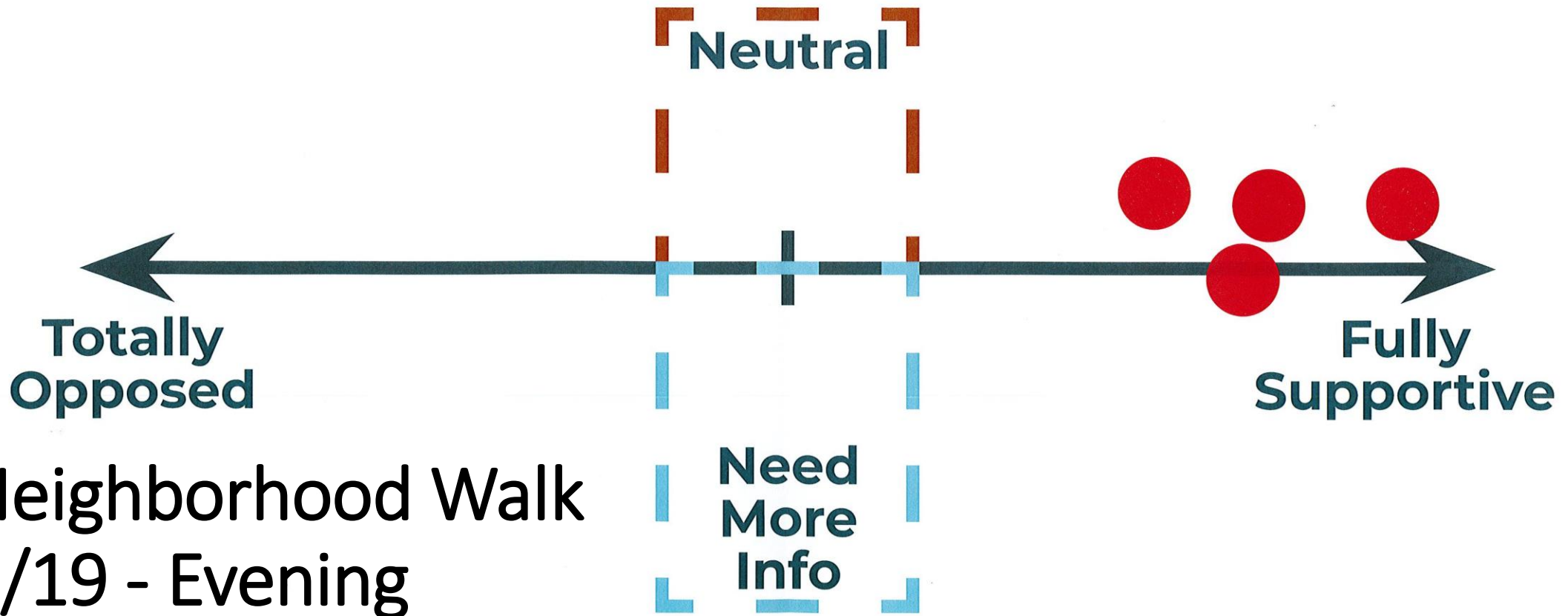


Neighborhood Walk
9/19 - Noon

1st Draft Residential Zoning Spectrum of Support



Place a sticky dot in a location that aligns with your level of support



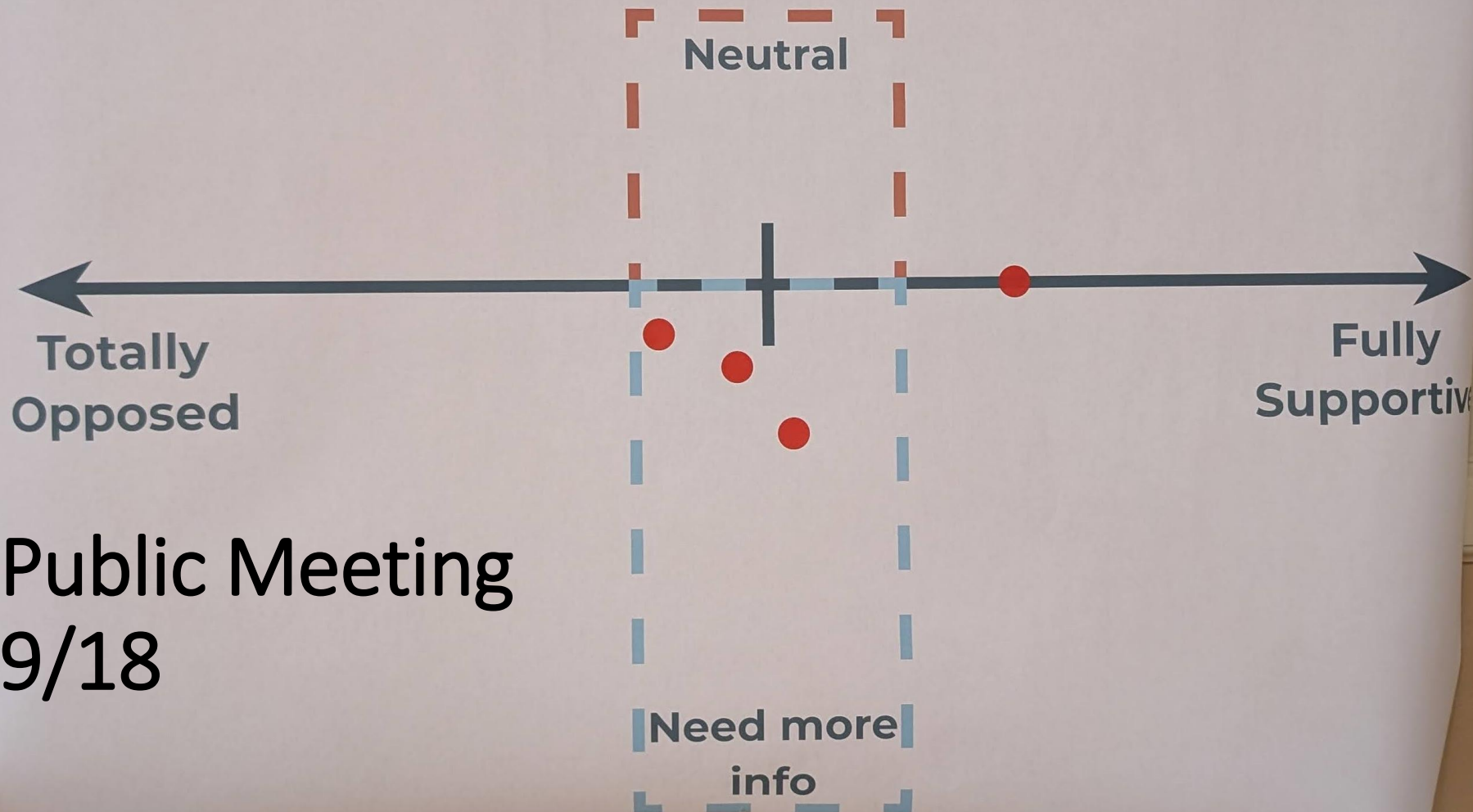
Neighborhood Walk
9/19 - Evening

1st Draft Residential Zoning Spectrum of Support

9/25/20



Place a sticky dot in a location that aligns with your level of support



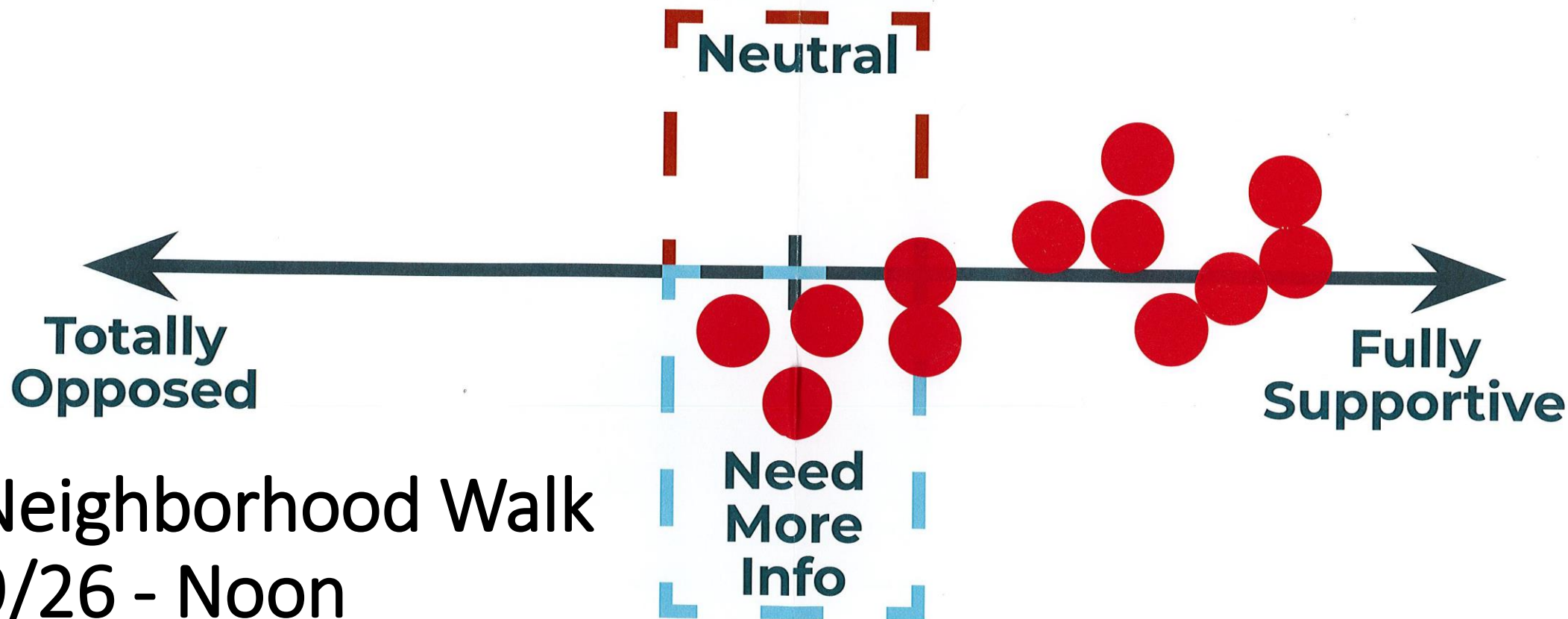
Public Meeting
9/18

9/26/24
12 pm



1st Draft Residential Zoning Spectrum of Support

Place a sticky dot in a location that aligns with your level of support



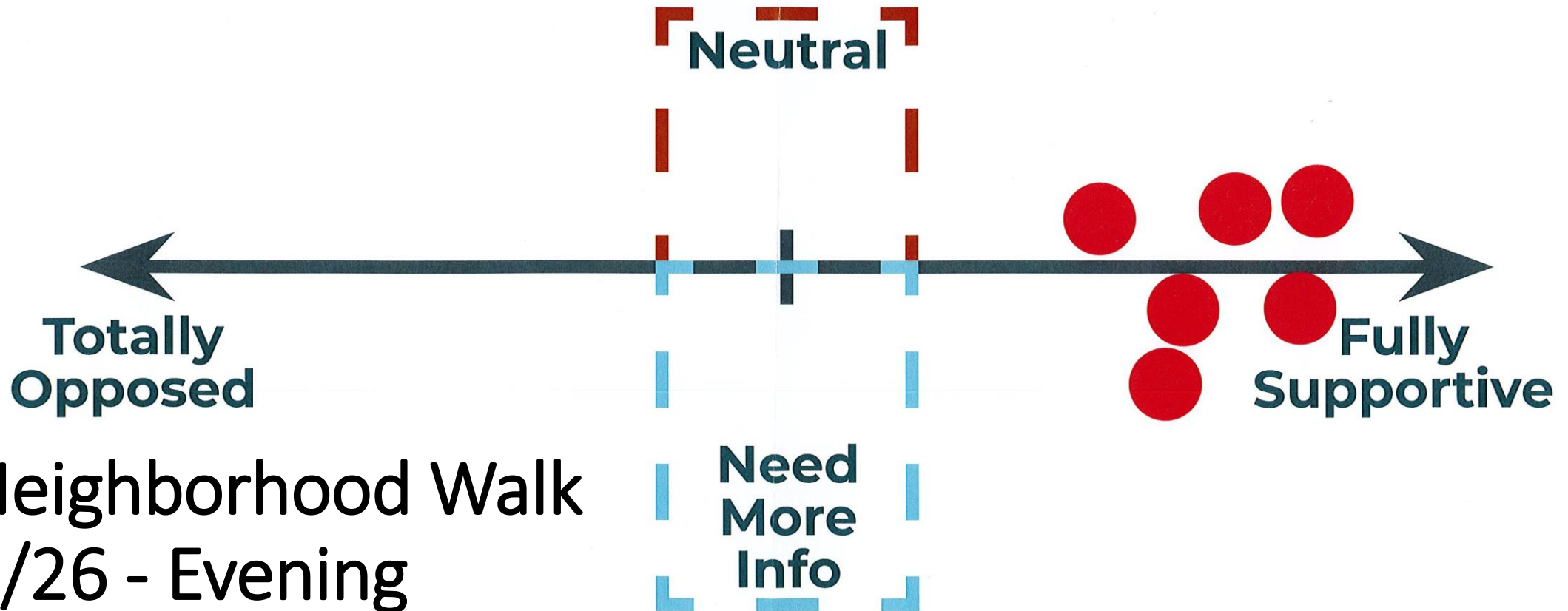
Neighborhood Walk
9/26 - Noon

9/26/24 6:00 P.M. Walk



1st Draft Residential Zoning Spectrum of Support

Place a sticky dot in a location that aligns with your level of support



Proposed Revisions

- Lot coverages: apply to buildings not all impervious
- Max Height ADU (R1, R2, & R3)
 - ~~No higher than main dwelling~~
 - 2.5 stories / 30'
- Max Townhomes (R2 & R3)
 - ~~2 stories / 25'~~
 - 2 / 30'

Next Steps

- Revisions to draft residential districts
- Draft cottage court standards
- Draft amendments to Transitional Neighborhood Business (B) and Local Business (B-1).
- Draft amendments to Commercial/Manufacturing (C/M) and Manufacturing/Industrial (M/I).
- Draft Future Land Use Map Amendments
- Finalize Zoning & Future Land Use Map Updates

Phase II Zoning Update Timeline

- November:
 - Public review of 2nd draft residential district amendments, draft commercial district amendments, and draft FLUM update
 - Working group meeting
- December:
 - Public review of 3rd draft residential district amendments (if needed) and 2nd draft commercial district amendments and FLUM update
 - Working group meeting
- January:
 - Public open house to review draft zoning and FLUM updates
- February – March:
 - Zoning Commission & City Council Public Hearings