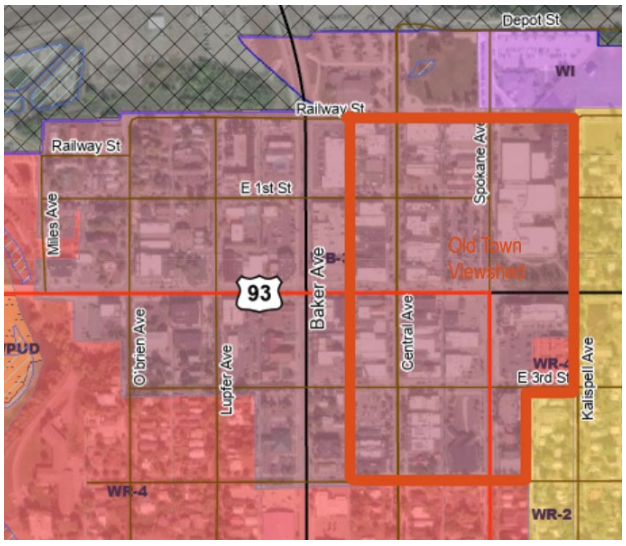
PROPOSED ZONING TEXT AMENDMENT
WB-3 OLD TOWN DISTRICT BULK AND SCALE
STAFF REPORT WZTA 26-03
NOVEMBER 19, 2026

This is a staff report to the Whitefish Planning Commission and Whitefish City Council regarding a request by the City of Whitefish for a Zoning Text Amendment to the city's WB-3 General Business District, Section 11-2L-4, Property Development Standards, Bulk and Scale, to re-establish bulk and scale mitigation standards by re-introducing a 20' stepback for portions of buildings exceeding 35' in the WB-3 zoning district on Central and Spokane Avenues between Railway Street and East 4th Street. The Planning Commission public hearing is scheduled for **November 19th, 2026**, and a subsequent hearing is scheduled before the City Council on **December 7, 2026**. Draft regulation changes are below for review and recommendation.

BACKGROUND INFORMATION

The proposed text amendments are to re-introduce a 20' building stepback requirement off of public streets for portions of buildings that exceed 35' on two streets in the downtown WB-3 zoning district, on Central and Spokane between Railway Street and East 4th Street. The following would be added to the bulk and scale standards for the WB-3:

> *For all buildings on Central and Spokane Avenues between Railway Street and East 4th Street, no portion of a building above thirty five feet (35') in height shall be closer than twenty (20) horizontal feet from any street right of way, exclusive of alleys, in order to mitigate the aesthetic impact of additional height from the street.*

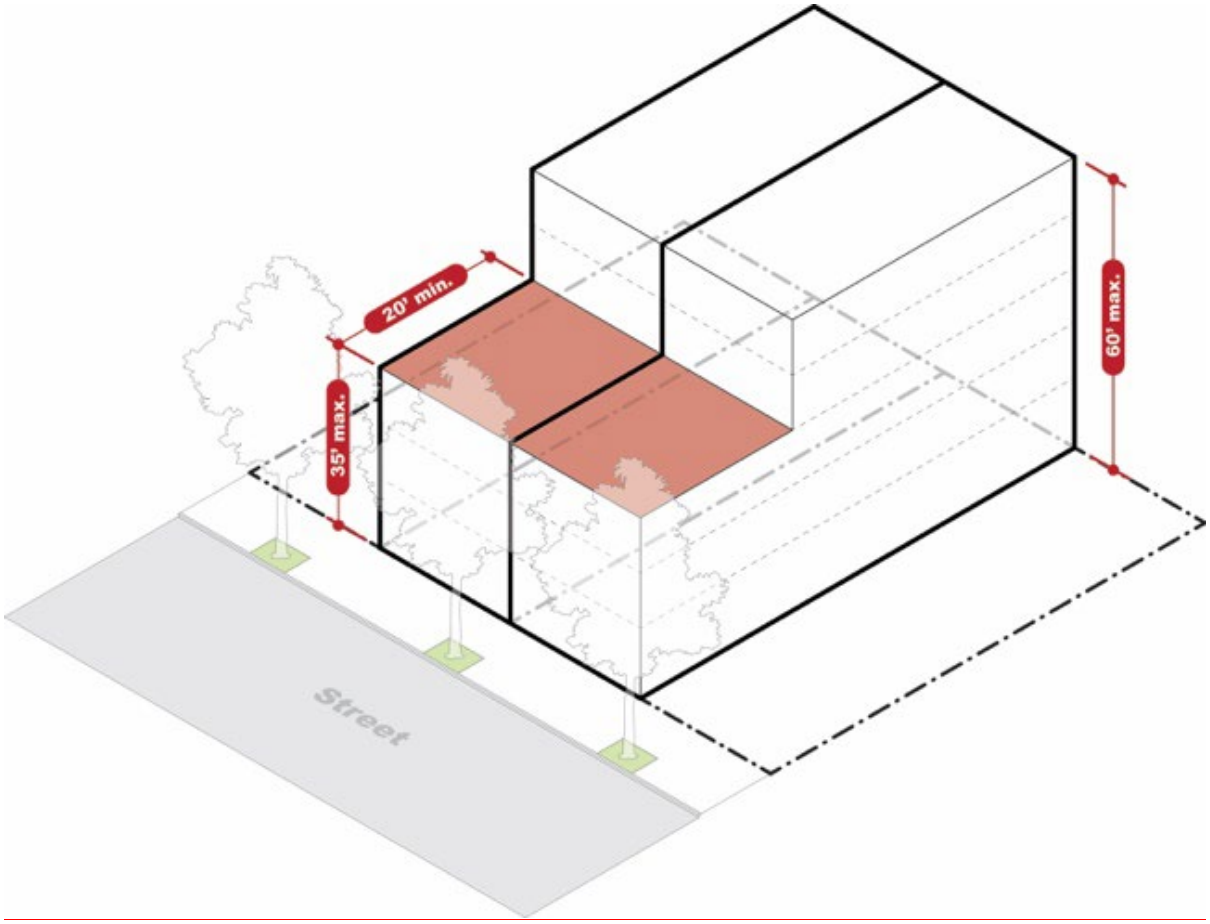


The City Council, on September 21, 2026, adopted revisions to the Vision Whitefish 2045 Community Plan that outlined zoning map recommendations to protect historic viewsheds on Central and Spokane Avenues, and directed staff to bring forward zoning amendments to re-establish bulk and scale standards for buildings in the WB-3 zone in downtown Whitefish. Requirements to step back upper portions of buildings over 35' had been in the zoning code since March of 1982, applying solely to the WB-3 zone. Those bulk and scale requirements were removed last May with Ordinance 26-06 that implemented the Montana Land Use Planning Act (MLUPA) zoning changes. They were originally put in place in order to mitigate the aesthetic impact of additional height from the street and due to firefighting limitations of not having a fire ladder truck that reached up to 45'.

Currently, building heights in the WB-3 are limited to 45', three stories maximum, or 60' for entirely multi-family residential buildings used for residential purposes as well as for mixed-use

buildings when all floors above the ground floor are used entirely for multi-family residential used for residential purposes. No building appurtenance such as an elevator or stair shaft for rooftop access may exceed that maximum height.

Central Avenue and Spokane Avenue were identified in the Vision Whitefish 2045 Community Plan as essential scenic resources, identified as the Old Town Scenic Heritage Shopping District. Adding a 20' setback above 35 feet in that area, as formerly required in the zoning code for the WB-3 from 1982 to May of 2026, helps mitigate the aesthetic impact and visual massing of additional height from the street. Additionally, protecting views of Big Mountain and Great Northern in the downtown heritage shopping district are important for maintaining small town charm and protecting the visitor economy. Staff is not recommending calling out the shopping district by name in the zone, however, as it would be confusing since it overlaps the already identified Old Town Central District.

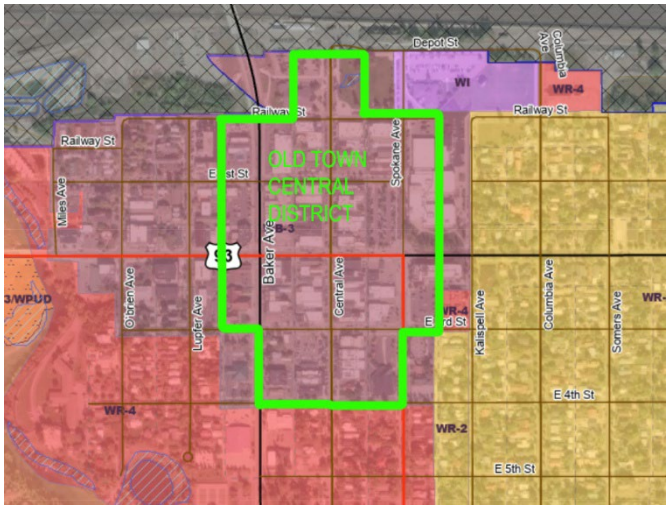


There are several alternatives that should be mentioned that are not part of staff's recommendations, as staff recommends following the Vision Whitefish 2045 directives and objectives, which are are the most defensible:

- Only apply the 20' stepback above 35' to Central Avenue, which is the most important street in Whitefish from a historic and visitor standpoint.

- Re-introduce the required setback to the whole WB-3 zone instead of just Central and Spokane avenues between Railway and East 4th. This would return the code to how it has been historically regulated since 1982.

- Apply the building stepback to the Old Town Central District, a geographic area already defined in the WB-3 Intent portion (Central Avenue between 4th Street and Depot Street, the west side of Spokane Avenue between 4th Street and 3rd Street, both sides of Spokane Avenue from 3rd Street to Railway Street, the east side of Baker Avenue between 4th Street and 3rd Street, and both sides of Baker Avenue between 3rd Street and Railway Street). Adding a third geographic area to the WB-3 (Old Town Scenic Heritage Shopping District) that overlaps other districts could be confusing.



- Have the stepback occur at 45' instead of 35'. This would then only apply to buildings that exceed 45' in height. Note that a stepback at 35' will cause buildings that go up to 60' to look somewhat odd and less architecturally appealing.



Example of stepback at 35'



Example of stepback at 45'

- Include a maximum building width of 75' to reduce bulk impacts at street level. This was considered by staff and czb, LLC., but is not recommended as there are several buildings

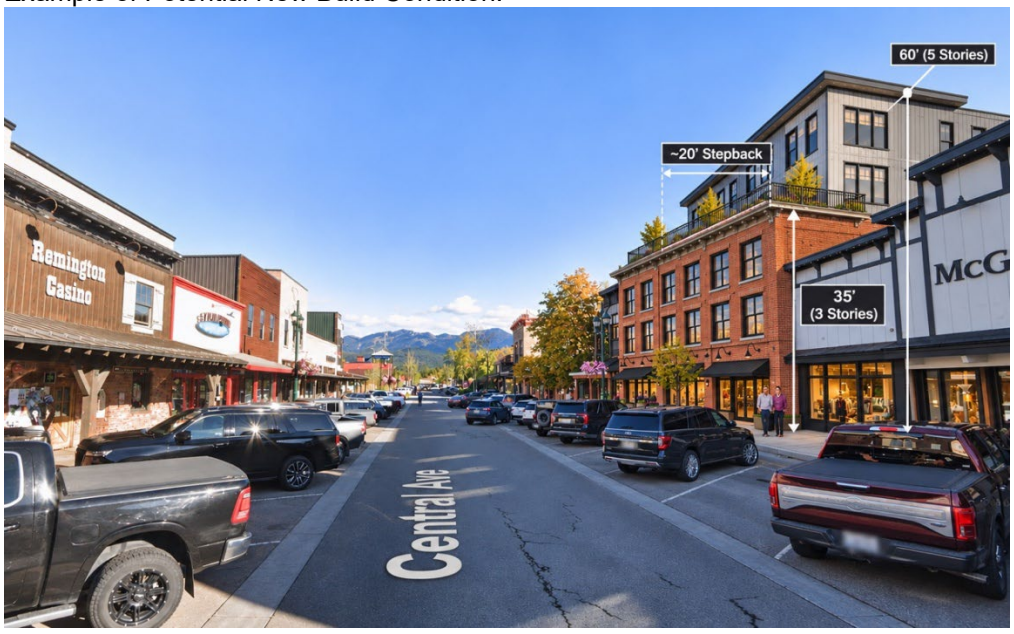
on these blocks that encompass more than three 25'-wide lots, there are several existing lots that exceed 75' in width, and at least one vacant area (38 Central) under one ownership that is five lots. Such a requirement could constrain future development and also limit reconstruction of larger buildings such as City Hall or Central School should they have a fire or other calamity. Additionally, the Downtown Business District Master Plan also calls for lot line to lot line development in the downtown core.

The following images represent existing conditions along Central Avenue and introduce a rendering of what a future multi-family building, at 60'-0" tall, might look like:

Existing Condition:



Example of Potential New Build Condition:



Staff supports the proposal to apply the setback to only Central and Spokane Avenues between Railway Street and East 4th Street area as that is what the Vision Whitefish 2045 Community Plan calls for.

PROPOSED AMENDMENTS

Staff proposes the following amendments to Section 11-2L-4F (additions shown underlined in red, deletions shown ~~struck out~~):

11-2L-4: PROPERTY DEVELOPMENT STANDARDS:
The following property development standards apply to land and buildings within this district:

Bulk and scale	All new structures with a building footprint of 15,000 (7,500 for Old Town Central and Railway Districts) square feet or greater, existing structures where an addition causes the total footprint to be 15,000 (7,500 for Old Town Central and Railway Districts) square feet or greater, and additions to structures where the footprint already is 15,000 (7,500 for Old Town Central and Railway Districts) square feet or greater, with the exception of multi-family and mixed-use with multi-family, are subject to a conditional use permit pursuant to section 11-7-8 of this title. For all buildings on Central and Spokane Avenues between Railway Street and East 4th Street, no portion of a building above thirty-five feet (35') in height shall be closer than twenty (20) horizontal feet from any street right of way, exclusive of alleys, in order to mitigate the aesthetic impact of additional height from the street.
Minimum lot area	n/a
Minimum lot width	n/a
Minimum yard spaces:	
Front	15 feet on Second Street west of Lupfer Avenue except for Lots 8, 9, 10 and the east 6 feet of Lot 11, block 38, Whitefish original. 15 feet on Kalispell Avenue, 10 feet on Lupfer Avenue north of East Second Street and all

	streets west of Lupfer except Second Street. 20 feet on Lupfer Avenue south of East Second Street and all streets south of East Second Street and west of Lupfer Avenue. None on all other streets.
Side	15 feet when abutting a Residential District; otherwise, none
Rear	15 feet when abutting a Residential District; otherwise, none
Railway District Shopping Loop	E. First Street (Baker Avenue east to Lupfer Avenue - north side of Block 37, Whitefish original and south side of Block 26, Whitefish original); Lupfer Avenue (E. First Street to E. Second Street - west side of Block 37, Whitefish original). In order to facilitate development of the Shopping Loop, new structures or additions to existing structures within the Shopping Loop, the following setbacks apply:
Front	5 feet on Lupfer Avenue; 15 feet on E. First Street.
Side	15 feet when the side property line is adjacent to E. First Street; between buildings, none.
Rear	None.
Maximum height	45 feet, 3 stories maximum, or 60’ for entirely multi-family residential buildings used for residential purposes as well as for mixed-use buildings when all floors above the ground floor are used entirely for multi-family residential used for residential purposes. The overall height must also include the features listed in subsection 11-2-3B5 of this chapter, with the exception of aerials, belfries, chimneys, church spires, and flagpoles ~~[60' height change effective October 1, 2026].~~
Permitted lot coverage	n/a
Off-street parking	See parking and loading in section 11-6-3-3 of this title, WB-3 special conditions
Accessory uses	Accessory uses must maintain the same yard requirements as the primary use. However, accessory uses (excluding any type of living

	quarters) may be built within 3 feet of a side or rear lot line that does not border a street, a river or lake, or the front half of any adjoining lot
Landscaping	See chapter 4 of this title (single-family and duplex uses exempted)

REVIEW AND FINDINGS OF FACT

The proposed changes shall be evaluated based on the criteria for consideration for amendments to the provisions of the Zoning Regulations per Section 11-7-12F.

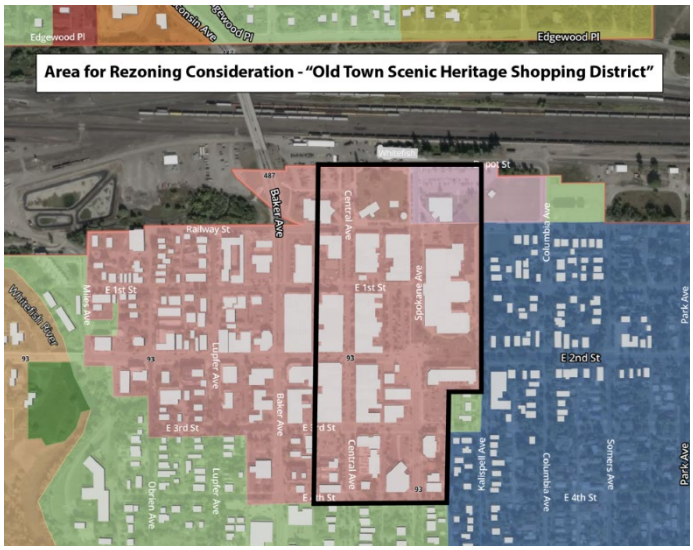
1. *Zoning Regulations Must Be:*
   a. *Made in Accordance with a Growth Policy*

The Land Use chapter of the Vision Whitefish 2045 Community Plan has a Zoning Map Recommendation that states the following:

- *Establish an "Old Town Scenic Heritage Shopping District" encompassing the blocks generally bounded by the railroad to the north, 4th Street to the south, the alley immediately west of Central Avenue and the alley east of Spokane Avenue. The purpose of this district would be to align permitted uses, development standards, building heights, setbacks, and design expectations with the area's established development pattern, pedestrian scale, and visual character.*

Goal LU.1, Objective (e) of the Land Use Element states:

Support continued commercial investment and long-term residential development in Downtown Whitefish while ensuring that new development within the Old Town Scenic Heritage Shopping District respects the areas historic scale and preserves the iconic public views of Big Mountain that are fundamental to the downtown's identity, visitor experience, and economic vitality.



Graphic from Vision Whitefish 2045 Plan

Finding 1: The proposed changes are supported by the Vision Whitefish 2045 Community Plan Land Use chapter, which calls for development standards protecting the historic building scale and viewsheds in the Old Town Scenic Heritage Shopping District.

b. Designed to:

i. Secure safety from fire and other dangers

Finding 2: The proposed changes to require a building stepback at 35 feet will help the fire department better access upper portions of buildings for fire suppression.

ii. Promote public health, public safety and general welfare

Finding 3: The proposed zoning code changes will improve the general welfare of the community by mitigating the bulk and scale of tall buildings in the downtown area and help public safety by providing better fire access to rooftops and upper parts of buildings.

iii. Facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements

Finding 4: The proposed code amendments have no impact on the adequate provision of transportation, water, sewerage, schools, and other public requirements.

2. In the adoption of zoning regulations, the city shall consider:

a. Reasonable provision of adequate light and air

Finding 5: The proposed text amendments will help improve the reasonable provision of light and air by requiring building stepbacks above 35 feet, allowing for more light to reach the streets.

b. The effect on motorized and nonmotorized transportation systems

Finding 6: The proposed code amendments have little impact on transportation systems in the city.

c. Promotion of compatible urban growth

Finding 7: The proposed code amendment helps promote compatible urban growth by maintaining zoning provisions for building stepbacks that were first put in place for downtown Whitefish in 1982 and have helped maintain the small-town character and charm of Whitefish.

d. The character of the district and its particular suitability of the property for the particular uses

Finding 8: The proposed code amendments take into account and help maintain the character of city commercial zoning districts by maintaining standards that have been in place for forty-four years.

e. Conserving the value of buildings and encouraging the most appropriate use of land throughout the jurisdictional area; and

Finding 9: The proposed code amendments will have little impact on the value of buildings but will encourage the appropriate use of downtown real estate.

f. That historical uses and established use patterns and recent change in use trends will be weighed equally and consideration not be given one to the exclusion of the other.

Finding 10: Buildings over 35' were historically regulated to provide stepbacks off the street for over 44 years, from March of 1982 to May of 2026, and while a recent code revision eliminated the stepback, reintroducing it supports historical use patterns.

RECOMMENDATION:

The findings support a recommendation of ***approval*** of the proposed zoning text amendments, as set forth in the staff report to amend Title 11, WB-3 General Business District, Section 11-2L-4, Property Development Standards, Bulk and Scale, to re-establish bulk and scale mitigation standards by re-introducing a 20' stepback for portions of buildings exceeding 35' in the WB-3 zoning district on Central and Spokane Avenues, adopting the findings of fact, and transmit the same to the Whitefish City Council for further action.