



RUTLAND CITY PLANNING COMMISSION

City Hall – 52 Washington St. – Rutland, VT 05701
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Amended Minutes May 10, 2017

Present: Susan Schreibman (SS), Alvin Figiel (AF), Dave Coppock (DC), Larry Walter (LW) and Patrick Griffin (PG).

Zoning Bylaws Advisory Group: Tara Kelly, Zoning Administrator; Alderman Sharon Davis, Mayor Allaire, Stephanie Lorentz and Mike McClallen, Development Review Board; Ed Clark and Dave Cooper, Rutland Redevelopment Authority;

Also Present: Carol Rhea and Juli Beth Hinds, Orion Planning and Design; and Barbara Spaulding.

SS, Chair, called the meet to order at 5:30 pm.

- I. ADDITIONS/DELETIONS – None.**
- II. PUBLIC COMMENT – None.**
- III. APPROVAL OF MINUTES – April 26, 2017.**

SS asked to have the following added to the 4/26/17 minutes: “A copy of the revised Complete Streets [ordinance] guidance document did not accompany the memo.” LW moved to approve the minutes as amended. AF seconded. Motion was approved unanimously.

- IV. NEW BUSINESS – None.**
- V. OLD BUSINESS – Kick off with Orion Planning and Design.**

This is the first official convening of the Zoning Bylaws Advisory Group. Introductions were made, including Juli Beth Hinds (JB) and Carol Rhea.

An agenda and spreadsheet of issues were distributed to everyone present. The spreadsheet was prepared by Orion P&D in consultation with Tara. JB explained how it was set up.

JB and Carol discussed their backgrounds and experience and how they intend to facilitate the zoning update. One of the key parts of the scope is a Planning Week. This is a cost efficient and effective way to move through a number of issues through a series of stakeholder meetings and committee meetings. Outside of the Planning Week, there will

still be plenty of opportunities for stakeholder input including an online survey, phone calls and future meetings as necessary. After Planning Week, Carol and JB's scope becomes flexible to meet the needs of our process. JB will be able to attend additional in-person meetings and both will be available with on-call assistance to focus on issues from the feedback.

The bylaws need to define the City's goals and be predictable, efficient, consistent and have clarity. JB said there are a lot of missing pieces in the City's bylaws for a city of its size. She suggested including purpose statements for the zoning districts, performance standards, parking and trip generation, maximum driveway width, landscaping and buffering, parking lot landscaping, umbrella permits for buildings with multi-uses, waiver options. Stephanie asked for clarification of the waiver process. There was lengthy discussion on the difference between waivers and variances.

Juli Beth suggested preparing a side-by-side comparison of the working document. She would have to rearrange the order of the document to more standard format. Following the expected format for Vermont makes it easier for developers to understand the regulations and what is expected.

Mayor Allaire discussed the history as to the 2002/2004 update of the Zoning Bylaws. It was a major undertaking and the first substantial update since the original code was written in 1948. It was recognized at the time that additional revisions would be needed in the future.

Tara was asked to create a map for the group to understand existing non-conforming uses and where variances have been issued.

Sharon discussed the need for criteria and standards to protect neighborhoods when commercial uses encroach on the district. There was considerable conversation regarding site plan review and how quality of life issues can be addressed. Carol discussed the difference between municipal ordinances and what should be in zoning. Stephanie added that there are a few places in the city where existing land uses that match the Zoning district standards and should be reviewed.

The process following enforcement when there is non-compliance with conditions placed on a zoning permit was discussed. It was determined that this process will need to be revised to possibly include the issuance of a Certificate of Zoning Completion Juli Beth said an adoption of outlines of procedure needs to be in the bylaws.

Discussion continued as to whether to include in the zoning a reference to state statute or to include the statute in layman's terms. Carol suggested also adding a "Cast of Characters" and their purpose in the permitting process.

Juli Beth said that an area of weakness in the zoning regarded accessory dwellings. State statute allows a variety of approaches. This should be carefully discussed and considered during the update process. PG brought up the topic of tiny house and the fact that current ordinances are unclear about how to handle them. There is also a need to create clear

expectations/regulations regarding short-term rental use and clarification of home occupations.

Umbrella permits were discussed with regard to multiple uses and/or structures on the same lot. JB noted that in many municipalities this is handled via Planned Unit Development permits. Carol noted that typically these things should be evaluated from the standpoint of land uses versus specific tenants. The public purpose of the regulation needs to be addressed at every step so it is clear and justifiable why certain standards and conditions are being used.

SS suggested including the City Attorney as a stakeholder in the zoning revision since Appeals of DRB decisions often involve that office.

Discussion continued regarding Design Control Districts. Problems that are encountered now involve curb cuts that are too generous, design sense, larger homes broken down into multi-family without any regard for site plan, removal of green strip for parking in front yard. It was suggested that some of these issues could be addressed in the municipal codes versus zoning. It can make for a more effective enforcement process.

There is concern that there is a lack of design control in areas other than the Downtown. The Gateway Districts have no consistent application of design standards. Ed added that there are no clear standards to judge in those districts. PG said one approach the Planning Commission has taken is to full re-write the sign ordinance (which is nearly ready for public review and consideration by the Board of Aldermen).

Juli Beth discussed numerous standards that can be regulated. She suggested making a list of prohibited building materials versus trying to prescribe what must be used. Landscaping, access management and lighting should all be addressed within the code so there are clear standards and expectations set. PG said parking should be kept to the sides and back of buildings.

SS suggested making sidewalks mandatory for pedestrian connectivity. Carol suggested a sidewalk fund could be established for developers to pay into when a sidewalk doesn't make sense given current conditions at that location. Juli Beth added the requirement of a defined path to a building's entrance and defined cross connection to abutting properties to avoid vehicles from going back onto the roadway to travel between adjacent commercial properties.

PG asked if shrubs were preferred over trees. Juli Beth and Carol suggested several plants and trees and suggested keeping landscaping plans flexible. Juli Beth added that she would provide urban specs for landscaping when she returns in July.

It was suggested that the following list be homework:

- Side by Side zoning bylaw comparison. (Orion)
- Mapping (Land use/current map) (TK)
- Site plan standards review. (Orion)

- Table of uses for current Zoning. (TK provide to Orion)
- Planning Week – August 7-11 to include mobile tours, neighborhood meetings, and site visits.
- Create a map that details which parts of the city are highest priority for protecting SFR. (TK and committee)
- Create a map that shows areas of commercial development with “sensitive receptors” nearby that might need special treatment in Zoning (TK and committee)
- Analysis of sites with non-conforming uses that ought to be restricted from expansion and ultimately designated to be phased out (TK with committee)

VI. CORRESPONDENCE – The following correspondence was acknowledged:

VLCT Spring Planning and Zoning Forum, June 14, Lake Morey Resort, Fairlee, register by 7/7.

VII. ADJOURN.

LW moved to adjourn. DC seconded. Motion was approved unanimously. The meeting ended at 8:07 pm. The next meeting of the Planning Commission will be May 24. A meeting of the full bylaws advisory group will be scheduled in June TBA.

For the Commission:

Barbara Spaulding, Recording Secretary