Planning Commission Meeting Minutes 2/5/2020

Called to order: 7:07 pm

Members present: Chris Cole (chair), Brian Tellstone, Joy Reap (left meeting at 7:27 pm), Scott Nickerson, Virginia Clarke, Chris Granda, Alison Anand (Mark Fausel and Lauck Parke were absent)

Others present: Josi Kytle

1. Adjustments to the Agenda
2. Approval of the minutes

Motion by Alison Anand, second by Brian Tellstone to approve the minutes of the May 1, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

Motion by Scott Nickerson, second by Tellstone to approve the minutes of the May 9, 2019 Planning Commission Meeting and the May 15, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

Motion by Virginia Clarke, second by Tellstone to approve the minutes of the January 15, 2019 Planning Commission Meeting. Voting: unanimous. Motion carried.

1. Public comment for non-agenda items
2. Future priorities

Chris Cole said this is an opportunity to catalogue a number of items the Planning Commission would like to address in the near future. Joy Reap said the commissioners should recap items that have come up in the previous months, such as corrections to the zoning regulations that need to be made, recommendations from the DRB, the Farrs’ request, and the Cochrans’ request. Clarke said that the commission should review the goals of the Town Plan. Clarke also added Reap’s request of reviewing the Gateway District regulations.

Cole requested looking into regulations for short-term rentals. Other commissioners agreed. Chris Granda added that the commission should strategize how it wants to tackle the topic of short-term rentals and ensure the public’s involvement in the discussion. Reap said this topic would touch upon housing affordability as well.

Reap suggested discussions on transportation. Cole said the Town has been working on transportation through the transportation committee. Cole said the transportation committee is in the planning and grants phase. Cole added that the transportation committee requested to pursue grants for a Complete Streets study of Bridge Street and for a bike/led master plan for the entire town. Cole said the transportation committee was also looking to install a hitching post so people can slug for rides. Cole clarified to the commission that “slugging for rides” is akin to carpooling.

Granda requested further discussion on Stretch Code.

Reap asked if acting on these priorities and the implementation list in the Town Plan would only be through zoning. Clarke said not necessarily, although zoning is a key aspect. Clarke said one item on the priority list the commissioners could pursue is setting up a housing committee.

Reap asked when the last time the zoning regulations in its entirety were updated. Ravi Venkataraman said that zoning was established in 1969 and continuously amended since then. Anand and Clarke said that the zoning regulations were fully revised in 2012 but voted down. Reap said since so much time has elapsed, zoning needs to be updated to fit the current context. Clarke said systematically overhauling the zoning regulations is what the commission is currently doing. Cole added that other items should be worked on simultaneously with the overhaul of the zoning regulations to prevent commissioners from getting worn out with a single task. Granda said after the zoning regulations have been revised, the commission should review the entire document to make sure the zoning regulations fit together.

Reap said the commission should garner public input before going forward. Cole recommended holding a meeting specifically to gain public input. Cole said the commission should invite the broader community so that they get a sense of the Planning Commission’s goals, instead of speaking to individual landowners seeking zoning changes in their favor on a meeting-by-meeting basis. Clarke said the commission could do a mailing to residents to particular districts, informing them about upcoming discussions for their districts. Anand asked if the commission wanted one general meeting on zoning for the larger public to allow residents to voice their concerns. Anand said this would provide the commission information on what to prioritize.

1. Continued review of proposed amendments to Jolina Court Zoning District.

Ravi Venkataraman said that he made modifications to the following based on discussions during the January 15, 2020 Planning Commission Meeting: setback requirements, family child care home uses, parking setback requirements, and building height regulations. Venkataraman explained that the best way to explain the setback requirements for the Jolina Court District would be through a map and that the map enclosed would be added to the end of the zoning regulations.

Nickerson asked if the lot lines on the survey enclosed in the interim zoning were clarified. Venkataraman said yes. He presented the commission with a blown-up version of the survey plat. He explained that one of the lot lines is actually based on the bank of the river, and therefore could fluctuate depending on the location of the riverbank.

Cole informed the public that the Planning Commission decided during their January 15th meeting that the setback requirements for the district should be the same as was put forth in the Interim Zoning. Cole added that after discussions with Venkataraman, a sentence will be added to the regulations to address any conflicts with lot lines, in which case, the periphery setbacks would apply. Josi Kytle asked about the waivers that were granted with their PUD approval in Jolina Court. Cole said that these regulations would not impact the waivers that were approved.

Clarke asked for further clarification about the parking setbacks because she found a conflict in the language. Venkataraman recommended removing a sentence regarding parking setbacks to reduce inconsistencies. The Planning Commissioners agreed.

Venkataraman reviewed changes to the definitions, and said the changes to the definitions should reflect what was agreed upon during the Planning Commission’s previous meeting.

Venkataraman said, regarding family child care homes, based on discussions and research, he concluded that family child care homes should be regulated as home occupations. He said this would allow greater latitude for planning and zoning staff to approve family child care homes that are licensed but housed in dwellings other than single-family dwellings. Anand asked if a state license and registration is a requirement to operate a family child care home. Venkataraman said yes.

Venkataraman overviewed changes to the parking setback requirements. Venkataraman clarified that the suggested changes to the Village Commercial Zoning District are to dovetail with the changes to the parking setback requirements in the Jolina Court Zoning District.

Venkataraman overviewed changes to the home occupation regulations. He said the changes to the home occupation regulations are to ensure that family child care home uses are not curtailed.

Granda asked if any input was sought from a child care provider. Venkataraman said no. Clarke said these regulations should not affect child care providers. Cole added that homeowners with family child care facilities cannot be infringed, and therefore the commission cannot recommend any bylaws that would adversely affect the protections granted for family child care homes.

Venkataraman reviewed the changes to the building height regulations. Clarke asked further clarification on the ground adjacent to the building. Kytle also asked for additional clarification on the ground adjacent to the building. Venkataraman said that adjacent finished grade would be a point five feet from the side of the building, in order to lean a ladder against the building and gain access. Cole asked how the draft regulation would impact agricultural structures. Clarke pointed out the exception for agricultural structures. Cole asked about regulations for buildings that do require a construction permit from the Vermont Division of Fire Safety. Cole asked for clarification on measuring the height of the building. Venkataraman said the height of the building would be from the average finished grade to the highest point of the roof. Clarke asked Kytle if the buildings she is proposing would be in compliance with the draft regulations. Kytle said yes. Clarke added that with buildings that do not require a construction permit from the Vermont Division of FIre Safety, the Vermont Division of Fire Safety would address the Town’s capacity to provide emergency services.

Clarke said she would like language in the definitions regarding veterinary clinics. Venkataraman said that nearby municipalities designate veterinary clinics as a separate use, due to its unique impacts. Venkataraman also recommended establishing veterinary clinics as a separate use. Cole agreed. Cole said that this issue can be addressed at a later date, separate from the Jolina Court District conversations.

Motion by Nickerson, Second by Granda, to finalize the changes to the Town Zoning Regulations Sections 2.4.5, 3.0, 3.5.4, 3.9, 4.10.1, 4.11.3(c), 4.12, 5.3.3, 5.7, 5.11.1, 5.11.2, 5.12.2, 6.1.6, and 7.1; and to direct staff to distribute copies of the amendment proposal to the Selectboard. Voting: unanimous. Motion carried.

Clarke asked about the amendment process going forward. Venkataraman said that the Planning Commission’s review of the zoning regulations is on behalf of the Selectboard and therefore the Planning Commission does not need to warn a public hearing. Venkataraman added that because substantial modifications were made, the Selectboard will need to warn a public hearing again on this subject matter.

Cole thanked the Planning Commission for their diligence inreviewing the Jolina Court District regulations, Clarke for her work in drafting the changes to the zoning, Kytle for her patience and willingness to work with the Town on this matter, and Venkataraman for his assistance.

8. Other Business, Correspondence, and Adjournment

Clarke asked if the Planning Commission had any issues with the proposed changes to Hinesburg and Bolton’s policies—both of which were correspondence items from the previous meeting. The commission did not have any concerns with the policy documents.

Cole recommended to Venkataraman that he reach out to Larry Lackey of the Burlington Airport. Cole said that Lackey discussed with the Planning Commission months ago height regulations to bring the Town into compliance with FAA regulations.

Granda notified the Planning Commission of the Transportation Climate Initiative meetings.

Granda talked about additional opportunities for funding for electric vehicle charging stations. Cole said the Town could reach out to utility companies. Granda said that the Town did get a grant for an electric vehicle charging station at the Town offices. Venkataraman said he has talked to CCRPC about funding for additional electric vehicle charging stations and it has said it can provide funding for electric vehicle charging station projects.

Clarke said that the siting of renewable energy facilities should be on the list of priorities.

Venkataraman asked if the planning commission was interested in creating a unified development ordinance. He said that if multiple ordinances are going to be created, having an integrated land development regulations document would be easier to handle. Cole asked Venkataraman had any example unified development ordinances. Venkataraman cited Williston and Burlington. Cole recommended forwarding Williston’s ordinance to the Planning Commisstion for the next meeting.

Clarke suggested amending the zoning map. Venkataraman said that the zoning map does not match parcel lines. Venkataraman also said that this raises the broader question of whether the commission wants to expand or contract districts. Clarke said that this question would become clearer once the commission has public input.

Cole asked what commissioners would like to see on the next meeting agenda. Clarke said corrections to the Village Downtown Zoning District should be included. Anand said the public discussion should happen soon, before the commission addresses other topics.

Motion by Tellstone, second by Scott Nickerson, to adjourn. Voting: unanimous. Motion carried.

The meeting adjourned at 8:47 pm.