

# MORRISVILLE / MORRISTOWN PLANNING COUNCIL AGENDA

Tuesday 26 March 2024 at 5:00 P.M.

**Morristown Municipal Offices, 43 Portland Street  
Community meeting room of the Old Tegu Theatre**

- p. 2-3 1. Vote: Prior Council meeting minute approval
- p. 4-5 2. Discuss: Exempt lighting of architectural elements on  
Contributing Structures within Morrisville's 1983 Historic  
District from §490 of the ZBL
- p. 6-7 3. Discuss: Proposed S.100 "homes for everyone" zoning edits  
p. 8 a) Comments on Building Height legal opinion  
p. 9-14 b) Review Middle §206 Design Criteria ZBL inserts

**Morristown/Morrisville Planning Council**  
**PO Box 748 / Morrisville, VT 05661**  
**Phone (802) 888-6373**

---

**Meeting Minutes of Tuesday 12 March 2024**

**Council Members present:** Etienne Hancock (Chair), John Meyer, Jamie Morris, Joshua Goldstein, and Wally Reeve

**Council Members absent:**

**Council Guests:** Judy Bickford, Laura & Martin Green

**Staff:** Planning Director Todd Thomas

**Call to Order:** Chair Hancock called the meeting to order in the Community Meeting Room of the old Tegu Theatre, 43 Portland Street, in Morrisville at 5:00 P.M.

**Meeting Minutes:** Member Goldstein moved to approve the 27 February 2024 meeting minutes. A vote of 4-0-1 affirmed the motion with Member Meyer abstaining.

**Discuss: Proposed S.100 “HOMES for everyone” zoning edits**

**a. Discuss: Review Town-Wide Building Height Reduction:** The Planning Council reviewed the proposed S.100 HOMES Act Zoning Bylaws changes for the definition of Building Height, decreasing it from 35 feet to 30 feet for residential structures, and from 50 feet to 40 feet commercial structures. Mr. Thomas said that he, as requested, asked to be granted permission 2 weeks ago to have Town Counsel review the new definition, but he was yet to be granted to do so by the Interim Town Manager. He added that he followed-up on this request earlier in the day.

**b. Discuss: New Zoning Map & Sewer Service Management Area:** The Council examined the edits proposed to the Zoning Map post Mr. Thomas consulting with MW&L staff to ensure a realistic gravity-based Sewer Service Management Area Boundary. The Council was amenable to these resultant map changes. Member Goldstein questioned the zoning change the Planning Council directed at its last meeting for the east side of Brooklyn Street to Low Density Residential (LDR). He did not believe it made sense to apply the same zoning to Brooklyn Street than what was being applied to Morristown Corners. A majority of the Council decided again, due to local residents’ desires to protect the existing single-family homes in this area from being converted into large multi-family dwellings, to apply LDR Zoning to the east side of this street.

**c. Discuss: §206 Design Criteria Edits for Missing Middle Housing:** The Council considered adopting the following Section 206 zoning enhancements, as recommend by the book Missing Middle Housing: Thinking Big and Building Small to Respond to Today's Housing Crisis: (1) Allowing “cottage court” development, (2) Prohibiting road facing garages, (3) Prohibiting tuck-under parking that faces a street, (4) Prohibiting the front of townhouses from backing-up to the rear of other townhouses unless they were separated by a street or parking lot, (5) Creating a maximum building width of 60 feet, and (6) creating a maximum building depth of no more than 50% of the depth of the larger of the 2 adjacent dwellings. The Council agreed to adopt these Missing Middle zoning enhancements as part of the current S.100 HOMES Act Zoning Bylaws

changes, except for #2 (prohibiting street facing garages) as previously agreed to zoning edits were deemed to already adequately regulated this issue.

**Discuss: Town Plan:** Mr. Thomas presented the replacement Town Plan Transportation Chapter language to the Council for review and approval. Member Goldstein moved to accept the language as presented. The motion was affirmed by a vote of 5-0. The legal issues created by coinciding public hearings for the S.100 HOMES Act Zoning Bylaw changes and a new Town Plan were again discussed. Member Goldstein said that the pending HOMES Act zoning update must be finalized before opening the hearing for the new Town Plan. He therefore suggested the Council send a letter to the Selectboard and Village Trustees asking for time on their upcoming agendas prior to April 5<sup>th</sup> to determine if there were any potential “showstoppers” included within S.100 Homes Act Zoning Bylaw changes prior to the warnings being issue for it and then subsequently the new Town Plan. It was decided by consensus that if the requested Legislative Body zoning change meetings went well, the proposed new Town Plan adoption schedule would proceed as presented by Mr. Thomas. Said schedule showed an initial Planning Council Town Plan hearing date of May 28<sup>th</sup> and the Selectboard potentially voting to adopt the new Town Plan on 19 August 2024.

---

The meeting was adjourned at 7:05 PM. Submitted by Todd Thomas

- 485.8 Extension of an existing non-conforming operation shall only be permitted by the DRB.
- 485.9 Stripping of topsoil for sale or for use on other premises, except as may be incidental to a construction project, shall be prohibited.
- 485.10 The DRB may attach any additional conditions as it may find necessary for the safety and general welfare of the public.

487. **Garage, Porch, & Lawn Sales.** Garage/lawn/porch sales shall be a permitted use within a residential district subject to the standards below. The purpose of these standards is to ensure the maintenance of the residential character of neighborhoods while permitting homeowners to take advantage of this traditional activity.

- 487.1 Garage/Lawn/Porch sales shall be temporary, not to exceed 3 consecutive days at a time.
- 487.2 Garage/Lawn/Porch sales shall be held no more than 4 days a year at any residential site.
- 487.3 Any sales from a residence which exceed the standards set in this section shall be considered a Home Occupation or a Home Business, and shall be subject to conditional use review as well as standards governing those specific uses. (See §410, §415, & §500)

488. **Campers, Recreational Vehicles (RVs), Sea Boxes, and Storage Trailers** shall be parked in a defined driveway, an approved campground, or in an approved sales lot. Campers, Recreational Vehicles, Sea Boxes, and Storage Trailers shall not be used as a Dwelling Unit outside of the rules for a Primitive Camp, but may be used as temporary Dwelling Unit in conjunction with the construction of the primary residence on the same lot. Said Structures shall be hooked to functioning water, sewer or septic facilities while being used as a temporary construction housing and shall comply with §323c if parked in a §320 Flood Hazard Area

**Section 490. Exterior Lighting.**








- 490.1 Exterior Lighting. All exterior lighting for residential or business uses shall be accomplished by using cut-off, down-shielded light fixtures. Light emanating from said fixtures shall not spill onto neighboring properties, Streets or, in the opinion of the Zoning Administrator, produce a hindrance to traffic movement. All exterior lighting, other than security lighting (which shall be set on a 5-minute or less motion sensor), shall remain off between the hours of 10:00PM and 6:00AM.
- 490.2 Parking Lot Lighting. Parking lot light structures shall be limited to 20 feet in height and the light emanating therefrom shall be accomplished by using cut-off, down-shielded light fixture and shall not spill onto neighboring property lines or Streets.
- 490.3 Building facades. Building facades may be illuminated provided that the lighting shall be accomplished by using cut-off, down-shielded light fixtures and light shall not spill onto neighboring property lines or Streets.
- 490.4 Externally Illumination for Signs. Sign lighting shall be regulated per §477 of the Bylaw.
- 490.5 Exemptions. Exemptions to §490 shall include lighting for streetlights, lighting installations on municipally owned property, lighting that emphasizes architectural elements of Contributing Structures within the boundaries of Morrisville's 1983 Historic District, and holiday or string lights during the months of October through January. Holiday or string lights, which by design are not down shielded, may remain in place year-round, provided they are turned off nightly at 10:00 PM, and attached to a structure located outside of required setbacks, and located below the drip-edge of a Structure's roof.
- 490.6 Unusual Situations. Proposed lighting installations that do not comply with §490 Exterior Lighting maybe approved by the DRB only when that Board finds that the proposed lighting utilizes LED

*see map on next page*

# Morrisville Historic District


## Morristown, Lamoille County, Vermont

**National Register of Historic Places**

-  Boundary Increase, 2006
-  Morrisville Historic District, 1983
-  Contributing Structure
-  Non-Contributing Structure
-  Demolished Structures (6)
-  PL
-  Lamoille River

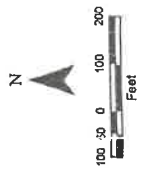
**Peoples Academy**  
National Register of Historic Places  
(1986)

September 15, 2006



145 Spruce, Zone 6506,  
Townsend, Vermont, VAD 05553

For more information, please contact:  
Lamoille County Planning Commission  
PO Box 1009, 43 Portland Street  
Morrisonville, Vermont 05661  
802.884.4548 / 802.888.8038  
kary@spco.org



SOURCE: 1:50000 tax maps, LCPC, 2004.

5

## MPC S.100 zoning change schedule through rest of fiscal year

<u>Meeting Date</u>	<u>Board</u>	<u>Time</u>	<u>Location</u>	<u>S.100 New Zoning Change Topics</u>	<u>Bill §</u>	<u>Notes</u>
11/28/2023	MPC	5:00 PM	Town Offices	Review duplex pavement requirement, 50% increase in minimum lot size in RRA Zone, & delete homeless shelter language	§1, §2 & §3	
12/12/2023	MPC	5:00 PM	Town Offices	Review lot sizes for village RES (proposed at 8,000 ft2 maximums @ 5+ single-family homes per acre)	§2	
1/9/2024	MPC	5:00 PM	Town Offices	Lot size vote for village RES (proposed at 8,000 ft2 maximums @ 5+ single-family homes per acre)	§2	
1/23/2024	MPC	5:00 PM	Town Offices	Revise Accessory Apt language & permit process for administrative subdivisions	§2 & §6-§7	
2/13/2024	MPC	5:00 PM	Town Offices	-	-	No meeting
2/27/2024	MPC	5:00 PM	Town Offices	Review edits to village residential zone boundaries & Sewer Service Area so it matches zoned areas for village maximum lot sizes, & allow small gravity sewer expansion areas (per MW&L)	§2 & §4	
3/12/2024	MPC	5:00 PM	Town Offices	Vote on village residential zone boundaries & Sewer Service Area changes & begin Missing Middle design criteria discussion	§2 & §4	
3/26/2024	MPC	5:00 PM	Town Offices	Vote to add Missing Middle design requirements into Section 206 of ZBL	§2	
4/9/2024	MPC	5:00 PM	Town Offices	Review appeal party & character of area statutory changes, by-right development restrictions, & new definitions in ZBL for "served by water and sewer"	§6, §7, §9 & §10	
4/23/2024	MPC	5:00 PM	Town Offices	Review S.100 zoning changes before public hearing	all	Public hearing & vote
5/14/2024	MPC	5:00 PM	Town Offices	S.100 Zoning Change public hearing & vote		

mean temporary shelter for homeless) and define multi-unit dwelling (to mean three or more dwelling units in same building).

**Served by Water & Sewer Definition:** amends definition to define "served by municipal water and sewer infrastructure" to mean an area where a connection is "available" to municipal water and direct or indirect wastewater system(s).

"Available" is not defined but could be interpreted as "possible" or "feasible" and not prohibited by State regulations and permits, known capacity constraints, or adopted service and capacity agreements. Municipalities can also establish specific service areas by ordinance or bylaw, provided they do not discriminate against year-round residential housing otherwise allowed. Such an ordinance may consider areas where year-round housing development conflicts with natural resource regulations, known service area prohibitions or limitations, areas served only to address public health hazards, mobile home parks outside areas planned for growth, and where year-round housing development is prohibited.

**§5 – Preparation of Bylaws:** Amends 24 V.S.A. §4441 (preparation of bylaws and regulatory tools) to enhance fair housing filing requirements for the State Plan & Bylaws Database and atlas to allow developers/researchers to go to one place for all adopted bylaws and access all zoning districts through the Vermont Open Geodata Portal. The Department is now in the process of updating procedures, forms and upload capabilities.

✓ **§6 – Limits on Local Appeals:** Amends 24 V.S.A. §4465 (appeals of decisions of the administrative officer) adds "residents" to the list of potential individuals that may, in combination, appeal an appropriate municipal panel (AMP) decision with a 10-person petition. Depending on local governance, the AMP could be a planning commission, zoning board of adjustment, development review board, or legislative body (under interim zoning). The amendment also prohibits 10-person appeals for "character of the area" if the project has an affordable housing component.

✓ **§§6-7 – Subdivision Review:** Amends 24 V.S.A. §4463 (subdivision review) to differentiate between major and minor subdivisions in bylaws to allow administrative officers to approve minor subdivisions. Municipalities may define "minor subdivision."

✓ **§9 – Character of the Area Appeals:** Amends 24 V.S.A. §4471 (appeal to environmental division) to prohibit conditional use appeals when the AMP has determined the "character of the area" is met for residential development in some State designated areas (Downtowns, Growth Centers, and Neighborhood Development Areas). Other elements may be still appealed.

✓ **§10 – By Right Development Review:** Amends 24 V.S.A. §4464(b) (appropriate municipal panel decisions) to require local boards to permit housing development as enabled in the bylaws with no restrictive modifications to projects. Developments that meet the requirements of bylaws and municipal standards, (along with any other permitting requirements) must be allowed. AMPs will no longer be able to require larger

**Bedroom** - a room with one or two beds in it being used for sleeping purposes.

**Brewery:** A facility for the production and packaging of beer, vinous, distilled or fermented alcohol products for distribution, retail, or wholesale, on or off-premise. A majority of a Brewery's on-premise alcohol sales (retail, tastings, etc.) shall be brewed or distilled on-site.

**Building** – See definition of Structure.

**Building Front Line** - Line parallel to the front lot line transecting that point in the Building face which is closest to the front lot line. This face includes decks and porches whether enclosed or not but does not include steps or ramps.

**Building Height** - Vertical distance measured from the average elevation of the Building's finished grade to the midpoint of its roofline, or, in the case of a flat roof, to its highest point. ~~Building Height above the maximum height specified in each zone shall require Conditional Use review.~~ Building Height or structure height above 40 feet that is intended to be occupied may only be permitted upon prior written confirmation from the Fire Chief that the Town's existing fire-fighting apparatus will be able to fully access at least 2 sides of the building or structure.

*Unchanged from previous meeting*

**Bulk Storage of Fuels** - The storage of 1,000 gallons or more of liquid or gaseous fuels for distribution. Such fuels include fuel oil, and pressurized gasses such as propane and compressed natural gas.

**Business Services** - Establishments providing primarily services to individuals, institutions, farms, industries, or other businesses (ex. including: bank, distributors, real estate agency, barbershop, beauty parlor, laundry, photographic studio, and wholesalers). Business Services is also inclusive of the assemblage of parts to manufacture hardware or consumer products.

**Class 1 Development** - Any use in which all necessary water supplies AND sewage disposal is provided by municipal off-lot water and sewage systems.

**Class 2 Development** - Any use in which either the necessary water supply OR the necessary sewage disposal is provided for on the same lot as the building(s) for which these utilities are provided; and the other utility is provided by an off-lot system.

**Class 3 Development** - Any use in which the necessary water supply and the necessary sewage disposal is provided for on the same lot as the building(s) for which these utilities are provided.

**Clubs, Private** - Building, facilities, or uses catering exclusively to club members and their guests for recreational purposes and not operated primarily for profit.

**Commercial Use** - This use shall include all operations and processes for businesses, whether they be located in stores, warehouses, offices, or similar Structures. This use shall not include the Gas Station or Sexually Oriented Business uses.

**Community Facility** - Any meeting hall, place of assembly, government office, government facility, museum, art gallery, library, school, or other similar establishment not operated primarily for profit.

use definitions allowed in each zone are shown in the following table:

<b>USE TABLE</b>	<b>CB</b>	<b>COM</b>	<b>MOR</b>	<b>IND</b>	<b>HOS</b>	<b>HDR</b>	<b>MDR</b>	<b>LDR</b>	<b>RRA</b>
Accessory Retail & Food	P	P	P	P	P				
Accessory On-Farm Business	P	P		P	P	P	P	P	P
Acc. Use / Acc. Dwelling Unit	P	P	P	P	P	P	P	P	P
Bar	C	C							
Brewery	P	P		P					
Bulk Storage of Fuels				C					
Business Services	P	P		P					
Clubs, Private	P	P	G			C	G	C	
Commercial Use	C	C		P					
Community Facility	P	C	G	C		C	G		
Day Care Facility	P	C	G	C	C	C	G	C	
Drive-Through	C	C							
Dwelling Unit, Single-Family	C		P		C	C	P	P	P
Dwelling Unit, Two-Family	C	C	P		C	P	G		
Dwelling Unit, Multi-Family	P	C			C*	C°			
Family Child Care Facility	P	C	P	P	P	P	P	P	P
Fence (non by-right)	C	C	G	C	C	C	G	C	C
Firewood Processing				C				C∞	C
Gas Station									
Group Home / Recovery Residence	C		P		C	C	P	P	P
Health Care Facility	P	P			P				
Home Business			G		C	C	G	C	C
Home Occupation	P	P	P		P	P	P	P	P
Hotel, Inn or Motel	C	C		C					
Motor Vehicle Sales & Repair		C							
Parking Facility	C	C							
Professional Office	P	P	P	P					
Recreation Facility	P	P	G	C	C	C	G	C	C
Restaurant	P	C							
Retail Sales of Goods & Services	P	P							
Sale of Goods Produced On-Site	P	P		P					
Sexually Oriented Business				C^					
Shelter	G	G	P		G	G			
Special Industrial									C~
Short-Term Rentals	P	P	G	P	C	C	G	C	C
Structures Building Height above 35 feet in Height	P	P	G	P	C	C	G	C	C
Structures Building Height above 50 feet in height p	C	C		C					
Warehouse & Storage Facility				P					

\* = The Dwelling Unit Multi-Family use is only allowed in the Hospital Zone as part of a Health Care Facility use  
^ = Sexually Oriented Business are only allowed in Zone IND #3 Trombley Hill)  
~ = The Special Industry use is only allowed east of Garfield Road between the river (south) and the town line (north)  
∞ = The Firewood Processing use is only allowed in the LDR-2 Zone. It is not allowed in Zones LDR-1, 3, 4, and 5.

no new changes

° = Regardless of any density calculations in the HDR Zone, the adaptive reuse of accessory buildings that existed on 1 January 2023 into 1 or 2 new dwelling units may be administratively approved by the Zoning Administrator.

β = Building Height above 40 feet may only be permitted upon written confirmation from the Fire Chief that adequate access exists to the portion of the structure above 40 feet in height via the Town's existing fire-fighting apparatus.

Please Note: All permitted uses with new footprints larger than 20,000 ft<sup>2</sup> require §500 DRB Site Plan Approval.

204.5b Dimensional requirements. Development Class, maximum & minimum lot sizes, areas, frontage and setbacks in each zone are shown in the following table:

<b>Dimension Table</b>	<b>CB</b>	<b>COM</b>	<b>MOR</b>	<b>IND</b>	<b>HOS</b>	<b>HDR</b>	<b>MDR</b>	<b>LDR</b>	<b>RRR</b>
<b>Development Class</b>	1	1	4	1,2*&3*	1	1	4	1,2**&3**	3
<b>Maximum Lot Size / Density</b>	20,000	-	-	-	8,000	10,000	-	8,000	-
<b>Minimum Lot Size</b>	1,500	10,000	4,000	40,000	84,000	2,000	4,000	10,000 4,000**	80,000 120,000
<b>Minimum Area Single-Family</b>	750	10,000 2,000	4,000	-	8,000	2,000	4,000	10,000**	80,000 120,000
<b>Minimum Area Two-Family</b>	1,500 750	10,000 2,000	10,000	-	16,000 8,000	4,000 2,000	10,000	-	- 120,000
<b>Minimum Area Multi-Family (per unit)</b>	No limit	2,000***	-	-	No limit****	2,000	-	-	-
<b>Minimum Lot Frontage</b>	20	50	50	50	50	20	50	50	50
<b>Maximum Front Setback</b> ^	8	-	-	-	-	-10	-	-	-
<b>Minimum Front Setback</b>	-	30	35	50	35	8-30	25	35	45
<b>Minimum Side Setback</b>	-	5	5	10	10	-	5	10	15
<b>Minimum Rear Setback</b>	-	5	10	10	10	10	10	15	15
<b>Minimum Shoreline Setback</b>	50	50	50	50	50	50	50	50	50

\* = IND Zone Class 2&3 Development allowed in IND#2 (west of Houle Ave. frontage to the east and south of Harrel St), IND#3, IND#4 (west of Ryder Brook only), & IND#5

\*\* = Areas of LDR Zone with Class 2 Development require a 15,000 ft<sup>2</sup> minimum lot size per family, and any areas of the LDR Zone relying on Class 3 Development require a 25,000 ft<sup>2</sup> minimum lot size per family.

\*\*\* = The Dwelling Multi-Family use is only allowed in the Commercial Zone when a Business Services, Restaurant, or Retail Sales of Goods & Services use, or a combination thereof, is provided on at least 50% of the ground / first floor of the building.

\*\*\*\* = The Dwelling Unit Multi-Family use is only allowed in the Hospital Zone as part of a Health Care Facility use.

\*\*\*\* = 4,000 ft<sup>2</sup> of land area per Dwelling Unit is required on Brooklyn St (not 2,000 ft<sup>2</sup> as required elsewhere in the HDR Zone)

^ = An 8 foot minimum front setback is required only in the HDR section of Brooklyn Street

^ = Maximum Front Setback is measured from the outside edge of the sidewalk or traveled way when no sidewalk is present.

**Section 205. General zoning requirements.** In addition to the use and dimensional tables found above in §204a and §204b, all zoning application shall comply with Article III Special Protection Areas, the General Regulations found in §400-§499 of these Bylaws, and §500 Site Plan Approval.

**Section 206. Design Criteria.** The Zoning Administrator or DRB may require the submission of a proposed

no new changes

10

building rendering to ensure that the below design criteria requirements are met for Dwelling Unit Multi-Family, Dwelling Unit Two-Family, Dwelling Unit Single-Family, and business uses in the following zones: CB, COM, IND #4 (north of Bridge St only) & IND #5 (airport), HOS, HDR, & MLDR.

Architectural repetition: Each building proposed shall be architecturally different than any directly adjacent building (regardless of parcel or property lines). In a townhouse style or similar development, the prohibition on architectural repetition shall be evaluated between the individual townhomes, and not between the adjacent larger building pods (with a building pod being defined as containing 3 or more townhomes on a common foundation). Building articulation of 2 feet or more or the use of a different roof design (ex. flat, gable, gambrel, hip, shed) are minimum requirements to avoid the architectural repetition prohibition between otherwise identical buildings.

- a. Blank walls: Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or ground level doorways.
- b. Cladding: The trim boards for all windows and doors shall sit proud of vinyl siding and hide all J-Channel trim.
- c. Exterior Access: To encourage townhouse style development in the HDR Zone, all Dwelling Units shall provide a private entry/exit door that accesses at ground level.
- d. Front porch: All residential construction must include a front porch with a minimum size of 8 feet by 6 feet, located on the side(s) of the building that parallels existing or new public sidewalk(s) (as required by the Morristown Sidewalk Policy).
- e. Garages: Attached and detached garages shall be located at least 5 feet further from the primary street frontage than the foundation of the home or business that the garage is accessory to, and at least 20 feet from the closest edge of sidewalk or street pavement. Garages shall not be more than 1/2 the length of said home or business, with both lengths measured along the primary street frontage. Interpretation of primary street frontage, when a property has multiple frontages, shall be made by the DRB or ZA.
- f. Public entrances: All Dwelling Units shall include at least one functional public entrance that faces the parcel's primary street frontage. In the case of a corner lot, additional public entrances are only required if a sidewalk is present along the additional frontages.
- g. Loading docks & garbage storage: All loading docks and garbage storage and pick-up areas shall be located in the rear of Buildings and away from public right-of-way, and then residential uses. When said location is not possible, screening shall be used to obscure these areas from view of the public right-of-way.
- h. Outside space: All new dwelling unit multi-family uses shall include 24 ft<sup>2</sup> of exterior outdoor space per unit that may be comprised of any combination of the following: a common roof deck, a common area deck or porch, a front lawn area located outside required setbacks, or a private deck, porch, or patio that is attached or adjacent to the dwelling unit.
- i. Rooflines: Rooftop mounted mechanicals and flat roofs shall be screened by extended parapets or projecting cornices, or located so they are not visible from any Street. Space enclosed by parapet walls, including head-house access to a rooftop, shall not count towards the Building Height measurement, nor §207b.
- j. Parking: In addition to the parking requirements found in §450, other than handicapped parking, parking shall be located to the sides or rear of buildings. No Parking Space Off-Street shall be located between the building and the road from which it derives its frontage.

See next  
page for  
identical  
language  
broken out  
into 2 sections  
for smaller and  
larger development  
proposals

- k. Pedestrian and bicycle infrastructure: If called for by the Morristown Sidewalk Policy, development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. This frontage sidewalk shall be physically connected to the walkway to the Building's main entrance. A bike rack shall also be provided for new Development that has 10 or more new parking spaces.
- l. Lighting: A lighting plan that demonstrates compliance with Section 490 of the Bylaws.
- m. Utilities: Utilities shall be underground.
- n. Waiver. The DRB may grant a Waiver for any and all design requirement of this section along said Streets if doing so meets at least two of the goals specified in §204.4.

\*206.1 For Dwelling Unit Single-Family & Two-Family uses the following Design Criteria rules apply:

For small development

- a. Architectural repetition. Each building proposed shall be architecturally different than any directly adjacent building (regardless of parcel or property lines). In a townhouse style or similar development, the prohibition on architectural repetition shall be evaluated between the individual townhomes, and not between the adjacent larger building pods (with a building pod being defined as containing 3 or more townhomes on a common foundation). Building articulation of 2 feet or more or the use of a different roof design (ex. flat, gable, gambrel, hip, shed) are minimum requirements to avoid the architectural repetition prohibition between otherwise identical buildings. In no situation shall the front of a townhouse face the rear of another townhouse unless a parking area or road separates them.
- b. Building size maximums. The width of any new structure is limited to 60 feet or less and its depth shall be limited to no more than 150% of the of the size of the larger of the two directly adjacent non-accessory structures on the same street.
- c. Cladding. The trim boards for all windows and doors shall sit proud of vinyl siding and hide all J-Channel trim.
- d. Entry door. All Dwelling-Units shall include at least one functional entry door facing the parcel's primary street frontage. In the case of a corner lot, additional entry doors are only required if a sidewalk exists along that additional frontage.
- e. Front porch. All residential construction must include a front porch with a minimum size of 8 feet by 6 feet, located on the side(s) of the building that parallels existing or new public sidewalk(s) (as required by the Morristown Sidewalk Policy).
- f. Exterior Access: To encourage townhouse style development in the HDR Zone, all Dwelling Units shall provide a private entry/exit door that accesses at ground level.
- g. Garages. Attached and detached garages shall be located at least 5 feet further from the primary street frontage than the foundation of the home or business that the garage is accessory to, and at least 20 feet from the closest edge of sidewalk or street pavement. Garages shall not be more than 1/2 the length of said home or business, with both lengths measured along the primary street frontage. Interpretation of primary street frontage, when a property has multiple frontages, shall be made by the DRB or ZA.

This week's New language shown via yellow highlight

This language is very impactful

new deletion

\* 206.2 For Dwelling Unit Multi-Family and business uses, in addition to the §206.1 requirements, the following Design Criteria rules shall also apply:

For larger development

- a. Blank walls. Blank walls shall not face any Street on which the property has frontage. A blank wall is a building wall that has an expanse of 30 feet in length or greater without fenestration, building articulation or ground level doorways.
- b. Lighting. A lighting plan that shows compliance with Section 490 of the Bylaws.
- c. Loading docks & garbage storage. All loading docks and garbage storage and pick-up areas shall be located in the rear of Buildings and away from public right-of-way, and then residential

uses. When said location is not possible, screening shall be used to obscure these areas from view of the public right-of-way.

- d. Outside space. All new dwelling unit multi-family uses shall include 24 ft<sup>2</sup> of exterior outdoor space per unit that may be comprised of any combination of the following: a common roof-deck, a common area deck or porch, a front lawn area located outside required setbacks, or a private deck, porch, or patio that is attached or adjacent to the dwelling unit.
- a-e. Parking. In addition to the parking requirements found in §450, other than handicapped parking, parking shall be located to the sides or rear of buildings. No Parking Space Off-Street shall be located between the building and the road from which it derives its frontage.
- f. Pedestrian and bicycle infrastructure. If called for by the Morristown Sidewalk Policy, development shall include sidewalks along the parcel's Street frontage to ensure pedestrian connectivity to adjacent parcels. This frontage sidewalk shall be physically connected to the walkway to the building's entry door. A bike rack shall also be provided for new Development that has 10 or more new parking spaces.
- g. Rooflines. Rooftop mounted mechanicals and flat roofs shall be screened by extended parapets or projecting cornices, or located so they are not visible from any Street. Space enclosed by parapet walls, including head-house access to a rooftop, shall not count towards the Building Height measurement, nor §207b.
- h. Stormwater. Stormwater shall not be directly discharged from business or multi-family structures onto Town property, including any public road right-of-way.
- b-i. Utilities. Utilities shall be underground.

*new language from walk*

206.3 Proposed development that chooses to not comply with one, more, or all of the Design Criteria requirements of §206.1 - §206.2 shall have the following alternative development options:

*New Cottage Court allowance via Conditional Use (DRB)*

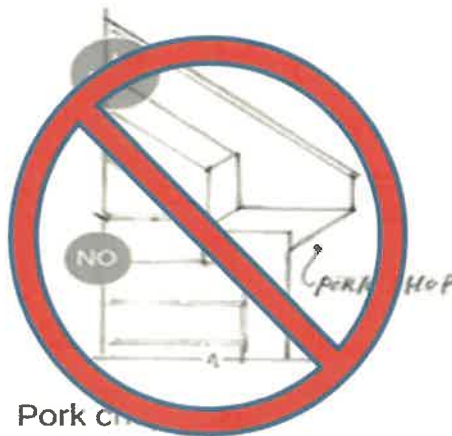
- a. Cottage Court development. In all zones where Design Review is required (other than Industrial), the Board may, via §630 Conditional Use, allow Cottage Court style development. Cottage Court style development, which most often consists of a cluster of detached single-family homes oriented around a common courtyard that is typically perpendicular to the street frontage, shall meet the following minimum requirements:
  1. Building Height. Building Height shall not exceed 1.5 stories.
  2. Courtyard Width. The required common area courtyard that the dwellings are centered around shall be at least 25 feet wide, grassed or otherwise landscaped, and not bisected by impervious surfaces other than a sidewalk from the common parking area to the dwellings. A front porch on each dwelling may project up to 6 feet into said Courtyard.
  3. Density. The number of allowed dwelling units in any Cottage Court development shall not be more than what is allowed by §204.5b Dimensional Requirements, but a Cottage Court development may be located on a single lot.
  4. Dwelling Size. The footprint of each dwelling is limited to 800 ft<sup>2</sup>. All dwellings must be located at least 8 feet from the closest adjacent dwelling.
  5. Front Door. The front door to each dwelling must face the courtyard.
  6. Lot Size. The minimum lot size needed to apply for a Cottage Court Development is 100 feet of lot width and 150 feet of lot depth.
  7. Parking. A common parking lot shall serve the dwellings and garages. Access to the parking lot shall be via a sidewalk through the central courtyard. Garages, if any, shall not be attached to any of the dwellings.
- b. Waiver. The DRB may grant a Waiver for any and all requirements of §206 Design Review if it can be found that doing so meets at least two of the goals specified in §204.4 Waiver.



Frieze intersection at corner board  
example at 68 George Street

*new language*

- e. Front Setback: A maximum front setback of 8 feet is required in the Central Business Zone (measured from the outside edge of the sidewalk, or measured from the outside edge of the traveled way when no sidewalk is present and a sidewalk will not be required). For the section of Brooklyn Street located in the High Density Residential Zone, all structures shall have a minimum front setback of at least 8 feet from the outside edge of the sidewalk.
- f. Gable Ends: Gable ends may be angled or closed with a classic short or full-length frieze return. Pork chop returns are not allowed.



Pork chop

<https://www.finehomebuilding.com/project-guides/siding-exterior-trim/design-build-gable-end-eave-design>

- g. Glazing. The ground floor of a building facade that parallels the parcel's Street frontage shall be at least 50% glazed, which refers to a collection of panes or full sheets of glass, set within frames such as windows or doors.
- h. Mix of Uses. A Business Services, Restaurant, or Retail Sales of Goods & Services use, or a combination thereof is required on 50% of the ground / first floor along said Streets.
- i. Trim boards: All window and door trim shall comply with the following requirements:
  1. Windows shall have a solid side trim board of at least 4 inches trade width, a head board of at least 6 inches trade width, and a sloping sill that stands proud of the surrounding trim by at least 1 inch.
  2. Doors shall be trimmed in kind with the windows. Larger head and side board trim is acceptable on doors, but not less.
- j. Soffits. Soffits shall be angled (following pitch of roof), or closed (perpendicular to the wall).