

**MORRISTOWN/MORRISVILLE
PLANNING COMMISSION
P.O. BOX 748
MORRISVILLE, VT 05661
Phone (802) 888-6373
Fax (802) 888-6377**

Minutes of December 7, 2010

Members Present: Paul Griswold, Bill Henchey, John Meyer, Max Paine and Andrew Volansky

Members Absent: Reeves Larson and Lauren Traister

Staff: Todd Thomas, Zoning Administrator (ZA)

Guests: See attached sign-in sheet

Call to Order: Chair Henchey called the meeting to order at 7:00 P.M.

Presentation: Form Based Zoning (Paul Dreher & Patricia Sears) – Paul Dreher and Patricia Sears appeared before the Commission to talk about recent zoning changes in Newport. Ms. Sears, the Executive Director of the Newport City Renaissance Corporation, explained the recent history behind the city's adoption of form based zoning for its downtown. She added that the genesis of Newport's form based zoning code centered on the ongoing struggle to retain the fabric of the city's built environment during redevelopment projects, coupled with the need to develop downtown housing for young professionals. She extolled the main benefits of a form based zoning code, most notably predictability for developers and less risk of appeal to Environmental Court by the minimization of conditional uses. Mr. Dreher led the Commission through a PowerPoint presentation of Newport's new zoning code. Mr. Dreher explained form based code as regulating what things look like and how they function, as opposed to regulating their actual use. He explained that form based zoning must start with a visioning process that results in a code that quantifies the form and design of structures desired by the community. He added that a form based code is generally well received by businesses and developers, as it largely eliminates soft permitting costs. He noted that as Newport's Zoning Administrator, he administers the form based code and grants permits for most developments as permitted uses based off a simple checklist of form requirements for the district in question. Ms. Sears and Mr. Dreher answered numerous questions from the audience, including what the unintended consequences of moving towards a form based zoning code were. The Commission thanked Ms. Sears and Mr. Dreher for the presentation and their time.

Discussion: Zoning changes to the Sign Bylaw – ZA Thomas led the Commission through a newly proposed version of the Sign Bylaw. He said that the Bylaw was revised per the Selectboard's comments at the last public hearing, in addition to minor formatting

revisions designed to make the bylaw easier to use and administer. The Bylaw changes that were made per the Selectboard's comments were reported as including a size allowance increase for Directory Board signs, as well as the restoration of the 100sf of Sign size in the Commercial zone. Chair Henchey said that the proposed 10sf of size allowance for Directory Board signs was too big and he preferred a 5ft size allowance maximum per business. The Commission also discussed the proposed Sign size reduction in the Central Business zone from 100sf to 50sf. ZA Thomas was instructed to look at the size of the Sign for Guy's Farm and Yard. ZA Thomas was also instructed to add some criteria to help determine which businesses qualified for a Directory Board sign.

Discussion: Zoning for food relates use allowances – ZA Thomas distributed the results of the October 5th Planning Commission discussion regarding proposed zoning changes for food uses. He informed the Commission that he had spoken to the Mountain View Snack Bar as requested and the owners wished to be non-conforming use within the Special Industrial zoning district. ZA Thomas said that this change would be made on the food use allowance table. ZA Thomas called the Commission's attention to some of the final decision making needed for the proposed food uses, particularly the need to specify between permitted and conditional uses. ZA Thomas pointed out that there was no reason to distinguish between Bar and Nightclub uses, as the Commission was proposing to allow both uses in the exact same zoning districts. Chair Henchey said that he would like MACC to weigh in on these final changes at the next Commission meeting.

Discussion: Central Business zoning district proposed changes – ZA Thomas led the Board through his proposed changes to the Central Business zoning district. He said that the changes largely fit into two categories: technical dimensional and additional use allowances. He said that he derived the proposed technical changes by looking at existing lot sizes and dimensions in the downtown. The proposed 35 foot lot width and 0.1 acre minimum lot size matches the downtown's historic small lot size. The additional use allowances were derived from the universe of defined uses in the Zoning Bylaw which were added into the Central Business zoning district based on the theory that most defined uses are appropriate in a downtown setting. ZA Thomas said that the proposed 870sf Minimum Lot Area per Residential Unit equaled a density of approximately 50 units an acre. He said that this density was largely derived from the Arthur's block on Lower Main Street which felt appropriate for Morrisville. Chair Henchey said that he would like a larger public process on downtown zoning changes, including MACC.

ZA Thomas noted that the Central Business zoning changes needed to be accompanied by minimum parking ratio reductions in order to be successful. He explained that a redevelopment build-out of the Norm's Furniture site under the proposed zoning would require 20 on-site parking spaces – based on the Bylaw's current requirements for two parking spaces per residential unit. He suggested that a parking ratio of 0.75 would be more appropriate in the downtown, which would result in 7.5 required parking spaces for the redevelopment of the Norm's Furniture site. ZA Thomas also suggested that the shared parking prohibition be eliminated for residential uses, thereby allowing residential redevelopment to obtain the same municipal parking waiver often given by the DRB for

business use. The Commission reiterated that it wanted to make downtown zoning changes a top priority in the new year.

Approve Prior Meeting Minutes – Upon a motion by Member Griswold, the minutes of the November 16, 2010 meeting were accepted as presented. The motion was affirmed by a vote of 5-0.

Respectfully submitted: Todd Thomas, ZA

Tuesday, December 07, 2010

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