

**PLANNING & ZONING REGULATIONS SUBCOMMITTEE MINUTES FOR MEETING 2 JANUARY 2019 AT 6:30 P.M.
AT CITY HALL AUDITORIUM, 110 RIVER STREET**

- A. Call to Order was at 6:30.
- B. Roll Call: J. Grant, P. Kearney, S. Marlow, J. Quish, J. Griffith, D. Sulkis, S. Harris, M. Greene
- C. Minutes of 6 November 2018 **approved unanimously**.
- D. Staff up-date on Status of Pending Proposed Regulation Changes:

Mr. Sulkis reported that **Mr. Harris** had been researching parking regulation methodologies used in other municipalities as directed by the subcommittee last month. He learned that a best practice is for the board to adopt a standard where parking changes are made on a case-by-case basis by asking for a parking study when asked to reduce parking requirements.

Mr. Grant questioned why several amendments he expected to be on the P&Z agenda weren't there. **Mr. Sulkis** said it was an oversight and the items could be added with a 2/3 vote by the board.

Mr. Sulkis discussed the use of "not," in Amendment 40-18, agreeing that it was poorly worded but saying if it were dropped, a whole section of regulations would be nullified. The subcommittee agreed to preserve the existing language and not pursue the amendment.

E. Discussion on Proposed Changes to Existing Regulations (proposed by SUB-COMMITTEE) Amendments:

#41-18 – Section 3.9.6.1 Modification of Requirements (DELETE)

Mr. Harris described preexisting nonconforming uses and expressed concern that making this change would take away a property owner's legal right to intensify a use over other parts of a lot. Discussion ensued about "intensify" versus "expand" a use. **Mr. Grant** said this language would be deleted and replaced by "reserved for future use." Upon hearing no objection from members of the subcommittee, **Mr. Grant** stated that the amendment would be submitted to the full board.

#42-18 – Section 4.1.1.7 Structure or accessory building (TEXT CHANGE)

Mr. Grant summarized the change which expands distances to lot-lines for the keeping of animals other than poultry. Upon hearing no objection from members of the subcommittee, **Mr. Grant** stated that the amendment would be submitted to the full board.

#43-18 – Article 5, Figure 4 (7) (TEXT CHANGE)

Mr. Grant summarized the change which reinstated the language "outdoor serving area"; this phrase was apparently inadvertently removed from a previous regulation book upgrade. There was acknowledgement that this change would affect parking. **Mr. Griffith** said "gross floor area" should incorporate an outdoor serving area. **Mr. Sulkis** said staff parking spaces should be considered; **Mr. Griffith** added consideration of storage areas that are not seating. There was discussion of a heavily remodeled McDonalds and drive-through restaurants that eliminate their drive-through. Upon hearing no objection from members of the subcommittee, **Mr. Grant** stated that the amendment would be submitted to the full board.

#44-18 – Section 5.1.4.2 Prohibited Drive-thru Windows, Curb Cuts, and Driveways (NEW)

Mr. Sulkis said the origin of this section was the board's desire to prevent drive-through windows in the downtown area from interfering with pedestrian traffic. He said if the intent is to prevent drive-throughs in the MCDD, the language should reflect that. **Mr. Quish** said he was ambivalent about the regulation because he thought it might inhibit development. The group agreed to run the amendment by the board; **Mr. Grant** said he would add MCDD and CDD to the amendment's title. Upon hearing no objection from members of the subcommittee, **Mr. Grant** stated that the amendment would be revised and submitted to the full board.

#45-18 – Section 5.7.7 Existing Operations (DELETE)

Mr. Grant said this regulation was outside of the board's legal jurisdiction. **Mr. Sulkis** suggested adding the words "or" to an existing compliance clause to allow for oversight of a change in operations. The goal was to get regular updates of site activity. Upon hearing no objection from members of the subcommittee, **Mr. Grant** stated that the amendment would be revised and submitted to the full board.

The following three regulations were deemed superfluous and eliminated:

#46-18 – Section 5.8 Flood Hazard and Flood Damage Prevention (NEW)

#47-18 – Section 5.8.13.2 Non Residential Construction (TEXT CHANGE)

#48-18 – Section 5.8.14.2 Construction Methods (TEXT CHANGE)

- G. Adjournment was at 7:24.
- H. Next Meeting – February 5, 2019

Attest:

M.E. Greene, Board Clerk