

**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