



RUTLAND CITY PLANNING COMMISSION

City Hall – 52 Washington St. – Rutland, VT 05701
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Minutes May 26, 2021

The meeting was held by teleconference due to COVID-19 protocols.

Present: Patrick Griffin (PG), Alvin Figiel (AF), Rebecca Mattis (RM), Sarah Roy (SR) and Dave O'Brien (DO).

Also Present: Alderman Doenges, Andrew Strniste, Planning and Zoning Administrator, Brandy Saxton, Dave Cooper, Brennan Duffy, John Ruggiero and Barbara Spaulding, recording secretary.

RM, Chair, called the meeting to order at 5:34 pm.

- I. ADDITIONS/DELETIONS – None.**
- II. PUBLIC COMMENT – None.**
- III. APPROVAL OF MINUTES – May 12, 2021.**

AF moved to approve the minutes of May 12, 2021. SR seconded. Motion passed unanimously.

- IV. NEW BUSINESS – None.**
- V. OLD BUSINESS – Draft Zoning Bylaws Review with Brandy Saxton.**

Brandy said the goal for this evening's meeting is to try to reach agreement on a rezoning proposal for the residential districts. She laid out a series of questions to work through toward the goal. The first question posed is whether there is agreement with the basic principles of redrawing the district boundaries and adding residential districts as laid out in the Residential Zoning Analysis and Recommendations report with the goal of better matching the built form of the neighborhoods and following the City's overall land use goals.

AF started the conversation saying the report recognizes reality and he would be in support of the recommendations as the proposals make sense.

RM agreed in principal that the zoning should match reality.

Brandy said the map on page 8 will have adjustments to the starting points of the proposed districts as the group does some on the ground reconnaissance and checking. Due to COVID, Brandy was unable to that herself as much as would be typical. The map being viewed is a starting point, not the final product.

PG said in principle changing the districts so that there is not an unrealistic standard for some of these neighborhoods to meet 1950s lot styles makes total sense. After September, the Commission can get into the nitty gritty of street by street.

Dave Cooper was surprised at how little mixed uses there are on the map. Brandy said there may be additional locations that Mixed Use makes sense but it is illegal to spot zone individual parcels based on the current use, but if there is a grouping of parcels that makes sense to turn into a Mixed-Use district there may be other locations where it is suitable. This map only shows the SFR district, there are more Mixed Use shown on page 24.

PG said looking at the maps there is an ability to allow for some uses within the proposed R-5 district rather than the Mixed-Use District and to look at permitted uses. Brandy said she was going to discuss Mixed Use with other districts and focus tonight on the Residential Districts.

The second question posed by Brandy is whether the 3 tiers proposed is enough. She believes 3 works for Rutland but more than 3 is possible if wanted.

AF asked about multi-story condominiums or rental properties that would cover part of a block and should they be considered in the residential districts. Brandy said thinking of different forms or types of housing is good and probably will come up in the discussion of dimensional standards and uses that will be discussed later in the meeting.

RM asked how the proposed districts interact with the actual built environment on page 3 and 4 of the analysis. Brandy suspects that in many cases properties that are perceived as a single lot are actually 2 lots. There are many instances in the City where a property owner owns two lots. This can change the grouping of lots. RM said she could see how this might change how to proceed with the boundaries for these districts. She would appreciate a more nuanced analysis of a reflection of what is there currently. Brandy said it is possible to provide a more detailed spreadsheet to look at the specific numbers for those blocks and she will provide it to the group to run those types of analysis.

DO said there is residential housing in the other districts shown in the gray area on the map on page 3. Brandy said this analysis is strictly the SFR zoning districts.

Dave Cooper asked if there are any ½ acre zoning districts. Brandy said there are currently 10,000-20,000 sq. ft. lots in the newer subdivisions. She added that the 10,000 sq. ft. lot size is a standard, conventional, urban zoning that Rutland initially adopted in the post WW11 era when ¼ acre lots were promoted in neighborhoods. Andrew was able to create a map showing all lots over ½ acre.

SR asked if the Griswold development in the Southwest quadrant is missing. Brandy said although the property is developed as individual lots it is not individual lots. Andrew added that the individual lots are shown on the GIS map in the Industrial District.

John Ruggiero said the Griswold property is a Planned Unit Development (PUD) which overrides zoning requirements through the DRB that allowed 5,000 sq. ft. lots to be

developed there. This allows for higher density affordable housing with landscaping and open space requirements. Discussion continued regarding condo ownership where the land is all one lot and possible locations for future PUD.

Dave Cooper asked if the residential districts were expanded would Brandy propose an additional district at the higher end, the lower end or in between the 3 districts proposed. Brandy said she does not see a rationale for setting up a district that would require larger than 10,000 sq. ft. lots. There may be people who want to live on a larger lot but to require it is short-sighted and doesn't take into consideration the City's infrastructure. Discussion continued regarding whether there is a need for larger size lots to accommodate folks and keep them from relocating in the Town or Mendon. The consensus of the Planning Commission is that the R-10 does not preclude larger lots and that the strengths of larger sites are elsewhere and the City should lean on its strengths.

RM asked what is the benefit to a neighborhood in reducing the zoning district from R-10 to R-7. Brandy said the basic rationale is to capture those areas where the existing built form pattern fits better with the zoning and most lots are conforming within a district. The question will be better addressed during the dimensional standards and uses discussion.

Brandy asked if there were any general questions, comments or explanation needed regarding the next topic of Dimensional Standards before discussion of the individually proposed residential districts. Hearing none, she said she would walk through the dimensional standards of each district beginning with the R-10 district.

PG asked if someone would be precluded from having a duplex in R-10 district. Brandy said yes but that an accessory dwelling unit is allowed. A duplex could be possible by dropping the minimum lot area per dwelling unit to 5,000 sq. ft. She discussed the rationale for the proposed 5,500 sq. ft. dwelling unit given how limiting the current zoning is with housing she was trying to compromise. DO asked if there are fewer apartments or complexes currently in the R-10 district. Brandy said yes but there are multi-unit homes, duplexes and accessory units as well.

Discussion continued on whether the R-10 district should restrict other types of housing besides single-family residences. Brandy said the group needs to think about what is being mitigated by being preferential to single-family housing over multi-family housing. Brennan mentioned the 2018 market analysis that recommended dedensification with better housing but less units saying this is important to the discussion regarding single family housing and whether this district should be protected. DO said allowing a duplex in R-10 would change the character of the district. Dave Cooper said we should protect the character of those neighborhoods just like we are protecting the character of other neighborhoods. RM asked how does renter vs. owner occupancy with regard to property upkeep play into this district. Brandy said the City can't regulate that through zoning, zoning has to be blind to renter vs. owner occupancy. The building type does not dictate the owner/renter nature of building and can't be considered. Building enforcement issues should not be viewed as being driven by owner/renter occupancy and that's where the City runs into problems with Fair Housing Law. Alderman Doenges added that care or

appearance is mandated by ordinance and zoning dictates lot size and the technical aspects. Brandy said Rutland is in a better position to deal with maintenance issues because it has the tools through its building codes. She added that minimum dwelling unit, parking requirements and other controls can directly respond to the impacts of multi-unit buildings. Andrew added that all single-family residences can have an accessory dwelling up to 900 sq. ft. so all districts can have two units by policy. AF said we need to find a middle ground with protecting the big lots on the fringe of the City but not be afraid of increasing density in all the other districts.

Brandy suggested finishing this discussion and beginning the Gateway and Design Review recommendations at the next meeting. She will forward the Gateway and Architectural Review overlay districts to the group soon. RM asked if Brandy would also email the discussion questions to the group. Brandy said the big policy question for the beginning of the next meeting will be regarding the concerns of multi-unit housing and the tools to mitigate those.

PG requested that Andrew send the group a parcel map of ¼ acre and 1 acre lots. RM said she is meeting with Andrew on Friday and they will discuss which maps will help the entire group. Andrew said based on field observation the zoning districts will be changed eventually and we could potentially guide development into the future.

VI. ADJOURN – PG moved to adjourn. DO seconded. Motion passed unanimously. The meeting ended at 7:23 pm. The next meeting will be held June 9, 2021.

For the Commission: Barbara Spaulding, Recording Secretary