

**Rutland City Planning Commission
Amended Meeting Minutes
April 26, 2023**

Present: Rebecca Mattis (RM), Sarah Roy (SR), Pat Griffin (PG) and Alvin Figiel (AF).

Also Present: Andrew Strniste Planning & Zoning Administrator, Barbara Spaulding recording secretary, Alderman John McCann, Noah and John Ruggiero.

RM, Chair, called the meeting to order at 5:32 pm.

- I. ADDITIONS/DELETIONS** – Correspondence from John Ruggiero dated 4/23 and 4/24, and correspondence from Adam Lougee dated 4/25 was added to the agenda. Andrew also asked to add discussion of the NDA.
- II. PUBLIC COMMENT** – None.
- III. APPROVAL OF MINUTES – April 12, 2023.**

RM moved to approve the minutes of April 12, 2023. AF seconded. Motion was approved.

- IV. NEW BUSINESS – NDA.** Andrew discussed the proposed Neighborhood Designation Area. The NDA allows the City to apply for grants and loans for projects within its boundaries. Andrew explained that the original area proposed for the NDA had to be reduced in size. The reduction is due to flood plain hazard areas being disallowed because the City's Flood Plan regulations do not meet FEMA standards. For the same reason, river corridors are also not permitted in the area because the City does not have river corridor regulations. ACCD performed a preliminary review of the application, but it is not slated to be approved until the Single-Family Residential districts are removed from the proposed NDA. Additionally, the designation would not receive a point in the scoring process due to the City's proposed parking regulations stipulating two parking spaces for single family dwellings which is considered too restrictive. It was recommended that the City require one parking space per dwelling unit. CORI, the Center on Rural Innovation, recommends no parking requirements. The City currently does not have parking requirements and Andrew wanted to let the Commission know that the proposed zoning regulations could impact a lot of opportunities for the City. He said to move the NDA forward he will remove the areas as discussed. Andrew also said that where ever housing is allowed the minimum lot size can't be greater than a ¼ acre. Currently, the Business Corridor District and Commercial District have minimum lot sizes that are too large at 20,000 sq. ft. RM said the minimum lot size would have to be cut in half in those districts. Andrew said yes and discussed the areas impacted. Alderman McCann asked if someone has a large lot now, would they have to split it up to add multiple units. Andrew said they would not at this time. RM said the Commission should consider these impacts while drafting the new zoning, but she doesn't support making changes without knowing what will happen with proposed amendments to the

program. Andrew suggested the potential changes by the State may not happen. He also mentioned that Brandy has added some Flood Plain Hazard regulation language in the draft zoning and he discussed the different levels of regulations and ratings as recognized by FEMA. Alderman McCann suggested reducing the parking requirements and not planning for car dependency.

V. OLD BUSINESS – Proposed Zoning Bylaws draft review of uses and Architectural Review.

Andrew distributed the Rutland Land Use Regulations Public Engagement Strategy packet provided by Brandy. This is Brandy's recommendation and she asked that the Commission work through the packet for the next meeting on May 10. Andrew said Brandy will be at the May 10 meeting. Andrew said he will provide the packet as a word document so the Commission can fill out the work plan and add notes elsewhere therein. Alderman McCann asked if he could add comments to the work plan. Andrew will provide him with a copy as well.

RM suggested moving into discussion of Architectural Review and leaving the uses for another meeting. Andrew provided a packet of the following ARC information:

- Architectural Review Timeline
- Map from the Rutland Downtown Redevelopment Plan approved 1992
- Appendix A Architectural and Design Guidelines adopted 11/3/1993
- Title 31 page 11 dated May 3, 1996
- §31-210 Design Control Districts adopted 10/18/2004
- §31-209 Design Control Districts effective 12/8/2020
- Title 9. Buildings

AF offered the following approach to opening the discussion. He discussed the potential for a large overlay district that would in part put the burden on staff. He proposed removing review by the Architectural Review Committee from the Gateway Districts without historic significance or historic buildings and refer applicants, in those areas, to the visual examples in the proposed bylaws and make the examples required. Andrew clarified his original position of being cognizant of having too much of a burden on staff who assist the board and coordinate applications. AF proposed some of the review would be administrative with reference to the visual examples in §234 in the proposed zoning. AF said he would add the cluster between West and Woodstock Avenue in the overlay district when reviewed by the Architectural Review Committee. He also suggested that the review be done by a group of specialists i.e.: landscape architects, historic preservation architects or urban planners and cover the historic areas, Downtown, Courthouse District and the area of West St to Woodstock Avenue.

Andrew discussed the timeline of the Architectural and Design Guidelines having originated in the Rutland Downtown Redevelopment Plan approved by the voters in 1992. In 1996 there was an amendment to the City's ordinance that states whenever there is a building permit in Downtown the project must be reviewed by the ARC. Andrew said he learned about this requirement today and it would be an administrative hurdle that potentially should be repealed. Andrew continued to explain that in 1997 the RRA requested that the Planning Commission establish a Design Review Control District for the Main Street Historic District. The Design Control Districts were passed in 2004 which is when the gateway districts started having design review. Appendix A is what the Architectural Review Committee uses, but the symbiotic relationship between Appendix A and the 2004 Zoning Regulations was not reviewed for consistency. Andrew discussed how the 9 West Street project is a good example of the need to review the standards for connections. There is a lot of confusion surrounding the Architectural Review regulations as they stand today, and discussion whether the Gateway Districts should or should not be included. Andrew added that when there is a Nationally Registered Historic District, a committee is required to facilitate review in that district. The boundaries relating to Architectural Review expanded in 2004 to include review into the gateways, but it became untenable to require all the Gateway and Downtown redevelopment opportunities to be reviewed for every potential change. AF said there was resistance to Architectural Review in the Gateway Districts. Andrew added that there was a memo from Mayor Louras prohibiting Architectural Review in the Gateway Districts. Tara had subsequently interpreted that review was required according to the regulations. He said there appeared to be a compromise that major development or major aesthetic change in the Gateway Districts would have Architectural Review. Andrew said this approach is unpredictable and unequitable and is why the Commission needs to create concise Architectural Review regulations and he agrees with Alvin's proposed approach. Andrew supports a hybrid approach where projects in the Gateway Districts are reviewed administratively by comparing what is proposed to the pictures; and for the historic districts and the block discussed reviewed by a professional board.

RM said the Commission will need to make sure that the regulations are strong in the wording by replacing "should" with "shall" or "must" and they need to be crystal clear in order for the administrative review of design. She added that the Architectural Review overlay be limited to Courthouse and Downtown districts, as well as the block at the Route 4 & 7 intersection. AF clarified that he would include the proposed Historic Mixed Use Districts because that is the impact of old Rutland for people driving through. PG said he sees the ARC as having a bigger role, not just for historic preservation, but improving the aesthetics in the Gateway Districts including Route 7, Woodstock Avenue and Strongs Avenue. The ARC could fill the role of reviewing the chain developments and requesting better options for the City's gateways. Currently the ARC has the authority to review the Gateway Districts and removing it could have impacts. Andrew discussed the likely changes to the ARC meeting schedule needed if all of the Gateway Districts are included. AF referred to §234 page 63 in which "franchise architecture is prohibited." This means a developer could not build the standard franchise in a Gateway District. AF said the unique design would still need to be judged by the City. PG said there is too much gray area in the section and it doesn't have "teeth." AF agreed that the DRB does not have professionals in design. Andrew referred to the chart on page 136 and

there are no references to design review. The DRB would review projects in relation to the chart. RM said the only design review would be either administrative or by the Architectural Review Committee. Andrew referred to the Architectural Review Overlay Zoning District on page 56.

Alderman McCann asked if there are “sideboards” that prevent garish design in the case of prohibited franchise architecture. AF said the draft zoning has a list of dos and don’ts in §234, but it is not absolutely comprehensive. John Ruggiero asked how the ARC would have handled the KFC building vs. the Starbucks building and do those new buildings meet the draft criteria. AF said Rutland presents itself as unique so why can’t we show visitors something different or more like Rutland and less like anywhere USA. John said he is favor of architectural review with more definition in the areas proposed. AF said the struggle is whether the review can be done through examples or through committee review with expertise.

Andrew referred to VT State Statue 4414 “a design review district may be created for any area containing structures of historic architecture or cultural merit.” This will have to be weighed in terms of the Gateway Business Districts because it may not fall into a design review district. RM asked if Woodstock and West Street could be included in the Architectural Review overlay according to 4414. Andrew said his initial impression is no. RM said there is a concentration of community interest in the area. AF said the buildings on the State register are all over the City. RM said she did not believe that the statute prohibits what AF has proposed for the overlay district. Andrew said proposed areas of overlay district and potentially not fit the statute exactly, but the community interest language is vague enough to include the gateways. RM said regulations need to match reality and should be followed through with all the time because it would be beyond the City’s ability to include review of all the gateways. Andrew said AF’s proposal is more manageable, although it is difficult to gauge the number of applicants.

Alderman McCann asked if there is way to have a pre-filtered checklist for applicants of dos and don’ts for administrative review with Andrew being able to defer to the ARC. Andrew said, as he understands it, if the project is located in the overlay district it will go before the ARC. RM said it would be one or the other. AF discussed a downside to administrative review being if the City has a new Zoning Administrator. RM said it will be important to have stronger paper regulations. AF said he prepared specific recommendations for different areas in the City and he asked Barbara to distribute them to the Commission. Andrew discussed the potential for different overlay districts. RM suggested that the rules for the ARC could change based on district with a single overlay. Andrew said a chart could be developed similar to the sign ordinance.

Andrew proposed that the Commission review the design control standards proposed by Alvin and reviewing the ARC standards proposed by Brandy. AF suggested putting effort into where old Rutland is continuously center stage. Andrew clarified, for the record, that the Commission agreed to architectural review by the Committee for the two historic districts, Routes 4&7 intersection and the Historic Mixed Use Districts. The Business Corridors will be covered administratively through the regulations. There is potential for overlay districts laid out by Alvin and how they jive with Brandy’s proposal.

VI. CORRESPONDENCE – RM moved to receive and take under consideration the following correspondence. AF seconded. Motion was approved.

4/23/2023 – John Ruggiero, request to change district on 37 acres located east of Tenney Brook and north of Marolin acres from R-10 to R5;

4/24/2023 – John Ruggiero, request to change entire south side of Traverse Place and the small section of Forest on the west side from Traverse to the southeast corner of School Street to R5; and

4/25/2023 – Adam Lougee, request to reduce lot size requirements per unit in R5.

Andrew said he would create a google spreadsheet to track all public comments.

VII. ADJOURN – RM moved to adjourn. AF seconded. Motion was approved. The meeting ended at 6:57 pm. The next regularly scheduled meeting is May 10 in the HUB CoWorks.

For the Commission: Barbara Spaulding, Recording Secretary