

**CITY OF ESSEX JUNCTION
PLANNING COMMISSION
MINUTES OF MEETING
SEPTEMBER 5, 2024
APPROVED OCTOBER 10, 2024**

MEMBERS PRESENT: Diane Clemens, Chair; Scott McCormick, Vice-Chair; Elena Juodisius; Elijah Massey, Kirstie Paschall

ADMINISTRATION: Chris Yuen, Community Development Director

OTHERS PRESENT: Olivia Miller-Johnson, Sonya

1. CALL TO ORDER

Ms. Clemens called the meeting to order at 6:33 PM.

2. AGENDA ADDITIONS/CHANGES

None.

3. PUBLIC TO BE HEARD

a. Comments from Public on Items Not on Agenda

None.

4. MINUTES

a. August 1, 2024

MOTION by SCOTT MCCORMICK, seconded by ELIJAH MASSEY, to approve the minutes of August 1, 2024. Motion passed 5-0.

5. BUSINESS ITEMS

a. Reschedule October 3 Meeting

The October 3, 2024 meeting needs to be rescheduled due to a conflict with a religious holiday. All agreed to reschedule to October 10, 2024.

b. 2005 Zoning Map Error

Mr. Yuen described how some properties were inadvertently listed in incorrect zoning district due to a clerical error. He said that this would need to be amended with an update to the Land Development Code. The PC will also incorporate these changes into the Comprehensive Plan during the next plan update.

c. H. 612 (Act 166) Cannabis Regulation Implications

Mr. Yuen described recent changes to state legislation regarding municipal oversight of outdoor commercial cannabis cultivation. Municipalities can not prohibit outdoor cannabis cultivation by zoning district; however they may set a setback of up to fifty feet. Setting this large of a setback would essentially limit commercial cultivation in most small-lot backyards in Essex Junction. Municipalities may also establish a cannabis cultivation district if desired. The PC discussed the difference between personal and commercial cannabis cultivation, odor concerns, as well as the possibility of plants growing over the property line. Mr. Yuen will draft verbiage for review by the PC.

d. Connect the Junction Transit Oriented Development Master Plan Update

Mr. Yuen said that the consultant has held focus groups with a variety of different community organizations and partners. Mr. McCormick suggested direct contact and outreach to encourage business owners to participate. The planning charette will be held from October 4-8, and Mr. Yuen detailed the community outreach methods that will be utilized. One unique method includes providing bar coasters for restaurants with a QR code. Mr. Yuen detailed the event activities, which include a site walk and additional focus groups. Ms. Clemens said that she hopes that more attention can be given to the transit orientated development district rather than just the downtown area. Mr. Yuen said that he would suggest another walking tour of this area.

e. Land Development Code Amendments

Mr. Yuen said that it is difficult to do two separate public engagement processes at the same time and suggested that this round of LDC amendments is more of a technical review to allow for the focus to be on the TOD Master Plan. Mr. Yuen reviewed potential changes, which are detailed below.

- The City is working on developing a new stormwater ordinance and utility to better manage stormwater. Properties will be charged based on the amount of impermeable surface present. There are some corresponding amendments to the LDC in anticipation of the new ordinance.
- Mr. Yuen reviewed the previous proposal to removing the limit on the maximum number of principal structures per lot. The intention of this change is to allow for multiple smaller structures in place of a single larger structure. Currently a property with an existing duplex (principal structure) and a detached garage (accessory structure) would be prohibited from adding a residential unit in the detached garage building. However, a property with an existing duplex and attached garage is allowed to add up to two additional units, even if the total square footage is the same as the first example. Previous discussion by the Planning Commission suggested that allowing multiple principal structures should be considered, so long as the total number of units, lot coverage, setback, and height limits remain in place. However, it was also acknowledged that lifting the maximum number of principal structures will likely be perceived as a major policy shift. To be consistent with the intent to focus the proposed LDC amendments on technical fixes and “low-hanging fruit”, Yuen suggested retaining a limit of two primary structures rather than lifting the limit altogether, in the districts that currently have a limit of one principal structure per lot. Mr. McCormick spoke about the importance of a housing committee and/or housing plan. He said that he is hesitant to make this type of change without a formal strategy. Mr. Massey said that he is in favor of increasing the number of principal structures to two and sees this as a reasonable compromise. Ms. Clemens said that this change may take away from the “Village-feel” that some believe has been lost. She discussed current language which requires homes to look like a single-family home. Ms. Clemens discussed the importance of well-thought-out change, rather than nostalgia. All Commissioners ultimately voiced support of a limit of two principal structures per lot in the residential areas and agreed to review the draft language that Mr. Yuen will prepare. If approved, it will also go through the public hearing process.
- In public input, Sonya asked if the definition of families will be changed to be inclusive of unrelated people, and asked how this would affect occupancy limits in condos. Mr. Yuen said that this would not have an impact, however there are state occupancy limits.
- Mr. Yuen suggested that language related to “detached frontage-style home” be replaced with verbiage stating that there needs to be a primary pedestrian entrance to the street. He said that he

believes the intention of this is to ensure visual and functional connectivity between the street and the homes. The PC discussed the conflict with this goal and current site conditions.

- Mr. Yuen said that parking is currently not allowed within the side setbacks, however driveways are allowed. All were in favor of allowing parking within two feet of the side property line with screening. In the R2 district, detached garages are allowed within 15 feet of the rear property line, but parking needs to be 25 feet away. All agreed that these should be treated the same. Mr. Yuen discussed other inconsistencies with parking and driveway regulations in the residential districts. He suggested that the LDC only apply the requirement that parking take up no more than 30% of the lot's frontage when parking is in front or beside the principal structure and discussed potential landscaping requirements for side parking to mitigate these concerns.
- Mr. Yuen suggested that lawn signage be allowed in the municipal street right of way within two weeks of elections. This would be consistent with sign regulations along state highways. All were amenable to this change.
- Mr. Yuen suggested that corner lots should be considered to have two fronts and two sides for the purposes of setbacks. All agreed.
- Mr. Yuen suggested that most changes to dimensional standards be considered through the TOD Master Plan process, rather than the LDC.
- Mr. Yuen provided the technical conflict between two concurrent front setback requirements in several zoning districts. Currently, most zones have both a minimum front setback requirement of X feet and an additional setback requirement stating that "the front yard setback shall be established by the average setback of the principal structures on the two adjacent lots". In zoning districts with large minimum setbacks, such as the MF1 or MF3 districts (30 ft), the minimum setback often exceeds that of the existing historical development pattern, such that the two setback standards are in conflict. Mr. Yuen noted that excessive front setback requirements may have negative aesthetic and functional consequences, such as encouraging parking to be located in front of the building, counter to the LDC's intent of encouraging parking to be located at the side or rear. To address these issues, Yuen recommended replacing the average adjacent setback requirement to a maximum setback requirement and reducing the minimum front setback requirements in the MF1, MCU, MF3, and R-O districts to 15 feet to match existing development patterns. All agreed in principle to this proposal.

Mr. Yuen will provide an additional write-up for the next meeting.

7. MEMBERS UPDATES

a. Vermont Climate Action Plan Update

Mr. McCormick said that the state is in the process of updating this plan, and that he is on the Rural Resilience Subcommittee. He gave a brief update on the work on the committee and said that he is working to represent municipalities in this process.

8. STAFF UPDATES

None.

9. ADJOURN

MOTION by ELENA JUODISIUS, seconded by SCOTT MCCORMICK, to adjourn the meeting at 8:53 PM. Motion passed 5-0.

Respectfully submitted,
Darby Mayville