

Part 2 comments and changes (version 2.0)

Number	Public Comment Received	Staff Recommendation/Comment	Planning Commission Decision
1	Zoning Map- move district line on Goldman property to put ag land into Rural district from LDR.	Staff supports change.	PC agreed
2	2005 - Move to 3201.B and reference in 3201.C	This section discusses when architectural standards apply within Major site plan. Staff suggests moving this to 3201 (Major site plan/design and compatibility) and discuss in that location. Its more intuitive and is where staff will expect to find such a discussion.	PC agreed
3	2101.E - streetscape standards- strike all	These streetscape standards are already requirements of all site plans (not just major site plans) as described in 3202.C and 3203.F.	PC agreed
4	2101.F change introduction to read " The following standards apply when required under Section 3201:"	Staff is still unclear which projects need to meet Architectural standards when a project is also in design review. Staff suggests that "contributing structures" reviewed under 2201.G and 2201.H be exempt from architectural standards. A clear discussion of applicability is needed in 3201.B and waivers should be moved to 3201 as well.	PC agreed
5	2101.F Keep architectural standards.	Still unclear how design and compatibility (3201) in major site plan works with architectural standards (that also apply only to major site plan). 3201 standards cannot be waived but architectural standards can (in most districts- also a problem of consistency). The two sets of standards talk about many similar topics. Suggest keeping architectural standards for now but clean up process and applicability.	PC agreed
6	2101.G strike this section but subsections (1) to (4) will be moved.	All the pieces move so the section doesn't need to remain.	PC agreed
7	2101.G(1) and (2) Move to "3011.G(5) Within the Urban Core District the following applies:"	This is one of the only parking requirements not located with all of the other parking requirements. They should be all in one place to make it easier to find.	PC agreed
8	2101.G(2) change "pre-existing" to "non-conforming"	These provisions apply to non-conforming parking. Pre-existing is not the same as non-conforming. Some pre-existing is conforming but not all.	PC agreed
9	2101.G(3) move to 3002.I	This provision is discussing how off street parking located under a building impacts FAR so it should be in the section on how to calculate FAR not in the section on parking.	PC agreed
10	2101.G(4) move to 3002.G(7)(d)	This provision is discussing how off street parking located under a building impacts height so it should be in the section on how to measure height not in the section on parking.	PC agreed

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11	2101.H Strike Riparian standards in urban core and riverfront	Riparian buffers (3005) don't apply in UC and Riverfront but this provision partly reinserts them. Buffers and setbacks are still being used incorrectly in these regulations. Within the definition of water setback it says "natural woody vegetation must be maintained or established within the water setback." So the setback is also the vegetative buffer. So #1 is a discussion of non-conforming impervious cover and #2 says to landscape all portions of the water setback which (as already discussed above) is already required to be naturally vegetated creating a conflict - does it need to meet the natural woody vegetation or can it be just landscaped (grass and flowers?). #3 and #4 are encouraged and have no regulatory impact anyways and can be deleted without any impact on the regulations. If it stays there should be a reference in riparian (3005) to the provisions here in Urban Core and in riverfront district.	PC disagreed with recommendation but wanted changes. Moving forward setback will refer to structures (e.g. water setback means no structures including parking will be allowed in setback) while buffer will refer to naturally woody vegetation. For UC and Riverfront, (except as outline in the 4/11 meeting regarding the properties in UC along the Northbranch) there will be a 10 foot setback as established in figure 2-01 but no buffer requirement. The language in .H will describe the "landscaping standards" that will be required within the water setback area. It will not require "natural woody vegetation" but instead can be grass or other plantings. A portion of the setback can be used for recreation paths as well.
12	2102.E strike	see 2101.E (#3)	PC agreed
13	2102.F change intro and keep standards	see 2101.F (#4 and #5)	PC agreed
14	2102.G strike and move parts	See 2101.G (#6, #7, #8, #9, and #10)	PC agreed
15	2102.H strike	See 2101.H (#11)	PC disagreed. See #11.
16	2103.E change intro and match other districts	see 2101.F (#4 and #5); In this section there is no waiver allowed for architectural standards (unlike in many other districts). Matching the language in #4 and #5 will make language consistent and easier to administer.	PC agreed
17	2104.D fix typo. Should say figure 2-04		PC agreed
18	2104.E change intro and match other districts	see 2101.F (#4 and #5); In this section there also is no waiver allowed for architectural standards (unlike in many other districts). Matching the language in #4 and #5 will make language consistent and easier to administer.	PC agreed
19	2105.C fix typo strike figure 1-01.		PC agreed
20	2105.E strike	see 2101.E (#3)	PC agreed
21	2105.F change intro and keep standards	see 2101.F (#4 and #5)	PC agreed
22	2106.D fix typo - Should say figure 2-06.		PC agreed
23	2106.E strike	see 2101.E (#3)	PC agreed
24	2106.F change intro and keep standards	see 2101.F (#4 and #5)	PC agreed
25	2107.E strike	see 2101.E (#3)	PC agreed
26	2107.F change intro and keep standards	see 2101.F (#4 and #5)	PC agreed
27	Figure 2-11 remove definitions from this table	The definitions should appear only once (in Part 5). This will also help with formatting the document.	PC agreed
28	Figure 2-11 Add rural enterprise as a conditional use in all districts	It is a specific use but is not enabled in any district. It should be listed in mining, agriculture and forestry	
29	Figure 2-11 Add to definition of contractor yard (before being moved to part 5) that "contractors are persons that build or demolish structures or perform additions, alterations, reconstruction, installation and repairs."	Needed for clarification.	
30	Figure 2-11 uses- make Retail sales and service outdoors available as condition in WG, MUR, and RL	Outdoor sales can be as innocent as placing items outside during the summer. If it is a CU then it can be denied if not appropriate for neighborhood.	

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31	Figure 2-11 Goldman request to add personal and professional service as a conditional use in LDR perhaps with footnote limiting size (sq ft or number of persons)	Recommend against change. If P+PS is allowed it should only be through the PUD process. If request is approved staff would suggest footnote #4 (max 3,000 square feet).	
32	Figure 2-11 strike Industrial Park as a use	This is a subdivision or PUD with uses regulated separately based on zoning district. Its not really a use in itself.	
33	Figure 2-11 add laboratory or technical facility as a permitted use in EG and conditional use in WG and not allow in RL	First of all a lab was just opened in the Cabot building (in EG) and it is a perfect use for that district. Could also be OK in WG (think GMP doing electrical testing) but is not appropriate far from fire and police services and without access to sewer and water (RL).	
34	Figure 2-11 add warehouse and storage as a conditional use in WG	Warehousing is usually associated with manufacturing and if light manufacturing, manufacturing and heavy manufacturing are allowed then the associated warehousing should be ok.	
35	Figure 2-11 reconsider the public assembly uses in rural lands including performance theater, indoor games facility, sports arena, exhibition/convention/conference, and government facility.	All these uses discribe accommodating "large numbers of people", "large numbers of spectators", "mass assembly". None of these look particularly likely or desireable in a district without sewer and water infrastructure.	
36	Figure 2-11 other community center and fitness, sports, gym, or athletic facility should have size of indoor space capped.	Staff is concerned about "mass gathering" in buildings without sewer and water but "other community center" could be a wedding barn or outdoor mass gathering (under a tent) which would not be a concern so we felt a building size cap (3,000 square feet?) would be good. For fitness et al it was felt to be same as other community- outdoor is ok and indoor should be limited by size. Think about a tennis center with outdoor courts and a small facility for changing rooms. Again a small building is ok but we don't want a huge facility in the rural district.	
37	Figure 2-11 Goldman request to add community center, golf course, and camps, camping and related to LDR as a conditional use.	Golf course, and camps et al. could be ok as a conditional uses. Community center should be limited in size as is in rural.	
38	Figure 2-11 VCFA request "performance theater" and "exhibition, convention and conference structure" to be conditional use in MUR.	The college uses one of their buildings for this and wants the flexibility in the future.	
39	Figure 2-11 reconsider the institutional uses of grade school, acedemic institution, and library in the rural lands district.	The lack of sewer and water make these uses inappropriate for rural district.	
40	Figure 2-11 (Paul C request) Dry cleaners are included in definition of Personal and professional services which are permitted in the MUR district. Change to "dry cleaner drop off locations".	According to the commenter- Dry cleaners are noisy and use spcial chemicals. Perhaps they should be their own use (or grouped as light industrial) so they will be allowed in different areas. (Staff agrees with the proposal- alternatively Personal and Proffessional could be CU but I think that would be counter to PC goals).	
41	Figure 2-11 (Paul C Request) Food service contractors are in MUR and should not be allowed.	According to the commenter this use should be in industrial. This is commercial kitchens and caterers. His concern is the vents for commercial kitchens are noisy. (Staff recommendation is that this use could be made CU and the impact on neighbors could be taken on a case by case basis. )	

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42	Figure 2-11 Missing footnotes need to be added. 1) Bank with drive through is a conditional use; 2) 10,000 square foot maximum and must be fully enclosed; 3) Crossroads neighborhood only; 4) 3,000 square foot maximum.	This is a typo. There are footnotes in the table but not footnotes at the end.	
43	Figure 2-11 footnote #2 - change to 15,000 square feet	The footprint requirement in Riverfront means these uses can be that big (for a single story building). Its felt Urban Center could support larger. Another option is to eliminate the size limit all together because the uses are conditional anyways and the DRB could adjust size to accommodate the specific considerations of the site.	
44	2201.C(2) strike "internal alteration or"	Internal alterations are already exempt entirely from zoning in Part 1.	
45	2201.C(7)(a) strike	its not necessary to say applicants need to meet sign requirements for signs.	
46	2201.C(7)(b) split in two - new "(a) is same or smaller dimensions than sign being replaced; (b) is in same location or is located entirely within a building's sign band; © is generally of the same material	We think this better reflects what signs were intended to be exempt.	
47	2201.C(7)© would be renumber (d) if #45 and #46 is approved		
48	2201.H strike "Secretary of the Interior Standards for Rehabilitation" and replace with "standards in subsection 2201.G"	It was agreed to remove the reference and it was removed in some but not all locations.	
49	2201.H add a new #1 and renumber: "(1) Architectural Standards. Proposals for exterior modifications of contributing historic structures are exempt from the requirements to meet architectural standards of the base zoning district."	This is a critical change to clarify the applicability of architectural standards. As written it is unclear what happens. If applicants have to meet both they could be forced to add architectural features to historic structures which would not be appropriate. The architectural rules were first discussed for areas around the historic design review area not ot be in addition to those standards.	
50	2201.H Add new (11) "New or replacement signs. New or replacement signs not exempted in subsection .c may be reviewed by the DRC for location, size materials, and hardware but not for the context of the signs."	In conjunction with #40 this helps clarify which signs DRC will review and what can be reviewed.	
51	2201.I strike "Secretary of the Interior Standards for Rehabilitation" and replace with "standards in subsection 2201.G"	It was agreed to remove the reference and it was removed in some but not all locations.	
52	2201.I(1) strike	Architectural standards currently only apply to Major Site Plan except this section applies to all projects. Unclear if this would trump the "only major site plan" limit. I would suggest limiting applicability to only major site plan here as well. In that case section 3201.C (major site plan rules) will require architectural standards for those projects so the requirement isn't needed here.	
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54	From Brandy's Matrix:		
55	2108.B(2) recommendation to revise "public recreation areas and open spaces" to "recreation areas and open spaces".	Brandy recommends no change. Other neighborhood descriptions include similar language related to public recreation areas and open spaces and such amenities are characteristic of traditional neighborhoods.	

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56	2201.H(2) Replacing non-historic windows or doors. Provide an allowance when replacement in accordance with this provision is infeasible.	Brandy recommends no change. This provision already has flexibility by using phrase "reasonable efforts".	
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