**Form Based Code Committee**

**Meeting Minutes**

**May 6, 2015**

**DRAFT**

Committee members in attendance: Jollie Parker, Kylie Hill, Walter Pomroy, Mark Nielsen, Kyle Nuse, Brad Moore.

Other attendees: Paul Dreher, David Butler (Planning Commission Chair), Lea Kilvadyova (Community & Economic Development Coordinator), Charles Gallanter

***Regulation of uses***

Per Committee’s discussion, the draft of the code will propose the following disallowed or non-conforming uses: adult entertainment, heavy industry and tax-exempt uses/properties. It was noted that if tax-exempt uses are not allowed, we would not be able to have a medical center or a state office buildings in our village. (Note: Later in the meeting tax-exempt uses were taken out of disallowed uses category.)

***Review of Form Based Code’s “Administration, Non-Conformity and Parking”document***

Paul made adjustments to the document based on the feedback provided at the last meeting. The group reviewed and approved the revisions.

Of concern to the some meeting participants, was newly added language describing a potential requirement for bonding. This would apply to situation when a developer abandons construction and leave the project unfinished. A bonding requirement would assure that the town gets some resources to reclaim the construction site. Charles Gallanter suggested including a clause in the code that would allow an exemption from complying with the code if 5% of voters sign a petition for the exemption. Walter called a vote on Charles’ proposal. The Committee voted the suggestion down.

In a further review document, the Committee requested the following changes:

* Non-conformity language part B 2 i. and ii. – add the word exterior prior to “replacement, refurbishment or improvement” and add the word frontage in the phrase “excluding build-to line and level/story requirements”
* Streamline threshold figures that will trigger the code. Currently the code states improvements at 35% of change and 50% of change.
* The current draft does not allow the expansion of non-conforming uses. Several committee members pointed out that if tax-exempt properties are identified as nonconforming uses, the school, the library, etc. will not be allowed to expand. In the end it was decided to take tax-exempt uses off the list of non-conforming uses.
* Adult entertainment should have a definition in the “Definitions” section of the document.

There was a discussion about the “change of use”. Walter questioned why people needed permits if they were going to change the use of the building from say a retail shop to a restaurant. Paul reasoned that it is good for the municipality to be aware of the changes in use as the changes may bring about new wastewater permit requirements, increased parking needs, etc.

***Next steps***

* Review parking standards
* Finish the code draft by the end of June

Next meeting will be in three weeks on June 10th.

----------- Notes taken by: Lea Kilvadyova