

TO: Zoning Advisory Committee
FROM: Paul LeBlanc, AICP
DATE: July 21, 2015
SUBJECT: Summary of Changes for Review

Our second review session will pick up where we left off last time, starting with Article VI, Mixed Use Districts and then moving into Articles VII (Overlay Districts), VIII (Conditional Uses) and IX (General Provisions). Articles VI and VII were included in the materials you received prior to our first review meeting. Articles VIII and IX are included with this memo.

Article VIII, Conditional Uses, is new. While the current zoning ordinance provides for conditional uses, there is very little guidance regarding the review procedures and no specific standards for individual uses. Within the draft Article VIII, we have included:

- A description of the intent of conditional uses, as distinct from permitted uses;
- A defined application and review procedure;
- General standards for review (essentially the same as in Article X, Section 1 of the current ordinance);
and
- Specific requirements for individual uses.

Note that not all uses denoted as “conditional” in the use tables have specific requirements. However, all conditional uses are subject to the same review procedure and must be found to satisfy the general standards. Another significant change that we’re recommending is that conditional uses, with a few exceptions, be reviewed administratively (by staff) rather than the Planning Commission. However, there are some uses that are fairly intense or potentially controversial that we have recommended be reviewed by the Planning Commission with the final decision by Town Council.

Article IX, General Provisions, is not new, but expanded. The current ordinance contains a General Provisions section (Section 7) within Article I. In the draft ordinance it is a separate article. Noteworthy differences include:

- Off-street Parking and Loading has been removed and revised as a separate article (Article X) in the draft;
- Other provisions (Front Yard Requirements, Home Occupations, and Curb Cuts) have been moved to other parts of the ordinance;
- Some provisions (lighting) have been moved from elsewhere in the current ordinance to General Provisions; and
- Several more specific provisions have been added.

As you review these Articles, pay particular attention to:

- The specific requirements for conditional uses. Do these uses warrant specific requirements? Should other conditional uses be added to this article and subject to specific requirements?
- Should review of most conditional uses be delegated to staff?
- For those reviews not handled by staff, should the decision be made by the Planning Commission rather than sending it on to Council for final action?

I look forward to continuing our review of the draft on August 5. Thank you for your assistance and continued interest.